

## The Bill of Rights

**IN 1688, THE ENGLISH EXPERIENCED** yet another revolution, a bloodless one in which the Stuart king James II was replaced by Mary, James's daughter, and her husband, William of Orange. After William and Mary had assumed power, Parliament passed the Bill of Rights, which specified the rights of Parliament and laid the foundation for a constitutional monarchy.

### The Bill of Rights

Whereas the said late King James II having abdicated the government, and the throne being thereby vacant, his Highness the prince of Orange (whom it has pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the device of the lords spiritual and temporal, and diverse principal persons of the Commons) cause letters to be written to the lords spiritual and temporal, being Protestants, and other letters to the several counties, cities, universities, boroughs, and Cinque Ports, for the choosing of such persons to represent them, as were of right to be sent to parliament, to meet and sit at Westminster upon the two and twentieth day of January, in this year 1689, in order to such an establishment as that their religion, laws, and liberties might not again be in danger of being subverted; upon which letters elections have been accordingly made.

And thereupon the said lords spiritual and temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representation of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done), for the vindication and assertion of their ancient rights and liberties, declare:

1. That the pretended power of suspending laws, or the execution of laws, by regal authority, without consent of parliament is illegal.
2. That the pretended power of dispensing with the laws, or the execution of law by regal authority, as it has been assumed and exercised of late, is illegal.

3. That the commission for erecting the late court of commissioners for ecclesiastical causes, and all other commissions and courts of like nature, are illegal and pernicious.
4. That levying money for or to the use of the crown by pretense of prerogative, without grant of parliament, for longer time or in other manner than the same is or shall be granted, is illegal.
5. That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal.
6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law.
7. That the subjects which are Protestants may have arms for their defense suitable to their conditions, and as allowed by law.
8. That election of members of parliament ought to be free.
9. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.
10. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
11. That jurors ought to be duly impaneled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders.
12. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.
13. And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliament ought to be held frequently.

**Q** How did the Bill of Rights lay the foundation for a constitutional monarchy? What key aspects of this document testify to the exceptional nature of English state politics in the seventeenth century?

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So they mutually agreed to establish a government to ensure the protection of their rights. This agreement established mutual obligations: government would protect the rights of the people while the people would act reasonably toward government. But if a government broke this agreement—for example, if a monarch failed to live up to his obligation to protect the people's rights or claimed absolute authority and made laws without the consent of the community—the people

might form a new government. For Locke, however, the community of people was primarily the landholding aristocracy who were represented in Parliament, not the landless masses. Locke was hardly an advocate of political democracy, but his ideas proved important to both the Americans and the French in the eighteenth century and were used to support demands for constitutional government, the rule of law, and the protection of rights.