Magna Carta is celebrated around the world as a symbol of limited government and constitutionalism. But in 1215 Magna Carta was a failure, abrogated within months. Why then do we celebrate this piece of parchment? To mark its 800th anniversary, this book brings together top scholars from the United Kingdom, the United States and Australia to answer this question and analyse Magna Carta’s historic and contemporary influence.

Using a political science framework, Magna Carta and Its Modern Legacy draws from scholarship on influence and constitutional design to explain how parchment can contain executive power. Individual chapters on Britain discuss such topics as socio-economic rights in Magna Carta; Magna Carta and the British constitution; and public understanding of the charter. Internationally focused chapters look at Magna Carta and jury trial in America, slavery in the Caribbean, court delays in the Pacific, the proportionality principle and judicial supremacy.

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Comparative constitutional law is an intellectually vibrant field that encompasses an increasingly broad array of approaches and methodologies. This series collects analytically innovative and empirically grounded work from scholars of comparative constitutionalism across academic disciplines. Books in the series include theoretically informed studies of single constitutional jurisdictions, comparative studies of constitutional law and institutions and edited collections of original essays that respond to challenging theoretical and empirical questions in the field.

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Magna Carta and Its Modern Legacy

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Preface

The idea for this book came from the Political Studies Association (PSA), which wanted political science to play its part in the 800th-anniversary celebrations of Magna Carta. Professor Justin Fisher of the Magna Carta Institute at Brunel and Jennifer Hudson of the PSA Executive asked me to organise a conference and a book, and I willingly agreed. It could have been a challenge to find something new to say about Magna Carta, but thanks to the contributors to this volume, I am confident that we have succeeded. So my first thanks go to them, for finding the time to write very interesting chapters and for coming to the United Kingdom to discuss their contributions with each other at a workshop held at the Constitution Unit in the School of Public Policy at UCL in June 2014.

Thanks must also go to the others who attended the workshop – Conor Gearty, Clodagh Harris, George Jones and Colin Munro – for their comments on the draft chapters; and thanks to our administrator, Ben Webb, for organising it with his usual enthusiasm and efficiency. We also express special thanks to the interns who have supported this project: Annabelle Huet, Daniel Helen and Chrysi Kalfa. Daniel’s expertise as a medieval historian was particularly valuable.

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