**Unit I, District Question #3-**

*What effect did colonial experiences have on the Founders’ views about rights and government?*

* *In what ways were eighteenth-century American and British societies similar or dissimilar in terms of rights of individual liberty, equality of opportunity, and property?*
* *How did early state constitutions reflect colonial experiences as well as the ideas of classical republicanism and the natural rights philosophy?*

**P1.** Patrick Henry once said the Framers of the Constitution “lit the lamp of experience to peer into the future by the light of the past.” Colonial experiences had profound effects on the founders’ views about rights and government. Because of these experiences, the framers adopted the following concepts:

**P2.** One: Government based on consent. The Founders viewed government as an agreement between the people and the government. For example, the theory of government based on consent was exemplified when the Pilgrims signed the Mayflower Compact in 1620.

**P3.** Two: Fundamental rights. The concept of fundamental rights originated with John Locke’s belief that people have inalienable rights to life, liberty, and property. In the colonies, Locke’s idea of the right to life was influential in the right to a trial by jury. Furthermore, limits on the government’s power to tax are a protection of the right to property.

**P4.** Three: Rule of Law. Traceable to the Magna Carta of 1215, the colonists protected their fundamental rights by creating governments based on written law and not arbitrary power vested in a leader. The oppression faced under the king led the Founders to create a government ruled by law and not by royalty.

**P5.** Four: Separation of power. Derived from Baron de Montesquieu’s *Spirit of the Laws*, the concept of separation of power was applied in the colonies through separate branches of government. These branches included legislatures to made the law and magistrates who handled conflict and presided at trials. These sectors of the government generally worked independently, but still allowed for checks and balances.

**P6.** Five: Checks and Balances: This concept went hand-in-hand with separation of powers. For example, governors could not collect taxes without the consent of the legislature, and legislatures depended upon governors to enforce enacted laws. Our government still has a similar system to these colonial checks and balances.

**P7.** Finally, Republicanism: This concept ensured that the people would be entitled to the consent of representatives before being taxed or subject to laws of the executive.

**P8*.*** However, the colonies and England also had notable *differences* in their experiences. These differences in experience led to differences in the governments’ treatment of constituents. First we will examine differences in the components of individual liberty.

**P9**. One component of individual liberty that differed in the colonies and Britain was the freedom of the press. Although licensing for newspapers was required in both lands, restrictions in the colonies gradually eased. The trial of John Peter Zenger in 1735 made a free press the hallmark of the New World, while in England seditious libel laws made it a crime to publish anything that might harm the reputation of the government.

**P10**. The second individual liberty that differed between lands was the right to own property. In England, primogeniture kept property in a restricted social class. But in colonial America, most white males could own property because primogeniture was abolished.

**P11**. In addition to differences in the components of individual liberties, the colonists also had early state constitutions which reflected their colonial experiences and the ideas of both classical republicanism and natural rights philosophy.

**P12.** The principle of classical republicanism can be seen in the establishment of the Virginia House of Burgesses in 1619 and the Virginia Declaration of Rights of 1776, while the Pilgrims demonstrated concepts of natural rights philosophy when they signed the Mayflower Compact of 1620. The natural rights to life, liberty, and property are reflected in the Declaration of Rights of 1774.

**P13.** In conclusion, the colonial experience, influenced by various natural rights and classical republican philosophers, still has a great impact on how our country operates today.

**P14.** Thank you for your time. We are now eager to discuss our response with you.