**The Magna Carta - Key**

**Introduction**

King John ruled England from 1199 to 1216. During his troubled reign, he found himself in conflict with England’s feudal barons. The nobles especially resented John’s attempts to tax them heavily. In 1215, the barons forced John to sign the Magna Carta, or Great Charter. Most of this document was intended to protect the rights of the barons. However, over time, the document came to guarantee some basic rights of English citizens. When English colonists came to North America, they brought these ideas with them. Eight of the 63 clauses of the Magna Carta are printed here.

**Primary Source**

12. No [tax] nor aid shall be imposed on our kingdom, unless by common counsel [consent] of our kingdom, except for ransoming our person, for making our eldest son a knight, and for once marrying our eldest daughter; and for these there shall not be levied more than a reasonable aid. . . .

30. No sheriff or bailiff [tax collector] of ours, or other person, shall take the horses or carts of any freeman for transport duty, against the will of the said freeman.

31. Neither we nor our bailiffs shall take, for our castles or for any other work of ours, wood which is not ours, against the will of the owner of that wood. . . .

#Clauses 30-31 – No sheriff or bailiff can take a citizen’s personal property without his permission – falls in line with the idea of Eminent Domain where the gov’t can’t seize private property for public use, such as to build a new road, without providing the owner reasonable payment or compensation

**Summarize**

What promise is made in Clause 12? The king no longer has the power to, of his own accord, tax his citizens without the consent of the common counsel of his kingdom; this relates to our Congress/legislature

38. No bailiff for the future shall, upon his own unsupported complaint, put any one to his “law,” without credible [believable] witnesses brought for this purpose. (Right to have witnesses to testify on your behalf)

39. No freeman shall be taken or imprisoned . . . or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers [people of equal rank] or by the law of the land.

(Right to a jury trial)

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

(Right to a fair and speedy trial)

45. We will appoint as justices, constables, sheriffs, or bailiffs only such as know the law of the realm [kingdom] and mean to observe it well. . . .

(Originally this clause meant that only those who know the law would enforce the law. Eventually, however, it came to give citizens accused of a crime the right to have an attorney)

63. Wherefore it is our will, and we firmly enjoin [order], that the English Church be free, and that the men in our kingdom have and hold all the aforesaid liberties, rights, and concessions, well and peaceably, freely and quietly, fully and wholly, for themselves and their heirs, of us and our heirs, in all respects and in all places for ever, as is aforesaid.

Citizens can now exercise their right and freedom to choose and practice whatever religion they want. They don’t have to all belong to the same church and follow the same religion.

**Compare and Contrast**

How do the principles expressed in Clauses 38–40 apply to the U.S. justice system?

- #Clauses 38-40 paved the way for Amendment #VI of the US Constitution pertaining to our rights

under the justice system, which states that we have a right to a fair and speedy trial so it’s heard quickly

by an unbiased jury of our peers - everyday citizens - rather than a judge. We have the right to be

informed of the charges against us so that we can better prepare our own defenses. We also have the right

to be represented by an attorney, to question witnesses against us, and to find witnesses in favor of us

**Identify Cause and Effect**

How might Clause 63 have affected ordinary citizens?

- Clause 63 might have affected ordinary citizens because it gave them protection of their church rights –

they are able to separate their beliefs from the English Church, giving other religions the right to practice

their beliefs rather than just belonging to one church. Clause 63 also gave the citizens some rights that

they didn't previously have, such as protection for the barons from illegal imprisonment and access to

swift justice.

**Determine Author’s Purpose**

Why did the barons write the Magna Carta, and how did it affect the power of the king?

- The Barons (nobles) resented the king over-exorcising his power and his attempts to tax them heavily.

Thus, they rebelled against the king by creating and forcing him sign the Magna Carta, which severely

limited his power and put the power back into the hands of the people.

**Determine Central Ideas**

What do you think is the most important right that this excerpt from the Magna Carta

protects? Explain your answer.  Answers will vary

**Identify Steps in a Process**

How was the Magna Carta an important first step in the development of constitutional

democracy?

- Most of the Magna Carta was originally intended to protect the rights of the barons and limit the king’s

power by forcing him to abide by the rules of law like everyone else (for no person, including a king, is

above the law). Over time, however, the document came to guarantee some basic rights of English

citizens. When English colonists later came to North America, they brought these ideas and the principle

of freedom with them, which paved their way into our present-day US Constitution and the Bill of Rights.