

Topic: The Rise of English Constitutionalism

Grades: 10, 11

Courses: World History, European History

Context: Starting with the signing of Magna Carta in 1215 and ending with the Act of Settlement in 1701, England progressively transitioned from an absolute monarchy to a constitutional system. This was not a simple or painless process and often seem more a failure than a success. Most importantly, the series of documents that produced this constitutional transformation were often written down and signed. This created a series of “precedence,” which led to the development of English Common Law.

The existence of a voting Parliament, with members of its more powerful house being elected rather than appointed, served as a foundation for limiting the powers of the king. This was reflected in Parliament’s repeated refusal to approve the raising of funds for the creation of armies. The second great issue for the English was religious. Many of the English middle class and gentry were Protestant, while the nobles and kings were Catholic. Absolute monarchy would be linked with Catholicism, while the concepts of individual rights and personal choice were tied to evangelical Protestantism. This conflict was only resolved after the Parliamentary overthrow of Charles II by William and Mary, which ensured the final transition to a constitutional system.

Focus: Concepts of English Common Law, including specifically defined powers that are equally enforced, were the bedrock of the emerging constitutional system that rejected the political whims of the monarch. The transformation of England’s government was a gradual process taking place over several centuries. This process is reflected in a series of important philosophical and political documents.

Outcomes: Students will be able to explain the importance of written documents, especially the Bill of Rights and the Act of Settlement, to the rise of constitutionalism. They will also understand the importance of religious belief in the construction of personal liberties.

Factors:

- The English preference for written law was essential in establishing the idea of precedence.
- The Protestant-Catholic divide set the stage for much of the conflict between Parliament and the King.
- The endless battle to raise money through taxes created a tradition of resistance in Parliament.

Student Writing: Many of the most significant breakthroughs in the rise of English constitutionalism came from open fighting between the forces of the King and either the nobles (Magna Carta) or Parliament (the English Civil War and the Glorious Revolution). Was there any scenario in which a peaceful transition of government was possible? Please give at least three examples to support your answer.

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