

*“Magna Carta:
Foundation of Freedom”*
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“Magna Carta: Foundation of Freedom”

Sir Robert Worcester¹

Introduction

Good afternoon. I'm delighted to be here again in the City of Oxford and honoured by its Literary Festival and by the sponsors on our talk today by FT Weekend and HSBC, but come on Richard, I keep telling you, that the Bodleian having four Magna Carta's is at least one to many, and I'm sure I can scrape up a few quid if you ever will let me buy one of yours.

I plan to speak about three things before opening it up to questions:

First 'Why me and why now?

Second, a bit about Nick's book and some of the others that are pouring out of the band of astute and through scholars who have made this fantastically important document we call Magna Carta. They're producing books faster than I can read them.

And third, Why commemorate the 800th anniversary of the sealing of what I suspect grew out of the scholars of the day congregating at the University of Paris in the 12th Century which by the early 13th, in 1215 became the Charter of Liberties we know today as the Great Charter, Magna Carta.

Why me and why now?

Growing up in America I had a pretty thorough schooling in English history, English literature and not least English cinema (that was before television), which began with the Angles, Saxons and Jutes, then 1066 and all that, in 1215, the Great Charter, later *Magna Carta*.

From an early age it was “Good” King Richard the Lionhearted, “Bad” King John “Lackland” (and Robin Hood and his merry men, Little John, Friar Tuck, Will Scarlet and all), Henry VIII and Elizabeth the Virgin Queen, Shakespeare, 18th C. Georgian elegance in costume, in architecture and music. And as a teenager, the Ealing comedies, Lavender Hill Mob, Kind Hearts and Coronets, Whisky Galore, and the rest. Must have seen them all, and some four or five times.

I grew up with the belief that 'the sun never sets on the British Empire'. And did I collect stamps from all over the British Empire!

All Americans knew then that George Washington, John Adams, John Jay, Benjamin Franklin and nearly all the Founding Fathers were Englishmen (Alexander Hamilton was a Scot).

I first saw Magna Carta at the New York World's Fair at the British Exhibition where Lincoln's 1297 copy was displayed. I was 7 years old.

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On my first visit to Britain, in 1957, I was a serving officer in the US Army Corps of Engineers, returning to America to be discharged after serving in Korea, my tour of duty completed.

On my first day in London I went first to the British Museum to see two things, the Magna Carta and the Rosetta Stone, which to me represented the two icons of civilised society: the rule of law and communication outside the village.

When I arrived in this country with my family in 1969, I found that I had to continue to pay income tax in the United States, but also found to my surprise that I had lost the right to vote in American elections. Now every American school boy and girl knows that the battle cry of the American colonists in the Revolutionary War was “no taxation without representation”.

We all knew about the ‘Boston Tea Party, when the rebels dressed up as Indians and raided the ships carrying tea which was taxed and dumped the tea chests into Boston Harbour.

I was active in the United States in the Democratic Party. So when I’d settled in London, I joined the tiny group of Americans living in London who’d recently formed Democrats Abroad. After a while I was elected vice chairman and together with my opposite number on the Republicans Abroad formed a bipartisan group that we decided to call “Tax Equity for Americans Abroad” – TEAA - the idea being that we’d lobby Congress to decide either to give us the vote or allow us to be exempt from American tax, think that that was an easy choice for anyone to make.

The Democratic Party group in London raised quite a lot of money to support the 1972 Presidential election in the States, and so the Democratic National Chairman decided that we should be allowed to have seats at the Democratic Party Mid-Term convention in 1974. There we able to work our way up to an appointment with the Speaker of the House of Representatives, the third most powerful person in the American government. We had five minutes. We said “Mr. Speaker, we’re representing Overseas Americans, and we still have to pay American taxes, and we’ve lost our right to vote!”

“You’ve lost the right to vote? That’s outrageous”, he said. And he agreed to do something about it. President Ford signed it into law on the 6th of January 1977, two weeks before leaving office

I became a Trustee of the Magna Carta Trust 21 years ago (when I became Chairman of the Pilgrims Society), the Chairman of the Trust, by Charter was the Master of the Rolls, first the late great Tom Bingham, Lord Bingham, then Lords (Harry) Woolf, (Nicholas) Phillips, (Anthony) Clarke, (David) Neuberger and now (John) Dyson, all distinguished jurists. First under Lord Neuberger and now Lord Dyson, I now serve as Deputy Chairman of the Trust.

How could I refuse?

Why are you here?

You believe in freedom. When I mention Magna Carta to people who believe in freedom anywhere in the world, eyes light up. I’d like to start by testing your knowledge of Magna Carta? Who can tell me where it was signed? How many agree?

There are many myths which surround the Magna Carta. Most people say it was signed. They’re wrong. Many say that it was only a fight between the barons and the King. It certainly was, but not only that.

It was the beginning of the spread of modern democracy.

Magna Carta was the overturning for the first time of ‘divine rule’ (King John, and somewhat later, King George III’s power over the American colonialists), the beginning of representative democracy, and as Lord Judge, the former Lord Chief Justice of the United Kingdom, recently quoted[2]: “*Nullum scutagium vel auxilium ponatur in regno nostro, nisi per commune consilium regni nostri*”, which very roughly translated into American means ‘No taxation without representation’.

And it was the foundation of human rights, under threat now at home and abroad, as we consider how to cope with the threats which face us in the 21st Century. And civil liberties, as protected in the American Constitution.

Magna Carta enshrined the Rule of Law. It limited the power of authoritarian rule. It paved the way for trial by jury, modified through the ages as the franchise was extended.

Magna Carta proclaimed certain religious liberties, “*The English Church shall be free*”.

But how many here today think it doesn't have anything in it about women's rights? Not many, but it does. Article 8.

And rights of ordinary people, or “common people” as the poem goes.

An awful lot of “common people” were being cheated by their cloth makers, their publicans and others who were what we'd call short changing them, by the introduction of standard weights and measures. It was the beginning of a revolution: why the head man of Shepherd Neame, Britain's oldest brewery down in Kent told me that the pint was invented in 1215, with standard weights and measures. That's Article 1 and common people had the right to come and go, here in England and abroad, except in time of war, and fair's fair I say. But Article 51, I couldn't go along with that, for sure. Why in 2005...

Magna Carta is England's greatest export.

Now affecting the lives of nearly two billion people in over 100 countries throughout the world. For centuries it has influenced constitutional thinking worldwide including in many Commonwealth countries, even in France, Germany, and Japan, and throughout Asia, Latin America and Africa.

Over the past 800 years, denials of Magna Carta's basic principles have led to a loss of liberties, of human rights and even genocide taking place yesterday, this morning, today and tomorrow.

It is an exceptional document on which all democratic society has been constructed, described by the former German Ambassador when he said to me that everybody in Germany knows about the Magna Carta, it is “The Foundation of Democracy”.

Thirty-eight years ago in all its splendour the House of Commons Speaker and House of Lords Lord Speaker, MPs and Peers, Law Lords, Ambassadors and High Commissioners, the Archbishops of Canterbury and York, met with the senior members of the American Congress and Senate assembled in the 1,000 year old Palace of Westminster's Westminster Hall to hand over the Lincoln 1215 Magna Carta to the Library of Congress in the Autumn of 2014, to be displayed in the Rotunda of the Congress of the United States. I was there.

This time the plan is to have the Supreme Court organised ‘mock trial’ with judges, jury and advocates, mainly from Commonwealth countries, judging barons and bishops in the dock on the charge of treason, telecast and broadcast on BBC World. This will be on 31 July, the night before the Supreme Court Magna Carta Exhibition opens for August and September next year. The British Library has right now the biggest exhibition it's ever held.

There are exhibitions and demonstrations, pageants and concerts, sound and light shows, seminars and symposiums, open lectures and plays in the Magna Carta Towns in Cathedrals and castles, town halls and town squares throughout the land here, and in many exhibitions and events in Canada and the USA, France and Germany, Poland and Trinidad and throughout the Eastern Caribbean, in southern Asia, Africa, Australian and New Zealand, and everywhere that values the principles that the Barons wrenched from the King at Runnymede. They had to fight for it, and we are the beneficiaries of their fight. The ever expanding list of events is kept up to date at www.magnacarta800th.com/Events.

You can follow the commemoration of the 800th by signing up to the MC Newsletter at our website and tell us if you'd like to get involved, at www.magnacarta800th.com. And I hope, some of you will be with us on the 800th anniversary at Runnymede with the Queen, and some as well in Westminster Hall for the mock trial at the end of July, or at least watching it on BBC World and I hope PBS in the USA, ABC in Australia, and in Canada on CBC as well as well as in many countries' TV stations, on the Internet, and elsewhere throughout the world.

The values enshrined in the Magna Carta and its legacy is largely the reason for the existence of the 'Special Relationship' that bonds my two countries, Britain and America. Two countries which have fought two world wars and many other, smaller, conflicts shoulder to shoulder in defence of liberty.

Ignoring the brief period during the late 18th and early 19th Centuries when relations between Britain and America were a somewhat different form of relationship that they have been over the last few centuries, President Obama observed in 2011 in a speech to the British Parliament: *"our system of justice, customs, and values stemmed from our British forefathers"*.

And President Obama said at Parliament:

"Our relationship is special because of the values and beliefs that have united our people throughout the ages. Centuries ago, when kings, emperors, and warlords reigned over much of the world, it was the English who first spelled out the rights and liberties on man in Magna Carta."