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The National Archives **Education Service** Magna Carta Preparation materials for virtual classroom (KS 3)

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### **Teacher's notes**

Students do not need to do any work in preparation for this virtual classroom. Please do not show students copies of the following documents before the session. However, if there are students who have visual impairments and may have difficulty viewing the screen during the session, please enlarge copies of the documents for them to refer to.

This session introduces students to The National Archives and to the history of Magna Carta. They form their own conclusions about the lasting impact of Magna Carta in medieval England by using and interpreting evidence from a range of sources. These include a 1225 version of Magna Carta, a peace treaty, letters patent and a list of charges against the king.

#### Background information by Dr. Matt Phillips

Most of the issues dealt with in Magna Carta sought to address problems that had arisen not in King John's reign alone, but over the past half-century under the rule of the Angevin kings. Although John's bad reputation may have been exaggerated, he mercilessly exploited his barons and cruelly destroyed some baronial families in his attempts to raise sums to mount a military campaign in France and regain Normandy. Following the failure of a complex military operation in France, John returned to England in 1214 and provoked rebellion by imposing scutage – a form of taxation – on his barons in an attempt to pay for his thwarted war effort. In January 1215, thirty-nine barons rebelled against John and subsequently took control of London, forcing John to negotiate a peaceful resolution to the crisis and agree to Magna Carta on 15 June 1215. Based on similar existing documents, but unprecedented in its scope, Magna Carta forced the king to govern in accordance with established laws and sought to prevent the king from ignoring the advice of his barons when taking important political decisions. John refused to accept the restraints that Magna Carta placed upon kingship, and it was only in 1225, during the reign of John's son, Henry III, that a revised version of Magna Carta came to be accepted as a piece of legislation.

More detailed background information on Magna Carta can be located in the historian's notes section of this pack.

#### Useful links

Find out more about a surviving 1215 version of Magna Carta at The British Library <a href="http://www.bl.uk/treasures/magnacarta/index.html">http://www.bl.uk/treasures/magnacarta/index.html</a>

Have a look at resources marking the 800th anniversary of Magna Carta http://magnacarta800th.com/schools/

The Magna Carta Project http://magnacarta.cmp.uea.ac.uk/

### Document 1: DL 10/71

#### Magna Carta, 1225



### Transcript 1: DL 10/71

Simplified translated extract, Magna Carta 1225



Know that we have, because of our own spontaneous goodwill, given and granted to everyone in our realm the liberties which are written below to be held in our kingdom of England forever.

#### Document 2: C 66/81

Written public announcement of the peace terms accepted by King Henry III and the community of the realm, 1264

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# Transcript 2: C 66/81

Simplified translated extract, written public announcement of the peace terms accepted by King Henry III and the community of the realm, 1264

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The charter of general liberties [Magna Carta] shall be obeyed forever. So too will the recent law addressing people's concerns about the king, which was publicly announced in all shire courts last year. From now on, these two legal documents, as well as the other long-established laws of the realm, will be better obeyed by the king and his government.

### Document 3: C 53/86

#### Charter confirming the rights set out in Magna Carta, 1300



### Transcript 3: C 53/86

Simplified translated extract, charter confirming the rights set out in Magna Carta, 1300



We agree and confirm, for ourselves and our heirs, that Magna Carta and every single one of its articles shall be obeyed firmly and without exception forever, even though some of its articles have perhaps not been observed in the past. For this reason we have made this written public announcement. Witnessed by Prince Edward [the son of Edward I] at Westminster, on the twelfth day of October in the twenty-fifth year of our reign.

### Document 4: C 65/62

#### Charges against King Richard for which he was deposed, 1399



# Document 4: C 65/62 (continued)

Charges against King Richard for which he was deposed, 1399



## Transcript 4: C 65/62

Simplified translated extract, charges against King Richard for which he was deposed, 1399



[Article 1] The following 40 charges are made against the king on account of his evil rule...

[Article 27] It is well established in a statute [Magna Carta] that no free man should be arrested unless it is by the lawful judgement of a jury. Yet, the king arrested and imprisoned many people by personal command alone, and without allowing them the lawful judgement of a jury.

### Historian's notes

Dr. Matt Phillips provides further background information on Magna Carta

#### Part I: Causal Factors

#### Long-term factors: Angevin Kingship

**One-sentence summary:** Most of the issues dealt with in Magna Carta sought to address problems that had arisen not in King John's reign alone, but over the past half-century under the rule of the Angevin kings.

**Detailed summary:** There were three Angevin kings of England: Henry II (reigned 1154-1189), and his two sons Richard I (r. 1189-1199) and John (r. 1199-1216). These kings are known as the Angevins because Henry II was also the count of Anjou – a territory in north-western France from which the royal dynasty took their name. Under the Angevins, the power of the English king was greatly expanded at the expense of the barons – the wealthiest and most powerful of the king's subjects who held land from the king in return for military service. Magna Carta was, in large part, a baronial reaction to this new balance of power.

When Henry II came to the throne in 1154, England had suffered a prolonged civil war. During this time, the barons had grown powerful in the absence of a strong and stable monarchy. Henry II took it as his task to reverse this development. One important way the king did this was to expand the scope of royal justice. This meant taking power away from courts held by barons so that more legal cases were heard in royal courts. Not only did this weaken the ability of the barons to dominate local politics, but it also brought the king more income from fines imposed in court.

A key political problem facing the Angevin kings of England was that they also held lands in France as a vassal of the French king. In much the same way that the barons who rebelled against King John were his vassals, King John was a vassal of Philip II, king of France. Yet, because the Angevins held so much land in both England and France, they posed a direct challenge to the authority of the French king who was determined to curb Angevin power. This ultimately resulted in prolonged warfare with France under both Richard I and John, and caused the Angevin kings to demand exorbitant sums of money from their barons to meet the costs of war. In particular, Richard and John exploited the barons through the imposition of 'feudal incidents' – customary payments to the king, which often related to important life events such as inheritance and marriage. The barons resented the exploitative tendencies of Angevin kingship, and one purpose of Magna Carta was to restrict how much money the king could demand from his barons.

In summary, Magna Carta was a reaction to three important long-term factors: firstly, a strengthened monarchy under the Angevins reduced the power of the barons; secondly, the Angevin kings used their improved position to exploit the barons financially; and thirdly, this need to raise money in the first place was necessary to defend Angevin lands in France.

#### Short-term factors: the reign of King John

**One-sentence summary:** Although John's bad reputation may have been exaggerated, he mercilessly exploited his barons and cruelly destroyed some baronial families in his attempts to raise sums to mount a military campaign in France and regain Normandy.

**Detailed summary:** Although many historians have characterised John as a bad king, in reality it is extremely difficult to assess John's character and personality with any real certainty. Whilst it is clear that many of John's subjects, not least the rebel barons, felt great animosity towards their king, John's negative reputation has probably been greatly exaggerated. In searching for short-term causal factors that led to baronial rebellion and Magna Carta, we must look beyond negative depictions of John's character.

### Historian's notes (continued)

If John's rule did seem more tyrannical than that of his father and brother, it was because of his residence in England. Richard I spent only six-months of his ten-year reign in England. By contrast, after the loss of Normandy in 1203, John was a resident ruler in England. Since Henry II and Richard I had ruled largely from their territories in France, 'evil counsellors' had taken the blame for the abuses of Angevin kingship and oppressive rule in England. For John, it was far more difficult to shift the blame onto others. Given this context, it was by sticking with the policies of his father and brother, rather than because of a fundamental departure from them, that John caused baronial rebel in 1215. Yet, the unprecedented funds required by the end of Richard I's reign to meet the costs for the defence of Normandy and other Angevin territories in France made John's task all the more difficult.

In August 1200, a year after his coronation, King John married Isabelle, heir to the strategically valuable county of Angoulême in France. However, John's bride had been formerly betrothed to Hugh IX, lord of Lusignan, one of John's most powerful subjects in the Angevin territory of Poitou. Adding insult to injury, John made no attempt to placate Hugh's wounded pride with any form of compensation, causing outrage amongst the powerful Lusignan family and other important noble families in Poitou. In 1202, Hugh de Lusignan took his case to the French king, who summoned King John to appear before his court to defend his actions. When John refused to appear, King Philip II of France condemned John as a disobedient vassal, declared his French territories forfeit, and invaded Normandy. Following years of warfare under Richard I, many Norman nobles defected to the French king and the invasion proved unstoppable.

John fled to England and set about raising whatever sums of money were needed to regain Normandy. Aside from demanding unprecedented sums for scutage – a tax levied on barons and knights in place of military service – John ruthlessly exploited his barons through the imposition of 'feudal incidents' – customary payments owed to the king. In some cases this led to the personal ruin of baronial families. For example, William de Braose, a former confidant of John, was outlawed and his lands confiscated when he could not pay debts to the king amounting to  $\pounds$ 13,000 - a huge sum in the thirteenth century and equivalent to many millions of pounds today. William died in exile in Paris in 1211, and his wife and son were starved to death in King John's prison. Unlike other stories of John's cruelty which lack substance, this event was recorded in every chronicle at the time and can be reliably used to indicate John's malevolence. John's treatment of barons such as William de Braose, ultimately resulting from his drive to raise funds to regain Normandy, caused resentment amongst many of his barons and sowed the seeds of rebellion.

#### Trigger Factor: failed military campaign, 1214

**One-sentence summary:** Following the failure of a complex military operation in France, John returned to England and provoked rebellion by imposing a scutage on his barons in an attempt to pay for his thwarted war effort.

**Detailed summary:** Following the loss of Normandy 1203, it took over ten years for John to successfully prepare and launch a military operation to regain his lost duchy. In 1214, John sailed to Poitou and launched an invasion of France from the southwest. Meanwhile, John had constructed an alliance with princes in the Low Countries and the Rhineland who simultaneously invaded France from the northeast. The hope was to divide and outmanoeuvre the French army. The plan failed, and King Philip II's army defeated John's northern allies at the battle of Bouvines in July 1214. John returned to England, and insisted on imposing a scutage upon his barons to pay for his failed military campaign. This proved too much for many of John's barons to swallow, and resulted in a baronial rebellion.

### Historian's notes (continued)

#### Part II: The Making of Magna Carta

#### The Baronial Rebellion

**One-sentence summary:** In January 1215, thirty-nine barons rebelled against John and subsequently took control of London, thereby forcing John to negotiate a peaceful resolution to the crisis and consequently conceding Magna Carta on 15 June 1215.

**Detailed summary:** After returning from his failed military campaign in 1214, John summoned a great council to meet in London on 6 January 1215. By the time the council meeting opened, thirty-nine rebel barons had joined together to seek concessions from the king. The scale of this baronial rebellion was quite unlike that faced by any king since the Norman Conquest. Unlike earlier revolts, the rebels under John sought not only the amendment of personal complaints, but remedy for general charges of misgovernment. Negotiations between King John and the rebels continued throughout the spring but proved unsuccessful and on 5 May 1215 the rebel barons formally renounced their fealty – their allegiance and submission to John's lordship – and chose Robert fitz Walter as their leader. By mid-May the citizens of London – by far the largest city in medieval England – joined the rebel cause. The loss of London was a crushing blow to John's chances of a quick victory and, with many wavering barons now joining the rebel cause, King John arranged a meeting with the rebels to negotiate a peace.

Final negotiations got under way in June at Runnymede Meadow, lying between Windsor Castle and the rebel barons' camp at Staines. The official text of Magna Carta is dated 15 June 1215, although a final agreement of its terms may not have been worked out until 19 June – the day that the rebel barons made a 'firm peace' with the king and renewed their oaths of homage. Once King John affixed his seal to Magna Carta, royal letters were sent to sheriffs and other royal officers around the country ordering that Magna Carta should be read out publicly throughout the land. Four of the copies sent to the shires in 1215 still survive, two in the British Library, one at Lincoln Cathedral, and another at Salisbury Cathedral.

#### What did Magna Carta try to achieve?

**One-sentence summary:** Based on similar documents, but unprecedented in its scope, Magna Carta forced the king to govern in accordance with established laws and sought to prevent the king from ignoring advice from his barons.

**Detailed summary:** In seeking to curb the power of King John and reduce his capacity to exploit his subjects, the rebel barons sought to turn back the clock on Angevin kingship. They looked to the reign of Henry I, which they believed was a time of less oppressive kingship, and copies of Henry I's coronation charter (TNA E 164/2, f. 217v) convinced the rebels that they could impose a charter on King John and force him to moderate his tyrannical rule. Furthermore, charters of liberties – documents which outlined privileges and guaranteed them in law – were a familiar element of political life. London had won a large measure of self-government from the king in the twelfth century and this capacity for self-government was enshrined in a charter of liberties. The novelty of Magna Carta was in its general grant of liberties to all free men of the king rather than a specific community.

Magna Carta was based upon two basic principles: firstly that the king and his government must rule in accordance with established laws and judicial process, and secondly, that the king must govern by taking counsel with his barons. As such, the overriding aim of the charter was to prevent the king from being able to exploit his subject, and to prevent him from ruling tyrannically – according to his own personal wishes and desires. The scope of Magna Carta was extensively broad, and contained sixty-three chapters covering a wide range of topics regulating how government and the law should operate. One of the most important articles in terms of its lasting legal significance was chapter 39, which set out the principal that no free man should be

arrested and imprisoned without trial and in accordance with the law. Essentially, this guaranteed free men what lawyer's today call 'due process of law', and prevented the king from imprisoning his subjects unless there was a lawful reason to do so.

Although King John agreed to govern according to the terms set out in Magna Carta, the rebel barons did not believe that the king could be trusted to keep his promise. Therefore, the barons appointed a committee of twenty-five people who had the power to declare war against their king if the felt that he was not ruling in accordance with Magna Carta. This 'security clause' was an extreme measure, and King John would not accept it. In September 1215, King John gained the support of Pope, who sent agents to England excommunicating the rebel barons. This meant that the rebels were denied access to church services, thereby severely impairing their spiritual wellbeing. Civil war continued even after John's death in October 1216, lasting until the rebel barons were defeated in September 1217 by barons loyal to John's nine-year-old son, King Henry III.

#### Part III: The Legacy of Magna Carta

**One-sentence summary:** Magna Carta was reissued in 1216 and 1217, before the definitive version of Magna Carta was issued by King Henry III in 1225 and became an established piece of legislation.

**Detailed summary:** In the decade after 1215, Magna Carta was reissued on three separate occasions: 1216, 1217 and 1225. These reissues of Magna Carta sought to achieve a compromise that satisfied many of the rebel barons' original demands, but in a manner that was also acceptable to the king. The 'security clause', which had given the barons licence to make war on their king if he refused to observe Magna Carta, was dropped and the size of the charter was reduced from 63 chapters in 1215 to only 37 chapters in 1225. In 1216 and 1217, the decision to reissue Magna Carta had been taken by William Marshal, who governed England as regent whilst Henry III was too young to rule himself. However, in February 1225 Henry III was 17-years old, and old enough to issue Magna Carta with his own seal. It was this version of Magna Carta issued in 1225 which had lasting legal importance and became an established piece of legislation.