

History of Our Parliament- a class system at heart from the start!

As you will see, our **Parliamentary** system is simply a modification of a primitive clan / tribal chieftain organization which became a continuously changing mish mash of arrangements which at their heart sought and continue to seek to maintain control of the many by the few in power. (abridged from Wikipedia by LR)

“**The Origin of our Parliament** was a council known as the Witenagemot, who advised the King. Its primary members were the King's sons and brothers. The Ealdormen, or executive heads of the shires, also had seats in the Witenagemot, as did the senior clergymen of the state. The King still possessed ultimate authority, but laws were made after seeking the advice of the Witenagemot.

“The entire Anglo-Saxon body politic was reformed when **William of Normandy** conquered England in **1066**. William brought to England the feudal system he was accustomed to in his native France. Thus, he granted land to his most important military supporters, who in turn granted land to their supporters, thus creating a feudal hierarchy. Those who held lands directly from the King were known as tenants-in-chief, and the territories they held were called manors. William I was an absolute ruler, but, as a matter of course, he sought the advice of a council of tenants-in-chief and ecclesiastics, before making laws.

“The tenants-in-chief often struggled with their spiritual counterparts and with the King for power. In 1215, they secured from **King John** the Magna Carta, which established that the King may not levy or collect any taxes save with the consent of his council (except the feudal taxes to which they were hitherto accustomed). It was also established that the earls and the barons- the most important tenants-in-chief, as well as the ecclesiastics (archbishops, bishops and abbots) be summoned to the council by personal writs from the Sovereign, and that all others be summoned to the council by general writs from the sheriffs of their counties. John later repealed the Magna Carta, but **Henry III** was forced to reinstate it as a child, repealed it when he came of age, and reinstated it again later.

“Development

The royal council slowly developed into a Parliament. The first time the term Parliament appears in official documents was during Henry III's reign. It was still largely an informal affair and was not an official body. It was more often used to refer to who ever was available for Henry III's council. In 1265, **Simon de Montfort**, 6th Earl of Leicester, who was in rebellion against Henry III, summoned the first elected parliament without any prior royal authorization. The right to vote in Parliamentary elections for county constituencies was uniform throughout the country, granting a vote to all “freeholders” those “landed” class who had been given land at some time by the King and who paid him an annual rent of 40 shillings (Forty-shilling Freeholders). In the boroughs, the franchise varied and individual boroughs had varying arrangements. The archbishops, bishops, abbots, earls and

barons were summoned, as were two knights from each shire and two burgesses from each borough. Knights had been summoned to previous councils, but the representation of the boroughs was unprecedented. De Montfort's scheme was formally adopted by **Edward I** in the so-called “Model Parliament” of 1295. At first, each estate debated independently; by the reign of Edward III, however, Parliament had been separated into two Houses: one, including the nobility and higher clergy, the other, including the knights and burgesses. The moment that may mark Parliament's emergence as a true institution in England was the deposition of **Edward II**. Even though it is debatable if Edward II was deposed in Parliament or by Parliament, it was clear from this point forward that it was an institution that would be at the centre of English government for a long time. The authority of Parliament grew under **Edward III**; it was established that no law could be made, nor any tax levied, without the consent of both Houses as well as of the Sovereign. This was a development that came out of necessity for Edward III as he was involved in the Hundred Years War and needed finances. He tried to circumvent Parliament as much as possible and thereby the barons as well, which caused them to push for its institutionalization.

“The growing influence of Parliament was restrained by numerous civil wars. By the end of the Wars of the Roses, royal supremacy had been restored. The Crown was at the height of its power during the reign of **Henry VIII**. The number of the Lords Spiritual diminished under Henry, who commanded the Dissolution of the Monasteries, thereby depriving the abbots and priors of their seats in the Upper House. For the first time, the Lords Temporal were more numerous than the Lords Spiritual.

Parliaments continued to behave submissively under the Tudor monarchs who followed Henry, but began to display an unusual sense of independence under **Elizabeth I**. As England evolved into a world power, members of both Houses actively discussed succession to the Crown (the Queen never married) and condemned various royal policies. Their new-found boldness proved intolerable to Elizabeth's Scottish successor, **James I** (who was simultaneously King in Scotland as James VI). The great struggle between the Crown and Parliament occurred under James I's successor, **Charles I**. Alarmed by the arbitrary exercise of royal power, the House of Commons submitted to Charles the Petition of Right, demanding the restoration of their liberties, in 1628. Though he accepted the petition, he later dissolved Parliament and ruled without them for eleven years. It was only after the financial disaster of the Scottish Bishops' Wars (1639–1640) that he was forced to recall Parliament in order that they may authorize new taxes. The new Parliament was quite rebellious; their struggle for power with the Crown culminated in the English Civil War. Those supporting the cause of Parliament were called Parliamentarians (nicknamed Roundheads). In 1649, Charles was executed and replaced by the military dictator Oliver Cromwell. The House of Lords was abolished, and the House of Commons remained subordinate to Cromwell. After Cromwell's death, however, the monarchy was restored in 1660. The House of Lords also returned.

“Following the Restoration, monarchs undertook to regularly summon Parliament. Nevertheless, there was no explicit guarantee of Parliamentary liberties until **James II**, an

unpopular Catholic ruler, was forced to flee the country in 1688. Parliament "deemed" that he had abdicated, but it offered the Crown to his Protestant daughter Mary, instead of his Catholic son. **Mary II** ruled jointly with her husband, **William III**.

“Union: the Parliament of Great Britain

Following the Treaty of Union in 1707 twin Acts of Parliament passed in the Parliament of England and the Parliament of Scotland created a new Kingdom of Great Britain and dissolved both parliaments, replacing them with a new Parliament of Great Britain based in the former home of the English parliament. > p.8

“Future The re-establishment of a devolved English parliament, giving separate decision-making powers to representatives for voters in England similar to the representation given by the Welsh Assembly, Scottish Parliament and the Northern Ireland Assembly, is an issue in British politics, due to the anomaly of Scottish MPs having a say in English issues, whereas English MPs are unable to vote on issues that affect Scotland exclusively. The question of a devolved English parliament was considered a minor issue until the Conservative Party announced policy proposals to ban Scottish MPs from voting on English issues, thus raising the profile of the issue. • **END Wiki**

Canada and Parliament - Although the Parliament of Canada is pretty much a reflection of the British Parliament adopted in **1867** - The Constitution of Canada is a specific set of guidelines to Canada’s Parliament.

The Constitution is available on line and due to it's incredibly disconcertingly convoluted complexity, that is a great place to peruse it with it's multitude of built in links to amendments to the amendments to the changes to the adaptations to subsections lesser and greater. The Constitution is much like the old rule book for the game for which the **“Earl Grey Rugby Football Champions”** trophy is awarded annually to the CFL Champs.

The constitution is as bewildering a Gordian knot of laws as those set out for **Rugby** or the **“Manual of rules adapted for Canadian Rugby Football”** which was far far more complicated until **Grumpa Read** helped consolidate all the articles to the sub-paragraphs to the subsections to the Laws... or whatever that document had mish mash evolved into.

Following is a copy of the opening of the **Act...** this one happens to be from '82 as it is the one I am most interested in. It doesn't matter which one of the many versions one looks at, they are only modifications of the **Union Jack of Constitutions**, that **old and irrelevant** for the masses, **British document**.•

PART I - CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Whereas Canada is founded upon the principles that recognize the supremacy of God and the rule of law:

Guarantee of Rights and Freedoms

1.The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably

justified in a free and democratic society.

Fundamental Freedoms

2.Everyone has the following fundamental freedoms:
(a) freedom of conscience and religion
(b) freedom of thought, belief, opinion and expression, including freedom of the press and other means of communication.
(c) freedom of peaceful assembly; and
(d) freedom of association.

Democratic Rights

3.Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

4. (1) No House of Commons and no legislative assembly shall continue for longer than five years from the date fixed for the return of the writs at a general election of its members.(2)

(2) In time of real or apprehended war, invasion or insurrection, a House of Commons may be continued by Parliament and a legislative assembly may be continued by the legislature beyond five years if such continuation is not opposed by the votes of more than one-third of the members of the House of Commons or the legislative assembly, as the case may be.(3)

5. There shall be a sitting of Parliament and of each legislature at least once every twelve months.(4)

Mobility Rights

6.(1) Every citizen of Canada has the right to enter, remain in, and leave Canada.

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

(a) to move to and take up residence in any province; and
(b) to pursue the gaining of livelihood in any province.

(3) The rights specified in subsection (2) are subject to
(a) any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of present or previous residence; and
(b) any laws providing for reasonable residency requirements as a qualification for the receipt of publicly provided social services. (4) Subsections (2) and (3) do not preclude any law, program or activity that has as its object the amelioration in a province of conditions of individuals in that province who are socially or economically disadvantaged if the rate of employment in that province is below the rate of employment in Canada.

NB – In this first page opening part of the constitution there are five links to major addendum and sub-addendum to the act. We can't even get past the title without being redirected. I know that laws are sometimes necessarily complex, but this act is such an adaption of a collection of amendments of an ancient document written for another country in a far past time as to be a ridiculous joke. It is unavailable to the common Canadian, just the way those in power want things to be so that only a handful of lawyers and academic experts come close to understanding it and can help those in power retain that power and control of the “lesser” classes. •

LR in Cuba 2007.03.15