

In This Issue

This issue of *Law and History Review* features several studies of colonial and metropolitan legal systems “in practice.” Our articles recount how judges, administrators, and others contended with frontiers, new states, insurgencies, overseas empires, and urban congestion. Three of the articles also identify new archives that are of potentially great importance for legal historians.

The issue begins with a fascinating case study of the conflict among indigenous resistance, the Canadian state, and criminal legal doctrine in the late nineteenth century Northwest. Catherine Evans argues that the Canadian state struggled to consolidate its legal control in the Northwest because of wanting capacity and, more importantly, the common law jurisprudential understanding of indigenous people. By acknowledging legal pluralism on the frontier, common law judges diminished indigenous defendants’ criminal responsibility and impaired the Canadian state’s attempt to impose a new criminal law on its most distant possessions.

Assaf Likhovski then takes the reader to early Israel, where he finds a perhaps surprising prominence of Polish law in Israeli courts. Likhovski’s account revolves around the writings of four Israeli lawyers who were educated in Polish law schools. They imported important legal and constitutional ideas from Poland into Israeli law. For Likhovski, Polish law was at times preferable to English decisions because the former was a more recent creation and, therefore, better suited to the situation of a new government. This article illustrates the importance of interwar constitutional thought and its diaspora and meaning in the European periphery.

At approximately the same time as Likhovski’s attorneys were building the Israeli legal system, British colonial authorities in Kenya attempted to obscure numerous sexual crimes during the Mau Mau conflict of the 1950s. David Anderson and Julianne Weis draw upon a new archive that documents widespread sexual crimes during the British counterinsurgency

in Kenya that involved the military, the police, and the African militia. Anderson and Weis argue that British prosecutors most often did not pursue sexual crimes, to shield important authorities and institutions.

Patrick Weil and Nicholas Handler then describe the rise and fall of a powerful form of regulating citizenship in twentieth century Great Britain: denaturalization. Between 1918 and 1960, they argue, the British Home Office revoked the citizenship of hundreds of naturalized citizens. Yet they also find that almost as soon as this came to pass, an independent judicial committee used a review power to check the Home Office's denaturalization authority, thus leading to the authority's eventual demise.

James Muldoon fundamentally reinterprets the intentions of sixteenth and seventeenth century English colonial charters. Historians have long understood these vital documents as the basis of European territorial claims over indigenous lands. But Muldoon contextualizes these charters within a medieval legal tradition that sought to regulate the entry of potential settlers. England sought primarily to regulate access to the sea and sea routes to Asia and the New World, not necessarily to expropriate and redistribute indigenous lands.

Our final article studies litigated negligence cases that were reported in *The Times* from 1785 to 1820. James Oldham argues that collision cases involving equestrians, pedestrians, stagecoaches, chaises, wagons, and sailing ships forced common law judges in London to create new standards of care that were appropriate for a bustling metropolitan environment. He also identifies how carriers and judges negotiated liability at common law for lost goods, and addresses how juries awarded damages.

Between these articles and our book reviews, we are pleased to offer a substantial review article by David Rabban on Robert W. Gordon's new book, *Taming the Past: Essays on Law in History and History in Law*. Rabban argues that the book confirms Gordon's status as one of the most important legal historians of his time.

We invite readers to also consider the American Society for Legal History's electronic discussion list, H-Law, and visit the Society's website at <http://www.legalhistorian.org>. Readers may also be interested in viewing the journal online, at <http://journals.cambridge.org/LHR>. *Law and History Review* is also active on Twitter at http://www.twitter.org/history_law or @history_law.

Law and History Review is pleased to announce that Dr. Michan Connor is the journal's first Associate Editor for Digital Projects. His chief responsibility will be our new quarterly digital imprint, which will debut in 2018.

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