

*Sir John Davies  
and the conquest  
of Ireland*

A STUDY IN LEGAL  
IMPERIALISM



*Hans S. Pawlisch*

# Sir John Davies And The Conquest Of Ireland A Study In Legal Imperialism

**Gary Clayton Anderson**



## **Sir John Davies And The Conquest Of Ireland A Study In Legal Imperialism:**

Sir John Davies and the Conquest of Ireland Hans S. Pawlisch,2002-07-18 A study of the Jacobean regime s use of judge made law to consolidate the Tudor conquest *The Ancient Constitution and the Feudal Law* J. G. A. Pocock,1987-04-24

Pocock explores the relationship between the study of law and the historical outlook of seventeenth century Englishmen

The Laws and Other Legalities of Ireland, 1689-1850 Seán Patrick Donlan,2016-03-03 While Irish historical writing has long been in thrall to the perceived sectarian character of the legal system this collection is the first to concentrate attention on the actual relationship that existed between the Irish population and the state under which they lived from the War of the Two Kings 1689 1691 to the Great Famine 1845 1849 Particular attention is paid to an understanding of the legal character of the state and the reach of the rule of law with contributors addressing such themes as how law was made and put into effect how ordinary people experienced the law and social regulations how Catholics related to the legal institutions of the Protestant confessional state and how popular notions of legitimacy were developed These themes contribute to a wider understanding of the nature of the state in the long eighteenth century and will therefore help to situate the study of Irish society into the mainstream of English and European social history **Calvinism, Reform and the Absolutist State in**

**Elizabethan Ireland** Mark A Hutchinson,2015-10-06 Despite the best efforts of the English government Elizabethan Ireland remained resolutely Catholic Hutchinson examines this failure of the Protestant Reformation He argues that the emerging political concept of the absolutist state forms a crucial link between English policy in Ireland and the aims of the Calvinist reformers Enforcing Reformation in Ireland and Scotland, 1550-1700 Crawford Gribben,2016-04-29 The last few years

have witnessed a growing interest in the study of the Reformation period within the three kingdoms of Britain revolutionizing the way in which scholars think about the relationships between England Scotland and Ireland Nevertheless it is a fact that the story of the British Reformation is still dominated by studies of England an imbalance that this book will help to right By adopting an international perspective the essays in this volume look at the motives methods and impact of enforcing the Protestant Reformation in Ireland and Scotland The juxtaposition of these two countries illuminates the similarities and differences of their social and political situations while qualifying many of the conclusions of recent historical work in each country As well as Investigating what reformation meant in the early modern period and examining its literal rhetorical doctrinal moral and political implications the volume also explores what enforcing these various reformations could involve Taken as a whole this volume offers a fascinating insight into how the political authorities in Scotland and Ireland attempted with varying degrees of success to impose Protestantism on their countries By comparing the two situations and placing them in the wider international picture our understanding of European confessionalization is further enhanced **Ireland**

John P. McCarthy,2006 Ireland from the European Nations series is a useful reference guide for any student interested in the modern history of Ireland *William Petty* Ted McCormick,2009-09-17 William Petty 1623 1687 was a key figure in the

English colonization of Ireland the institutionalization of experimental natural philosophy and the creation of social science Examining Petty's intellectual development and his invention of political arithmetic against the backdrop of the European scientific revolution and the political upheavals of Interregnum and Restoration England and Ireland this book provides the first comprehensive intellectual biography of Petty based on a thorough examination not only of printed sources but also of Petty's extensive archive and pattern of manuscript circulation It is also the first fully contextualized study of what political arithmetic widely seen as an ancestor of modern social and economic analysis was originally intended to do Ted McCormick traces Petty's education among French Jesuits and Dutch Cartesians his early work with the Hartlib Circle of Baconian natural philosophers inventors and reformers in England his involvement in the Cromwellian conquest and settlement of Ireland and his engagement with both science and the politics of religion in the Restoration He argues that Petty's crowning achievement political arithmetic was less a new way of analysing economy or society than a new instrument of government that applied elements of the new science a mechanical worldview a corpuscularian theory of matter and a Baconian stress on empirical method and the transformative purposes of natural philosophy to the creation of industrious and loyal populations Finally he examines the transformation Petty's program of social engineering after his death into an apparently apolitical form of statistical reasoning

**Literary Character** Elizabeth Fowler, 2018-07-05 Chaucer introduces the characters of the Knight and the Prioress in the General Prologue to *The Canterbury Tales* Beginning with these familiar figures Elizabeth Fowler develops a new method of analyzing literary character She argues that words generate human figures in our reading minds by reference to paradigmatic cultural models of the person These models such as the pilgrim the conqueror the maid the narrator originate in a variety of cultural spheres A concept Fowler terms the social person is the key to understanding both the literary details of specific characterizations and their indebtedness to history and culture Drawing on central texts of medieval and early modern England Fowler demonstrates that literary characters are created by assembling social persons from throughout culture Her perspective allows her to offer strikingly original readings of works by Chaucer Langland Skelton and Spenser and to reformulate and resolve several classic interpretive problems In so doing she reframes accepted notions of the process and the consequences of reading Developing insights from law theology economic thought and political philosophy Fowler's book replaces the traditional view of characters as autonomous individuals with an interpretive approach in which each character is seen as a battle of many archetypes According to Fowler the social person provides the template that enables authors to portray and readers to recognize the highly complex human figures that literature requires

**Discovering Indigenous Lands** Robert J. Miller, Jacinta Ruru, Larissa Behrendt, Tracey Lindberg, 2012-01-05 This book presents new material and shines fresh light on the under explored historical and legal evidence about the use of the doctrine of discovery in Australia Canada New Zealand and the United States North America New Zealand and Australia were colonised by England under an international legal principle that is known today as the

doctrine of discovery When Europeans set out to explore and exploit new lands in the fifteenth through to the twentieth centuries they justified their sovereign and property claims over these territories and the indigenous peoples with the discovery doctrine This legal principle was justified by religious and ethnocentric ideas of European and Christian superiority over the other cultures religions and races of the world The doctrine provided that newly arrived Europeans automatically acquired property rights in the lands of indigenous peoples and gained political and commercial rights over the inhabitants The English colonial governments and colonists in North America New Zealand and Australia all utilised this doctrine and still use it today to assert legal rights to indigenous lands and to assert control over indigenous peoples Written by indigenous legal academics an American Indian from the Eastern Shawnee Tribe a New Zealand Maori Ngati Rawkawa and Ngai Te Rangi an Indigenous Australian and a Cree Neheyiwak in the country now known as Canada *Discovering Indigenous Lands* provides a unique insight into the insidious historical and contemporary application of the doctrine of discovery

*Edmund Spenser's Irish Experience* Andrew Hadfield, 1997-05-29 Spenser's *Irish Experience* is the first sustained critical work to argue that Edmund Spenser's perception and fragmented representation of Ireland shadows the whole narrative of his major work *The Faerie Queene* traditionally regarded as one of the finest achievements of the English Renaissance The poem has often been read in specifically English contexts but as Hadfield argues demands to be read in terms of England's expanding colonial hegemony within the British Isles and the ensuing fear that such national ambition would actually lead to the destruction of England's post Reformation legacy Spenser should be seen less as an English writer and more as a new English writer in Ireland his prose and poetry expressing the hopes and fears of his class Where *A View of the Present State of Ireland* attempts to provide a violent political solution to England's Irish problem *The Faerie Queene* exposes the apocalyptic fear that there may be no solution at all The book contains an analysis of Spenser's life on the Munster plantation readings of the political rhetoric and antiquarian discourse of *A View of the Present State of Ireland* and three chapters which argue the case that the apparently Anglocentric allegory of *The Faerie Queene* reveals a land gradually but clearly transformed into its Irish other Spenser emerges from this study as a writer whose experience in Ireland rendered him implacably opposed to the vacillations of his English monarch

**Anthony Munday and the Catholics, 1560-1633** Donna B. Hamilton, 2017-03-02 In this new study Donna B Hamilton offers a major revisionist reading of the works of Anthony Munday one of the most prolific authors of his time who wrote and translated in many genres including polemical religious and political tracts poetry chivalric romances history of Britain history of London drama and city entertainments Long dismissed as a hack who wrote only for money Munday is here restored to his rightful position as an historical figure at the centre of many important political and cultural events in sixteenth and seventeenth century England In *Anthony Munday and the Catholics 1560 1633* Hamilton reinterprets Munday as a writer who began his career writing on behalf of the Catholic cause and subsequently negotiated for several decades the difficult terrain of an ever changing Catholic Protestant cultural

religious and political landscape She argues that throughout his life and writing career Munday retained his Catholic sensibility and occasionally wrote dangerously on behalf of Catholics Thus he serves as an excellent case study through which present day scholars can come to a fuller understanding of how a person living in this turbulent time in English history eschewing open resistance exile or martyrdom managed a long and prolific writing career at the centre of court theatre and city activities but in ways that reveal his commitment to Catholic political and religious ideology Individual chapters in this book cover Munday s early writing 1577 80 his writing about the trial and execution of Jesuit Edmund Campion his writing for the stage 1590 1602 his politically inflected translations of chivalric romance and his writings for and about the city of London 1604 33 Hamilton revisits and revalues the narratives told by earlier scholars about hack writers the anti theatrical tracts the role of the Earl of Oxford as patron the political religious interests of Munday s plays the implications of Mu

**Ethnic Cleansing and the Indian** Gary Clayton Anderson, 2014-03-10 Mention ethnic cleansing and most Americans are likely to think of sectarian or tribal conflict in some far off locale plagued by unstable or corrupt government According to historian Gary Clayton Anderson however the United States has its own legacy of ethnic cleansing and it involves American Indians In *Ethnic Cleansing and the Indian* Anderson uses ethnic cleansing as an analytical tool to challenge the alluring idea that Anglo American colonialism in the New World constituted genocide Beginning with the era of European conquest Anderson employs definitions of ethnic cleansing developed by the United Nations and the International Criminal Court to reassess key moments in the Anglo American dispossession of American Indians Euro Americans extensive use of violence against Native peoples is well documented Yet Anderson argues that the inevitable goal of colonialism and U S Indian policy was not to exterminate a population but to obtain land and resources from the Native peoples recognized as having legitimate possession The clashes between Indians settlers and colonial and U S governments and subsequent dispossession and forcible migration of Natives fit the modern definition of ethnic cleansing To support the case for ethnic cleansing over genocide Anderson begins with English conquerors desire to push Native peoples to the margin of settlement a violent project restrained by the Enlightenment belief that all humans possess a natural right to life Ethnic cleansing comes into greater analytical focus as Anderson engages every major period of British and U S Indian policy especially armed conflict on the American frontier where government soldiers and citizen militias alike committed acts that would be considered war crimes today Drawing on a lifetime of research and thought about U S Indian relations Anderson analyzes the Jacksonian Removal policy the gold rush in California the dispossession of Oregon Natives boarding schools and other benevolent forms of ethnic cleansing and land allotment Although not amounting to genocide ethnic cleansing nevertheless encompassed a host of actions that would be deemed criminal today all of which had long lasting consequences for Native peoples The Oxford Handbook of Shakespeare Arthur F Kinney, 2011-12-22 Situated within the Oxford Handbooks to Literature series the group of Oxford Handbooks to Shakespeare are designed to record past and present investigations and renewed and revised

judgments by both familiar and younger Shakespearean specialists Each of these volumes is edited by one or more internationally distinguished Shakespearians together they comprehensively survey the entire field An essential resource for the study of Shakespeare The Oxford Handbook to Shakespeare is edited by esteemed scholar Arthur Kinney and contains forty specially written essays It provides fresh and imaginative readings of his plays and poems reflects on the current state of Shakespeare Studies and suggests the likely future directions it will take The Handbook is divided into five sections Texts explores how Shakespeare wrote who he collaborated with the ways in which his works were transmitted and the reactions of his early readers Conditions examines the economic social artistic and linguistic forces at play on Shakespeare Works discusses the various stages of his career Performances is concerned with issues such as the reception of his plays the theatre business and film adaptations and Current Speculations includes essays on topics ranging from the role of philosophical thought and the influence of classical sources to the relevance of empire technology religion and law By covering the range of Shakespeare's work in his time and ours this myriad minded book deepens and enriches our understanding of the great poet and unparalleled playwright's accomplishments

**The Culture of Equity in Early Modern England** Mark Fortier, 2016-03-16 Elizabeth and James Sidney Spenser and Shakespeare Bacon and Ellesmere Perkins and Laud Milton and Hobbes this begins a list of early modern luminaries who write on equity In this study Mark Fortier addresses the concept of equity from early in the sixteenth century until 1660 drawing on the work of lawyers jurists politicians kings and parliamentarians theologians and divines poets dramatists colonists and imperialists radicals royalists and those who argue on gender issues He examines how writers in all these groups make use of the word equity and its attendant notions Equity he argues is a powerful concept in the period he analyses how notions of equity play a prominent part in discourses that have or seek to have influence on major social conflicts and issues in early modern England Fortier here maps the actual and extensive presence of equity in the intellectual life of early modern England In so doing he reveals how equity itself acts as an umbrella term for a wide array of ideas which defeats any attempt to limit narrowly the meaning of the term He argues instead that there is in early modern England a distinct and striking culture of equity characterized and strengthened by the diversity of its genealogy and its applications This culture manifests itself inter alia in the following major ways as a basic component grounded in the old and new testaments of a model for Christian society as the justification for a justice system over and above the common law as an imperative for royal prerogative as a free ranging subject for poetry and drama as a nascent grounding for broadly cast social justice as a rallying cry for revolution and individual rights and freedoms Working from an empirical account of the many meanings of equity over time the author moves from a historical understanding of equity to a theorization of equity in its multiplicity A profoundly literary study this book also touches on matters of legal an

**Legal Histories of Empire** Lyndsay Campbell, Shaunnagh Dorsett, 2024-10-11 This collection brings together an international group of scholars in order to provide new insights into the diversity of imperial

legalities Across empires legalities were produced not just or even through the imperial imposition of laws and legal forms but through local processes of negotiation and contestation Far from the metropolises local actors found ways to creatively navigate and subvert imperial frameworks and laws and to create space in which to shape new legalities responsive to local circumstance and need Covering topics as diverse as smuggling in eighteenth century Jersey the criminalisation of female market women in World War II era southern Nigeria and whiteness and race in sexual perversion cases in twentieth century Malaya the collection elaborates new legal histories of empire Drawing from Britain Ireland Australia Canada the USA India Sri Lanka Africa and Malaysia the collection brings together chapters that examine the stories of the peoples of empires and shows how they constituted experienced navigated and subverted the legal complexities of living under empire This book will be of interest to scholars and researchers in law and history but also to those with relevant interests in post colonial and cultural studies as well as in criminology and sociology

**But the Irish Sea Betwixt Us** Andrew Murphy, 2014-07-11 At the rise of the Tudor age England began to form a national identity With that sense of self came the beginnings of the colonialist notion of the other Ireland however proved a most difficult other because it was so closely linked both culturally and geographically to England Ireland's colonial position was especially complex because of the political religious and ethnic heritage it shared with England Andrew Murphy asserts that the Irish were seen not as absolute but as proximate others As a result English writing about Ireland was a problematic process since standard colonial stereotypes never quite fit the Irish But the Irish Sea Betwixt Us examines the English view of the imperfect other by looking at Ireland through works by Spenser Jonson and Shakespeare Murphy also considers a broad range of materials from the Renaissance period including journals pamphlets histories and state papers

**To Feast on Us as Their Prey** Rachel B. Herrmann, 2019-02-11 Winner 2020 Association for the Study of Food and Society Book Award Edited Volume Long before the founding of the Jamestown Virginia colony and its Starving Time of 1609 1610 one of the most famous cannibalism narratives in North American colonial history cannibalism played an important role in shaping the human relationship to food hunger and moral outrage Why did colonial invaders go out of their way to accuse women of cannibalism What challenges did Spaniards face in trying to explain Eucharist rites to Native peoples What roles did preconceived notions about non Europeans play in inflating accounts of cannibalism in Christopher Columbus's reports as they moved through Italian merchant circles Asking questions such as these and exploring what it meant to accuse someone of eating people as well as how cannibalism rumors facilitated slavery and the rise of empires To Feast on Us as Their Prey posits that it is impossible to separate histories of cannibalism from the role food and hunger have played in the colonization efforts that shaped our modern world

**Catholic Reformation in Ireland** Tadhg Ó hAnnracháin, 2002-06-20 The success of the Irish Counter Reformation was a crucial development in the history of the island and subsequently a vital component in the troubled relationship between Ireland and Britain For centuries the politics of the archipelago have been affected by conflicts whose deepest roots are located in the religious



changes of the seventeenth century This book offers a scholarly and dramatic reappraisal of a central episode in the extension of Catholic reform to the island the papal nunciature of GianBattista Rinuccini Tadhg hAnnrach in situates Rinuccini s mission in its wider European context and provides an entirely new perspective not only on the man at the heart of events during the turbulent 1640s but also on the seventeenth century penetration of Catholic reform into Ireland and on the Irish theatre of the Wars of the Three Kingdoms      *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      **Equity and the Law of Trusts in the Republic of Ireland** Ronan Keane,2011-01-01 In the Republic of Ireland there have been many developments in the law affecting trusts such as the decision of the Supreme Court in *Lynch v Burke* on resulting trusts and in England the decision of the House of Lords in *Stack v Dowden* on common intention constructive trusts These and similar developments are comprehensively considered and explained in this second edition The book is fully updated to include all relevant case law and legislation

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