

IDEAS IN CONTEXT



Sovereignty, Property and Empire, 1500–2000

ANDREW FITZMAURICE

CAMBRIDGE

Sovereignty Property And Empire 1500 2000 Ideas In Context

Andrew Fitzmaurice



Sovereignty Property And Empire 1500 2000 Ideas In Context:

Sovereignty, Property and Empire, 1500-2000 Andrew Fitzmaurice, 2014 This book analyses the laws that shaped modern European empires from medieval times to the twentieth century Its geographical scope is global including the Americas Europe Africa Asia Australia and the Poles Andrew Fitzmaurice focuses upon the use of the law of occupation to justify and critique the appropriation of territory He examines both discussions of occupation by theologians philosophers and jurists as well as its application by colonial publicists and settlers themselves Beginning with the medieval revival of Roman law this study reveals the evolution of arguments concerning the right to occupy through the School of Salamanca the foundation of American colonies seventeenth century natural law theories Enlightenment philosophers eighteenth century American colonies and the new American republic writings of nineteenth century jurists debates over the carve up of Africa twentieth century discussions of the status of Polar territories and the period of decolonisation

Sovereignty, Property and Empire, 1500-2000 Andrew Fitzmaurice, 2014-10-23 This book analyses the laws that shaped modern European empires from medieval times to the twentieth century Its geographical scope is global including the Americas Europe Africa Asia Australia and the Poles Andrew Fitzmaurice focuses upon the use of the law of occupation to justify and critique the appropriation of territory He examines both discussions of occupation by theologians philosophers and jurists as well as its application by colonial publicists and settlers themselves Beginning with the medieval revival of Roman law this study reveals the evolution of arguments concerning the right to occupy through the School of Salamanca the foundation of American colonies seventeenth century natural law theories Enlightenment philosophers eighteenth century American colonies and the new American republic writings of nineteenth century jurists debates over the carve up of Africa twentieth century discussions of the status of Polar territories and the period of decolonisation

The State of Nature: Histories of an Idea, 2021-12-13 Listen to the New Books Network Podcast The phrase state of nature has been used over centuries to describe the uncultivated state of lands and animals nudity innocence heaven and hell interstate relations and the locus of pre and supra political rights such as the right to resistance to property to create and leave polities and the freedom of religion speech and opinion which may be reactivated or reprioritised when the polity and its laws fail Combining intellectual history with current concerns this volume brings together fourteen essays on the past present and possible future applications of the legal fiction known as the state of nature Contributors are Daniel S Allemann Pamela Edwards Ioannis D Evrigenis Mary C Fuller David Singh Grewal Francesca Iurlaro Edward J Kolla L szl Kontler Grant S McCall Emile Simpson Tom Sparks Benjamin Straumann Karl Widerquist Sarah Winter and Simone Zurbuchen

Merit, Justice, and the Political Theory of Academic Knowledge Production Camilla Boisen, Matthew C. Murray, 2024-08-09 Academia has long established itself as an institution of knowledge and ideas Facing pressure many academic fields and institutions have turned their attention singularly and collectively to the task of what to do to rectify the causes of under representations both academic knowledge itself and who

gets to be an academic producer of knowledge Boisen and Murray argue that simply solving the contemporary symptoms of inequity in ideas knowledge production and the academy is not enough Political Theory must be used to analyze why dominant ideas and institutions namely merit and the resulting meritocracy and meritocratic procedures were given power in the first place In using political theory and theories of justice the book argues that academia must radically shift rather than procedurally reform these methods of evaluation in order to achieve a more coherent approach to diversity in ideas academic knowledge producers and academic knowledge production which are necessary to bring about other forms of social change and reform in our larger world In questioning the ideals and the use of rival ideals to temper flawed concepts the present motivations and justifications for producing academic knowledge can be relegated as political tools allowing true meaningful reform Boisen and Murray show how contemporary crises in academia around diversification of perspectives can only be solved by considering the justifications of academic knowledge production and the inherent risk of retaining the established competitive and presumptively natural but ultimately biased methods of deriving academic authority Sovereignty, Property and Empire, 1500-2000 Andrew Fitzmaurice, 2014 This book analyses the laws that shaped modern European empires from medieval times to the twentieth century Its geographical scope is global including the Americas Europe Africa Asia Australia and the Poles Andrew Fitzmaurice focuses upon the use of the law of occupation to justify and critique the appropriation of territory He examines both discussions of occupation by theologians philosophers and jurists as well as its application by colonial publicists and settlers themselves Beginning with the medieval revival of Roman law this study reveals the evolution of arguments concerning the right to occupy through the School of Salamanca the foundation of American colonies seventeenth century natural law theories Enlightenment philosophers eighteenth century American colonies and the new American republic writings of nineteenth century jurists debates over the carve up of Africa twentieth century discussions of the status of Polar territories and the period of decolonisation **Vested Interests** Emilie Connolly, 2025-11-25 How a system of colonial trusteeship converted Native wealth into settler capital From the earliest days of its founding the United States set its sights on Native territory Amid better known Indian wars the federal government quietly built an empire by treaty offering payments to Native peoples for their land Routinely inadequate these payments were nonetheless pivotal because federal officials chose not to deliver them as a lump sum Instead the government kept the bulk of payments owed to Native nations under its own control as a trustee and made access to future installments contingent on Native compliance In **Vested Interests** Emilie Connolly describes how a system of fiduciary colonialism seized a continent from its original inhabitants and ironically furnished Native peoples with financial resources that sustained their nations Connolly documents two centuries of dispossession in the guise of fiduciary benevolence Acting as both dispossessor and trustee the federal government invested Native wealth in state bonds that financed banks canals and other infrastructural projects that enabled the country to expand further westward Meanwhile Native peoples protected the money

they did receive for future generations investing it in their own institutions and mounting legal challenges to hold their trustees accountable Still federal trusteeship placed tight constraints on Native economies with the aim of containing Native power forcing nations to endure through sheer resilience and ingenuity By chronicling the long history of Native land dispossession through financial paternalism Vested Interests reveals the unequal dividends of colonialism in the United States

The Oxford Handbook of History and International Relations Mlada Bukovansky, Edward Keene, Christian Reus-Smit, Maja Spanu, 2023 In this Handbook historians and scholars of international relations examine the past and present of the intersection between History and IR as well as looking to the future by laying out new questions and directions for research The volume's four parts present a diverse array of methodological philosophical and historical insights

Empire and the Peasant Proprietor Preet S. Aulakh, 2025-09-18 As the British Empire consolidated its geographical possession of distant lands by the 19th century the agrarian nature of its colonies necessitated careful considerations about land tenure relationships After intense debates around property rights and political economy several land laws were enacted across the Empire between 1868 and 1875 which recognised the proprietary rights of peasant cultivators *Empire and the Peasant Proprietor* examines this transformative shift in the imperial approaches to land tenure Through a comparative analysis of historical land tenure arrangements in three diverse colonial sites Punjab Ireland and Prince Edward Island the book identifies two crucial mechanisms which facilitated the institutionalisation of peasant proprietorship One there was a fortuitous ideological alignment between important governing agents in the three colonies Two the debate about the impact of land reform in the colonies on the sanctity of English principles was redirected allowing for inter colony analogies and precedents to support the proprietary rights of peasant cultivators *Empire and the Peasant Proprietor* demonstrates the importance of these reciprocal influences within the imperial system and provides insight into contemporary challenges of secure land rights for a large proportion of the global population that continues to be dependent on agriculture for sustenance This is an open access title available under the terms of a CC BY NC ND 4.0 International licence It is free to read on Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations

Nature, Action and the Future Katrina Forrester, Sophie Smith, 2018-01-25 Climate change is one of the great challenges of modern politics In this volume leading political theorists and historians investigate how the history of political ideas can help us make sense of it The contributors add a historical perspective to contemporary debates in political theory They also show that the history of political thought offers new directions for thinking about the environment today By situating the relationship between humans and nature within a wider history of ideas the essays provide alternative ways of thinking about the most intractable problems of environmental politics the status of science in modern democracies problems of collective action and the challenges of fatalism This volume will create new avenues of research for scholars and students in the history of political thought It is essential reading for undergraduate students interested in environmental challenges both those in politics

seeking a historical perspective and those in history who want to link their studies to the present *Mightier Than the Sword* Lorraine Atkin, 2024-04-05 How can words on paper be more devastating than war Why is there persistent inequality racial financial structural Why are things in our society the way they are *Mightier Than the Sword* How Three Obscure Treaties Sanctioned the Enslavement of Millions and the Exploitation of Continents for More Than 400 Years offers a perspective on the roots of the inequality of today Documents written hundreds of years ago embody the biases and power strategies of their time but they still have a long reach through history Atkin examines three treaties the Treaty of Tordesillas the Treaties of Nanking and the Conference of Berlin that granted permission or the sanctioned rationale to decree that annihilation and confiscation of property was legal and just on five continents Atkin argues these written words continued to achieve their objectives and exercise power by influencing among other things the codification of Eurocentric International Law Enhancing trade was and remains the claimed intent but inequality serves this objective Land dispossession slavery and the subjugation of Indigenous peoples are repeated themes in history and are unfortunately still with us today This book will change how you understand today's events and the continuing influence of historic documents This fresh perspective offers hope for real change in policy and the societies they shape *Liberalism and the British Empire in Southeast Asia* Gareth Knapman, Anthony Milner, Mary Quilty, 2018-10-10 This collection of essays collects the leading scholars on British colonial thought in Southeast Asia to consider the question what was the relationship between liberalism and the British Empire in Southeast Asia The empire builders in Southeast Asia Lord Minto William Farquhar John Leyden Thomas Stamford Raffles and John Crawfurd to name a few were fervent believers in a liberal free trade order in Southeast Asia Many recent studies of British imperialism and European imperialism more generally have addressed how the anti imperialist tradition of Eighteenth century liberalism was increasingly intertwined with the discourses of empire freedom race and economics in the nineteenth century This collection extends those studies to look at the impact of liberalism on British colonialism in Southeast Asia and early nineteenth century Southeast Asia we see some of the first attempts at developing multicultural democracies within the colonies experiments in free trade and attempts to use free trade to prevent war and colonisation

Affluence and Freedom Pierre Charbonnier, 2021-06-22 In this pathbreaking book Pierre Charbonnier opens up a new intellectual terrain an environmental history of political ideas His aim is not to locate the seeds of ecological thought in the history of political ideas as others have done but rather to show that all political ideas whether or not they endorse ecological ideals are informed by a certain conception of our relationship to the Earth and to our environment The fundamental political categories of modernity were founded on the idea that we could improve on nature that we could exert a decisive victory over its excesses and claim unlimited access to earthly resources In this way modern thinkers imagined a political society of free individuals equal and prosperous alongside the development of industry geared towards progress and liberated from the Earth's shackles Yet this pact between democracy and growth has now been called into question by climate change and the

environmental crisis It is therefore our duty today to rethink political emancipation bearing in mind that this can no longer draw on the prospect of infinite growth promised by industrial capitalism Ecology must draw on the power harnessed by nineteenth century socialism to respond to the massive impact of industrialization but it must also rethink the imperative to offer protection to society by taking account of the solidarity of social groups and their conditions in a world transformed by climate change This timely and original work of social and political theory will be of interest to a wide readership in politics sociology environmental studies and the social sciences and humanities generally [War, States, and International Order](#)

Claire Vergerio,2022-08-04 Examining the legacy of Alberico Gentili this book questions conventional narratives about how states monopolized the right to wage war **Indigenous Rights and the Legacies of the Bible** Mark G. Brett,2024-07-12

A Christian imagination of colonial discovery permeated the early modern world but legal histories developed in very different ways depending on imperial jurisdictions Indigenous Rights and the Legacies of the Bible From Moses to Mabo explores the contradictions and ironies that emerged in the interactions between biblical warrants and colonial theories of Indigenous natural rights The early debates in the Americas mutated in the British colonies with a range of different outcomes after the American Revolution and tracking the history of biblical interpretation provides an illuminating pathway through these historical complexities A ground breaking legal judgement in the High Court of Australia Mabo v Queensland 1992 demonstrates the enduring legacies of debates over the previous five centuries The case reveals that the Australian colonies are the only jurisdiction of the English common law tradition within which no treaties were made with the First Nations Instead there is a peculiar development of terra nullius ideology which can be traced back to the historic influences of the book of Genesis in Puritan thought in the seventeenth century Having identified both similarities and differences between various colonial arguments and their overt dependence on early modern theological reasoning Mark G Brett examines the paradoxical permutations of imperial and anti imperial motifs in the biblical texts themselves Concepts of rights shifted over the centuries from theological to secular frameworks and more recently from anthropocentric assumptions to ecologically embedded concepts of Indigenous rights and responsibilities Bearing in mind the differences between ancient and modern notions of indigeneity a fresh understanding of this history proves timely as settler colonial states reflect on the implications of the United Nations Declaration on the Rights of Indigenous Peoples 2007 Brett s illuminating insights in this detailed study are particularly relevant for the four states that initially voted against the Declaration the USA Canada New Zealand and Australia [Virginia 1619](#) Paul Musselwhite,Peter C. Mancall,James Horn,2019-04-23 Virginia 1619 provides an opportunity to reflect on the origins of English colonialism around the Chesapeake Bay and the Atlantic world As the essays here demonstrate Anglo Americans have been simultaneously experimenting with representative government and struggling with the corrosive legacy of racial thinking for more than four centuries Virginia contrary to popular stereotypes was not the product of thoughtless greedy or impatient English colonists Instead the emergence of stable English Atlantic

colonies reflected the deliberate efforts of an array of actors to establish new societies based on their ideas about commonwealth commerce and colonialism Looking back from 2019 we can understand that what happened on the shores of the Chesapeake four hundred years ago was no accident Slavery and freedom were born together as migrants and English officials figured out how to make this colony succeed They did so in the face of rival ventures and while struggling to survive in a dangerous environment Three hallmarks of English America self government slavery and native dispossession took shape as everyone contested the future of empire along the James River in 1619 The contributors are Nicholas Canny Misha Ewen Andrew Fitzmaurice Jack P Greene Paul D Halliday Alexander B Haskell James Horn Michael J Jarvis Peter C Mancall Philip D Morgan Melissa N Morris Paul Musselwhite James D Rice and Lauren Working

Historicism and the Human Sciences in Victorian Britain Mark Bevir, 2017-03-10 Historicism and the Human Sciences in Victorian Britain explores the rise and nature of historicist thinking about such varied topics as life race character literature language economics empire and law The contributors show that the Victorians typically understood life and society as developing historically in a way that made history central to their intellectual inquiries and their public culture Although their historicist ideas drew on some Enlightenment themes they drew at least as much on organic ideas and metaphors in ways that lent them a developmental character This developmental historicism flourished alongside evolutionary motifs and romantic ideas of the self The human sciences were approached through narratives and often narratives of reason and progress Life individuals society government and literature all unfolded gradually in accord with underlying principles such as those of rationality nationhood and liberty This book will appeal to those interested in Victorian Britain historiography and intellectual history

Settler Sovereignty Lisa Ford, 2010 In a brilliant comparative study of law and imperialism Lisa Ford argues that modern settler sovereignty emerged when settlers in North America and Australia defined indigenous theft and violence as crime This occurred not at the moment of settlement or federation but in the second quarter of the nineteenth century when notions of statehood sovereignty empire and civilization were in rapid global flux Ford traces the emergence of modern settler sovereignty in everyday contests between settlers and indigenous people in early national Georgia and the colony of New South Wales In both places before 1820 most settlers and indigenous people understood their conflicts as war resolved disputes with diplomacy and relied on shared notions like reciprocity and retaliation to address frontier theft and violence This legal pluralism however was under stress as new global statecraft linked sovereignty to the exercise of perfect territorial jurisdiction In Georgia New South Wales and elsewhere settler sovereignty emerged when at the same time in history settlers rejected legal pluralism and moved to control or remove indigenous peoples

The Invention of Custom Francesca Iurlaro, 2021 This book tells the neglected story of the relationship between custom and the European natural law and *ius gentium* tradition It explores what cultural values and practices facilitated the emergence of custom and rendered it into as a source of the law of nations and how they did so

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Table of Contents Sovereignty Property And Empire 1500 2000 Ideas In Context

1. Understanding the eBook Sovereignty Property And Empire 1500 2000 Ideas In Context
 - The Rise of Digital Reading Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Advantages of eBooks Over Traditional Books
2. Identifying Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Sovereignty Property And Empire 1500 2000 Ideas In Context
 - User-Friendly Interface
4. Exploring eBook Recommendations from Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Personalized Recommendations
 - Sovereignty Property And Empire 1500 2000 Ideas In Context User Reviews and Ratings
 - Sovereignty Property And Empire 1500 2000 Ideas In Context and Bestseller Lists
5. Accessing Sovereignty Property And Empire 1500 2000 Ideas In Context Free and Paid eBooks

- Sovereignty Property And Empire 1500 2000 Ideas In Context Public Domain eBooks
- Sovereignty Property And Empire 1500 2000 Ideas In Context eBook Subscription Services
- Sovereignty Property And Empire 1500 2000 Ideas In Context Budget-Friendly Options
- 6. Navigating Sovereignty Property And Empire 1500 2000 Ideas In Context eBook Formats
 - ePub, PDF, MOBI, and More
 - Sovereignty Property And Empire 1500 2000 Ideas In Context Compatibility with Devices
 - Sovereignty Property And Empire 1500 2000 Ideas In Context Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Highlighting and Note-Taking Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Interactive Elements Sovereignty Property And Empire 1500 2000 Ideas In Context
- 8. Staying Engaged with Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Sovereignty Property And Empire 1500 2000 Ideas In Context
- 9. Balancing eBooks and Physical Books Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Sovereignty Property And Empire 1500 2000 Ideas In Context
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Setting Reading Goals Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Fact-Checking eBook Content of Sovereignty Property And Empire 1500 2000 Ideas In Context
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development

- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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