The Magna Carta, or ‘Great Charter’, dates back to 1215. It is seen as an important step in the development of democracy and the British Parliament, and has influenced the creation of founding documents such as the 1689 British Bill of Rights and the 1901 Australian Constitution.

1215 edition

The first version of the Magna Carta, written in 1215, was a peace treaty between King John of England and his barons. It established the principle that all people, including the king, had rights and responsibilities under the law.

Prior to the Magna Carta, King John had absolute power as a feudal monarch. He gave the barons their titles and estates (or lands) in return for their loyalty. King John was a cruel tyrant, who expected the barons to give him money and troops to fight a long and pointless war with France. The barons had to tax their people harshly to pay for the war and force men from their estates to fight in the ongoing conflict.

By 1215, the barons were fed up with the king’s behaviour and many rebelled against him. They seized the Tower Of London and demanded the king listen to them. In June, in a meadow at Runnymede, the king and the barons met and agreed on the terms of the Magna Carta. As was common practice, the document was copied out, fixed with the king’s seal and sent to all parts of the kingdom to be read out to the people, many of whom were illiterate.

In return for the barons pledging loyalty to King John, the Magna Carta limited the king’s power, with most of the document detailing the rights of the barons under the feudal system. However, it also described the rule of law, including the important point that the king was subject to the law, like all others. Individual rights and liberties were defined, with one of the most notable sections reading:

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.
To no one will we sell, to no one deny or delay right or justice.
The following years

Almost immediately, King John ignored the Magna Carta and broke his agreement with the barons. He died in 1216 and his nine year old son, Henry III, became the king. As he grew, his guardians made three more editions of the Magna Carta, in an attempt to win back the support of the barons. Some changes were made, but many of the original ideas stayed the same.

In 1225, King Henry III issued the fourth, and heavily revised, version of the Magna Carta, in return for a kingdom-wide grant of tax. As his father had before him, the king fought with the barons. In 1264, Simon de Montfort, a baron, overthrew the king and became the ruler. De Montford believed that the king’s power should be limited. He called together knights and non-noble representatives from across the kingdom to meet in a parliament. Although it would be many years before parliament met regularly and included commoners in its ranks, the idea of the modern parliament had begun.

In 1265, de Montford was killed on the battlefield by King Henry’s son, Edward, who succeeded his father as king in 1272. Throughout the 1200s, the Magna Carta was increasingly quoted as laws were made and petitions were prepared against the unfair use of power.

1297 Inspeximus edition

Edward I ordered that an Inspeximus edition of the Magna Carta be reissued in 1297, so called because it inspected and approved the document signed by a previous king. In this edition, King Edward declared that the Magna Carta would from then on be a part of common law and that any court judgements that went against it would be ‘undone and holden for naught’.

Legacy

Although written in medieval England, the Magna Carta’s significance has extended well beyond that time and place. In its original edition, it mainly focussed on the troubled relationship between a feudal king and his barons. However, the Magna Carta’s enduring legacy has been its statement of the basic rights and liberties of people under the law. This principle, first written into a document 800 years ago, has been developed and strengthened over the centuries, influencing documents as diverse as the 1776 US Declaration of Independence and the 1948 Universal Declaration of Human Rights.

Perhaps 24 copies of the various editions of Magna Carta remain in existence, mostly held in English libraries or public collections. Parliament House in Canberra has on public display one of only two copies of the original 1297 Inspeximus edition held outside England.

LINKS

PEO website
Closer Look – A short history of Parliament

APH website
Magna Carta
www.magnacarta.senate.gov.au

Other websites
The British Library
www.bl.uk/magna-carta
The Magna Carta committee
www.magnacarta.org.au