

ABRIDGED MAGNA CARTA WITH ANNOTATIONS

The Magna Carta was a document issued by English noblemen who demanded rights from the king and limited the rights of the king's power. The Magna Carta is a list of 63 clauses or grievances issued by the noblemen, clergy, and merchants.

The italicized statements are explanations of some of the provisions of the Magna Carta.

The Magna Carta, 1215

JOHN, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

(1) FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired.

TO ALL FREE MEN OF OUR KINGDOM we have also granted, for us and our heirs forever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs:

(7) Ordinary lawsuits shall not follow the royal court around, but shall be held in a fixed place.

The idea of establishing a permanent court, which included a place where legal records could be stored and consulted, was presented as a reasonable alternative to the former practice of moving the court from one location to another, a practice that resulted in uncertain schedules and indefinite delays in having a case heard.

(19) If any assizes cannot be taken on the day of the county court, as many knights and freeholders shall afterwards remain behind, of those who have attended the court, as will suffice for the administration of justice, having regard to the volume of business to be done.

Efforts would be made to assure a fair hearing, even when the docket was overloaded.

(20) For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood. In the same way, a merchant shall be spared his merchandise, and a husbandman the implements of his husbandry, if they fall upon the mercy of a royal court. None of these fines shall be imposed except by the assessment on oath of reputable men of the neighbourhood.

Punishment for violations of the law was to be in proportion to the seriousness of the offense, thus establishing a standard of fairness.

(24) No sheriff, constable, coroners, or other royal officials are to hold lawsuits that should be held by the royal justices.

The goal of this provision was to provide a uniform system of justice, one not subject to local interpretation.

(38) In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

(39) 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.

The requirement for a jury of one's peers is probably the most famous and certainly one of the most crucial guarantees of due process in the Magna Carta.

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

(60) All these customs and liberties that we have granted shall be observed in our kingdom in so far as concerns our own relations with our subjects. Let all men of our kingdom, whether clergy or laymen, observe them similarly in their relations with their own men.

The scope of the Magna Carta, implying that the right and liberties would be extended to all men and by all men within the kingdom.

(63) IT IS ACCORDINGLY OUR WISH AND COMMAND that the English Church shall be free, and that men in our kingdom shall have and keep all these liberties, rights, and concessions, well and peaceably in their fulness and entirety for them and their heirs, of us and our heirs, in all things and all places for ever.

Witness the abovementioned people and many others. Given by our hand in the meadow that is called Runnymede, between Windsor and Staines, on the fifteenth day of June in the seventeenth year of our reign 1215.

EDSITEment. (2013). Magna Carta with annotations, abridged. Magna Carta: Cornerstone of the U.S. Constitution. Retrieved from <http://edsitement.neh.gov/lesson-plan/magna-carta-cornerstone-us-constitution#sect-activities>

WHAT INSPIRED THE IDEAS OF THE CONSTITUTION?

K20
L•E•A•R•N