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978-1-107-06929-9 - Sir Edward Coke and the Reformation of the Laws: Religion,
Politics and Jurisprudence, 1578–1616

David Chan Smith

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SIR EDWARD COKE AND THE REFORMATION OF THE LAWS

Throughout his early career, Sir Edward Coke joined many of his contemporaries in his concern about the uncertainty of the common law. Coke attributed this uncertainty to the ignorance and entrepreneurship of practitioners, litigants and other users of legal power whose actions eroded confidence in the law. Working to limit their behaviours, Coke also simultaneously sought to strengthen royal authority and the Reformation settlement. Yet the tensions in his thought led him into conflict with James I, who had accepted many of the criticisms of the common law.

Sir Edward Coke and the Reformation of the Laws reframes the origins of Coke's legal thought within the context of law reform and provides a new interpretation of his early career, the development of his legal thought, and the path from royalism to opposition in the turbulent decades leading up to the English civil wars.

DAVID CHAN SMITH is an assistant professor of history at Wilfrid Laurier University, Canada, where he researches intellectual history and law in the early-modern Atlantic world.

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ABBREVIATIONS

APC	<i>Acts of the Privy Council of England</i> , ed. J. R. Dasent (London, 1890–1907; repr. 1974), 32 vols.
BL	The British Library, London
Bodl.	The Bodleian Library, Oxford
<i>Bracton</i>	Henry de Bracton, <i>On the Laws and Customs of England</i> , ed. Samuel Thorne (New Haven, CT, 1968)
Bro. Abr.	Robert Brooke, <i>La Graunde Abridgement</i> (London, 1573), STC 3827
C33	Chancery Entry Books of Decrees and Orders, The Public Record Office at The National Archives, Kew, UK
<i>CJ</i>	<i>Journal of the House of Commons</i> , vol. I, 1547–1628 (London, 1802)
Co. Inst.	Edward Coke, <i>The Institutes of the Laws of England</i> (London, 1817; repr. 2008), vols. II–IV
Co. Litt.	Edward Coke, <i>The First Part of the Institutes of the Laws of England</i> , ed. Francis Hargrave and Charles Butler (London, 1823)
Co. Rep.	Edward Coke, <i>The Reports of Sir Edward Coke</i> , ed. John Thomas and John Fraser (London, 1826; repr. 2005), 13 vols.
CSPD	<i>Calendar of State Papers, Domestic. Elizabeth, James I</i> , ed. M. A. E. Green <i>et al.</i> (London, 1852–72; repr. 1967), 12 vols.
CUL	Cambridge University Library, Cambridge
DNB	<i>The Oxford Dictionary of National Biography</i> , online edition
ER	<i>The English Reports</i> , ed. A. Wood Renton <i>et al.</i> (London, 1900–32), 178 vols.
HEL	William Holdsworth, <i>A History of English Law</i> (1903–36; repr. 1982)
HLS	Harvard Law School Library, Cambridge, MA
HMC	Historical Manuscripts Commission, London. Reports and Papers
Holkham	Manuscripts of the Earl of Leicester, Holkham Hall, Norfolk
IELH	John Baker, <i>An Introduction to English Legal History</i> , 4th edn (London, 2002)
IT	The Inner Temple, London
<i>LJ</i>	<i>Journal of the House of Lords</i> (London, 1767–1832)
LRO	The Record Office for Leicestershire, Leicester and Rutland, Wigston, Leicestershire
NRO	Norfolk Record Office, Norwich, UK

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<i>OHLE</i>	<i>The Oxford History of the Laws of England</i> , ed. J. H. Baker (2003–), 6 vols.
<i>PP 1610</i>	<i>Proceedings in Parliament 1610</i> , ed. Elizabeth Read Foster (New Haven, CT, 1966)
PRO	The Public Record Office at The National Archives, Kew, UK
SP	State Papers, Domestic, Elizabeth and James I, The Public Record Office at The National Archives, Kew, UK
<i>SR</i>	<i>The Statutes of the Realm</i> , ed. A. Luders <i>et al.</i> (London, 1810–22), 9 vols.
<i>ST</i>	<i>Cobbett's Complete Collection of State Trials</i> , ed. W. Cobbett and T. B. Howell (London, 1809–28), 34 vols.
STC	<i>A Short-Title Catalogue of Books Printed in England, Scotland & Ireland and of English Books Printed Abroad 1475–1640</i> , ed. A. W. Pollard and C. R. Redgrave (1926)
UCL	University College London, London
YB	The Year Books