Legal Pluralism And Empires 1500 1850

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Legal Pluralism and Empires, 1500-1850. Book Description: Historians used to imagine empire as an imperial power extending total domination over its colonies. Now, however, they understand empire as a site in which colonies and their constitutions were regulated by legal pluralism: layered and multicentric systems of law, which incorporated or preserved the law of conquered subjects.

Legal Pluralism and Empires, 1500-1850 on JSTOR
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The volume reaches from Peru to New Zealand to Europe to capture the varieties and continuities of legal pluralism and to probe the analytic power of the concept of legal pluralism in the comparative study of empires. For legal scholars, social scientists, and historians, Legal Pluralism and Empires, 1500-1850 maps new approaches to the study of empires and the global history of law.

Legal Pluralism and Empires, 1500-1850 - NYU Press
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Since John Griffiths published his 1986 article, ‘What is Legal Pluralism?’ (J. Legal Pluralism and Unofficial Law, xxiv), the concept of legal pluralism has be We use cookies to enhance your experience on our website.By continuing to use our website, you are agreeing to our use of cookies.

Legal Pluralism and Empires, 1500–1850, ed. Lauren Benton ...
This book advances our understanding of law and empire in the early modern world. It exposes new dimensions of legal pluralism in the British, French, Spanish, Portuguese, and Ottoman empires. In-depth analyses probe such topics as the shifting legal privileges of corporations, the intertwining of religious and legal thought, and the effects of clashing legal authorities on sovereignty and subjecthood.

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The volume reaches from Peru to New Zealand to Europe to capture the varieties and continuities of legal pluralism and to probe the analytic power of the concept of legal pluralism in the comparative study of empires. For legal scholars, social scientists, and historians, Legal Pluralism and Empires, 1500-1850 maps new approaches to the study of empires and the global history of law.

Legal Pluralism and Empires, 1500-1850 - NYU Press
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Legal Pluralism and Empires, 1500-1850 | Richard Jeffrey ...
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Legal Pluralism and Empires, 1500–1850 ed. by Lauren Benton and Richard J. Ross (review) 2016-07-05 00:00:00 tury onward is no longer in question. Yet, in the words of Leonards and Randeraad, "the degree of success enjoyed by transnational ideas and arrangements is a surprisingly neglected theme in the literature on transnationalism" (p. 112).

Legal Pluralism and Empires, 1500–1850 ed. by Lauren ...
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Legal Pluralism and Empires, 1500-1850: Benton, Lauren ...
"Legal Pluralism and Empires, 1500-1850is a collection of essays that attempts to reorient our understanding of European colonialism in the early modern era. [] The volume lives up to its promise.

Legal Pluralism and Empires, 1500-1850: Benton, Lauren ...
Legal Pluralism and Empires, 1500–1850 is a collection of essays that attempts to reorient our understanding of European colonialism in the early modern era. According to the introductory essay by Lauren Benton and Richard Ross, it poses “new questions about the complex and contingent configurations of imperial law—not as a structure of command but as a set of fluid institutional and cultural practices” (p. 2).

Legal Pluralism and Empires, 1500–1850, edited by Lauren ...
Legal Pluralism and Empires, 1500-1850: Benton, Lauren, Ross, Richard J.: Amazon.com.au: Books

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Legal Pluralism and Empires, 1500-1850 eBook by ...
Legal Pluralism and Empires, 1500-1850: Benton, Nelson O Tyrone Jr Professor of History and Professor of Law Dean College of Arts and Science Lauren, Ross, Richard J: Amazon.com.mx: Libros

Historians used to imagine empire as an imperial power extending total domination over its colonies. Now, however, they understand empire as a site in which colonies and their constitutions were regulated by legal pluralism: layered and multicentric systems of law, which incorporated or preserved the law of conquered subjects. By placing the study of law in diverse early modern empires under the rubric of legal pluralism, Legal Pluralism and Empires, 1500-1850 offers both legal scholars and historians a much-needed framework for analyzing the complex and fluid legal politics of empires. Contributors analyze how ideas about law moved across vast empires, how imperial agents and imperial subjects used law, and how relationships between local legal practices and global ones played themselves out in the early modern world. The book’s tremendous geographical breadth, including the British, French, Spanish, Ottoman, and Russian empires, gives readers the most comparative examination of legal pluralism to date. Lauren Benton is Professor of History, Affiliated Professor of Law, and Dean of the Graduate School of Arts and Science at New York University. Her books include A Search for Sovereignty: Law and Geography in European Empires, 1400-1900 and Law and Colonial Cultures: Legal Regimes in World History, 1400-1900. Richard J. Ross is Professor of Law and History at the University of Illinois (Urbana/Champaign) and Director of the Symposium on Comparative Early Modern Legal History. With Steven Wilf, he is currently working on a book, entitled: The Beginnings of American Law: A Comparative Study.

A Search for Sovereignty approaches world history by examining the relation of law and geography in European empires between 1400 and 1900. Lauren Benton argues that Europeans imagined imperial space as networks of corridors and enclaves, and that they constructed sovereignty in ways that merged ideas about geography and law. Conflicts over treason, piracy, convict transportation, martial law, and crime created irregular spaces of law, while also attaching legal meanings to familiar geographic categories such as rivers, oceans, islands, and mountains. The resulting legal and spatial anomalies influenced debates about imperial constitutions and international law both in the colonies and at home. This study changes our understanding of empire and its legacies and opens new perspectives on the global history of law.

"Abstract Global legal pluralism has become one of the leading analytical frameworks for understanding and conceptualizing law in the twenty-first century"--

"Kedves Olvasó! Több témára bontott kötetem egy kivételes, és nemrégiben feltalált magyar versforma, az apeva iránti lelkesedésem és tiszteletem ihlette. Az apeva öt sorban, növekv? szótagszámmal csak els?re köti meg az alkotó ember kezét: a forma legtöbb esetben, így itt is azt a célt szolgálja, hogy a megfelel? tartalommal egybekötve adjon szárnyakat." /A Szerz?/ "Hull minden. Boldog ?: Léptén élet, halál aranylik." "Még a menny teste is magányos hús érintés nélkül."

A historical and legal examination of the conflict and interplay between settler and indigenous laws in the New World As British and Iberian empires expanded across the New World, differing notions of justice and legality played out against one another as settlers and indigenous people sought to negotiate their relationship. In order for settlers and natives to learn from, maneuver, resist, or accommodate each other, they had to grasp something of each other's legal ideas and conceptions of justice. This ambitious volume advances our understanding of how natives and settlers in both the British and Iberian New World empires struggled to use the other’s ideas of law and justice as a political, strategic, and moral resource. In so doing, indigenous people and settlers alike changed their own practices of law and dialogue about justice. Europeans and natives appealed to imperfect understandings of their interlocutors’ notions of justice and advanced their own conceptions during workaday negotiations, disputes, and assertions of right. Settlers’ and indigenous peoples’ legal presuppositions shaped and sometimes misdirected their attempts to employ each other’s law. Natives and settlers construed and misconstrued each other's legal commitments while learning about them, never quite sure whether they were on solid ground. Chapters explore the problem of “legal intelligibility”: How and to what extent did settler law and its associated notions of justice became intelligible—tactically, technically and morally—to natives, and vice versa? To address this question, the volume offers a critical comparison between English and Iberian New World empires. Chapters probe such topics as treaty negotiations, land sales, and the corporate privileges of indigenous peoples. Ultimately, Justice in a New World offers both a deeper understanding of the transformation of notions of justice and law among settlers and indigenous people, and a dual comparative study of what it means for laws and moral codes to be legally intelligible.

Beyond redrawing North American borders and establishing a permanent system of governance, the Quebec Act of 1774 fundamentally changed British notions of empire and authority. Although it is understood as a formative moment - indeed part of the "textbook narrative" - in several different national histories, the Quebec Act remains underexamined in all of them. The first sustained examination of the act in nearly thirty years, Entangling the Quebec Act brings together essays by historians from North America and Europe to explore this seminal event using a variety of historical approaches. Focusing on a singular occurrence that had major social, legal, revolutionary, and imperial repercussions, the book weaves together perspectives from spatially and conceptually distinct historical fields - legal and cultural, political and religious, and beyond. Collectively, the contributors resituate the Quebec Act in light of Atlantic, American, Canadian, Indigenous, and British Imperial historiographies. A transnational collaboration, Entangling the Quebec Act shows how the interconnectedness of national histories is visible at a single crossing point, illustrating the importance of intertwining methodologies to bring these connections into focus.

Legal pluralism involves the coexistence of multiple forms of law. This involves state law, international law, transnational law, customary law, religious law, indigenous law, and the law of distinct ethnic or cultural communities. Legal pluralism is a subject of discussion today in legal anthropology, legal sociology, legal history, postcolonial legal studies, women's rights and human rights, comparative law, international law, transnational law, European Union law, jurisprudence, and law and development scholarship. A great deal of confusion and theoretical disagreement surrounds discussions of legal pluralismwhich this book aims to clarify and help resolve. Drawing on historical and contemporary studiesincluding the Medieval period, the Ottoman Empire, postcolonial societies, Native peoples, Jewish and Islamic law, Western state legal systems, transnational law, as well as othersit shows that the dominant image of the state with a unified legal system exercising a monopoly over law is, and has always been, false and misleading. State legal systems are internally pluralistic in various ways and multiple manifestations of law coexist in every society. This book explains the underlying reasons for and sources of legal pluralism, identifies its various consequences, uncovers its conceptual and normative implications, and resolves current theoretical disputes in ways that are useful for social scientists, theorists, jurists, and law and development scholars and practitioners.

Of late, historians have been realising that South Asia and Europe have more in common than a particular strand in the historiography on "the rise of the West" would have us believe. In both world regions a plurality of languages, religions, and types of belonging by birth was in premodern times matched by a plurality of legal systems and practices. This volume describes case-by-case the points where law and social diversity intersected.

Shows that law it is often better understood as an entangled web rather than as a coherent, orderly system.

Africa often remains neglected in studies that discuss the historical relationship between international law and imperialism during the nineteenth century. When it does feature, focus tends to be on the Scramble for Africa, and the treaties concluded between European powers and African polities in which sovereignty and territory were ceded. Drawing on a wide range of archival material, Inge Van Hulle brings a fresh new perspective to this traditional narrative. She reviews the use and creation of legal instruments that expanded or delineated the boundaries between British jurisdiction and African communities in West Africa, and uncovers the practicality and flexibility with which international legal discourse was employed in imperial contexts. This legal experimentation went beyond treaties of cession, and also encompassed commercial treaties, the abolition of the slave trade, extraterritoriality, and the use of force. The book argues that, by the 1880s, the legal techniques that were fashioned in the language of international law in West Africa had largely developed their own substantive characteristics. Legal ordering was not done in reference to adjudication before Western courts or the writings of Western lawyers, but in reference to what was deemed politically expedient and practically feasible by imperial agents for the preservation of social peace, commercial interaction, and humanitarian agendas.