

# Virginia's Constitution: The First in the Colonies, the First in the World, Approved June 29, 1776

Written by J. Michael Sharman | Tuesday, June 29, 2010

*"... 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 practice Christian forbearance, love, and charity towards each other..."*

In two short months from May 6, 1776 to June 29, 1776, a group of elected representatives chosen from each county in Virginia changed the shape of world history forever.

On June 12, 1776 they adopted the Virginia Declaration of Rights – which became the template for America's Bill of Rights when it was written a decade later.

Historians say that most of the body of the Declaration of Rights was written by *George Mason*, and the concluding sections by *Patrick Henry*, but its own introductory paragraph declares that it is: *"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."*

The first right they declared is that: *"All men are by nature equally free and independent and have certain inherent rights of which, when they enter into a certain state of society, cannot by any compact deprive or divest their posterity. Namely the enjoyment of life, liberty and the means of acquiring or possessing property, pursuing and pertaining happiness and safety."*

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One month later *Thomas Jefferson* said the same things, but more poetically, in the *Declaration of Independence*.

Virginia's Declaration of Rights proclaimed that the power of all government derives from the people and that all persons in government are the people's servants, not their rulers. Those public servants would be chosen, the Declaration said, in regularly recurring free elections.

The Declaration of Rights provided for the strict separation of powers of the executive, legislative and judicial branches; the right to trial by jury; the right to face one's accusers and challenge them in an independent court of law; and the right against self-incrimination.

Civilian control of the military was established, and the people's representatives also wrote 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."

But, said those world-changing elected officials, "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."

The Declaration's symphony of rights ended by harmonizing the freedom of religion with the duty of love: "That religion, or the duty which we owe to our Creator, and the manner of

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discharging it, can be directed only 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 practice Christian forbearance, love, and charity towards each other."

On June 29, 1776, the representatives voted to approve the first Constitution of Virginia, which also declared Virginia's independence from the King. Virginia's Constitution was the first written constitution adopted by the people's representatives in the history of the world.

That same day the Convention chose and inaugurated Patrick Henry as the first governor of the new Commonwealth of Virginia. Thus, Virginia had a functioning, permanent, republican constitution one week before July 4, 1776 – the first in the colonies, the first in the world.

Patrick Henry's brief inaugural address praised the delegates to the Virginia convention, for a *"system of government which you have formed, and which is so wisely calculated to secure equal liberty and advance human happiness."*

Now, on the 234th anniversary of that event, it is our duty to make individual and collective commitments in order to secure those rights for the next two years and the next two centuries.

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Mike Sharman, a resident of Foothills of Faith Farm in Madison County, Virginia, has served as an attorney and guardian for children for more than two decades. Mike writes a weekly editorial column published by the Culpeper Star-Exponent and others, and has written Faith of the Fathers: Religion and Matters of Faith Contained in the Presidents' Inaugural Addresses from George Washington to George W. Bush. He also has a work in progress, to be entitled Endowed By Our Creator: Documentary Evidence of Our Christian Heritage.