



WRITEN, SEALED, DISREGARDED, REVISED,
AND REMEMBERED.

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Ancient and Medieval History

What were the major forces that lead to the writing and sealing of the Magna Carta and how did this influence history?

¹ABC-CLIO. *Magna Carta* 2014. [Online] Available: <http://ancienthistory.abc-clio.com/>; Accessed 24 Apr.2014.

The Magna Carta was written and sealed because of how the barons were dissatisfied with King John. The Magna Carta then went on to influence history even though King John had it delegitimized by the pope. The Magna Carta was written for numerous reasons as to why the barons were not satisfied with King John and they wanted him to change. King John was the youngest son of King Henry II, so it took him some time until he finally had England under his control. He had three older brothers who had claims to the throne before him.¹ King John was described as a terrible person. Matthew Paris, a chronicler of the time, described him as “Foul as it is, Hell itself is defouled by the foulness of John”². This description is a biased opinion of John because of how the chroniclers under the church were not fans of King John based on a disagreement over who should be elected as the bishop of Canterbury.³ Another biased monk chronicler of the late 1100s⁴, Richard of Devizes, said that King John

...became unrecognisable in all his body. Wrath cut across his forehead; his burning eyes shot sparks; rage darkened the ruddy colour of his face...Indignation so swelled in his closed breast that it had either to burst or to vomit its venom somewhere.⁵

Whether these quotes were true or not they were certainly most damaging to King John's reputation.

The barons were very dissatisfied with the way that King John was ruling and this led them to write the Magna Carta. The barons did not like how King John sold position such as bishop, had outside councillors, and raised taxes.⁶ In addition to these grievances, the barons

¹ Tim Watts. *King John* 2014. [Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/593607?terms=Magna%20Carta>; Accessed 25 Apr. 2014.

² Graham E. Seel, "Good King John," in *History Today* 62.2 (2012), 21-27. History Reference Center [Online Database]; accessed 25 Apr. 2014. 21-27.

³ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 1-2.

⁴ Columbia University Press. *Richard Of Devizes* 2013. [Online]. Available: <http://search.ebscohost.com/login.aspx?direct=true&db=khh&AN=39028465&site=ehost-live>; accessed 28 Apr. 2014.

⁵ Graham E. Seel, "Good King John," in *History Today* 62.2 (2012), 21-27. History Reference Center [Online Database]; accessed 25 Apr. 2014. 21-27.

⁶ Columbia University Press. *Magna Carta* 2013. [Online]. Available: <http://search.ebscohost.com/login.aspx?direct=true&db=khh&AN=39019751&site=ehost-live>; accessed 25 Apr. 2014.

disliked him because of how he murdered some members of his family, went after the wives of the barons, lost at Normandy, and could not get along with the church.⁷ A further thorn in the side of the barons was that John was over charging heirs and not charging a standard relief.⁸ King John used the relief along with taxes as a way to fund his wars in France. Wars that he was losing. King John's first loss was that of Gaillard, a fortress at Les Andelys, in March of 1204. This meant that he lost control of the English holding of Normandy, one of his greatest sources of revenue. His second major loss was at Bouvines in July of 1214. This loss further crippled his finances and reputation as well as leaving England only a tiny portion of its once much larger French holdings.⁹ King John tried to attack France again and go for revenge but he was met by defeat.¹⁰ King John needed a way to fund all of this so he both raised taxes and added new ones.¹¹ King John imposed the first income tax.¹² One of King John's biggest losses of support was when he refused to accept the new bishop of Canterbury who was appointed by Pope Innocent III. As a result the pope issued an interdict on England which meant that nothing religious could happen in England. This meant no Christian Burials, Marriages, or even Mass. Eventually this led to John being excommunicated in October of 1209.¹³ It is this disagreement that greatly hurt his legacy in church writings and lowered his people's support of him.¹⁴ King John had many things against him and the barons had much about him that they wanted to try to change for the better.

⁷ Graham E. Seel, "Good King John," in *History Today* 62.2 (2012), 21-27. History Reference Center [Online Database]; accessed 25 Apr. 2014. 21-27.

⁸ John Hudson, *The Formation of the English Common Law: Law and Society in England from the Norman Conquest to Magna Carta*. (London: Longman, 1996) 226.

⁹ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 1-2.

¹⁰ Shelley Wolbrink, *Great Lives from History: The Middle Ages, 477-1453* (Pasadena: Salem, 2005), s.v. "King John".

¹¹ Pavlac, Brian Alexander, and Byron Cannon, *Great Events from History: The Middle Ages, 477-1453* (Pasadena: Salem, 2005), s.v. "Signing of the Magna Carta".

¹² Robert E. Bjork, *OED* (Oxford: Oxford UP, 2010), s.v. "Magna Carta".

¹³ Mike Ibeji, *King John and the Magna Carta* 2011. [Online]. Available: http://www.bbc.co.uk/history/british/middle_ages/magna_01.shtml#top; accessed 3 May 2014.

¹⁴ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 11.

The writing of the Magna Carta was a not the quickest of processes and it was written in part based off the coronation charter of King Henry I. It took much negotiation in order for King John and the barons to reach an agreement on the Magna Carta. Much of the negotiations took place between representatives of the parties such as William Marshal and the Archbishop Langton.¹⁵ It is clear that King John was not happy with the demands and that it took a while for the two parties to come to an agreement. King John said “Why Amongst these unjust demands, did the barons ask for my kingdom also? Their demands are vain and visionary, and are unsupported by any plea of reason whatsoever”¹⁶ The Magna Carta was not necessarily an original composition by any means. The Magna Carta has many points similar to the Articles of the barons which some think acted as almost a first draft because of how close it was to the points on the Magna Carta. Some say it was the list of points the two parties were able to agree on that precipitated the finalization of those points in the Magna Carta.¹⁷ The Magna Carta held even Kings accountable to the law. This would be helpful in trying to reign in a particularly rowdy King John who was seen as a disgrace.¹⁸ The displeased barons also based the Magna Carta on the coronation charter of King Henry I.¹⁹ Many of the facets of the Magna Carta were originally found in the coronation charter of Henry I in 1100.²⁰ The coronation charter works to undo and fix what King William II had done. It was first said on August 5th 1100.²¹ There are many parts of the coronation charter and the Magna Carta are almost identical. It is very clear

¹⁵ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 15.

¹⁶ William F Swindler, *Magna Carta Legend and Legacy* (The Bobbs-Merrill Company, INC., 1965), 77-78.

¹⁷ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 18-19.

¹⁸ George C. Kohn, *Dictionary of Historic Documents* (New York: Facts on File, 1991), s.v. "Magna Carta".

¹⁹ Katherine Fischer Drew, *Magna Carta* (Westport: Greenwood, 2004), 33.

²⁰ Ellis Sandoz, *The Roots of Liberty: Magna Carta, Ancient Constitution, and the Anglo-American Tradition of Rule of Law* (Indianapolis: Liberty Fund, 2008), 314.

²¹ George C. Kohn, *Dictionary of Historic Documents* (New York: Facts on File, 1991), s.v. "Magna Carta".

that the Magna Carta is based on the charter.²²²³ The first part of the Magna Carta is almost identical to the first part of the charter. Both sections talk about the freedom of the church. The Magna Carta states

In the first place we have granted to God, and by this our present charter confirmed for us and our heirs for ever that the English church shall be free, and shall have her rights entire, and her liberties inviolate; and we will that it be thus observed;²⁴

The coronation charter states the same point by saying “in the first place make the holy church of God free”.²⁵ The Magna Carta continues to draw parallels in parts two through five with part two in the coronation charter.²⁶ Both documents talk about ensuring that the relief an heir must pay is reasonable and fair. The coronation charter reads

If any of my barons or of my earls or of any other of my tenants shall die. His heir shall not redeem his land as he wont do in the time of my brother, but he shall hence forth redeem it by means of a just and lawful ‘relief’.²⁷

The similarities between the two documents do not stop there. The similarities continue with parts seven and eight of the Magna Carta which state the rights of widows and Part four of the coronation charter which lists similar points. The Magna Carta puts it as “No widow shall be compelled to marry,”²⁸ and the coronation charter puts it as “I will not give her in marriage except with her consent”²⁹ These are just the most obvious similarities between the documents. It is

²² Cornell. *Coronation Charter of Henry I*. Cornell. [Online] Available: <http://www.arts.cornell.edu/prh3/MDVL%202130/Texts/1100charter.pdf>; accessed 27 Apr. 2014.

²³ ABC-CLIO. *Magna Carta (1215)* 2014.[Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/1465694?terms=Magna+Carta>; accessed 24 Apr. 2014.

²⁴ ABC-CLIO. *Magna Carta (1215)* 2014.[Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/1465694?terms=Magna+Carta>; accessed 24 Apr. 2014.

²⁵ Fordham University. *Medieval Sourcebook: Charter of Liberties of Henry I, 1100*. [Online]. Available: <http://www.fordham.edu/halsall/source/hcoronation.asp>; accessed 27 Apr. 2014.

²⁶ ABC-CLIO. *Magna Carta (1215)* 2014.[Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/1465694?terms=Magna+Carta>; accessed 24 Apr. 2014.

²⁷ Cornell. *Coronation Charter of Henry I*. Cornell. [Online] Available: <http://www.arts.cornell.edu/prh3/MDVL%202130/Texts/1100charter.pdf>; accessed 27 Apr. 2014.

²⁸ ABC-CLIO. *Magna Carta (1215)* 2014.[Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/1465694?terms=Magna+Carta>; accessed 24 Apr. 2014.

²⁹ Cornell. *Coronation Charter of Henry I*. Cornell. [Online] Available: <http://www.arts.cornell.edu/prh3/MDVL%202130/Texts/1100charter.pdf>; accessed 27 Apr. 2014.



clear that the barons wrote the Magna Carta based off of older texts with new ideas and additional information added.

It took the barons multiple times until they were finally able to get King John to accept their demands. The barons first attempted to get King John to accept their demands around Christmas but John asked for time until Easter to discuss the issue. During this time King John sent word to the pope and signed on to become a crusader which would mean he would

not have to worry about matters of the state and gave him even more time.³⁰ King John agreed to the Magna Carta once London had been taken by the barons.³¹ King John is thought to have put his seal³² on the Magna Carta on June 15th of 1215³³ at Runnymede, in England outside of London. King John used a wax seal similar to the one in the photo to the left from a copy of the Magna Carta from 1294, to approve the document. Runnymede was a meadow outside of

London as seen in the picture that had advantages for both parties if things got violent.³⁴ The meadow was centrally located for both parties.³⁵ As it is seen in the photo it is clear how Runnymede would have



³⁰ William F Swindler, *Magna Carta Legend and Legacy* (The Bobbs-Merrill Company, INC., 1965), 76-77.

³¹ Rebecca Fraser, *The Story of Britain: From the Romans to the Present: a Narrative History* (New York: W.W. Norton, 2005), 164.

³² Manuel Balce Ceneta. *The wax seal of the original 1297 Magna Carta is displayed at the National Archives in Washington 2011*. [Online] Available: <http://classic.apimages.com/>; accessed 3 May 2014.

³³ Katherine Fischer Drew, *Magna Carta* (Westport: Greenwood, 2004), XXXVII.

³⁴ Bonhomme, Brian, and Cathleen Boivin, *Milestone Documents in World History: Exploring the Primary Sources That Shaped the World* (Dallas: Schlager Group, 2010), 568.

³⁵ BBC. *The Magna Carta*. Available: http://www.bbc.co.uk/schools/primaryhistory/british_history/magna_carta/; accessed 3 May 2014.

been a good location because of the sizable amount of space in case it did come to battle. The Meadow would have been able to fit both parties.³⁶ The King did not have much support when he accepted the Magna Carta. He had hurt his position by going contrary to the church and making it an enemy. The church backed the barons as the Magna Carta supported their position.³⁷ The Magna Carta had support of the church, the middle class and the barons. This helped in getting John to recognise it.³⁸ King John did not take the Magna Carta seriously. He took it as a way to buy time, he refused to give up his fight.³⁹ King John had Pope Innocent III void the agreement a mere ten weeks after he first sealed it by arguing that his word was forced out of him by the barons.⁴⁰ After King John had the pope discredit the Magna Carta, he started the civil war again. He had the support of the pope behind him this time. The pope could excommunicate anyone who was against King John. Had King John not died of dysentery in October of 1216⁴¹ due to eating too much⁴² it is likely that he would have won the war.⁴³

This signing on the 15th of June in 1215 was not the only time the Magna Carta was sealed. There were two major revisions that have been enacted since the original.⁴⁴ The first revision of the Magna Carta was done in 1217 by William Marshal, the stand-in for the young King Henry III. He used this as a way to gain power and leverage which are both important in the effective ruling of a kingdom, especially when one is not the actual king.⁴⁵ This 1217 revision removed the clauses regarding the forest and put them into a separate Charter of the

³⁶ Encyclopædia Britannica Online. *Runnymede: Magna Carta Memorial*. Available: <http://www.britannica.com/EBchecked/media/154764/Magna-Carta-Memorial-Runnymede-Surrey-England>; accessed 3 May. 2014.

³⁷ Frank N. Magill, *Great Lives from History: British and Commonwealth Series* (Pasadena: Salem, 1987), s.v. "King John".

³⁸ Joseph R. Strayer, *Dictionary of the Middle Ages* (New York: Scribner, 1982), s.v. "Magna Carta".

³⁹ Kenneth O Morgan, *The Oxford Illustrated History of Britain* (Oxford [Oxfordshire]: Oxford UP, 1984), s.v. "Magna Carta".

⁴⁰ National Archives and Records Administration. *The Magna Carta*. [Online]. Available: http://www.archives.gov/exhibits/featured_documents/magna_carta/; accessed 24 Apr. 2014.

⁴¹ BBC. *John (c.1167 - 1216)*. [Online]. Available: http://www.bbc.co.uk/history/historic_figures/john.shtml; accessed 3 May 2014.

⁴² Mike Ibeji. *King John and the Magna Carta* 2011. [Online]. Available: http://www.bbc.co.uk/history/british/middle_ages/magna_01.shtml#top; accessed 3 May 2014.

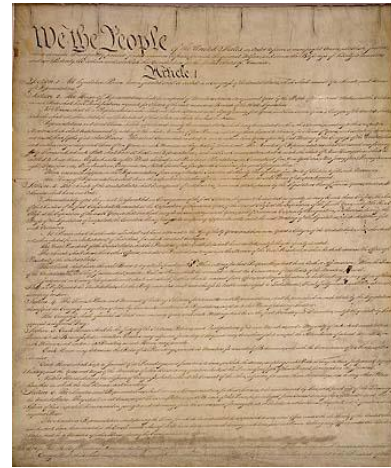
⁴³ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 23.

⁴⁴ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 24-26.

⁴⁵ William F Swindler, *Magna Carta Legend and Legacy* (The Bobbs-Merrill Company, INC., 1965), 104-105.

Forests. The second major revision was by Henry III in 1225. This revision was key for the young king in gaining the support and respect of his barons.⁴⁶ These revisions were key in helping the Magna Carta stay important.

The Magna Carta has stayed relevant in history and it has had a great influence. The Magna Carta has had a specific influence on American history. The Magna Carta has had a distinct influence on the U.S. Constitution, the extremely important document for American history depicted to the right.⁴⁷ Sir Edward Coke from the late 1500s⁴⁸ once said "Magna Carta is such a fellow, he will have no sovereign".⁴⁹ This quote highlights one of the major points of the Magna Carta: Rule of law. Rule of law says that nobody, not even the king is above the law. This point carries over to the U.S. Constitution in article six.



Article six in the US Constitution says that the constitution is the high law of the land and even the president and politicians must abide by it.⁵⁰⁵¹ The Constitution puts it as

The Senators and Representatives before mentioned and the members of the United States and of the several states, shall be bound by oath or affirmation to support this constitution;⁵²

⁴⁶ Michael Borrie, *Magna Carta* (London: British Museum, 1976), 24-26.

⁴⁷ ABC-CLIO. *U.S. Constitution* 2014. [Online]. Available: <http://worldhistory.abc-clio.com/Search/Display/344981?terms=US%20constitution>; accessed 3 May 2014.

⁴⁸ Columbia University Press. Sir Edward Coke 2013. [Online]. Available: <http://search.ebscohost.com/login.aspx?direct=true&db=khh&AN=39052941&site=ehost-live>; accessed 27 Apr. 2014.

⁴⁹ William F Swindler, *Magna Carta Legend and Legacy* (The Bobbs-Merrill Company, INC., 1965), 2.

⁵⁰ George C. Kohn, *Dictionary of Historic Documents* (New York: Facts on File, 1991), s.v. "Magna Carta".

⁵¹ Cornell University Law School. *Article VI*. [Online]. Available: <http://www.law.cornell.edu/constitution/articlevi>; accessed 23 Apr. 2014.

⁵² National Archives. *Constitution of the United States*. [Online]. Available: http://www.archives.gov/exhibits/charters/constitution_transcript.html#top; accessed 23 Apr. 2014.

A further parallel between the Magna Carta and the U.S. Constitution exists between the twenty ninth or thirty ninth part of the Magna Carta depending on the version and the Fifth Amendment to the U.S. constitution.⁵³ The Magna Carta says

No freeman is to be taken or imprisoned or disseised of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go against such a man or send against him save by lawful judgement of his peers or by the law of the land. To no-one will we sell or deny of delay right or justice.⁵⁴

The Constitution says almost exactly the same thing. In both documents the right to justice was very important.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.⁵⁵

The Magna Carta has had a great influence on history and on democracy. After looking at all the similarities between the Magna Carta and the U.S. Constitution it would not be that big of a stretch to say that the Magna Carta has a bigger influence on American law than on British Law. The American Bar Association decided that the Magna Carta was such an important document that in 1957 they erected a monument at Runnymede as seen in the picture of the meadow earlier in the document. The Magna Carta has declined in importance in British law and a mere three

⁵³ ABC-CLIO. Magna Carta (1215) 2014. [Online]. Available: <http://ancienthistory.abc-clio.com/Search/Display/1465694?terms=Magna+Carta>; accessed 24 Apr. 2014.

⁵⁴ Nicholas Vincent. *Magna Carta Translation*. [Online]. Available: http://www.archives.gov/exhibits/featured_documents/magna_carta/translation.html; accessed 26 Apr. 2014.

⁵⁵ ABC-CLIO. *U.S. Constitution (1787)* 2014. [Online]. Available: <http://worldhistory.abc-clio.com/Search/Display/325583?terms=us+constitution>; accessed 26 Apr. 2014.

clauses out of the sixty three original clauses are still applicable and in use today.⁵⁶ Magna Carta has been one of the most important and influential documents in history.

A color version can be found at: tilden.comeze.com/history.pdf

⁵⁶ BBC. *The Magna Carta*. [Online]. Available: http://www.bbc.co.uk/schools/primaryhistory/british_history/magna_carta/; accessed 3 May 2014.

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