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—Professor Steve Sheppard, Introduction to *The Selected Writings of Sir Edward Coke*



## FINALLY, SIR EDWARD COKE'S WRITINGS CAN BE APPRECIATED BY MORE OF THE AMERICANS WHO HAVE BENEFITED FROM HIS LEGAL GENIUS.

**F**our hundred years later, judges, legal scholars, attorneys, and laypeople alike can easily locate, read, understand, and, dare we say, *enjoy* the voluminous writings of Sir Edward Coke: Chief Justice, leader of Parliament, interpreter of Magna Carta, and author of the great *Institutes of the Laws of England*.

The modern ideas of liberty and property, secured by a neutral legal system, are usually traced to the writings of John Locke or Thomas Hobbes. However, these ideas were not born from theorists but were created by lawyers.

### THE FATHER OF THE COMMON LAW SYSTEM

Sir Edward Coke (1552–1634) was the most important of these lawyers, and he helped to create the idea of law much as we know it today: rooted in medieval tradition but flexible and capable of protecting not only commerce, but also the liberty of the individual.

Coke's writings formed the legal skeleton of the British empire and the heart of the argument for American independence. Every lawyer in the American colonies and the early republic studied them.

From Coke's writings, America derived the rule of law, Constitutional limits on Congressional and executive actions, and many of our basic notions of property, criminal law, and court procedures. Coke framed the Petition of Right in 1628— forerunner of the U.S. Bill of Rights—and he was the architect of the law as a force independent of royal influence.

### FOR CENTURIES, LOST IN TRANSLATION

Yet despite Coke's direct influence on over two centuries of U.S. law, his writings have been difficult to locate and hard for any but the trained historian to understand. (In 1762, law student Thomas Jefferson, required to read Coke's *Institutes*, complained, "I do wish the Devil had old Coke for I am sure I never was so tired of an old dull scoundrel in my life.")

Indeed, precisely because Coke's works—much of it originally published in blackletter—always have been difficult for the non-lawyer, this new Liberty Fund edition not only makes Coke's work available in clear, easy-to-read type, it also provides short, clear notes explaining the legal context of cases and the significance of obsolete terms of law and translating Coke's extensive passages in law French and citations in Latin and other languages.



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Until now, only very expensive library editions of Coke's *Reports* (13 volumes) and of the *Institutes* (four parts) have been available, none of which offer translations and none of which help to trace Coke's ideas through his Parliamentary speeches, treatises, and decisions.

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The editor of *The Selected Writings of Sir Edward Coke* is Steve Sheppard, Associate Professor at the School of Law, University of Arkansas. He writes on constitutional history and theory, legal history, property law, and general jurisprudence. He has edited *The History of Legal Education in the United States* (Salem Press, 1999) and co-authored *American Law: The Basics in Global Perspective* (Oxford University Press, 2003).

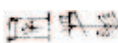
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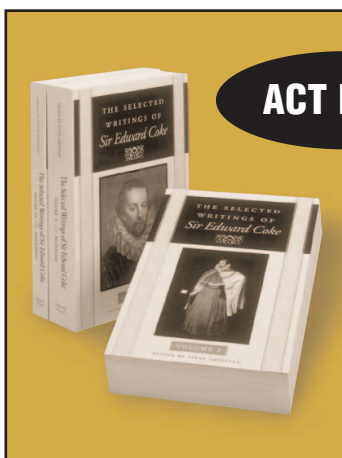


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