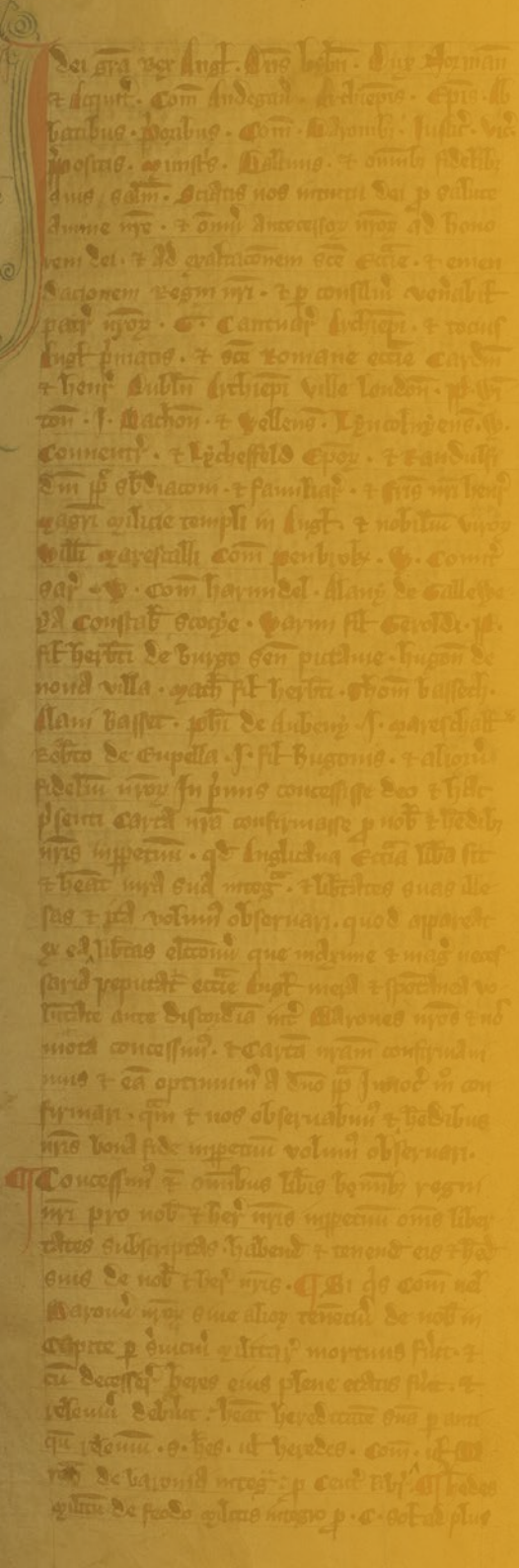


MAGNA CARTA

AT CHRIST CHURCH CATHEDRAL



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Angl. Wille mare
nri. et regni nri.
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INTRODUCTION

Magna Carta or 'The Great Charter' - one of the most famous documents in the history of the world - was created in June 1215 at a meadow called Runnymede on the river Thames near the royal palace of Windsor. It was a 'charter', that is a legal document issued by the king granting liberties to the freemen of his kingdom. Unlike most charters, however, Magna Carta was not granted by King John (king of England, 1199-1216) of his own will. The liberties in Magna Carta were extracted from John by his barons (noblemen), who were rebelling against his unjust rule.



The Magna Carta Stone, erected by the American Bar Association at Runnymede, Surrey, England. Mary Evans Picture Library/Bill Meadows

Magna Carta remains important because it enshrined in writing for the first time a fundamental principal; that even kings should be subject to the law of the land. Magna Carta was a check on arbitrary and oppressive rule—in a word, on tyranny.

Why did the English barons rebel against King John?

Magna Carta was intended to check the rule of King John, who was a notoriously bad king. In 1203, he murdered his nephew, Arthur, who had previously been heir to the throne. He lost the ancestral French lands of his dynasty, the Plantagenets, in 1204. He imposed arbitrary taxes and fines on his subjects and his relationship with the church was so bad that the Pope placed England under interdict (a general strike of the church) in 1208. 'Foul as it is, Hell itself is defouled by the foulness of John', wrote an English chronicler after John's death.

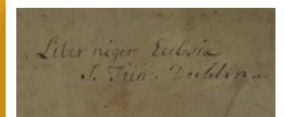


J. Mortimer, engraved by J. Rogers, King John, pressured by the barons and threatened with insurrection, reluctantly signs the great charter on the Thames island of Runnymede. Mary Evans Picture Library

THE BLACK BOOK OF CHRIST CHURCH

The 'Liber Niger' or 'Black Book' of Christ Church is a medieval manuscript which contains many different texts, showing the range of subjects that interested the medieval monks at Christ Church, including history, philosophy and adventure. More practically, the 'Black Book' contained legal documents, including English laws known as statutes. The portion of the book containing Magna Carta was written in the late thirteenth century. The foundation of English statute law was Magna Carta so this is the first document in this section of the manuscript.

The manuscript is made up of 235 leaves or 'folios' of vellum. The folios were sewn together and provided with a black leather cover, which gives the book its name.



Front Page Text of the Liber Niger

LATIN: 'Liber niger Ecclesiae Sancti Trinitatis Dublin.'

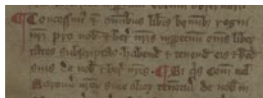
TRANSLATION: 'The Black Book of the Church of Holy Trinity Dublin.'

EXPLANATION: This is the first folio of the manuscript inside the black leather cover. This folio served as a title page. The hand-writing is probably from the seventeenth century. The title reads 'Holy Trinity' instead of 'Christ Church'. Holy Trinity was the name of the priory of Augustinian monks who lived at the cathedral throughout the Middle Ages.

The 'Black Book' was probably brought to Dublin by the head of the monastic community, Henry le Warre, who became prior of Holy Trinity in 1301.

The original Magna Carta charter of 1215 was written out on a single sheet of parchment. This was then copied into books for lawyers and monks. The copy of Magna Carta in the Black Book of Christ Church occupies five folios.

RICH MAN'S CHARTER



LATIN: 'Concessimus etiam omnibus liberis hominibus regni nostri pro nobis et heres nostris imperpetuum omnes libertates subscriptas, habendas et tenendas eis et heredibus suis de nobis et heredibus nostris.'

TRANSLATION: 'We have also granted to all the free men of our kingdom, for us and our heirs forever, all the below written liberties, to be had and held by them and their heirs from us and our heirs.'

EXPLANATION: At this point in the text, the purpose of the document becomes clear when the king states that he is granting a series of perpetual 'liberties' to the free men of his kingdom. The fact that the liberties were originally granted to *liberi homines* (free men) meant that Magna Carta was only of benefit to a very small fraction of the male English population at the time. Only gradually were its provisions extended to include wider sections of the population.

The Clauses of Magna Carta

The 1215 Magna Carta contains about 3500 words of medieval Latin written out on sheep skin parchment and divided into 63 'chapters' or clauses. In the most famous clauses, the king promised not to levy taxes without consent (from which sprang the idea of parliament and the famous maxim 'no taxation without representation'). The king also undertook not to imprison, dispossess or outlaw his men except by the lawful judgement of peers – the principles that we now consider the cornerstone of due process of law and trial by jury.

'to none shall we delay, to none shall we delay or deny justice'
(Clause 40, Magna Carta 1215)

IRELAND & THE MAKING OF MAGNA CARTA

John becomes Lord of Ireland at the age of nine

John's father was King Henry II, the first English king to subject Ireland to his rule when he visited Ireland in 1171–2. Henry II controlled vast lands in France as well as England and his conquests in Wales and Ireland. Historians call this collection of lands the 'Angevin Empire'. No one expected that John, as the fourth son, would one day succeed to the English throne and the Angevin Empire. Instead he was to make his career in Ireland. In 1177, when John was only nine years old, Henry II granted him control over his newly-conquered territory. John became 'lord of Ireland'.



King John from the Great Charter Roll of Waterford.
By kind permission of Waterford Treasures Museums – Three Museums in the Viking Triangle

John's expeditions to Ireland

John visited Ireland twice. His first expedition, in 1185, was a disaster, during which he reputedly pulled the beards of the Irish lords who came to submit to him.

John came to Ireland on a second expedition in 1210, primarily to punish those who had granted shelter to a former royal favourite, William de Briouze, Lord of Limerick (d. 1211), who had fled here in 1208. De Briouze eventually escaped to France, but his eldest son and wife Matilda were not so lucky. They were captured, imprisoned and starved to death. One chronicler writes that Matilda became so desperate with hunger that she gnawed her own son's cheeks. Her murder inflamed the anger of the English barons and contributed to the rebellion of 1215.

Saviour of Magna Carta: William Marshal, Lord of Leinster

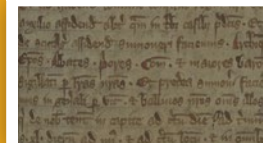
As soon as John was able to do so, he renounced the promises he had made in Magna Carta, sparking civil war in England. The saviour of Magna Carta was William Marshal (d. 1219), the most important English baron in Ireland, having inherited the lordship of Leinster through his wife, Isabella, daughter of Strongbow (buried here in Christ Church).

After King John's death in October 1216, leaving a nine-year



Strongbow's Tomb, Christ Church Cathedral Dublin

NO TAXATION WITHOUT REPRESENTATION

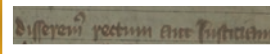
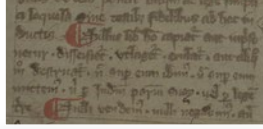


LATIN: 'Et ad habendum commune consilium regni nostri de auxilio assidendo ... summoneri faciemus archiepiscopos, episcopos, abbates, priores, comites et maiores barones, sigillatim per litteras nostras. Et preterea faciemus summoneri in generali, per vicecomites et ballivos nostros, omnes illos qui de nobis tenent in capite ad certum diem, scilicet ad terminum quadraginta ad minus, et ad certum locum.'

TRANSLATION: 'And to have the common counsel of the kingdom for an aid to be assessed ... we will cause to be summoned archbishops, bishops, abbots, priors, earls and greater barons, individually by our letters. And furthermore we will cause to be summoned in general, through our sheriffs and bailiffs, all those who hold of us in chief at a specified day and place, namely at a term of at least forty days.'

EXPLANATION: The famous maxim 'No taxation without representation' traces its origins back to clause 14 of Magna Carta. In this clause, the king (using the 'royal we') promises to summon the men of his kingdom to discuss the granting of an 'aid' – a form of taxation. In this clause, only the greatest of the clergy and aristocratic class are mentioned, but by the end of the thirteenth century such meetings had become regular occurrences and included elected representatives from towns and counties. These meetings also came to have the name by which we know them: parliaments.

MAKING THE SOVEREIGN SUBJECT TO THE LAW



LATIN: 'Nullus liber homo capiatur aut imprisonetur, disseisietur, utlagetur, exuletur aut aliquot modo destruat nec super eum ibimus nec super eum mittemus nisi per iudicium parium suorum vel per legem terre. Nulli vendemus, nulli negabimus, aut differemus, rectum aut justitiam.'

TRANSLATION: 'No free man is to be arrested, imprisoned, dispossessed [i.e. dispossessed of lands], outlawed or exiled, or in any way destroyed, nor will we go against him, nor will we send against him, save by the lawful judgement of his peers or by the law of the land. To no one will we sell, to no one will we deny or delay right or justice.'

EXPLANATION: These are the most famous clauses in Magna Carta (chapters 39 and 40). Here the king promises not to punish his men without lawful judgement by peers (the clause that is credited with being the origin of trial by jury). He further promises to those who are seeking royal justice that they shall not be denied it. Taken together, these are the chapters of Magna Carta that sought to make the executive — in this case, the king — subject to the law. These chapters of Magna Carta remain on the statute book in the United Kingdom. They have also entered international law.

old heir, Marshal became the English Regent. In order to bring conflict to an end, Marshal re-issued Magna Carta in November 1216 in the name of the new boy-king, Henry III.

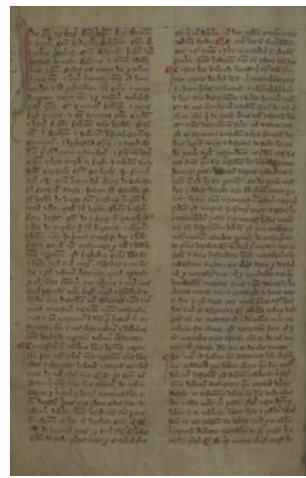
CHRIST CHURCH & THE MAGNA CARTA

The Black Book of Christ Church contains a copy of Magna Carta 1215

The Christ Church Magna Carta appears in a manuscript codex (book) known as the *Liber Niger* ('Black Book'). It was probably brought to Dublin by an Augustinian canon Henry le Warre or 'Henry of Bristol', who became prior of Holy Trinity (Christ Church) in 1301.

The section of the *Liber Niger* containing Magna Carta served as a lawyer's handbook. It contained copies of many documents of legal and constitutional significance.

The book became part of the monastic library at the cathedral. The manuscript shows marks in the margin indicating clauses of Magna Carta that interested the monks.



Page from the *Liber Niger*, late 13th-early 14th century with later additions to the 15th century. Representative Church Body Library, Ms C6/1/1.



Henry of London from the Great Charter Roll of Waterford. By kind permission of Waterford Treasures Museums - Three Museums in the Viking Triangle

Archbishop of Dublin witnesses Magna Carta

The Archbishop of Dublin in the year of Magna Carta was Henry of London (d. 1228), one of King John's most trusted officials. He was present at the tense negotiations at Runnymede between the king and his barons. His name appears as Magna Carta's second named witness after Stephen Langton, Archbishop of Canterbury.

Henry of London later gained a fearsome reputation. He is said to have burned the title documents of all his Irish tenants, an act for which he became known as 'Scorchvillein' — the flayer of serfs.

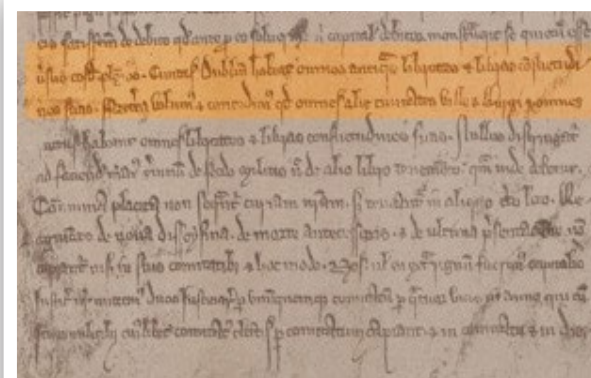
MAGNA CARTA'S LEGACY

Magna Carta spread across the world as England, and later Britain, spread its power across the globe. As a result Magna Carta 800 celebrations are especially fervent in North America, Australia and India.

Magna Carta in Ireland

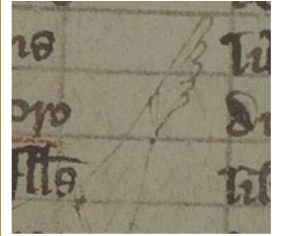
The first country outside England to receive Magna Carta was Ireland, in February 1217. However, not everyone benefited. The legal protections conferred by the charter were only for English settlers and were not extended to the Irish population.

In the early fourteenth century, a scribe working in the Dublin Exchequer (the financial department of English government in Ireland) adapted the original text to suit Irish circumstances.



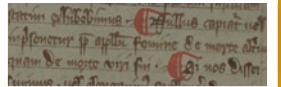
Magna Carta Hiberniae from the Red Book of the Irish Exchequer (destroyed 1922). (The highlighted section refers to the city of Dublin whose ancient liberties are protected by the charter). The Board of Trinity College Dublin

MANICULES



EXPLANATION: The hands seen in the margins throughout the manuscript are known as 'manicules' (from the Latin 'manus' meaning hand). They point to chapters of particular importance.

WOMEN IN MAGNA CARTA

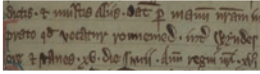


LATIN: 'Nullus capiatur nec imprisonetur propter appellum femine de morte alterius quam viri sui.'

TRANSLATION: 'No one is to be arrested or imprisoned through the appeal of a woman for the death of anyone other than her husband.'

EXPLANATION: The manicle or hand is pointing to chapter 54, which is one of the few chapters in the charter to mention women. This chapter indicates that the testimony of women was deemed to be less serious or reliable than that of men. The point of the chapter is to limit the impact of accusations made by women in the cases of death of men other than their husbands. In these cases, the accused was not to be imprisoned prior to trial. Instead, he would have to provide sureties (the equivalent of a bail bond) for appearing in court to stand trial.

DID KING JOHN SIGN MAGNA CARTA?



LATIN: 'Data per manum nostrum in prato quod vocatur ronnedem inter Windsor et Stanes xv die Junii anno regni nostri xvi.'

TRANSLATION: 'Given by our hand in the meadow which is called Runnymede, between Windsor and Staines, on the fifteenth day of June, in the sixteenth year of our reign.'

EXPLANATION: In the Middle Ages, kings did not personally place their signature on charters.

Instead, the charters were authenticated with a 'dating clause' that specified the place and time when the charter was given. A wax seal was then appended to the charter. The Christ Church copy of Magna Carta ends with the dating clause, which refers to Runnymede, where the negotiations between John and his barons took place in June 1215.

The copyist has made two mistakes here. First, the spelling of Runnymede in the Christ Church copy is 'Ronnemed', where as in the original Magna Carta it is 'Runimed'. The second is the date. Dates were calculated by the 'regnal year', which was different from a calendar year familiar to us today. The regnal year began on the day of the king's coronation. The second regnal year began on the first anniversary of the coronation, the third regnal year on the second anniversary, and so on. It was easy to confuse these dates, however. Here the copyist in the 'Black Book' has dated Magna Carta to the 'sixteenth year' of King John's reign, when the correct date was the seventeenth year.



Illustration of the court of the Irish Exchequer from the Red Book of the Irish Exchequer (destroyed 1922).
The Board of Trinity College Dublin

original referred to the river Thames, the new version referred to 'Anna Liffey'.

This document — which became known as the Magna Carta Hibernie ('Great Charter of Ireland') — was copied into a manuscript known as the 'Red Book of the Irish Exchequer'.

The original manuscript survived until June 1922 when it perished in a major fire at the Public

Record Office of Ireland. Though it never received official sanction from the English crown in the Middle Ages, it remains on the Irish statute book to this day and was cited as recently as 2007 in a case concerning common fishing rights.

Magna Carta in America

During the American War of Independence, the revolutionaries depicted George III as a tyrant who — like King John — had infringed the rule of law. At the time of the American Declaration of Independence, the seal of the Commonwealth of Massachusetts depicted a man wielding a sword in one hand and a copy of Magna Carta in the other. Fundamental principles associated with Magna Carta were later enshrined in the American Bill of Rights (1791). The bronze panel doors at the entrance to the US Supreme Court depict King John placing his seal on Magna Carta



Detail from the doors of the US Supreme Court depicting Magna Carta.
Franz Jantzen Collections of the Supreme Court of the United States.

Magna Carta Today

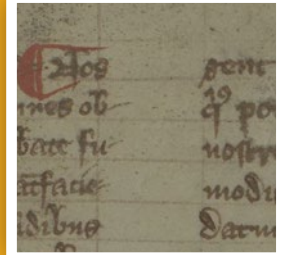
Magna Carta is most commonly used today as a metaphor, referring to any set of fundamental liberties. When the United Nations issued its 'Universal Declaration of Human Rights' in 1948, Eleanor Roosevelt described it as 'the international Magna Carta'. In 2013 Sir Tim Berners-Lee, the inventor of the World Wide Web, called for an online Magna Carta.

However, it would be a mistake to dismiss Magna Carta as merely symbolic. It still plays an important role in the law of the English-speaking world and was cited in 2008 in a decision made by the U.S. Supreme Court that prisoners at Guantánamo Bay should not be detained indefinitely without trial.



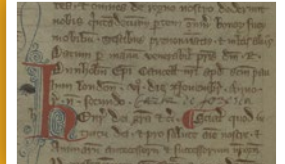
Chairperson of the UN Human Rights Commission Eleanor Roosevelt holding the United Nations Universal Declaration of Human Rights, 1949.
Mary Evans Picture Library / Everett Collection

MAKING THE MANUSCRIPT: FOLLOWING THE RULES



EXPLANATION: The scribe has carefully ruled the manuscript before beginning to copy. The vertical and horizontal grid lines form two columns of 45 lines each, divided by a central margin. This careful ruling of the vellum was an indication of the high quality of the copying. The grid of lines is especially clear on this folio of the manuscript.

THE RE-ISSUE OF MAGNA CARTA



EXPLANATION: To make the manuscript more legible, the scribe included rubrications (red ink symbols) to show the start of each new chapter of the charter. This rubricated large letter 'H' indicates that this is the start of the version of Magna Carta issued in the name of Henry III, who succeeded to the English throne in November 1216. There were three versions of Magna Carta issued and confirmed early in the reign of Henry III, in 1216, 1217 and 1225. By the end of the thirteenth century, scribes were understandably uncertain about which were the most reliable and authoritative texts of these versions of Magna Carta. The version in the 'Black Book' of Christ Church in fact contains elements of both the 1217 and 1225 versions.



**CHRIST
CHURCH
CATHEDRAL
DUBLIN**

Original historical research by Peter Crooks,
Medieval History Research Centre,
Trinity College Dublin.

christchurchcathedral.ie

