

James Willis
TAH: A More Perfect Union
Final Project – Lesson Plan
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The British Constitutional Roots of the American Movement for Independence

Historical Background

“...I think I can announce it as a fact, that is it not the wish or interest of ... any upon this continent, separately or collectively, to set up for independency; ...it is the ardent wish of the warmest advocates for liberty, that peace and tranquility, upon constitutional grounds, may be restored, and the horrors of civil discord prevented...”

*-- George Washington, in a letter to Capt. Robert Mackenzie,
October 9, 1774¹*

It is important for students to recognize the historical roots and origins of their independence. Too often the American Revolution is painted for students in broad, sensationalist strokes, without proper attention paid to the fact that the American colonists were not casting off the shackles of tyranny for all mankind once and for all and fighting for a new, better tomorrow; but rather, they viewed themselves as a justifiably aggrieved people, whose rights had already been earned, but were now denied. When viewed in the context of European history, and specifically the history of the English Civil War and the Glorious Revolution, the American Revolution can be seen not as something new, but rather the continuation of a movement 150 years in the making.

As democracy developed and the Protestant majority in parliament bristled under the rule of James II in late 17th century England, many looked forward to a day when a dead James would leave his throne to his more moderate, protestant daughter Mary. But when James' wife gave birth to a male heir and immediately baptized the baby as a Catholic, a small group of parliamentary leaders invited Mary and her husband William, the protestant king of the Netherlands, to invade England. Hoping he might now have the military might to check the growing power of Louis XIV and catholic France, William accepted. Due to a number of mishaps on the part of James' fleet and the flight of James himself, the invasion was bloodless and “the Glorious Revolution” was born.

¹ Letter quoted from Roger Brunns' *Almost History: Close Calls, Plan B's, and twists of Fate in America's Past* (New York, NY: Hyperion, 2000) p. 112.

The most significant part of the Glorious Revolution was not the ascension of William and Mary, however. When William and Mary accepted the throne, they also had to accept the Declaration of Rights, drawn up by the emergency Convention Parliament. Later amended and signed into law as the Bill of Rights, this revolutionary document carried the future of British parliamentary democracy. A combination of legal tradition (common law), court rulings and acts of parliament, this document would most popularly serve as contemporary scholar John Locke's example of his political philosophy in action. The genius of it, according to Locke, was that Parliament was sure to declare their rights *before* anointing a king, thus ensuring the protection of their natural right to rebel and replace the government with one that protects the rights of the people.

The English Bill of Rights did not go as far as the American Bill of Rights towards protecting the individual rights of the people, but it did deal with issues of parliament, the crown, and the relationship between the two. It is important that students recognize that the American Constitution's protection of individual rights was late in coming into this story; for most of the Revolutionary era, the existence of a new, American Bill of Rights was at best a theoretical possibility. Not until the compromises made at the Constitutional Convention in 1789 did the American Bill of Rights become a reality, and then only because the anti-federalists did not want to lose what they had gained in a revolution very few believed would be successful 15 years earlier. As seen in Washington's letter quoted above, at the outset of the war Americans did not feel they were fighting for something new, but rather the existing rights as Englishmen they felt they were being denied. The rights they held not as Americans, but as Englishmen.

As one author writes: "Between 1763 and 1776, actions by the British government triggered a growing suspicion among the North American colonists that the king and Parliament were engaged in an elaborate conspiracy to take away their traditional liberties as freeborn Englishmen."² As Parliament began to experiment with various methods of recouping their losses from the 7 years war, each new attempt at generating income was met with colonial resistance. In this lesson, students will analyze the British Bill of Rights in conjunction with the demands and rhetoric of the American revolutionaries, and come to their own judgments as to whether or not the founders, at least constitutionally, had a legitimate concern.

This is a two day lesson designed specifically for AP European History students, grades 10-12. Requires use of a computer lab and includes an analytical essay as assessment.

² Rader, Benjamin. *American Ways: A History of American Cultures, 1500-1865 – Vol. 1*. University of Nebraska, Lincoln, NE. Thomson Wadsworth. 2006. p.100.

Objectives

Upon completion of this lesson, students will...

- have a thorough understanding of the context, background and specifics of the British Bill of Rights
- understand the constitutional rationalizations made by the founding fathers to justify the movement for independence
- practice working with a variety of types of primary sources
- analyze the differences between the British and American Bill of Rights
- account historically for the need for those differences

Standard Alignments

Massachusetts History and Social Science Curriculum Framework Standards

US1.1 Explain the political and economic factors that contributed to the American Revolution

US1.2 Explain the historical and intellectual influences on the American Revolution and the formation and framework of the American government.

US1.4 Analyze how Americans resisted British policies before 1775 and analyze the reasons for the American victory and the British defeat during the Revolutionary war.

US1.9 Explain the reasons for the passage of the Bill of Rights.

WHII.2 Explain why England was the main exception to the growth of absolutism in royal power in Europe.

- A. the causes and essential events of the English Civil War and the Glorious Revolution of 1688
- B. the effect of the Glorious Revolution on the development of constitutional government and liberty in England, including the importance of the English Bill of Rights and how it limited the power of the monarch to act without the consent of Parliament.

Procedures

1. This lesson will take place near the end of my fifth unit in AP European History, “Ideological Revolutions: The Scientific Revolution, the Enlightenment, and the Trade Wars of the 18th century”. Students will have previously covered the English Civil War and the Glorious Revolution, but the night before they should review and/or read the necessary background information. Specifically, my students will have read the following before coming to class for day 1 of this 2 day project-based lesson (obviously, not in one night...):
 1. Re-read in textbook (*The Making of the West, 3rd ed.* By Hunt, Martin et. al., Bedford St. Martin’s) pp. 497-504, on Constitutionalism in England
 2. Read selection from John Merriman’s *A History of Modern Europe* (2nd ed., Norton and Co., 2004) on the English Civil war and the Glorious Revolution (pp. 228-248)
 3. In the ABC-CLIO database (link from Cohasset High School Library) read the following articles:
 - a. American Revolution
 - b. Glorious Revolution
 - c. English Bill of Rights
 - d. English Civil War
 4. Read selection from *Liberty, Equality, Power: A History of the American People* (5th ed., Thomson Wadsworth, Murrin, Johnson, et. al., 2008), an overview of the run-up to the American Revolution (pp. 151-176)
2. In computer lab, alone or in pairs, go to the Avalon Project’s online copy of the English Bill of Rights at http://avalon.law.yale.edu/17th_century/england.asp
3. Use each of the 13 articles of the English Bill of Rights to assess the validity of the colonials’ complaints that their rights, guaranteed by the Bill of Rights, were being violated. For each article, use your notebooks, the resources available in this room, and the internet to find specific examples of complaints made by

American colonists. Determine whether or not the complaints have merit, and explain. Use the following model to guide your work:

Student Sample:

Article 4

That levying money for or to the use of the Crown by pretence of prerogative, without grant of Parliament, for longer time, or in other manner than the same is or shall be granted, is illegal;

This article reaffirms the principle of the Magna Carta, that the people cannot be taxed without their consent. However, prior to the English Bill of Rights, Parliament had power to control only “direct taxes” such as tax on land. The crown regularly levied indirect taxes (such as the duty levied by the Stamp Act) and even forced borrowing.

In his testimony before the House of Commons, Benjamin Franklin explains why Americans object to the Stamp Act: “...a right to lay internal taxes was never supposed to be in Parliament, as we are not represented there...”³ Central to the cause of the American Revolution, the idea of “no taxation without representation” became the rallying cry of the American colonists. In this case, the question comes down to whether or not the Americans are truly represented in Parliament. I would argue that they were not, as colonies went unrepresented by either direct or indirect election.

4. Each answer should include at least one primary source citation.
5. Day 1 (90 minutes) will be spent working. If all 13 are not completed in class, they will be for homework. At the beginning of Day 2, each group is charged with going around the room and finding a primary source used by another pair of students that either validates or casts doubt on their original claim for each of the 13 articles.
6. During the 2nd half, we will go around and each pair will present one of their judgments, and the corresponding evidence they found from a classmate.

³ Belmonte, Laura. *Speaking of America – Vol. 1: to 1877*. (2nd ed., Thomson Wadsworth, 2007) p. 75.

Assessment

Students will write a 4-8 paragraph analytical essay responding to the following essay prompt:

Read the first ten amendments of the American Constitution. Using what you've learned so far, discuss at least three major differences between the English and American Bill of Rights, and in your conclusion, account for those differences. How are the contents of the American Bill of Rights a product of both the English Bill of Rights and the American Revolution?

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