

**A Brief History of Bills of Rights**  
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**Questions to keep in mind:**

- what is the purpose of a Bill of Rights?
- what are some of the most important historical examples of Bills of Rights?
- who creates them? why are they created?
- do Bills of Rights work as intended?
- how do you think existing Bills of Rights might be improved?

**Some Historical Examples of Bills of Rights**

- The Code of Urukagina (c. 2350 BC)
- Magna Carta (1215)
- The Agreement of the People (1647)
- The Virginia Declaration of Rights (1776)
- The Declaration of Independence (1776)
- The Declaration of the Rights of Man and of the Citizen (1789)
- Olympe de Gouges, "Declaration of the Rights of Woman and Citizen" (1791)
- Amendments to the Constitution (Bill of Rights) (1791)
- Frederick Douglass, "Fourth of July Oration" (1852)

**Some Keys Points about Bills of Rights**

- They are claims of "right" (or privilege) by one group of people who feel aggrieved by the actions of another person or group of people.
- The rights claimed are for the benefit of a particular group and are usually not to be applied universally.
- BoR are often the result of a violent struggle (war, revolution, civil disturbance) between the group claiming that their rights be recognized.
- As time has passed previously excluded groups have gradually been included in the group claiming rights (slaves, propertyless, women).
- There are two main historical traditions in the development of Bills of Rights: the Anglo-American and the French tradition (Civil Code).

## Filmography

Ridley Scott, "Robin Hood" (2010).

## Webliography: Online Editions of Bills of Rights

The Online Library of Liberty - <http://oll.libertyfund.org>

- Key Documents - [http://oll.libertyfund.org/index.php?option=com\\_content&task=blogcategory&id=41&Itemid=264](http://oll.libertyfund.org/index.php?option=com_content&task=blogcategory&id=41&Itemid=264)
- Reading Lists/Key Documents of Liberty (Law) - <http://oll.libertyfund.org/readinglists/list>

The Founders' Constitution [A Joint venture of the University of Chicago Press and Liberty Fund, Inc.] - <http://press-pubs.uchicago.edu/founders/>

- Bills of Rights - [http://press-pubs.uchicago.edu/founders/tocs/bill\\_of\\_rights.htm](http://press-pubs.uchicago.edu/founders/tocs/bill_of_rights.htm)
- Amendments to the Constitution, 1791-1804 - [http://press-pubs.uchicago.edu/founders/documents/bill\\_of\\_rightss13.html](http://press-pubs.uchicago.edu/founders/documents/bill_of_rightss13.html)

The Avalon Project at Yale Law School: Documents in Law, History and Diplomacy - <http://www.yale.edu/lawweb/avalon/avalon.htm>

- The American Constitution: A Documentary Record - <http://www.yale.edu/lawweb/avalon/constpap.htm>

## Bibliography

*The American Republic: Primary Sources*, ed. Bruce Frohnen (Indianapolis: Liberty Fund, 2002).

*Leveller Manifestoes of the Puritan Revolution*. Edited, with introduction and commentaries by Don M. Wolfe, Foreword by Charles A. Beard (1944) (New York: Humanities Press, 1967).

Frederick Douglass, "Fourth of July Oration" (1852) in *What Country Have I? Political Writings by Black Americans*, ed. Herbert J. Storing (New York: St. Martin's Press, 1970).

Olympe de Gouges, "Declaration of the Rights of Woman and Citizen" (1791) in *Women, the Family, and Freedom: The Debate in Documents, vol. One, 1750-1880*, ed. Susan Groag Bell and Karen M. Offen (Stanford University Press, 1983).

*The French Idea of Freedom: The Old Regime and the Declaration of Rights of 1789*, ed. Dale van Kley (Stanford U.P. 1994).

Georg Jellinek, *The Declaration of the Rights of Man and of the Citizen. A Contribution to Modern Constitutional History*, trans. M. Ferrand (Henry Holt, 1901).

Carl Lotus Becker, *The Declaration of Independence: A Study on the History of Political Ideas* (New York: Harcourt, Brace and Co., 1922).