

Virginia Declaration of Rights

*“That all men are by nature
equally free and independent, and
have certain inherent rights...”*

*Drawn originally by GEORGE MASON of Gunston Hall and
adopted by the Virginia Convention, June 12, 1776.*

Gunston Hall

In 1776, George Mason traveled to Williamsburg as a delegate to the Virginia Convention. Mason arrived on May 17 and took his seat the following day as a member of the committee charged with organizing a new colonial government. Mason, frustrated with the proceedings of the committee, began writing his own plan for a government. After nine days of work inside the Raleigh Tavern, Mason presented drafts of the Virginia State Constitution and the Virginia Declaration of Rights to the committee. After some revision, the Virginia Declaration of Rights was ratified by the convention on June 12, 1776, an amazing 24 days after Mason’s arrival in Williamsburg.

This historic declaration was the first of many founding documents to call for individual liberties such as freedom of religion and freedom of the press. The language adopted by Thomas Jefferson in the Declaration of Independence shows the influence of the Virginia Declaration of Rights. The democratic ideals articulated by George Mason can also be seen in the United States Bill of Rights (1791), the French Declaration of the Rights of Man (1789), and the United Nations Universal Declaration of Human Rights (1948).

Mason’s commitment to championing individual rights did not end with the Virginia Declaration. Along with George Washington, James Madison, and others, he attended the 1787 Constitutional Convention in Philadelphia. He helped shape what would become the United States government and a new model of democracy. In spite of Mason’s active participation at the convention, he refused to sign the completed document, citing the lack of a bill of rights as a major objection.

The expressions of freedom and democracy in the Virginia Declaration of Rights live on today. This statement of rights still serves as the opening section of Virginia’s Constitution. Today, every American enjoys the rights envisioned and fought for by George Mason of Gunston Hall.

Our mission is to utilize fully the physical and scholarly resources of Gunston Hall to stimulate continuing public exploration of democratic ideals as first presented by George Mason in the 1776 Virginia Declaration of Rights.



Gunston Hall
10709 Gunston Road, Mason Neck, VA 22079
www.gunstonhall.org | 703-550-9220

Virginia Declaration of Rights

A DECLARATION OF RIGHTS made by the Representatives of the good people of VIRGINIA, assembled in full and free Convention; which rights do pertain to them and their posterity, as the basis and foundation of Government.

Article 1. 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.

Article 2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

Article 3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation or community; of all the various modes and forms of government that is best, which is capable of producing the greatest degree of happiness and safety and is most effectually secured against the danger of maladministration; and that, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right to reform, alter or abolish it, in such manner as shall be judged most conducive to the publick weal.

Article 4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of publick services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge be hereditary.

Article 5. That the legislative and executive powers of the state should be separate and distinct from the judiciary; and, that the members of the two first may be restrained from oppression by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections in which all, or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

Article 6. That elections of members to serve as representatives of the people in assembly ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community have the right of suffrage and cannot be taxed or deprived of their property for publick uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the publick good.

Article 7. That all power of suspending laws, or the execution of laws, by any authority without consent of the representatives of the people is injurious to their rights and ought not to be exercised.

Article 8. That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgement of his peers.

Article 9. That excessive bail ought not to be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted.

Article 10. That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.

Article 11. That in controversies respecting property and in suits between man and man, the ancient trial by jury is preferable to any other and ought to be held sacred.

Article 12. That the freedom of the press is one of the greatest bulwarks of liberty and can never be restrained but by despotic governments.

Article 13. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free state; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and be governed by, the civil power.

Article 14. That the people have a right to uniform government; and therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.

Article 15. That no free government, or the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles.

Article 16. That religion, or the duty which we owe to our Creator and the manner of discharging it, can be directed by reason and conviction, not by force or violence; and therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love, and charity towards each other.

The above is the final text of the Virginia Declaration of Rights. The following quotation is from the proceedings of the General Convention, 1776. "June 12—The Declaration of Rights having been fairly transcribed, was read a third time, and passed."