

American Bar Association
Juries: Cornerstone of Democracy

Student Handout

Exhibit I

The jury system came to the English colonies with the first settlers. In those days, the jury was the most representative arm of government. In many states, a landed aristocracy controlled the legislature, the clergy, the military, and other societal institutions, but juries were made up of common people, and almost all [male] citizens had experience as jurors.

Exhibit II

Although English law provided for trial by jury, the Crown did not allow jury trials for colonists accused of violating the hated Stamp and Navigation Acts of 1765. In response, when writing the Declaration of Independence in 1775, the colonists castigated King George III for “depriving us, in many Cases, of the Benefits of Trial by Jury.”)

Exhibit III

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;
US Constitution, Bill of Rights, 1791--Amendment VI

In [civil lawsuits], where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined by any Court of the United States, than according to the rules of the common law.
US Constitution, Bill of Rights, 1791--Amendment VII