What is Law Day?
In 1961, Congress passed a joint resolution designating May 1 as the national day set aside to celebrate the rule of law. Law Day underscores how law and the legal process contribute to the freedoms that all Americans share.

What is the 2015 theme?
“Magna Carta: Symbol of Freedom Under Law.” Perhaps more than any other document in human history, Magna Carta has come to embody a simple but enduring truth: No one, no matter how powerful, is above the law. In the eight centuries that have elapsed since 1215, it has taken root as an international symbol of the rule of law. For more information on the theme, see www.LawDay.org

Why is the theme important?
Magna Carta is considered an inspiration for many of the basic rights Americans hold dear today, including due process, habeas corpus, trial by jury, and the right to travel. On the 800th anniversary of this important document, use this resource packet to explore the legacy of Magna Carta and its relevance in today’s modern world.

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See www.JudicialLearningCenter.org/law-day-lesson-plans/ for a PDF version of this packet
Packet Table of Contents:

PAGES 1-2: Activity for MIDDLE, grades 6-8

ATTACHMENTS:

PAGES 5-8: TEACHER FACT SHEET – Magna Carta Talking Points
PAGES 9-10: Student Worksheet – VENN DIAGRAM, and answer key/discussion guide
PAGES 11-12: Student Worksheet – [Missing Text]

Do you have questions or comments? Email them to Rachel_Marshall@ca8.uscourts.gov

Thank you!
Activity for MIDDLE SCHOOL students
Grade Level: 6-8
Suggested Time: 45-60 minutes

A. Theme: Magna Carta: Symbol of Freedom Under Law

B. Guiding Questions:
   - What is Magna Carta?
   - What important principles can be traced back to Magna Carta?
   - In what ways has Magna Carta been used as a symbol?

C. Activity Summary: Students will learn about Magna Carta and use the background information to make connections to our current system of government. Students will also explore the use of the words “Magna Carta” as symbolic for individual rights and freedoms. Optionally, students will apply the concepts in Magna Carta to the modern day problem of cyberbullying.

D. Supply List: Internet connection or printed “symbols”

Attachments:
   - TEACHER FACT SHEET – Magna Carta Talking Points
   - Student Worksheet – VENN DIAGRAM
   - Graphic novel found at this link: http://www.ncsc.org/Education-and-Careers/civics-education/Justice-Case-Files.aspx
   - Student Worksheet – JUSTICE CASE FILES

E. Step-by-Step Procedure:
   i. Introduce or review Magna Carta. Some talking points are included on the attachment TEACHER FACT SHEET – Magna Carta Talking Points. You may also consider copying and distributing the talking points and asking students to read and summarize.
   ii. Review the Declaration of Independence and Revolutionary War.
   iii. Review the U.S. Constitution and Bill of Rights.
   iv. Pass out Student Worksheet – VENN DIAGRAM and instruct students to work on it individually or in small groups. Consider allowing access to textbooks and internet sites.
   v. Call time and discuss Magna Carta as a “foundation” for many of our important legal principles.
   vi. Ask students to define the word “symbol.” Explain that in addition to being an actual foundation, Magna Carta has also served as a symbol of universal rights and freedoms.
   vii. Instruct students to evaluate Magna Carta being used as a symbol, one to each group. Ask each group to prepare a short summary of the location and use of the symbol. Invite each group to hold up or describe the symbolic use, introduce it to the rest of the class, and comment on why Magna Carta is an important symbol in this context.

Provide links for student groups, or print and distribute:
   - Artwork at the U.S. Supreme Court –
   - American Bar Association Monument at Runnymede – http://iconofliberty.com/gallery/aba-memorial/?link=location/united-kingdom/
Quote by Eleanor Roosevelt at the United Nations, Universal Declaration of Human Rights, 1948 –
  • http://www.un.org/rights/50/carta.htm
  • https://www.youtube.com/watch?v=435NAuIGSA

Jay-Z album name “Magna Carta Holy Grail” – (some say it is to signify a complete change or rewriting of the rules.)

Choose your own symbols from http://iconofliberty.com/

viii. Summarize the symbol activity.
ix. Optional extension: Begin a discussion with the following questions:
  ▪ What is a bully?
  ▪ Who was a bully in 1215? (some may say King John, some may say the barons….discuss)
  ▪ How do you think Magna Carta symbolizes standing up to a bully?

x. Pass out the worksheet that accompanies the graphic novel (Student Worksheet – JUSTICE CASE FILES). Allow students to access the graphic novel online at the following link:
   “Justice Case Files 5: The Case of the Cyberbully,” produced by the National Center for State Courts. The novel can be downloaded as a pdf on the internet at the following link: http://www.ncsc.org/Education-and-Careers/civics-education/Justice-Case-Files.aspx

xi. Allow time to work on the reading and questions.

xii. Regroup and discuss. Explain that this is an area of emerging law. If time allows, consider using this as a starting point for a deeper discussion on cyberbullying.

xiii. Make summary points. Magna Carta, a document written 800 years ago, still has meaning today. It has influenced many legal principles and inspired the founding fathers of this country. It is so influential that the words “Magna Carta” have taken on symbolic meaning.

F. RESOURCES FOR MIDDLE SCHOOL TEACHERS:

Law Day 2015
www.lawday.org

Magna Carta – Icon of Liberty
http://iconofliberty.com/

The U.S. Courts Law Day page
www.uscourts.gov/educational-resources/get-inspired/annual-observances/law-day.aspx

The Judicial Learning Center in St. Louis
www.JudicialLearningCenter.org

Magna Carta 800th
http://magnacarta800th.com/

Edsitement National Endowment for the Humanities: Magna Carta Cornerstone of the Constitution
http://edsitement.neh.gov/lesson-plan/magna-carta-cornerstone-us-constitution

National Center for State Courts – Magna Carta page
http://www.ncsc.org/magnacarta
Talking Points

The story of Magna Carta begins at Runnymede in England in 1215, but it does not end there. It is a story that runs eight hundred years forward and is still unfolding. It is the story of our rule of law tradition and of how our American system of government is derived from our English legal heritage.

• The document that became known as Magna Carta was first issued in June 1215. It resulted from negotiations, culminating in a meeting at Runnymede, between King John and rebellious English aristocrats on the brink of civil war.

• The 1215 charter was handwritten in Latin on a single piece of sheepskin parchment approximately 18 inches square—about the same surface area as a 27” computer monitor or TV screen. Its text runs less than 4,000 words—somewhat shorter than that of the original 1787 U.S. Constitution.

• The last line of the 1215 charter refers to a specific place and time of its issue: “in the meadow that is called Runnymede between Windsor and Staines on the fifteenth day of June in the seventeenth year of our [King John’s] reign.” Runnymede represented neutral turf between parties in conflict.

• The most persistent misconception about Magna Carta is that King John “signed” the document at Runnymede in 1215. Rather, to signify his assent and granting of the charter to his subjects, the king’s seal was affixed, after the Runnymede meeting, to more than 40 documents produced by his royal chancery or writing office. They were then distributed to counties throughout the realm of England.

• A would-be peace treaty between the king and the rebellious nobles, the 1215 charter did not survive its year of issue. Pope Innocent III annulled the charter within 10 weeks of its issuance. In the midst of virtual civil war, King John suddenly died in October 1216. The charter was then reissued on behalf of the new king, John’s nine-year-old son, Henry III. This Magna Carta was substantially revised and shortened to about 2,500 words. A second reissue was made in 1217 and a third in 1225. The 1225 issue was the version incorporated into English law in 1297.

• “Magna Carta” means “Great Charter” in Latin. After it was first revised in 1216, a separate charter of the forests, spun off and expanded from the 1215 document, was issued. To differentiate the first charter from the second, the former became known, in 1218, as Magna Carta Libertatum (Great Charter of Liberties) or, simply, Magna Carta.

• There are multiple Magna Carta manuscripts that can claim to be “originals.” Why this is so is a matter of historical circumstance, tradition, and scholarly conventions. In addition to the four 1215 first issues, there survive one from 1216 and four more each from 1217, 1225, and 1297. Just two of these seventeen are outside England, both dating to 1297. They are in the national capitals of Australia (Canberra) and the United States—the latter is publicly displayed at the National Archives in Washington, D.C.

• After 1300, Magna Carta was not reissued—physically produced and disseminated across the realm—but simply “confirmed.” English kings confirmed Magna Carta dozens of times in the centuries following the thirteenth, corroborating its status as an exemplary written charter of good governance and recognition of the lawful liberties of English subjects.
In the seventeenth century, English jurist Edward Coke interpreted Magna Carta to be part of an “ancient Constitution” that preserved the rights of English subjects, protected by a representative parliament, against the claims of absolutist monarchs. By the eighteenth century, the uncodified British Constitution was seen as including not only key texts from the prior century (1628 Petition of Right, authored by Coke; Habeas Corpus Act 1679; 1689 English Bill of Rights), but also Magna Carta itself—invoked to trace back the deep roots of British constitutionalism.

The eighteenth-century English jurist William Blackstone developed a numbering convention for Magna Carta, which we follow today. By tradition, the various short sections are commonly called “chapters.” The 1215 Magna Carta has 63 chapters and the shorter 1225, just 37. The famous, oft-cited clause that begins “No free man shall be seized or imprisoned,” which appears in all issues, is numbered chapter 39 in the 1215 Magna Carta and 29 in the abbreviated 1225 issue.

The 1215 issue of Magna Carta from Lincoln Cathedral became the first charter to travel outside the United Kingdom in 1939, when it came to the United States for display at the New York World’s Fair and then remained in Washington, D.C., for safekeeping throughout World War II.

Magna Carta has been cited in over 170 U.S. Supreme Court opinions, according to American University law professor Stephen Wermiel, who analyzed 224 years of U.S. Reports of Supreme Court decisions. Of these 170 cases, 28% concern due process of law; 13%, trial by jury; 8% concern how Magna Carta influenced American constitutionalism; 6% each treat antitrust matters and habeas corpus; 5% concern other civil rights and liberties; and 4% each treat cruel and unusual punishment and excessive fines.

Unlike no other historical document, Magna Carta symbolizes our deep-rooted tradition of constitutional governance and its associated “rule of law” values. These are commonly understood to mean that “no ruler is above the law” and, often, the granting of political and legal rights in writing. Rule of law is often contrasted with rule that is capricious, unprincipled, and inconstant.
Notable Quotes

“The Magna Carta is one of the great symbols, to all English-speaking peoples, of liberty within the law.”
Archibald MacLeish (“Deposit of Magna Carta,” November 28, 1939)

“We must never cease to proclaim in fearless tones the great principles of freedom and the rights of man which are the joint inheritance of the English-speaking world and which through Magna Carta, the Bill of Rights, the Habeas Corpus, trial by jury, and the English common law find their most famous expression in the American Declaration of Independence.”
Winston Churchill (“Sinews of Peace,” March 5, 1946)

“Magna Carta … is often claimed to be the cornerstone of English liberty, law and democracy, and its legacy has been its enduring worldwide influence…. It has become an icon for freedom and democracy throughout the world.”
UNESCO (Memory of the World inscription, 2009)

“Centuries ago, when kings, emperors, and warlords reigned over much of the world, it was the English who first spelled out the rights and liberties of man in the Magna Carta.”
Barack Obama (Speech to UK Parliament, May 25, 2011)

“Our later freedoms were gestating in the [Great] Charter. Establish the rule of law—the idea that the authorities can’t make up the rules as they go along—and everything else will eventually follow.”
Daniel Hannan (“Magna Carta is the birthright of all English-speakers,” June 16, 2014)

“Magna Charta is such a fellow, that he will have no sovereign.”
Edward Coke (Second Part of the Institutes of the Laws of England, 1642)

“In this country, written constitutions were deemed essential to protect the rights and liberties of the people against the encroachments of power delegated to their governments, and the provisions of Magna Charta were incorporated into Bills of Rights. They were limitations upon all the powers of government, legislative as well as executive and judicial.”
Stanley Matthews (Opinion of the Court, Hurtado v. California, 1884)
“The Magna Carta, the Petition of Rights, and the [English] Bill of Rights are documents which are held in veneration by democrats throughout the world.”

Nelson Mandela (Rivonia Trial Speech from the Dock, April 20, 1964)

“Magna Charta as a great instrument of liberty was the creation not only of its own age, but of later ages that strove for the idea that government is something greater than the naked exercise of power.”


“The first eight amendments to our Federal Constitution, our explicit Bill of Rights, owes its parentage to Magna Carta; and Americans regard the enforcement of those amendments as the Supreme Court’s most important and demanding responsibility.”

William Brennan (1985 Rededication Speech at ABA Memorial at Runnymede)

“Magna Carta decreed that no man would be imprisoned contrary to the law of the land. Important as the principle was, the Barons at Runnymede prescribed no specific legal process to enforce it. Holdsworth tells us, however, that gradually the writ of habeas corpus became the means by which the promise of Magna Carta was fulfilled.”

Anthony M. Kennedy (Opinion of the Court, Boumedienne v. Bush, 2008)

“Magna Carta has risen above its uncertain beginnings. It has been a crucial influence on the development of the rule of law, first in England and then around the world.”

Sandra Day O’Connor (Magna Carta and the Rule of Law, 2014, p. xiv)

“Magna Carta has had a profound effect on popular culture. King John, his discontented barons, and the Great Charter remain well-known even as other aspects of English medieval history have faded into comparative obscurity. Magna Carta continues to transcend its times.”

Carolyn Harris (University of Toronto, prepared for Insights on Law & Society, American Bar Association, 2014)

“Magna Carta was for England, and later for people around the world, what President Lyndon Johnson said Lexington and Concord were for the American Revolution and Selma was for the American civil rights movement—a turning point—where “history and fate meet at a single time, in a single place to shape a turning point in man’s unending search for freedom.”

Roger Gregory, (Judge, Fourth Circuit Court of Appeals, prepared for Insights on Law & Society, American Bar Association, 2014)

“Magna Carta is a shining symbol of our shared legal heritage and of the rule of law as a foundation for freedom and human rights. Today, the story of Magna Carta we should tell is not merely of Runnymede in 1215, but of the Great Charter’s enduring significance in the eight hundred years since.”

Instructions: Use the diagram to compare and contrast the two documents. Use the overlapping section in the middle to note where the two documents are similar. Use the separate parts of each circle to note differences.
MAGNA CARTA

1. 1215
2. In England
3. Between the Barons and King John
4. A disorganized list of demands
5. Did not last (though it was reissued and much of it has been incorporated into English law today)

U.S. CONSTITUTION & BILL OF RIGHTS

1. 1787-89
2. In America
3. Written as a new system of government for the United States (whereas the Declaration of Independence was more like a list of complaints not demands, but also to a King)
5. Still in place today.

1. Both are written documents.
2. Both limit the power of the government.
3. Both hold the government to abide by the law.
4. Both protect the rights of individuals.
5. Both list specific rights of people.
6. Both include many rights of people accused of crimes:
   a. The right to fair and equal treatment
   b. Speedy trial
   c. Free from excessive fines
Instructions: Answer the following questions while reading “Justice Case Files 5: The Case of the Cyberbully.”

Before Reading the Book:
1. What is a bully?
2. Who was a bully in 1215?
3. How do you think Magna Carta symbolizes standing up to a bully?

Pages 3-6:
4. What is DUE PROCESS?
5. Explain how the teacher, Ms. Faulkner, uses James and Amber to demonstrate due process.

Pages 7-12:
6. What is one purpose of the RULE OF LAW?
7. What is your opinion about Madison’s behavior? How serious is it? Has a crime been committed?
8. The school has a policy on cyberbullying. Do you think that is necessary? Why or why not?
9. Does your school have a similar policy or rule?

Pages 13-16:
10. What are Amber’s rights?
11. What are Madison’s rights?
12. The state in which they live also has a LAW against cyberbullying. Do you know if your state has one?
**Pages 17-20:**
13. Read the cyberbullying law on p.19. Do you think Madison is guilty of this crime?

14. What is the judge’s verdict? What does “beyond a reasonable doubt” mean?

15. Do you think the punishment is fair, too harsh, or too lenient? Explain.

16. Amber is going to help start a peer counseling group to help kids deal with these kinds of problems. Write at least one suggestion you have for her:

**Pages 21-23**
17. How are the Magna Carta principles listed on p.21 demonstrated by the story in the book?
   a. *Due Process* is demonstrated in the book by...

   b. *Protection Against Unlawful Imprisonment* is demonstrated in the book by....

   c. *Trial By Jury* is not demonstrated because the scenario takes place at juvenile court. If Madison were an adult, she would have a right to a jury of her peers.

18. The chart on pp.22-23 lists several historic documents that are similar in some ways to Magna Carta. List at least two, with their dates.

**Further Research:**
19. Look up the Megan Meier case from Missouri to learn more about it.