



Martin Loughlin

THE BRITISH CONSTITUTION

A Very Short Introduction

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OXFORD
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Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
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First Edition published in 2013

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British Library Cataloguing in Publication Data
Data available

ISBN 978-0-19-969769-4

Printed in Great Britain by

Ashford Colour Press Ltd, Gosport, Hampshire

Contents

Acknowledgements xi

List of illustrations xiii

Introduction 1

- 1 What constitution? 6
 - 2 Writing the constitution 23
 - 3 Parliamentary government 42
 - 4 The expansion and contraction of the English state 65
 - 5 Civil liberty 87
 - 6 Whither the constitution? 105
- Further reading 119
- Index 131

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Acknowledgements

For some years there has been the absence of an introduction to the British constitution that explains how it has evolved, how it all seemed to make sense, and how during the modern era it has veered from being a major source of pride to an arrangement that provokes dissatisfaction. The chance of filling that gap myself arose after I took on the role of Head of Department: since the job leaves little time for original research and scholarship, here at least was an excuse for abandoning the conventional scaffolding of academic writing and ‘shooting from the hip’. Inevitably, it did not turn out to be as straightforward as I had anticipated. In helping me to keep on track, I owe a particular debt to my co-teachers in LSE’s public law course: Conor Gearty, Jo Murkens, Thomas Poole, and Grégoire Webber all read and commented on the draft and they have done their best to save me from some of my more egregious errors and distortions. I have also benefited from feedback from OUP’s two readers. Finally, for once again showing me how to express my at times complicated views on this subject in a more direct and simple style, I am pleased to record my thanks to Chris Foley.

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List of illustrations

- 1 'You can read, right?—I want you to check this thing for loopholes'
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- 2 The state opening of Parliament **59**
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- 3 'Little Johnnie Redmond gets more than he bargained for'
- 4 Announcement in *The Economist*,
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Introduction

Once extolled as a standing wonder, the British constitution today can evoke bewilderment and sometimes even derision. Many now find the idea of a constitution that has grown organically in response to economic, political, and social changes rather puzzling. A century ago, Sidney Low claimed that although ‘we live under a system of tacit understandings... the understandings themselves are not always understood’. Today the problem is not confined to grasping the meaning of these tacit understandings of the constitution: the question is whether they can be said still to exist.

The British clearly have a system of government, a set of rules regulating the exercise of political power. But the idea of a ‘constitution’ connotes something more. It implies that institutions of government are infused with values and with modes of conduct that fix the meaning of those rules and, in doing so, express a political way of being. Do such values and practices still exist in the British system and if so do they still command authority? It is in this deeper sense that we ask whether a British constitution can still be said to exist.

There is every reason to answer that question affirmatively, not least because this book would otherwise rank as the shortest of all