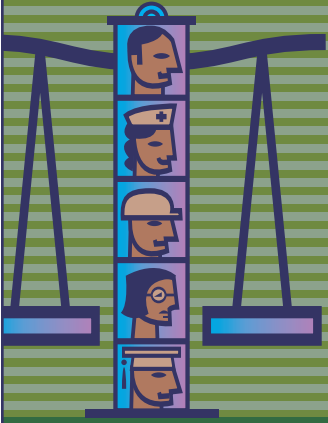


Landmark Documents of the Rule of Law



The Rule of Law:
Foundation for
Communities of
Opportunity and
Equity
Law Day
May 1, 2008

Landmark Documents of the Rule of Law Series

Part 1
Magna Carta (1215)

Part 2
English Bill of Rights (1689)

Part 3
**Constitutional Amendments
(1791–)**

Part 4
**Universal Declaration of
Human Rights (1948)**



For more information about Law Day 2008, including a downloadable Dialogue on the Rule of Law and Planning Guide, go to www.lawday.org.



English Bill of Rights (1689)

Over the course of the 17th century, struggles between the King of England and the English Parliament helped establish the principle that no individual—not even the king—is above the law. At the end of this struggle, the English Bill of Rights defined key liberties of English subjects.

Early in the 17th century, King Charles I claimed that he was answerable only to God. Members of Parliament, including the English lawyer Sir Edward Coke, disagreed. They believed that Magna Carta, which had been signed by King John in 1215, had made the common law the supreme authority for all persons in England, including the king. The common law included the rights and responsibilities that had been defined by judges in court decisions over the many centuries of English history. In 1628, members of Parliament presented the Petition of Right to King Charles. The Petition accused the king of violating his subjects' rights by taxing them without Parliament's consent and by trying, imprisoning, and executing them without due process of law.

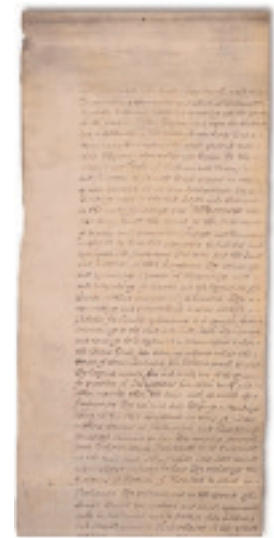
Glorious Revolution

The struggle between Parliament and King Charles ultimately led to the English Civil War. Parliament beheaded King Charles in 1649, and for 11 years England was ruled without a king. In 1660, Parliament asked King Charles's son to return from exile to serve as King Charles II of England. When Charles II died in 1685, his brother, the unpopular James II, became king. In 1688, Parliament asked James's daughter, Mary, and her husband, the Dutch prince William of Orange, to take over the throne. William and Mary agreed. In what is known as the Glorious Revolution, they invaded England with a force of 15,000 troops. They were greeted with enthusiastic support, and King James fled into exile.

In 1689, Parliament presented the new King William and Queen Mary with a Bill of Rights, described as "An Act Declaring the Rights and Liberties of the Subject." The Bill of Rights established that Parliament, not the king, had ultimate authority to make or repeal laws. The Bill of Rights also asserted "certain ancient rights and liberties" of English subjects, including

- The right to petition the king and his government.
- Freedom of speech and debate in Parliament.
- Rights of English subjects to keep arms for their defense.
- Rights to trial by jury.
- Prohibitions on excessive bail, excessive fines, and cruel and unusual punishments.

The Glorious Revolution and the establishment of an English Bill of Rights had a great impact on how British subjects—both in England and in its American colonies—perceived the role of the king, the Parliament, and the law in upholding their rights.



Student Activities and Focus Questions

1. Look at the rights protected in the U.S. Constitution's Bill of Rights (Amendments 1–10). What similarities do you see between these rights and the rights asserted in the English Bill of Rights?
2. Parliament is England's legislative body, similar to the U.S. Congress. How does giving authority to make or repeal laws to a legislature, instead of a single individual such as a king, protect the rule of law?