



## Are there any Magna Carta clauses still in force today?

### The Magna Carta 1215

The sixty-three clauses cover a multitude of topics, both general and detailed, in no particular order. The original charter contained no clause numbers, no punctuation and no breaks in the text.

Many clauses were aimed at curbing the abuses of King John's reign and limited his ability to extort money from the barons through taxes and reliefs relating to wardships, marriages and inheritances. Other clauses dealt with the barons' legal grievances and the rights of free men. The rights of the English Church were recognised. Among other clauses were concessions to merchants and the removal of fish weirs to promote navigation.

#### Magna Carta clause 39.

*No free man shall be taken, imprisoned, be stripped of his rights or possessions, or outlawed or exiled; or deprived of his position in any other way, nor will we act or send against him, except by the lawful judgement of his equals or by the law of the land.*

##### Impact today:

- 'Due process of law'
- It enshrined the rule of law in English society
- 'No one is above the law'
- It limited the power of authoritarian rule

#### Magna Carta clause 40.

*To no one will we sell, to no one refuse or delay right or justice.*

##### Impact today:

- "Justice delayed is justice denied"
- It paved the way for trial by jury

These two of the four surviving clauses from the Magna Carta show why it has become so important today. However, at the time they were well down the list and only part of a document that was a solution to a political crisis where the King was in conflict with the barons and the church.

The other two surviving clauses are:

#### Magna Carta clause 1.

*The English Church shall be free, and shall have its rights in full and its liberties unimpaired.*

#### Magna Carta clause 13.

*The city of London shall have all its ancient liberties and free customs, both by land and by water; all other cities, boroughs, towns, and ports shall have all their liberties and free customs.*

So the Magna Carta was not intended to become the cornerstone of democracy and human rights in England and the world, but that is what it has become. Some key clauses in the document have been interpreted by succeeding generations so that the iconic status of the Magna Carta has been guaranteed.

[www.burymagnacarta.org](http://www.burymagnacarta.org)



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