**CE.2b Virginia Declaration of Rights**

*Statement of rights adopted by the colony of Virginia in 1776, which served as the model for the U.S. Constitution's* [Bill of Rights](http://legal-dictionary.thefreedictionary.com/Bill+of+Rights)*.*

The Virginia Declaration of Rights is an important document in U.S. constitutional history. Adopted by the Virginia Constitutional Convention on June 12, 1776, its sixteen sections enumerated specific civil liberties that government could not legitimately take away. The declaration was adopted during the last months of British colonial rule. [Thomas Jefferson](http://legal-dictionary.thefreedictionary.com/Thomas+Jefferson) used parts of it in the [Declaration of Independence](http://legal-dictionary.thefreedictionary.com/Declaration+of+Independence), and it later served as a model for the Bill of Rights that was added to the U.S. Constitution.

The Virginia Declaration of Rights was largely the product of [George Mason](http://legal-dictionary.thefreedictionary.com/George+Mason), a plantation owner, real estate speculator, and neighbor of [George Washington](http://legal-dictionary.thefreedictionary.com/George+Washington). A strong believer in human liberty and limited government, Mason crafted a document that guaranteed the citizens of Virginia, upon achieving independence from Great Britain, all the civil liberties they had lost under British rule.

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The Declaration of Rights enumerates specific civil liberties, including freedom of the press, the free exercise of religion, and the injunction that "no man be deprived of his liberty, except by the law of the land or the judgement of his peers." Other provisions prohibited excessive bail or cruel and unusual punishments, required authorities to have evidence and good cause before obtaining a search warrant to enter a place, guaranteed the right to trial by jury, and said that a "well regulated militia" should be "under strict subordination" to the civilian government. Many of these provisions were later incorporated into the Bill of Rights.

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| A call for American independence from Britain, the Virginia Declaration of Rights was drafted by George Mason in May 1776 and amended by Thomas Ludwell Lee and the Virginia Convention. Thomas Jefferson drew heavily from this document when he drafted the Declaration of Independence one month later.  Mason wrote that "all men are born equally free and independant [sic], and have certain inherent natural rights,...among which are the Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursueing [sic] and obtaining Happiness and Safety." This uniquely influential document was also used by James Madison in drawing up the Bill of Rights (1789) and the Marquis de Lafayette in drafting the French Declaration of the Rights of Man (1789). |

**Virginia Declaration of Rights**

**I**

That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Declaration of Independence  
-Stated grievances against the king of Great Britain& Declared the colonies’ independence from Great Britain   
- Affirmed “certain unalienable rights” (life, liberty, and the pursuit of happiness  
- Established the idea that all people are equal under the law