

Edward I: A Lesson in Taxation

by

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**Abstract**

Equality in taxation is a problem much discussed because of the importance that taxes play in the lives of individual citizens. However, it is a problem impossible to solve through methods of implementation. Rather, it is an issue of occasion and convenience, and therefore, mechanism. This thesis uses the specific historical example of the crown government of Edward I of England as a resource of understanding. The reign of Edward I was a period where questions involving the equality and right of taxation were posed, and the king answered them popularly, which contributed to a wildly successful reign. However, unlike more politicized attempts at using the past to verify drawn conclusions in the modern era, this thesis looks to allow history to address the problem itself. A plethora of historical authorities both primary and secondary to the study of Edward I and a wide variety of studies on the philosophy and development of the modern U.S. Tax system were used to draw conclusions from the past to benefit our current perspective. The results of this research yielded the following conclusions: that a traditional policy of taxation and popular acceptance to any change in that policy, temporary or permanent, are necessary for general acceptance of any tax burden. This would require a new perspective in regards to how we relate taxes to the individual. Likewise, the tax system of the United States would require alteration before either of these principles were put into effect creating an extraordinary rippling effect throughout the entire governmental process. However, if the conclusions drawn can ascend into popular acceptance, it would be a worthy effort to make.

*Introduction: The Challenge of Taxation*

Taxes are a necessary burden to any who wish to live in a society governed by law and order. However, the implementation is always contested and the principles that govern tax law are deeply rooted in politics and the constant changing of the political climate. The economic philosopher Adam Smith laid out his famous four maxims of taxation in *The Wealth of Nations*. The first principle, equality, meant that all citizens must pay tax according to their respective ability to pay. The second, certainty, declared that individuals should know the amount of payment due so as to avoid corruption among the collectors. The third principle, convenience, stated that taxes should be levied at time that is most convenient for the contributor to pay. The fourth and final principle asserted that taxes should be as small as possible so as not to hinder private enterprise or create waste in government (Smith, 1776, p. 263-264). Such principles are necessary in developing a framework to govern how taxes should be implemented. Even still, there is always controversy surrounding how to interpret principles such as Adam Smith's.

The most difficult of these to implement, of course, is equality. In truth, there is no such thing, or at least, no way to reach consensus on what equality in taxation looks like. The socialist would wish to increase taxes on the rich and decrease taxes on the poor. The conservative would prefer a decrease in taxes, especially on the rich and perhaps the implementation of a flat tax. Smith himself admitted that any tax levied only on a single source of revenue is unequal and hints at the possibility of taxation on all forms of revenue (Smith, 1776, p. 263). However, if such a tax were implemented, like the federal income tax of the United States, how could anyone

compare the equality of the tax levied on each form of revenue? Likewise, Smith does not attempt to explain his vision of an objective method to determine how much tax people of different income should pay. Perhaps all profits collected above a certain threshold considered a comfortable wage should be apprehended by the governing authority. After all, does anyone really need millions of dollars of income? Or perhaps the fairest tax is simply a percentage of income earned. After all, how can someone argue that it is fair to tax anyone at a higher percentage just because they are more successful financially than anyone else? In the course of modern history, most governments have opted for a progressive income tax that is essentially a compromise between the two schools of thought (Bartlett, 2012, p. 60). However, this has only calmed the debate slightly as people continue to run for high public offices on their opinions of what constitutes a fair tax.

To address the problem of defining equality, it is prudent to look back at a period where similar questions surrounding the fairness of taxation occurred and were addressed in a successful manner. The reign of Edward I of England is one such period of history following the disastrous reign of his father, Henry III, and grandfather, John, where the power of the English crown was challenged and the right of the king to levy taxes against his people was questioned. Edward I responded to the uncertainty with strategic and prudent action that led to arguably the most successful and transformative reign in medieval English history. Likewise, in addressing the challenge of taxation, the reign of Edward I provides great insight into funding the needs of a country without dividing the population along political lines. The conclusions yielded can be expressed in two points: that a traditional tax policy should be creat-

ed by a form of convention, and that all new taxes should be levied only after the general population provides its acceptance.

### *Governmental Revenues of Edward I*

#### **Streams of Revenue**

Edward I's crown did not solely rely on taxation, though his ambitions forced him to rely on taxation more than he might have liked. Nonetheless, a substantial part of his revenues came in the form of personal revenues from his own estates and loans from Italian bankers.

By the time of Edward's reign, the traditional revenues raised from the king's own holdings were insufficient to match expenses. Indeed, by this time profits from crown lands could scarcely amount to more than £14,000 throughout the entire year (Mills, 1925, p. 231). Considering that at times Edward's crown government required sums of £751 a week or £39,052 a year, it was impossible for traditional revenues to meet budgetary needs (Prestwich, 1972, p. 204). Because of this, what was traditionally thought to be the main revenue source of the crown needed to be not only supplemented, but effectively replaced by newer and greater sources of revenue.

Early on in Edward's reign it was Italian bankers, the international financiers of the age, which would provide him with the bulk of the necessary resources. As Morris (2015) explained, Edward had met these bankers, the Riccardi of Lucca, in route to the Holy Land during his crusade, and grew increasingly reliant on their loans during the early part of his reign (p. 123). This reliance, however, could only

continue if the Riccardi had reason to lend money to the crown; and what attracted them to England was the thriving wool trade. They proved to be more than excited to do business with all sorts of Englishmen, at one point being owed £20,007 from various people in England excluding the crown (Prestwich, 1972, p. 206). For Edward, loans provided a method of raising necessary funds quickly during times of emergency. For the Riccardi, they would receive interest at rates nearing thirty-three percent (Morris, 2015, p. 124). It might seem overly expensive to utilize loans as frequently as Edward did. After all, was expedience really worth thirty-three percent interest? For Edward, however, the most important thing about the Riccardi is that their loans did not require the consent of Edward's subjects.

That, of course, was the major hurdle Edward faced when petitioning for taxes. As T.F. Tout (1896) explained, Edward was power-hungry, but understood the necessity of entering into a partnership with his subjects (p. 123). However, his subjects cared little about his policies unless they affected them directly. For the peasantry, wars in Wales did little to upset them. For the barony, Edward's wars were a welcomed method of securing new lands and titles. That is, as long as they were wars of conquest that might personally endow them. However, wars in the French province of Gascony fought over the king's own lands outside the Kingdom of England did little to please them. Moreover, taxes raised for wars in France were a sure way to unite the nobility and commoners against an English king. In 1296, enough frustration led to the threat of Civil War after the marshal of England refused the king's call to arms (Morris, 2015, p. 295-296).

These sorts of events did not happen often, however. Unlike his father, Edward seldom experienced the disunity or strife that afflicted Henry III throughout his long reign. This was because Edward recognized the limitations facing him and wielded what traditional rights he held with competency and grace. Taxes would become one of Edward's major sources of income. Parliament would become his most trusted ally in securing the consent of his people to obtain tax revenues.

### **Popular Ascent**

The nature of late medieval parliamentary procedure is very much a mystery to modern historians. M.V. Clarke (1964) went so far as to say, "we are left to guess in the dark," (p. 2). Nonetheless, research regarding the procedures of early English parliaments must consult one particularly misunderstood document known as the *Modus Tenendi Parliamentum*. This misunderstanding comes not only from the document itself, but also how we have received the document. We lack the date and author of the *Modus*, and we have too many versions of the manuscript (Weber, 1998, p. 149). This ambiguity has caused many historians to either reject the document or ignore it altogether.

Yet, what intrigues Clarke and even those in doubt of the document's usefulness are the contents of the *Modus Tenendi Parliamentum*. This grand old document describes in great detail the summoning procedure, who was summoned, where the king and his clerks would sit amongst the parliament, and how parliament was carried out and why (Hardy, 1846). The descriptive nature of the document suggests that the author or authors had some understanding of the goings-on of late medieval

English parliaments because what can be verified is the authors' understanding of the nature of summonses. Two burgesses both "discreet and capable of laboring" were to be "elected without delay" to appear at Edward I's 1295 parliament according to a writs of summons to the sheriff of Northampton (Halsall, 1996). Likewise, the *Modus* suggested that "two fit, honorable, and experienced burgesses," were to be elected to parliament (Hardy, 1846, p. 12). When comparing the other procedures of summoning the barons and bishops there exist similarities in both structure and content between the actual writs of summons and the summoning described in the *Modus*.

Of course, verification in partiality cannot be equated with verification on the whole. However, partial verification does suggest that the author intended to describe reality and not his or her own imaginative vision of what parliament might have been. Therefore, at the very least, the *Modus* is something to consider. Certainly for the great biographer of Edward I, Michael Prestwich, the *Modus* was something to take very seriously. Indeed, Prestwich not only used the document in his scholarship, but speculated to the date and possible authorship of the manuscript (p. 444).

For purposes of taxation, the *Modus* described the limitations of taxation on the king as well as the role of the representatives of the shires, towns, and burgesses in decisions on the matter. Firstly, the king was only permitted to petition his subjects for aid in circumstances of war, the knighting of the king's sons, and the marrying of the king's daughters. Secondly, the consensus of two shire knights or, "in like manner the procurators of the clergy of a single bishopric," outweigh the opposite

opinion of an earl or bishop respectively (p. 40). Essentially, the *Modus* confirmed that the king only had certain powers to tax and that the persons sitting in parliament had voices of near equality while parliament was being held. Moreover, the *Modus* previously declared that, "all peers are judges and justices," (p. 40). In respect to popular ascent, the *Modus* quite clearly holds an idealistic view of parliamentary co-operation between the various classes of people involved. To whoever wrote the manuscript, parliament was an extraordinary occurrence insulated from the wealth and station that divided those in attendance during their normal lives.

However, to the engineers of late medieval parliament, the *Modus'* conclusion only confirmed what had been assured by Edward I himself. The king's writ of summons to the archbishop of Canterbury during the year 1295 stated, "that what affects all, by all should be approved," (Halsall, 1996). The summons could easily have only addressed the exalted men of England or the peers of the realm. Instead, Edward was absolutely inclusive. "All" didn't refer to only the bishops and barons. "All" referred to the entirety of the English population. If not, there would be no reason of including representatives of the shires, boroughs, and towns at all. Likewise, if this was a false claim by a king hoping to pacify a troubled peasantry, then attendance from outside the English peerage would certainly have been low, which is not the case when considering J.G. Edwards exhaustive study on parliamentary attendance of the medieval common representatives during the reigns of Edward I and Edward II (p. 166-167).

Likewise, Edward I went on to inspire nationalism to support his cause in Gascony by claiming the French king's plans against Edward extended beyond his

French holdings and into the Kingdom of England (Halsall, 1996). Very clearly Edward wanted parliament to be not only representative, but unifying, therefore supporting the idea that parliament acted as a bridge between the crown, the crown's vassals, the clergy, and the common folk of England. Taken together with the *Modus*, it can be reasonably assumed that either parliament was such a bridge or that the king's propaganda worked well enough for parliament to be perceived as such.

It should be noted that Edward was not a visionary, but rather an agent of reality. His idealistic rhetoric and continual reliance on parliament should not be taken at face value. His royal authority had been challenged often and violently through civil war and political upheaval during the reigns of the past two kings. Without taking into account the demands of the barons in the *Magna Carta* and *Provisions of Oxford*, Edward could have faced the same crippling problems that led to the frustrations and catastrophes of his father and grandfather. King John, whose reign spurred the barons into rebellion that forced him to accept the *Magna Carta*, faced many of the same problems that Edward faced. However, what separated him from Edward and the Angevin kings before him was his unwillingness to interact with his subjects. He did not lack ambition or even cleverness, but he lacked charisma and trust. So, when when faced with economic ruin, John wielded his powers to tax imperially and used fines and other judicial measures to raise revenues without the consent of his subjects (McGlynn, p. 13-14). This was the root cause of the *Magna Carta* drafted in 1215, which demanded that no aid or scutage be levied without the "common counsel of the realm," (Holt, 383). One hundred years later, his grandson, Edward, would not forget.

To accept one perspective as reality would be wrong. However, in the absence of other alternative descriptions of late medieval parliamentary procedure, the *Modus* confirms what Edward I attempted to sell parliament as: a body of individuals speaking for the whole of England. It certainly made sense for Edward to utilize such a body of individuals because it formalized the consent of his subjects demanded by the *Magna Carta*. Considering this, it must be tentatively accepted that at the very least late medieval English parliaments were a measured attempt at compromise between the crown and its subjects. In effect, it was a medieval referendum.

### **Edwardian Taxation**

Clerical taxes were the most radical form of taxation imposed throughout Edward's reign. He certainly wasn't the only king, nor the only English king, to impose taxes on the clergy; but that he taxed heavily and often was troublesome to the Catholic Church in England. Archbishop of Canterbury Winchelsea proved to be an effective and capable foil to Edward. On multiple occasions, the archbishop stymied Edward's attempts to levy taxes on the clergy. Once, he even had Edward's own minister impeached from office (Stubbs, 1968, p. 490). Despite these occasions of victory, Winchelsea was eventually defeated by Edward when, upon the ascension of Pope Clement V, Winchelsea was relieved of his position (Morris, 2015, p. 352). Despite the frequent controversy, taxes collected from the clergy were impressive. £101,000 was collected in 1295 and £22,810 in 1297 despite Winchelsea's resistance during the later collection (Prestwich, 1972, p. 187).

Edward also looked to more traditional forms of war taxes, specifically tallages, or land taxes imposed during times of conflict, and feudal aid granted for the marriage of the king's daughter. However, when these were implemented, little was yielded (Prestwich, 1972, p. 184-185). Lastly, scutage, or fines issued when a man could not answer a military summons, were issued in 1305. However, only £400 was collected due much to hostility towards the antiquated fine (Prestwich, 1972, p. 185).

Edward's most effective form of taxation was assessed on the value of moveable property. According to James T. Willard (1934), moveable property was never specifically identified, but essentially meant animals, produce, and household goods (p. 517). It was not a tallage, or traditional land tax, certainly because of the protestation of the barons in the *Magna Carta (Britannica, 1878, p. 29)*. It must have been accepted because moveable property was inherently temporary. Nothing could be taxed that might be passed down from generation to generation, especially considering that such tax was only levied against men with property valued above a certain threshold (Willard, 1934, p. 517).

Despite its popularity, taxes on moveables had one glaring issue. Every tax required a new assessment. A moveables tax of a fifteenth in 1275 could be valued at £81,054 and £49,755 in 1301 (Prestwich, 1972, p. 179-180). How could such a variation in wealth occur in a country in just twenty-six years? Obviously, it wasn't a change in wealth, but a change in assessment. Assessors could be treated or bribed to make lower assessments and collectors might pocket coin under the table and blame the assessors. A lack of a permanent method of valuation made taxes on moveable property a frustratingly inconsistent manner of taxation. If the king needed

twenty thousand pounds and only brought in ten thousand, his campaign might be doomed. If the king levied taxes at unpopular percentages, his authority might be questioned. Michael Prestwich (1972) noted that one method of reducing corruption of assessors and collectors was through positive incentives of heightened allowances (p. 181). This dampened the volatility, but did not solve it.

There were other forms of taxes levied by Edward often fitting the moment in which they were levied. In 1275, Edward turned to customs duties on wool. During the Easter Parliament of that year, Edward was granted a tax of around three percent on every sack of wool exported (Morris, 2015, p. 123). However, like all taxes only levied on a single industry, customs duties on wool were largely unpopular. Though levied on multiple occasions, Edward was met with opposition in nearly every occurrence. In fact, the crippling tax on wool exports contributed to the rhetoric of rebellion that nearly occurred in 1296 led by Edward's own marshal (Prestwich, 1972, p. 123). Nonetheless, Edward levied many customs duties and forced loans on various townships because wool was the main export of England and thus the greatest source of possible revenues. Strangely, some historians have suggested that Edward's protective tariffs might have saved the English wool trade from foreign merchant dominance within the kingdom (Nightingale, 2013, p. 478). After all, why would foreign merchants suffer under the weight of Edwardian customs duties if they could leave the country?

Like all responsible and ambitious governors, Edward I was both careful and clever about how and where he collected the necessary funds to run his kingdom. The task was inherently onerous, but, as William Stubbs suggested, he was "very

economical,” (Stubbs, 1968, p. 488). He understood that a kingdom required tremendous resources to function, and he found ways to keep the kingdom running and purposeful. Nonetheless, despite an aggressive nature and appetite for conquest and war, he maintained a clear understanding of the limitations of his crown and its relation to his subjects as apparent in his frequent use of a tax that proved to be popular and required parliamentary approval for its implementation. For all its problems, Edwardian taxation pushed the most popular form of taxation to the forefront of the king’s policies. Taxes on moveable property proved to be the most important revenue source for the king. Likewise, because Edward did not overstep many of his traditional rights to revenues through only collecting taxes and extraordinary tributes during times of conflict, he maintained the faith and goodwill of his subjects. Through careful observance of traditional law regarding taxes and calling for the consent of his subjects through parliament whenever he required funds outside of his royal rights, Edward was not only able to avoid the fate of his father and grandfather, but expand his realm, restore the prestige of the crown, and restore stability to a fracturing kingdom.

### *Implementation of Edwardian Taxation in the Modern United States*

#### **Problem of Representation**

The representative legislature of the United States was established to provide law and order to the country along with the general support of the population. The republican nature of the United States government, as argued for in the *Federalist*

*Papers* and created through the *Constitution*, was preferred over direct democracy because a republic is governed by a small body of individuals who can provide vision, and it can govern a much larger land mass than can a democracy (Jay, Goldman, Hamilton, & Madison, 2008, p. 52). For Thomas Jefferson (1801), the republican form of government was an absolute necessity during the years of his presidency when he declared in his first inaugural address that republicanism was “the world’s best hope,” (p. 2). Nonetheless, it was not the ideal form of government because it required an enlightened representative body to take the helm until a more perfect manifestation of governmental consent could be developed. The United States, forged in revolution and tempered through the *Constitution*, was a process; and republicanism, as it existed during Jefferson’s presidency, was merely a single step in that process. Eventually, Jefferson envisioned a self-governing populace molded by education and commitment to principles of liberty (Onuf, 2007, p. 172). Jeffersonian commitment to the consent of the governed was part of the ideological foundation that would become the United States of America.

However, there exists a great debate over how far the United States has come in promoting consent of the governed. Optimistically, Fred R. Harris (1995) concluded that, “The U.S. Congress is today... a place of largely well-motivated, well-prepared, and high-minded professional members, the world’s greatest deliberative body, and... the citadel of America’s democracy,” (p. 143). Somewhere in the middle sits Sean Theriault (2005) who lamented that, “sometimes the people matter; sometimes they do not,” (p. 138). Vehemently in rejection that the U.S. Congress promotes representatives that faithfully govern based on the will of their constituents

is Robert A. Bernstein (1989) who not only referred to the idea as a myth, but concluded that the myth is false (p. 104). At the heart of this argument is the question of representative responsiveness to the opinions of their constituents. Intuitively, congressmen and congresswomen should be responsive or be voted out of office. However, the conclusions drawn by various scholars is mixed. Sean Theriault (2005), holding the most balanced position in the debate, proposed, that representatives are somewhat responsive to their constituents, but when they are not, they tend to escape punishment by their constituents (p. 136-137). This lukewarm conclusion can be best explained by the expectations of Congress of being both a legislative body and a representative body (Sinclair, 2014, 705). This often discussed argument of Barbara Sinclair's is wonderful because it proposes that Congress has two separate functions. Ultimately it fails at both considering the staggeringly low approval ratings of Congress and Congress' partial adherence to its role as a representative body. This suggests a radical proposition: Congress should only have one major function.

In addressing the question of which major function, the reign of Edward provides great insight. The representative body of parliament was freshly elected for every occasion. Parliament had no legislative or executive powers and merely provided acceptance or rejection of the crown's vision. Moreover, this parliament proved to be exceptionally responsive by promoting the most popular and effective tax in a time of significant controversy surrounding the king's powers to tax his subjects.

For the contemporary United States, the natural function of Congress is to be the legislature. The general population would not support a president functioning as both a legislature and executive, like King Edward I. However, considering that Con-

gress has been and remains the least popular branch of government with approval ratings ranging from 11% to 20% over the past three and one-half years, change should occur (McCarthy, 2016). If Congress' only major junction becomes legislative and not representative, something else must fill the role of representative.

The answer lies in the American tax system. If a traditional basis of taxation were created through a convention with that singular purpose, and any change to that basis required the consent of the people through a referendum, Congress could focus on effective legislation, and the American people could accept or reject their vision being the body holding the purse-string of the federal government. In this vision, the American people would replace medieval parliament and the president and congress would replace the Edwardian crown government.

### **Referendum on Changes to American Taxation**

The new role played by the people as their own representative body would not be extraordinary. Modern governments turn to referendums on occasion to gauge the will of their constituents or settle disputes within legislative and representative bodies. However, splitting the role of Congress and empowering the American people by giving them the power to dictate tax policy would be extraordinary, though not contrary to the will of at least one particular founding father. Thomas Jefferson envisioned an educated population that could effectively govern themselves. This would provide a path to such a lofty vision. After all, if the people voted time and again to restrict Congress to their current budget, perhaps there would be no place

for the federal government anymore, and the American people would thus be on the path to self-governance.

To consider such a proposition, it is imperative to imagine the necessary changes and steps that would have to occur to implement a system of referendums to effectively mold the American citizenry into their own representative body. First, a council of individuals consisting of appointees of the executive, legislative, and representative bodies would be required to oversee referendums proposed by Congress. Second, there should be a maximum number of tax referendums that can be called by Congress in a given period of time. An example might be once every quarter with the logic being that Congress could theoretically call referendums very often to limit voter turnout and perhaps increase chances of a vote of acceptance. Third, the percentage of votes required to change tax law should be based on whether the proposed change is temporary or permanent. Lastly, there should be no quorum to validate referendum results because quorums incentivize the rejectors to not voice their opinion, creating lower voter turnout where quorum law exists (Conraria & Magalhães, 2009).

Of course this is all contingent on the willingness of the people to be an active participant in their government in regards to taxation. On the surface, it appears obvious that, “the aspect of government that directly affects more people than any other,” should cause Americans to take an active role in answering Congress’ plea for changes in taxation (Slemrod & Bakija, 2008, p. 2). However, for them to not only be active, but responsible requires the American people to understand their responsibility to the nation as a whole and the nation’s responsibility to them. After all, taxes are

what supply government with revenues and people tend to struggle to put value on what the government offers them: protection from foreign and domestic threats, education, and a shared identity. To accept that the American people are capable of such a task is a great step, but one the government and people should be willing to take. After all, if Edward I was insightful enough to involve parliament to decide the fate of his governmental needs, so too should the government of the United States invite their people to the table.

As Parliament changed the nature of Edwardian government, so too would a system of referendum impact the nature of Congress. Obviously, Congress would still be an elected body. However, with their foremost purpose being lawmaking as opposed to representation, they would have new expectations laid at their feet. With legislation the main Congressional responsibility, efficiency and effectiveness would be the expectation. Gridlock and the slow and painstaking procedures required to even get a bill to the House or Senate floor, much less passed, would no longer be accepted. Even Harris (1995), the man who so vehemently defended Congress, desired great procedural reforms in the Senate and committees because of the inefficiency of the Congressional legislation process (p. 110-127). If Congress no longer needed to worry about re-election through single-term limits and longer terms, Congress could focus wholly on building a new method of hearing ideas, building laws, and passing them. The check to legislative authority would not only be from the executive, but from the citizens acting as their own representatives through control over federal taxation. For Congress to pass major legislation that also required extensive funding, they would be forced to convince the American people that their

new laws would benefit them more than it would cost them. They would have to educate the American people on their vision, and what once might have been seen as a government wholly detached from its constituents would be reliant on its constituents.

### **Establishment of a Traditional Tax Policy**

Adam Smith's (1776) second maxim of certainty is the most easily addressed problem in our current tax system (p. 263-264). In the United States, the complexity of the tax system costs the country \$135 billion or 10 cents for every dollar of tax revenue (Slemrod & Bakija, 2008, p. 4). Complexity sounds like a different issue than certainty, but in reality it is not. If people are required to pour hours into their taxes in order to accurately calculate them, or pay someone else to do them, or get a family member to do them, then there most assuredly is a lack of certainty surrounding what exactly is being taxed and how the tax revenues are being spent. Certainty is equal parts simplicity and transparency. Edward I achieved tax certainty through the frequent use of taxes on moveables, which were the most popular and well-understood form of taxation for the English people of the time. For the American people, the establishment of a traditional tax policy is imperative to achieving Smith's maxim of certainty.

Complexity is simply a part of most modern tax systems; however, many economists believe that complexity in the United States tax system is uniquely extreme, including Joel Slemrod and Jon Bakija (2008, p. 164-165). Simplifying the tax

code would be step one to establishing an acceptable traditional basis of taxation. Two main steps would be required to simplify the tax code. The establishment of a single form of taxation, whether it be income tax or wealth tax or sales tax, would be step one. For the sake of familiarity, income tax seems to be a good option. It is already the flashpoint of most debates surrounding taxation, has been levied since the Civil War and permanently since the passage of the sixteenth amendment, and is part of modern American life.

Moreover, despite the current complexity of income taxation, the current system can be simplified by simply destroying or severely limiting tax cuts of all kinds. Tax cuts are the chief cause of complexity and therefore the costly methods of calculating, collecting, and verifying tax payments. Moreover, they are simply an attempt at encouraging what government believes to be important in society whether that be children, education, or investing in technology (Marron, 2012, p. 152). However, as Slemrod and Blakija (2008) point out, the government can't encourage every social virtue and in encouraging a handful, they're effectively discouraging all other activities (p. 307). Yes, children are important, college education is important, but when the government steps into society to intervene on the behalf of individuals seeking college or a family, it is discouraging them from creating the relationships with their extended family and friends that once would have created the necessary avenues of achieving those goals. Effectively, tax cuts break down communal and familial bonds because the government becomes a crutch its citizens rely on. Why care about building relationships with those around you if the governmental safety net is there to lift you to whatever heights you want to achieve? Perhaps the answer is that you

missed out on opportunities of building relationships with people around you and isolated yourself from a community that not only cares about you for political purposes, but on an intimate level.

Transparency is the more difficult hurdle to leap because it is impossible to expect the taxpayer to know how every dollar of tax revenue is spent. However, with the establishment of a tax policy, all taxes collected and spent beyond that basis would be accounted for because the legislation and the subsequent referendum would be part of the public record. A law regarding expansion of infrastructure would be directly attributable to the proposed tax and referendum required to pay for it. This doesn't necessarily negate frustrations surrounding taxes of transparency. In fact, transparency would provide citizens the ability to debate whether a tax is acceptable or not because documentation of the legislation and approved tax would be available long after the tax was approved. One of the reasons the debate over social security reform is still so heated is certainly because it is separated out from the rest of an individual's tax liability (Slemrod & Bakija, 2008, p. 52-53). However, if Americans truly believe in the ideas of liberty and freedom of speech, then they should be happy about this effect of modern Edwardian tax reform.

Equality is an extremely important idea to consider when addressing fundamental change in the tax system; however, it is impossible to establish a tax code that is judged as fair by the public at large. A progressive tax is the smartest form of taxation, not because it is absolutely fair, but because it is effective. Wealthy people should pay a larger percentage of their income because they have the ability to pay, and government needs to draw revenue from the citizenry without causing unrest.

During the reign of Edward I, no man with wealth below a certain threshold would pay any tax on moveable property. Likewise, in 1316 during the reign of Edward II, one-third of the burghers of Shrewsbury that qualified to pay the tax on moveables were excused from taxation because of famine (Nightingale, 2004, p. 6). Quite obviously Edward I and Edward II understood that the poor could not afford tax. The United States should understand that also; and accordingly the traditional tax policy established by whatever governmental means would need to reflect that understanding.

### *Conclusion*

The process that started with looking to the past to find answers for today in regards to taxation became something entirely different when the answers discovered involved the manners of which tax policy is adopted as opposed to policy in and of itself. If we attempted to draw conclusions from the model of taxation used during Edward's age, the only possible conclusion to be drawn from the reign of Edward I was that taxes on moveables is the fairest and most acceptable form of taxation. However, this seemed unreasonable despite the obvious inclination to debate wealth taxes versus income taxes. What was much more interesting about Edward's reign was how responsive his government was to the will of his subjects in relation to taxation. Taxes on moveables became the most effective revenue stream during Edward's reign because the one-time locally elected, inherited, or appointed representatives of the people willed it so. In comparison to the modern day United States, the

responsiveness of Edward's government was brilliant. Of course, he tinkered with less successful forms of raising revenues, but in the end, the most popular tax won out in a time spanning only a few years. His reign wasn't just transformative because he was an ambitious and effective ruler. It was transformative because of his willingness to invite his people to share in his vision or reject it.

Of course, making Congress into a strictly legislative body of elected officials and allowing the American citizenry to act as their own representatives through controlling the tax system is a major step. However, as the debate rages on about which tax policy to adopt, I can't help but wonder if the debate shouldn't have already been settled. As long as Congress remains devoted to half-heartedly representing their ever-polarizing constituency, what the American people will receive is half-hearted tax reform and more tax cuts to encourage whatever type of behavior the government deems virtuous. Simple, non-manipulative, and popular tax is what the United States needs. Whether or not adopting a traditional tax policy and forming the citizenry into its own representative is possible is another question entirely.

Even if it were possible, would it create the tax system that I might deem most equal? Probably not. The argument for simplification is fairly standard for economists, but they all disagree on what to simplify. Perhaps the convention called to develop a traditional tax policy would create a flat tax, and the convention members would be able to persuade the American people to agree. Then, years down the road the government expands through tariffs and estate taxes. The question then would be, if the idea were successful and the people of the United States were more satisfied with their government and how their government taxed them, would the in-

herent problems with the taxes levied be worth the unity and perception of transparency and fairness fostered? Yes, they would. Nobody can get everyone to agree on a particular tax philosophy, but there can exist a general appreciation for the system that gave them what they have.

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