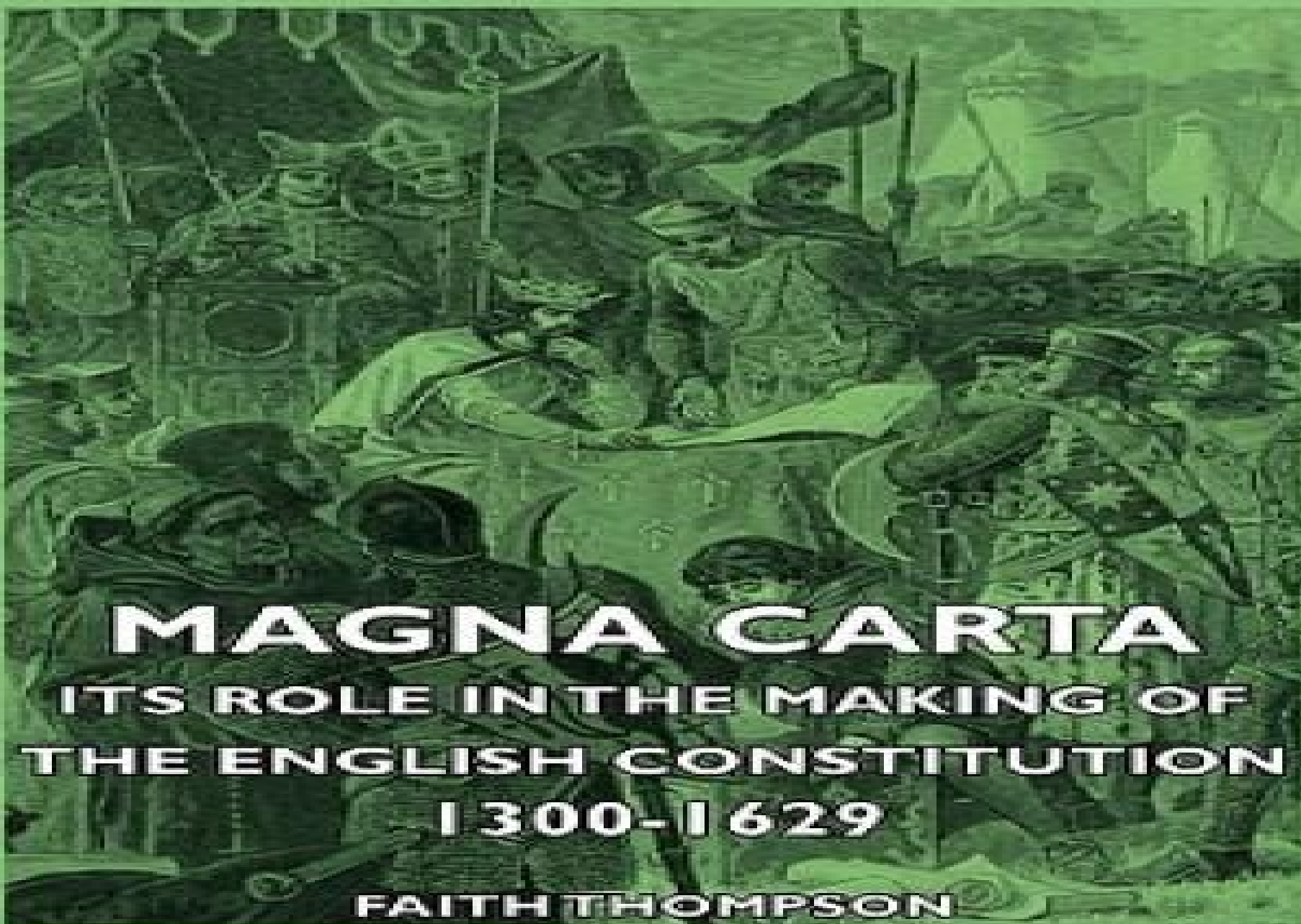




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ITS ROLE IN THE MAKING OF
THE ENGLISH CONSTITUTION
1300-1629
FAITH THOMPSON

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The Reinvention of Magna Carta 1216-1616 John Baker, 2017-01-26 This new account of the influence of Magna Carta on the development of English public law is based largely on unpublished manuscripts The story was discontinuous Between the fourteenth and sixteenth centuries the charter was practically a spent force Late medieval law lectures gave no hint of its later importance and even in the 1550s a commentary on Magna Carta by William Fleetwood was still cast in the late medieval mould Constitutional issues rarely surfaced in the courts But a new impetus was given to chapter 29 in 1581 by the Puritan barrister Robert Snagge and by the speeches and tracts of his colleagues and by 1587 it was being exploited by lawyers in a variety of contexts Edward Coke seized on the new learning at once He made extensive claims for chapter 29 while at the bar linking it with habeas corpus and then as a judge 1606 16 he deployed it with effect in challenging encroachments on the common law The book ends in 1616 with the lectures of Francis Ashley summarising the new learning and a few weeks later Coke's dismissal for defending too vigorously the liberty of the subject under the common law

Habeas Corpus Paul D. Halliday, 2012-04-02 We call habeas corpus the Great Writ of Liberty But it was actually a writ of power In a work based on an unprecedented study of thousands of cases across more than five hundred years Paul Halliday provides a sweeping revisionist account of the world's most revered legal device In the decades around 1600 English judges used ideas about royal power to empower themselves to protect the king's subjects The key was not the prisoner's right to liberty these are modern idioms but the possible wrongs committed by a jailer or anyone who ordered a prisoner detained This focus on wrongs gave the writ the force necessary to protect ideas about rights as they developed outside of law This judicial power carried the writ across the world from Quebec to Bengal Paradoxically the representative impulse most often expressed through legislative action did more to undermine the writ than anything else And the need to control imperial subjects would increasingly constrain judges The imperial experience is thus crucial for making sense of the broader sweep of the writ's history and of English law Halliday's work informed the 2008 U S Supreme Court ruling in *Boumediene v Bush* on prisoners in the Guantanamo detention camps His eagerly anticipated book is certain to be acclaimed the definitive history of habeas corpus

Rhetoric and the Discourses of Power in Court Culture David R. Knechtges, Eugene Vance, 2012-03-25 Key imperial and royal courts in Han Tang and Song dynasty China medieval and renaissance Europe and Heian and Muromachi Japan are examined in this comparative and

interdisciplinary volume as loci of power and as entities that establish influence or counter the norms of a larger society Contributions by twelve scholars are organized into sections on the rhetoric of persuasion taste communication gender and natural nobility Writing from the perspectives of literature history and philosophy the authors examine the use and purpose of rhetoric in their respective areas In Rhetoric of Persuasion we see that in both the third century court of the last Han emperor and the fourteenth century court of Edward II rhetoric served to justify the deposition of a ruler and the establishment of a new regime Rhetoric of Taste examines the court s influence on aesthetic values in China and Japan specifically literary tastes in ninth century China the melding of literary and historical texts into a sort of national history in fifteenth century Japan and the embrace of literati painting innovations in twelfth century China during a time when the literati themselves were out of favor Rhetoric of Communication considers official communications to the throne in third century China the importance of secret communications in Charlemagne s court and the implications of the use of classical Chinese in the Japanese court during the eighth and ninth centuries Rhetoric of Gender offers the biography of a former Han emperor s favorite consort and studies the metaphorical possibilities of Tang palace complaints Rhetoric of Natural Nobility focuses on Dante s efforts to confirm his nobility of soul as a poet surmounting his non noble ancestry and the development of the texts that supported the political ideologies of the fifteenth century Burgundian dukes Philip the Good and Charles the Bold

Royalists and Patriots J.P. Sommerville, 2014-06-17 This well known book reasserts the central importance of political and religious ideology in the origins of the English Civil War Recent historiography has concentrated on its social and economic causes Sommerville reminds us what the people of the time thought they were fighting about Examining the main political theories in c 17th England the Divine Right of Kings government by consent and the ancient constitution he considers their impact on actual events He draws on major political thinkers like Hobbes and Locke but also on lesser but more representative figures to explore what was new in these ideas and what was merely the common currency of the age This major new edition incorporates all the latest thinking on the subject

Preemption Alan M. Dershowitz, 2013-12-16 A path breaking must read for government leaders strategists and all concerned Americans General Wesley K Clark In Preemption one of our nation s foremost legal scholars puts forward a controversial new theory on crime and punishment in the postmodern world Using the American government s 2003 invasion of Iraq as a starting point Alan M Dershowitz tracks our society s increasing reliance on preemptive action In Preemption which Judge Richard Posner of the U S Court of Appeals calls lucid sober courageous and historically informed Dershowitz has brought together all of his diverse and considerable talents and experiences to confront the idea of preemptive action as it applies to some of our most urgent political and moral dilemmas

The Royal Forests of Medieval England Charles R. Young, 2015-10-28 The distinction between the forest and the trees is fundamental to this study for the royal forest of medieval England was a complex institution with legal political economic and social significance To protect the beasts of the forest and their habitat initially for the king s hunting and later

for economic exploitation an elaborate organization of officials and courts administered a system of forest law that was unique to medieval England The subject can first be studied in detail in the records and chronicles of the Angevin kings which reflect the restless activity of Henry II and his growing corps of officials that led to the expansion of the area designated as royal forest At its height in the thirteenth century an estimated one fourth of the land area of England and its riches came under the special jurisdiction of forest law Barons whose holdings lay within the royal forest were restricted in their use of the land and the activity of all who lived or traveled in the forest was circumscribed Until the institution of new taxes overshadowed the economic importance of the forest and the king divested himself of large areas of forest in 1327 the extent of the royal forest with its special jurisdiction was often a source of conflict between king and barons and was a major political issue in the Magna Carta crisis of 1215 This is the first general history of the royal forest system from its beginning with the Norman Conquest to its decline in the later Middle Ages The author pays special attention to the development of forest law alongside common law and the interrelationship between the two types of law courts and justices The preservation of extensive unpublished records of the forest courts in the Public Record Office makes possible this intensive study of the legal and administrative aspects of the royal forest chronicles and the records of the Exchequer among other sources shed light on the political and economic importance of the royal forests in medieval England The author s ultimate objective is to show the influence of the royal forest upon the daily lives of contemporaries both the barons who held land and the peasants who tilled land within the royal forests

Fourteenth Century England XII James Bothwell,J. S. Hamilton,2022

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