Rights and Limits

Read how a colonial law protected rights and where it fell short.

5.C.1.9.D "protection of individual rights established in the Massachusetts Body of Liberties."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline three protections in the passage. Circle one detail that shows a limit of those protections.

The Massachusetts Body of Liberties

1. In 1641, English settlers in the Massachusetts Bay Colony adopted the Massachusetts Body of Liberties, a written set of laws. Imagine an official taking a farmer's tools because he dislikes the farmer. The document said officials could not take someone's property under a claim of law unless an established law allowed it. It also said a person could not be punished unless a law had been made and made public.

2. The document gave people ways to speak up. It allowed a person to bring a complaint or request to a public court or town meeting, if done in an orderly way. In many court disputes about what happened, a jury of local people could hear the facts. These protections could help someone challenge an official's decision instead of staying silent.

3. The Body of Liberties did not make everyone equal. It allowed slavery in certain cases, and women had fewer political rights than men. Still, its rules placed limits on what officials could do to people they governed. When you study this document, look at both sides: which rights it protected and who did not receive the same protection in practice.

2 ANSWER WITH EVIDENCE

Use the passage

1. An official wants to punish someone for breaking a rule that was never made public. Which protection in the passage applies?

2. An official takes a family's tools but cannot point to a law that allows it. How does the Body of Liberties protect the family?

3. Two neighbors disagree about what happened during a dispute. How could a jury help under the Body of Liberties?

4. Why would it be inaccurate to say the Body of Liberties protected everyone equally? Give one detail from the passage.

3 YOUR TURN

Your own words

Imagine a neighbor says your family damaged his fence, but a town official orders your family to pay without hearing your side. Write a four-sentence request to a public court that names two protections from the passage and explains how each could help your family.

ANSWER KEY

Rights and Limits

GRADE 5 · 5.C.1.9.D

PART 1 · READ AND MARK

Underline three protections in the passage. Circle one detail that shows a limit of those protections. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	An official wants to punish someone for breaking a rule that was never made public. Which protection in the passage applies?	**A person could not be punished unless a law had been made and made public.**
2	An official takes a family's tools but cannot point to a law that allows it. How does the Body of Liberties protect the family?	**Officials could not take someone's property under a claim of law unless an established law allowed it.**
3	Two neighbors disagree about what happened during a dispute. How could a jury help under the Body of Liberties?	**In many disputes, a jury could hear the facts and help decide what happened.**
4	Why would it be inaccurate to say the Body of Liberties protected everyone equally? Give one detail from the passage.	**The document allowed slavery in certain cases. Also acceptable: Women had fewer political rights than men.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

I ask the court to hear my family's complaint about the fence. The Body of Liberties allows people to bring a complaint to a public court, so please let us explain what happened. It also allowed juries in many disputes, so I ask for a jury to hear the facts. A jury could decide whether my family damaged the fence before we have to pay.

Accept responses that connect the right to bring a complaint and the possible use of a jury to the fence dispute. Students should not claim that every dispute was guaranteed a jury.