

National Society Magna Charta Dames and Barons

Lord Phillips - Bury St Edmunds 2004

Magna Carta at Bury St Edmunds

13th June 2004

The early settlers in the United States took with them copies of the Magna Carta. One undertaking given by King John in that Charter was as follows:

No freeman shall be arrested or imprisoned or disseised or outlawed or exiled or in any way victimised, neither will we attack him or send anyone to attack him except by the lawful judgment of his peers or by the law of the land. To no-one will we refuse or delay right or justice.

It is that undertaking for which Magna Carta is recognised and revered. It was an undertaking which Parliament was later to embody in our statute law. It was an undertaking which was, in due course, reflected in the writ of *Habeas Corpus*. It is that undertaking which the American Bar Association had in mind when they built Runnymede the rotunda that stands as *a tribute to Magna Carta, symbol of freedom under the law*. It is that undertaking which we are celebrating so gloriously today.

I have to tell you that the undertaking for which Magna Carta is remembered today was not the foremost concern of the barons, who met, as I am firmly persuaded they did, at Bury St Edmunds on 20 November 1214.

Chapter 8 provided 'no widow shall be forced to marry so long as she wishes to live without a husband'. Hitherto, if a baron died leaving a widow, her remarriage would be at the king's command. Henry II had under his custody a widow called Isabel de Clare, whose estates Normandy

were so considerable that he consigned her to the Tower of London for safety.

When he died in France, his heir, Richard I, standing at the foot of his unburied corpse, promised her hand to William Marshall, a retainer standing at his side. William rushed off to claim his bride with such enthusiasm that he fell off the gang-plank when embarking at Dieppe. They fished him out and, in due course, the nuptials took place. Another noble lady, who had been married and widowed three times over, offered the king over £3,000 to escape marrying a fourth time.

If an heir was under age, he became the ward of the King, who treated his estate as if it were his own, and daughters of a deceased baron also came under his custody. He would give them in marriage to those to whom he was indebted, or even auction them off to the highest bidder. Chapters 4,5, and 6 of Magna Carta put an end to these practices. Not all marriages were arranged and some wives loved their husbands. If they did, absence often made the heart grow fonder, for King John expected his courtiers to dance attendance on him at his court unencumbered by their wives.

At Christmas one year the wife of one of his senior household officials offered him 200 chickens for permission to lie one night with her husband. This offer the king accepted. I hope it was worth it.

Happily today we live in a free society under the rule of law, and we look back to the granting by King John of the Magna Carta as one of the foundations of that society. It is fitting that we should be celebrating this today at St Edmundsbury. On behalf of the Magna Carta Trust and of all your guests, may I thank you for your hospitality.

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