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Chapter 1 : Constitutional monarchy - Wikipedia

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Parliamentary sovereignty means judges cannot invalidate legislation. In the 19th century, A. Dicey , a highly influential constitutional scholar and lawyer, wrote of the twin pillars of the British constitution in his classic work *Introduction to the Study of the Law of the Constitution* . These pillars are the principle of Parliamentary sovereignty and the rule of law. Parliamentary sovereignty means that Parliament is the supreme law-making body: There has been some academic and legal debate as to whether the Acts of Union place limits on parliamentary supremacy. Historically, "No Act of Parliament can be unconstitutional, for the law of the land knows not the word or the idea. For example, Parliament has the power to determine the length of its term. By the Parliament Acts and , the maximum length of a term of parliament is five years but this may be extended with the consent of both Houses. This power was most recently used during World War II to extend the lifetime of the parliament in annual increments up to . Parliament also has the power to change the make-up of its constituent houses and the relation between them. Examples include the House of Lords Act which changed the membership of the House of Lords, the Parliament Acts and which altered the relationship between the House of Commons and the House of Lords, and the Reform Act which made changes to the system used to elect members of the House of Commons. The power extended to Parliament includes the power to determine the line of succession to the British throne. Parliament also has the power to remove or regulate the executive powers of the Monarch. In recent times the House of Commons has consisted of more than members elected by the people from single-member constituencies under a first past the post system. Following the passage of the House of Lords Act , the House of Lords consists of 26 bishops of the Church of England Lords Spiritual , 92 representatives of the hereditary peers and several hundred life peers. The power to nominate bishops of the Church of England and to create hereditary and life peers is exercised by the Monarch, on the advice of the prime minister. By the Parliament Acts and legislation may, in certain circumstances, be passed without the approval of the House of Lords. Although all legislation must receive the approval of the Monarch Royal Assent , no monarch has withheld such assent since . Such a motion does not require passage by the Lords or Royal Assent. The House of Lords has been described as a "revising chamber". By the Constitutional Reform Act it has the power to remove individual judges from office for misconduct. Additionally, Dicey has observed that the constitution of Belgium as it stood at the time "comes very near to a written reproduction of the English constitution. These principles include equal application of the law: Another is that no person is punishable in body or goods without a breach of the law: Unity and devolution[edit] Main articles: England, Wales , Scotland and Northern Ireland. Parliament contains no chamber comparable to the United States Senate which has equal representation from each state of the USA , the Brazilian Senate, which has three senators from each state, or the German Bundesrat whose membership is selected by the governments of the States of Germany. Scotland, Wales and Northern Ireland have devolved legislatures and executives, while England does not. The authority of these devolved legislatures is dependent on Acts of Parliament and, although it is politically very unlikely, they can in principle be abolished at the will of the Parliament of the United Kingdom. In England the established church is the Church of England. In Scotland, Wales and Northern Ireland, there is no state church; in Wales and Northern Ireland their respective state churches were disestablished that is, they were not disbanded but had their "established" status abolished by the Welsh Church Act and the Irish Church Act . In Scotland, its national church had long held its independence from the state, which was confirmed by the Church of Scotland Act . England and Wales share the same legal system, while Scotland and Northern Ireland each have their own distinct systems. These distinctions arose prior to and were retained after the unions according to the terms of the Treaty of Union ,

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ratified by the Acts of Union , and the Acts of Union The Scottish Parliament in Edinburgh is an institution created by recent devolution in the United Kingdom. Reforms since have decentralised the UK by setting up a devolved Scottish Parliament and assemblies in Wales and Northern Ireland. The UK was formed as a unitary state , though Scotland and England retained separate legal systems. Some commentators [33] have stated the UK is now a "quasi- federal " state: Attempts to extend devolution to the various regions of England have stalled, and the fact that Parliament functions both as a British and as an English legislature has created some dissatisfaction the so-called " West Lothian question ". European Union membership[edit] Main article: In his judgment in Factortame, Lord Bridge wrote: Thus, whatever limitation of its sovereignty Parliament accepted when it enacted the European Communities Act was entirely voluntary. Under the terms of the Act of it has always been clear that it was the duty of a United Kingdom court, when delivering final judgment, to override any rule of national law found to be in conflict with any directly enforceable rule of Community law. Thus there is nothing in any way novel in according supremacy to rules of Community law in those areas to which they apply and to insist that, in the protection of rights under Community law, national courts must not be inhibited by rules of national law from granting interim relief in appropriate cases is no more than a logical recognition of that supremacy.

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Chapter 2 : History of the Constitution of the United Kingdom - Wikipedia

This item: The constitution of England; or, An account of the English government: in which it is compared, both with the Republican form of government, and the in Europe. A new edition, enlarged. A new edition, enlarged.

History[edit] The oldest constitutional monarchy dating back to ancient times was that of the Hittites. They were an ancient Anatolian people that lived during the Bronze Age whose king or queen had to share their authority with an assembly, called the Panku, which was the equivalent to a modern-day deliberative assembly or a legislature. Members of the Panku came from scattered noble families who worked as representatives of their subjects in an adjutant or subaltern federal-type landscape. At the same time, in Scotland the Convention of Estates enacted the Claim of Right Act, which placed similar limits on the Scottish monarchy. Although Queen Anne was the last monarch to veto an Act of Parliament when on 11 March she blocked the Scottish Militia Bill, Hanoverian monarchs continued to selectively dictate government policies. Continental Europe[edit] Constitutional monarchy originated in continental Europe, with Poland developing the first constitution for a monarchy with the Constitution of May 3, 1791; it was the third constitution in the world just after the first republican Constitution of the United States. Constitutional monarchy also occurred briefly in the early years of the French Revolution, but much more widely afterwards. Napoleon Bonaparte is considered the first monarch proclaiming himself as an embodiment of the nation, rather than as a divinely-appointed ruler; this interpretation of monarchy is germane to continental constitutional monarchies. German philosopher Georg Wilhelm Friedrich Hegel, in his work *Elements of the Philosophy of Right*, gave the concept a philosophical justification that concurred with evolving contemporary political theory and the Protestant Christian view of natural law. Some of the framers of the U.S. In many cases the monarchs, while still at the very top of the political and social hierarchy, were given the status of "servants of the people" to reflect the new, egalitarian position. In the constitutional monarchy established under the Constitution of the German Empire which Bismarck inspired, the Kaiser retained considerable actual executive power, while the Imperial Chancellor needed no parliamentary vote of confidence and ruled solely by the imperial mandate. Later, Fascist Italy could also be considered a constitutional monarchy, in that there was a king as the titular head of state while actual power was held by Benito Mussolini under a constitution. This eventually discredited the Italian monarchy and led to its abolition in 1946. After the Second World War, surviving European monarchies almost invariably adopted some variant of the constitutional monarchy model originally developed in Britain. Nowadays a parliamentary democracy that is a constitutional monarchy is considered to differ from one that is a republic only in detail rather than in substance. In both cases, the titular head of state—monarch or president—serves the traditional role of embodying and representing the nation, while the government is carried on by a cabinet composed predominantly of elected Members of Parliament. However, three important factors distinguish monarchies such as the United Kingdom from systems where greater power might otherwise rest with Parliament. Other privileges may be nominal or ceremonial. However, the two most populous constitutional monarchies in the world are in Asia: In these countries the prime minister holds the day-to-day powers of governance, while the monarch retains residual but not always insignificant powers. The powers of the monarch differ between countries. In Denmark and in Belgium, for example, the Monarch formally appoints a representative to preside over the creation of a coalition government following a parliamentary election, while in Norway the King chairs special meetings of the cabinet. In nearly all cases, the monarch is still the nominal chief executive, but is bound by convention to act on the advice of the Cabinet. Only a few monarchies most notably Japan and Sweden have amended their constitutions so that the monarch is no longer even the nominal chief executive. There are sixteen constitutional monarchies under Queen Elizabeth II, which are known as Commonwealth realms. An instance of a Governor-General exercising such power occurred during the Australian constitutional crisis, when the Australian Prime Minister, Gough Whitlam, was dismissed by the

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Governor-General. On November 11, , Whitlam intended to call a half-Senate election in an attempt to break the deadlock. Acting quickly before all parliamentarians became aware of the change of government, Fraser and his allies secured passage of the appropriation bills, and the Governor-General dissolved Parliament for a double dissolution election. Fraser and his government were returned with a massive majority. Among supporters of constitutional monarchy, however, the experience confirmed the value of the monarchy as a source of checks and balances against elected politicians who might seek powers in excess of those conferred by the constitution, and ultimately as a safeguard against dictatorship. He has played an influential role in each incident, often acting as mediator between disputing political opponents. It carries strict criminal penalties for violators. Generally, the Thai people are reverent of Bhumibol. Much of his social influence arises from this reverence and from the socio-economic improvement efforts undertaken by the royal family. In the United Kingdom, a frequent debate centers on when it is appropriate for a monarch to act. When a monarch does act, political controversy can often ensue, partially because the neutrality of the crown is seen to be compromised in favor of a partisan goal, while some political scientists champion the idea of an "interventionist monarch" as a check against possible illegal action by politicians. For instance, the monarch of the United Kingdom can theoretically exercise an absolute veto over legislation by withholding royal assent. There are currently 43 monarchies worldwide. List of current constitutional monarchies[edit].

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Chapter 3 : The Constitution of England; Or, an Account of the English Government - Online Library of Libe

The Constitution of England or an Account of the English Government: In Which It Is Compared Both With the Republican Form of Government, and the in Europe (English and French Edition) (French).

Causes of the Liberty of the English Nation. A second Advantage England had over France: The Subject continued 44 Chap. Of the Legislative Power 55 Chap. Of the Executive Power 62 Chap. The same subject continued 67 Chap. New Restrictions 71 Chap. Of private Liberty, or the Liberty of Individuals 80 Chap. The Courts of Equity Edition: Of Criminal Justice Chap. The Subject continued Chap. Some Advantages peculiar to the English Constitution. The Unity of the Executive Power Chap. A third Advantage peculiar to the English Government. In which an Inquiry is made, whether it would be an Advantage to public Liberty that the Laws should be enacted by the Votes of the People at large Chap. Advantages that accrue to the People from appointing Representatives Chap. The Subject continuedâ€™”The Advantages that accrue to the People from their appointing Representatives, are very inconsiderable, unless they also entirely trust their Legislative Authority to them Chap. A farther Disadvantage of Republican Governments. Fundamental difference between the English Edition: The Powers which the People themselves exercise. Right of Resistance Chap. Proofs drawn from Facts of the Truth of the Principles laid down in this Work. The peculiar Manner in which Revolutions have always been concluded in England Chap. A more inward View of the English Government than has hitherto been offered to the Reader in the course of this Work. How far the examples of Nations that have lost their liberty, are applicable to England Chap. A few thoughts on the attempts that at particular times may be made to abridge the power of the Crown, and on some of the dangers by which such attempts may be attended Chap. A few additional Thoughts on the right of Taxation, lodged in the Hands of the Representatives of the People. Several persons have asked me the question, how I came to think of treating such a subject? One of the first things in this Country, that engages the attention of a Stranger who is in the habit of observing the objects before him, is the peculiarity of its Government: I had moreover been lately a witness of the broils which had for some time prevailed in the Republic in which I was born, and of the revolution by which they were terminated. Scenes of that kind, in a State which, though small, is independent, and contains within itself the principles of its motions, had naturally given me some competent insight into the first real principles of Governments: I was twenty-seven years old when I first came to this Country: I certainly was fortunate in avoiding to enter deeply into those articles with which I was not sufficiently acquainted. The Book met with rather a favourable reception on the Continent; several successive Editions having been made of it. And it also met here with approbation, even from Men of opposite parties; which, in this Country, was no small luck for a Book on systematical politics. A work which contained a specious, if not thoroughly true, confutation of those political notions by the help of which a disunion of the Empire was endeavoured to be promoted which confutation was moreover noticed by Men in the highest places should have procured to the Author some sort of real encouragement; at least the publication of it should not have drawn him into any inconvenient situation. When my enlarged English Edition was ready for the press, had I acquainted Ministers that I was preparing to boil my tea kettle with it, for want of being able conveniently to afford the expence of printing it, I do not pretend to say what their answer would have been; but I am firmly of opinion, that, had the like arguments in favour of the existing Government of this Country, against republican principles, been shewn to Charles the First, or his Ministers, at a certain period of his reign, they would have very willingly defrayed the expences of the publication. In the first place, as is above Edition: In the second place, after the difficulties by which the publication of the Book had been attended and followed, were overcome, I began to share with Booksellers in the profits arising from the sale of it. These profits I indeed thought to be but scanty and slow: After a course of some years, the net balance formed by the profits in question, amounted to a certain sum, proportioned to the bigness of the performance. And, in fine, I must add to the account of the many favours I Edition: I shall add to the above narrative whatever the Reader may be

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pleased to think of it a few observations of rather a more serious kind, for the sake of those persons who, judging themselves to be possessed of abilities, find they are neglected by those having it in their power to do them occasional services, and suffer themselves to be mortified by it. To hope that Men will in earnest assist in setting forth the mental qualifications of others, is an expectation which, generally speaking, must needs be disappointed. To diffuse these notions farther, to numerous parts of the Public, by means of the press or by others, becomes an object of real ambition: When the approbation of Mankind is in question, all per-Edition: The same desire has been equally remarkable among modern European Kings, not to speak of other parts of the World; and a long catalogue of Royal Authors may be produced. Ministers, especially after having lost their places, have shewn no less inclination than Edition: Noble Persons of all denominations, have increased the catalogue. And to speak of the Country in which we are, there is it seems no good reason to make any exception in regard to it; and Great Men in it, or in general those who are at the head of the People, are we find sufficiently anxious about the success of their Speeches, or of the printed performances which they Edition: Several additions were made to this Work, at the time I gave the first English Edition of it. These three additional chapters, never having been written by me in French, have been inserted in the third Edition made at Amsterdam, translated by a person whom the Dutch Bookseller employed for that purpose: Having now parted with the copy-right of the Book, I have farther added four new chapters to it 10, 11, B. As one proof of this peculiar solidity, it is remarked, in that Chapter, that all the Monarchs who ever existed, in any part of the World, were never able to maintain their ground against certain powerful subjects or a combination of them without the assistance of regular forces at their constant command; whereas it is evident that the power of the Crown, in England, Edition: The cause of this peculiarity in the English Government is said in the same Chapter, to lie in the circumstance of the great or powerful Men, in England, being divided into two distinct Assemblies, and at the same time, in the principles on which such division is formed. To attempt to give a demonstration of this assertion otherwise than by facts as is done in the Chapter here alluded to would lead into difficulties which the reader is little aware of. In general, the Science of Politics, considered as an exact Science, that is to say, as a Science capable of actual demonstration, is infinitely deeper than the reader so much perhaps as suspects. To conclude the above digression which may do very well for a Preface I shall only add, that those Speculators who will amuse themselves in seeking for the demonstration of the political Theorem above expressed, will thereby be led through a field of observations which they will at first little expect; and in their way towards attaining such demonstration, will find the Science, commonly called Metaphysics, to be at best but a very superficial one, and that the Mathematics, or at least the mathematical reasonings hitherto used by Men, are not so completely free from error as has been thought a. Any farther observations I may hereafter make on the English Government, such as comparing it with the other Governments of Europe, and examining what difference in the manners of the inhabitants of this Country may have resulted from it, must come in a new Work, if I ever undertake to treat these subjects. On the peculiar foundations of the English Monarchy, as a Monarchy, as I found its tendency not to be very well understood; and in fact, that Chapter contained little more than hints on the subject mentioned in it: The reader will now find in it several remarkable new instances to prove the fact of the peculiar stability of the executive power of the British Crown; and especially a much more complete delineation of the advantages that result from this stability in favour of public liberty a. The numerous restraints the governing authority is able to bear, and extensive freedom it can afford to allow the Subject, at its expence. The liberty of speaking and writing, carried to the great extent it is in England. The unbounded freedom of the Debates in the Legislature. The power to bear the constant union of all orders of Subjects against its prerogative. The freedom allowed to all individuals to take an active part in Government concerns. The strict impartiality with which Justice is dealt to all Subjects, without any respect whatever of persons. The lenity of the criminal law, both in regard to the mildness of punishments, and the frequent remitting of them. The strict compliance of the governing Authority with the letter of the law. The needlessness of an armed force to support itself by, and as a consequence, the singular subjection of the Military to the Civil power. The above mentioned advantages are peculiar to the

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English Government. To attempt to imitate them, or transfer them into other Countries, with that degree of extent to which they are carried Edition: Several articles of English liberty already appear impracticable to be preserved in the new American Commonwealths. The Irish Nation have of late succeeded to imitate several very important regulations in the English Government, and are very desirous to render the assimilation complete: I say, the similarity in many respects between the two kingdoms; for this resemblance may perhaps fail in regard to some important points: With respect to the exact manner of the Debates in Parliament, mentioned in that Chapter, I should not be able to say more at present than I was at that time, as I never had an opportunity to hear the Debates in either House. I have since found, that, like the bulk of Mankind in all Countries, they suffer themselves to be influenced by vehement prepossessions for this or that side of public questions, commonly in proportion as their knowledge of the subjects, is imperfect. It is however a fact, that their political prepossessions and party spirit are not productive in this Country, of those dangerous consequences which might be feared from the warmth with which they are sometimes manifested. But this subject, or in general the subject of the political quarrels and divisions in this Country, is not an article one may venture to meddle with in a single Chapter; I have therefore let this subsist, without touching it. I shall however observe, before I conclude, that there is an accidental circumstance in the English Government, which prevents the party spirit by which the Public are usually influenced, from producing those lasting and rancorous divisions in the Community, which have pestered so many other free States, making of the same Nation as it were two distinct People, Edition: The circumstance I mean, is, the frequent reconciliations commonly to quarrel again afterwards that take place between the Leaders of parties, by which the most violent and ignorant Edition: By the frequent coalitions between Whig and Tory Leaders, even that party distinction, the most famous in the English History, has now become useless: The late Coalition between two certain Leaders has done away and prevented from settling, that violent party spirit to which the administration of Lord Bute had given rise, and which the American disputes had carried still farther. This rising freedom of sen-Edition: But, though a foreigner in England, yet, as a native of a free Country, I am no stranger to those circumstances which constitute or characterise liberty. Even the great disproportion between the Republic of which I am Edition: It is upon the passions of Mankind, that is upon causes which are unalterable, that the action of the various parts of a State depends. The machine may vary as to its dimensions, but its movement and acting springs still remain intrinsically the same; and that time cannot be considered as lost, which has been spent in seeing them act and move in a narrower circle. The English themselves the observation cannot give them any offence having their eyes open, as I may say, upon their liberty, from their first entrance into life, are perhaps too much familiarised with its enjoyment, to enquire, with real concern, into its causes. Having acquired practical notions of their government, long before they have meditated Edition: But a stranger, beholding at once the various parts of a Constitution displayed before him, which, at the same time that it carries liberty to its height, has guarded against in-Edition: Not that I mean to insinuate that I have penetrated with more acuteness into the Constitution of England than others; my only design in the above observations, was to obviate an unfavourable, though natural, prepossession; and if, either in treating of the causes which originally produced the English liberty, or of those by which it continues to be maintained, my observations should be found new or singular, I hope the English reader will not condemn them, but where they shall be found inconsistent with History, or with daily experience. Of readers in general I also request, that they will not judge of the principles I shall lay down, but from their relation to those of human nature: Causes of the liberty of the English Nation. When the Romans, attacked on all sides by the Barbarians, were reduced to the necessity of defending the centre of their Empire, they abandoned Great Britain as well as several other of their distant provinces. The Island, thus left to itself, became a prey to the Nations inhabiting the shores of the Baltic; who, having first destroyed the ancient inhabitants, and for a long time reciprocally annoyed each other, established several Sovereignities in the southern part of the Island, afterwards called England, which at length were united, under Egbert, into one Kingdom. The successors of this Prince, denominated the Anglo-Saxon Princes, among whom Alfred the Great and Edward the Confessor are

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particularly celebrated, reigned for about two hundred years; but, though our knowledge of the prin-Edition: It is at the era of the Conquest, that we are to look for the real foundation of the English Constitution. But, instead of being established by dint of arms and all at once, as in England, it had only been established on the Continent, and particularly in France, through a long series of slow successive events; a difference of circumstances this, from which consequences were in time to arise, as important as they were at first difficult to be foreseen.

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Chapter 4 : Constitution of the United Kingdom - Wikipedia

*The original English edition, published in London as *The Constitution of England; or, an Account of the English Government; in which it is compared with the Republican Form of Government and occasionally with the Other Monarchies in Europe, comprised more than a translation of the earlier French version. De Lolme reorganized some of the.**

By Andrew Muchmore I. This process was a gradual evolution beginning with the Magna Charta [2] in and advancing intermittently as subsequent monarchs were compelled to recognize limitations on their power. The establishment of the English Bill of Rights was precipitated by repeated abuses of power by King James II during his reign from to Among these abuses, he suspended acts of Parliament, collected taxes not authorized by law, and undermined the independence of the judiciary and the universities. He interfered in the outcome of elections and trials and refused to be bound by duly enacted laws. Furthermore, he attempted to impose Catholicism on a staunchly Protestant nation through the persecution of Protestant dissenters and the replacement of Anglican officials who refused to acquiesce in his illegal acts. He brought with him a large army comprised primarily of Dutch mercenaries, but James ultimately fled for France without significant bloodshed taking place. In January of a Convention assembled in London to determine the succession of the English Crown. The Convention was composed of former members of Parliament and functioned much like a parliament, but as Parliament had been legally disbanded and the Great Seal had been thrown in the River Thames, their acts did not formally carry the force of law. After the accession of William and Mary and the formation of a legal Parliament, this Declaration was adapted to create a Bill of Rights which was signed into law, forever altering the balance of power between the sovereign and his subjects. Structure of the English Bill of Rights in English Constitutional Law Unlike the United States Constitution, which sets forth the rights of citizens and the relationship between governmental bodies in a single comprehensive document, English constitutional law is comprised of a number of different documents the force of which has steadily grown over the years. Many of the rights of Englishmen are enshrined in the Magna Charta rather than the English Bill of Rights, most notably the right to due process [4] and the Writ of Habeas Corpus. The second section of the English Bill of Rights sets forth a declaration of thirteen ancient rights and liberties which the document is intended to protect. These largely mirror the enumerations of error from the preceding section, and it is these rights that we will analyze in more detail. The remainder of the English Bill of Rights establishes the sovereignty of William and Mary and provides for their succession. It also provides that no Catholic may inherit the throne and no king may marry a Catholic. This was a reflection of the role that religion played in the Glorious Revolution, and the deep-seated fear the English people held of being subjects of a Catholic dynasty. Enumerations of Rights and their Corollaries in the United States Constitution That the pretended power of suspending of laws, or the execution of laws, by regal authority, without consent of parliament, is illegal. That the pretended power of dispensing with laws, or the executions of laws, by regal authority, as it hath been assumed and exercised of late, is illegal. Items 1 and 2 under the enumeration of rights provide that no king may suspend or dispense with laws or the execution of laws by regal authority without the consent of Parliament. These items are mirrored in the U. Constitution is effectively equivalent to the prohibition against suspension of the laws under the English Bill of Rights. The president is not permitted to refrain from executing the laws as duly enacted by congress and interpreted by the judiciary. Jun 27, 3:

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Chapter 5 : The Constitution of England, or an Account of the English Government

The Constitution of England: Or, An Account of the English Government; in which it is Compared Both with the Republican Form of Government, and the Other Monarchies in Europe Author Jean Louis de Lolme.

The unified kingdom of Alba retained some of the ritual aspects of Pictish and Scottish kingship. These can be seen in the elaborate ritual coronation at the Stone of Scone at Scone Abbey. In the late Middle Ages, it saw much of the aggrandisement associated with the New Monarchs elsewhere in Europe. The court remained at the centre of political life, and in the sixteenth century emerged as a major centre of display and artistic patronage, until it was effectively dissolved with the Union of the Crowns in 1707. For most of its history it was "annexed and united" to the English Crown. Cyfraith Hywel, also known as Welsh law, was the system of law practised in medieval Wales before its final conquest by England. There has been no geographical or constitutional basis for describing any of the territory of Wales as a principality since then, although the term has occasionally been used in an informal sense to describe the country, and in relation to the honorary title of Prince of Wales. In 1535 it was enlarged and given the additional duty of maintaining law and order in the Principality and the Marches of Wales. The Council was placed on a statutory basis in 1535 and played a central role in co-ordinating law and administration. It declined in the early 17th century and was abolished by Parliament in 1689. It was revived at the Restoration before being finally abolished in 1707. From 1707 there was no differentiation between the government of England and government in Wales. All laws relating to England included Wales and Wales was considered by the British Government as an indivisible part of England within the United Kingdom. The first piece of legislation to relate specifically to Wales was the Sunday Closing (Wales) Act 1880. A further exception was the Welsh Church Act 1914, which disestablished the Church in Wales which had formerly been part of the Church of England in 1535. In the practice was established that all laws passed in the Parliament of the United Kingdom were designated as applicable to either "England and Wales" or "Scotland", thus returning a legal identity to Wales which had not existed for hundreds of years following the Act of Union with Scotland in 1707. Also in 1907 a new Council for Wales was established as a parliamentary committee. In 1909 the Welsh Office was established, based in London, to oversee and recommend improvements to the application of laws in Wales. This situation would continue until the devolution of government in Wales and the establishment of the autonomous National Assembly for Wales in 1999. Pre-Civil War England[edit] Further information: The event completely changed the course of English history. Until 1066, England was ruled by monarchs that were elected by the witan, meaning wise. There were various elements of democracy at a local level too, known as folkmoot. The Normans[edit] Henry I of England c. 1100. When he ascended to the throne he granted the Charter of Liberties, a series of decrees and assurances to the barons. Probably the most important statement in the charter is at the beginning, where the king admits "that by the mercy of God and the common counsel of the barons of the whole kingdom of England I have been crowned king of said kingdom". This represented a step away from absolute rule; the king had recognised that the right to rule came not only from God but also from the common counsel of the barons. He was the youngest brother of Richard I. His reign was fraught with conflicts; there was conflict between England and France, between England and the Pope and between the King and the barons. Eventually the barons forced John to sign the Magna Carta, a practical solution to the political crisis he faced in 1215, which established for the first time the principle that everybody, including the king, was subject to the law. Henry was only nine years of age when he became king and so the country was ruled by regents until Henry reached the age of 16. Under pressure from the barons, led by Simon de Montfort, 6th Earl of Leicester, Henry had to accept constitutional limitations on the monarchy placed by Provisions of Oxford and Provisions of Westminster and the existence of the first representative English Parliament. The Ordinances of 1258 were a series of regulations imposed on King Edward I by the Lords and higher clergy to restrict the power of the king. The rebels came very close to their demands such as fair rents and the abolition of serfdom being granted by the king, but at the end the protesters were tricked out of

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such gains. The revolt remains as an important moment in history, but it failed to contribute to the written body of the constitution. Henry VIII died in 1547, leaving three children as potential heirs. The Act also required all office-holders, including the clergy, to take an oath of allegiance acknowledging the Queen as the supreme governor of the Church of England. The monarchy had to get the consent of Parliament in all issues, but with the threat of war looming from Spain, Parliament showed great loyalty toward Queen Elizabeth, who was a strong leader. However, after the Spanish Armada was defeated in 1588, Parliament felt safer and thus it decreased its loyalty to the monarchy. Parliament consisted of two levels of administration: The House of Commons had grown sharply, doubling in size due to the prosperity of the middle-class during that time. There were a number of vocal Puritans in the House of Commons although the extent to which they influenced the Commons is disputed, Sir John Neale identified a unified bloc of 43 members, whereas revisionists have suggested that this is an exaggeration who began asking for more rights for the Puritans, but Elizabeth I was strong enough to ignore their demands. James I would later have problems with them. John Aylmer, a Greek scholar, saw an immediate resemblance of the Tudor constitution to that of the classical republic of Sparta. It was the Greek scholars, such as Aylmer, that popularised the Greek classical political terminology and influenced English and later British constitutionalist thought. They brought forward the idea of mixed government from Classical antiquity and applied it to their form of government. This was a major step towards creating a single British state, although the Kingdom of Great Britain did not come about until a hundred years later. James VI faced a fractious religious England since it contained Anglicans of the Church of England, Puritans, Separatists who wanted to break from the Church of England, and also many Roman Catholics, although many did not declare their continuing allegiance to Rome, which was the cause of much mistrust. James VI was a believer in the Divine Right of Kings, which stated that Kings were chosen by God and should therefore be absolute and answerable only to God. This was corroborated by his Presbyterian belief in predestination, and such a birthright as kingship made him almost explicitly a part of the elect. Though he was Presbyterian Calvinist, Huguenot, Puritan, he was against the Presbyterian idea of allowing the congregation people to elect their presbyters church officials since it undermined his absolutism according to the Divine Right. Thus he was often at odds with the Puritans, who were English Presbyterians. He did concede to the Puritans by commissioning the "King James Bible", an English language translation and interpretation of the Bible. Then James VI began fighting with the Roman Catholics, but eventually gave them rights after his secretly Catholic wife probably persuaded him to, exempting them from having to pay tithes to the Anglican Church, but this caused a great decrease in Anglican Church revenue, so he quickly took those rights away. The actions of King James VI were unpopular during his reign. Charles I believed in the Divine Right of Kings, like his father, and thus continued to fight with parliament. Parliament demanded more power over the taxes. Now Parliament wanted to re-evaluate these taxes annually, which would give it more control over the king. Charles I did the same at first and later just ignored its annual evaluations. Charles acquired much of his money with forced loans from the rich. He also received a lot of money through taxes. One important tax that Charles collected was the Ship Money tax that required the counties bordering the sea to fund a navy to protect the English coastline. To get even more money, Charles placed the Ship Money tax on the interior counties as well - which angered the English people, because now Charles was creating new taxes without the consent of the Parliament which was against the unwritten law. This meant that 5 of 12 jurors were against their king, which did not look good or bode well for Charles I. But Charles I was at war with France and Spain, and this war was costing a lot of money; he was forced to call upon Parliament to raise new taxes for him. Parliament would not grant Charles new taxes more money until he had signed the Petition of Rights that established conditions in which Charles had to submit to the law of the Parliament: The king could not establish martial law in England during times of peace. The king could not levy taxes without the consent of the Parliament. The king could not arbitrarily imprison people. The king could not quarter soldiers in private homes. After Charles got the taxes from Parliament, he dissolved Parliament and broke the tenets of the Petition of Rights which, under the divine right theory, he considered void. He and the Parliament could not agree on anything,

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so after three weeks, Charles I dissolved the Parliament. Then he desperately needed new taxes, so Charles I called a Parliament again and it would only help him if he agreed to some terms, which ultimately made Charles I a constitutional monarch. It was called the Long Parliament " , because it was not officially dissolved by its own vote until He reluctantly placed them under arrest and put them in The Tower , executing Wentworth in for which Charles I never forgave himself since he was close to Thomas Wentworth and William Laud in It was considered an "extralegal" court. It dealt with odd cases and punishments. Charles I had to abolish the High Court, which was the same as the Court of the Star Chamber, though it dealt with religious heresy. Charles I had to accept the Grand Remonstrance and allow the circulation of its copies, and it was a document that outlined hyperbolically the crimes that officials had accused Charles of committing since the beginning of his reign. Charles I was also never to do any of those crimes again. Charles I, most importantly, had to agree never to dissolve a Parliament without the consent of the Parliament. This caused a political division in Parliament, so Charles I took advantage of it. The five ringleaders had been tipped off, so they had left Parliament and Charles I was left with only shame for storming Parliament. They were known as the Cavaliers. In response to Charles I raising an army, they did so as well. They called their army the New Model Army and they made its commander Oliver Cromwell , who was also a member of Parliament. The New Model Army was composed mostly of Presbyterians. The Scots were paid for their help and sent back to Scotland. The Presbyterian Roundheads were interested in freedom to practice their religion and not in making the Presbyterian religion the state religion. Cromwell proposed that Parliament reinstate the bishops of the Church of England and King Charles I as a constitutional monarch, but allow for the toleration of other religions. Though at the end of the war, the people of England could accept Charles I back in office but not religious toleration. They also wanted the New Model Army dissolved since it was a provocative factor. Charles I then made the same deal that the Roundheads had made with the Scottish and Parliamentary Presbyterians. He solicited the help of Scotland and the Presbyterians and in return he promised to impose Presbyterianism on England. The New Model Army would not allow this deal to be made because it would give Charles I military power once more. Thus a "new" civil war broke out in This time, Scotland, the Parliamentary Presbyterians and the royalists were on the side of Charles I. The New Model Army and the rest of Parliament were against him. The new Parliament constituted a Rump Parliament , which was a Parliament in which the minority Presbyterians carried on in the name of the majority that was kicked out.