

Declaration of Rights ^[1]

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by John V. Orth, 2006

See also: [State Constitution](#) ^[2]; [Black and Tan Constitution](#) ^[3]; [Convention of 1835](#) ^[4] (from *Encyclopedia of North Carolina*); [1835 Constitutional Convention](#) ^[5] (from *Tar Heel Junior Historian*); [Convention of 1868](#) ^[6]; [Convention of 1875](#) ^[7]; [Governor](#) ^[8]

The first North Carolina Declaration of Rights ^[9], modeled in part on comparable declarations in Virginia, Maryland, and Pennsylvania, was adopted on behalf of the state by the Fifth [Provincial Congress](#) ^[10] on 17 Dec. 1776. The declaration was adopted one day prior to the adoption of the new state's constitution and was specifically incorporated into that document to emphasize the strong commitment of North Carolinians to individual freedoms. The Declaration of Rights proclaimed popular sovereignty and separation of powers as well as basic civil rights, such as freedom of religion and guarantees of a fair trial, many of which were later restated in the federal Bill of Rights. The original Declaration of Rights, largely unchanged-plus a few provisions made necessary by defeat in the [Civil War](#), ^[11] such as the abolition of slavery and the prohibition of secession-became Article I of the [1868 North Carolina Constitution](#) ^[12]. With only minor changes, the Declaration of Rights remains the primary article of the state's [1971 constitution](#) ^[2].

Educator Resources:

Grade 8: Bill of Rights. North Carolina Civic Education Consortium. <http://civics.sites.unc.edu/files/2012/10/BillofRights8.pdf> ^[13]

Reference:

John V. Orth, *The North Carolina State Constitution: A Reference Guide* (1993).

Additional Resources:

North Carolina Constitution, NC Historical Marker E-98: <https://www.ncdcr.gov/about/history/division-historical-resources/nc-highway-historical-marker-program/Markers.aspx?ct=ddl&sp=search&k=Markers&sv=E-98%20-%20NORTH%20CAROLINA%20CONSTITUTION> ^[14]

North Carolina Constitution and Declaration of Rights, LearnNC: <http://www.learnnc.org/lp/editions/nchist-revolution/4330> ^[15]

North Carolina's State Constitution: The Declaration of Rights. NC Civic Education Consortium, Lesson Plan: <http://civics.sites.unc.edu/files/2012/05/NCConstitutionDeclarationofRights.pdf> ^[16]

North Carolina Declaration of Rights, Library of Congress: <#>

North Carolina State Constitution, NC General Assembly: <http://www.ncga.state.nc.us/Legislation/constitution/article1.html> ^[17]

Subjects:

[American Revolution \(1763-1789\)](#) ^[18]

[Early Statehood \(1789-1820\)](#) ^[19]

[Law and legal history](#) ^[20]

Authors:

[Orth, John V.](#) ^[21]

From:

[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[22]

User Tags:

[Lesson Plans](#) ^[23]

1 January 2006 | Orth, John V.

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Links

^[1] <https://ncpedia.org/declaration-rights> ^[2] <https://ncpedia.org/government/nc-constitution-history> ^[3] <https://ncpedia.org/black-and-tan-constitution> ^[4] <https://ncpedia.org/government/convention-1835> ^[5] <https://ncpedia.org/1835-constitutional-convention> ^[6] <https://ncpedia.org/government/convention-1868> ^[7] <https://ncpedia.org/government/convention-1875> ^[8] <https://ncpedia.org/government/governorship> ^[9] <https://ncpedia.org/anchor/north->

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