

MAGNA CARTA

Is It Part Of Your Life Today?

Investigating a feature of the heritage
of Western Civilisation in Australia

*A classroom unit for Years 6-9 History
and Year 6 Civics and Citizenship*



**IPA Institute of
Public Affairs**
SECURING FREEDOM FOR THE FUTURE
1943 - 2018

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Published by the IPA Foundations of Western Civilisation Program
www.ipa.org.au/heritage-of-our-freedoms

TEACHER GUIDE

Magna Carta — Is it part of your life today? is a practical classroom resource for the Australian Curriculum at Years 6-9 for:

History	Civics and Citizenship
Understanding key figures and events in the development of Australian Federation and Constitution.	The origins and key institutions of Australia's democratic system of government, the Rule of Law, Rights and Responsibilities, and the parliamentary system.

It provides a resource to help students explore the way the British system of law, part of Australia's British and Western Civilisation heritage, was established in Australia. It also shows how key concepts, values and principles that are a fundamental part of young people's lives today can be traced back to their British origins.



Using the resource in the classroom

The resource takes students through five classroom activities:

Classroom activity 1 What is this strange document?	This activity introduces them to the document in a way that stimulates them to look at it and try to decide what it is.
Classroom activity 2 What is important to you today?	This activity introduces some key concepts about Magna Carta and rights, the rule of law, and the democratic parliamentary system. Students answer four values questions, and will see how these values were introduced in and developed by Magna Carta and later key documents of Western civilisation globally, and in Australia.
Classroom activity 3 Finding out about Magna Carta: Historical background	Students now start to learn some of the details of Magna Carta as a historical document created in and reflecting the values and concerns of the time.
Classroom activity 4 Finding out about Magna Carta: The Magna Carta in Australia (video activity)	However, they now also watch a video on the Magna Carta, and start to see how the document has outgrown its own times, and has developed values that we see today as universal.
Classroom activity 5 What does the Magna Carta have to do with you today?	Students now go through a series of tasks that help them draw a connection between the Magna Carta, their values as defined in Classroom activity 2, and their own lives today in modern Australia.

The resource can be used in full, or in parts.

It can be used by individual students, or small groups.

It can be used as a whole class activity, or as an enrichment or home activity one.

The whole activity should take about 60-90 minutes to complete all elements, depending on the nature of the class, and the emphasis and timing decided on by the teacher.

CLASSROOM ACTIVITY 1

What is this strange document?



Reproducing the resource in the classroom

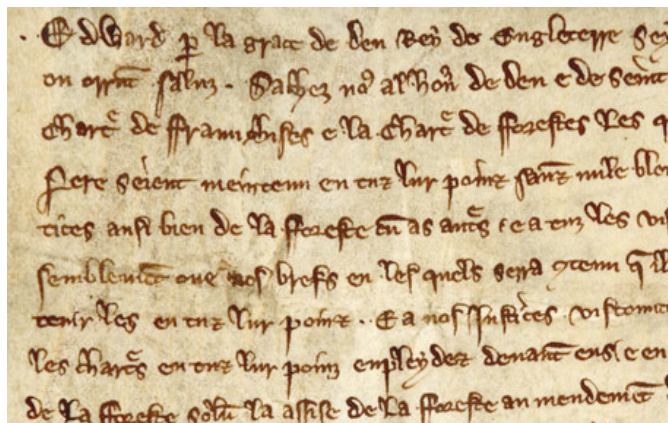
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<https://ipa.org.au/heritage-of-our-freedoms>.

Look at the document on the next page, and the enlargement of a part of it below. It is a document that is on display in the Commonwealth Parliament, in Canberra. But what is it? And why is it on display?

1. List any questions that you would ask about this document to help you decide what it is. One example has been done to help you.

Some questions I would ask to decide what this document is are:	
1	What language is it written in?
2	
3	
4	
5	
6	
7	
8	
9	
10	



CLASSROOM ACTIVITY 1

What is this strange document?



Note: for a zoomable copy see www.magnacarta.senate.gov.au/index.php/upclose/

CLASSROOM ACTIVITY 1

What is this strange document?

Here are some questions that you might have asked. Look at these, and the additional information with them, and answer them. Don't worry if your answer seems weird or you don't know. Just write down what you think. In some questions there is some additional information to help you.

1. What language is it in?

Some help: Here are the opening words, and a translation of those words into English:

Johannes del gracia rex Anglie, dominus Hibernie, dux Normannie, Aquitannie et comes Andegavie, archiepiscopis, episcopis, abbatibus, comitibus, baronibus, justiciariis, forestariis, vicecomitibus, prepositis, ministris et omnibus ballivis et fidelibus suis salutem.

JOHN, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

2. What type of document is it? (e.g. Personal? Official? Legal?)

Some help: Here is part of it:

KNOW THAT BEFORE GOD,

FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired.

TO ALL FREE MEN OF OUR KINGDOM we have also granted, for us and our heirs for ever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs.

3. What material is it made of?

4. What is it about?

5. How old is it? (100 years, 400 years, 800 years, 1200 years)

6. What is the attachment at the bottom?

CLASSROOM ACTIVITY 1

What is this strange document?

7. Who wrote it?

8. Where did it come from?

9. Where in Australia is it today?

10. Why might it have been kept and preserved?

11. Why might it be on display?

! Chances are that you could not answer many of these questions, and are just guessing. But read on, and you will be able to work out answers, and check to see if what you have written is accurate.

CLASSROOM ACTIVITY 2

What is important to you today?

You will discover soon that the document is about some important ideas about law, rights and government.

1. Here are some ideas that are relevant today. Decide what your attitude towards each of them is: that the idea is **very important** to you, **a bit important**, or **not important at all**.



Statement	Very Important	A Bit Important	Not Important
1. A person accused of a crime has the right to be tried by a jury.			
2. People are able to elect their government.			
3. Laws must be passed by Parliament, not by individuals.			
4. Any taxation must be authorised by the Parliament.			
5. No individual person should be above the law.			
6. People accused of crimes should be given a proper legal process.			

Each of these ideas can be classed as being relevant to one or more of these headings or categories. Decide which of the ideas fit the categories. You might decide that an idea might fit more than one category.

Category	Statement Number
Rule of law	
People's rights	
Parliament	
Democracy	

! You will come back to your ideas after you have learned more about the mystery document.

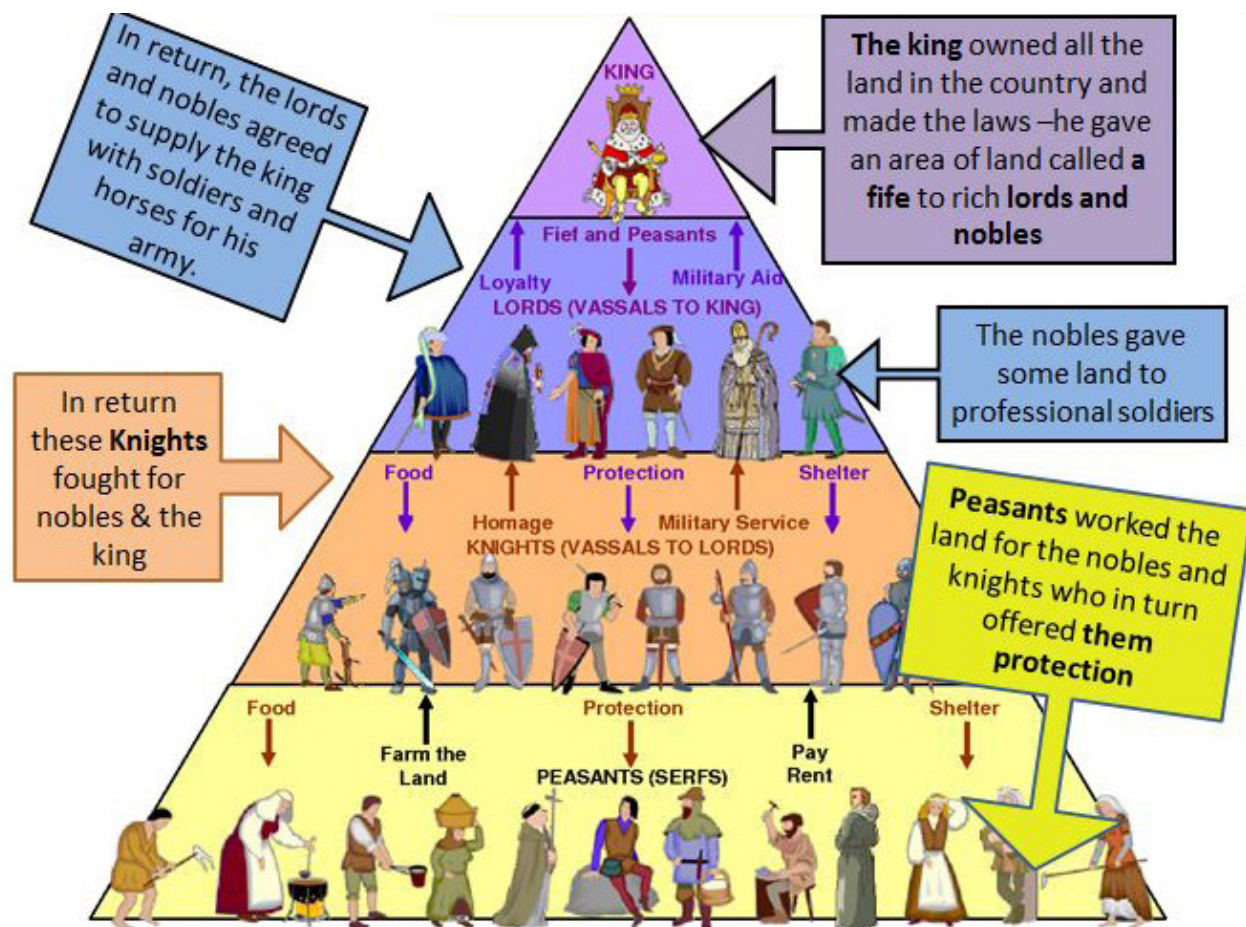
CLASSROOM ACTIVITY 3

Finding out about Magna Carta: Historical background

Read this information about the Magna Carta and answer the questions.

The document is a copy of the British document known as Magna Carta, or Great Charter (a Charter is a document that sets out rights or agreements between the king and a group of people). The Magna Carta was created originally in 1215 (though the document reproduced on page 5 is a version from 1297).

In 1215 the English lived in a 'feudal system'. Look at this illustration of the system:



1. Who had rights under this system?

2. Who had responsibilities?

3. Who had power?

CLASSROOM ACTIVITY 3

Finding out about Magna Carta: Historical background

4. The king in theory had absolute power, given to him by God. Under this belief, could a king:

Make a law? ☐ Yes ☐ No

Order an execution? ☐ Yes ☐ No

Take over someone's land? ☐ Yes ☐ No

Send people to war? ☐ Yes ☐ No

-
5. How might nobles have been able to weaken the king's power if they wanted to?
-

6. Imagine that you were a baron at this time. Using the text below, underline the grievances or complaints you would have had against the king.

The king in 1215 was King John. He had been king since 1199.

Under the previous king, Richard, the nobles (or baron) had been left pretty much alone. But then John went to war in France. This was expensive, so he squeezed as much money as he could from the barons. There were many traditional fees that were payable to the King by the barons, but they were flexible. King John made sure he applied the customary fees and taxes as severely as he could. The barons had to raise more money from the knights to pay these taxes, and the knights also had to raise more from the peasants. If anybody refused to pay, John could seize their lands, or take their family hostage.

John was also in conflict with the Pope, the head of the Catholic Church. John did not want to appoint the Pope's choice, Stephen Langton, as Archbishop of Canterbury. John wanted to appoint someone who was loyal to him, not to the Pope. When John opposed the appointment of Langton the Pope stopped all official church services in England, including saying mass, marrying people, and conducting funeral services, for five years. People believed strongly in religion, and many feared that they would go to hell as a result of not going to church for these services. John retaliated against the Pope by seizing lands controlled by the church.

John had a reputation as a cruel man, and there was no way of appealing against his decisions. There were also rumours that John had killed his nephew, Arthur, to stop him becoming the next king.

CLASSROOM ACTIVITY 3

Finding out about Magna Carta: Historical background

7. The barons could have done several things. Decide which of these you would have chosen, and why.

- a.** Fight against the king.
- b.** Choose a new person to be king.
- c.** Just accept the situation and go along with it.
- d.** Refuse to pay any taxes.
- e.** Make the king agree to changes in his behaviour.

I would choose ☐ because:

8. In fact the majority of the nobles, led by Robert FitzWalter, formed an army and surrounded London. King John now had to decide what to do. He could:

- a.** Raise his own army and fight against the rebel barons.
- b.** Give in and resign as king.
- c.** Give the barons what they wanted but stay king.

I would choose ☐ because:

King John decided to negotiate with the barons, and give them some of their demands. These were:

- Declaring the church independent of the king and under the rule of the Pope
- Setting rules about how the king could collect debts owed to him by the nobles
- Clearly defining and setting limits to the way the king could enforce his many rights and customs
- Stopping the king from arresting and trying free men except by the proper rule of law
- Making peace with France, and setting up a body of nobles to make sure this was done
- Limiting the right of the king to create and use royal forests exclusive of other people
- Setting common weights and measurements, and protecting the rights of traders, especially those in towns.

The king, the Archbishop, the nobles and some scribes met at Runnymede, near London. They agreed to the set of clauses. These were later written down in Latin on parchment (specially prepared sheep skin), and several copies were made.

However, only a few days after signing it (or really, adding the king's seal in wax — nobody actually signed the document) King John rejected the document. He died in the following year, and over the next decades there were different versions of the document made — one in 1225, and one in 1297. It is the 1297 version agreed to by King Edward I that finally gave the barons what they wanted.

CLASSROOM ACTIVITY 3

Finding out about Magna Carta: Historical background

9. Look back at **Classroom activity 1**. Add or change any of your answers to the questions as a result of what you have learned so far.
-

! If the 1215 Magna Carta was never actually put into practice, why is it (and the 1297 one) considered so important? Look at the next Classroom activity, a video about the document, and see what answer you can develop.

CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

Watch the video presentation by Dr Bella d'Abrera at <https://ipa.org.au/heritage-of-our-freedoms> (Volume 1: The Magna Carta in Australia) and answer the questions that follow.



1. Presenter Dr Bella d'Abrera calls Magna Carta a 'peace treaty'. Who was the 'treaty' between, and why was it needed?

2. She describes Magna Carta as 'a document that planted the seeds of three ideas.' What are those three ideas she refers to?

- a.
- b.
- c.

3. The first version in 1215, was not widely spread – in fact, it was quickly cancelled. The Magna Carta in Canberra that Dr d'Abrera refers to (and which is reproduced on page 5) is a version from 1297. What evidence is there to suggest that the 1297 version was more influential and widespread than the 1215 original?

4. Justine vanMourik comments on two specific principles that are in the Magna Carta, and are also in the Australian Constitution:

- Trial by jury
- No taxation without representation.

Explain what these mean, and why they are important ideas.

Trial by jury	
No taxation without representation	

5. Dr d'Abrera calls the Magna Carta a 'powerful symbol'. What is it a powerful symbol of?

CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

6. Dr d'Abrera explains that some key ideas in Magna Carta were spread by later influential writers and thinkers, and were built into significant official documents. Developments. One of these is Clause 39 of the Magna Carta. Read this clause, and write what it says in your own words.

Clause 39

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

7. Here are some other important clauses. In your own words, summarise what they are saying:

Clause 40

To no one will we sell, to no one deny or delay right or justice.

Clause 38

In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

Clause 42

In future it shall be lawful for any man to leave and return to our kingdom unharmed and without fear, by land or water, preserving his allegiance to us, except in time of war, for some short period, for the common benefit of the realm. People that have been imprisoned or outlawed in accordance with the law of the land, people from a country that is at war with us, and merchants - who shall be dealt with as stated above - are excepted from this provision.

Clause 45

We will appoint as justices, constables, sheriffs, or other officials, only men that know the law of the realm and are minded to keep it well.

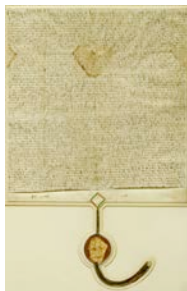

CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

8. How are each of these ideas in Magna Carta still part of our laws today?

Clause 39	
Clause 40	
Clause 38	
Clause 42	
Clause 45	

9. Here is a list of some of the significant people and documents that Dr d'Abrera refers to in her presentation. Read these and explain how each is connected to the three big principles in Magna Carta summarised below. Then answer the questions that follow.

Person/Document	Year	Importance
<p>Magna Carta</p> 	1215 - 1297	<p>Three important ideas first expressed in this document were:</p> <ul style="list-style-type: none"> * <i>Rule of law</i> - No person (including the king) is above the law * <i>Rights</i> - People had rights (such as accused of a crime should be tried by a jury) * <i>Representation</i> - No taxation can be imposed on people unless that law has been agreed to by a body representing the people being taxed – an element of democracy <p>These only applied to nobles, not to ordinary people, but they established the principles that others would take and expand.</p>
<p>Thomas Hobbes</p> 	1588-1679	<p>He was a writer who spread ideas of the rights of the individual, the natural equality of people, and that legitimate political power had to be representative, that is, come from the people being governed (by voting for representatives)</p> <p><i>This is connected to Magna Carta because:</i></p>


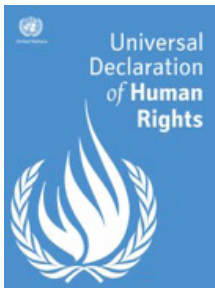
CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

<p>John Locke</p> 	<p>1632-1704</p>	<p>He spread the idea of a 'social contract' between the law makers or governors, and the people. That meant that the government had to come from the consent of the people.</p> <p>This is connected to Magna Carta because:</p>
<p>English Bill of Rights</p> 	<p>1689</p>	<p>This is an Act of Parliament that said there were limits to the power of the king to make laws, and set out the rights of the Parliament. This Act is still part of the law in Australia.</p> <p>This is connected to Magna Carta because:</p>
<p>Declaration of the Rights of Man and Citizen</p> 	<p>1789</p>	<p>This declared that people were equal, had rights, and that these rights had to be protected by the law.</p> <p>This is connected to Magna Carta because:</p>
<p>United States Bill of Rights</p> 	<p>1789</p>	<p>These 10 amendments to the Constitution of the USA created in 1787-88 made clear that people had basic rights and freedoms, and that there were limits on the power of governments to take away any rights.</p> <p>This is connected to Magna Carta because:</p>

CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

<p>Constitution of the Commonwealth of Australia</p> 	<p>1901</p>	<p>This included some of the basic ideas of the Magna Carta, especially of the right to trial by jury, the limits of the power, and the establishment of consent by the governed to the government through voting.</p> <p>This is connected to Magna Carta because:</p>
<p>United Nations Universal Declaration of Human Rights</p> 	<p>1949</p>	<p>This declared that all people were equal and had certain natural rights that could not be taken from them.</p> <p>This is connected to Magna Carta because:</p>

10. Test yourself. Identify the person or document being referred to in each case:

a. I am an Act of the British Parliament that set limits to the power of the king

- ☐ English Bill of Rights
- ☐ Declaration of the Rights of Man and Citizen
- ☐ Constitution of the Commonwealth of Australia

b. I wrote about the idea of the natural equality of people

- ☐ Thomas Hobbes
- ☐ John Locke

c. I was a statement of the ideals of the French Revolution — liberty, equality and fraternity

- ☐ English Bill of Rights
- ☐ Declaration of the Rights of Man and Citizen
- ☐ United Nations Universal Declaration of Human Rights

CLASSROOM ACTIVITY 4

Finding out about Magna Carta: The Magna Carta in Australia (video activity)

d. I was created after a war to declare that people had rights

- ☐ English Bill of Rights
- ☐ United States Bill of Rights
- ☐ United Nations Universal Declaration of Human Rights

e. I was created to express the idea that the power of government was limited

- ☐ English Bill of Rights
- ☐ Constitution of the Commonwealth of Australia
- ☐ United Nations Universal Declaration of Human Rights

f. I included some specific Magna Carta rights when a new nation was created at the start of the twentieth century

- ☐ English Bill of Rights
- ☐ United States Bill of Rights
- ☐ Constitution of the Commonwealth of Australia

g. I wrote about the 'social contract' between the government and the governed

- ☐ Thomas Hobbes
- ☐ John Locke

11. In the video Dr Bella d'Abrera says that Magna Carta is still 'a living, breathing reminder of Australia's British heritage, and is vital to our democracy'. Do you now agree with this claim? Justify your view.

CLASSROOM ACTIVITY 5

What does the Magna Carta have to do with you today?

The Magna Carta applied to nobles and the king, the English church, and medieval customs. It did not apply to women, or most ordinary people. Most of it was deleted from the set of British laws between 1828 and 1969. How can such a limited and out-of-date set of rules and laws still be considered relevant to today's life? Here is a quote from a modern historian and writer on the Magna Carta:

Magna Carta as agreed at Runnymede in 1215 includes provisions that are still fundamental to English law. Clauses 39 and 40, for example, forbid the sale of justice and insist upon due legal process. From this sprang not only the principle of habeas corpus (that the accused are not to be held indefinitely without trial), but the idea of the right to trial by jury (by the accused's 'peers'). Even the presumption of innocence pending conviction can be traced back to the provisions of Magna Carta clause 40. From clause 14 of the 1215 Magna Carta springs the idea of no taxation without representation, and with it the establishment of a common council, duly embodied in Parliament, as a means of obtaining popular consent. Besides such general principles, however, Magna Carta also articulates a number of points that to a modern audience might appear inconsequential or simply bizarre.

1. What are the ways in which Professor Vincent sees Magna Carta as still having importance and relevance today? Underline the reasons he gives.
2. There is a copy of Magna Carta in Australia. It is a medieval English document written in a language that is now dead. How could it still be considered part of Australia's heritage?
3. In **Classroom activity 1** you listed some answers to questions about Magna Carta. Look back at your answers and change any that you are no longer happy with.

An image is used on the cover of this classroom unit. It is a nineteenth century re-imagining of what the meeting at Runnymede in 1215 might have looked like. Look at this image and answer the questions that follow.



CLASSROOM ACTIVITY 5

What does the Magna Carta have to do with you today?

4. Who are the people on the left?

5. Who is seated at the table?

6. Who are the people behind him?

7. Who are in the background?

8. Imagine a conversation between the main characters in this image. Make your conversation as historically accurate as possible, based on what you now know about what was happening, when, why, how, between whom, and the significance of the conversation.

OR

Create a TV interview OR a series of tweets from Runnymede that describe and explain what happened, when, how, why between whom and the significance of the event.

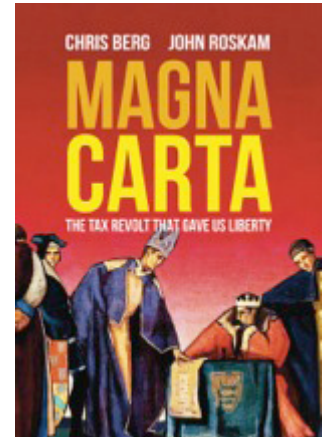
9. This Classroom activity asks what Magna Carta has to do with you and your life today. How will you now answer that question?

FINDING OUT MORE



IPA

The IPA has published the book *Magna Carta. The tax revolt that gave us liberty*, by Chris Berg and John Roskam. This is a good detailed account of the document and its times, and is suitable for detailed research.



The British Museum

There is a great deal of information about Magna Carta, and many classroom activities, from the British Museum website <https://www.bl.uk/magna-carta>.



The Australian Human Rights Commission

The AHRC has classroom resources, *Magna Carta: The Story of our Freedom*, on the relevance of Magna Carta to human rights and responsibilities today at <https://www.humanrights.gov.au/our-work/rights-and-freedoms/projects/magna-carta-story-our-freedom>.



Australian Parliament

There is information on the Australian copy of Magna Carta available on the Australian Parliament's website at <http://www.magnacarta.senate.gov.au>. There is also commentary on the recent inspection and restoration of the historical document.



PACER

The Commonwealth Government provides financial assistance to school groups visiting Canberra, through the PACER program <https://www.pacer.org.au>.

This support is available if schools visit certain key places and institutions associated with the Australian Parliament, democracy and heritage. One of the places you could visit on a PACER program is Magna Carta Place, a special memorial site to Magna Carta near Parliament House, and part of 'Democracy Walk'. For more information on this site go to <https://www.nca.gov.au/sites/g/files/net791/f/Democracy%20Walk%20self%20guided%20tour.pdf>.



SOURCES

(page 1, 7 and 18) James William Edmund Doyle, 1863, *A Chronicle of England – Page 226 – John Signs the Great Charter*, viewed 07/12/2017, https://commons.wikimedia.org/wiki/File:A_Chronicle_of_England_-_Page_226_-_John_Signs_the_Great_Charter.jpg

(page 3) Edward 1 (1272-1307), *Inspeximus issue of Magna Carta*, undated, Parliament House Art Collection, Canberra, ACT

(page 4 and 14, first image) *Magna Carta up close*, undated, Parliament House Art Collection, Canberra, ACT, viewed 07/12/2017, <http://www.magnacarta.senate.gov.au/index.php/upclose/>

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(page 20, second image) *Magna Carta currently on display at Parliament House*, Parliament House Art Collection, Canberra, ACT, viewed 07/12/2017, <http://www.magnacarta.senate.gov.au/>

(page 20, third image) *Magna Carta Place*, undated, Museum of Australian Democracy, viewed 07/12/17, <https://www.nca.gov.au/sites/g/files/net791/f/Democracy%20Walk%20self%20guided%20tour.pdf>