Brexit through the Lenses of Empire: Reflections on Franchise and Citizenship

Dr. Mara Malagodi, Senior Lecturer in Law, City Law School, University of London

The right to vote is at the heart of the notion of citizenship. To understand the premises and implications of Brexit, it is of fundamental importance to explain how the law has regulated suffrage in the referendum. The statutory definition of franchise in the Brexit referendum mirrored the legal position on franchise for general elections in the UK. As such, EU citizens were excluded from voting in the referendum, while Irish and Commonwealth citizens could vote. The issue of franchise illuminates the genealogy and development of British citizenship, which has been historically and legally constructed through the British Empire - and to a great degree remained untouched by the country’s membership to the EU.

The UK Supreme Court, the Constitution and Brexit

Sebastian Payne, Senior Lecturer in Law, Kent Law School

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Sebastian Payne is President of the United Kingdom Constitutional Law Association and a Senior Lecturer in Public Law at the Kent Law School and a Barrister of the Inner Temple. He is an Associate Fellow of the Royal United Services Institute and the Legal Editor of the RUSI series, Documents on British Foreign and Security Policy. As well as publishing on the law relating to terrorism he is the editor (with Professor Maurice Sunkin) of The Nature of the Crown (Oxford University Press 1999).

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For inquiries, please email Anna Lamut at alamut@hku.hk