

CHAPTER
14

Section 3

PRIMARY SOURCE *from the Magna Carta*

On June 15, 1215, English nobles forced King John to agree to a Magna Carta (Great Charter). The 63-clause document guaranteed certain political rights such as no taxation without representation and trial by jury. The nobles wanted to protect their feudal rights and also to limit the powers of the king. As you read the following clauses, consider which of these political rights you currently enjoy.

John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishops, bishops, abbots, earls, barons, justiciars, foresters, sheriffs, stewards, servants, and to all his bailiffs and faithful subjects, greeting. Know that we, out of reverence for God and for the salvation of our soul and those of all our ancestors and heirs, for the honour of God and the exaltation of holy church, and for the reform of our realm, on the advice of our venerable fathers. . . .

[1] In the first place have granted to God, and by this our present charter confirmed for us and our heirs for ever that the English church shall be free, and shall have its rights undiminished and its liberties unimpaired; and it is our will that it be thus observed. . . . We have also granted to all free men of our kingdom, for ourselves and our heirs for ever, all the liberties written below, to be had and held by them and their heirs of us and our heirs. . . .

[12] No scutage [special tax] or aid shall be imposed in our kingdom unless by common counsel of our kingdom, except for ransoming our person, for making our eldest son a knight, and for once marrying our eldest daughter, and for these only a reasonable aid shall be levied. Be it done in like manner concerning aids from the city of London.

[13] And the city of London shall have all its ancient liberties and free customs as well by land as by water. Furthermore, we will and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs. . . .

[38] No bailiff shall in future put anyone to trial upon his own bare word, without reliable witnesses produced for this purpose.

[39] No free man shall be arrested or imprisoned . . . , except by the lawful judgment of his peers or by the law of the land.

[40] To no one will we sell, to no one will we refuse or delay right or justice.

[41] All merchants shall be able to go out of and come into England safely and securely and stay and travel throughout England . . . for buying and selling by the ancient and right customs free from all evil tolls. . . .

[42] It shall be lawful in future for anyone, without prejudicing the allegiance due to us, to leave our kingdom and return safely and securely by land and water, save, in the public interest, for a short period in time of war—except for those imprisoned or outlawed in accordance with the law of the kingdom and natives of a land that is at war with us. . . .

[63] Wherefore we wish and firmly enjoin that the English church shall be free, and that the men in our kingdom shall have and hold all the aforesaid liberties, rights and concessions well and peacefully, freely and quietly, fully and completely, for themselves and their heirs from us and our heirs, in all matters and in all places for ever, as is aforesaid. An oath, moreover, has been taken, as well on our part as on the part of the barons, that all these things aforesaid shall be observed in good faith and without evil disposition.

from Magna Carta. Reprinted in Mort Gerberg and Jerome Agel, eds., *Twelve Documents That Shaped the World* (New York: Putnam, 1992), 6–10.

Research Option

Perceiving Relationships Read the Bill of Rights in the United States Constitution. Then make a Venn diagram in which you compare the Magna Carta with the Bill of Rights. Share your chart with classmates.