

**[Publication: John M. Collins, \*Martial Law and English Law, c. 1500 - c.1700\* \(New York: Cambridge University Press, 2016\).](#)**

Blog Post published by Nurfadzilah Yahaya on Saturday, July 2, 2016

**John M. Collins**, Lecturer in History at Eastern Washington University, has recently published a book on the origins of martial law in England, a subject that interests many H-Law subscribers. You may contact him at [jcollins2@ewu.edu](mailto:jcollins2@ewu.edu). He provides a description of his book below.

Martial law by the nineteenth century was a global phenomenon. In the Caribbean, West Africa Sri Lanka, the rebellious thirteen colonies, and in Canada, British governors had used martial law to maintain order in times of tumult. Its prevalence caused surprise, and in some instances, outrage, both at the time and among modern historians. Central to their shock was the dissonance between martial law and the “rule of law ideology” that, was so prevalent in nineteenth century British legal culture.

The aim of my book *Martial Law and English Laws* is to explain how martial law was made in earlier periods in order for scholars to better understand why an empire supposedly founded on the rule of law could nevertheless deploy martial law so frequently. The answer was that martial law was a part of England’s complex jurisdictional framework. Rather than being outside of law, or part of a state of exception to it, martial law was a collection of substantive laws and procedures that English monarchs used to maintain order within their realms.

By the middle of the sixteenth century, Elizabeth and her advisors delegated martial law powers abroad to governors in Ireland. By the end of the seventeenth century, martial law jurisdiction was granted to almost every governor in the nascent English empire. Its prevalence as the empire grew in the nineteenth century is explainable because martial law was always one of England’s many laws.

John M. Collins

More information on the book can be found at - <http://www.cambridge.org/us/academic/subjects/history/british-history-after-1450/martial-law-and-english-laws-c1500c1700?format=HB&isbn=9781107092877>

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