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Chapter 1 : Jurisprudence of Power: Victorian Empire and the Rule of Law - Oxford Scholarship

*A Jurisprudence of Power: Victorian Empire and the Rule of Law (Oxford Studies in Modern Legal History) [Rande W. Kostal] on www.nxgvision.com *FREE* shipping on qualifying offers. A Jurisprudence of Power reconstructs the martial law suppression of the Jamaica uprising of*

In lieu of an abstract, here is a brief excerpt of the content: Colonialism and the Rule of Law, by Nasser Hussain; pp. A Jurisprudence of Power: Victorian Empire and the Rule of Law, by R. Oxford and New York: Although scholars have always viewed law as a key point of articulation for the British Empire at all its stages, the topic has been under intensive scrutiny in recent years and especially with regard to the administration of India. In this critical landscape, the two works under review here stand out in both method and substance. Neither mainstream historians nor postcolonialist cultural critics, R. That said, Kostal and Hussain also differ importantly from each other. His concern is to reflect on the conceptual nature and development of categories such as sovereignty and the rule of law. From different angles, then, these two works shed new light on how the context of empire came to stage a variety of limit cases and breaking points in questions of law. One such limit case—the issue of martial law—is central to each of these studies. With his focus on the Jamaica affair, Kostal spotlights the most prominent British imperial invocation of martial law in the nineteenth century. In , the governor of Jamaica, Edward Eyre, responded to a violent uprising at Morant Bay with an overwhelming exercise of power, declaring martial law on the east side of the island and bringing about through suppression and punishment the deaths of almost supposed rebels. After a brief spell of general support for Eyre in the British homeland, a polarizing public controversy soon developed there. As Kostal demonstrates, however, even when historians refer to the Jamaica affair as an exercise of martial law authority, they generally neglect or move quickly past the concrete dimensions of the legal questions. From the legal perspective, the question was much less one of race or even of some claim for justice in the Empire than it was a question of general legal legitimacy. Eyre had declared martial law in one part of Jamaica, but he arrested George William Gordon in a non-martial-law portion of Jamaica, removed him to the martial-law region, and had him tried and executed under the aegis of martial law. First, he aims to offer a definitive treatment You are not currently authenticated. View freely available titles:

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With the advent of the Jamaica affair, leading Englishmen like John Stuart Mill attempted to use the courts to resolve (what is identified as) a defining contradiction of mid-Victorian English politics: the simultaneous commitment to law and empire.

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A Jurisprudence of Power Victorian Empire and the Rule of Law Rande W. Kostal Oxford Studies in Modern Legal History. Analyses the most controversial imposition of martial law in Britain's colonies in the 19th century.

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A Jurisprudence of Power: Victorian Empire and the Rule of Law, by R. W. Kostal; pp. xiii + Oxford and New York: Oxford University Press, , Â£, Â£

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Instead, the central thesis of A Jurisprudence of Power is that the lurid events evoked a public discourse on the validity of the Victorian Empire's rule of law ethos.

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