



## 2 Roots of Representative Government

### TERMS & NAMES

Magna Carta  
Parliament  
Edmund Andros  
Glorious Revolution  
English Bill of Rights  
salutary neglect  
John Peter Zenger

### MAIN IDEA

Colonists expected their government to preserve their basic rights as English subjects.

### WHY IT MATTERS NOW

U.S. citizens expect these same rights, such as the right to a trial by jury.

### ONE AMERICAN'S STORY

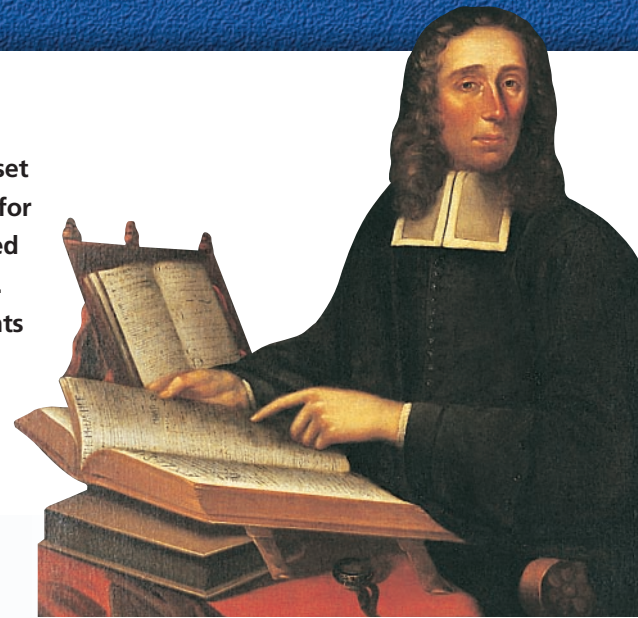
On April 7, 1688, the famous Puritan minister Increase Mather set sail for England. He was to speak to King James II to get relief for the Massachusetts colony. The English government had canceled the charter of Massachusetts and sent a royal governor to rule.

The colonists thought that the governor trampled their rights as English subjects. Mather stayed in England for four years. During this time, he saw the king driven out and replaced by new rulers. In the end, he came home with a new charter that he hoped would satisfy the New England colonists.

#### A VOICE FROM THE PAST

For all English liberties are restored to them: No Persons shall have a Penny of their Estates taken from them; nor any Laws imposed on them, without their own Consent by Representatives chosen by themselves.

Increase Mather, quoted in *The Last American Puritan*



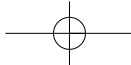
This is a detail of *Increase Mather* by Jan van der Spriett.

Mather called the new charter “a Magna Carta for New England.” In this section, you will learn about the rights of English people set forth in the Magna Carta and later documents. These rights are the basis for the rights Americans enjoy today, such as the right not to be jailed without cause and the right to a jury trial.

## The Rights of Englishmen

English colonists expected certain rights that came from living under an English government. These “rights of Englishmen” had developed over centuries.

The first step toward guaranteeing these rights came in 1215. That year, a group of English noblemen forced King John to accept the **Magna Carta** (Great Charter). The king needed the nobles’ money to finance a war. This document guaranteed important rights to noblemen and freemen—those not bound to a master. They could not have their property seized by the king or his officials. They could not be taxed, in most



cases, unless a council of prominent men agreed. They could not be put to trial based only on an official's word, without witnesses. They could be punished only by a jury of their peers, people of the same social rank.

#### **A VOICE FROM THE PAST**

No freeman shall be seized, imprisoned, dispossessed, outlawed, or exiled, . . . nor will we proceed against or prosecute him except by the lawful judgment of his peers, or by the law of the land.

**Magna Carta**, translated in *A Documentary History of England*

The Magna Carta limited the powers of the king. Over time, the rights it listed were granted to all English people, not just noblemen and freemen.

#### **ReadingHistory**

**A. Comparing**  
What rights from the Magna Carta remain rights in America today?

## **Parliament and Colonial Government**

One of the most important English rights was the right to elect representatives to government. **Parliament**, England's chief lawmaking body, was the colonists' model for representative government. Parliament was made up of two houses. Members of the House of Commons were elected by the people. Members of the House of Lords were nonelected nobles, judges, and church officials.

The king and Parliament were too far away to manage every detail of the colonies. Also, like the citizens of England, English colonists in America wanted to have a say in the laws governing them. So they formed

## **CITIZENSHIP TODAY**

### **The Importance of Juries**

The right to a trial by jury, established in the Magna Carta, is an important legal right. When you become an adult, you will likely be asked to serve on a jury.


Many young people in Knox County, Illinois, have already served as jurors on a teen court (shown below, with an advisor). They decide the best punishment for other teenagers who have admitted breaking a law. For example, shoplifters might be sentenced to write an apology to the store. Knox County is one of more than 500 U.S. communities that have teen courts.



Knox County Teen Court volunteers

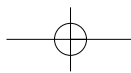
### **How Can You Serve on a Teen Court?**

1. Search the library or Internet to learn more about teen courts.
2. Ask the police department whether your town has a teen court. If it does, volunteer.
3. If you want to start a teen court, seek advice from a community that has one.
4. Invite a lawyer to your class to talk about a juror's role.
5. Find a group to sponsor your court, and get support from youth officers and judges.

 See the Citizenship Handbook, page 264.

For more about courts and juries . . .





their own elected assemblies, similar to the House of Commons. Virginia's House of Burgesses was the first of these. In Pennsylvania, William Penn allowed colonists to have their own General Assembly. These Virginia and Pennsylvania assemblies imposed taxes and managed the colonies.

Although the colonists governed themselves in some ways, England still had authority over them. The king appointed royal governors to rule some colonies on his behalf. Parliament had no representatives from the colonies. Even so, it passed laws that affected the colonies. The colonists disliked these laws, and they began to clash with royal governors over how much power England should have in America. These conflicts became more intense in the late 1600s.

### ReadingHistory

#### B. Making

**Inferences** Why did the colonists dislike laws passed by Parliament?

## A Royal Governor's Rule

The reign of James II threatened the colonies' tradition of self-government. James became king in 1685. He wanted to rule England and its colonies with total authority. One of his first orders changed the way the Northern colonies were governed. These colonies, especially Massachusetts, had been smuggling goods and ignoring the Navigation Acts (see Chapter 4). When challenged, the people of Massachusetts had claimed that England had no right to make laws for them. The previous king, Charles II, had then canceled their charter.

King James combined Massachusetts and the other Northern colonies into one Dominion of New England, ruled by royal governor **Edmund Andros**. Andros angered the colonists by ending their representative assemblies and allowing town meetings to be held only once a year.

With their assemblies outlawed, some colonists refused to pay taxes. They said that being taxed without having a voice in government violated their rights. Andros jailed the loudest complainers. At their trial, they were told, "You have no more privileges left you than not to be Sould [sold] for Slaves."

The colonists sent Increase Mather to England to plead with King James (see One American's Story on page 125). However, a revolution in England swept King James and Governor Andros from power.

## England's Glorious Revolution

The English Parliament had decided to overthrow King James for not respecting its rights. Events came to a head in 1688. King James, a Catholic, had been trying to pack his next Parliament with officials who would overturn anti-Catholic laws. He had dismissed the last Parliament in 1685. The Protestant leaders of Parliament were outraged. They offered

*"You have no more privileges left you."*

a Boston court official



The colonists hated Governor Andros.

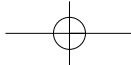
### ReadingHistory

#### C. Recognizing

**Effects** How did James II weaken self-government in the colonies?

### Background

England had become Protestant in the 16th century. Catholics were kept out of high office.



the throne to James's Protestant daughter, Mary, and her husband, William of Orange. William was the ruler of the Netherlands. Having little support from the people, James fled the country at the end of 1688. Parliament named William and Mary the new monarchs of England. This change in leadership was called England's **Glorious Revolution**.

After accepting the throne, William and Mary agreed in 1689 to uphold the **English Bill of Rights**. This was an agreement to respect the rights of English citizens and of Parliament. Under it, the king or queen could not cancel laws or impose taxes unless Parliament agreed. Free elections and frequent meetings of Parliament must be held. Excessive fines and cruel punishments were forbidden. People had the right to complain to the king or queen in Parliament without being arrested.

The English Bill of Rights established an important principle: the government was to be based on laws made by Parliament, not on the desires of a ruler. The rights of English people were strengthened.

The American colonists were quick to claim these rights. When the people of Boston heard of King James's fall, they jailed Governor Andros and asked Parliament to restore their old government.

### Background

The English Bill of Rights was the model for the Bill of Rights in the U.S. Constitution.

## Shared Power in the Colonies

After the Glorious Revolution, the Massachusetts colonists regained some self-government. They could again elect representatives to an assembly. However, they still had a governor appointed by the crown.

### Background

Massachusetts colonists also gained more religious freedom. They no longer had to be church members to vote.

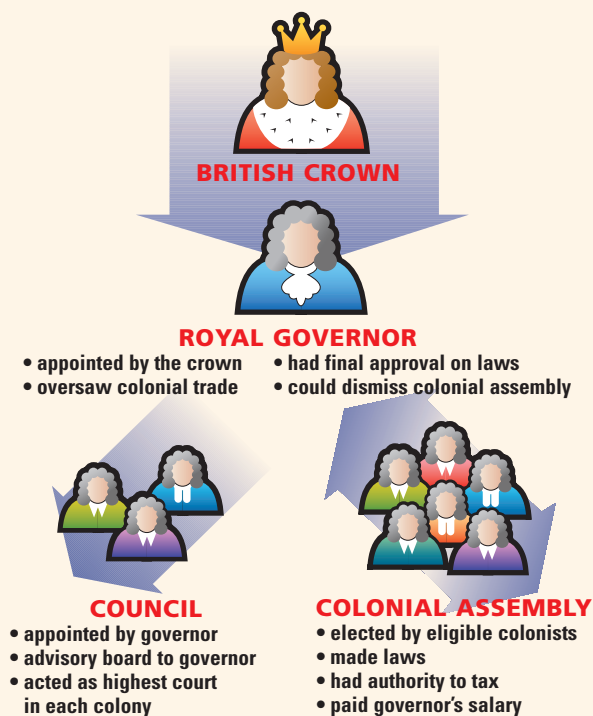
The diagram on this page shows how most colonial governments were organized by 1700. Note how the royal governor, his council, and the colonial assembly shared power. The governor could strike down laws passed by the assembly, but the assembly was responsible for the governor's salary. If he blocked the assembly, the assembly might refuse to pay him.

During the first half of the 1700s, England interfered very little in colonial affairs. This hands-off policy was called **salutary neglect**. Parliament passed many laws regulating trade, the use of money, and even apprenticeships in the colonies. But governors rarely enforced these laws. The colonists got used to acting on their own.

### Vocabulary

**salutary:** healthful or beneficial

### Colonial Government



#### SKILLBUILDER Interpreting Charts

1. Which officials were appointed, and which were elected?
2. How were lawmaking powers shared?



## The Zenger Trial

Colonists moved toward gaining a new right, freedom of the press, in 1735. That year, **John Peter Zenger**, publisher of the *New-York Weekly Journal*, stood trial for printing criticism of New York’s governor. The governor had removed a judge and tried to fix an election.

Government officials burn the *New-York Weekly Journal*.

### A VOICE FROM THE PAST

A Governor turns rogue [criminal], does a thousand things for which a small rogue would have deserved a halter [hanging], and because it is difficult . . . to obtain relief against him, . . . it is prudent [wise] to . . . join in the roguery.

*New-York Weekly Journal*, quoted in *Colonial America, 1607–1763*

### ReadingHistory

#### D. Drawing

**Conclusions** Why was the Zenger trial a step toward freedom of the press?

At that time, it was illegal to criticize the government in print. Andrew Hamilton defended Zenger at his trial, claiming that people had the right to speak the truth. The jury agreed, and Zenger was released.

English rights were part of the heritage uniting people in the British colonies. In the next section, you will read about another unifying force—a war against the French and their Indian allies.

## Section 2 Assessment

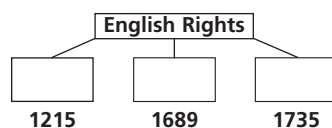
### 1. Terms & Names

**Explain the significance of:**

- Magna Carta
- Parliament
- Edmund Andros
- Glorious Revolution
- English Bill of Rights
- salutary neglect
- John Peter Zenger

### 2. Taking Notes

In the boxes, show how the rights of English people developed in the three years mentioned.



Which right is most important to you?

### 3. Main Ideas

- What were three of the traditional rights expected by English colonists?
- In what ways did the English government anger the colonists in the late 1600s?
- How did England’s policies toward the colonies change after the Glorious Revolution?

### 4. Critical Thinking

#### Supporting Opinions

In your opinion, who had the most power—the royal governor, the council, or the assemblies? Defend your opinion.

#### THINK ABOUT

- their roles in making laws
- their roles in raising money
- who had final approval in matters

### ACTIVITY OPTIONS

#### SPEECH

#### ART

Deliver **closing arguments** or create a **leaflet** defending John Peter Zenger and freedom of the press.