

# MAGNA CARTA

## History & Legacy

June 2015 marks the 800th anniversary of the sealing of Magna Carta – the 'Great Charter' – by King John at Runnymede near the River Thames in England.



The most enduring principles of this document have helped to shape notions of justice, law and democracy for centuries.

### King John

Born in 1167, John was the last child of King Henry II and Eleanor of Aquitaine. Often referred to as John Lackland, he trained as a knight in the household of his elder brother, the future King Richard I, and also studied administration with his father's Justiciar – a powerful officer of the court and representative of the King.

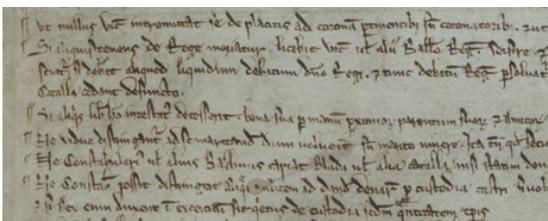
John's relationship with his brother Richard was tumultuous. He even conspired against him at one point with King Philip of France. However, prior to his death in 1199, King Richard I named John as his heir.

John became King of England, but struggled to maintain control of his dominions on the European continent, part of his father's original Angevin empire. By 1205, he had lost his strongholds in Normandy and Anjou to the French King. In the years that followed, one of King John's chief goals was to recover these and other lost territories.

### Trouble with the Barons

In seeking to regain the lands he had lost, King John engaged in expensive military campaigns in Normandy and France. In order to fund these activities, he raised taxes and demanded extraordinary customary payments from his barons.

King John developed a reputation as a harsh ruler. He imposed new monetary penalties, seized castles and holdings from barons who displeased him and even imprisoned their family members.



Excerpt from the Articles of the Barons, 1215

### From the Articles of the Barons to Magna Carta

By 1214, many barons had begun to openly rebel against the King. On May 17, 1215, the rebel barons captured the Tower of London. With few options remaining, King John agreed to meet the barons in a field at Runnymede, beside the River Thames, in June 1215.

The purpose of the rebellion and the meeting at Runnymede was not to overthrow the King. The barons wanted instead to force the King to agree to limits on his royal authority. These limits would require the King to limit his exercise of absolute power and to extend some recognition of the rights of others when dispensing justice.

The barons listed their demands in a document known as the Articles of the Barons, which they used as a basis for their negotiations with the King. They were aided by Stephen Langton, the Archbishop of Canterbury, who acted as an intermediary between the two sides. As the negotiations progressed, the Articles of the Barons ultimately became a draft settlement.

### *The Feudal System*

Under feudalism, all land ultimately belonged to the King, but much of it was given to members of the nobility (the barons) to control in exchange for their loyalty, military service and a variety of customary payments.

## The Sealing of Magna Carta at Runnymede in June 1215

Once the barons had reached an agreement in principle with the King, the Chancery – a royal writing office – fine-tuned the language and rephrased and reordered certain clauses. The end product became known as Magna Carta.

After several days of negotiations, King John agreed to the final provisions of Magna Carta by affixing his royal seal to the document. This historic moment marked the first time that an English King had agreed to any limit on his royal authority.

**Two of the document's 63 original clauses have been enshrined in history as the enduring principles of Magna Carta.**



King John and the Barons at Runnymede, 1215

## Enduring Principles of Magna Carta

Within months of the meeting at Runnymede, King John reneged on the agreement and asked Pope Innocent III to annul Magna Carta.

Although Magna Carta was essentially a failed peace treaty in 1215, it would endure to be reissued by subsequent monarchs and to influence the development of justice, law and democracy in later centuries.

**“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 judgement of his equals or by the law of the land.” (Clause 39)**

**“To no one will we sell, to no one deny or delay right or justice.” (Clause 40)**

**Together, these two clauses affirmed that all free men had equal protection under the law of the land and that no one – not even the King – was above the law.**

## Impact and Legacy of Magna Carta

Magna Carta informed the early evolution of parliament and, as later medieval Kings reissued or affirmed its principles, it slowly came to be accepted as the basis of English common law.

In later centuries, the principles of Magna Carta spread widely beyond England's borders, leaving their mark on the legal systems, constitutional documents and representative governments of many democracies around the world.

As a constitutional monarchy and one of 15 Commonwealth Realms, the legacy of Magna Carta has permeated the history, laws and governance of Canada from confederation through to the modern era.

Its most enduring principles have influenced key documents, including the Royal Proclamation of 1763 which shaped British Colonial relations with First Nations, the Constitution Act, 1867, and the Canadian Charter of Rights and Freedoms, entrenched in the Constitution Act, 1982, which provides fundamental guarantees to all citizens under the law.

Canada's parliamentary system of government, both federally and provincially, is a testament to the impact and legacy of Magna Carta and its foundational role in the evolution of justice, law and democracy worldwide.



Edward I (1272-1307) and his court.

**Regular meetings of parliament became a feature of political life during King Edward's reign, largely because he had to seek consent for taxation - a result of Magna Carta.**

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