
MAGNA CARTA YEAR 11 STUDENT RESOURCE

Part One: Historical overview

Using the following links, give a brief overview of the origins of the Magna Carta.

[Magna Carta – an introduction](#)

[Magna Carta and the Rule of Law](#)

[Causes and effects of the Magna Carta](#)

[The Magna Carta in Australia](#)

[English Translation of Magna Carta](#)

In your overview include the following points:

- a definition of the name;
- the key people involved in the creation of the Magna Carta;
- the year it was created and why;
- the significance of the document;
- the influence of the Magna Carta in modern democracies; and
- which clauses of the Magna Carta are still used today.

Part Two: Document review

On 14 October 2002, Lord Irvine of Lairg presented his inaugural Magna Carta lecture in the Australian Parliament. Click on the following link to read the transcript of the lecture.

["The Spirit of Magna Carta Continues to Resonate in Modern Law"](#)*

Summarise the information in Lord Irvine's lecture under the following headings.

1. The Legacy of Magna Carta: a Joint Commitment to the Rule of Law

2. Magna Carta and the Emergence of the Rule of Law

3. Magna Carta and the Conception of Modern Human Rights Documents

4. Reinvigorating the Rule of Law: Guaranteeing Human Rights in Domestic Law

5. The Continuing Relevance of Magna Carta in Australian and United Kingdom Law

6. The Doctrine of Legality and final summary

Possible Discussion Questions that look at some of the rights that have emerged from the Magna Carta and are still prevalent in Australian law.

1. Magna Carta established a right to access to justice. Do all people actually have this right in Australia or is access to justice based on monetary wealth to afford the best lawyer?
2. The promise not to delay or defer right or justice is good in theory but is it realistic?
3. “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.” Was this clause applied during the early settlement of the Swan River colony? (Students may want to research specific characters like Midgegooroo, Yagan, Munday or Weeip.)
4. Does Australia already have a hidden bill of rights?
5. Magna Carta was a document written to address issues from the 13th century and should not apply in the 21st century.