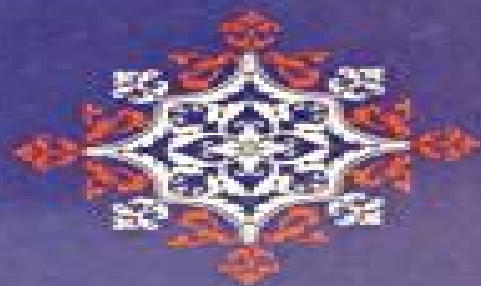


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Subjects & Sovereigns

# Subjects & Sovereigns

*The Grand Controversy  
over Legal Sovereignty in  
Stuart England*



C.C. WESTON &  
J.R. GREENBERG

Cambridge

# Subjects And Sovereigns The Grand Controversy Over Legal Sovereignty In Stuart England

**J. G. A. Pocock, Gordon J. Schochet, Lois  
Schwoerer**

## **Subjects And Sovereigns The Grand Controversy Over Legal Sovereignty In Stuart England:**

*Subjects and Sovereigns* Corinne Comstock Weston, Janelle Renfrow Greenberg, 2003-12-11 The book charts the establishment of the modern idea of parliamentary sovereignty

*Subjects and Sovereign* Hannah Weiss Muller, 2017-06-30 In the aftermath of the Seven Years War when a variety of conquered and ceded territories became part of an expanding British Empire crucial struggles emerged about what it meant to be a British subject Individuals in Grenada Quebec Minorca Gibraltar and Bengal debated the meanings and rights of subjecthood with many capitalizing on legal ambiguities and local exigencies to secure access to political and economic benefits Inhabitants and colonial administrators transformed subjecthood into a shared language practice and opportunity as individuals proclaimed their allegiance to the crown and laid claim to a corresponding set of protections Approaching subjecthood as a protean and porous concept rather than an immutable legal status *Subjects and Sovereign* demonstrates that it was precisely subjecthood's fluidity and imprecision that rendered it so useful to a remarkably diverse group of individuals In this book Hannah Weiss Muller reexamines the traditional bond between subjects and sovereign and argues that this relationship endured as a powerful site for claims making throughout the eighteenth century Muller analyzes both legal understandings of subjecthood as well as the popular tradition of declaring rights in order to demonstrate why subjects believed they were entitled to make requests of their sovereign She reconsiders narratives of upheaval during the Age of Revolution and insists on the relevance and utility of existing structures of state and sovereign Emphasizing the stories of subjects who successfully leveraged their loyalty and negotiated their status she also explores how and why subjecthood remained an organizing and contested principle of the eighteenth century British Empire By placing the relationship between subjects and sovereign at the heart of her analysis Muller offers a new perspective on a familiar period and suggests that imperial integration was as much about flexible and expansive conceptions of belonging as it was about shared economic political and intellectual networks

*Creating the Constitution* Thornton Anderson, 2011-09-30 *Creating the Constitution* presents a different interpretation of the Convention and the First Congress derived largely from a close reading of Farrand's Records and the Annals of Congress Among its special features are a critical perspective on the Framers an examination of Court Whig influence on the Federalists the identification of a third group the state Federalists between the nationalists and states righters and a view of the First Congress as distorting the aims of the Convention

*Subverting Scotland's Past* Colin Kidd, 2003-12-18 This book examines how the intellectual developments of the Scottish Enlightenment undermined Scotland's sense of nationalism

**The Varieties of British Political Thought, 1500-1800** J. G. A. Pocock, Gordon J. Schochet, Lois Schwoerer, 1993 A history of political debate and theory in England later Britain between the English Reformation and French Revolution

**Blackstone and his Commentaries** Wilfrid Prest, 2009-07-06 One of the most celebrated works in the Anglo American legal tradition William Blackstone's *Commentaries on the Laws of England* 1765-9 has recently begun to attract renewed interest from legal

and other scholars The Commentaries no longer dominate legal education as they once did especially in North America during the century after their first publication But they continue to be regularly cited in the judgments of superior courts of review on both sides of the Atlantic and elsewhere throughout the common law world They also provide constitutional cultural intellectual and legal historians with a remarkably comprehensive account of the role of law lawyers and the courts in the imperial superpower that was England on the cusp of the industrial revolution The life and character of Blackstone himself the nature and sources of his jurisprudence as expounded in the Commentaries and the impact of his great book both within and beyond his native shores are the main themes of this collection Individual essays treat Blackstone s early architectural treatises and their relationship to the Commentaries his idiosyncratic book collecting his views of the role of judges interpretation of statutes the law of marriage the status of wives natural law property law and the legalities of colonisation and the varied reception of the Commentaries in America and continental Europe Blackstone s bibliography and iconography also receive attention Combining the work of both eminent and emerging scholars this interdisciplinary venture sheds welcome new light on a legal classic and its continued influence

I Life 1 Blackstone and Biography Wilfrid Prest 2 A Model of the Old House Architecture in Blackstone s Life and Commentaries Carol Matthews 3 A Mighty Consumption of Ale Blackstone Buckler and All Souls College Oxford Norma Aubertin Potter 4 William Blackstone and William Prynne an Unlikely Association Ian Doolittle II Thought 5 Blackstone on Judging John H Langbein 6 Blackstone s Rules for the Construction of Statutes John V Orth 7 Blackstone and Bentham on the Law of Marriage Mary Sokol 8 Coverture and Unity of Person in Blackstone s Commentaries Tim Stretton 9 Blackstone s Commentaries on Colonialism Australian Judicial Interpretations Thalia Anthony 10 Restoring the Real to Real Property Law A Return to Blackstone Nicole Graham III Influence 11 American Blackstones Michael Hoeflich 12 Did Blackstone get the Gallic Shrug John Emerson 13 Blackstone in Germany Horst Dippel IV Sources 14 Bibliography Morris Cohen 15 Iconography J H Baker and Wilfrid Prest Contributors Thalia Anthony lectures in law at the University of Sydney Norma Aubertin Potter is Librarian in Charge of the Codrington Library All Souls College Oxford J H Baker Downing Professor of the Laws of England at the University of Cambridge is Literary Director of the Selden Society Morris Cohen Professor Emeritus and Professorial Lecturer in Law is the former Librarian of Yale Law School Horst Dippel is Professor of British and American Studies at the University of Kassel Ian Doolittle formerly a Junior Research Fellow at Christ Church Oxford is a partner in the law firm Trowers and Hamlin LLP in London John Emerson holds a Visiting Research Fellowship in the Law School University of Adelaide Nicole Graham is Senior Lecturer in the Faculty of Law University of Technology Sydney Michael Hoeflich is John H and John M Kane Distinguished Professor in the Law School University of Kansas John Langbein is Sterling Professor of Law and Legal History at Yale Law School Carol Matthews teaches in the School of History and Politics at the University of Adelaide John V Orth holds the William Rand Kenan Jr Chair of Law at the University of North Carolina Chapel Hill Wilfrid Prest is Professor Emeritus and Visiting Research Fellow in the

Law School and School of History and Politics University of Adelaide Mary Sokol holds an Honorary Research Fellowship in the Bentham Project at University College London Tim Stretton teaches history at St Mary's University Halifax Nova Scotia

**Foundations of Public Law** Martin Loughlin, 2012-09-27 Foundations of Public Law offers an account of the formation of the discipline of public law with a view to identifying its essential character explaining its particular modes of operation and specifying its unique task Building on the framework first outlined in The Idea of Public Law OUP 2003 the book conceives public law broadly as a type of law that comes into existence as a consequence of the secularization rationalization and positivization of the medieval idea of fundamental law Formed as a result of the changes that give birth to the modern state public law establishes the authority and legitimacy of modern governmental ordering Public law today is a universal phenomenon but its origins are European Part I of the book examines the conditions of its formation showing how much the concept borrowed from the refined debates of medieval jurists Part II then examines the nature of public law Drawing on a line of juristic inquiry that developed from the late sixteenth to the early nineteenth centuries extending from Bodin Althusius Lipsius Grotius Hobbes Spinoza Locke and Pufendorf to the later works of Montesquieu Rousseau Kant Fichte Smith and Hegel it presents an account of public law as a special type of political reason The remaining three Parts unpack the core elements of this concept state constitution and government By taking this broad approach to the subject Professor Loughlin shows how rather than being viewed as a limitation on power law is better conceived as a means by which public power is generated And by explaining the way that these core elements of state constitution and government were shaped respectively by the technological bourgeois and disciplinary revolutions of the sixteenth century through to the nineteenth century he reveals a concept of public law of considerable ambiguity complexity and resilience [Explaining the English Revolution](#) Mark Stephen Jendrysik, 2007-01-01 Explaining the English Revolution studies the years 1649 to 1653 from regicide to the establishment of the Cromwellian Commonwealth during which time English writers took stock of a disordered England stripped of the traditional ideas of political moral and social order and considered the possibilities for a politically and religiously reordered state *King and People in Provincial Massachusetts* Richard L. Bushman, 2013-06-01 The American revolutionaries themselves believed the change from monarchy to republic was the essence of the Revolution King and People in Provincial Massachusetts explores what monarchy meant to Massachusetts under its second charter and why the momentous change to republican government came about Richard L Bushman argues that monarchy entailed more than having a king as head of state it was an elaborate political culture with implications for social organization as well Massachusetts moreover was entirely loyal to the king and thoroughly imbued with that culture Why then did the colonies become republican in 1776 The change cannot be attributed to a single thinker such as John Locke or to a strain of political thought such as English country party rhetoric Instead it was the result of tensions ingrained in the colonial political system that surfaced with the invasion of parliamentary power into colonial affairs after 1763 The underlying weakness of

monarchical government in Massachusetts was the absence of monarchical society the intricate web of patronage and dependence that existed in England But the conflict came from the colonists conception of rulers as an alien class of exploiters whose interest was the plundering of the colonies In large part colonial politics was the effort to restrain official avarice The author explicates the meaning of interest in political discourse to show how that conception was central in the thinking of both the popular party and the British ministry Management of the interest of royal officials was a problem that continually bedeviled both the colonists and the crown Conflict was perennial because the colonists and the ministry pursued diverging objectives in regulating colonial officialdom Ultimately the colonists came to see that safety against exploitation by self interested rulers would be assured only by republican government *Order and conflict* Marco Barducci,2018-07-30

This book provides a careful and systematic analysis of Anthony Ascham s career and writings for the first time in English During the crucial period between the Second Civil War and the establishment of the English Republic when he served as official pamphleteer of the Parliament and the republican government Ascham put forward a complex argument in support of Parliament s claims for obedience which drew on the political thought of Grotius Hobbes Selden Filmer and Machiavelli He combined ideas taken from these authors and turned them into a powerful instrument of propaganda to be deployed in the service of the political agenda of his Independent patrons in Parliament This investigation of Ascham s works brings together an intellectual analysis of his political thought and an exploration of the interaction between politics propaganda and political ideas **The Medical World of Margaret Cavendish** Justin Begley,Benjamin Goldberg,2023-01-01 This book is the first transcription and extensive commentary on a fascinating but almost entirely overlooked manuscript compilation of medical recipes and letters which is held in the University of Nottingham Collected by the Marquess and Marchioness of Newcastle William and Margaret Cavendish during the 1640s and 1650s this manuscript features letters of advice recipes and sundry philosophical and medical reflections by some of the most formidable and influential physicians philosophers and courtly scholars of the early seventeenth century These include Europe s physician Theodore de Mayerne the adventurer and courtier Kenelm Digby and the natural philosopher poet and playwright Margaret Cavendish While the transcription and accompanying annotations will allow a diverse array of readers to appreciate the manuscript for the first time the introduction situates the Cavendishes recipe collecting habits medical preoccupations natural philosophical views and politics within their social cultural and philosophical contexts and draws out some of the most significant implications of this important document *English Society, 1660-1832* J. C. D. Clark,2000-03-16 An extensively revised edition of a classic of modern historiography *The Cambridge Constitutional History of the United Kingdom: Volume 2, The Changing Constitution* Peter Cane,H. Kumarasingham,2023-08-17 Featuring contributions from leading scholars of history law and politics this path breaking work traces the development of the United Kingdom s constitution from Anglo Saxon times and explores its role in the creation exercise and control of public power Essays in Volume Two entitled The Changing

Constitution examine the development of the constitution from the departure of the Romans up to the present day and beyond Together the two volumes form the first wide ranging history of the constitution to be published for more than 50 years By its cross disciplinary approach taking account of the latest legal political and historical scholarship on the constitution it fills a large gap in the literature of the constitution and in political thought and British history

**Revolutionary Politics and Locke's Two Treatises of Government** Richard Ashcraft,2021-07-13 Richard Ashcraft offers a new interpretation of the political thought of John Locke by viewing his ideas especially those in the Two Treatises of Government in the context of his political activity Linking the implications of Locke s political theory with his practical politics Professor Ashcraft focuses on Locke s involvement with the radical Whigs who challenged the established order in England from the 1670s to the 1690s An equally important aim of the author is to provide a case study of a revolutionary movement that includes a discussion of its organization ideology socio economic composition and political activities Based upon a detailed examination of manuscripts diaries correspondence and newspapers Professor Ashcraft presents a wealth of new historical evidence on the political life of Restoration England This study represents an example of an approach to political theory that stresses the importance of authorial intentions and of the political social and economic influences that structure a particular political debate

**The Heart and Stomach of a King** Carole Levin,2013-11-21 In her famous speech to rouse the English troops staking out Tilbury at the mouth of the Thames during the Spanish Armada s campaign Queen Elizabeth I is said to have proclaimed I may have the body of a weak and feeble woman but I have the heart and stomach of a king Whether or not the transcription is accurate the persistent attribution of this provocative statement to England s most studied and celebrated queen illustrates some of the contradictions and cultural anxieties that dominated the collective consciousness of England during a reign that lasted from 1558 until 1603 In The Heart and Stomach of a King Carole Levin explores the myriad ways the unmarried childless Elizabeth represented herself and the ways members of her court foreign ambassadors and subjects represented and responded to her as a public figure In particular Levin interrogates the gender constructions role expectations and beliefs about sexuality that influenced her public persona and the way she was perceived as a female Protestant ruler With a new introduction that situates the book within the emerging genre of cultural biography the second edition of The Heart and Stomach of a King offers insight into the continued fascination with Elizabeth I and her reign

**Coinage and State Formation in Early Modern English Literature** S. Deng,2011-04-11 A reassessment of the historic relation between money and the state through the lens of early modern English literature Coinage and State Formation examines the political implications of the monetary form in light of material and visual properties of coins as well as the persistence of both intrinsic and extrinsic theories of value

**American Bloods** John Kaag,2024-05-14 American Bloods is an unflinching history of our nation This is a breakout book for John Kaag the natural extension of his genre defining writing Doris Kearns Goodwin Pulitzer Prize winning author of Leadership In Turbulent Times

Kaag has a knack of stumbling upon treasures The result is a thrilling and illuminating tale John Banville The New Statesman A history of a family spanning centuries and continents one that unfolds into a new portrait of America The Bloods were one of America's first and most expansive pioneer families They explored and laid claim to the frontiers geographic political intellectual and spiritual that would become the very core of the United States John Kaag's American Bloods is the account of a remarkable American family of its participation in the making of a nation and of how its members embodied the elusive ideals enshrined in the Declaration of Independence Inspired by the discovery of a mysterious manuscript in an old Massachusetts farmhouse Kaag follows eight members of this family from the British Civil Wars in the seventeenth century through the founding of the colonies the American Revolution transcendentalism the Industrial Revolution the Civil War and the rise of first wave feminism all the way to the beginning of the twentieth century The Bloods were active participants in virtually every pivotal moment in American history coming into contact with everyone from Emerson and Thoreau to John Brown Frederick Douglass Victoria Woodhull and William James The genealogy of the family tracks the ebb and flow of what Thoreau called wildness an original untamed spirit that would recede in the making of America but would never be extinguished entirely American Bloods is an enduring reminder of the risks and rewards that were taken in laying claim to the lands that would become the United States and a composite portrait of America like no other **Controlling the State**

Scott GORDON, Scott Gordon, 2009-06-30 This book examines the development of the theory and practice of constitutionalism defined as a political system in which the coercive power of the state is controlled through a pluralistic distribution of political power It explores the main venues of constitutional practice in ancient Athens Republican Rome Renaissance Venice the Dutch Republic seventeenth century England and eighteenth century America From its beginning in Polybius interpretation of the classical concept of mixed government the author traces the theory of constitutionalism through its late medieval appearance in the Conciliar Movement of church reform and in the Huguenot defense of minority rights After noting its suppression with the emergence of the nation state and the Bodinian doctrine of sovereignty the author describes how constitutionalism was revived in the English conflict between king and Parliament in the early Stuart era and how it has developed since then into the modern concept of constitutional democracy The Making of Englishmen Hilary M.

Larkin, 2013-10-10 Making the Englishmen offers an account of how national identities were construed and contested in the post Reformation public sphere 1550-1650 Sir Robert Filmer (1588-1653) and the patriotic monarch Cesare

Cuttica, 2016-05-16 This book now available in paperback studies the patriarchalist theories of Sir Robert Filmer 1588-1653 in the context of early modern English and European political cultures Making use of unexplored primary material and adopting an innovative contextual approach Cuttica provides a long overdue account of an often referred to but largely misunderstood thinker By focusing on Filmer's most important writing Patriarcha written in the 1620s-30s but published in 1680 this monograph rethinks some crucial issues in the reading of political history in the seventeenth century Most



importantly it invites new reflections on the theory of patriarchalism and gives novel insights into the place of patriotism in the development of English political discourse and identity Thanks to its originality in both approach and content this volume will be of interest to historians of early modern England as well as scholars of political thought

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