

Law and History Review

Law and History Review

The purpose of *Law and History Review* is to further research and writing in the fields of the social history of law and the history of legal ideas and institutions. The Review is sent to all members of the American Society for Legal History.

Back issues of *Law and History Review* may be ordered directly from *Law and History Review*, Cambridge University Press, Journals Fulfillment Dept., One Liberty Plaza, New York, NY 10006-4020, USA.

Editorial Office: Department of History, American University, 4400 Massachusetts Avenue, NW, Washington, DC 20016, USA. Gautham Rao, Editor; telephone: 202-885-6745; e-mail: gauth.rao@gmail.com

Address all general editorial correspondence to Gautham Rao, Editor, *Law and History Review*, American University, 4400 Massachusetts Avenue, NW, Washington, DC 20016, USA (tel: 202-885-6745; e-mail: gauth.rao@gmail.com). Address correspondence regarding book reviews and reviewing on the Americas to Angela Fernandez, Associate Editor, University of Toronto Faculty of Law (email: angela.fernandez@utoronto.ca). Address correspondence regarding book reviews and reviewing on Europe to Elizabeth Papp Kamali, Associate Editor, Harvard Law School (email: ekamali@law.harvard.edu). Address correspondence regarding book reviews and reviewing on Asia, Africa, and the Pacific to Jedidiah Kroncke, Associate Editor, FGV Direito SP (email: jedidiah.kroncke@fgv.br). Address correspondence regarding digital projects to Michan Connor, Associate Editor (email: michan.connor@gmail.com).

Publishing, Advertising, and Subscription Offices: Cambridge University Press, One Liberty Plaza, New York, NY 10006-4020, USA (for USA, Canada, and Mexico); or Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, UK (for UK and elsewhere).

Law and History Review (ISSN 0738-2480) is published four times a year, in February, May, August, and November by Cambridge University Press, One Liberty Plaza, New York, NY 10006-4020, USA / Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge, CB2 8BS, England for the American Society of Legal History. Annual institutional subscription rates for Volume 36 (2018) USA, Canada, and Mexico / Elsewhere are \$293 / £173 for print and electronic subscriptions. Single part: \$84 / £50. Prices include postage and insurance. *Law and History Review* and all other Cambridge journals can be found at <http://journals.cambridge.org/>.

© The American Society for Legal History, Inc. 2018. All rights reserved. No part of this publication may be reproduced in any form or by any means, photocopying, electronic, or otherwise, without permission in writing from Cambridge University Press. Policies, request forms, and contacts are available at: <http://www.cambridge.org/rights/permissions/permission.htm>.

Permission to copy (for users in the USA) is available from the Copyright Clearance Center (CCC), <http://www.copyright.com>, email: info@copyright.com.

Forwarding and return postage guaranteed, address correction requested. Postmaster: Send address changes in the USA and Canada to *Law and History Review*, Cambridge University Press, Journals Fulfillment Dept., One Liberty Plaza, New York, NY 10006-4020, USA. Send address changes elsewhere to *Law and History Review*, Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge, CB2 8BS, England.

Abstracting and Indexing Information: America: History and Life; CSA Worldwide Political Science Abstracts; Current Law Index; Current Abstracts; SocIndex; SocIndex with Full Text; TOC Premier; Scopus; Family Index; Academic OneFile; General OneFile; InfoTrac Custom; LegalTrac; Biography Index; Index to Legal Periodicals & Books; Historical Abstracts.

Law and History Review

Volume 36, Number 2

May 2018

*Published four times a year by Cambridge University Press for the
American Society for Legal History*

Editor

Gautham Rao
American University
 Department of History
 4400 Massachusetts Avenue, NW
 Washington, DC 20016
 202.885.6745
 FAX: 202.885.6166
 EMAIL: gauth.rao@gmail.com

**Associate Editor
 (Book Reviews, Asia, Africa,
 Pacific)**

Jedidiah Kroncke
FGV Direito SP
 EMAIL: jedidiah.kroncke@fgv.br

**Associate Editor
 (Book Reviews, Americas)**

Angela Fernandez
*University of Toronto Faculty of
 Law*
 EMAIL: angela.fernandez@
 utoronto.ca

**Associate Editor
 (Digital Projects)**

Michan Connor
Independent Scholar
 EMAIL: michan.connor@gmail.
 com

**Associate Editor
 (Book Reviews, Europe)**

Elizabeth Papp Kamali
Harvard Law School
 EMAIL: ekamali@law.harvard.
 edu

Editorial Board

David Anderson
University of Warwick

Constance Backhouse
University of Ottawa

Edward J. Balleisen
Duke University

Nicholas Barreyre
*L'ecole des Hautes Etudes en
 Sciences Sociales*

Felice Batlan
ITT Chicago-Kent College of Law

Fihad Bishara
University of Maryland

Holly Brewer
University of Maryland

Thomas Buoye
University of Tulsa

Christopher Capozzola
*Massachusetts Institute
 of Technology*

Amy Chazkel
Queens College, CUNY

Li Chen
*University of Toronto-
 Scarborough*

Andrew Wender Cohen
Syracuse University

Rohit De
Yale University

Alejandro de la Fuente
Harvard University

Laura F. Edwards
Duke University

Carole Emberton
University at Buffalo

Lisa Ford
University of New South Wales

Sally E. Hadden
Western Michigan University

Amalia Kessler
Stanford University

Daniel M. Klerman
*University of Southern
 California*

Elizabeth Kolsky
Villanova University

Adriaan Lanni
Harvard University

Kenneth F. Ledford
Case Western Reserve University

David Lieberman
University of California, Berkeley

Assaf Likhovski
Tel Aviv University

Rebecca McLennan
University of California, Berkeley

Ajay Mehrota
American Bar Foundation

M. C. Mirow
Florida International University

Devin Pendas
Boston College

Intisar Rabb
Harvard University

Stephen Robertson
*Roy Rosenzweig Center for
 History and New Media*

Lena Salaymeh
Tel Aviv University

Reuel Schiller
Hastings College of Law

Karl Shoemaker
University of Wisconsin

Karen Tani
University of California, Berkeley

Heather Ann Thompson
University of Michigan

Stefan Vogenauer
Max Planck Institute

James Q. Whitman
Yale University

Anders Winroth
Yale University

Will Hanley
Florida State University

Contents

Law and History Review

Vol. 36, No. 2, May 2018

Full text available at <http://journals.cambridge.org/lhr>

In This Issue

v

Articles

- Heart of Ice: Indigenous Defendants and Colonial Law in the Canadian North-West
Catherine L. Evans 199
- Peripheral Vision: Polish-Jewish Lawyers and Early Israeli Law
Assaf Likhovski 235
- The Prosecution of Rape in Wartime: Evidence from the Mau Mau Rebellion, Kenya 1952–60
David M. Anderson and Julianne Weis 267
- Revocation of Citizenship and Rule of Law: How Judicial Review Defeated Britain's First Denaturalization Regime
Patrick Weil and Nicholas Handler 295
- Colonial Charters: Possessory or Regulatory?
James Muldoon 355
- The Law of Negligence as Reported in *The Times*, 1785–1820
James Oldham 383

Review Essay

- Taming the Past: Essays on Law in History and History in Law*—Robert W. Gordon
reviewed by David M. Rabban 421

Book Reviews

- The Codex of Justinian: A New Annotated Translation with Parallel Latin and Greek Text*—Bruce W. Frier
reviewed by Paul J. du Plessis 429
- Chinese Law in Imperial Eyes: Sovereignty, Justice, and Transcultural Politics*—Li Chen
reviewed by Taisu Zhang 430

<i>The Politics of Fiscal Privilege in Provence, 1530s–1830s</i> —Rafe Blaufarb	
reviewed by Malick W. Ghachem	433
<i>Legal Codes and Talking Trees: Indigenous Women’s Sovereignty in the Sonoran and Puget Sound Borderlands, 1854–1946</i> —Katrina Jagodinsky	
reviewed by Chandra Murdoch	435
<i>On the Side of the Angels: Canada and the United Nation Commission on Human Rights</i> —Andrew S. Thompson	
reviewed by Asa McKercher	437