

Magna Carta: Introduction

Hundreds of years before any of the democratic-inspired revolutions like the American (1776 CE) or French (1789), nobles in England rebelled against their king in 1215 CE. They drafted a document called the *Magna Carta* and forced King John to sign it. This legal document effectively placed limits on the power of the King making it impossible for him to either raise taxes or go to war without first getting the consent of his nobles. In addition to limiting the King's ability to go to war, the *Magna Carta* also protected due process rights¹ of England's citizens while also ending the practice of absolute monarchy. For this reason this document, perhaps more than any other, was responsible for helping England establish the rule of law.²

Societies governed by the rule of law protect the rights of individuals from undo or un-necessary interference by the government. For example, clauses 39 and 40 of the *Great Charter* state:

No freeman shall be taken, or imprisoned, or outlawed, or exiled, or in any way harmed, nor will we go upon him nor will we send upon him, except by the legal judgement of his peers or by the law of the land. To none will we sell, to none deny or delay, right or justice.

These clauses basically say rules exist, rules must be followed, and those rules exist not to give governments power over people but to protect people from government interference.

Prior to *Magna Carta* monarchs ruled absolutely with no challenge or limits to their power; however, after *Magna Carta* was signed the absolute power of the English Crown ended. This document made everyone, regardless of how powerful you were, equal under the law. This was a crucial step towards democracy. This is because *Magna Carta* promoted the development of a society governed by law (everyone knows the rules), not caprice (the rules are made up as we go). The creation of this document was definitely an important step on the path towards the eventual development of liberal democracy.

Objectives:

1. Practice the skills of an effective listener by consciously listening to what is said in order to understand the complete message. Active listening is a skill acquired and developed through practice, i.e. students focus on *identifying* the speaker's intended overall meaning instead of just *hearing* a message made up of a bunch of small parts.
2. Practice conceptual development skills, e.g. creative thinking (using imagination and intuition to create a picture of the past) and analysis (evaluating the significance of how two ideas or concepts interrelate).

¹ Due process is the legal requirement that the government must respect all legal rights that are owed to a citizen.

² Societies governed by the rule of law have the following characteristics: a constitution, not a king or a single individual, is the supreme authority; no one is considered to be above the law (everyone is equally protected by the law); laws (constitutions) can only be changed if those changes are consented to by the governed; the government cannot just make up the rules as they go but must follow the *Constitution*. Societies governed under the rule of law are typically quite stable; also, people living in such a society are highly involved in the decision-making process (which means people view decisions made by government as legitimate).

Procedure

1. Watch the video *What is Magna Carta?*³ while completing all of the tasks below.
2. You'll watch the video, complete all the tasks below, and then be placed into groups of four to discuss your answers.
3. Submit your completed assignment to the classroom teacher upon its completion.

Listening Activities

1). This is the story of an 800 year old medieval document known as *Magna Carta*, or the _____. It's one of the most famous documents in the world. But how did this old piece of parchment become such a powerful _____?

2). *Magna Carta* was granted in _____ and established for the first time that everyone, _____, had to _____. When *Magna Carta* was printed for the first time, it became the first law that all English lawyers studied. But many people didn't realize its significance. Shakespeare wrote a play about _____ in which he failed to mention *Magna Carta*.

Pause the video and answer the following question: what was ultimately achieved by forcing "even the king" to obey the law?

3). In the 1600s, English lawyers used *Magna Carta* to challenge King Charles I. At this time, the king could ignore parliament and imprison anyone who opposed him. Inspired by *Magna Carta*, Sir Edward Coke wrote the ***Petition of Right***, which set out to limit the king's powers.

Pause the video and use *Google* to define ***Petition of Right***. Place your definition in the space provided below:

³ <https://www.youtube.com/watch?v=7xo4tUMdAMw>

4). Around the same time, *Magna Carta* was taken overseas to America by the first British settlers. Many American colonies based their own laws on *Magna Carta*. Then, in the 1770s the Americans fought for independence from Britain. *Magna Carta* became a symbol of American liberty, and its principles were echoed in the Declaration of Independence and the *Bill of Rights*.

Pause the video and use *Google* to answer the following question: what was the American Revolution?

5). In 18th century Britain, *Magna Carta* was used to protest against the censorship of the press. At this time, people could be imprisoned without trial for criticizing the king. When newspaper publisher John Wilkes was arrested for insulting King George III, he used *Magna Carta* to fight for his freedom. He claimed that ancient English liberties were under threat. Wilkes’s campaign showed *Magna Carta* on everything from posters to teapots. You could say that *Magna Carta* went viral!

Why is protecting an individual’s freedom of speech so important to preserving that person’s overall freedom?

6). In the 1800s, very few people had the right to vote in Britain. A nationwide movement of working people known as the _____, inspired by *Magna Carta*, created a ‘People’s Charta’ to fight for all men to have the vote. Then, in the early 1900s the _____ used *Magna Carta* to argue that all women should have the right to vote too.

The *Magna Carta* does not actually contain any provisions protecting fundamental freedoms like freedom of speech, freedom of assembly or freedom of conscience. What it does do though is establish the *idea* of a society governed by the rule of law. With this in mind, do the Chartists and Suffragettes (of the 1800s) share anything in common—ideas, actions, desires, or motivation—with the nobles who originally forced King John to sign the *Great Charter* back in 1215 CE?

7). Increasingly, people across the empire argued for rights equal to those of British citizens. _____ fought successfully for greater freedom for the Indian settlers in _____. He described the resulting document as 'the *Magna Carta* of our liberty in this land.' In his famous speech from the dock, _____ declared his admiration for *Magna Carta* and for Western democracy, which he contrasted with the oppressive South African regime.

When Nelson Mandela described South Africa as oppressive what did he mean?

8). Perhaps the most significant influence of _____ today is the _____. Written after the atrocities of World War II, the declaration states that people around the world are protected by fundamental _____, regardless of their citizenship, race, gender or beliefs. Eleanor Roosevelt famously said that the *Declaration* may well become 'the international *Magna Carta* of all men everywhere'.

Google the *Universal Declaration of Human Rights* and in the space provided below write down three fundamental rights it attempts to protect for every human being on the planet.

9). Although very few of *Magna Carta*'s original clauses remain valid in English law, it continues to inspire people worldwide. Not a bad legacy for an 800 year old document!

Use *Google* to find five *non-European* countries whose constitutions, or democratic institutions, were inspired by *Magna Carta*.

10). For the last task students must place themselves into the role and mindset of a teacher, e.g. student-teachers will create a question designed to get their students to focus on something significant from the video. In order to do this, student-teachers will create one high-level listening comprehension question (along with the answer). High level questions are:

- Questions usually, but not always, begin with the word *why*
- Questions students cannot answer by simply regurgitating what they just read
- Questions that encourage students to think beyond what they've read

There are several different types of high-level questions, e.g. hypothetical, reversal, analogy, and prediction.⁴

Hypothetical questions are designed to create new information: students must *create* an answer by applying principles learned through reading into an entirely new context or framework. These types of questions follow general forms like *What if X happened this way instead of that way? How would history have been different if X hadn't happened?*

Reversal questions require students to change their perspective by turning an idea on its head. These types of questions follow the form *What would change if I went backward? Why did X have to happen before Y?*

Analogy questions gets students to think about the similarities between different ideas, people or situations. These questions follow the form like *How is X like Y? If X led to Y then what led to Z?*

Prediction questions requires students to develop an answer based on the available evidence. These questions take the form *Why would X affect Y? What would likely happen if Y never happened?*

Student-Teacher Question:

⁴ <https://dataworks-ed.com/blog/2014/10/higher-order-questions/>

Student Exemplar Answer: