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## Magna Carta, 15 June 1215 (excerpts)

Throughout their history, Americans have viewed the Magna Carta as a symbol of limited government under the rule of law as opposed to absolute government. No other document beside the Declaration of Independence and the Constitution and the Bill of Rights is more revered by Americans.

All American colonial charters and Revolutionary-era state constitutions, as well as the new federal Constitution of 1787 and the Bill of Rights of 1791, drew upon provisions based upon the Magna Carta.

Two seminal concepts within Magna Carta most frequently incorporated into American constitutional documents, were the notions of due process (Chapter 39) and no taxation without the direct consent of the people (Chapter 12). Other rights in Magna Carta found their way into American constitutional documents such as just compensation for private property appropriated for government use (Chapter 28) and the prohibition against excessive fines (Chapter 55). Magna Carta also embraced the concept of free-flowing commerce.

To eighteenth-century Americans, Magna Carta was an organic instrument that guaranteed personal liberty and private property. In essence, there was a higher law that ordinary statutory law could not supersede. The new federal Constitution of 1787 would be such a higher law. It would be the Magna Carta of American liberty.

John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishop, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, stewards, servants, and to all his bailiffs and liege subjects, greetings.

Know that, having regard to God and for the salvation of our soul, and those of all our ancestors and heirs, and unto the honor of God and the advancement of his holy Church and for the rectifying of our realm. . . .

12. No *scutage* nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom. . . .

28. No constable or other bailiff of ours shall take corn or other provisions from anyone without immediately tendering money therefor, unless he can have postponement thereof by permission of the seller. . . .

39. No freemen shall be taken or imprisoned or *disseised* 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 or by the law of the land.

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

55. All fines made with us unjustly and against the law of the land, and all amercements, imposed unjustly and against the law of the land, shall be entirely remitted. . . .

Given under our hand—the above named and many others being witnesses—in the meadow which is called Runnymede, between Windsor and Staines, on the fifteenth day of June in the seventeenth year of our reign.

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