Butterworth

Constitutional Foundations Policy

Created the 1st Day of May in 2025 (Assisted)

Standing Policy on the Invocation and Validity of Magna Carta 1215

Preamble: This Policy establishes the lawful and historical basis upon which the Magna Carta of 1215 is referenced and invoked within the **House of Butterworth Charter**, the **Mandate of Individual Status** with the **General Mandate of Standing** and associated private lawful instruments. It clarifies the Charter's position that Magna Carta is valid in spirit if not in current statutory form and outlines its continued relevance in lawful dissent.

1. Historical Status

- Magna Carta 1215 was sealed by King John at Runnymede under pressure from the barons, acting in the interest of the English people.
- It was annulled shortly after by Pope Innocent III, though reissued in modified form in 1216, 1217, and finally 1225, with a statutory version codified in 1297 under Edward I.
- Only three clauses from the 1297 version remain in force under statute today. The 1215 charter was never formal statute but forms a key, foundational constitutional contract.

2. Clause 61 and Lawful Rebellion

- Clause 61 (the security clause) provided a mechanism for lawful rebellion if the monarch breached the terms of the Charter.
- Although omitted from later versions due to its threat to sovereign authority, its invocation in 2001 represented a good faith attempt by petitioners to exercise their constitutional right to lawful dissent.
- While not legally enforceable in today's courts, Clause 61 remains symbolically and morally valid as a precedent of last resort.

3. Validity in Spirit

- The Charter asserts that Magna Carta remains valid in spirit as a foundation of constitutional principle — notably:
    - Governance by consent
    - Rule of law over rulers
    - Lawful remedy by natural justice and trial by peers
- These principles are recognised internationally and survive in common law and unwritten constitutional precedent.

4. Constitutional Erosion

- The principles of Magna Carta are under sustained erosion:
    - Trial by jury is increasingly replaced by statutory tribunals and judicial reviews accessible primarily to the wealthy.
    - Consent to be governed is replaced by political presumption and tacit acquiescence.
    - Natural justice is displaced by policy and commercial procedure.

5. Tactical Use

- Magna Carta is not cited here as a statutory demand but as:
    - A constitutional touchstone of lawful governance
    - Evidentiary grounding for lawful withdrawal of consent
    - Support for the equitable foundation of the Mandate

6. Position Statement

The Charter-holder does not rely on Magna Carta 1215 as binding statute but invokes it as the original contract of lawful governance. Its spirit remains unrebutted, and its principles endure in the private right to stand, to object, and to seek remedy where no harm, loss or injury has been caused in accordance with the foundational maxim of common law: no crime without a victim (Lex Non Scripta)

Furthermore, the Charter-holder asserts that these foundational principles apply universally to all relationships between individual and government, and between individual and corporate or statutory entities exercising public functions or making claims upon the individual.

Accordingly, in all matters where contractual or commercial mechanisms are employed in lieu of direct governance, the Charter-holder maintains that explicit, informed consent is required; no individual may lawfully be bound absent such consent, nor compelled to contract under duress, deception, or presumption.