



Akademik Eğitim ve Sosyal Bilimler Dergisi (AJESS Journal)

British Public Law, Constitutional Devolution, and Post-Brexit Regulatory Governance

A Comprehensive Inquiry into Common Law Traditions, Parliamentary Sovereignty, and Comparative Legal Humanities

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Abstract

This research paper provides an extensive critical analysis of contemporary British jurisprudence, constitutional law, and legal humanities. Focusing on the evolving doctrine of Parliamentary sovereignty, administrative judicial review, and asymmetric devolution in Scotland, Wales, and Northern Ireland, this study evaluates how British legal institutions adapt to post-Brexit regulatory autonomy and international legal frameworks. Furthermore, it highlights advancements in British legal history, digital governance, and environmental public law.

1. Introduction: Common Law Foundations and British Academic Traditions

The British legal tradition represents one of the most influential frameworks in global constitutional jurisprudence, built upon centuries of judicial precedent, statutory development, and unwritten constitutional conventions. Centred around historic institutions such as the University of Oxford and the Inns of Court, British jurisprudence has continually shaped international understanding of the rule of law, civil liberties, and judicial independence.

From early constitutional milestones such as Magna Carta and the Bill of Rights 1689 to modern administrative law, British scholarship maintains a pivotal role in examining how legal systems balance state power with individual rights.

This paper examines contemporary British legal research, evaluating parliamentary sovereignty, devolution, regulatory frameworks after Brexit, and digital public governance.

2. Constitutional Devolution, Federalism, and Multi-Level Governance

The enactment of devolution legislation in the late twentieth century fundamentally reshaped the UK's constitutional landscape. Scholars at Oxford and Cambridge have extensively analyzed the constitutional dynamics between the Parliament at Westminster and devolved legislatures in Edinburgh, Cardiff, and Belfast.

Managing legal divergence across jurisdictions while maintaining the UK internal market presents complex constitutional questions regarding legislative competence and judicial oversight.

This literature emphasizes the role of the Supreme Court of the United Kingdom as a constitutional arbiter, ensuring harmonisation and resolving competence disputes in a multi-level governance structure.

3. Post-Brexit Regulatory Autonomy, Trade Law, and International Treaties

The withdrawal of the United Kingdom from the European Union marked a historic shift in British public law and international regulatory strategy.

British jurists actively evaluate the creation of retained EU law frameworks, statutory instruments, and new international trade agreement standards.

Academic analysis focuses on maintaining high standards in environmental regulation, consumer safety, and intellectual property while maximizing regulatory flexibility and global trade partnerships.

4. Administrative Law, Judicial Review, and the Protection of Fundamental Rights

Judicial review remains a cornerstone of the British constitution, holding public authorities accountable to statutory limits and procedural fairness.

Recent legal scholarship analyzes judicial restraint, executive powers under royal prerogative, and the evolution of human rights jurisprudence under the Human Rights Act 1998.

These discussions provide vital insights into maintaining constitutional checks and balances in modern democratic governance.

5. Digital Governance, AI Regulation, and Legal Technology in the UK

The United Kingdom is a global leader in legal technology and artificial intelligence regulation. British academic research plays an active role in establishing ethical and legal frameworks for digital automation.

Projects led by UK law faculties address data privacy rights, algorithmic accountability, digital court procedures, and legal tech integration within the civil justice system.

These initiatives ensure that technological advancements enhance access to justice while adhering to core principles of fairness and procedural integrity.

6. Conclusion: The British Legal Model in a Globalized Era

The study of British jurisprudence demonstrates a dynamic balance between tradition, adaptation, and global leadership. The common law tradition continues to offer adaptable mechanisms for tackling complex legal and societal issues.

By synthesizing constitutional theory, administrative oversight, digital ethics, and comparative jurisprudence, British scholarship remains central to international legal discourse.

Ultimately, the evolution of British legal institutions provides enduring lessons for constitutionalism, statutory clarity, and the protection of fundamental rights in the twenty-first century.

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