

Schools Educational Resource Pack

Key Stage 3

The Magna Carta Project

Why did King John issue Magna Carta?



Image: King John [British Library MS Royal 14 C VII, f. 9, available at <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IllID=50532>]

Information for Teachers

This educational resource pack has been devised with reference to the aims and attainment targets of 'Programmes of study for History' at Key Stage 3, which form part of the National Curriculum in England and are available here (please cut and paste link into browser):

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/239075/SECONDARY_national_curriculum_-_History.pdf

The lesson plans and class activities are designed to assist with teaching on 'the development of Church, state and society in Medieval Britain 1066-1509'.

Pupils will learn:

- Who the Angevin kings were and what England was like under their rule
- Why King John and his Barons quarrelled with one another
- How historians have viewed John's reign
- Why Magna Carta was issued in 1215
- Why Magna Carta was important in its own time
- Why Magna Carta is still important today

Acknowledgements

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Note

The definitions of words in the text that appear in **bold** are included in the 'Glossary of Medieval Terms' at the end of this pack.

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Glossary of Medieval Terms

Unit 1. Life in England under the Angevin Kings

England in the Twelfth Century

In 1128, Matilda, the daughter of King Henry I of England, married Geoffrey, the son of the French count of Anjou. When King Henry I died in 1135, he wanted Matilda to succeed to the English throne and rule as queen. Unfortunately for Matilda, her cousin, Stephen of Blois, seized the throne instead. A bloody civil war broke out in England between Matilda and her supporters on one side, and King Stephen and his supporters on the other. The conflict continued until 1153, when King Stephen finally agreed bring an end to the fighting in an agreement known as the Treaty of Winchester. Under the terms of this treaty, King Stephen retained the English crown, but recognised Matilda's eldest son, another Henry, as his successor to the throne. When Stephen died in 1154, Matilda's son by the count of Anjou was crowned as King Henry II.

Who were the Angevin Kings?

Henry II (reigned 1154-89)

Henry II was the first member of the **Angevin** dynasty (the name given to the counts of Anjou and their offspring) to sit upon the English throne. Born in 1133, he became duke of Normandy in 1150, count of Anjou in 1151 and king of England in 1154. His wife, Eleanor, was the heiress to the great French duchy of Aquitaine and a former queen of France. This meant that at the age of 21, Henry II became the ruler of a vast collection of territories - known today as the **Angevin** Empire - that stretched from the English borders with Scotland in the North, all the way down through modern France (Normandy, Anjou, Maine and Touraine) to the Pyrenees in the South. Henry II ruled these lands until his death in 1189, and ruthlessly established his lordship over the duchy of Brittany, the kingdom of Scotland, and large parts of Ireland and Wales.

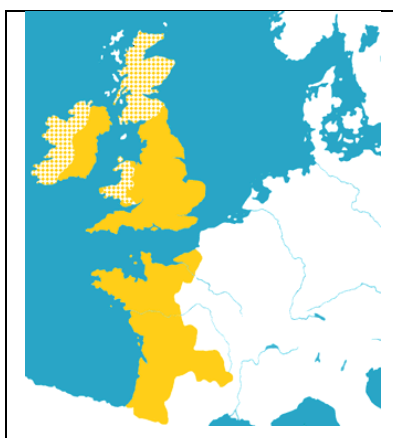


Image: A map of the Angevin Empire. The shaded areas of land were ruled by Henry II by 1172.

[available at http://commons.wikimedia.org/wiki/File:Henry_II,_Plantagenet_Empire.png]

Henry II's reign was not without controversy. It witnessed a bitter quarrel between Henry and Thomas Becket, his archbishop of Canterbury, which ended in the archbishop's murder by four **knights** in Canterbury Cathedral in 1170. Henry also faced a great rebellion in 1173-4, when Henry's own wife and sons went to war against him. One of the best descriptions we have of this king was written in 1177 by Peter of Blois, a member of the clergy who served Henry and knew his royal master well. Henry, Peter tells us, was a strong man, of medium build, with a 'broad chest and a boxers' arms' who loved to exercise by hunting. In middle age, his red hair was turned grey. When provoked, Henry possessed a fierce temper that made his eyes 'flash like fire and flash in fury'. 'No one', wrote Peter of Blois, 'is more cunning in counsel, more fiery in speech, more secure in the midst of dangers, more cautious in fortune, more constant in adversity'.¹



Image: The murder of Thomas Becket by four **knights** in Canterbury Cathedral, 1170 [British Library MS Harley 5102, f. 32, <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IllID=28781>]

¹ 'Peter of Blois: Description of Henry II' [Letter no. 66: to Walter, archbishop of Palermo, 1177]], trans. Scott McLetchie, The Internet Medieval Sourcebook, available at <http://www.fordham.edu/halsall/source/1177peterblois-hen2.asp>, accessed on 25 March 2014.

Richard I (reigned 1189-99)

On Henry II's death in 1189, he was succeeded by his eldest surviving son, King Richard I or Richard 'the Lionheart'. Richard, who was crowned king at Westminster on 3 September 1189, spent just six months of his ten-year reign in England. He is remembered, primarily, for his absence on the Third Crusade (1190-92), which attempted to recover Jerusalem from the Muslim leader Saladin. Richard, who had quarrelled with other Christian leaders of the **crusade**, was captured on his way home from the East by his former fellow crusader, Leopold, duke of Austria. Leopold handed Richard over to Henry VI, the Holy Roman Emperor, and the English king only secured his release in February 1194 after agreeing to pay a large ransom. The remaining years of Richard's reign were dominated by warfare and diplomatic manoeuvring against the French king, Philip Augustus, who had taken advantage of Richard's captivity to overrun many of Richard's territories on the Continent. Richard's participation in the **crusade**, the raising of his ransom and his wars in France all placed a great financial burden on the king's English subjects. Richard died in 1199, after being wounded by a crossbow bolt during a siege. His younger brother John succeeded to the English throne.



Image: Four English kings, including Henry II (top left) and Richard I (top right) [British Library MS Royal 14 C VII, f. 9, available at <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IllID=50532>]

What was Life like in Twelfth- and Early Thirteenth-Century England?

Since at least the eleventh century, English society had been loosely organised into three broad groups: (1) those who fight (the aristocracy); (2) those who pray (churchmen and women religious); and (3) those who work (the peasantry and others who earned their living through labour, manufacture or trade). The aristocracy, England's earls and **barons**, formed a wealthy social elite. Much of their wealth was based on the possession of land and on the rights that they were able to exercise over their own tenants. They lived in stone castles which served as lordly residences, centres for managing their estates, and military strongholds. In the year 1200, there were between 250 and 300 castles that were in use in England, about one third of which were in the hands of the **barons**.

The earls and **barons** usually held their lands directly from the king, in return for performing **homage**, that is making a formal declaration of allegiance to the king, and for promising to provide him with military or other services. The earls and **barons** who held their lands by these terms were known as 'tenants-in-chief'. They were often expected to provide **knights** to serve in the royal army. This was also true of most bishops and important abbots who held lands from the crown. In practice, military service was repeatedly substituted for the payment of a sum of money from the reign of Henry II onward. The money that was paid in lieu of military service was known as **scutage** (or 'shield money').

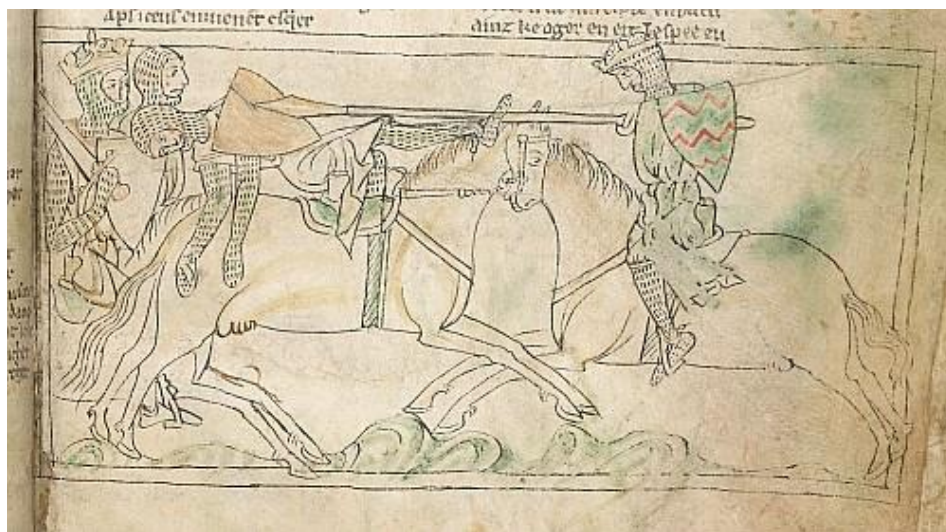


Image: A thirteenth-century drawing of a mounted **knight** falling off of his horse
[British Library MS Lansdowne 782, f. 11, available at
<http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IllID=4422>]

In order to fulfil their military or financial obligations to the crown, the earls and **barons** expected service from their tenants, who were often lesser lords and were usually **knights**. These local landholding **knights**, in their turn, demanded services from those below them in society - free tenants and peasants, who farmed the land. Each level of society was therefore tied together by a series of mutual obligations. When a tenant died, his heir was expected to pay the king or his immediate lord a sum of money known as a relief, which was similar to a form of inheritance tax, in order to take possession of his lands. Sons were usually preferred over daughters as heirs because they were able to perform military service in person. The king or, lower down in society, his lesser lords also demanded payments from

their tenants, known as **'aids'**, on special occasions. **'Aids'** were levied for making the lord's eldest son a **knight**, for the marriage of his eldest daughter and for ransoming the lord's person.

Daily life in late twelfth- and thirteenth-century England could be brutal, harsh, insanitary and short, especially for the lower levels of society - the peasantry and town dwellers. There was little medical knowledge and no understanding of the importance of hygiene. Ordinary people in both the countryside and the towns often lived together in close proximity to domestic animals, sharing their houses with cattle, sheep and pigs. Disease was rife and life expectancy was much lower than it is today. Written records suggest that you could expect to live until 25 years of age from the moment you were born. Then, if you were lucky enough to live past the age of 25, you might only reach your 40s. There were some exceptions to this among the aristocracy. King Henry II's wife, Eleanor of Aquitaine (died 1204), lived into her early 80s, and William Marshal (died 1219), the earl of Pembroke, fought in the battle of Lincoln in 1217 when he was around 70 years of age.

How did the Angevin Kings govern England?

There was no prime minister or parliament in twelfth- and early thirteenth-century England, as there is today. The king was the supreme source of authority within his realm, answerable to no one other than God. He was, though, expected to seek the advice of his wealthiest subjects – the earls, **barons**, bishops and abbots – and summoned them to great councils, the forerunners of parliament, to discuss important matters of state. For the day-to-day government of his kingdom, the king relied on a fairly basic system of administration. At its heart were government departments like the Chancery, the king's writing office that issued government orders, and the Exchequer, which collected, counted and spent the king's revenues. In the localities, England was divided into counties, as it had been since Anglo-Saxon times. Each county was headed by a sheriff, who was the king's chief local agent. His job was to collect the king's revenues, and safeguard and enforce the king's rights. The king's income came from a variety of sources, including rents, different forms of taxation, profits from the royal **forest** and profits from the operation of the law courts.

One of the great strengths of the English crown under the **Angevin** kings was that it presided over an impressive legal system. During Henry II's reign, wide-ranging reforms were introduced to improve and expand the operation of royal justice in England. The Assize of Clarendon (1166) and Assize of Northampton (1176) were two particularly important statements of legal procedure in Henry's reign. New methods were introduced for establishing whether a person accused of committing a serious crime was guilty and harsh punishments were set in place for convicted criminals. Greater use was made of sworn juries, who in this period were essentially groups of local men appointed to report on crime and assist the royal justices in reaching verdicts in legal cases. In addition to this, a series of legal procedures developed that were open to all free men within the realm and that allowed people to recover lands and defend their property in the royal courts. All that a person needed to do in order to begin a legal case in the royal courts was purchase a royal **writ**. During Henry II's reign, a litigant could either have their case heard by royal justices at Westminster or by travelling royal justices who visited the counties. The new legal procedures were very popular and brought some of the king's lowliest subjects into direct contact with the crown.

Class activity: What was a king expected to do in the twelfth and early thirteenth centuries?

This activity will help pupils to understand the roles and responsibilities of the **Angevin** kings. In the Middle Ages, important government documents were not signed by the person authorising them. Instead, documents were sealed which meant that a special decorated disc made out of coloured beeswax was attached to the document. The images, symbols and words used on medieval seals offer important clues about the role, identity and status of the person issuing the document. Seals were, after all, important as visual images of authority at a time when most ordinary people were unable to read or write. What do the images on both sides of the great seal of King John reveal about the role of the Angevin king? How does the king's seal differ from that of the seal of the great baron Robert fitzWalter?

Download the worksheet [here](#).

Unit 2. The Disastrous Reign of King John (1199-1216)

Why is King John seen as a Failure?

(1) An Untrustworthy Brother

In popular culture, King John is regarded as a disastrous ruler. He is most famously associated with the legend of Robin Hood. In the Disney cartoon, John is portrayed as the deceitful, grasping and greedy younger brother of King Richard I who plots to take the English throne when his brother is captured travelling home from the Third Crusade. In fact, the Robin Hood story is a legend that only came to be set in Richard's reign centuries later. It is, however, true that John caused trouble for Richard during the king's absence from England in the early years of his reign.

(2) Losing Normandy

John's own reign as king is widely regarded as a catalogue of failures. Yet it did not get off to a bad start. When John secured the English throne in 1199, he wanted to take over his elder brother's vast continental empire. The French lands which John claimed included Normandy, Anjou, Maine and Touraine. John was faced with a rival candidate for the throne – his twelve-year-old nephew, Arthur. Arthur was the son of John's older brother Geoffrey. His claim was supported by the **barons** from Brittany, Anjou, Maine and Touraine. John, however, won the day. In 1200, the French king, Philip Augustus, recognised John as Richard's heir.

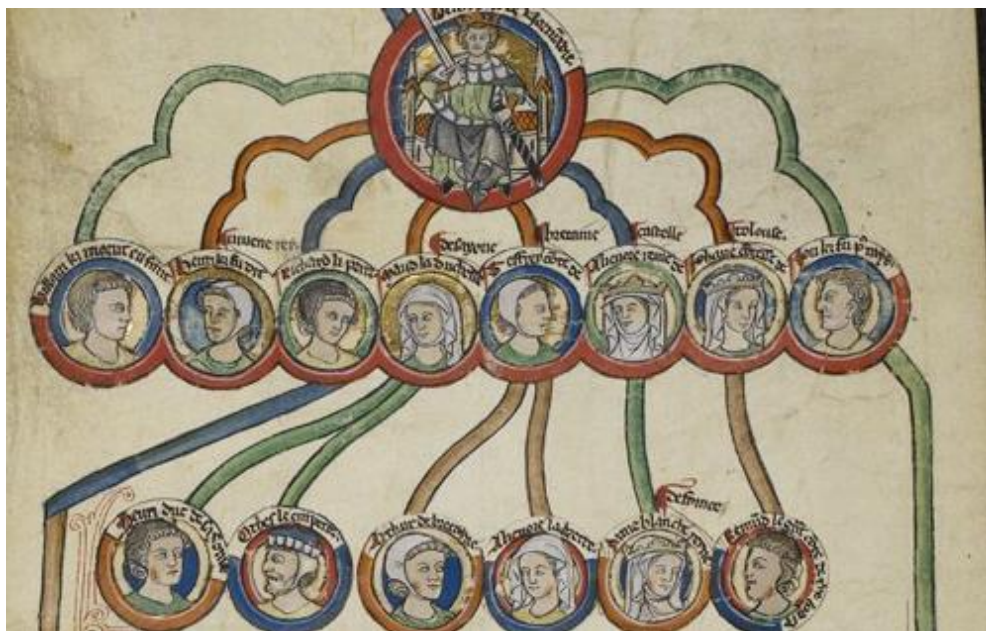


Image: The children and grandchildren of Henry II (seated on his throne). John is shown on the right-hand side of the middle row. His nephew, Arthur of Brittany, the son of one of his older brother Geoffrey is shown third from left at the bottom. [British Library Royal 14 BVI, m. 6, available at <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&I11ID=49987>]

Things went wrong for John after he married Isabella of Angoulême, a young heiress, who was probably no more than twelve years old. Isabella had already promised to marry a French nobleman, Hugh de Lusignan. Hugh was furious when she married John instead. He

appealed for help to the French king, Philip Augustus, who condemned John and went to war against him. At first John met with success. In 1202, he captured Arthur, who allied with Philip, and a large number of prisoners at a place called Mirebeau. When, soon after, Arthur disappeared, John was rumoured to have murdered him in a drunken rage. Arthur's fate helped to turn many of John's French **barons** against him, so that they changed sides and began to support Philip Augustus. By 1204, King John had lost the bulk of his French lands to the French king.

(3) Quarrelling with the Pope

To make matters worse, John also became involved in a bitter quarrel with the pope over the appointment of a new archbishop of Canterbury. The Roman Catholic Church, headed by the pope, was an extremely influential institution in the Middle Ages, which attempted to govern the spiritual and moral lives of all men and women. The archbishop of Canterbury was the most important churchman who lived in England. Pope Innocent III wanted King John to accept Stephen Langton as the new archbishop of Canterbury, but King John wished for his own candidate to be appointed as the new archbishop. When John refused to accept Langton, Pope Innocent placed an **interdict** on England in 1208, which meant that conditions similar to a strike of the clergy were imposed throughout England. He also excommunicated the king in 1209, which meant that John was banned from the sacraments and services of the Church. The **interdict** and John's **excommunication** lasted until 1214. The **interdict** put great pressure on John because he feared rebellion among his English subjects and a French invasion. The **interdict** did, however, allow John to seize Church properties into his hands and gave him more money to add to his French war chest in the hope of recovering his lost possessions on the continent.

(4) Quarrelling with the English Barons

As a result of losing the greater part of his family's continental lands, John's reign in England was dominated by his attempts to raise as much money as possible from his English subjects to pay for a military campaign to recover his lost territories. King John taxed his **barons** and his other subjects very heavily. This placed John's English subjects under great financial pressure as they struggled to meet his demands. Numerous English **barons** became heavily indebted to the crown, including many who lived in the North of England. John visited the northern counties more regularly than Henry II and Richard I, so that during his reign this region came to feel the burden of royal government more heavily than before. Sons, daughters and other heirs were charged vast amounts of money as reliefs by John to succeed to their families' estates. £6,666 was demanded by the crown from Nicholas de Stuteville, an important Northern **baron**, for succession to his brother's lands. This sum was significantly greater than his family's annual income of around £500 per annum. £4,666 was demanded from another **baron**, John de Lacy, who was the heir of the constable of Chester and lord of Pontefract in Yorkshire, for succession to his father's lands. John was expected to pay this sum in spite of the fact that he was a youth when his father died and had spent time in royal **wardship**. In 1215 Magna Carta placed a £100 limit on baronial reliefs. It also prohibited the payment of reliefs by former royal wards like John, who had spent part of his upbringing in the care and control of the king after his father had died.

If this was not all bad enough, John also interfered in the marriages of his earls and **barons**. He insisted on large payments from **barons** who wanted to marry important heiresses and widows. Geoffrey de Mandeville, for example, was expected to pay £13,333

for the privilege of marrying Isabella of Gloucester, King John's ex-wife and an important heiress. Isabella of Gloucester had been set aside by King John when he married Isabella of Angoulême. King John also demanded payments from aristocratic widows who did not wish to remarry. If women refused to pay, they faced the danger of being forced to marry again, no matter how young or old they were and no matter how often they had been married before. In 1212, Hawise, countess of Aumale, who had already outlived three husbands, promised to pay the crown in order to avoid marrying a fourth husband. In addition to these activities, John attempted to raise money by other methods. He collected **scutage** on more occasions than any of his predecessors (11 times in 16 years) and sometimes for military campaigns that did not take place. Yet it was not just the aristocracy who bore the brunt of John's desire to increase his revenues. Those lower down in society were affected too by the activities of his officials within areas of royal **forest**, by his exploitation of royal justice (his justices exacted large fines), by John's handling of debts owed to Jewish moneylenders, and by the taxes John imposed on people's incomes and possessions.

The loss of Normandy in 1204 also meant that King John spent far more time in England than his father and brother. He constantly travelled around the realm, and visited the North more regularly than any other earlier Angevin ruler. Unfortunately, John's disagreeable personality and his harsh treatment of all who opposed him made him deeply unpopular. As his reign progressed, John came to rely upon a small, unpleasant group of foreign favourites like Philip Mark, the sheriff of Nottingham, who committed robbery and false arrest. This left John's English **barons** feeling isolated and resentful at their exclusion from the king's circle of advisers. They were unable to influence his policies or make them less oppressive. John's relationship with his **barons** was also not helped by the fact that he was a deeply suspicious king who doubted their personal loyalties. John even went so far as to seize the sons and daughters of many **barons**, and kept them as hostages for their parents' good behaviour. John is believed to have starved to death the wife and eldest son of a **baron** called William de Briouze. William had served John as one of his closest advisers, but when he fell from favour in 1208 John pursued William for the great debts that he owed to the crown. Although William escaped with his life and died in exile in France in 1211, his wife, Matilda, and one of his sons were not so lucky. Matilda and the couple's eldest son were captured and starved to death in one of John's castles, most probably Windsor. According to Roger of Wendover, a chronicler at St Albans Abbey in Hertfordshire, Matilda had incurred John's anger because she refused to surrender her sons as hostages to the king's messengers on the grounds that John had murdered his nephew Arthur. John's vindictive pursuit of the Briouze family raised concerns about the safety of the hostages in his hands. These were well founded. In 1211, John executed the sons of 28 Welsh lords whose families he suspected of disloyalty. John's financial dealings, and his mean-spirited personality all damaged his relationship with his **barons** and other English subjects.

Class activity: Was King John a bad king or just unlucky?

This activity will encourage pupils to think about different interpretations of King John's reign. Explain to the class that historians who have written about King John at different times in history have viewed him differently from one another.

- In the sixteenth century, historians of the Tudor period praised John for standing up to the pope (like the Tudor King Henry VIII) and criticized the **barons** for rebelling against him.
- In the nineteenth century, Victorian writers criticized King John for being an evil and incompetent king, basing their portrayals of him on medieval chronicles by monks such as Roger of Wendover and Matthew Paris.
- In the 1950s and 1960s, historians began to examine the government records for John's reign more closely than before, and argued that John was a hardworking king and an unlucky ruler. These historians dismissed the work of chroniclers like Roger of Wendover and Matthew Paris as unreliable because they were written after John's death and were prejudiced against him.
- Since the 1980s, historians have had more varied views about King John, and some modern writers have been more willing to acknowledge John's personal contribution to the disasters of his reign than earlier historians.

Divide the class into small groups. Next, ask each group to read the worksheet and think about which statements support the view that John was a hardworking king, which support the view that he was a bad king and which support the view that he was an unlucky king. Then ask the groups to look at when each extract was written and think about (1) where it sits in the history of historical writing about King John, and (2) whether there are similarities of views.

Download the worksheet [here](#).

Unit 3: Why was Magna Carta issued in 1215?

The Emergence of Opposition to King John in England

The birth of opposition to King John in England was gradual.

- In 1205, King John gathered an army at Portsmouth in Hampshire in the hope of launching an invasion to recover his French lands. The invasion was called off when many of John's **barons** refused to serve the king overseas.
- In 1212, a group of northern **barons** banded together in opposition to John and plotted to murder the king. The two main conspirators were Eustace de Vescy and Robert fitzWalter. Both men had strong financial and personal grievances against the king. John, who was staying at Nottingham Castle when he learned of the conspiracy, immediately called off a planned campaign to Wales and marched north to deal with the threat. Vescy and fitzWalter fled abroad to safety, where they remained until 1213.



Image: The seal die of Robert fitzWalter, 1213-19, showing a **knight** fighting a dragon [British Museum, available at https://www.britishmuseum.org/explore/highlights/highlight_objects/pe_mla/s/seal-die_of_robert_fitzwalter.aspx]

Failure at the Battle of Bouvines (1214)

King John might have got away with the unpopular aspects of his rule for longer had he been successful in his attempts to recover the lost Angevin territories from the French.

Unfortunately for John, his efforts to re-conquer his French lands, the main reason for him taxing his English subjects so heavily, came to nothing. In 1214, John finally launched a campaign against the French. He planned to attack King Philip Augustus from Poitou in the South of France, while John's allies struck at the French in the North. Although John met with some success in the South, his northern allies met with disaster. At the Battle of Bouvines in 1214, an English army, led by the earl of Salisbury, was heavily defeated, along with John's most important allies. John was forced to agree to a truce with King Philip. The defeat had important consequences for John in England. It left John penniless, with his reputation as a war leader in tatters. Recognising that John was vulnerable, many of his English subjects decided to rebel against him.

The Road to Magna Carta

By the autumn of 1214, there was widespread discontent in England. King John's English subjects simply felt that they had suffered enough under his harsh rule. Many of John's barons refused to pay the king **scutage** and planned to resist him. In November 1214, John's opponents, many of whom were 'Northerners' (i.e. from counties in the north Midlands and north of England), met at Bury St Edmunds. Inspired by the coronation charter of King Henry I from the year 1100, in which this earlier king had promised to reform royal government, the rebels began to draw up their own list of grievances against King John. The new archbishop of Canterbury, Stephen Langton, helped them. In January 1215, John summoned a royal council at Oxford, at which the barons hoped to discuss them. The barons who attended the council demanded changes to royal government, but John was reluctant to discuss matters. When the rebels' attempts to negotiate further with John failed, they rose in rebellion against him in the spring of 1215. On 17 May 1215, the baronial army, which was known as the Army of God, successfully took possession of London. Both sides in the conflict realised that it would be difficult to defeat the other. As a result, negotiations began late in May and the rebels met with King John at Runnymede, a meadow near the River Thames, in the hope of making peace in June 1215. Runnymede was probably chosen because it was a place that was neutral territory between the two parties, and so was a suitable spot to negotiate a peace treaty. It was here that a settlement was drafted, known as the 'Articles of the Barons'. The 'Articles' formed the basis for Magna Carta (called the 'Great Charter' in English), the final agreement that was written down between King John and the barons, whereby the king promised to accept many of the rebels' demands.

Magna Carta

Magna Carta was a very important document. It was issued by King John on 15 June 1215 and placed wide-ranging restrictions on how the king should rule the country in the future. Written in Latin, the language of medieval government records, it attempted to place new limitations on the king's power. Its 63 clauses dealt with a wide variety of issues. The most important, though, were those that: (1) restricted the king's ability to demand excessive sums of money from his subjects; (2) tried to improve the behaviour of royal officials; and (3) tried to improve the fairness and availability of royal justice. Magna Carta also imposed upon the king a committee of 25 barons who were to make sure that John observed its

terms and who were empowered to go against John with armed **knights** if he broke any part of their agreement. Ten of the most important clauses in Magna Carta were:

- ❖ Clause 1 – The English Church shall be free and enjoy its rights in full.
- ❖ Clause 2 – Earls and **barons** shall pay no more than £100 (as a relief) to the king to inherit their lands. **Knights** shall pay no more than £5 for a **knight's fee**.
- ❖ Clause 3 – No child who is an heir and in royal **wardship** shall pay a relief when he or she comes of age (i.e. reaches adulthood).
- ❖ Clause 8 – No widow shall be forced to remarry against her will, provided she promises not to remarry without the consent of the king or her lord.
- ❖ Clause 12 – No **scutage** or **aid** is to be levied in England without the common consent of the realm.
- ❖ Clause 21 – Earls and barons shall only be fined by their equals and the size of the fine should match the seriousness of the offence.
- ❖ Clause 39 – No free man shall be arrested, or imprisoned, or in any other way ruined without a fair trial.
- ❖ Clause 40 – The king will not sell, or deny, or delay right or justice to anyone.
- ❖ Clause 48 - All the evil customs relating to **forests** and their officials shall be investigated and abolished.
- ❖ Clause 61 – The **barons** shall choose twenty-five **barons** of the kingdom, who should ensure that the king observes the terms of Magna Carta. If the king or any of his officials break the terms of Magna Carta, the twenty-five **barons** can use force and seize the king's castles, lands and possessions to make the king keep its terms. In such circumstances, the twenty-five **barons** are not to attack the king himself, the queen or their children.

As these clauses demonstrate, Magna Carta was more than simply a baronial document; it addressed the interests of all free men within the English kingdom and, in its detail, reflected the concerns of a wide section of society, including women, orphaned children, the **knights**, lesser landholders, peasants, and people who lived within the royal **forest**. The

contents of Magna Carta stand as a testimony to the unpopularity and burdensome nature of royal government under King John. More than this, however, it also upheld the belief that the king himself should follow the same standards of just behaviour as his subjects were expected to follow.

Class activity: King John on trial

The classroom will be transformed into a courtroom, where pupils (in groups) will assume the role of the rebel **barons** to sit in judgement on King John. Using source extracts, each group will draw up a list of charges against King John. They will then report these to the rest of the class. The class will then use their charges to draw up their own mini version of Magna Carta. Download the worksheet [here](#).

Notes: In order to give each group's Magna Carta an authentic appearance, as though they are written on parchment like the original document, the paper used for them can be stained with the juice from cold, damp teabags and left to dry before the lesson takes place.

Unit 4: Magna Carta and the Origins of Parliament

Magna Carta: A Failed Peace Treaty?

In 1215, Magna Carta placed a wide range of restrictions on King John's activities as king of England and protected his subjects. No earlier king had been faced by demands for a written programme to reform his government. In the past, discontented subjects had grouped around rival claimants to the English throne. Under John, there was no one in England to whom they could turn. We have already heard how John's rival, his nephew Arthur of Brittany, was rumoured to have been killed by the king. In 1215, John's opponents therefore tried to make the king improve his behaviour and reduce the financial burden for his subjects caused by his heavy-handed government of England. In the short term, however, Magna Carta failed dismally as a peace treaty. King John's promise to observe its terms was soon proven to be hollow. By mid-July 1215, King John had written to Pope Innocent III, asking him to annul and condemn Magna Carta. In September, Innocent's reply arrived in England, denouncing Magna Carta as a 'shameful and base', and 'illegal and unjust' document on the grounds that it had been obtained from the king by force. By the time the pope's letters arrived, civil war had already broken out again. When King John died at Newark in October 1216, the country was still bitterly divided. The rebel **barons** had invited Louis, a French prince, to England to take the English throne and rule in John's place. Had the supporters of Henry III, John's young, innocent nine-year-old son and heir, failed to mount a successful comeback under the leadership of great **barons** like William Marshal, earl of Pembroke, England might well have been joined with the French crown. The peace of Lambeth brought an end to the civil war in England in September 1217 and secured Henry III's place on the English throne.

Magna Carta: The Making of a Myth

If Magna Carta was an abject failure as a peace treaty in 1215, how can we explain its reputation today as one of the most important documents in the world? The answer to this question lies in the fact that Magna Carta effectively embraced the idea that the king himself should be subject to, and not above, the law. This helped to make Magna Carta popular with the king's subjects. Indeed such was Magna Carta's appeal as a benchmark for good government that it was reissued during the reign of Henry III in 1216, 1217 and 1225, with the clauses that were most damaging to the interests of the English crown removed. From the reissue of 1217 onward, this royal charter of liberties was joined by a companion document, the Charter of the Forest. It was from around this time that the name Magna Carta was first used to distinguish it from this new, smaller Forest Charter. It was, however, the 1225 version of Magna Carta that became the definitive version and was, in its turn, reissued on numerous other occasions. With each reissue, Magna Carta's fame grew, thanks to the fact that its contents were publicised widely throughout the realm. During the 1250s, for example, Magna Carta was proclaimed in the counties in three different languages, the Latin of the medieval Catholic Church, the English of the ordinary people (freemen and peasants), and the French of the aristocracy, allowing its contents to be understood by as many of the king's subjects as possible.



Image: A lawyer speaking to a group of people [British Library, MS Harley 947, f. 107, available at <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&IIID=37243>]

Magna Carta and Parliament

It was also in the thirteenth century that Magna Carta became associated with another important development – the emergence of the English parliament (now a national body elected by the people that is responsible for making law) - as an assembly that represented the English people in their dealings with the crown. Most medieval kings who ruled England sought advice on matters of national interest from their wealthiest subjects – the earls, **barons** and bishops who controlled vast estates throughout the realm. The support of these men was vital if the king wanted to maintain law and order, raise an army or collect taxes. They were summoned to attend great councils or visit the royal court.

By the reign of King Henry III, however, the English political community had expanded to include all free men of the realm, thanks to the shared burden of royal government and thanks to the employment of many local men in the administration of royal justice (e.g. staffing juries and so on). Henry III was a very different man from his father, King John, but he was incompetent, politically naïve and adopted some deeply unpopular foreign policies. By 1258, the political situation had become so serious that many of the English **barons**, led by Simon de Montfort, Henry's own brother-in-law, wished to renew the 1215 Magna Carta's arrangements for a group of **barons** to oversee the king. The reformers tried to force a council of fifteen on Henry to help him to govern the kingdom, supported by regular meetings of earls, **barons** and bishops that were now known as parliaments. When Henry III turned his back on this agreement, civil war broke out in England and the king was captured at the Battle of Lewes on 14 May 1264. From May 1264 until the royalist victory at the Battle of Evesham in August 1265, Simon de Montfort governed England. He called some of the earliest parliaments composed not just of earls, **barons** and bishops, as in the past, but also of representatives from each county (**knights** of the shire) and from important towns (burgesses who were usually important merchants).

During the reign of Henry III's son, King Edward I (1272-1307), parliament began to meet more regularly. Edward I pursued a series of extremely expensive wars, and his subjects looked to Magna Carta as a focus for their discontent with his financial demands.

Edward I, for his part, appears to have realised that his subjects were more likely to agree to his requests for taxation if they were able to meet with him in parliament and air their grievances. From the 'Model Parliament' of 1295 onward, Edward frequently summoned this assembly to secure his subjects' assent to taxation, and later medieval rulers followed suit when they also needed money. Magna Carta thus helped to formalise the idea that the English king needed the consent of his subjects to impose taxation (recalling clause 12 of the 1215 Magna Carta).

Parliaments were summoned more regularly during the fourteenth and fifteenth centuries. England was frequently involved in expensive warfare against France, especially after the outbreak of the Hundred Years War (1337-1453). In order to pay for his armies, the English king was reliant upon the men who attended Parliament agreeing to his requests to collect more taxes. From 1332 onwards, **knights** of the shire and burgesses sat together and formed what became known as the Commons, a separate group from the Lords. Increasingly, these men began to discuss their grievances when Parliament met and asked the king to implement reforms before they would consider his requests for money. In 1401, the Commons secured an important concession from the crown when King Henry IV recognised that they did not have to consent to taxation until he had dealt appropriately with their grievances. Even so, it was ultimately up to the king to decide when he wished to summon Parliament. Although medieval parliaments were often summoned annually, their sessions usually only lasted for a few weeks, unless there was a political crisis.



Image: Decorated initial 'E'(dwardus) at the beginning of the text of Edward I's confirmation of Magna Carta in an early fourteenth-century legal manuscript [British Library MS Hargrave 434, f. 9, available at <http://www.bl.uk/catalogues/illuminatedmanuscripts/ILLUMIN.ASP?Size=mid&I11ID=2319>]

Magna Carta remained the first item on England's statute books during the following centuries, in spite of the fact that many of its clauses were eventually repealed in the nineteenth century. In fact, three of Magna Carta's clauses are still on the statute books today. These are: (i) clause 1, which promises that 'the English church shall be free and have its rights undiminished and its liberties unimpaired'; (ii) clause 9 (clause 13 in 1215), which

lays down that the 'city of London shall have all its ancient liberties and free customs'; and (iii) clause 29 (clause 39 in 1215), which is perhaps the most famous, which lays down that 'no freeman shall be arrested, or imprisoned, or dispossessed, or outlawed, or exiled, or in any way ruined, except by the lawful judgment of his peers or by the law of the land' (i.e. people cannot be arrested or punished without a fair trial).

Much of Magna Carta's subsequent fame, and the reason why it is remembered across the world today, is down to the use made of it in the seventeenth century by parliamentarians against the Stuart kings of England. English lawyers such as Sir Edward Coke (d. 1634) felt that Magna Carta represented an 'Ancient Constitution' that was threatened by the early, absolutist Stuart kings. Magna Carta was promoted by Coke as the product of a past Golden Age, embodying what Professor Nicholas Vincent has called 'good old law' that protected the English people's rights against the king. This was especially pertinent in a political climate where King Charles I (reigned 1625-49) was heavily criticised both for reviving unpopular forms of taxation and for ruling without parliament in the 1630s.

Class activity: Magna Carta news report

Divide the class into small groups and ask each group to put together a news report on why Magna Carta was issued and what it achieved. Different groups will script and stage interviews between: (1) King John and a reporter who wants to find out why the King issued Magna Carta and how he felt about it; (2) Archbishop Stephen Langton and a reporter who wants to find out why it was important to protect the interests of the English church within Magna Carta; (3) A rebel **baron** (e.g. John de Lacy) and a reporter who wants to find out what Magna Carta meant to him and what he felt was its most important achievement.

Additional Unit: Magna Carta in North America



EDWARD COKE

Image: Sir Edward Coke (d. 1634) [available at <http://commons.wikimedia.org/wiki/File:SirEdwardCoke.jpg>]

The idea of a charter of liberties that protected the rights of a king or queen's subjects against the ruler was one that the early European colonists carried with them to North America. Thanks to the men who were involved in drafting the charters for the fledgling English colonies, the ideas found within Magna Carta were used in North America to safeguard the lives of those who settled in the New World. Sir Edward Coke, for example, assisted in drafting the first charter of the Virginia Company in 1606, which claimed to grant colonists 'all liberties, franchises and immunities... as if they had been abiding and born within this our realm of England'. Similar provisions were included in the charter of the Massachusetts Bay Colony (1629), the original charter for Maryland (1632), and the charters for Connecticut (1662), Rhode Island (1663), Carolina (1663), and Georgia (1732). As the people within the colonies began to develop their own law codes, it was only natural that they should look back to the liberties embodied within Magna Carta. As early as 1638, the Maryland colony asked King Charles I to recognise Magna Carta formally as part of their law, but met with the king's refusal to agree this.

The Study of Magna Carta and English Common Law by Colonialists

Knowledge of Magna Carta was passed down to new generations of colonists throughout the seventeenth and eighteenth centuries. The text of Magna Carta itself was first printed on American soil in Philadelphia by William Bradford in 1687. It appeared within William Penn's pamphlet *The Excellent Privilege of Liberty and Property: Being the Birth-Right of the Free-Born Subjects of England*. Sir Edward Coke's great four-part work, *Institutes of the Laws of England*, which discussed Magna Carta, was read by students of law in the colonies, including James Adams, Thomas Jefferson and James Madison. Thomas Jefferson, one of America's most famous founders, visited the British Museum during a trip to London in 1786 in order to see an original copy of Magna Carta.

Magna Carta came to be valued in North America in these centuries as an expression of fundamental law that stood above the king and the state. Adopting Coke's interpretation of Magna Carta, the colonialists believed that Magna Carta upheld their rights to trial by jury and the **writ** of *habeas corpus* (a written order that requires a person detained by the authorities to be taken before a law court, so that the legality of the arrest can be examined).

Magna Carta and the American Revolution

The preservation of the values within Magna Carta and English common law in the colonies of North America ensured that it remained relevant to debates about how they should be governed. In the years leading up to the American Revolution, lawyers and writers used Magna Carta to make a stand against British government. The colonists, for example, drew on Magna Carta and the writings of Sir Edward Coke to oppose the Stamp Act of 1765, whereby the British government attempted to tax the colonies directly to finance their own defence. The Stamp Act was deeply unpopular because it was imposed on the colonies; their own elected legislative bodies had not been asked to consent to this taxation, thereby going against an idea that many believed was to be found in Magna Carta.

Magna Carta's importance for Americans at this time was strongly conveyed by the Great Charter's depiction in the hand of an armed American patriot on Massachusetts' state seal in 1775. Tensions between the American colonies and Great Britain came to a head in April 1775, and a bitter war ensued that lasted until 1781, when the British surrendered at Yorktown. The United States (hereafter U.S.) won independence from Britain, and it was in order to strengthen the ties that bound the loose confederation of former colonies together that the U.S. Constitution began to be drafted in 1787.

The U.S. Constitution became the supreme or fundamental law of the new American nation. When amendments were added to it that set out the rights of U.S. citizens they drew on Magna Carta, ensuring its lasting legacy in North America. The 'due process' clause, for example, found in the Fifth and Fourteenth Amendments to the U.S. Constitution was based on clause 39 of the 1215 Magna Carta. The Fifth Amendment therefore laid down that no person should 'be deprived of life, liberty, or property, without due process of law'. The Fourteenth Amendment set out that no state should 'deprive any person of life, liberty, or property, without due process of law'. The principles of freedom expressed within Magna Carta meant that both British and American anti-slavery campaigners used it in the late eighteenth and nineteenth centuries to support the abolition of slavery.

An image of King John granting Magna Carta to his **barons** still graces the doors of the U.S. Supreme Court in Washington today. Such is the strength of Magna Carta's appeal to the American government and its people that in 1957 the American Bar Association funded a public memorial at Runnymede, on the site where King John first issued Magna Carta in 1215. On 14 May 1965, Queen Elizabeth I and the British government gave an acre of ground at Runnymede to the American people.



Image: The U.S. Supreme Court Building [available at http://commons.wikimedia.org/wiki/File:Oblique_facade_3,_US_Supreme_Court.jpg]

The U.S. is not the only country that still acknowledges its debt to Magna Carta today. The spread of English common law procedures and principles to many British Commonwealth countries ensured that Magna Carta also influenced the law of Australia, New Zealand, Canada, South Africa and Zimbabwe (formerly Southern Rhodesia). It was a measure of the value that Australia placed on Magna Carta that in 1952 the Australian parliament purchased one of the four surviving copies of the 1297 issue of Magna Carta. This Australian Magna Carta is now on display in Parliament House in Canberra. Magna Carta continues to be regarded throughout the world as a document that champions and protects the interests of ordinary people.

Class activity: A timeline of Magna Carta in North America

This activity will help pupils to understand Magna Carta's legacy and why Magna Carta is held in such high regard in North America. Using the worksheet (available [here](#)), ask the class to cut out the cards with dates and the cards with key events on them. These can then be used to construct a timeline of Magna Carta's place in the constitutional history of North America. Encourage pupils to discuss why each event was important.

Timeline: England in the Thirteenth Century

1199-1216	John, king of England
1199	John succeeds his brother as ruler of the Angevin Empire John crowned king of England at Westminster Abbey (27 May)
1200	Treaty of Le Goulet with the French king Philip Augustus (22 May) John marries Isabella of Angoulême (24 August)
1202	Philip Augustus declares John's continental lands forfeit John captures his nephew Arthur of Brittany at Mirebeau (1 August)
1203	Arthur of Brittany presumed to be murdered
1204	Philip Augustus captures the ducal capital of Rouen in Normandy (24 June); loss of Normandy to Philip Augustus
1205	Death of Hubert Walter, archbishop of Canterbury (13 July)
1206-1228	Stephen Langton, Pope Innocent III's preferred candidate, becomes archbishop of Canterbury
1208	Papal interdict imposed on England (24 March)
1209	John excommunicated by Pope Innocent III
1212	John defeats a baronial conspiracy in the North of England
1213	England becomes a papal fief (15 May)
1214	John goes to France (February) Interdict ended (2 July) John's allies defeated by Philip Augustus at the Battle of Bouvines (27 July)
1215	Baronial rebels take London (17 May) Magna Carta issued by King John at Runnymede (15 June)

	Magna Carta annulled by Pope Innocent III (24 August); resumption of civil war (Summer)
1216	Louis of France lands in Kent (21 May) Death of John (October)
1216-1272	Henry III, king of England
1216-1227	The minority of Henry III, when the king was legally a child and a series of great lords governed England for him
1216	Henry III crowned at Gloucester (28 October) Magna Carta reissued for the first time (12 November)
1217	Royalist victory at the Battle of Lincoln (20 May) Royalist naval victory off the coast near Sandwich (24 August) Peace of Lambeth (also known as the Peace of Kingston) between Henry III and Louis of France (September) Magna Carta reissued for the second time (November); Charter of the Forest issued by the king
1225	Magna Carta reissued for the third time by Henry III
1258-67	The period of baronial reform and rebellion in England
1264	Henry III captured by the supporters of Simon de Montfort, earl of Leicester, at the Battle of Lewes (14 May)
1265	Simon de Montfort killed at the Battle of Evesham (4 August); Henry III resumes power
1272-1307	Edward I, king of England
1295	'Model' Parliament

Glossary of Medieval Terms

Aid

A payment demanded on special occasions from his tenants by the king or by other lords. 'Aids' were levied for making the lord's eldest son a knight (see below in Glossary), for the marriage of his eldest daughter and for ransoming the lord's person.

Angevin

The name given by historians to the descendants of the counts of Anjou who ruled England as kings from Henry II (ruled 1154-89) onward.

Baron

The name given to a noble who held substantial estates and who paid a relief of £100 under cap. 2 of Magna Carta.

Crusade

A military campaign undertaken by Christians and supported by the Church against non-Christians, most notably to recover the Holy Land from the Muslims in the East.

Excommunication

A ban placed on a person from participating in the sacraments and services of the Church.

Forest

Areas of England that were owned by the crown and used for hunting animals. They were usually partly wooded and had their own laws, known as forest law.

Homage

A formal declaration of allegiance to a king or a lord, usually by a tenant such as a knight.

Interdict

A sentence that prohibited a place or person from participating in the life of the Roman Catholic Church. Its effect was similar to imposing a general strike of the clergy.

Knight

An armed, mounted warrior who had been through a special ceremony of dubbing to knighthood. By this period, many knights were local landholders, forerunners of the gentry who emerged in the later Middle Ages.

Knight's Fee

An estate that was large enough to support one knight. This land was usually held from a lord in return for homage (see above in Glossary) and military service.

Scutage

Money that was paid to the king in lieu of military service.

Wardship

The custody of a child or young person whose parents, or often just the father, had died. The king was responsible for the care and control of all children and their lands if they were the sons and daughters of a tenant-in-chief. In other cases, it was usually the local lord who was responsible for looking after them as they grew up.

Writ

A written command or order; a type of legal document used in litigation.