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Happy 790th, Magna Carta!

BY TOM MCSWEENEY · APRIL 15, 2015

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If you were to ask William Shakespeare, or one of his contemporaries, when Magna Carta was issued, he would likely tell you that it was issued in the ninth year of King Henry III, or 1225. In fact, for most of Magna Carta's history people have associated it with the year 1225, not 1215. In 1215, no one had yet thought to call the charter that the barons had forced John to issue at Runnymede "Magna Carta," and few people would have thought it had a bright future ahead of it. Within a few months of its issuance in June of 1215, King John had repudiated his charter of liberties with the blessing of Pope Innocent III. By September of the same year, John was at war with his barons.

The charter only became important because it was reissued several times over the course of the thirteenth century. When John died a little over a year into the civil war—leaving as king his 9-year-old son, Henry III—his side was losing the war. As a show of good faith to the rebels, Henry's guardians hastily issue a revised version of the charter in November of 1216. When peace was finally reestablished in 1217, they reissued a second revised version of the charter of liberties along with a second charter, called the Charter of the Forest. The first known use of the term "Magna Carta" refers to the 1217 reissue, but the charter was not called Magna Carta because it was considered a great document. In 1218, a chancery clerk drafted a writ ordering that these charters be read out in the counties. In that writ he referred to the Charter of the Forest and, apparently not quite sure what to call the other one, the "bigger charter" (*maiori carta*). When another clerk copied that clerk's roll, he changed "bigger charter" to "big charter" (*magna carta*).

Magna Carta did not settle into its final form until Henry III issued a third revised version in February of 1225. It was this 1225 text, not the 1215 charter, that people thought of as Magna Carta for many centuries. The 1225 texts of Magna Carta and the Charter of the Forest came to be regarded as England's oldest statutes, parts of

which are still on the books in England and the United States. When Sir Edward Coke wrote his line-by-line commentary on Magna Carta in the early seventeenth century, it was therefore on the 1225 text. It was really not until 1759, when Sir William Blackstone made an edition that noted the differences between the texts of 1215 and 1225, that the 1215 text became commonly available.

This is not to say that 1215 is unimportant in the history of Magna Carta, but the text agreed to at Runnymede was merely a first draft of the text that would come to be known and revered as Magna Carta. So Happy 790th, Magna Carta!