



# CONSTITUTIONAL HISTORY OF THE ISLE OF MAN

Select Bibliography

No. 11

October 2003

The Island has been ruled by the Norse, Scotland and England at various times in its history. Tynwald, the Manx legislative body, has been in continuous existence for at least one thousand years, thus predating the English Parliament at Westminster. The Isle of Man is not a member country of the United Kingdom, but is a dependency of the British Crown. As such it enjoys self-government in respect of all internal domestic matters. External relations and defence are the responsibility of the British Crown which retains ultimate responsibility for overseeing 'good governance' in the Island. Treaties and international agreements do not automatically extend to the Island without prior consultation having taken place.

The current policy of the Manx government is to continue the development towards more complete self-government whilst retaining close links with the United Kingdom. After legislation has passed through Tynwald, Royal Assent must be given before it can

be proclaimed law on Tynwald Hill on Tynwald day, traditionally 5 July each summer. The proclamation of the law in English and Manx is a necessary part of the law making process.

The Island is not part of the European Union, but it has, under the Treaty of Accession (by which the UK joined the EU), the benefit of the free movement of goods and agricultural products. There is conformity with EU customs arrangements. The Island neither gives to nor receives monetary grants from the EU. Since there is only a limited relationship with Europe, the Manx government is able to pass laws that regulate the right to reside and to work in the Island. This select bibliography provides an initial starting point to research. Further sources of reference may be found in footnotes to materials listed below or for older material in:

**Cubbon's Bibliography of The Literature of The Isle of Man** sections D151 and D274  
Library Ref H364



**THE HISTORICAL DEVELOPMENT OF THE  
CONSTITUTION**

**Bawden T.A.**

**The Tynwald Companion 2000**

Douglas: Office of the Clerk of Tynwald, 2000

A useful introduction to Tynwald procedures and practices, including a description of how law is made and an explanation of technical language used in the law making process.

Library Ref D151/70

**Beckerson J**

**Eight Archive Research Reports to the  
Standing Committee of Tynwald on Constitutional  
Matters (1999)**

A detailed and clear collection of source materials on the relationship between the Isle of Man and the United Kingdom between 1765-1911.

A summary precedes each section.

Archive Ref MS10197

**Belchem, John (editor)**

**A new History of the Isle of Man volume 5  
The Modern Period 1830-1999**

Liverpool: Liverpool University Press, 2000

ISBN 0-85323-716 6 hdbk & 0 85323 726 3 pbk

pp 18-93 Belchem, John - The onset of Modernity  
1830-80

pp 94-184 Kermode, David - Constitutional  
Development and Public Policy 1900-1979

pp 185-206 Ramsay, Alistair - Tynwald Transformed  
1980-86

These articles provide a readable description of constitutional development, 1830-1996. There are useful footnote references for further reading.

Library Ref F64/207

**Cubbon W. and Megaw BRS**

**The Western Isles and the Growth of the Manx  
Parliament: The Origin of the Twenty-Four Keys  
(1942)**

In The Journal of the Manx Museum

vol.5 no.66 pp.57-62

A short article describing the origins of Tynwald and, in particular, the early constitutional links between the Isle of Man and the Southern Scottish islands.

Library Ref L6

**Dickinson, J.R.**

**The Lordship of Man Under the Stanleys  
Government and Economy in the Isle of Man,  
1580-1704**

Douglas: Centre for Manx Studies, 1996

ISBN 1 85936 052 1

Based on a 1991 Phd section 1 *The Government of the Isle of Man*, provides a useful summary.

Library Ref F69/50

**Farrant R.D.**

**The Constitution of the Isle of Man**

In Law Quarterly Review July 1909 pp255-279

A succinct analysis of the origins and early history of Tynwald and the evolution of the courts of law on the Island.

Library Ref photocopy D274/44xq(3), reprint D151/2

**Gell, James Sir**

**Treatise on The Constitution of the Isle of Man**

**Douglas: Government House, 1881**

A useful summary of constitutional development by the Attorney General from the fourteenth century to the end of the nineteenth century with particular emphasis on the membership of the legislature.

Library Ref D274/17xf(4)

**The Isle of Man 2003 Official Year Book**

Douglas: Mannin Media Group, 2003

This yearbook includes a section each year, *The Manx Constitution... An Outline* which provides a background to the constitutional position of the Island and a clear discussion of the current law making process.

Library Ref L10

**Kermode David G**

**Offshore Island Politics: The Constitutional and  
Political Development of the Isle of Man in the  
Twentieth Century**

Liverpool: Liverpool University Press, 2001

ISBN 0 85323-778 hbk 0 85323 787-5 pbk

This text provides a scholarly discussion of Manx constitutional history with an economic, political and social analysis. It covers 1902 to 2001.

Library Ref D151/112

**Moore A. W.**

**A History of the Isle of Man**

London: Fisher Unwin 1900

Reprinted Douglas: Manx Museum and National Trust  
1977

Vol. 2 book VI: Constitutional History pt 1. The Civil  
Constitution 1405-1765 pp737-794

pt. 2. The Civil Constitution since revestment 1765-  
1900 pp. 794-841

A comprehensive description of the civil constitution  
and of all aspects of government.

Library Ref F64/141

**Sherwood, R. (editor)**

**The Constitution of The Isle of Man**

In Manx Society Vol. xxxi

Douglas: Manx Society (1882)

This volume contains part three and appendix c of the Report of The Commissioners of Inquiry for the Isle of Man of 1792.

It provides a summary of constitutional history from the 15th century and, in particular, an historical survey of the law courts in the Isle of Man with an editor's appendix.

Library Ref F64/67

**Solly Mark****Government and Law in the Isle of Man**

Castletown: Parallel Books, 1994

ISBN 0-9518499 3x

pp 44-91 Gives the historical background with a succinct summary of the complete constitutional history of Man from the earliest times. Pages 98-146 cover relationships with the UK and a synopsis of the Kilbrandon Commission on the Constitution.

Library Ref D151/94

**The Statutes of the Isle of Man 1417-1811 vol.1**

London: Eyre &amp; Spottiswoode, 1883

Reprinted Titus Wilson &amp; Son, 1992

Contains the earliest Manx statutes and a reduction into writing of the 'customary laws' of Man, providing evidence of the fact that the title 'Lord of Man' refers to a sovereign ruler.

Library Ref D200/1/1

**Train, Joseph****An Historical and Statistical Account of the Isle of Man**

Douglas: M. A. Quiggin, 1845

Various chapters cover the constitutional history of the Island.

Library Ref F64

**The Tynwald Ceremony Official Programme**

Douglas: Office of the Clerk of Tynwald, published annually.

This includes an easy to read pictorial introduction to the history behind Tynwald Day and the present Tynwald ceremony

Library Ref D151/52

**Walpole, Spencer****The Land of Home Rule an Essay on the History and Constitution of the Isle of Man**

London: Longmans Green and Co., 1893

The author was Governor of the Island 1882-1893.

Library Ref F64/81

**REVESTMENT****Grindley Thomas****The Story of Revestment: A Sketch of Manx History in the 18th Century**

Douglas: Brown and Sons, 1903 Reprinted from the IOM Times

A paper presented to the Douglas Progressive Debating Society which provides an account of the circumstances surrounding revestment and questions the legality of some assumptions of power by the United Kingdom.

Library Ref F64/73

**An Act for more effectively preventing the Mischiefs arising to the Revenue and Commerce of Great****Britain and Ireland, from the Illicit and Clandestine Trade to and from the Isle of Man: George III 1765 Cap XXXIX**

London: Mark Baskett

Known as the Mischief Act this statute explains the English government's desire to acquire the Lordship of Man. Coming into effect five days after the Revestment Act, it seeks to curb the evasion of duties and import and export control in relation to the Isle of Man.

Library Ref D200/3/3xf

**Opinion of Mr Hargreave on the Case of the Duke of Atholl in respect of the Isle of Man (1788)**

The argument put forward, in support of the Duke, is that the Revestment Act was invalid.

This 30 page document is in a scrapbook which also includes the case and memorial of the Duke of Atholl and the papers presented to the House of Lords in support of his case.

Library Ref F70/2xf

**An Act for carrying into execution a Contract made... between the Commissioners of H.M. Treasury & the Duke ... of Atholl, the Proprietors of the Isle of Man, & their Trustees, for the purchase of the said Island & its dependencies, under certain exceptions (The Revestment Act) George III 1765 Cap XXVI**

London:

The Westminster statute giving effect to the contract between the Duke and Duchess of Atholl and King George for the purchase of the Lordship of Man by the English Crown.

Library Ref D200/3/3xf

**FINANCIAL CONTROL OF MANX REVENUES****Constitution of the Isle of Man-Consideration of Committee's Report****In Times Reports of Debates in the Manx Legislature Vol. 61 for October 1943 - July 1944**

Douglas: Brown &amp; Sons

pp.32-42 October 26th 1943 and pp. 64-73 November 16th 1943 summarise the recommendations of the Keys Committee on the Constitution of the Isle of Man including the proposal to establish an Executive Council, elected by Tynwald, to control insular finance.

Library Ref D152/1/6

**Cubbon W.****The Constitutional Struggle of 1911, The Governor versus Tynwald**

Scrapbook collected by W. Cubbon

This collection contains newspaper reports and correspondence relating to the events surrounding the first 'strike' by the House of Keys over the right to initiate financial proposals and the response of the Home Secretary which led to the establishment of the MacDonnell Committee.

Archive Ref MS 10096

**Customs: Fiscal Revenues etc Scrapbook 1853-1920**

This large volume containing over 100 official papers comprises not only Annual Accounts of Revenue and Expenditure after 1866 but also Reports of Tynwald Committees concerning the right of the Island to administer its own insular finances and the outcome of deputations to the Home Secretary (see items 61,82,99,100).

Please note: it is not possible to photocopy from this volume

Library Ref D154/4xf

**Fiscal Changes 1866, Official Correspondence In Government Office Report Book 1866-1884**

Contains letters from Lieutenant-Governor Loch to the Home Secretary and to the Treasury. This collection shows the approach of HM Government towards revenue being applied for the benefit of the Island. There is reference to the Port Erin Breakwater issue and to proposals for other public works such as the building of a court house and railway.

Archive Ref MS9845/5/2

**Isle of Man Bill (1957) House of Commons Second Reading Debate**

In Hansard for the House of Commons, Wednesday 27 November 1957 Vol. 578 No. 17 cols 1173-1177

This covers the introduction of the Bill into the British Parliament at its Second Reading. It gives a good background to the situation from revestment onwards and a clear explanation of the effect of the 1958 Isle of Man Act in respect of financial independence. *The Manx legislation embodying the reforms is found in Statutes of the Isle of Man 1952-1959 vol. xviii.*

Library Ref D274/72

**Moore G.E. (Deemster)  
The Effects Of The Act Of 1765**

In Proceedings in the Isle of Man Natural History and Antiquarian Society vol. vii no.1 pp38-48

This paper delivered in January 1966 provides a clear and useful account of the financial impact of revestment and of the background to the subsequent statutes that incrementally handed back control of revenues to the Manx government.

Library Ref L6

**Petition of the Inhabitants of the Isle of Man to the Queen in Council August 1854**

In Papers Relating to the Isle of Man (Mr William Ewart) ordered by the House of Commons to be printed 28 July 1864

This collection of Government papers includes the 1854 petition to the Privy Council, the Treasury's response thereto and a further petition presented to Her Majesty in 1863.

There is a fully argued justification supporting the historic right of the Island to financial autonomy. This

justification also concerns the relationship between Tynwald and Westminster.

Library Ref D151/11xf(5)

**Privy Council Committee set up to consider contributions to the Imperial Fund from Jersey, Guernsey and the Isle of Man, working papers (1923-26)**

These papers concern the efforts by HM government to raise money from the British Dependencies in the aftermath of the first World War. The Report of the Committee made in January 1926, in particular, reflects a low point in relations between the Island and the United Kingdom.

Archive Ref MS 09982/1-8

For a discussion of these papers see:

**Gawne, C 'The Isle of Man's annual financial 'Imperial Contribution' to Britain in particular the British Parliament's Privy Council Committee report 1925/1926'**

Archive Ref MS 10139

**Tynwald Committee appointed with reference to Constitutional development of the Isle of Man: Final Report**

Douglas: Norris Modern Press, 1956

Draft agreements concerning customs matters in preparation for financial independence.

Library Ref D151/121

**Tynwald Deputation appointed on 18th May 1954 to interview the Home Secretary on matters relative to the Isle of Man: Report**

Douglas: Norris Modern Press, 1954

There is much useful information contained here, particularly in the appendices, concerning proposals to repeal the Act of 1866 and to grant Tynwald financial control of customs duties

Library Ref D151/120

**CONSTITUTIONAL REFORM**

**Cain T.W. Deemster  
Constitutional Reform in the Twentieth Century  
In Proceedings of The IOM Natural History and Antiquarian Society vol x no.3 pp201- 224**

This article provides a clear and succinct account of constitutional reform between 1900 and 1959, concentrating on the period 1911-1918. It contains interesting additional information derived from Home Office minutes of that period.

Library Ref L6

**The Commission On the Isle Of Man Constitution (MacDermott Report)**

Douglas: Norris Modern Press, 1959

This report provides a valuable insight into the views

held by the Commission toward the wishes of Tynwald for the establishment of a more representative government in Man. The fact that the report is only just over forty years old shows how recently the current constitutional position has been achieved.

Library Ref D151/35

### **Constitution Act 1990**

In *Acts of Tynwald 1990 Chapter 6*

Douglas: Isle of Man Government

This statute marks a significant reduction in the constitutional power of the Governor. It provides for an elected President of Tynwald in his stead.

Library Ref D200/1

### **House of Keys Committee appointed to consider the whole question of the Constitution of the Isle of Man 16th September 1943: Report**

Douglas: Norris Modern Press, 1943

Spanning 11 pages, this report provides an analysis of the workings of Tynwald at that time and comments upon the power of either the Keys or the Governor to block any policy initiative introduced by the other.

Library Ref D151/25(7)

### **House of Keys Committee on the Suggested Consultative Committee December 1927: Report**

Douglas: Brown & Sons, 1927

This 2 page report shows that even the modest step of establishing a Consultative Committee to meet with the Governor was regarded as an 'experiment'.

Library Ref D151/118

### **The Isle of Man Constitution Committee Departmental Committee on the Constitution of the Isle of Man [MacDonnell Report]**

London: HMSO, 2 vols. Cd 5950, Cd 6026 1911-12

This report responds to IoM Reform Party demands for changes in the membership of Tynwald and in the position of the Lieutenant-Governor (see the Petition of 1907 contained in Appendix 1). The report includes substantial Minutes of Evidence taken from (inter alia) members of the Keys, Legislative Council, Deemsters and civil servants from Westminster.

Library Ref D151/23xf

### **Manx Constitutional Development**

**Letter of 20th February 1946 from the Permanent Under-Secretary of State, Home Office, Communicating the Observations of the Secretary of State on the Report of the Committee of Tynwald on Manx Constitutional Development**

Douglas: Norris Modern Press, 1946

This 2 page letter describes the initial non statutory status of the Executive Council.

Library Ref D151/121

### **Norris Samuel**

**Scrapbook of Documents related to insular**

### **constitutional reform campaigns, including petitions to the Home Secretary 1903-1938**

Documents collected by Samuel Norris including Manx memorials to the United Kingdom government and notes of a deputation received by the then Home Secretary (Herbert Morrison). The notes introduce references to Commonwealth jurisdictions and the wider political concept of self determination..

Library Ref D151/29xf

### **Norris Samuel**

#### **Manx Memories and Movements**

Douglas: Manx Heritage Foundation, 1994

(Reprint of the 3rd ed. 1941)

ISBN 0 9524019 1 6

First written in 1938, this is a first person account of the constitutional reform movement during the years 1903 to 1919. It gives a human perspective to the events that occurred, providing an invaluable insight into the struggles that went on within Tynwald and the background to the MacDonnell Report.

Library Ref G88NOR

### **Petition for a Popularly Elected House of Keys (c.1840) and Correspondence Concerning Public Sittings of the Legislative Council (1881-1882)**

This collection of documents provides an interesting insight into the position of the Governor at the time and the views of the members of the Council that greater openness in respect of their proceedings would threaten the Imperial Government.

Library Ref D151/7x

### **Proposed reforms in the Constitution - Resolution by Mr Norris**

In *Times Reports of Debates in the Manx Legislature Vol. 60 for October 1942- August 1943*

Douglas: Brown & Son

pp. 91-112 December 1st 1942 report this debate which contains the famous resolution of the House of Keys affirming belief in constitutional rights and freedoms and the need for improved social legislation. The resolution ended with the call to set up a Constitutional Committee.

Library Ref D152/1/60

### **THE RELATIONSHIP BETWEEN TYNWALD AND WESTMINSTER**

#### **Bates Professor T St. J**

#### **Friends of Peel Cathedral Annual Lecture**

'As free as thy sweet mountain air?' (30th October 1998)

This paper challenges conventional assumptions concerning the relationship between Tynwald and Westminster and supports the notion that Westminster does not necessarily have as much power as it claims.

Archive Ref MS 10068

**Commission On The Constitution. (Kilbrandon Report) Minutes Of Evidence Vol. VI The Channel Islands and The Isle of Man**  
London: HMSO, 1973  
SBN 11 730035 7

This is a crucial document in any analysis of the relationship between Tynwald and Westminster. It demonstrates the concerns of the Island government over the entry by the United Kingdom into the EEC and sets out views on the extent to which the United Kingdom could bind the Island through the medium of international treaties. It has extensive relevance today.  
Library Ref D151/49

**Edge Peter**

**David Goliath and Supremacy: The Isle of Man and the Sovereignty of the United Kingdom Parliament**  
In *Anglo-American Law Review* (1995)

This article deals specifically with the issue of the relationship between the United Kingdom Parliament and Tynwald.  
Library Ref D151/98

**Joint Working Party On the Constitutional Relationship between the Isle of Man and the United Kingdom (Stonham Report)**

Douglas: Norris Modern Press, London: HMSO 1969  
SBN 11 340347 X

This report publishes the submissions made by the Isle of Man on 'areas of actual or possible difficulty' (including legislative supremacy and international relations) and the Home Office response.  
Library Ref D151/45 and D151/46

**Royal Commission on the Constitution: Joint**

Evidence of the Home Office and Tynwald  
Douglas: Island Development Co. Ltd., 1970  
Contains the evidence submitted by Tynwald to the Royal Commission (Kilbrandon Commission). Deals in particular with international relations.  
Library Ref D151/48

**Kermode D.G.**

**Devolution at Work. A Case Study of the Isle of Man**  
Farnborough: Saxon House, 1979  
Chapter 3 Manx Political Development to 1946 pp. 28-52

Chapter 4 The Achievement and Confirmation of Regional Self Government 1946-78 pp. 53-69  
These chapters provide an interesting analysis of relations between Tynwald and Westminster in respect of specific areas of conflict that arose in the 20th century. See also his later work *Offshore Island Politics*.  
Library Ref D151/56

**Moore, Ramsey B.**

**Memorandum prepared by the Attorney-General on the constitutional position of the Isle of Man with relation to the Imperial Government**

Douglas: Norris Modern Press, October 1944  
A concise 15 page summary.  
Library Ref D151/25(12)

**Sharpe, Sybil**

**Autonomy Wrongly Denied: The British Government and the Isle of Man**

De Montford University, 2002  
Academic paper  
Archive Ref MS 10670

**Sharpe, Sybil**

**The Isle of Man - In the British Isles but not ruled by Britain: A modern peculiarity from ancient ordinances**

De Montford University, 2001  
Academic paper  
Archive Ref MS 10515

## WEB SITES

Tynwald has its own site which includes some useful history: <http://www.tynwald.org.im>  
Isle of Man Government: <http://www.gov.im>

The Manx National Heritage Library holds a wealth of various and extensive source material. Staff at the library and throughout Manx National Heritage, are always pleased to hear from anyone with an interest in Manx history.

**Manx National Heritage,  
Douglas, Isle of Man IM1 3LY.  
Tel: (01624) 648000  
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E-mail: [library@mnh.gov.im](mailto:library@mnh.gov.im)  
Website: [www.gov.im/mnh](http://www.gov.im/mnh)**

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The following links are useful for researchers:  
British Library Newspaper Library -  
<http://www.prodigy.bl.uk/nicat>  
British Library on-line public catalogue -  
<http://www.blpc.co.uk>

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