

What relevance is the Magna Carta today?

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This is a question, in various forms, that I often hear as Head of History. What is the point of learning about something that happened nearly 800 years ago? Indeed the Magna Carta was sealed in June 1215, some 799 years ago, between the barons of Medieval England and King John and so there is some justification to the question. 'Magna Carta' is Latin for "Great Charter" and this great charter still has huge significance for us today as it is directly relevant on so many areas of our lives, especially those concerning human rights and the establishment of the Human Rights Act in 1988.

The Magna Carta was in essence an agreement between the barons of England and King John that consisted of a series of written promises between the king and his subjects. It has been viewed by historians as being important as it was one of the first times an attempt had been made by the barons to stop a king, in this case John, abusing his power with the people of England suffering as a result. This is extremely relevant for us today as it was one of the first times laws were promised to be fair to everybody and not just the rich and powerful. With the events we are currently seeing in Syria and in the Ukraine this attempt at limiting power of the powerful elite seems as relevant today as it did all those years ago at Runnymede.

The Magna Carta contained some 63 articles that were divided into various sections, with the most famous stating that everyone should have access to courts regardless of wealth or background. The articles also included mention that no-one will be imprisoned or punished without first going through the proper legal system, indeed

Article 39 of the Magna Carta famously states "No freeman shall be taken or imprisoned ... or exiled or in any way destroyed, nor will we go upon him nor will we send upon him except upon the lawful judgement of his peers or the law of the land." This was revolutionary, because before this, the poor of the period were unlikely to be able to access the law courts and were often punished unfairly. The debate around Guantanamo Bay and the imprisonment of suspected terrorists without trial can be seen to be a direct consequence of the issues brought up by the Magna Carta. An acceptance that the law was not only for the privileged and the prosperous was truly an historic moment.

From these first steps of the Magna Carta, the path to Universal Human Rights continued with the first Bill of Rights in history, which Britain passed in 1689 and which established the civil and political rights of ALL men, not just the lords and barons. It amongst other things, granted freedom from taxation by royal prerogative, freedom to petition the monarch, freedom to elect members of parliament without interference and freedom of speech. The Bill of Rights built on a strong tradition of civil liberties in Britain, so much so that many commentators believe it was never considered necessary to have a formal, written constitution. The Bill of Rights would also be very influential in the forming of the US Constitution in 1797 and some of the most important ideas behind the French Revolution. Therefore the imprint of the Magna Carta, written 500 years earlier can clearly be seen not only on the 1689 Bill of Rights but on perhaps the most famous political document of all time, the American Constitution.

During the 20th century, a more complex world brought problems unthinkable in the medieval period but even so, when the holocaust and the horror of World War II led the members of the UN to adopt the Universal Declaration of Human Rights, Eleanor Roosevelt, one of its key thinkers, described it as the 'international Magna Carta' for human kind, demonstrating the origins of its ideas lay in the historic document of 1215. Perhaps just as important was the fact that the Magna Carta was being quoted with relevance in one of the most important documents of its time and that everyone could readily understand the ideas behind it. The Magna Carta had become a sort of beacon for fighting against oppression and lack of rights and it is this which makes it

so relevant today whether we are discussing terrorism, dictatorships or the lack of basic rights in countries as varied as Kenya, Syria or Zimbabwe.

As Terry Kirby writes in the Guardian, 'Universally acknowledged as the first proclamation that the subjects of the crown had legal rights and that the monarch could be bound by the law, the Magna Carta became the first document to establish a tradition of civil rights in Britain that still exists today'. Furthermore Dr James Sweeney, of the Human Rights Centre at Durham University, says this long history of human rights undermines claims by UK Euro-sceptics that it is a culture imposed by Europe and the EU. "The idea that human rights are alien to the UK is a myth. Even with its chequered past of slavery and colonialism, the UK has a long history of thinking about civil liberties'. When the then Home Secretary Jack Straw got the Human Rights Act to complete its passage through the Houses of Parliament in 1998, it was the end of a long walk that had been started almost 800 years previously in 1215 at Runnymede when the barons made an agreement that was to echo throughout British History. Therefore, similar to the Great Reform Act of 1832, it was not the actual immediate results of the Magna Carta that make it relevant today, but the principle and ideals it created in British History and the impact they have had throughout the prevailing 800 years, that make it so important to us all.

About the Author

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