

Representation (b)

Ec 365

Sept. 25, 2017

1

Magna Carta (1215)

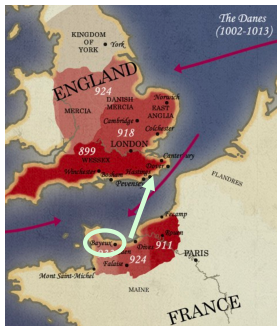
- Context: history
- Context: geography
- Conquest of new territories
- Different from Spain: hostile corporate takeover of the whole land, England

Foundations of parliaments in England

- The Normans
- Conquest of England by the Normans
 - Battle of Hastings (1066)
 - William I against Harold



Tapestry of Bayeux



Magna Carta (1215)

- “rebellions” of the barons.
 - More like the board not pleased with the CEO: quarrels within the system. (Property, land rights, etc), not against the system.
 - Particular arbitrariness of king John (and Richard in raising taxes).
 - Already with Henri II: tension between King and “magnates” who are willing to come to the king's protection but not to help him on his expeditions in Western France.
 - King (national) danger: willingness to pay. Not for the king's private affairs (considered to be private).
 - Good context for bargaining. Development of assemblies, (parliament)
 - Some “national” unity is necessary in these assemblies for the bargaining and compromises between different interest groups
- The concept of charters was not new (other charters before). The **Great** Charter is more important
 - Note that charters were issued because they were not permanent.
 - Some of the provisions of MC were repealed soon after, but marked a strong step in the evolution of charters and discussions between Crown and barons.

- Numerous clauses in a kind of 'social contract'.
- Critical issue is information about national emergency (and the true need for aids).
- Clauses 12 and 14.
- [12] **No scutage or aid shall be imposed in our kingdom unless by common counsel of our kingdom**, except for ransoming our person, for making our eldest son a knight, and for once marrying our eldest daughter, and for these only a reasonable aid shall be levied. Be it done in like manner concerning aids from the city of London.
- [14] And to obtain the common counsel of the kingdom about the assessing of an aid (except in the three cases aforesaid) or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls and greater barons, individually by our letters--and, in addition, we will cause to be summoned generally through our sheriffs and bailiffs all those holding of us in chief--**for a fixed date, namely, after the expiry of at least forty days, and to a fixed place**; and in all letters of such summons we will specify the reason for the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of those present, though not all have come who were summoned.