The Freedom Collection Presents:

FREEDOM MATTERS!

WHAT IS FREEDOM?

Unit 1, Lesson 1
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WHAT IS FREEDOM?

INTRODUCTION
This lesson will explore the nature and experience of freedom. Students will examine the ideas of great thinkers of the past who have written about the sources and characteristics of freedom. They will also examine the actual experiences of contemporary political dissidents who have struggled to achieve freedom from tyranny. Students will develop definitions of freedom and tyranny that they can substantiate with analysis, explanations, and facts.

GUIDING QUESTIONS

- How have people defined freedom’s sources and essential characteristics throughout history?
- What are the characteristics of tyranny?
- Why do people seek freedom from tyranny?

OBJECTIVES
STUDENTS WILL:

- Analyze ideas about, and compare actual experiences of, freedom and tyranny.
- Engage in conversations about freedom and tyranny.
- Develop definitions of freedom and tyranny, making use of ideas expressed by prominent thinkers of the past and the experiences of today’s political dissidents.

LENGTH OF LESSON

- Day 1—55 minutes
- Day 2—50 minutes

CURRICULUM STANDARDS
TEKS
- WH. 20.C “Explain the political philosophies of individuals such as John Locke, Thomas Hobbes, Voltaire, Charles de Montesquieu, Jean Jacques Rousseau, Thomas Aquinas, John Calvin, Thomas Jefferson, and William Blackstone.”
AP WORLD HISTORY

- AP.5.3.I.A “Thinkers applied new ways of understanding the natural world to human relationships, encouraging observation and influence in all spheres of life.”

BACKGROUND

DEFINITION AND SOURCES OF POLITICAL FREEDOM

The lessons presented in “Freedom Matters!” aim to help students understand freedom. Freedom, or political liberty, as the notion appears throughout this plan of study, refers to that condition which broadens the range of choices and actions available to human beings living under governments. The ideal of freedom should always be understood in opposition to restrictions imposed on individuals by other human beings, whether they are acting alone, in groups, or as officers of government. The lessons in “Freedom Matters!” will not be concerned with limitations on human freedom that owe to natural forces or do not originate in choices made by other human beings. Oppression, despotism, or the extreme form of restriction one identifies with tyranny all designate that which opposes freedom.

“A state that denies its citizens their basic rights becomes a danger to its neighbors as well: internal arbitrary rule will be reflected in arbitrary external relations. ... A state that does not hesitate to lie to its own people will not hesitate to lie to other states.”

— VACLAV HAVEL, FIRST PRESIDENT OF THE CZECH REPUBLIC & FORMER DISSIDENT (1985)

Lesson 1 in this unit offers an introduction to some of the great thinkers of the past who have contributed to our understanding about the nature of freedom, its sources or foundations, and those who have identified its characteristics. The lesson also introduces the stories of contemporary political dissidents who have experienced tyranny and have acted to achieve freedom.
From these combined sources and from the discussions provoked thereby, students should deepen, refine, and better grasp what is at stake in the opposition between freedom and tyranny.

Now and in the past, thinkers have offered definitions of freedom and have considered why people seek protection from oppression. Analyzing and discussing excerpts from some of their writings will help students think about where freedom comes from (its sources) and what the experience of freedom looks like (its characteristics). The writings selected for this lesson represent four major traditions of thought. These schools of thought have provided various foundations for grasping fundamental principles underlying freedom. These traditions of thought are not mutually exclusive, and some conceptions of freedom, such as the one expressed in the American Declaration of Independence, rely on more than one of the traditions featured in the lesson.

FREEDOM FOUND IN HUMAN NATURE: Some thinkers believe that human nature is the source of freedom. This tradition holds that something within all human beings makes them want to be free. Human beings make judgments and choices. Freedom in all of its aspects applies to all those activities that require judgment and choice. The most important of such activities require others to respect our freedom of judgment and choice. To identify such vital areas of liberty one may speak of human beings having rights. When we designate some freedoms to be rights we assert that every person has a moral obligation to refrain from actions that violate these freedoms. We may also assert an obligation to promote conditions needed for the exercise of these rights. There are no rights without corresponding obligations, and these obligations apply to the bearer of rights as well as to all others. Government is included among these “others”; in some instances it may serve to protect rights, while in others it may pose a threat to rights.

FREEDOM SUPPORTED BY BELIEF IN GOD: Some thinkers find that the source of human freedom in all of its aspects traces back to a divine will, to God. This tradition holds that human beings owe their existence to a supreme being who has endowed them with rights. The rights are sacred because their source is sacred. Therefore, as with those who discover a foundation for freedom in human nature, those who believe in a divine foundation also consider governments to be limited in their reach. Governments must not violate God-given rights.

FREEDOM GROUNDED IN BOTH HUMAN NATURE AND BELIEF IN GOD: Some who have looked into underlying principles have located the source of freedom in dictates both from human nature and from the will of God. According to this tradition, rights and obligations known from reasoning about human nature are confirmed by God’s word. Although the two sources do not conflict, particular laws...
and institutions of any actual government may or may not conform to the higher law. Thus, as with the two traditions previously identified, this teaching also sets a standard that puts limits upon what governments may justly command.

FREEDOM FOUND IN CONSENT (SOCIAL CONTRACT): Some thinkers have advanced the idea that freedom has no source in nature or God but owes instead upon the consent of the governed. In establishing or continuing particular governments, human beings arrive at an agreement regarding the kind of government under which they choose to live. The powers of government may be limited or unlimited. But, limited or not in their reach, these powers continue to exist only on condition. That condition is that those who once consented to establishing a government continue in their original agreement. Thus the character of the government as well as the very existence of any government whatsoever would depend upon the consent of those who decide to submit to a political authority. One version of this teaching we find in thinkers who propose an original “social contract.” Some representatives of this tradition combine with the principle of consent a belief in a “law of nature,” or a standard of freedom in “natural rights,” or a “divine law,” or a belief in all of these foundations. Other versions assert that consent as the only ground of political obligation and of rights.

CHARACTERISTICS OF FREEDOM

Regardless of where one locates its source, we can see that liberty applies within three broad concerns of life: political freedom, economic freedom, and personal freedom. The individual exercises freedom in one form as a citizen subject to law, in another form as a participant in the production, consumption, and exchange of goods and services, and in a third domain as a personal being who engages in relations other than those determined by political or economic considerations (for example, marriage, participation in a voluntary association). Rights and their corresponding obligations differ as activity shifts from one to another of these domains.

POLITICAL FREEDOM. Political freedom encompasses the rights or freedoms pertaining to an individual’s participation in the conduct of government. The characteristics of political freedom are typically thought to include the rights to:

- Choose the head of government and other representatives in elections.
- Vote without fear or domination by others.
- Participate in free, fair, and regular elections with secret ballots.
- Rely on unbiased counting of the vote.
- Choose from more than one candidate.
- Join or form a political party.
- Run for office.
- Enjoy equal protection of the laws.
- Petition the government.
- Live under a government in which elected officials determine laws and policies.
- Live under a government that is accountable, open to public scrutiny, and free of corruption.
ECONOMIC FREEDOM. Economic freedom refers to the rights of individuals to work, to enter into contracts, and to possess, use, and inherit property. Economic freedom is greatest when the economy is influenced more by individuals and the private sector than government control. The characteristics of economic freedom are typically thought to include the rights to:

- Acquire, own, use, and inherit property protected by the rule of law.
- Exchange goods and services in open markets, at home and internationally.
- Establish or work for a business and engage in economic activity, including contracts, free of undue governmental interference and of corrupt officials.
- Have recourse to legal enforcement of contractual obligations.
- Be provided a reliable medium of exchange in currency (money) and instruments of credit.
- Choose and change one’s occupation or place of employment.
- Form or join a labor union and engage in collective bargaining.
- Form, join, or invest in a corporation or private professional organization.
- Enjoy legal protection against monopolies and collusions in restraint of free trade and discouraging of competition.

“...”

PERSONAL FREEDOM: Personal freedom encompasses a range of individual rights, sometimes referred to as “civil liberties.” The characteristics of personal freedom are typically thought to include the rights to:

- Make decisions about private life; privacy.
- Move and travel without restrictions.
- Enjoy immunity from undue surveillance.
- Assemble in or organize a public demonstration.
- Form civic groups, interest groups, and other associations.
- Express opinions freely in public and in private; free expression.
- Have access to free and independent media.
- Exercise religion, worship, and think freely in public and in private.
- Receive an education that is free from political indoctrination.
- Marry and establish a family.
- Experience due process of the law under an independent judiciary.
- Enjoy protection of the rights of all people, including women and children under the rule of law.
ROLE OF GOVERNMENT IN SECURING FREEDOM. The role of government should be to secure political, economic, and personal freedoms for individuals. Government accomplishes these ends by:

- Preventing individuals or groups from oppressing other individuals or groups
- Restricting officers of government from oppressing individuals or groups

Several principles have helped define the role of government in securing freedom. Among these are provisions for limited government; for the rule of law; for separation of legislative, executive, and judicial powers; for subordinating military to civilian authority; for protecting individual rights; and for securing the consent of the governed.

Various means have proven helpful to limiting the power of government. The aim has been to make rulers responsible in exercising powers placed in their trust. Several of these safeguards contribute to that widely operating limitation known as the rule of law. Other means have to do with making explicit what rights within what spheres of action are to be reserved to individuals or to voluntary associations. Over time, this effort has produced constitutions, codes of law, and bills of rights that direct governmental authorities to secure liberty.

In forming government people agree to accept certain limitations on their freedom, most notably the right to exact revenge for injuries. A sensible purpose in yielding such freedom is to better secure what freedom remains. There remain political, economic, and personal rights for individuals, these to be had while sacrificing no more liberty than necessary. In exchange for some of their freedoms, people require arrangements that promise to prevent governments themselves from becoming oppressive.

Because government has been entrusted exclusively with the right to limit some freedoms, it is a two-edged sword. Government can promote freedom for its citizens, but government can also oppress. To help students understand the nature of tyranny and to recognize the signs that it is being imposed, they will conclude the lesson by viewing videos from the Freedom Collection, which includes testimonies by contemporary political dissidents who have risked much to gain rights for their countrymen. These firsthand accounts highlight men and women who have endured tyranny and experienced the difficult consequences of resistance, suffering imprisonment, intimidation, loss of property, occupation, or life itself. Some have witnessed the birth of freedom in their countries. Others are exiles from countries that still endure despotism.

RESOURCES

- Handout, Thoughts on Freedom cards
  - NOTE: You will need to print and prepare the cards prior to the start of this activity. It is recommended that you have one set of cards per group of four students.
- Freedom Collection videos
  - “Why I Became a Dissident” [Various, English and subtitles, 6:59], http://www.freedomcollection.org/themes/why_i_became_a_dissident/
  - Nima Rashedan: War on Media [Iran, English]
5:04), http://www.freedomcollection.org/interviews/nima_rashedan/?vidid=253
• Martin Butora (Slovakia, English, 5:43), http://www.freedomcollection.org/interviews/martin_btora/?vidid=893
• Claudio Jose Sandoval: Repression and Discrimination (Venezuela, subtitled, 5:27), http://www.freedomcollection.org/interviews/claudio_jose_sandoval/?vidid=440

PREREQUISITES

None, as this is the introductory lesson to Unit One.

NOTES TO THE TEACHER

• This is an introductory lesson designed to be completed in two class periods.
• Teachers may elect to use any or all of the suggested videos, which are available to download in advance of a lesson from the Freedom Collection website. Each video also has an accompanying transcript that is available on the website.

PROCEDURE

(times below are suggested)

DAY 1

1. [5 minutes] Warm-Up: Begin the lesson by having students write what the word “freedom” means to them.

2. [5 minutes] Call on several of the students to share their definitions. As they share, record their answers on the board and ask students to look for and analyze common elements. Explain that they will be examining ideas about freedom and actual experiences of freedom to help refine their definitions.

3. [10 minutes] Using the background provided, complete a direct teach to ensure students understand the sources of freedom.

4. [20 minutes] Divide students into groups of four, providing each group with a copy of the Thoughts on Freedom cards handout. Each card includes an excerpted quote from a great thinker reflecting on the four possible sources of freedom: human nature; God; both human nature and God; or consent (social contract). Students should create a graphic organizer and work in their groups to determine and record the following for each quote:
   • Which source of freedom is represented by the quotation?
   • Which characteristics of freedom does the quotation describe?
5. (10 minutes) Once students have completed their analysis, engage them in a class discussion around the following questions:
   - How did you categorize each quotation? (answers provided below)
   - How are the ideas contained in the quotations similar or different?
   - Which quotations did you find adequate, which lacking?
   - Which quotations resonate with you the most, which least?

6. (5 minutes) Ask students to create a list of the ideas and concepts that define freedom based on what they have learned today. Instruct them to keep this list, as they will use it the next day.

DAY 2

1. (10 minutes) Explain that to continue the process of deepening their concept of freedom, the students need to consider the opposite or absence of freedom, which is tyranny. Have students begin by writing what the word “tyranny” means to them. Call on several of the students to share their definitions.

2. (10 minutes) To further their understanding of the concept, teachers will show the “Why I Became a Dissident” video, in which political dissidents describe living under tyranny. Instruct students to think about the three questions below, taking notes, while they watch the video. Ask students to share their answers at the conclusion of the video.
   - What characteristics of tyranny did you see or hear described in the video?
   - What did you learn about why people seek freedom from tyranny?
   - Do you think there is a universal desire of people to be free?

“Why I Became a Dissident” (Various, English and subtitles, 6:59), http://www.freedomcollection.org/themes/why_i_became_a_dissident/
President George W. Bush narrates this clip that shows the power of individuals in beginning freedom movements. Various dissidents discuss what inspired them to take action and the impact their decisions made. Images of freedom movements between interviews allow students to visualize what a freedom movement might look like.

3. (15 minutes) Next, depending on the classroom setup, teachers should pick or allow students to pick two of the following videos in which political dissidents describe living under tyranny. Instruct students to take notes on the nature of tyranny and oppression as they watch. Tell them that they will use this information and what they learned yesterday to create definitions of freedom and tyranny. Suggested interviews include the following:
   - Nima Rashedan: War on Media (Iran, English, 5:04), http://www.freedomcollection.org/interviews/nima_rashedan/?vidid=253
     Mr. Rashedan was a journalist who went to prison for publishing criticisms of the oppressive
government in Iran. After he left the country in 1998, the government shut down over 50 newspapers. Men overran the newspaper offices, vandalized the computers, and took the journalists’ possessions.

- Martin Butora: Normalization (Slovakia, English, 5:43), http://www.freedomcollection.org/interviews/martin_btora/?vidid=893
  In this video clip, students will hear about the political purges that started after the Soviet Union invaded Czechoslovakia in 1968. These purges caused the citizens to become very passive. Because the government controlled everything, all opposition was repressed. Even when a few started to publish and express their ideas underground, the general feeling was they wouldn’t be able to accomplish anything.

- Claudio Jose Sandoval: Repression and Discrimination (Venezuela, subtitled, 5:27), http://www.freedomcollection.org/interviews/claudio_jose_sandoval/?vidid=440
  In this video clip, students will hear of the government arresting citizens who weren’t activists, but who were merely speaking out about the terrible quality of service on Venezuela’s state-run subways. The government also tapped phones and planted evidence on suspected activists. Sandoval also speaks of activists receiving phoned death threats by hired killers, as well an incident in which an activist’s car was shot full of holes to intimidate and scare him.

4. (10 minutes) Instruct students to create definitions of freedom and tyranny based on the ideas and actual experiences of freedom analyzed in the lesson. Remind them to use the list they created on day 1 of the ideas and concepts that define freedom and the notes they have taken today as they complete the statements, “Freedom is...” and “Tyranny is...”.

5. (5 minutes) As a closing activity, ask students to volunteer to share their definitions of freedom and tyranny. NOTE: These definitions will be used again in the final lesson; please ensure that students keep them.

**ENRICHMENT/EXTENSION ACTIVITIES**

- Have students research other pertinent quotations on political freedom to include in their final definition.
- Have students compare their definition of freedom to the definition of freedom included in the background section.
THOUGHTS ON FREEDOM

FREEDOM FOUND IN HUMAN NATURE

Men should be subject to nothing, not to another man, not to disturbing passion, not to fortune. (Cicero, De Officiis)

Cicero (106 BC–43 BC) was a Roman philosopher, lawyer, and political theorist who wrote De Officiis in 44 BC. The essay, divided into three books, criticizes Julius Caesar and his dictatorship while defining the ideals of public behavior.


You shun slavery—beware of enslaving others! If you can endure to do that, one would think you had been once upon a time a slave yourself. For vice has nothing in common with virtue, nor Freedom with slavery. (Epictetus, Golden Sayings)

Epictetus (c. 55 AD–135 AD) was a Greek philosopher. Many of his teachings, which were compiled and transcribed by his student Arrian, focus on self-knowledge and the pursuit of good, as determined by the capacity to act for ourselves.


In the Roman republic when any one of the three classes becomes puffed up and manifests an inclination to be contentious and unduly encroaching, the mutual interdependency of all the three and the possibility of the pretensions of anyone being checked and thwarted by the others, must plainly check this tendency. And so the proper equilibrium is maintained by the impulsiveness of the one part being checked by its fear of the other. (Polybius, Histories)

Polybius (c. 200 BC–c. 118 BC) was a Greek historian whose Histories covered the period 264 BC–146 BC. His writing discusses the separation of powers in government.


Upright governments have liberty as their aim, that men may live for themselves; not citizens for the sake of the consuls, nor a people for a king, but conversely, consuls for the sake of the citizens, and a king for his people.” (Dante Alighieri, On Monarchy)

Dante (1265–1321) was a well-known Italian poet, most famous for his Divine Comedy.
Monarchy discusses secular and religious authority, criticizing the Pope’s ability to supercede the Emperor’s authority.


If the sovereign, the heart, should invariably consult with reason, his vizier, and, when desire was transgressing, should give to wrath to have power over him (yet, without giving him full liberty, should make him angry in subjection to reason, the vizier, so that passing all bounds he should not stretch out his hand upon the kingdom), there would then be an equilibrium in the condition of the kingdom, and all the members would perform the functions for which they were created, their service would be accepted at the mercy seat, and they would obtain eternal felicity. (Al-Ghazali, The Alchemy of Happiness)

Al-Ghazali (1058–1111) was an influential Muslim philosopher and theologian. The Alchemy of Happiness, written circa 1105, focuses on happiness as the highest state of existence, which can only be reached through complete devotion to God.


But freedom of men under government is to have a standing rule to live by, common to every one of that society, and made by the legislative power...not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man; as freedom of nature is to be under no other restraint but the law of nature. (John Locke, Second Treatise of Government)

John Locke (1632–1704) was an English philosopher and a famous Enlightenment thinker. The Second Treatise of Government, published in 1689 as part of his larger work Two Treatises of Government, discusses natural rights and contract theory to form a more civilized society.


Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of the society the enjoyment of the same rights. These limits can only be determined by law. (National Constituent Assembly of France, Declaration of the Rights of Man, 1789)

The Declaration of the Rights of Man and of the Citizen was approved by the National Constituent Assembly of France on August 26, 1789, following the beginning of the French Revolution. The Declaration, based in part on the Declaration of Independence, guaranteed the universal nature of natural rights and liberties to French citizens.


No matter what part of the world we come from, we are all basically the same human beings. We all seek happiness and try to avoid suffering. We have the same basic human needs and concerns. All of us human beings want freedom and the right to determine our own destiny as individuals and as
peoples. That is human nature. (Tenzin Gyatso, His Holiness the XIVth Dalai Lama, Nobel Peace Prize Acceptance Speech)

Tenzin Gyatso (born 1945) is the 14th and current Dalai Lama who serves as the leader of the Tibetan people. He accepted the Nobel Peace Prize on December 10, 1989, focusing his speech on the need for compassion to resolve conflicts not only in Tibet but around the world.


Freedom is the alone unoriginated birthright of man, and belongs to him by force of his humanity, and is in dependence on the will and co-action of every other in so far as this consists with every other person’s freedom. (Immanuel Kant, The Metaphysics of Ethics)

Immanuel Kant (1724–1804) was a Prussian philosopher who wrote The Metaphysics of Ethics in 1796. Kant’s philosophy is centered on freedom, as he believes that without it people would not be able to act based on reason.


FREEDOM SUPPORTED BY BELIEF IN GOD

The Spirit of the Lord God is upon me…he hath sent me to bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prison to them that are bound. (Old Testament, Isaiah 61:1)

Isaiah 61:1 Standard King James Version, Pure Cambridge

The other kind of liberty I call civil or federal, it may also be termed moral, in reverence to the covenant between God and man, in the moral law, and the politic covenants and constitutions amongst men themselves. This liberty is the proper end and object of authority... it is a liberty to that only which is good, just, and honest. (John Winthrop, “Speech to the General Court,” July 3, 1645)

John Winthrop (1587–1647) was a governor of Massachusetts Bay Colony and a Puritan lawyer. In this speech Winthrop asserted that the duty of the government is not to promote general welfare but rather justice while fighting corruption.


The early colonial clergy... preached equality because they believed in the fatherhood of God and the brotherhood of man. They justified freedom by the text [Book of Genesis] that we are all created in the divine image, all partakers of the divine spirit. (Calvin Coolidge, “The Inspiration of the Declaration of Independence,” Speech of July 5, 1926)

Calvin Coolidge (1872–1933) was the 30th president of the United States. He gave this


Every man and woman on this earth has rights, and dignity, and matchless value because they bear the image of the Maker of Heaven and earth. (George W. Bush, “The Second Inaugural Address,” Speech on January 20, 2005)

George W. Bush (born 1946) was the 43rd president of the United States. His Second Inaugural Address focused on foreign policy, especially the promotion of democracy in the world and making human rights an integral part of U.S. foreign policy.


**FREEDOM GROUNDED IN BOTH HUMAN NATURE AND BELIEF IN GOD**

The foundation of authority is laid in the free consent of the people. The choice of public magistrates belongs unto the people by God’s own allowance. (Thomas Hooker, “Sermon to the General Court,” 1638)

Thomas Hooker (1586–1647) was Puritan colonial leader in the United States who founded the colony of Connecticut due to his disagreements with the limitations placed on suffrage in Massachusetts. His “Sermon to the General Court” was given on May 31, 1638, at the First Church of Hartford following the formation of the Constitution of Connecticut earlier that month.


We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with inherent and inalienable Rights; that among these, are Life, Liberty, and the pursuit of Happiness; that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; that whenever any Form of Government becomes destructive of these ends, it is the Right of the people to alter or abolish it, and to institute new Government. (Thomas Jefferson, Declaration of Independence)

Thomas Jefferson (1743–1826) was a Founding Father and leading Enlightenment figure who also served as the third president of the United States. Jefferson drafted the Declaration of Independence during June 1776, and following changes from Benjamin Franklin and other members of the Second Continental Congress, the Declaration was ratified on July 4.

Art. I.—all men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

ii.—it is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship. (A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts, 1780)

The Declaration of Rights is one of four parts of the Constitution of Massachusetts, written primarily by John Adams in 1779 and approved in 1780. The Constitution served as the model for the Constitution of the United States.


This is a world of compensations; and he who would be no slave, must consent to have no slave. Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it. (Abraham Lincoln, *Letter to Henry L. Pierce and others*)

Abraham Lincoln (1809–1865) was the 16th president of the United States. His letter to Henry L. Pierce, a manufacturer and later state representative and mayor of Boston, is in reply to an invitation to a festival honoring Thomas Jefferson that he could not attend.


**FREEDOM FOUND IN CONSENT**  
*(SOCIAL CONTRACT)*

Man cannot continue in the ... liberty that God hath given him. The liberty of one is thwarted by that of another; and whilst they are all equal, none will yield to any, otherwise than by a general consent. This is the ground of all just government. (Algernon Sidney, *Discourses on Government*)

Algernon Sidney (1623–1683) was an English member of Parliament and a republican political theorist. Discourses on Government, published in 1698, expressed Sidney’s opposition to absolute monarchy and the divine right of kings.
A commonwealth is said to be instituted, when a multitude of men do agree, and covenant every one with everyone, that to whatsoever man, or assembly of men, should be given by the major part, the right to present the person of them all, that is to say, to be their representative; every one as well he that voted for it, as he that voted against it, shall authorize all the actions and judgments, of that man, or assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men. (Thomas Hobbes, *Leviathan*)

Thomas Hobbes (1588–1679) was an English political philosopher. *Leviathan* is his most famous work, published in 1651, which discusses the need for the existence of a social contract and a strong government to avoid civil war and discord.


Every man being born free and his own master, no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man. (Jean Jacques Rousseau, *The Social Contract*)

Jean Jacques Rousseau (1712–1778) was a French Enlightenment philosopher, whose writings influenced the French Revolution. *The Social Contract*, published in 1762, argues against the divine right of monarchs and places sovereignty in the hands of the people.

Men should be subject to nothing, not to another man, not to disturbing passion, not to fortune.

-CICERO, *DE OFFICIIS*

Cicero (106 BC - 43 BC) was a Roman philosopher, lawyer, and political theorist who wrote *De Officiis* in 44 BC. The essay, divided into three books, criticises Julius Caesar and his dictatorship while defining the ideals of public behavior.

In the Roman republic when any one of the three classes becomes puffed up and manifests an inclination to be contentious and unduly encroaching, the mutual interdependence of all the three and the possibility of the pretensions of anyone being checked and thwarted by the others, must plainly check this tendency. And so the proper equilibrium is maintained by the impulsiveness of the one part being checked by its fear of the other.

-POLYBIUS, *HISTORIES*

Polybius (c. 200 BC - c. 118 BC) was a Greek historian whose *Histories* covered the period 264 BC - 146 BC. His writing discusses the separation of powers in government, the election of officials, and the role of the Senate.

Upright governments have liberty as their aim, and a king for his people, but conversely, conserves for the sake of the citizens, the sake of the consul, not a people for a king, that men may live for themselves, not citizens for their aim.

-POLYBIUS, *HISTORIES*

Freedom with slavery, not to fortune.

-EPICURUS, *GOLDEN SAYINGS*

Freedom with slavery, not to fortune, nor vice has nothing in common with virtue, nor you had been once upon a time a slave yourself. If you can endure to do that, one would think you shin slavery—beware of enslaving others.

-EPICURUS, *GOLDEN SAYINGS*

The separation of powers in government.

-EPICURUS, *GOLDEN SAYINGS*

Men should not to distinguishing passion.

-CICERO, *DE OFFICIIS*

Another man, not to disturbing passion, not to fortune.

-CICERO, *DE OFFICIIS*
Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of the society the enjoyment of the same rights.

— NATIONAL CONSTITUENT ASSEMBLY OF FRANCE, DECLARATION OF THE RIGHTS OF MAN, 1789

The Declaration of the Rights of Man and of the Citizen was approved by the National Constituent Assembly of France on August 26, 1789 following the beginning of the French Revolution. The Declaration, based in part on the Declaration of Independence, guaranteed the universal nature of natural rights and liberties to French citizens.

No matter what part of the world we come from, we are all basically the same human beings. We all seek happiness and try to avoid suffering. We love the same basic human freedom as people. That is human nature.

— AL-GHAZALI, THE ALCHEMY OF HAPPINESS

Al-Ghazali (1058 - 1111) was an influential Muslim philosopher and theologian. The Alchemy of Happiness, written circa 1105, focuses on happiness as the highest state of existence which can only be reached through complete dedication to God.

But freedom of men under government is to have a standing rule to live by, common to every one of that society, and made by the legislative power, not to be subject to the inconstant, uncertain, arbitrary will of another man; as freedom of nature is to be under no other restraint but the law of nature.

— JOHN LOCKE, SECOND TREATISE OF GOVERNMENT

John Locke (1632 - 1704) was an English philosopher and a famous Enlightenment thinker. The Second Treatise of Government, published in 1689 as part of his larger work Two Treatises of Government, discusses natural rights and contract theory to form a more civilized society.

He declared that the French king had no right to rule over his people, and that the king's power was derived from the consent of the governed. The Declaration of Independence, adopted on July 4, 1776, was based in part on this principle.

If the sovereign, the heart, should invariably consult with reason, his vizier, and, when desire was transgressing, should make him angry in subjection to reason, the vizier, so that passing all bounds he should not stretch out his hand upon the kingdom, there would then be an equilibrium in the condition of the kingdom, and all the members would perform their functions for which they were created, their service would be accepted at the mercy seat, and they would obtain eternal felicity.

— TENZIN GYATSO, HIS HOLINESS THE XIVTH DALAI LAMA

Tenzin Gyatso (born 1945) is the 14th and current Dalai Lama who serves as the leader of the Tibetan people. He accepted the Nobel Peace Prize on December 10, 1989, focusing his speech on the need for compassion to resolve conflicts not only in Tibet but around the world.

No other restraint but the law of nature will of another man; as freedom of nature is to be under subject to the inconstant, uncertain, arbitrary will of men under government...not to be standing rule by free, common to everyone of that but freedom of men under government is to have a

— TENZIN GYATSO, HIS HOLINESS THE XIVTH DALAI LAMA, NOBEL PEACE PRIZE ACCEPTANCE SPEECH

Tenzin Gyatso (1935 - 2020) was an influential Tibetan spiritual leader and political figure. He was the spiritual leader of the Tibetan people and the head of the Tibetan government in exile.

Although the quote is not mentioned, the image also includes a passage from the Second Treatise of Government by John Locke, which discusses the right of the people to rebel against a government that violates their natural rights. This is a key principle of modern democratic thought and is reflected in the Declaration of Independence and other fundamental documents of the United States.
Freedom is the alone unoriginated birthright of man, and belongs to him by force of his humanity; and is in dependence on the will and co-action of every other in so far as this consists with every other person's freedom.

- **Immanuel Kant**, *The Metaphysics of Ethics*

Justice while the righting corruption.

The duty of the government is not to promote general wealth but justice. colonies and a small freedom. In this speech Winthrop asserted that colonies.

- **John Winthrop** (1587–1649) was a governor of Massachusetts Bay Colony.

Of Independence, Speech of July 5, 1926

The divine image, all partners of the divine spirit. The early colonial clergy... preached equality.

- **Calvin Coolidge**, "The Inspiration of the Declaration of Independence, Speech of July 4th, 1926".

The other kind of liberty I call civil or federal. It may also be:


Only which is good, just, and honest.

- **Old Testament, Isaiah 61:1**

The Spirit of the Lord God is upon me... he hath sent me to bind up the brokenhearted, to proclaim liberty to the captives, and the opening of the prison to them that are bound.

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**The foundation of authority is laid in the free consent of the people.**

The choice of public magistrates belongs unto the people by God's own allowance.

- **THOMAS HOOKER, “SERMON TO THE GENERAL COURT,” 1638**

Thomas Hooker (1586–1647) was Puritan colonial leader in the United States who founded the colony of Connecticut due to his disagreements with the limitations placed on suffrage in Massachusetts. His “Sermon to the General Court” was given on May 31, 1638, at the First Church of Hartford following the formation of the Constitution of Connecticut earlier that month.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with inherent and inalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness; that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; that whenever any Form of Government becomes destructive of these ends, it is the Right of the people to alter or abolish it, and to institute new Government.

- **THOMAS JEFFERSON, DECLARATION OF INDEPENDENCE**

Thomas Jefferson (1743–1826) was a Founding Father and leading Enlightenment figure who also served as the third president of the United States. Jefferson drafted the Declaration of Independence during June 1776, and following changes from Benjamin Franklin and other members of the Second Continental Congress, the Declaration of Independence was ratified on July 4.

Every man and woman on this earth has rights, and dignity, and matchless value because they bear the image of the Maker of Heaven and earth.

- **GEORGE W. BUSH, “THE SECOND INAUGURAL ADDRESS,” SPEECH ON JANUARY 20, 2005**

The Declaration of Rights is one of four parts of the Constitution of the Commonwealth of Massachusetts, originally written by John Adams in 1779 and approved in 1780. The Constitution served as the model for the Constitution of the United States.

Art. I. All men are born free and equal, and have certain natural, essential, and unalienable Rights; among which are the enjoyment of life and liberty, and the means of acquiring, possessing and protecting property.

- **A DECLARATION OF THE RIGHTS OF THE INHABITANTS OF THE COMMONWEALTH OF MASSACHUSETTS, 1780**

The Declaration was called on by John Adams, the second president of the United States. It is seen as an inspiration for the United States Constitution and the Bill of Rights.

Human rights are an integral part of U.S. foreign policy.

especially the promotion of democracy in the world and making strides. The Second Inaugural Address focused on foreign policy.

- **GEORGE W. BUSH, “THE SECOND INAUGURAL ADDRESS”**
This is a world of compensations; and he who would be no slave, must consent to have no slave. Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it.

- Abraham Lincoln

Abraham Lincoln (1809–1865) was the 16th president of the United States. His letter to Henry L. Pierce, a manufacturer and later state representative and mayor of Boston, is in reply to an invitation to a festival honoring Thomas Jefferson that he could not attend.

A commonwealth is said to be instituted, when a multitude of men do agree, and covenant every one with everyone, that to whatsoever man, or assembly of men, should be given by the major part, the right to present the person of them all, that is to say, to be their representative; every one as well he that voted for it, as he that voted against it, shall authorize all the actions and judgments, of that man, or assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men.

- Thomas Hobbes, Leviathan

Thomas Hobbes (1588–1679) was an English political philosopher. Leviathan, published in 1651, which discusses the need for the existence of a sovereign, and the rules of warfare, and the desirability of a strong government to avoid civil war and disorder.

Man cannot continue in the liberty that God hath given him. The liberty of one is thwarted by that of another; and whilst they are all equal, none will yield to any, otherwise than by a general consent. This is the ground of all just government.

- Algernon Sidney

Algernon Sidney (1623–1683) was an English member of Parliament and a republican political theorist. Discourses on Government, published in 1698, expressed Sidney’s opposition to absolute monarchy and the divine right of kings.

This is a world of compensations; and he who would be no slave, must consent to have no slave. Those who deny freedom to others, deserve it not for themselves; and, under a just government, all men do agree, and covenant every one with everyone, that to no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.

- Jean Jacques Rousseau

Jean Jacques Rousseau (1712–1778) was a French Enlightenment philosopher, whose writings influenced the French Revolution. The Social Contract, published in 1762, argues against the divine right of monarchs.

Social control and a strong government to avoid civil war and disorder. Most famous work, published in 1751, is a political philosophy, emphasizing the need for the existence of a sovereign, and the rules of warfare, and the importance of a strong government to avoid civil war and disorder.

- Thomas Hobbes, Leviathan
THE ROAD TO RIGHTS

Unit 1, Lesson 2
UNIT 1, LESSON 2
THE ROAD TO RIGHTS THROUGH THE RULE OF LAW

INTRODUCTION
This lesson will help students understand the concept and definition of the rule of law. It will also help them develop an understanding of the importance of the rule of law in securing an individual’s political, economic, and personal freedoms. Using excerpts from key documents, students will trace the development of the rule of law and the protection of these rights over time.

GUIDING QUESTIONS

- What is the rule of law?
- Why is the rule of law important in guaranteeing an individual’s political, economic, and personal rights?
- What rights fall into the categories of political, economic, and personal rights?
- Looking at key political documents and law codes, how has the rule of law changed over time?

OBJECTIVES
STUDENTS WILL:

- Understand the meaning of the rule of law.
- Trace the development of the rule of law from ancient to modern times.
- Analyze the differences between political, economic, and personal rights.
- Analyze excerpts of key documents for the political, economic, and personal rights they promote.

LENGTH OF LESSON

- Day 1—60 minutes
- Day 2—55–60 minutes
CURRICULUM STANDARDS

TEKS
- WH.20.B “Identify the impact of political and legal ideas contained in the following documents: Hammurabi’s code, the Jewish Ten Commandments, Justinian’s Code of Laws, Magna Carta, the English Bill of Rights, the Declaration of Independence, the U.S. Constitution, and the Declaration of the Rights of Man and of the Citizen.”
- WH.22.A “Summarize the development of rule of law from ancient to modern times.”
- WH.22.B “Identify the influence of ideas regarding the right to a ‘trial by jury of your peers’ and the concepts of ‘innocent until proven guilty’ and ‘equality before the law’ that originated from the Judeo-Christian legal tradition and in Greece and Rome.”
- WH.29C “Explain the differences between primary and secondary sources and examine those sources to analyze frame of reference, historical context, and point of view.”
- WH.29F “Analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, drawing inferences and conclusions, and developing connections between historical events over time.”
- WH.29G “Construct a thesis on a social studies issue or event supported by evidence.”

AP WORLD HISTORY
- AP. 1.3.III.D “States developed legal codes, including the Code of Hammurabi, which reflected existing hierarchies and facilitated the rule of governments over people.”
- AP.2.2.II.A “In order to organize their subjects, the rulers created administrative institutions in many regions.” (Examples include centralized governments, elaborate legal systems, and bureaucracies)
- AP.2.2.III.D “Patriarchy continued to shape gender and family relations in all imperial societies of this period.”

BACKGROUND

Any form of government provides some relief from anarchy, but the form most dangerous to freedom is that of a single ruler who governs with no limitations upon his authority and whose will is unpredictable. Yet the earliest governments of which there survive records appear to have been of this sort.

The rule of law offers a means of limiting government. Rulers who observe the principles collected under the notion of the “rule of law” submit to limits that, at a minimum, relieve their subjects of the oppression that results from arbitrary and momentary directives. To rule by laws means codifying, or writing down, regulations (laws) that both individuals and governments are expected to follow. Laws are expected to apply generally to everyone and to be more durable than edicts delivered moment by moment or commands directed against particular individuals.

Beyond this minimum, the rule of law entails other limits upon arbitrariness in the administration of laws. Some of these limitations fall under the idea of “due process” in the administration of laws. Some limits
apply to the source of laws: laws must be made and enforced by a proper authority. They must be publicized. They must not contradict other laws still in effect. There also must be some regular mode of determining whether and how a law applies in any given instance.

Law courts presided over by judges offer a forum for arguing cases and for determining justice. Still other safeguards may be added such as rules of evidence, uniformity in allotting punishments for violations or settlements between contending parties, the right of the accused to confront their accusers, the right to remain free until formally charged with having broken a law, impartiality in judges, truthfulness in witnesses, exemption from self-incrimination, and so forth.

Adherence to the rule of law imposes requirements on lawmakers. There must be impartiality and careful deliberation in the process of making laws, including means of appeal or means of making adjustments unanticipated by the law. Laws may not impose penalties for actions undertaken at a time prior to the enactment of the law (that is, ex post facto laws are prohibited). Whether affecting the substance of the law or its application through due process, the principles gathered under the rule of law seek to bring into harmony political authority and equity.

This lesson exhibits several such codes containing regulations upon governmental officers, statements regarding rights, and provisions regarding proper procedures in making and applying laws or in trying cases. By noting common features and differences among the codes, students can appreciate developments over time in the treatment of political, economic, and personal freedoms and in devising protections for liberty. As Lesson 1 in this unit explains, individuals exercise freedom in one form as citizens participating in the conduct of government (political rights). They also exercise the freedom to work, to enter into contracts, and to possess, use, and inherit property (economic rights). In a third domain (personal rights), individuals engage in relations other than those determined by political or economic considerations. Personal rights encompass a range of civil liberties such as the right to privacy, to assemble and demonstrate, and to express one’s opinions freely. All such restraints upon power have resulted from expanding conceptions of what rule of law entails.

Students can also deepen their understanding of how—by equipping government with power in some respects and limiting its reach in other respects—freedom has been enlarged and secured for more people. They should also perceive more clearly how restrictions on the manner in which government operates through laws support other limitations having to do with the spheres to which governing should be confined, as well as with the distribution of powers among the branches of government.

Students should be encouraged to consider why the earliest codes tend more to place restrictions upon the governed than to confer rights. They should also note the scarcity of protections for women (as in the Twelve Tables) and for slaves (as in all the ancient codes). They may also want to think about explanations for the fact that in earlier eras personal rights receive much greater emphasis than political or economic rights (because with the exception of Rome, governments represented in the codes were autocratic and unlimited).
RESOURCES

- Handout 1, Defining Rights: copies for each student
- Handout 2, Road to Rights: copies for each group
- Handout 3, Document Excerpts: copies for each group
- Three colors of highlighters/markers for each person—pink, yellow, green
- Links to select images

NOTES TO THE TEACHER

- This lesson will take two to three class periods to complete if teaching the rule of law thematically.
- If the course is organized chronologically it is recommended that this lesson be split over two historical periods. The natural break between the Ancient and Early Modern periods occurs between Justinian’s Law Code and the Magna Carta.

PROCEDURE
(times below are suggested)

DAY 1

1. (5 minutes) Warm Up: Begin the lesson by asking students “Why does a society need laws?”

2. (10 minutes) Define the “rule of law” using the information provided in the background, ensuring students understand these concepts:
   - How the rule of law developed in contrast to arbitrary and momentary directives
   - How the elements of the rule of law include:
     - Making laws (codification of laws in written codes that follow certain principles and which have as their source human nature, God, human nature and God, or neither human nature nor God)
     - Ensuring due process in the administration of laws in particular cases (independent judiciary, separation of powers, rules of evidence)
   - How the rule of law ensures the ability of individuals to exercise their political, economic, and personal rights
3. (10 minutes) To ensure students understand, ask them to work with a partner to determine how they would explain the concept of the “rule of law” to someone who lived in a country where it did not exist. Remind them to consider the questions this person might have and to answer them in the explanation. Ask several groups to share their response to test understanding.

4. (15 minutes) Continue the direct teach by using the background information provided to explain the difference between political, economic, and personal rights. To assess their understanding of the differences between these types of rights, pass out the Defining Rights handout to each student. Have them work in small groups (2–3 students) to categorize the rights listed as political, personal, or economic.

5. (10 minutes) After the groups have completed their analysis, have the students share their answers (key below), modifying their lists as necessary. Conclude this part of the lesson by asking students which category of rights they think were first protected under the law and the reason for their choice. Explain that they will validate their opinion when they look at primary documents from various eras of history.

- **Political rights**: to choose the head of government and other representatives in elections; to vote without fear; to participate in free, fair, and regular elections with secret ballots; to rely on unbiased counting of the vote; to choose from more than one candidate; to join or form a political party; to run for office; to enjoy equal protection of the laws; to petition the government; to live under a government in which elected officials determine laws and policies; to live under a government that is accountable, open to public scrutiny, and free of corruption

- **Economic rights**: to acquire, own, use, and inherit property; to exchange goods and services in open markets, at home and internationally; to establish or work for a business and engage in economic activity free of undue governmental interference and of corrupt officials; to have recourse to legal enforcement of contractual obligations; to have access to a reliable currency; to choose and change one’s occupation or place of employment; to form or join a labor union and engage in collective bargaining; to form, join, or invest in a corporate or private professional organization; to enjoy legal protection against monopolies and collusion in restraint of free trade and discouraging competition

- **Personal rights**: to make decisions about one’s private life; privacy; to move and travel without restrictions; to enjoy immunity from undue surveillance; to assemble in or organize a public demonstration; to form civic groups, interest groups, and other associations; to express opinions freely in public and in private, free expression; to have access to free and independent media; to exercise religion, worship and think freely in public and in private; to receive an education that is free from political indoctrination; to marry and establish a family; to experience due process of the law under an independent judiciary; to enjoy protection of the rights of all people, including women and children under the rule of law

6. (5 minutes) Ask the students to predict how early in world history the idea of the rule of law developed. Allow several to share. Explain that in the world’s earliest civilizations, especially in
the Fertile Crescent, the idea of the rule of law was beginning. To trace the origin and evolution of the rule of law, students will be asked to examine law codes and documents throughout history. See the excerpts of the selected documents in the Appendix.

DAY 2

1. Divide the class into large groups and give each group a packet of the Document Excerpts. The ideal number of students in the group would be nine, so that each student is responsible for the analysis of one document. However, smaller sized groups could also be utilized if the readings are divided to give each student approximately the same amount of reading. Background information about each of the documents is provided below.

- Law Code of Hammurabi—Written by the Babylonian King Hammurabi in approximately 1772 BCE, these 282 specific laws served to unify his empire of warring and diverse people. The laws were carved in stone and placed on display throughout the empire.
- Ten Commandments and the Old Testament—The Ten Commandments are believed to have been given to Moses in approximately 1450 BCE by the Jewish monotheistic god, Yahweh, on Mount Sinai as the Hebrews were fleeing slavery in Egypt to return to their promised land. These laws and the Old Testament formed the basis of the civil and religious laws of Judaism and, later, Christianity.
- Twelve Tables—The Twelve Tables were written in approximately 451 BCE, during the Roman Republic, by officials to ensure that the patricians (noble class) did not interpret the law just to benefit themselves. These laws were carved in stone and set in the Forum for all to see.
- Edicts of Ashoka—The Edicts, compiled as a collection of the writings by the King Ashoka of the Mauryan Empire in approximately 269 BCE, were carved on pillars and dispersed around the empire. These writings proclaimed the social and moral precepts of Buddhism to be practiced throughout Ashoka’s kingdom.
- Justinian’s Law Code—Byzantine Emperor Justinian had ten legal scholars study over 400 years of Roman law to create a single, uniform code of laws to govern the empire. In approximately 533 CE, four works were published, codifying the laws concerning marriage, slavery, property, inheritance, women’s rights, crimes, and others. This law code lasted for the next 900 years.
- Magna Carta—This charter, forcibly signed by King John of England in 1215 when he was defeated in battle by the feudal barons, boldly stated that no man was above the law, even the king. It also stated that the people were to have a say in their government, especially where taxes were concerned.
- English Bill of Rights—In 1688, English monarchs William and Mary agreed to sign a guarantee of the rights of Englishmen in return for being allowed to sit on the throne of England. The English refer to this as the Glorious Revolution.
- Declaration of Independence—Signed by the delegates to the 2nd Continental Congress on July 4, 1776, this document proclaimed independence of the American colonies from the British king and made bold statements about the role of government in protecting the unalienable rights of its citizens.
- Declaration of Rights of Man—This document, signed by the delegates to the National
Assembly in August 27, 1789, during the French Revolution, stated that men are born and remain free and equal in their rights such as liberty, property, security, and resistance to oppression.

2. (20 minutes) Instruct students to read the document assigned to them and analyze it by completing the steps outlined below:
   - What is a unique feature of the law code or document?
   - Who are the “people” whose rights are secured in the document/law code?
   - Were there any safeguards put into place to ensure that this law code was followed? If so, what were they?
   - Highlight the examples of the different types of rights (political, economic, and personal) you find in the document(s) using three different colors:
     - Political Rights—Pink
     - Economic Rights—Green
     - Personal Rights—Yellow
   - For each right that was highlighted, place a (+) sign next to those that are securing a right or a (-) sign next to those that place an obligation or restriction on the individual.

3. (20 minutes) Once students have completed their individual analysis, give them a copy of the Road to Rights handout. Have students work within their large group to complete the handout by presenting their analysis of each document (in chronological order) as the other group members take notes on their handout. They should also use this time to shade the road signs as instructed in the activity.

4. (5 minutes) Instruct students to analyze the trends they see in the documents with their group members by discussing the following questions:
   - Which color is the most prevalent in each document?
   - What conclusions can you draw from this analysis? For example, is one color more prevalent in the earlier law codes than another? Suggested response: The earlier documents will have more yellow personal rights, followed by green economic rights, and lastly pink political rights. Why do they think that is so? Suggested response: Earlier civilizations were not concerned with protecting the political rights of citizens as most civilizations were under absolute rule by one.
   - What trends do you see in looking at rights being secured and/or obligated/restricted? (Hint: You should look at the +/- signs.) Suggested response: The earlier documents had more restrictions than protections of rights. The earlier documents focus on free men to the exclusion of women and slaves.
   - How does this change or confirm the original prediction made by the class yesterday as to which rights were first protected?

5. (5 minutes) Ask students to place one of each of the groups’ road maps at the front to compare the conclusions of each group. Discuss any major differences seen and ask students, based on the Road to Rights created in class, where they feel the most important advancements came in securing political, economic, and personal rights? Instruct them to defend their answer with examples from the documents.
6. (5–10 minutes or homework) Conclude the lesson by having each student individually answer the following questions:

- What has the study of historical legal codes taught you about the protection of political, economic, and personal rights under the rule of law? Suggested response: Students should be able to explain that the rule of law protects individuals against arbitrary decisions by the ruler or government. Without this, it is difficult to secure rights and freedoms.

- Why is the rule of law important to you as an individual? Note: Students likely will give a wide variety of answers representing multiple views.

**ENRICHMENT/EXTENSION ACTIVITIES**

- Ask students to complete additional analysis of the codes, specifically discussing the “people” protected by each. For instance, was it land-owners, slaves, a majority/minority, gender-specific, based on race?

- As a further extension, have them identify where changes to the definition of “people” began to take place and what historical events those changes may be tied to.
DEFINING RIGHTS

Freedom applies within three broad concerns of life. These categories of activity are commonly identified with the political, the economic, and the personal. Political freedom encompasses the rights or freedoms pertaining to an individual’s participation in the conduct of government. Economic freedom refers to the rights of individuals to work, to enter into contracts, and to possess, use, and inherit property. Economic freedom is greatest when the economy is influenced more by individuals and the private sector than government control. Personal freedom encompasses a range of individual rights, sometimes referred to as “civil liberties.” Rights and their corresponding obligations differ as activity shifts from one to another of these domains.

Read each of the rights listed below, determining if each one is a political, an economic, or a personal right. Write the corresponding number for each right in the appropriate bucket below.

1. Choose the head of government and other representatives in elections.
2. Make decisions about private life; privacy.
3. Move and travel without restrictions.
4. Participate in free, fair, and regular elections with secret ballots.
5. Acquire, own, and use property protected by the rule of law.
6. Exchange goods and services in open markets, at home and internationally.
7. Establish a business and engage in economic activity free of undue governmental interference and of corrupt officials.
8. Vote without fear or domination by others.
9. Enjoy immunity from undue surveillance.
10. Rely on unbiased counting of the vote.

11. Have access to a reliable currency.
12. Choose from more than one candidate.
13. Join or form a political party.
14. Assemble in or organize a public demonstration.
15. Form civic groups, interest groups, and other associations.
16. Run for office.
17. Enjoy equal protection of the laws.
18. Express opinions freely in public and in private; free expression.
19. Have access to free and independent media.
20. Petition the government.
21. Exercise religion, worship and think freely in public and in private.
22. Receive an education that is free from political indoctrination.

23. Choose and change one’s occupation or place of employment.
24. Form or join a labor union and engage in collective bargaining.
25. Marry and establish a family.
26. Live under a government in which elected officials determine laws and policies.
27. Experience due process of the law under an independent judiciary.
28. Form, join, or invest in a corporation or private professional organization.
29. Live under a government that is accountable, open to public scrutiny, and free of corruption.
30. Enjoy protection of the rights of all people, including women and children under the rule of law.
31. Have recourse to legal enforcement of contractual obligations.
32. Enjoy legal protection against monopolies and collusions.
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30. Enjoy protection of the rights of all people, including women and children under the rule of law.
31. Have recourse to legal enforcement of contractual obligations.
32. Enjoy legal protection against monopolies and collusions.

POLITICAL RIGHTS

1, 4, 8, 10, 12, 13, 16, 17, 20, 26, 27, 29

ECONOMIC RIGHTS

5, 6, 7, 11, 23, 24, 28, 31, 32

PERSONAL RIGHTS

2, 3, 9, 14, 15, 18, 19, 21, 22, 25, 30
HANDOUT 2
THE ROAD TO RIGHTS

Working with your group, use the space on the road signs to take notes about key ideas contained in each law code or document. Next, shade the road sign with the color(s) that best represents the type of rights in the code or document. For example, if it largely focuses on personal rights, shade the sign yellow. However, if the sign focuses equally on political and economic rights, you should shade it equal parts pink and green.
First, read the document assigned and analyze it by completing the steps outlined below:

1. What is a unique feature of the law code or document?
2. Who are the “people” whose rights are secured in the document/law code?
3. Were there any safeguards put into place to ensure that this law code was followed? If so, what were they?
4. Using three different colors, highlight the examples of the different types of rights (political, economic, and personal) you find in the document(s):
   - Political Rights—Pink
   - Economic Rights—Green
   - Personal Rights—Yellow
5. Place a (+) sign next to the rights that are securing a right or a (-) sign next to those that place an obligation or restriction on the individual.

Then analyze the trends in the document with your group members by discussing the following questions:

1. Which color is the most prevalent in each document?
2. What conclusions can one draw from this analysis? For example, is one color more prevalent in the earlier law codes than another? Why do you think so?
3. What trends do you see in looking at rights being secured and/or obligated/restricted? (Hint: You should look at the +/- signs.)
4. How does this change or confirm the original prediction made by the class yesterday as to which rights were first protected?
EXCERPTS FROM “THE LAW CODE OF HAMMURABI”

The Law Code of Hammurabi includes approximately 282 edicts issued by Hammurabi, King of Babylon, around 2000 B.C. The following excerpts, from the translation by L.V. King, are a sample reflecting Hammurabi’s range of laws applicable to crime, family relations, and property. Notice in these laws that the individual has rights against other individuals but not against the state.

[The gods] Anu and Bel called by name me, Hammurabi, the exalted prince, who feared God, to bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak; so that I should rule over the black-headed people like Shamash, and enlighten the land, to further the well-being of mankind.

3. If any one bring an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it be a capital offense [crime punishable by death] charged, be put to death.

8. If any one steal cattle or sheep, or an ass, or a pig or a goat, if it belong to a god or to the court, the thief shall pay thirtyfold therefor; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.

55. If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss.

138. If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry [property] which she brought from her father’s house, and let her go.

195. If a son strike his father, his hands shall be hewn [cut] off.

261. If any one hire a herdsman for cattle or sheep, he shall pay him eight gur of corn per annum.

In future time, through all coming generations, let the king, who may be in the land, observe the words of righteousness which I have written on my monument; let him not alter the law of the land which I have given, the edicts [commands] which I have enacted; my monument let him not mar [destroy]. If such a ruler have wisdom, and be able to keep his land in order, he shall observe the words which I have written in this inscription; the rule, statute, and law of the land which I have given; the decisions which I have made will this inscription show him; let him rule his subjects accordingly, speak justice to them, give right decisions, root out the miscreants and criminals from this land, and grant prosperity to his subjects.
THE TEN COMMANDMENTS AND JEWISH LAW

Believed to have been transmitted to Moses by God himself, the Ten Commandments as recorded in the biblical Book of Exodus (20:1–17) and the Old Testament set forth guidelines regarding religious belief and worship, family duties, and the relations between individuals. Within the law are the implied rights to conduct one’s life in obedience to them. The commandments and the Old Testament have been held to constitute part of a “higher law” to which human law ought to conform.

BOOK OF EXODUS, CHAPTER 20 (NEW AMERICAN STANDARD VERSION):

1 Then God spoke all these words, saying, 2 “I am the LORD your God, who brought you out of the land of Egypt, out of the house of slavery. 3 “You shall have no other gods before Me. 4 You shall not make for yourself an idol [false god], or any likeness of what is in heaven above or on the earth beneath or in the water under the earth. 5 You shall not worship them or serve them; for I, the LORD your God, am a jealous God, visiting the iniquity [sin] of the fathers on the children, on the third and the fourth generations of those who hate Me, 6 but showing loving kindness to thousands, to those who love Me and keep My commandments. 7 You shall not take the name of the LORD your God in vain [curse], for the LORD will not leave him unpunished who takes His name in vain. 8 Remember the sabbath day [day of rest and worship], to keep it holy. 9 Six days you shall labor and do all your work, 10 but the seventh day is a sabbath of the LORD your God; in it you shall not do any work, you or your son or your daughter, your male or your female servant or your cattle or your sojourner who stays with you. 11 For in six days the LORD made the heavens and the earth, the sea and all that is in them, and rested on the seventh day; therefore the LORD blessed the sabbath day and made it holy. 12 Honor your father and your mother, that your days may be prolonged in the land which the LORD your God gives you. 13 You shall not murder. 14 You shall not commit adultery. 15 You shall not steal. 16 You shall not bear false witness [lie] against your neighbor. 17 You shall not covet [desire] your neighbor’s house; you shall not covet your neighbor’s wife or his male servant or his female servant or his ox or his donkey or anything that belongs to your neighbor.”

BOOK OF DEUTERONOMY, CHAPTER 19

16 If a malicious witness rises up against a man to accuse him of wrongdoing, 17 then both the men who have the dispute shall stand before the LORD, before the priests and the judges who will be in office in those days. 18 The judges shall investigate thoroughly, and if the witness is a false witness and he has accused his brother falsely, 19 then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you.
9 Now when you reap the harvest of your land, you shall not reap to the very corners of your field, nor shall you gather the gleanings of your harvest. 10 Nor shall you glean your vineyard, nor shall you gather the fallen fruit of your vineyard; you shall leave them for the needy and for the stranger. I am the LORD your God.

13 You shall not oppress your neighbor, nor rob him. The wages of a hired man are not to remain with you all night until morning.
EXCERPTS FROM THE “TWELVE TABLES”

The Twelve Tables, circa mid-fifth century B.C., recorded Roman Laws dealing with property and personal rights, crimes, slavery, family relations, and procedures for litigation. The selected excerpts provide examples from each type of law. The Avalon Project’s translation was used for this material.

LEGAL PROCESS

1. If the plaintiff [person who accuses] summons the defendant [person who is accused] to court the defendant shall go. If the defendant does not go the plaintiff shall call a witness thereto. Only then the plaintiff shall seize the defendant.

2. If the defendant attempts evasion [to avoid] or takes flight the plaintiff shall lay hand on him.

7. The parties shall state their case before the assembly in the meeting place or before the magistrate in the market place before noon. Both parties being present shall plead the case throughout together.

6. For anyone whomsoever to be put to death without a trial ... is forbidden.

PROPERTY RIGHTS

1. Thirty days shall be allowed by law for payment of confessed debt and for settlement of matters adjudged in court.

2. After this time the creditor shall have the right of laying hand on the debtor. The creditor shall hale the debtor into court.

1. A notably deformed child shall be killed immediately.

2a. To a father ...shall be given over a son the power of life and death.

2b. If a father thrice surrenders a son for sale the son shall be free from the father.

5. If any woman is unwilling to be subjected in this manner to her husband’s marital control she shall absent herself for three successive nights in every year and by this means shall interrupt his prescriptive right of each year.

12. A slave is ordered in a will to be a free man under this condition: if he has given 10,000 asses [coin denomination] to the heir.
CRIMINAL LAW

12. If a thief commits a theft by night, if the owner kills the thief, the thief shall be killed lawfully.

23. Whoever is convicted of speaking false witness shall be flung from the Tarpeian Rock. [death penalty]

RELIGIOUS AND PUBLIC LAW

1. A dead person shall not be buried or burned in the city.

1. There shall not be intermarriage between plebeians [common people] and patricians [aristocrats].

5. Whatever the people ordain last shall be legally valid.
EXcerpts FROM “THE Edicts OF Ashoka”

The excerpts that follow were selected to show the ethical, religious, and political regulations decreed by a king ruling in India during the third century B.C. The edicts were written upon several pillars at different times. There appear to have been no divisions between rules that applied to the government, rules for individual conduct, exhortations regarding religious observances, or toleration of diverse religions.

Here (in my domain) no living beings are to be slaughtered or offered in sacrifice.

Inspection tours [must be taken] every five years for the purpose of Dhamma instruction [instruction in the Buddha’s teachings] and also to conduct other business.[6] Respect for mother and father is good, generosity to friends, acquaintances, relatives, Brahmans and ascetics [people who live a simple life] is good, not killing living beings is good, moderation in spending and moderation in saving is good.

All religions should reside everywhere, for all of them desire self-control and purity of heart.

There is no gift like the gift of the Dhamma,[21] (no acquaintance like) acquaintance with Dhamma, (no distribution like) distribution of Dhamma, and (no kinship like) kinship through Dhamma. And it consists of this: proper behavior towards servants and employees, respect for mother and father, generosity to friends, companions, relations, Brahmans and ascetics, and not killing living beings.

While being completely law-abiding, some people are imprisoned, treated harshly and even killed without cause so that many people suffer. Therefore your aim should be to act with impartiality. It is because of these things—envy, anger, cruelty, hate, indifference, laziness or tiredness—that such a thing does not happen. Therefore your aim should be: “May these things not be in me.” And the root of this is non-anger and patience. Those who are bored with the administration of justice will not be promoted; (those who are not) will move upwards and be promoted. Whoever among you understands this should say to his colleagues: “See that you do your duty properly....”

It is my desire that there should be uniformity in law and uniformity in sentencing. I even go this far, to grant a three-day stay for those in prison who have been tried and sentenced to death. During this time their relatives can make appeals to have the prisoners’ lives spared. If there is none to appeal on their behalf, the prisoners can give gifts in order to make merit for the next world, or observe fasts. Indeed, it is my wish that in this way, even if a prisoner’s time is limited, he can prepare for the next world, and that people’s Dhamma practice, self-control and generosity may grow.

Wherever there are stone pillars or stone slabs, there this Dhamma edict is to be engraved so that it may long endure.
JUSTINIAN’S LAW CODE (CORPUS JURIS CIVILIS)
Initiated in 528 CE during the reign of Emperor Justinian (527–565), this code contained a compilation of Roman laws, a growing collection of new laws, and a manual for students (the Institutes).

BOOK ONE, I. JUSTICE AND LAW

JUSTICE is the constant and perpetual wish to render every one his due.

1. Jurisprudence [theory and philosophy of law] is the knowledge of things divine and human; the science of the just and the unjust.
2. The maxims of law are these: to live honestly, to hurt no one, to give every one his due.
3. The study of law is divided into two branches; that of public and that of private law. Public law regards the government of the Roman empire; private law, the interest of the individuals.

BOOK ONE, II. NATURAL, COMMON, AND CIVIL LAW.

3. Civil law is thus distinguished from the law of nations. The law which a people makes for its own government belongs exclusively to that state and is called the civil law, as being the law of the particular state. But the law which natural reason appoints for all mankind obtains equally among all nations, because all nations make use of it.

BOOK ONE, III. THE LAW OF PERSONS.

1. Freedom, from which men are said to be free, is the natural power of doing what we each please, unless prevented by force or by law.
2. Slavery is an institution of the law of nations, by which one man is made the property of another, contrary to natural right.
3. Slaves either are born or become so. They are born so when their mother is a slave; they become so either by the law of nations [captivity], or by the civil law, as when a free person, above the age of twenty, suffers himself to be sold, that he may share the price given for him.

BOOK TWO: X. THE MAKING OF WILLS.

6. ...Women, persons under the age of puberty, slaves, madmen, dumb persons, deaf persons, prodigals [people who carelessly spend their money] restrained from having their property in their power, and persons declared by law to be worthless and incompetent to witness, cannot be witnesses.
9. But no person under power of the testator [person who leaves a will] can be a witness.
12. It is immaterial [does not matter] whether a testament be written upon a tablet, upon paper, parchment, or any other substance.
BOOK FIVE: OBLIGATIONS ARISING FROM DELICTA.

1. Theft is the fraudulent dealing with a thing itself, with its use, or its possession; an act which is prohibited by natural law.
2. The penalty for manifest theft is quadruple the value of the thing stolen, whether the thief be a slave or a freeman; that for theft not manifest is double.
12. Those who are in the power of a parent or master, if they steal anything belonging to the person in whose power they are, commit a theft.

BOOK FIVE: THE LEX AQUILIA.

2. To kill wrongfully is to kill without any right: consequently, a person who kills a thief is not liable to this action, that is, if he could not otherwise avoid the danger with which he was threatened.
3. Nor is a person made liable by this law who has killed by accident, provided there is no fault on his part, for this law punishes fault as well as willful wrong-doing.
EXCERPTS FROM “THE MAGNA CARTA”

In 1215, after lengthy controversies with his barons, King John consented, after being defeated in battle, to recognize and record in writing certain rights possessed by his English subjects. The following excerpts include laws drawn from the several categories of freedoms guaranteed by the King. The text has been supplied from a translation from the Latin provided online by the Constitution Society.

17. Common pleas [civil litigation between subject and subject] shall not follow our court, but shall be held in some fixed place.

20. A freeman shall not be amerced [liable to legal punishment] for a slight offense, except in accordance with the degree of the offense; and for a grave offense he shall be amerced in accordance with the gravity of the offense, yet saving always his “contentment” [freehold in land as well as credit]; and a merchant in the same way, saving his “merchandise”; and a villain [a servant attached to a landholding] shall be amerced in the same way, saving his “wainage” wagon(s) if they have fallen into our mercy; and none of the aforesaid amercements shall be imposed except by the oath of honest men of the neighborhood.

21. Earls and barons shall not be amerced except through their peers, and only in accordance with the degree of the offense.

27. If any freeman shall die intestate [without a will], his chattels [property] shall be distributed by the hands of his nearest kinsfolk and friends, under supervision of the Church, saving to every one the debts which the deceased owed to him.

30. No sheriff or bailiff of ours, or other person, shall take the horses or carts of any freeman for transport duty, against the will of the said freeman.

38. No bailiff for the future shall, upon his own unsupported complaint, put anyone to his “law”, without credible witnesses brought for this purposes.

39. No freemen shall be taken or imprisoned or disseised [dispossessed].

40. To no one will we sell, to no one will we refuse or delay, right or justice.

63. Wherefore we will and firmly order that the English Church be free, and that the men in our kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely and quietly, fully and wholly, for themselves and their heirs.
EXCERPTS FROM THE “ENGLISH BILL OF RIGHTS”

Disagreements between the English Parliament and King James II eventually resulted in James’s flight to France. In 1689 Parliament negotiated a Bill of Rights with William of Orange and his wife Mary prior to their accession to the now vacant throne. The following excerpts present the entire list of political and personal rights which, in the original document, were appended to a series of charges against James II.

And whereas the said late king James the Second having abdicated the government, and the throne being thereby vacant ... the said lords spiritual and temporal, and commons ... do in the first place (as their ancestors in like case have usually done) for the vindicating and asserting their ancient rights and liberties, declare;

1. That the pretended power of suspending of laws, or the execution of laws, by regal authority, without consent of parliament, is illegal.

2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and exercised of late, is illegal.

3. That the commission for erecting the late court of commissioners for ecclesiastical [related to the church] causes, and all other commissions and courts of like nature are illegal and pernicious.

4. That levying money [taxing] for or to the use of the crown, by pretence of prerogative [right or privilege exclusive to an individual], without grant of parliament, for longer time, or in other manner than the same is or shall be granted, is illegal.

5. That it is the right of the subjects to petition the King, and all commitments [sic] and prosecutions for such petitioning are illegal.

6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law.

7. That the subjects which are protestants, may have arms for their defense suitable to their conditions, and as allowed by law.

8. That election of members of parliament ought to be free.

9. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.

10. That excessive bail ought not to be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted.

11. That jurors ought to be duly impaneled [enrolled] and returned, and jurors which pass upon men in
trials for high treason ought to be freeholders.

12. That all grants and promises of fines and forfeitures of particular persons before conviction, are illegal and void.

13. And that for redress [the setting right] of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently.
Excerpts from the “Declaration of Independence”

Excerpted here from the Declaration of Independence are the famous opening paragraphs containing the “self-evident” assertions regarding human nature, the ultimate source of law, the rights of individuals, the nature of government, the limits of governmental authority, the principle of consent, the right of revolution, sovereignty of the people, and the existence of a “God” who gives law and creates human beings.

When in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel [drive] them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable [impossible to take away] Rights, that among these are Life, Liberty and the pursuit of Happiness. – That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, – That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence [cautiousness], indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations [seizures], pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. – Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.
DECLARATION OF THE RIGHTS OF MAN AND OF THE CITIZEN

Issued by the revolutionary National Assembly of France on August 26, 1789, the Declaration is asserted to be “based...upon simple and incontestable principles.” The National Assembly also states it “proclaims, in the presence and under the auspices of the Supreme Being, the...rights of man and of the citizen.” The enumerated freedoms set limitations upon acts of any government. All the itemized rights are listed below; from the translation provided by the Avalon Society.

ARTICLES:

1. Men are born and remain free and equal in rights. Social distinctions may be founded only upon the general good.
2. The aim of all political association is the preservation of the natural and imprescriptible [unable to be taken away by prescription or lapse of time] rights of man. These rights are liberty, property, security, and resistance to oppression.
3. The principle of all sovereignty [supreme power] resides essentially in the nation. No body nor individual may exercise any authority which does not proceed directly from the nation.
4. Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of the society the enjoyment of the same rights. These limits can only be determined by law.
5. Law can only prohibit such actions as are hurtful to society. Nothing may be prevented which is not forbidden by law, and no one may be forced to do anything not provided for by law.
6. Law is the expression of the general will. Every citizen has a right to participate personally, or through his representative, in its foundation. It must be the same for all, whether it protects or punishes. All citizens, being equal in the eyes of the law, are equally eligible to all dignities and to all public positions and occupations, according to their abilities, and without distinction except that of their virtues and talents.
7. No person shall be accused, arrested, or imprisoned except in the cases and according to the forms prescribed by law. Any one soliciting, transmitting, executing, or causing to be executed, any arbitrary order, shall be punished. But any citizen summoned or arrested in virtue of the law shall submit without delay, as resistance constitutes an offense.
8. The law shall provide for such punishments only as are strictly and obviously necessary, and no one shall suffer punishment except it be legally inflicted in virtue of a law passed and promulgated before the commission of the offense.
9. As all persons are held innocent until they shall have been declared guilty, if arrest shall be deemed indispensable, all harshness not essential to the securing of the prisoner’s person shall be severely repressed by law.
10. No one shall be disquieted [worried or anxious] on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law.
11. The free communication of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law.
12. The security of the rights of man and of the citizen requires public military forces. These forces
are, therefore, established for the good of all and not for the personal advantage of those to whom they shall be intrusted.

13. A common contribution is essential for the maintenance of the public forces and for the cost of administration. This should be equitably distributed among all the citizens in proportion to their means.

14. All the citizens have a right to decide, either personally or by their representatives, as to the necessity of the public contribution; to grant this freely; to know to what uses it is put; and to fix the proportion, the mode of assessment and of collection and the duration of the taxes.

15. Society has the right to require of every public agent an account of his administration.

16. A society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all.

17. Since property is an inviolable [never to be broken] and sacred right, no one shall be deprived thereof except where public necessity, legally determined, shall clearly demand it, and then only on condition that the owner shall have been previously and equitably indemnified.
UNIT 1, LESSON 3
SECURING FREEDOM UNDER LIMITED GOVERNMENT

INTRODUCTION

In this lesson, students will explore various systems of government and examine whether their characteristics are limited or unlimited with respect to the government’s exercise of power. By understanding the characteristics of a variety of governing systems, students can analyze the forms of government that best secure the freedoms of their citizens. Students will also examine the actual experiences of contemporary political dissidents and deepen their understanding of life under an unlimited government.

GUIDING QUESTIONS

- What are the different systems of government and how is power organized in them?
- How does a limited government differ from an unlimited government?
- What systems of government are most effective in securing individual political, economic, and personal rights?
- What motivates citizens to attempt to change their system of government to one that is better suited to secure their rights?

OBJECTIVES

STUDENTS WILL:

- Evaluate different systems of government.
- Define limited and unlimited government, identifying characteristics of each.
- Analyze the limited/unlimited nature of various historical examples of governments.
- Understand that individual rights and freedom are best secured under a system of government that is both limited and representative of the major interests present in the society.
- Examine the sacrifices some individuals make to oppose unlimited governments and advocate for basic rights for themselves and their fellow citizens.
LENGTH OF LESSON

- Day 1—55 minutes
- Day 2—55 minutes

CURRICULUM STANDARDS

TEKS

- WH.12.A “Describe the emergence and characteristics of totalitarianism.”
- WH.19.A “Identify the characteristics of monarchies and theocracies as forms of government in early civilizations.”
- WH 19.B “Identify the characteristics of the following political systems: theocracy, absolute monarchy, democracy, republic, oligarchy, limited monarchy, totalitarianism.”
- WH.21A “Describe how people have participated in supporting or changing their governments.”
- WH.25.B “Summarize the fundamental ideas and institutions of Western civilizations that originated in Greece and Rome.”

BACKGROUND

In this lesson, students will become acquainted with the characteristics of different systems of government. They will also develop an understanding of limited and unlimited forms of government and analyze why limited, and particularly democratic, systems of government best secure the rights of individuals.

To help accomplish these objectives, it is important to begin with an understanding of why people historically have formed governments. Human beings gather in civil societies for the sake of sociability, for reasons of safety, and to secure justice. To accomplish these ends, individuals submit to the authority of governments. That submission may be unconditional, in which case whatever liberties people enjoy are conferred by the government and can be taken away by government. The result is often tyranny under absolute or unlimited government.

The better alternative is limited government, a possibility that rests upon the idea that government possesses only such powers as the people confer on it. In this arrangement citizens submit only conditionally, expecting proper conduct on the part of the government. On this understanding government exists for the good of the governed, and those who are governed are the judges of the government’s performance. If in the judgment of the governed their rulers fail in their task, the governed have the right and duty to dissolve their government and replace it with one they think better.
Short of resorting to revolution, certain provisions of the law could hold out the possibility of limiting the powers of government so as to promote responsibility on the part of rulers and greater liberty for citizens. One way to limit government is to confine its authority within certain specified areas, excluding it from others. For example, government might be charged with the obligation to provide for national defense while excluded from regulating education or the economy. Another way of limiting puts restrictions upon the powers exercised by separate branches of government: legislative, executive, and judicial. Either mode, or both modes, of limiting government may be incorporated in constitutions and bills of rights. Furthermore, governments are subject to limitation by the rule of law principle that officers of government must obey the same laws as other citizens.

In addition to the distinction between limited and unlimited governments, this lesson is concerned with identifying various systems of government and considering how well, or how poorly, they accomplish the task of securing political, economic, and personal freedoms. For example, regimes differ by their various responses to the question: Who should govern? With respect to liberty it seems reasonable to expect that in the degree that the entire body of the citizenry participates in governing, freedom will benefit. Yet, it also seems reasonable to expect that majority rule alone will afford insufficient protection for the rights of individuals, especially for whoever constitutes the minority.

In response to that concern, various refinements of democracy have been attempted over time and in different places. Representative democracy as alternative to direct rule by majorities is one such refinement. Constitutions and bills of rights with effective means of enforcement also have assisted in making majority rule more responsible. In this lesson, students will review some of the different forms that limited, democratic governments can take. They also will be able to draw conclusions about the close relationship between limited, democratic systems of government and the protection of the greatest number of individual rights and freedoms.

Students will conclude the lesson by viewing and discussing videos from the Freedom Collection in order to learn about the perils of unlimited governments, whatever their form. In particular, these eyewitness accounts from political dissidents.

DEMO CRACY BY MANY NAMES

There are many different terms that describe limited governments and democracy.

DIRECT DEMOCRACY: form of government in which sovereignty lies with citizens who directly vote on the laws that govern the country.

INDIRECT DEMOCRACY: form of government in which sovereignty lies with citizens who elect representatives to vote on the laws that govern the country; also called “representative democracy.”

CONSTITUTIONAL REPUBLIC: form of government in which the power to elect representatives is held by the people, who are sovereign; the government is subject to and bound by the provisions Constitution.

DEMOCRATIC REPUBLIC: form of government in which citizens elect the officials of government and ultimate authority (sovereignty) lies with them; similar to a Constitutional Republic, however, a constitution is not required.

CONSTITUTIONAL MONARCHY: form of government with a law-making body and a head-of-state; both are subject to the laws set forth in a written or unwritten constitution; also referred to as a limited monarchy.
and democracy activists will help students understand the sacrifices people are willing to make in their opposition to tyrannies enforced by whatever form of government oppression may employ.

**RESOURCES**

- Blank paper and drawing utensils to complete visual representations of limited/unlimited governments
- Handout 1, Defining Governments: copies for each student
- Handout 2, Defining Governments: Historical Examples: copies for each student
- Handout 3, Excerpts from President George W. Bush’s Speech: copies for each student
- Freedom Collection videos
  - Zin Mar Aung: Life as a Political Prisoner (Burma, English, 3:54) [www.freedomcollection.org/interviews/zin_mar_aung/?vidid=954](http://www.freedomcollection.org/interviews/zin_mar_aung/?vidid=954)
  - Jestina Mukoko: Torture (Zimbabwe, English, 7:29) [www.freedomcollection.org/interviews/jestina_mukoko/?vidid=750](http://www.freedomcollection.org/interviews/jestina_mukoko/?vidid=750)
  - Ariel Sigler Amaya: Horrors of a Cuban Prison (Cuba, subtitled, 6:38) [www.freedomcollection.org/interviews/ariel_sigler_amaya/?vidid=409](http://www.freedomcollection.org/interviews/ariel_sigler_amaya/?vidid=409)
  - Fang Zheng: Tiananmen Square (China, subtitled, 1:18) [www.freedomcollection.org/interviews/fang_zheng/?vidid=600](http://www.freedomcollection.org/interviews/fang_zheng/?vidid=600)

**NOTES TO THE TEACHER**

- This lesson will take two class periods to complete.
- The lesson is not intended to teach historical content; rather, it uses historical examples to teach the theme of limited and unlimited governments.
- Teachers may elect to use any or all of the suggested videos, which are available to download in advance of a lesson from the Freedom Collection website. Each video has an accompanying transcript that is also available on the website.

**PROCEDURE**

(times below are suggested)

**DAY 1**

1. (2 minutes) Warm Up: Begin the class by asking students to work with a partner to create a list of the forms of government they have studied. (Examples of different government systems include: absolute monarchies, limited monarchies, totalitarianism, dictatorships, oligarchies, theocracies, democracies, and republics.) Once students have completed their lists, ask them to share their answers. Record them on the board.
2. (13 minutes) Next, explain that governments can be classified and organized in several ways. One way to classify governments is to look at how they exercise power. They can either be limited or unlimited. Secondly, explain to the students that there are different government systems based on who holds the power and how it is exercised. To ensure they will understand these concepts, give each student a copy of the Defining Governments handout, instructing them to read the definitions of limited and unlimited. Ask if they have any questions. Once they are clear on the definitions of limited and unlimited, ask them to read about each of the government systems defined on the handout, placing a check mark next to those they believe may be limited and an X next to those they believe are unlimited. To check for understanding, ask them to share their answers, providing specific examples from the definitions to justify their choice of limited or unlimited.

3. (35 minutes) Next, explain to students that they will analyze historical examples to identify the type of governmental system described and determine if each is limited or unlimited. The historical examples are ones with which students should already be familiar. Provide each student with a copy of the Defining Governments: Historical Examples worksheet to complete this activity. In the interest of time, teachers have the option of selecting examples from the list or using the list in its entirety. Answers are provided below.

- Pharaoh Ramses of Egypt—theocracy; unlimited because the pharaoh was believed to be part god and worshipped as such
- Ancient Athens during the Golden Age—pure or direct democracy; limited because the decisions of the government were voted on by male citizens
- Ancient Sparta—oligarchy; unlimited because a small group directed what was voted on by the assembly
- Rome—republic during the first 500 years; limited because there were multiple places where the powers were divided between the various parts of the group
- Charlemagne—absolute monarchy; unlimited because all decisions were ultimately Charlemagne’s who had inherited the role from his father
- King John of England—limited monarchy; after English barons defeated King John I, he was forced to sign the Magna Carta, which enumerated their rights and created the precedent for limiting the powers of the king
- Florence during the Renaissance—oligarchy; unlimited because the ruling family ruled the city state
- Louis XIV of France—absolute monarchy; unlimited because the king inherited and exercised power, having been born to be the heir to the throne
- Ayatollah’s Iran—theocracy; unlimited because he assumed both spiritual and political power
- P.W. Botha’s South Africa—oligarchy; unlimited because the majority of the citizens were not allowed to participate or have rights
- Mao’s China—totalitarian/dictator; unlimited because he controlled all aspects of the life of the Chinese from culture to the economy
- Hitler’s Nazi Germany—totalitarian; unlimited because Hitler attempted to control all aspects of German culture and eradicate Judaism.
- Victoria’s England—constitutional or limited monarchy; limited because the monarch was
the symbolic head of state while the real power was held by Parliament and the Prime Minister who were elected

- United States—representative democracy/republic; limited because the Constitution lists the powers of each part of the government, creates a system of checks and balances, and explains what the government can and cannot do
- Pinochet’s Chile—dictatorship; unlimited because Pinochet as an army general illegally seized the government in a coup and then ruled by crushing any who opposed him
- Walesa’s Poland—republic/representative democracy; unlimited under Communism because the party leaders controlled both the economy and the lives of the people; limited republican government under Walesa who established a free market system, conducted elections, and improved civil liberties for the citizens

4. (5 minutes) Conclude the lesson by going over the students’ answers to be sure that they recognized the correct system of government and its limited/unlimited nature. Explain that the next lesson will continue to use these examples to deepen their understanding of the different systems of government that have developed over time. If desired, the students can attempt to find examples of one of the types of government in current events for homework.

DAY 2

1. (5 minutes) Warm Up: Place the Excerpt from President George W. Bush’s Speech at the 20th Anniversary of the National Endowment for Democracy on your projector or give each student a copy. Ask students to read the quote and use the information from yesterday’s lessons to answer the concluding questions.

2. (10 minutes) To review what they learned yesterday, provide each student with a blank piece of paper that they will use to quickly create pictures illustrating the characteristics of limited/unlimited governments and what they think life under each would look like. Have students divide the sheet in half and use short phrases, images, and thoughts to illustrate life under a limited government on one side, unlimited on the other. Students should also list the types of governments typically believed to be limited/unlimited in their respective columns. Allow student volunteers time to share their representations with the class, specifically asking them which types of government they associated with each. Students can adjust their representations based on what they hear.

3. (25 minutes) Tell students they are now going to work to deepen their understanding of life under an unlimited government. Select at least three videos from the following list for students to watch (if technologically possible, consider allowing them to each select the videos they watch). As they watch the videos, have them take notes on the back of their visual representation, noting what each dissident endured living under an unlimited government and what each chose to sacrifice. Once students have watched the three videos, ask them to share the freedom
advocate’s story that touched them the most and the reasons for their choice. They should also compare what they saw in the video clips with their initial thoughts on life in unlimited governments. (NOTE: Teachers can have students discuss in small groups or as a class)

Suggested video clips include the following:

- Zin Mar Aung: Life as a Political Prisoner (Burma, English, 3:54) [http://www.freedomcollection.org/interviews/zin_mar_aung/?vidid=954](http://www.freedomcollection.org/interviews/zin_mar_aung/?vidid=954) Talks about her nine years as a political prisoner for peacefully protesting the government. She endured most of her nine-year imprisonment in solitary confinement with few clothes and little food and water. She had no books, so she spent her time meditating on her Buddhist beliefs. When she was finally allowed to meet with her family, they were only able to visit her once or twice a month because of the distance. Even when she was allowed contact with others, they lived in crowded cells too small for the number of people placed there.

- Jestina Mukoko: Torture (Zimbabwe, English, 7:29) [http://www.freedomcollection.org/interviews/jestina_mukoko/?vidid=750](http://www.freedomcollection.org/interviews/jestina_mukoko/?vidid=750) Talks about torture and humiliation after being taken prisoner and interrogated by six men and one woman. She was beaten repeatedly on the soles of her feet by the six men and lived in continuing fear of what might happen to her throughout the day and night. When she was originally taken, she had to leave her son and six-year-old nephew. During this time, she had no idea what happened to them.

- Ariel Sigler Amaya: Horrors of a Cuban Prison (Cuba, subtitled, 6:38) [http://www.freedomcollection.org/interviews/ariel_sigler_amaya/?vidid=409](http://www.freedomcollection.org/interviews/ariel_sigler_amaya/?vidid=409) This is a graphic description of conditions in Cuban prisons in which political prisoners were thrown in with dangerous criminals. Prisoners suffered tremendous unsanitary conditions in the prison, as well as being forced to live in an overcrowded cell. Prisoners were often beaten and then treated by a physician who was there to learn and experiment. After the beatings, prisoners often suffered long periods of solitary confinement to heal the injuries and bruises so as not to be detected.

- Fang Zheng: Tiananmen Square (China, subtitled, 1:18) [http://www.freedomcollection.org/interviews/fang_zheng/?vidid=600](http://www.freedomcollection.org/interviews/fang_zheng/?vidid=600) This young man joined other college students involved in a protest of the totalitarian Chinese government in the 1989 at Tiananmen Square. On June 4, the army came in to the Square and broke up the protest. As Fang and the other students were leaving, the tanks attacked them. One ran over him and cut off both legs.

4. (10 minutes) Ask the students to use the Defining Governments handout from day 1 and work with their groups to rank the systems of government from most protection to least protection with regards to the protection of political, economic, and personal freedoms.
5. [5 minutes] To conclude the lesson, instruct students to write a personal response to the following: “What type of government would you most want to live under? Least? What are your specific reasons for each choice?”

**ENRICHMENT/EXTENSION ACTIVITIES**

- Have students create a news briefing for an American media outlet, researching current conflicts in a country or region where citizens/noncitizens are experiencing the impact of governmental abuses of power on their freedoms. Their briefing should include background information, rights being infringed, any attempts for struggle against the government, and, if they exist, outlook for success.
- Ask students to act as reporters investigating events in history when limited governments restricted the freedoms of their citizens and what precedents existed for the government’s actions.
  - Suggested topics include: Lincoln suspending the writ of habeas corpus during the Civil War; Japanese Americans interned during World War II; martial law declared in Hawaii during World War II; the state of “public health emergency” declared in New Orleans after Hurricane Katrina that forced citizens to evacuate their homes and property; the restrictions placed on air travel immediately following the attacks of 9-11, etc.

**ADDITIONAL RESOURCES**

- U.S. State Department, annual Human Rights Report, http://www.state.gov/j/drl/rls/hrrpt/
DEFINING GOVERNMENTS

Begin by reading the definitions of limited and unlimited governments. Once you understand these two definitions, read through each of the government systems defined on the handout, placing a check mark next to those you think may be limited and an X next to those you think may be unlimited.

**LIMITED GOVERNMENT**
A government is limited when it follows the established restrictions on the use of power, especially regarding the rights of the citizens.

**UNLIMITED GOVERNMENT**
A government is unlimited when there are no restrictions on the use of power, or, if there are any, they are ignored by those in control.

___ ABSOLUTE MONARCHY - A form of government or rule by one who inherits the position by birth and rules with complete control answering to no one except their god; called the "divine right" to govern.

___ CONSTITUTIONAL OR LIMITED MONARCHY - The ruler inherits the position by birth but certain documents or a formal written constitution or custom place restrictions that are followed as to what the monarch can and cannot do.

___ DICTATORSHIP OR TOTALITARIANISM - A form of government (or rule by one) that often comes to power by force and then, once in charge, exercises complete control over all aspects of the lives of the people.

___ THEOCRACY - A form of government in which a deity is recognized as the supreme ruler and one or a few rule in the deity’s name as authorities.

___ OLIGARCHY - A form of government in which authority is vested in a small group within the larger group.

___ DEMOCRACY - A form of government in which the people directly rule themselves and use majority rule to make all decisions. A democracy is called direct if the citizens make every governing decision themselves; it is called representative or indirect if the governing decisions are made by people elected by the citizens.

___ REPUBLIC - A form of government where the political authority resides in at least one institution whose members are chosen by the people for the purpose of representation.
Read each of the following excerpts about historical governments. Using the Defining Governments handout, determine the type of government represented by each and whether it was limited or unlimited.

**PHARAOH RAMSES OF EGYPT**

From approximately 1290 to 1224 BCE the Egyptian civilization was ruled by the Pharaoh Ramses II. Since the pharaoh was believed to be part god, part human, Ramses ordered his people to honor the chief Egyptian god and himself by building many statues and temples throughout his empire. Many of these still remain today, providing historians great insight into this ancient civilization.

**ANCIENT ATHENS DURING THE GOLDEN AGE**

From 461 to 429 BCE, Pericles served as a leader in the Athenian government. At this time, all male citizens would convene on the Acropolis to make and vote on the laws that were to be carried out by a council of fifty of the citizens. All citizens were also expected to serve on juries to decide cases and interpret the law when trials were held.

**ANCIENT SPARTA**

From approximately 600 to 371 BCE, two groups ruled the Greek city-state of Sparta. First there was an assembly, composed of all free adult male citizens who were to vote on the proposed laws; these laws, however, were given to them by a small group of elders. Five elected officials called ephors then carried out the laws. These ephors also controlled the education system and all court cases. Two kings controlled the military, which was considered the strongest in Ancient Greece.

**ROME**

From 509 BCE to approximately 33 BCE, Rome was ruled by several groups, most of which were elected by the citizens. First, the legislative function was the job of the Senate chosen from the aristocracy for life and two assemblies who were elected by the citizens. Second, two consuls elected by the Centuriate Assembly for one-year terms were charged with carrying out the laws. Finally, eight judges were chosen for a one-year term by the Centuriate Assembly to oversee criminal and civil courts.
CHARLEMAGNE

After the fall of Rome in 476 to the German barbarians, no centralized government existed in Europe until the crowning of Charlemagne in 800. On Christmas Day of that year, the Pope of the Catholic Church crowned Charlemagne as Emperor of the Holy Roman Empire. Charlemagne waged war in an effort to extend his authority over the western half of the old Roman Empire. Upon his death, his son Louis inherited his kingdom.

KING JOHN OF ENGLAND

King John ruled England from 1199 to 1216, often making executive decisions independent from the law. Following a series of wars in France, King John’s barons rebelled due to extremely high taxes and the limitation of their rights. Upon King John’s surrender, the barons forced him to sign the Magna Carta. The Magna Carta, which enumerated certain liberties for the nobles and created the precedent for requiring the monarch to act within the law, is considered the document that led to the creation of a constitutional monarchy in England.

FLORENCE DURING THE RENAISSANCE

During the later Middle Ages, the peninsula of Italy was divided into city-states ruled by elite families. The Medicis of Florence controlled not only the government but the economic and cultural lives of the people who lived there. The family gained political power in Florence due to the wealth they acquired through banking. While they did not abolish representative government completely, they dominated it by placing members of the family into civic leadership roles and maintaining heavy involvement in the Church and arts.

LOUIS XIV OF FRANCE

Ruling France from 1638 to 1715, Louis XIV was known as the “Sun King” because of his complete control over the government and lives of the people of France. During his reign, he had the palace of Versailles built and moved the nobles there so he could keep control over their actions.

AYATOLLAH’S IRAN

In the Islamic Revolution of 1979, the Shah of Iran was deposed and replaced by the Ayatollah Khomeini, who took the title of Supreme Leader. Until his death, Ayatollah Khomeini ruled as the highest-ranking political and religious authority in the nation. Although there are elected officials, the candidates are approved by the clerics who ultimately have supreme authority in running the government.
P.W. BOTHA’S SOUTH AFRICA

P.W. Botha served as the sixth president of South Africa. The minority ruling class made up entirely of white citizens had elected him. Botha was forced to step down after a health crisis in 1989. At this time in South Africa, there was complete segregation of the races. The vast majority of the people living in the country were black, but they were not allowed to participate in the government. The next president, Frederik de Klerk, along with Nelson Mandela, brought an end to this racial segregation, which was known as “Apartheid” and brought great reform to the nation.

MAO’S CHINA

With the defeat of Chiang Kai-Shek (or Jiang Jieshi), for control of China in 1949, Mao Zedong proclaimed the beginning of the People’s Republic of China to be governed by the Communist Party with him at the head. Until his death in 1976, Mao controlled all aspects of the lives of the Chinese in an attempt to revolutionize China and make them a superpower in the world. Mao instituted an economic plan, called the Great Leap Forward, as a means of expeditting industrial growth and the collectivization of agriculture. Private farming was prohibited, and farmers were compelled to surrender their harvests to the state; those who did not were sentenced to terms in labor camps for the “hoarding” of crops. The government sought to remove all vestiges of capitalism from the economy and destroy traditional cultural and family relations while venerating Mao as a godlike figure through propaganda.

HITLER’S NAZI GERMANY

In response to the economic crisis in Germany after World War I, Hitler and his Nazi party began to dominate German politics. In 1933, he was appointed Chancellor by the president. Once in office, he expanded his power by suspending basic rights and crushing all opposition to his policies. His government, known as the Third Reich, controlled all aspects of German life, from the economy to culture, at the expense of anyone who opposed him or was believed to be inferior. The Nazis advocated for a large role for the state in the economic sphere as well as an obsessive emphasis on racial purity and the idea that Jewish people constituted an inferior and duplicitous class that were the principal source of Germany’s economic troubles. Nazis stripped Jews of their citizenship and placed restrictions on where they could live, work, shop, and educate their children. In what became known as the Holocaust, the Nazis sent Jews to a network of concentration camps. Nearly 6 million Jews were killed. Communists, Socialists, and even some Conservatives that opposed the Nazi regime were killed, imprisoned, or forced into exile. Under Nazi leadership, Germany became a propaganda state in which media independence was eliminated, and the editorships of all newspapers were placed under Nazi control, creating a cult of personality around Hitler.
VICTORIA’S ENGLAND

Queen Victoria inherited the throne when she was 20 and ruled the United Kingdom of Great Britain and Ireland and later India until her death in 1901. Her reign is the longest of any British monarch to date. During this time, under the leadership of dynamic prime ministers such as Benjamin Disraeli and William Gladstone, the British Empire grew to its largest size, extending influence to every continent on the globe. More importantly, during her reign, power of the government shifted to the House of Commons, the elected body in Parliament, who selected both the prime minister and the Cabinet.

UNITED STATES

Under the U.S. Constitution, first ratified in 1791, three branches of government are charged with the function of government. The legislative branch, made up of the House of Representatives and the Senate, is elected and designated to make the laws. The president and vice president, who make up the executive branch, are indirectly elected by the people and charged with carrying out the laws. The judicial branch, made up of the court system, was designed to interpret the laws and protect the rights of the citizens. The U.S. Constitution also spells out what the government can and cannot do.

PIOCHE'T’S CHILE

In 1973 General Augusto Pinochet led a coup d’etat to overthrow the civilian government of Salvador Allende. Pinochet maintained control until the 1989 election when Patricio Aylwin was elected. During Pinochet’s rule, he disbanded political parties and restricted basic freedoms. Those who opposed him were rounded up and often disappeared. It is estimated that several thousand lost their lives with many more tortured or forced to leave the country.

WALESA’S POLAND

After suffering greatly at the hands of the Nazis during World War II, Poland traded one oppressive government for another. The Soviet Union set up a Communist regime that controlled both the economy and government. The regime lasted until economic difficulties and a desire for greater political freedom led to the rise of Solidarity, a labor organization, and its leader, Lech Walesa. Walesa was elected president in 1990 and Poland moved to a free market economy and a government in which voters elected their leaders. Since 1990 Poles have achieved significant improvements in civil liberties.
“Representative governments...will reflect their own cultures. They will not, and should not, look like us. Democratic nations may be constitutional monarchies, federal republics, or parliamentary systems. And working democracies always need time to develop—as did our own. We’ve taken a 200-year journey toward inclusion and justice—and this makes us patient and understanding as other nations are at different stages of this journey.

There are, however, essential principles common to every successful society, in every culture. Successful societies limit the power of the state and the power of the military—so that governments respond to the will of the people, and not the will of an elite. Successful societies protect freedom with the consistent and impartial rule of law, instead of selecting applying—selectively applying the law to punish political opponents. Successful societies allow room for healthy civic institutions—for political parties and labor unions and independent newspapers and broadcast media. Successful societies guarantee religious liberty—the right to serve and honor God without fear of persecution. Successful societies privatize their economies, and secure the rights of property. They prohibit and punish official corruption, and invest in the health and education of their people. They recognize the rights of women. And instead of directing hatred and resentment against others, successful societies appeal to the hopes of their own people.”

CONCLUDING QUESTION:

1. According to President Bush, how are representative governments similar? How are they different?
2. How does President Bush’s speech add to your understanding of the benefits of limited government?
UNIT 1, LESSON 4

FREEDOM AND THE AMERICAN REVOLUTION

INTRODUCTION

In this concluding lesson of Unit 1, students will explore the American Revolution as a watershed moment in the advance of political freedom in the modern world. They will examine the causes of the American Revolution and the principles of freedom reflected in both the Declaration of Independence and the U.S. Constitution, including its Amendments. Students will also analyze the relationship between limited, representative government and the protection of individual rights. The testimonies of contemporary political dissidents will help students understand what continues to inspire individuals to seek freedom from tyranny and to secure their fundamental rights and freedoms.

GUIDING QUESTIONS

- How are principles of freedom, individual rights, and the rule of law reflected in the Declaration of Independence and the American Revolution?
- How successful was the American Revolution in establishing freedom, individual rights, and the rule of law?
- How did the American Revolution influence other movements for freedom and democracy?
- Why are people willing to pay a high price to obtain political freedom and individual rights under a democratic system of government?

OBJECTIVES

STUDENTS WILL:

Identify principles pertaining to political freedom, individual rights, and the rule of law that were expressed in the Declaration of Independence and enshrined in the U.S. Constitution and its Amendments.

- Analyze the impact of the American Revolution on securing political freedom and individual rights in the United States and elsewhere.
- Understand how limited, representative governments historically have best secured political freedom and individual rights.
- Compare the motivations of the American Revolution with contemporary movements for political freedom and democracy.
LENGTH OF LESSON

- Day 1–60 minutes
- Day 2–60 minutes

CURRICULUM STANDARDS

TEKS
- WH.9A “Compare the causes, characteristics, and consequences of the American and French revolutions, emphasizing the role of the Enlightenment, the Glorious Revolution, and religion.”
- WH.9.D “Identify the influence of ideas such as separation of powers, checks and balances, liberty, equality, democracy, popular sovereignty, human rights, constitutionalism, and nationalism on political revolutions.”
- WH.21.A “Describe how people have participated in supporting or changing their governments.”
- WH.22F “Assess the degree to which American ideals have advanced human rights and democratic ideas throughout the world.”

AP WORLD HISTORY
- AP.2.2II.A “In order to organize their subjects, the rulers created administrative institutions in many regions.” (Examples include centralized governments, elaborate legal systems, and bureaucracies)
- AP.5.3.I.D “The ideas of Enlightenment thinkers influenced resistance to existing political authority as reflected in revolutionary documents.” (Examples include the American Declaration of Independence, the French Declaration of the Rights of Man and Citizen, Bolívar’s Jamaica Letter)
- AP.5.3.III.A “Subjects challenged the centralized imperial governments.”
- AP.5.3.III.B “American colonial subjects led a series of rebellions, which facilitated the emergence of independent states in the United States, Haiti, and mainland Latin America. French subjects rebelled against their monarchy.” (Examples include American Revolution, French Revolution, Haitian Revolution, Latin American independence movements)

BACKGROUND

In this lesson, students will explore essential documents to increase their understanding of the role of the American Revolution (1775–1783) in advancing political freedom in the modern world. They will examine principles of freedom expressed in the Declaration of Independence and how those principles were later reflected in the U.S. Constitution and its Amendments. They will also analyze testimonies from contemporary political dissidents around the world to gain insight into the universal and enduring appeal
of political freedom and democracy.

The British colonies established in North America in the seventeenth and eighteenth centuries acknowledged British sovereignty but were to a large extent self-governing. At the conclusion of the French and Indian War (1754-1763), though, the British Crown and Parliament took steps to exercise more direct and extensive control over the colonies. Americans especially resented being taxed without being entitled to elect representatives to the British Parliament. Some acts of violent resistance were in response to the imposition of taxes on stamped documents and later on tea. Although the Stamp Act of 1765 was repealed, Americans still opposed the British Parliament’s assertion that the colonies must obey any laws it passed.

Sporadic confrontations between British troops and colonists grew into concerted armed resistance and military engagements during 1775. A Continental Congress, formed in 1774 with representatives from the twelve colonies, organized and provisioned a Continental army to oppose British forces in the North and South. Meeting in Philadelphia in 1776, the Continental Congress declared separation from England on July 2, and, on July 4, issued the Declaration of Independence.

FROM THE ENGLISH REVOLUTIONS TO THE AMERICAN DECLARATION OF INDEPENDENCE
In one sense, the revolt of the American colonies extended a British tradition of dissidence leading to constitutional reform. As far back as 1215, the Magna Carta guaranteed certain legal rights pertaining mainly to a landed nobility and restricting the power of the English king. The Magna Carta thus affirmed a leading principle of the rule of law: that the authority of government can be limited. Two revolutions in the seventeenth century contributed to widening the definition of rights, enhancing the power of Parliament, and diminishing the authority of the monarch even further.

First, in 1628, Parliament issued a Petition of Right that declared the following things illegal: forced loans in place of taxes, commissions to courts to act by martial law, imprisonment by arbitrary decree, compulsory quartering of troops, taxes imposed without consent of Parliament, and refusal of the Crown to execute the law. After several years of civil war, a triumphant Parliament created a “Commonwealth” in which sovereignty was supposed to belong to the people acting through elected representatives. In practice, however, the army, led by Oliver Cromwell, determined the membership of the House of Commons; the House of Lords was eventually abolished; and Cromwell as the Commonwealth’s “Protector” enjoyed nearly dictatorial powers. Over time, the Commonwealth increasingly resembled an oligarchy or a theocracy dominated by Puritan elements and military officers.

Second, in the Glorious Revolution of 1688, Parliament sought to supplant the Stuart dynasty with William, Prince of Orange, and his wife, Mary. It also issued a Bill of Rights that further limited the monarch’s actions. Some of the rights applied to Parliament, such as free speech and taxation with Parliament’s consent. Other rights applied to subjects, such as to petition the monarch, to bear arms, and to elect members of Parliament. In practice, Roman Catholics were excluded from this enlargement of rights, and the right to vote extended to only a very small fraction of adult males.

THE AMERICAN DECLARATION OF INDEPENDENCE
In some respects there is obvious continuity between the American Revolution and the two British revolutions. There are also important differences, including in the American understanding of the source
of rights. Like the two English revolutions, the American colonies pledged their “lives, fortunes, and sacred honor” to certain rights. Yet unlike their English predecessors, the American colonists did not appeal to English law as the source of rights. Instead, as the Declaration of Independence notes, they appealed to the “laws of nature and of nature’s God.”

On this basis, the Declaration of Independence asserts that human beings have been “created equal, and endowed by their Creator with certain unalienable rights.” The basis of rule must be reason, and the best indication of reason is the ability of those who govern to earn the consent of those who are governed. Governments are established in order to secure the “unalienable” rights of “life, liberty, and the pursuit of happiness” to which the colonists are entitled as human beings.

The U.S. Constitution, which was framed in Philadelphia in 1787 and ratified by the States in 1788 and 1789, established the legal means for perpetually securing these and related rights. Activities found in this lesson will help students think through the connections between the Declaration of Independence and the U.S. Constitution.

Most notably, the Constitution provides that representation in one chamber of the national legislature must be in proportion to the populations of the states. This provision gives practical force to the equality proposition of the Declaration, as does the constitutional requirement that all legislation that entails raising revenue must originate in that branch. Thus the national government has a democratic foundation.

The Constitution also guarantees to each state a “Republican” government. This is the only instance in which the document identifies a proper form of government with one of the forms traditionally associated with liberty. Students can consider why some Americans insist upon distinguishing democracy in its pure form from the American system that they maintain is a “democratic republic.” Connected with this question are various features of the Constitution (a Senate seating two members from each state irrespective of population, functions of government reserved to states) that may appear designed to limit or retard the power of national majorities and thereby afford some protection for the rights of those not in the majority.

The most important matter to understand is that declarations of rights are not likely to prove effective unless given force by limited, representative government founded in an extensive suffrage and strengthened by an independent judiciary.

The extension of such rights to all human beings in America was long in coming. Most notable was the denial of “the blessings of liberty” to slaves. It is known that slaveholders were among the Americans who signed the Declaration and who drafted and ratified the Constitution. Indeed the Constitution contains provisions that contribute to the persistence of a practice at odds with the equality proposition of the Declaration and with the egalitarian features of the Constitution. Less generally known is the fact that Jefferson’s original draft of the Declaration contained, among the indictments of the British King, a charge that slaveholding violates a universal right. Jefferson’s language was rejected from the final version because of opposition from southern representatives. Abraham Lincoln later maintained that the Constitution acknowledged an obligation to enact some future prohibition of slavery. Many contend that the U.S. Constitution was not truly concluded until the post–Civil War amendments (13th, 14th, 15th) abolished slavery and extended Constitutional rights to all citizens.
**SUBSEQUENT REVOLUTIONS FOR LIBERTY**

The success of the American Revolution inspired subsequent revolutions in both the Old and New Worlds. The French Revolution of 1789 was rooted in complex political, social, and economic causes. Politically, the king was an absolute monarch with unlimited powers to levy taxes, conduct foreign affairs, and make and enforce any law he deemed necessary. Socially, the French people were divided into three rigid classes called Estates, including the clergy of the Catholic Church (First Estate), the aristocrats or nobility (Second Estate), and the remainder of the population (Third Estate). Economically, there was the emergence of a prosperous middle class desiring political freedom and power, an impoverished class of peasants seeking relief, an urban lower class suffering economic troubles, and a national financial crisis brought on by extravagant war expenditures by the kings. The intellectual movement known as the Enlightenment and its revolutionary ideas on government only heightened these conditions for revolution, along with the example set by the American Revolution.

The French Revolution passed through a number of phases, and thousands of lives were lost, until it concluded with the rise of Napoleon in 1799. Even though Napoleon was the sole government authority, the ideas of the revolution eventually took hold in France. There were subsequent attempts at restoring the monarchy, followed by attempts at republican forms of government. However, the power held by the absolute monarchs or the emperor Napoleon was never again duplicated. The French Revolution contributed to liberty by insisting that all governments should honor certain rights.

The most important contribution to thinking about freedom to come out of the French Revolution may be the Declaration of the Rights of Man and Citizen. This charter of rights based in human nature acknowledged an authority superior to any human authority in a “Supreme Being.” The document then listed inalienable rights that must be respected by any and all governments. The statement provides a comprehensive view of human rights in many respects parallel to the view presented in the American Declaration of Independence and the American Constitution. The focus of this lesson is upon the more familiar American documents.

During the early nineteenth century, Haiti and South America also experienced revolutions for fundamental change in the forms of government. These movements drew upon both the American and French revolutions in their attempts to identify and secure rights and to provide constitutional safeguards for representative government. Those principles remain an inspiration today. In this lesson, students will make connections between historical revolutions and today’s movements for freedom and democracy around the world by watching video testimonies of contemporary political dissidents.

**RESOURCES**

- Copies of the following for each student
  - Handout 1, Quoting Democracy
  - Handout 2, Road to Revolution
  - Handout 3, Securing Their Rights
  - Handout 4, The Most Egregious Grievance
Freder Collection videos
- “Prisoners of Conscience” (Various, English and subtitles, 7:30) http://www.freedomcollection.org/themes/prisoners_of_conscience/
- Tutu Alicante: Becoming an Activist (Equatorial Guinea, English, 5:30) http://www.freedomcollection.org/interviews/tutu_alicante/?vidid=764
- Normando Hernandez: Harassment by the State (Cuba, subtitled, 1:45) http://www.freedomcollection.org/interviews/normando_hernandez/?vidid=673

Links to images
- Declaration of Independence: http://www.archives.gov/exhibits/charters/declaration_zoom_1.html
- National Archives and Records Administration analysis worksheets http://www.archives.gov/education/lessons/worksheets/

PREREQUISITES
Students need prior knowledge of the types of government presented in Unit 1, Lesson 3.

NOTES TO THE TEACHER
- This lesson will probably take two regular class days to complete.
- Teachers may elect to use any or all of the suggested videos, which are available to download in advance of a lesson from the Freedom Collection website. Each video has an accompanying transcript that is also available on the website.

PROCEDURE
(times below are suggested)

DAY 1

1. (5 minutes) Warm-Up: Ask students to read the following Churchill quote and determine the extent to which they agree or disagree with it: “Democracy is the worst form of government, except for all those other forms that have been tried from time to time.” (Speech given to the House of Commons, November 11, 1947. Accessed: http://wais.stanford.edu/Democracy/democracy_DemocracyAndChurchill%28090503%29.html)

2. (15 minutes) Provide each student a copy of the Quoting Democracy handout and tell them they
are going to review quotes regarding the benefits of representative democracy. Instruct them to read each quote and circle no more than five words that illustrate their understanding of the positive attributes of democracy. (NOTE: Please provide access to a dictionary in case they encounter unfamiliar terms.) Once students have completed their analysis of the quotes, ask them to review the words they selected and choose the ones most significant to them. Instruct students to use these words to create a 20-word quote of their own thoughts that could be added to this list of great thinkers.

3. (15 minutes) Give students a copy of the Road to Revolution and Securing Their Rights handouts. Instruct them to read the historical background, completing the analytical steps listed in the directions.

4. (5 minutes) Once students have analyzed the historical background, ask the following questions to generate class discussion:
   - What earlier events or actions do you believe influenced the decision of the colonists to revolt?
   - What grievances on the part of the government led to the rebellion?
   - What did you identify as the point of no return for revolution? Why?
   - What steps were taken to develop a democratic government after the war?

5. (20 minutes) Next, instruct students to look at the Securing Their Rights handout. Tell them that they are going to complete an in-depth analysis of the beginning of the Declaration of Independence to further their understanding of how it reflects the principles of freedom, individual rights, and rule of law. Inform students that the work they do not complete in class will need to be completed for homework. (NOTE: This activity could be completed as an individual, partner, or group activity.)

Day 2

1. (5 minutes) Ensure that students have access to the completed Road to Revolution and Securing Their Rights handouts. Instruct students to discuss with a partner the words or phrases in the Declaration of Independence that were most meaningful to them. Ask for volunteers to share their answers. Next, ask students to review their answers to the final question: “To what extent do you think the Declaration of Independence was a revolutionary document for its time? Please provide specific evidence to support your answer.” Once they have reviewed their answers, ask for volunteers to share their responses, engaging the class in a brief discussion.

2. (25 minutes) Give each student a copy of The Most Egregious Grievance handout. Tell them that now that they understand the basic precedents set forth in the Declaration of Independence, they are going to work with a partner to read specific grievances listed in the document. They will then match each grievance to a solution included in the Constitution of the United States. Let students know that some of the solutions will be used more than one time. Once they have completed the matching activity, ask them to work together to rank the grievances with 1 being the most significant violation of colonists’ rights. Allow students to volunteer to share the
grievances they ranked as the top three with the class.

3. (15 minutes) Next, ask students to get out a sheet of paper. Tell them that they are going to watch oral histories from dissidents, which include information about the grievances of governments. As they watch each of the videos, students will need to make a list of as many grievances as they can. The use of videos featuring contemporary dissidents reinforces the universal nature of freedom and the enduring impact of the ideas that inspired the American Revolution and other movements for democracy and individual rights. [NOTE: It is recommended that you begin by showing the Prisoners of Conscience video. If possible, allow students to choose two of the three additional videos to watch. When students have finished, give them a minute or two to discuss with their partner the grievances they found.]

Suggested video clips:

- **Prisoners of Conscience** (Various, English and subtitles, 7:30) 
  http://www.freedomcollection.org/themes/prisoners_of_conscience/
  This mini-documentary includes oral histories of dissidents who spoke out against the crimes of their governments. Each was imprisoned for standing up and speaking out for their beliefs. The video concludes with a message to dissidents from President George W. Bush.

- **Tutu Alicante: Becoming an Activist** (Equatorial Guinea, English, 5:30) 
  http://www.freedomcollection.org/interviews/tutu_alicante/?vidid=764
  Tutu Alicante talks about the government raiding his home because he and others participated in a protest speaking out for change against government abuses. When the military forces arrived, they arrested, beat, and tortured those suspected of participating in the protest. Tutu’s own family’s house was burned to the ground while he looked for his cousin, and another friend was killed. Tutu notes that most people were very afraid to speak out for change, saying they could rebuild, but he refused to accept that nothing could be done. He left his family for the United States to get the skills necessary to help achieve justice and human rights for the people of his country.

- **Normando Hernandez: Harassment by the State** (Cuba, subtitled, 1:45) 
  http://www.freedomcollection.org/interviews/normando_hernandez/?vidid=673
  Normando Hernandez talks about how the communist government in Cuba harasses and watches people’s every move. Even though he had a college degree, Normando could not find a job because he was known to be in opposition to the government. His family was also punished. His mother was fired from her job, and all the family had to eat was a piece of bread and a small glass of milk a day. He refused to accept his circumstances, even though his mother was afraid he would be put in prison.

- **Doan Viet Hoat: Voice from Prison** (Vietnam, English, 5:47) 
  http://www.freedomcollection.org/interviews/doan_viet_hoat/?vidid=477
  A former newspaper editor, Doan Viet Hoat speaks about his experience as a political prisoner for writing against government actions. He first was charged for publishing propaganda, but that was later changed to treason for attempting to overthrow the
government. He suffered a 20-year sentence with little food and water, and no contact with his family. He spent four years in solitary confinement and was refused paper, pencils, and books. He vowed not to cave in and spent the time in meditation to keep his mind occupied and sane.

4. (10 minutes) Ask students to work with their partner to read through the grievances they have listed; have them select the 5–10 that they think were the most serious violations of human rights. For each grievance they select, they should note which features/attributes of both democracy and the United States government would have protected the dissident from that abuse. Once students have completed their analysis, ask for volunteers to share some of their answers.

Example: “Dissident was unjustly imprisoned for 20 years with little food and water”
“No cruel and unusual punishment”

5. (5 minutes) Ask students to write individual responses to the following questions and conclude for homework, if necessary.

- Why do you think people are willing to pay a high price to obtain freedom and individual rights under a democratic system of government?
- Why is democracy believed to be the best form of government to protect the rights of citizens?

ENRICHMENT/EXTENSION ACTIVITIES

1. Have students identify and analyze how Enlightenment ideals (represented by thinkers such as Locke, Jefferson, Montesquieu, Rousseau, etc.) influenced each of the American and other revolutions.
2. Ask students to complete a more thorough comparison of the rights referenced in the Declaration of Independence to the rights secured in the Constitution of the United States.
3. Invite students to engage in further study of Thomas Jefferson’s original wording of the Declaration of Independence with regard to slavery.

ADDITIONAL RESOURCES

- George Orwell: *Animal Farm*
  Eminently accessible account of how reform becomes transformed into dictatorship.
- George Orwell: *1984*
  Great resource to assist students in understanding the nature of tyranny. Many of the ideas and vocabulary words invoked to describe threats to freedom are derived from this work.
- Chen Jo-his: *The Execution of Mayor Yin and Other Stories from the Great Proletarian Cultural Revolution*
  Gripping stories that describe the daily apprehensions of ordinary citizens during China’s Cultural Revolution. Students can easily grasp the message about totalitarian abuse.
• Anne Applebaum: *Gulag*
  This is a comprehensive history of the Soviet-era prison camp system. It includes heartbreaking accounts of the fates of children, many of whom were sent to the camps with their parents or dispatched to orphanages.

• David Garrow: *Bearing the Cross: Martin Luther King, Jr., and the Southern Christian Leadership Conference*
  This is an excellent biography of King, a history of the civil rights movement in the United States, and an important story about the achievement of freedom for people who had endured unequal status for centuries.

• Artur London: *The Confession*
  For over forty years Czechs and Slovaks were ruled by a totalitarian dictatorship that executed dissidents, imprisoned priests, censored the press, banned travel abroad, and prohibited literature and music that was deemed politically incorrect. London, an early Communist official in the former Czechoslovakia, tells the story of his trial and imprisonment on fabricated charges.

• Anne Applebaum: *Iron Curtain: The Crushing of Eastern Europe, 1944–56*
  This is probably the best account of how a totalitarian system is put in place, institution by institution. It is a compelling analysis of the methods of totalitarian control.
QUOTING DEMOCRACY

PART I

As you read each of the following quotes from great thinkers and leaders, circle no more than 5 words in each quote that illustrate your understanding of the positive attributes of democracy.

“If liberty and equality, as is thought by some are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.”
— ARISTOTLE, POLITICS

“This feature distinguishes this federal government from all the federal governments that have gone before it, as it was the general and ancient rule that liberty existed as a concession from authority; whereas, here, we find authority existing as a concession from the ruled.”
— JAMES FENNIMORE COOPER, THE AMERICAN DEMOCRAT

“Democracy and socialism have nothing in common but one word, equality. But notice the difference: while democracy seeks equality in liberty, socialism seeks equality in restraint and servitude.”
— ALEXIS DE TOCQUEVILLE

“Modern liberty rests upon three pillars. They are representative democracy; economic freedom; and the rule of law. The foundation for all three is the acceptance by the members of our societies of a sense of common obligation.”
— MARGARET THATCHER

“We must be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings.”
— RONALD REAGAN, WESTMINSTER SPEECH, JUNE 8, 1982
“To my mind there is an intimate connection between democratic values and the fundamental values of human goodness. Where there is democracy there is a greater possibility for the citizens of the country to express their basic human qualities, and where these basic human qualities prevail, there is also a greater scope for strengthening democracy. Most importantly, democracy is also the most effective basis for ensuring world peace.”
— TENZIN GYATSO


“From the day of our Founding, we have proclaimed that every man and woman on this earth has rights, and dignity, and matchless value, because they bear the image of the Maker of Heaven and earth. Across the generations we have proclaimed the imperative of self-government, because no one is fit to be a master, and no one deserves to be a slave.”
— GEORGE W. BUSH—SECOND INAUGURAL ADDRESS, 2005


“During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons will live together in harmony and with equal opportunities. It is an ideal which I hope to live for. But, my lord, if needs be, it is an ideal for which I am Prepared to Die.”
— NELSON MANDELA, STATEMENT IN THE RIVONIA TRIAL, APRIL 20, 1964


PART II
Review the words you have circled, choosing the ones that are most significant to you. Use these words to create a 20-word quote of your own thoughts on democracy that could be added to this list of great thinkers and leaders.

“"
Read the historical background of the United States Revolutionary War below. As you read, complete the following steps:

**Underline** any earlier events or actions that influenced the leaders of the U.S. Revolutionary War.

**Circle** key events and actions leading up to the revolution.

**Place a box around** the point at which a revolution seemed inevitable.

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**SETTING THE STAGE FOR LIMITED GOVERNMENT**

**THE ENGLISH REVOLUTIONS, 1642–1688**

Although the Glorious Revolution of 1688 is often considered the first step in modern representative government, it was, in fact, an effect of the Puritan Revolution of 1642, which was the culmination of political, economic, and religious unrest in England. The bloody civil war that resulted in the trial and beheading of King Charles I was the first and last attempt to have an English government without a monarch at the head. When compared with the violence of the Puritan Revolution, the final English revolution in 1688 is often called the “Glorious” or “Bloodless” Revolution because of the minimal conflict that occurred. It ended with the abdication of King James II and the coronation of William and Mary from Holland under the condition they sign and accept the English Bill of Rights. This was a document listing and guaranteeing certain rights to English citizens.

With the passage of the English Bill of Rights in 1689 by Parliament and signed by William and Mary, the power of the monarch in England was forever limited. Provisions of this document included limitations on the right of the crown to declare war, make appointments, or pass any taxes without Parliamentary approval. Free elections, free speech, and the right to petition the government were guaranteed to the citizens. Finally, citizens were guaranteed the right to a trial by a jury of peers along with freedom from excessive bail or cruel and unusual punishment. Over a period of fifty years, England had transformed from a monarchy to a constitutional monarchy with the rights of the citizens being written and guaranteed. This set the stage for representative government to continue to evolve and expand in England and English colonies.
DEMANDING REPRESENTATION IN GOVERNMENT

THE UNITED STATES REVOLUTION, 1775–1789

From the first colonies in Virginia and Massachusetts in the early 1600s, the expansion of the idea of self-government was evident. Issued colonial charters from the English monarch promising all rights and privileges of English citizens, the colonies all established representative assemblies to help with the day-to-day governing. The English were content with this relationship until the need for additional money to pay for wars both in Europe and the new world arose. Feeling that the colonies should help pay the expenses incurred from protecting them from the French and Indians, Parliament levied more taxes, which the colonists were to pay. The response of the colonists was immediate—"no taxation without representation." They did not feel they had been represented in Parliament when the taxes were discussed and levied. Throughout the next ten years, the tension between the two rose until 1775 when open hostilities broke out at Lexington and Concord. Within a year, the Continental Congress, an assembly of representatives from the colonies, voted to adopt the Declaration of Independence and separate from the English. This document, primarily written by Thomas Jefferson, asserted the unalienable rights of life, liberty, and the pursuit of happiness of all men. Furthermore, Jefferson claimed the purpose of government was to secure these rights. Finally, since the right to govern came from the people themselves, the people had the right to change the government if these rights could not be secured.

From 1775 to 1783, the war between the two continued. In addition to the hardships of war, colonists faced making the decision of which side they would support. They either had to stay loyal to the English or take a chance with the new United States. Even though the American forces won, the uncertainty of the future and the questions of the survival of the new nation caused serious problems. The first attempt at self-government did not succeed, mainly because there was no power in the central government. In 1789, delegates from twelve of the thirteen states met to revise this first plan. The result was the U.S. Constitution establishing an entirely new form of central government. Within two years, a Bill of Rights was added, guaranteeing specific rights such as the freedom of speech, press, religion, a trial by jury, and a prohibition of cruel and unusual punishment. The influence of the principles imbedded in this Constitution—which included the rule of law, due process, limited government, separation of powers with checks and balances, the ability to amend when necessary, and respect for the rights and liberties of the individuals—continue to influence the world, as it is the oldest written constitution still in use today.
Read through each quote from the Declaration of Independence. As you read each quote, use the following steps to complete an in-depth analysis of the Declaration of Independence. When you have finished analyzing the quotes, complete the concluding question.

Underline the words or phrases in the quotes that support the concept that governments are created to secure the rights of the governed.

Circle the words or phrases in the quotes that indicate governments derive their power from men.

Highlight the words or phrases in the quotes that indicate citizens can change or abolish their government if the government fails to secure their rights or places their people under tyranny.

Rewrite the quote in your own words in the space provided.

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

“That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —”

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

“That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
“Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed.”

“I contemplate with serious regret that measures should have been found necessary to humble the pride of great powers, to check the ravages of destruction, and to visit upon the innocent the punishment of the guilty. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.”

CONCLUSION

To what extent do you think the Declaration of Independence was a revolutionary document for its time? Please provide specific evidence to support your answer.
### GRIEVANCES

1. “He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.”

2. “He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the amount and Payment of their Salaries.”

3. “…For quartering large Bodies of Armed Troops among us.”

4. “He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.”

5. “He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People and eat out their Substance.”

6. “…For cutting off our Trade with all Parts of the World.”

7. “…For imposing Taxes on us without our Consent.”

8. “…For depriving us, in many Cases, of the Benefits of Trial by Jury.”

9. “…For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.”

### CONSTITUTIONAL SOLUTIONS

A  “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion…”

B  “No soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.”

C  “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

D  “(Congress shall have power) To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

E  “The Congress shall assemble at least once in every Year, and such Meeting shall be [on the first Monday in December] unless they shall by Law appoint a different Day.”

F  “He [the President] shall have the Power, by and with the Advise and Consent of the Senate to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by the Advice and Consent of the Senate shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law…”

G  “…The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.”

H  “(Congress shall have power) To lay and collect Taxes, Duties, Imposts, and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.”

I  “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed.”
Read through each of the following grievances from the Declaration of Independence and the solutions that were included in the Constitution of the United States. Match a constitutional solution to each grievance by writing the letter of the solution on the blank next to the number of the grievance. Some solutions will be used more than once.

**GRIEVANCES**

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