

Editorial Foreword

INSURGENT YOUTH The ranks of insurgencies are mostly filled by the young. The youth take to the streets and barricades more readily than do the aged, the propertied, and the established. Insurgencies depend on youth not only for their energy and hope, but also for the ways “youth” indexes the future, and presents a visage of innocence that seems relatively untainted by the stains and debris of historical wrongs. Yet insurgency can also be forced upon the young, even onto the fragile shoulders of children. The sources, networks, and reasons for recruitment are too often less than clear.

In “Small Warriors? Children and Youth in Colonial Insurgencies and Counterinsurgency, ca. 1946–1960,” **Stacy Hynd** explores how young insurgents are recruited and mobilized. Comparing Kenya and Cyprus in the 1940s and 1950s, Hynd shows that while some youth were coerced into armed rebellions, others joined of their own will. Teenaged warriors brought needed numbers but were especially valued for the ways they symbolized innocence and hope, helping to catalyze broader support for the movement.

Myles Osborne’s contribution also leads us to Kenya. In “‘Mau Mau Are Angels ... Sent by Haile Selassie’: A Kenyan War in Jamaica,” Osborne examines the impact of Kenya’s Mau Mau uprising as the news of it circulated in Jamaica during the 1950s. The Mau Mau insurgency inspired Rastafari and other young and mostly poor Jamaicans, who saw it as a form of pan-Africanism much like Marcus Garvey’s. This version of Black Power in the Caribbean reveals intellectual frameworks developed by subaltern youth, and transnational circuits of pan-Africanism that formed even without direct contact or diffusion.

SOCIAL LIVES OF CATEGORIES Once categories for classifying groups are launched, they acquire lives of their own. They act recursively to shape the very phenomena they were invented to merely describe. Categories have geographies and histories; they come into being at a certain juncture, and disappear, shape-shift, or lose social force at another. This group of papers examines the social lives of a set of consequential categories in motion: pedophilia in the United States and Guatemala, race in the United States, caste in India, and “the crowd” in Anatolia.

Kevin Lewis O’Neill’s article, “The Unmaking of a Pedophilic Priest: Transnational Clerical Sexual Abuse in Guatemala,” exposes how Latin America was made a dumping ground for U.S. priests suspected of sexual abuse. North-to-south clerical transfers sent predatory priests to countries where pedophilia did not exist as a criminal or pathological category.

O'Neill tells the story of Father David Roney, a predatory priest sent from Minneapolis to rural Guatemala in 1994, and how a psychological and juridical difference between two geographical settings was employed to render his pedophilia non-existent. The Church insulated itself from litigation and other damages by, in effect, transforming Roney's victims into non-persons.

In "From Bondage to Citizenship: A Comparison of African American and Indian Lower-Caste Mobilization in Two Regions of Deep Inequality," **Narendra Subramanian** compares inequality in the delta zones of India and the United States. He compares how India's former untouchable castes (Dalits) and African Americans each mobilized from the 1940s to the 1970s in pursuit of full citizenship. Subramanian argues that the nation was imagined to clearly include Dalits earlier in India than it was to encompass African Americans in the United States, because Dalit mobilizations foregrounded more porously bordered community visions, whereas African American efforts emphasized racial injustice based on difference. As a result, African Americans achieved greater mobilization, but Dalits gained more favorable interethnic alliances, party incorporation, and policy accommodations.

Ali Sipahi, in "Deception and Violence in the Ottoman Empire: The People's Theory of Crowd Behavior during the Hamidian Massacres of 1895," offers an historical ethnography of the popular concepts of crowd behavior and deception during the violence waged against the Armenians in the Ottoman East in 1895–1896. Sipahi demonstrates that everyday people did not perceive violence as an indicator of deep social, religious, or ethnic divisions. On the contrary, they described a world in which Armenians and Muslims lived a shared life, and where one attacked the other only when deceived. Methodologically, Sipahi's article links intellectual history and social history by showing how groups build theories about their own society, in this case via the category of "the crowd."

LEGAL CULTURES Every person is simultaneously subject to manifold systems of law: international law and putative universal human rights, state-based law regulating actions occurring within or related to a politically demarcated territory, traditional or customary law affecting groups within a given religious or ethnically bounded tradition, and so on. Corollary to these are numerous interstitial legal systems. Declares the father of an assaulted and disfigured girl in the opening scene of *The Godfather*, "I went to the police, like a good American ... but for justice, I said, we must go to Don Corleone." These various legal systems, moreover, need not conflict with one another since they address guarantees, threats, contracts, and sanctions in distinct areas, and at different levels, of human experience. The essays joined here address law in its specific cultural instantiations: courts of mixed commission in Sierra Leone and Brazil that adjudicated captured slave ships;

the Biafran wartime courts in action from 1967–1970, as national identity was being legally imagined; and a 1920s battle of Islamic law between two competing fatwas involving alcohol, one from Cairo, another from Bombay.

In “The Adjudication of Slave Ship Captures, Coercive Intervention, and Value Exchange in Comparative Atlantic Perspective, ca. 1839–1870,” **Jake Subryan Richards**, compares courts of mixed commission in Sierra Leone and Brazil that adjudicated naval captures of slave ships. Court jurisdiction conflicted with sovereign jurisdiction regarding the presence of recaptives (“liberated Africans”), the risk of re-enslavement, and unlawful naval captures. Richards shows how abolition as a legal field ultimately emerged from interactions between liberated Africans, British diplomatic and naval agents, and local political elites in Brazil and on the Upper Guinea Coast.

Samuel Fury Childs Daly’s contribution, “A Nation on Paper: Making a State in the Republic of Biafra,” considers legal records from the secessionist Republic of Biafra to analyze the relationship between law and national identity during the Nigerian Civil War (1967–1970). During the war, Biafra’s courts were the center of its national culture. Biafrans argued over what behaviors were permissible in wartime, and judges used law to draw the boundaries of the new country’s national identity. Daly demonstrates how law, bureaucracy, and legal paperwork meant more to state-making than chaotic depictions of postcolonial Africa usually allow. Biafra failed as a political project, but in many ways succeeded as a legal project, offering an important revision to the study of law in postcolonial Africa.

In 1922, a famous Muslim scholar, the Syrian-Egyptian reformer Rashīd Riḍā, published a fatwa in defense of alcohol in reaction to an Indian jurist’s fatwa that had warned Muslims against tipping. The article by **Leor Halevi**, “Nationalist Spirits of Islamic Law after World War I: An Arab-Indian Battle of Fatwas over Alcohol, Purity, and Power,” unpacks this debate over sacred laws of purity and pollution. What Halevi shows is that the conflict was as much about the politics of independence as it was about religious purity. Both jurists were Muslim nationalists, yet, while one aimed for independence via a path of national purity, the other sought independence via national power. The difference in anti-colonial strategies informed the battle of fatwas, a battle worth remembering for how it reveals the complexities of turning Islamic law into nationalist discourse.