

CHALLENGES TO AUTHORITY AND THE RECOGNITION OF RIGHTS

While challenges to authority are generally perceived as destructive to legal order, this original collection of essays, with Magna Carta at its heart, questions this assumption. In a series of chapters concerned with different forms of challenges to legal authority – over time, geographical place, and subject matters both public and private – this volume demonstrates that challenges to authority which seek the recognition of rights actually change the existing legal order rather than destroy it. The chapters further explore how the myth of Magna Carta emerged and its role in the pre-modern world, how challenges to authority formed the basis of the recognition of rights in particular areas within England, and how challenges to authority resulted in the recognition of particular rights in the United States, Canada, Australia, and Germany. This is a uniquely insightful thematic collection which proposes a new view into the processes of legal change.

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Edited by Catharine MacMillan , Charlotte Smith
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From Magna Carta to Modernity

Edited by

CATHARINE MACMILLAN

King's College London

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For Margaret, Henry, Florence and Jack

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