The Evolution of Human Rights: From Magna Carta, to the Lawes of Virginia to William Penn (Adopted from A Magna Carta for All of Humanity)

Lesson Rational:

The 1215 Magna Carta is one of the most important early human rights documents. It both limited the power of a tyrannical king and created a right to certain protections for citizens including, protection against unlawful imprisonment and the right to justice.

In this activity, students will find out about the key human rights documents: The Magna Carta, the Lawes of Virginia and The Peoples Ancient and Just Liberties asserted in the trial of William Penn and William Mead.

Objectives: Students will be able to:

- Describe the links between Magna Carta and human rights
- Explain how the Magna Carta has influenced the evolution of human rights in the America

New Jersey Student Learning Standards for Social Studies:

6.2.8.CivicsDP.4.a: Cite evidence of the influence of medieval English legal and constitutional practices on modern democratic thought and institutions (i.e., the Magna Carta, parliament, the development of habeas corpus, and an independent judiciary).

Lesson Sequence

I. Blog- What are “human rights”? Give an example of one. Discuss students’ responses. Ask them to think about how these rights came to be and came to be protected.

II. Read the following: (adopted from A Magna Carta for All of Humanity)

Almost every day, we are confronted with another news story involving human rights. But human rights are not new and have developed over a long period. The 1215 Magna Carta can be understood as an important, early human rights document that both limited the power of a tyrannical King and created a right to appeal against unlawful imprisonment, which remains an important part of law and society today.

- In this activity you will explore that human rights are not a new idea, and the struggle to protect rights continues. You will analyze three key human rights documents: The Magna Carta, The Lawes of Virginia and The Peoples Ancient and Just Liberties asserted in the trial of William Penn and William Mead.
- Working in groups you will undertake research into each document to analyze and present your findings with your peers. Then we will discuss why the protection of human rights remains significant today.

III. Divide students into three groups (you can differentiate):

- **Magna Carta**-1-page, wording can be tough to follow, reinforce certain vocabulary and spelling differences.
- **Lawes of Virginia**-5 pages small text-tough vocabulary.
- **The Peoples Ancient and Just Liberties asserted in the trial of William Penn and William Mead**-5 pages, complex vocabulary, text size and style can be challenging.

IV. Assign one of the following to each group and direct students to the appropriate website:

A. **Magna Carta**- [https://www.bl.uk/magna-carta/articles/timeline-of-magna-carta](https://www.bl.uk/magna-carta/articles/timeline-of-magna-carta)

Overview:

“A number of Magna Carta’s core principles are still fundamental to English law, but the majority of the charter’s clauses in 1215 dealt with specific medieval rights and customs. Here Professor Nicholas Vincent provides an overview of the charter’s original clauses. 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.”

B. Lawes of Virginia- https://www.bl.uk/magna-carta/articles/early-america-and-magna-carta

Overview:

“Virginia was the first permanent English colony in North America, established by the London Company in 1607. The foundation charter of that new colony, drafted by Sir Edward Coke (1552–1634), stated that English law should be applied to the settlers. However, by the time that The Lawes of Virginia was published in 1662, it had become evident that certain principles of English law, which took their inspiration from Magna Carta, were no longer recognized in Virginia. This was especially the case regarding ‘Tryals by Juryes’, which were limited by the legal procedures instituted in that colony. The Lawes of Virginia therefore directed that, as this ‘restriction is quite contrary to the Law of England … by which we are to be governed’, trial by jury was to be reinstated, and a jury empaneled to attend court on a daily basis.”


Overview:

“In 1670 the Quaker and future founder of Penncylvania, William Penn (1664–1718), was arrested on a charge of attending an illegal religious meeting in London. Having been tried at the Old Bailey, Penn was initially acquitted by the jury, whose members were then chastised, fined and imprisoned for having returned a verdict of not guilty. Invoking Magna Carta, an incredulous Penn called from the dock, ‘It is intolerable that my Jury should be thus menaced; Is this according to the fundamental Laws? Are not they my proper Judges by the great Charter of England?’ Penn published this transcript of his trial, representing his cause as a defence of the ancient liberties embodied in Magna Carta, to which was added a lengthy analysis of ‘the Material Parts of the Great Charter of England’.”

IV. Each group should analyze the document first using these discussion questions provided by the Library of Congress:

A. Ask students to observe each primary source.
   • Where does your eye go first?
   • What do you see that you didn’t expect?
   • What powerful words and ideas are expressed?

B. Encourage students to think about their personal response to the source.
   • What feelings and thoughts does the primary source trigger in you?
   • What questions does it raise?
V. Students should then do a formal analysis using the Written Document Analysis form courtesy of the National Archives: https://www.archives.gov/education/lessons/worksheets

VI. Jigsaw-Each group will present their finding to the class.
   • What commonality do we see between these documents ranging from 1215 to 1670?
   • What human right is addressed in each document?
   • Why do we think that is?
   • Is this right (justice) still an issue in society today?

VII. Final Task: Students will (individually) create a poster on Jamboard portraying a connection to a current injustice involving the theme of the documents we explored in class today (justice).