Magna Carta

(Response Paper)

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Response Paper

**1. Consider Magna Carta as reflecting a list of grievances. What had been some of the complaints about King John? What kinds of issues do they concern? Justice? Land tenure? Taxes? Judging from Magna Carta, what tensions did the rise of central administration and government produce?**

Magana Carta dealt with a list of grievances at the time due to the failure and ineffective governance of the king John. The list of the grievances i9 issues inflated taxes by the crown, denial of justice, indiscriminate conduct. Magna Carta was a result of animosity between the central administration i.e. the crown and the government i.e. barons. King john’s irrational demands for taxes, impulsive acts with no regard for justice and no regard for the ancient feudal customs led to civil rebellion and loss of barons loyalty. Eventually making the two factions meet at Runnymede meadow on the banks of River Thames, ultimately agreeing to the baron's document of an agreement known as armed Articles of baron.

**2. Why might some argue that Magna Carter is a “feudal document”? Does it concern issues arising from land tenure?**

The feudal barons were responsible for landholding in the middle ages. In medieval times, the land tenure was held and regulated by the feudal barons. The land was therefore held from the king through a complex system of traditional practices. Moreover, the barons were to pay a ‘scutage tax; in compensation for the military service, moreover, kings involvement in the internal lives of feudal barons was way too comprehensive that he would take guardianship of young heirs inherited estates, control the marriages of barons, their heirs, and widows. In addition to this heavy sums of payments were put upon landowner i.e feudals to inherit estates or marry. The king continuously breached the land tenure practiced from ages, by excessively exploiting the feudal rights within his reign to excess. Therefore 63 clauses out of the Magna Carta directly address the rights of feudal and limit the king's power to interfere in the feudal arrangement.

**3. Who forced the king to issue it? Who is to represent the kingdom in dealing with the king?**

King John had disputes with the medieval church over the appointment of the archbishop of Canterbury, he even refused to recognize or his entry in the kingdom. The dispute intensified and the king ceased the Church properties and land, in return, the church halted all activities including marriage, death burials. King John further retaliated with bringing and holding the church's income. The animosity with the church was feared with the French invasion of England. Moreover, along with this, the turmoil persisted the fear of rebellion in the form of civil war by baron rebels. This forced the king to resolve and sign the Magna Carta in favor of his subjects.

**4. Magna Carta has often been seen as laying down fundamental constitutional principles. Is this conclusion correct? Why might some draw it? Was this a contemporary perception?**

Magna Carta is known as the Great Charter. It incorporates the right to fair trial and justice, individual rights and subjecting everyone even the king to the supremacy of law. Although the entirety of the document was to address the issues of the time however Magna Carta has become a universal document reflecting upon the ideals of democracy and human rights. It upholds the spirit of liberty and the rule of law being above all. Although it contains nothing in text for them, the connotations and the broader meaning reflect upon such themes laying down basic fundamental constitutional principles for all. Magna Carta is a symbolism that provides a basis for all governmental systems from capitalism to communism and recognition of fundamental themes that shall not be ignored in the application of universal human rights.

**5. Can you use Magna Carta to illuminate the origin of constitutional (i.e., limited) government?**

Magna Carta infused the idea of constitutional government. It refers to the limitation imposed on the governing authority. It limited the king's authority to exercise excessive power on its subjects. The document ended the monarchs absolute power. Magna Carta introduced a limited government system by encouraging parliamentary supremacy. The idea was to contain the power of the sovereign and transfer it to those who serve the public's interest better. The limited government beholds only that power which the public give it. Many governments in the world such as the British government exercise limited government by the introduction of a parliamentary system. It also limits the status of the monarchy to symbolic only. The United States of America has also incorporated the idea into its constitution under The Bill of rights.