

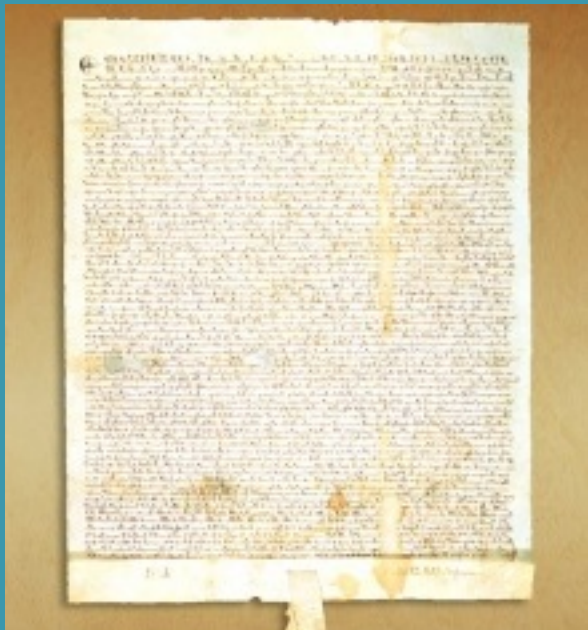
Bell Ringer

Imagine that you have been wrongly accused of a crime. How will the United States legal system protect you?

I can explain how developments in medieval English law and constitutional documents such as the Magna Carta led to the rise of modern democracy

7.36 Conduct a short research project explaining the significance of developments in medieval English legal and constitutional practices and their importance in the rise of modern democratic thought and representative institutions including trial by jury, the common law, Magna Carta, parliament, habeas corpus, and an independent judiciary in England.

History of Democracy



Chapter 1 Magna Carta

In the Early 1200s people were very unhappy with their king. His name was King John. He had also angered the Pope and caused him to ban all church services in England. King John also levied what the people felt were excessive taxes.



The barons, members of nobility just below the king, were fed up with King John's behavior and took up arms against him. The barons took King John by surprise near Windsor



Castle and forced him to agree to a meeting at Runnymede.

The barons forced King John to sign a document that would limit the power of the king and made him govern by the old English laws which dated to the time before the Normans arrived in England.



Why do we care about a document signed by an English king 800 years ago?

The Magna Carta limited the power of the king. It said that even a king had to abide by the law.



King John Signing Magna Charta

What were the laws given in the Magna Carta?

There were 63 clauses in the Magna Carta.

Only three of the original clauses in Magna Carta are still law.

One defends the freedom and rights of the English church, another confirms the liberties and customs of London and other towns, and the third paved the way for trial by jury by stating that no man could be arrested, imprisoned or have their possessions taken away except by “the lawful judgment of his equals or by the law of the land.”

Which two apply to us?

Clause 1

The Church was to be free from royal interference, especially in the election of bishops

Remember that King John had angered the Pope by trying to select a bishop himself and the Pope had then refused to allow any religious services to be held.



Clause 2

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



Electiō Lawes and Liberties might not again
be in danger of being subverted Upon which
Letters Electiōs having been accordingly
made and thereupon the said Lordes Spiritual
and Temporall and Commones pursuant to their
respective Letters and Electiōs being now
assembled in a full and free Representatiue of
this Nation taking into their most serious
consideration the best means for attaining
the ends aforesaid doe in the first place (as
their Ancestors in like case have usually done)
for the maintaining and asserting their ancient
Rights and Liberties Declare That the pretended
power of suspending of Lawes or the Execution of
Lawes by Regall Authority without Consent of
Parliament is illegal That the pretended power
of dispensing with Lawes or the Execution of
Lawes by Regall Authority as it hath been
assumed and exercised of late is illegal That
the Commission for erecting the late Court of
Commissioners for Ecclesiasticall Causes and all
other Commissions and Courts of like nature
are illegal and pernicious That levying money
for or to the use of the Crowne by pretence of
prerogative without Consent of Parliament for
any time or in other manner than the same
is or shall be granted is illegal That it is
the right of the Subjects to petition the King
and all Commissions and prosecutions for such
petitioning are illegal That the raising or
keeping a standing Army within the Kingdom
in time of Peace unless it be with Consent of
Parliament is against Law That the Subjects
which are Protestants may have Armes for their
better and more safe keeping and as
allowed by Law That Election of Members of
Parliament ought to be free That the free borne

Chapter 2

English Bill of Rights

In 1689, England once again needed to address limits to the power of the monarchy.

This document came to be known as the English Bill of Rights.

There were several important elements to the document.

1. The monarch cannot make laws or act as judge.



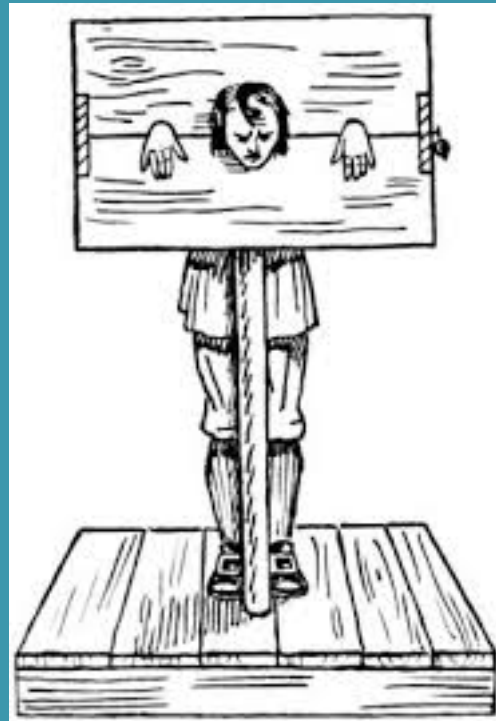
2. The monarch cannot issue taxes without parliament's approval.



3. Freedom of speech and debates in Parliament.



4. No excessive bail or cruel and unusual punishments.



Skills Check

Look at your notes and decide which one of these “laws” has had the most profound effect on our government and judicial system.

Write a paragraph explaining your choice in detail.