

## Editorial Foreword

In this issue authors address the question of how putatively universal rules—imperial dictates, state laws, economic regimes, and consequential categories of social life like “religion,” “the market” and “indigeneity”—are translated into local vernaculars and adapted to local sites and singular needs. The process is rarely without friction, resistance, cost, or contest. To take a hydraulic metaphor, the essays offer a comparative viscosity of the force and limits of flow. When standardizing classifications infill regional uses and users, what sorts of detours, dams, floods, and muddied waters follow? What new springs erupt?

**SLOW VIOLENCE** The title of this rubric comes from **Paige Raibmon**’s article, “Obvious but Invisible: Ways of Knowing Health, Environment, and Colonialism in a West Coast Indigenous Community.” She describes the slow violence and sensory assault on a people’s health, unfolding on Indigenous ground. Her worksite is the home of the Mowachaht and Muchalaht bands in Yuquot. Their responses to attacks on their land undertake a calculus of risk, seeking answers to a familiar question: How to render Indigenous forms of knowledge visible to the State? What kinds of translations might work? The Mowachaht and Muchalaht bands first pressed environmental claims against pulp mill pollution in the terms of health, science, and medical risk, and failed. They then tried to litigate again in the terms of law, but now in a posture of colonized subjects and as petitioners of the state. In this latter guise, they were successful. A key part of slow violence is the impossibility of state recognition or redress *other* than in the infantilized guise of Indigenous peoples as colonial wards.

The long-durée violence of the “constitutive exclusion” of indigenous peoples from the allied domains of money, property, and governance forms the crux of **Jessica R. Cattelino**’s essay, “From Locke to Slots: Money and the Politics of Indigeneity.” Through a careful unpacking of classic texts from Locke to Montesquieu to Engels, Cattelino shows how American Indians were consistently depicted as the outer edge and defining margin of money-use, private property, and governance; always present through their absence, as a haunting. Public debates over exemplary cases of wampum, potlatch, and, more recently, tribal gaming as forms of American Indian economy and governance reveal what Cattelino calls the American Indians’ “double bind”: They require economic resources to exercise and defend their sovereignty, but when they gain property and economic power, their political autonomy and authenticity-as-indigenous are placed into question. In this way, the

settler-colonial configuration calibrates legitimate indigenous status only and always in relation to the status of dependency.

As a globally exchanged term, arriving more recently in some sites than in others, “indigeneity” carries within it a key fracture between its meaning in settler-states like Australia or the Americas—as a minority discourse of difference—and its deployment in Africa and Asia, where entire populations may be labeled “Indigenous.” Given such dramatic divides, few scholars have attempted comparisons between American and African genealogies of indigeneity. In “Indigenous Conflict in Bolivia Explored through an African Lens...,” **Andrew Canessa** takes up the challenge, working on materials from Bolivia and Cameroon, among others. Indigeneity is contested in Bolivia, not only vis-à-vis discourses of *mestizaje*, but also between highland and lowland indigenous groups’ interests and resources, even during the allegedly unifying “indigenous presidency” of Evo Morales. Still more is the term uncertain in Africa, where it competes with rival designations like “autochthony.” Canessa explores the rich fissures between claims to indigeneity and autochthony. While the former activates a localized discourse by groups on the margins of state power, the latter makes populist and nativist claims of national belonging, or even of nationalist roots and foundations. This leaves small-scale African indigenous groups like the Baka in Cameroon, who make no such claims and identify as marginal and resistant to the state, even more politically vulnerable than they might otherwise be. Through these comparative complexities, Canessa discerns a useful pattern to help interpret indigeneity at a global scale.

**LEGAL ANOMALY** In “No country but the ocean”: Reading International Law from the Deck of an Indian Ocean Dhow, ca. 1900,” **Fahad Ahmad Bishara** considers the legal imaginaries of Indian Ocean mariners sailing out of the port of Suri, on the Arabian Peninsula. Maritime legal culture entailed a domestication and vernacularization of international law, not least in the ways it was materially manifested in flags and, for these captains, efficacious French documents (*titres*). These objects-at-sea extended legal regimes of the land, but also refracted and transformed them to captains’ own idiosyncratic purposes. Flags and documents were used to foment exchanges far beyond what they actually secured or promised; for example, *titres* were freely transferred from one ship, and sailor, to another. Bishara recounts a microhistory of a compelling 1905 court case of Muscat-based dhows suspected of slave-trading, arbitrated at the Hague. The essay reveals the affordances and limits presented to seafarers sailing under a French flag and bearing French papers, though on a mostly British sea. How far would these effective maritime things and their aggressive discursive application allow these captains to range and trade?

Jamshedpur, India, is one of the oldest and largest company towns in the world, administered almost entirely by a steel manufacturer. The town

comprises a site of corporate sovereignty, a special economic zone, as **Mircea Raianu** shows in his “‘A mass of anomalies’: Land, Law, and Sovereignty in an Indian Company Town.” There it is only the company that governs by legal contract, well beyond the regulatory reach of the state. India’s industrial modernity is replete with such legal anomalies. Company towns like Jamshedpur take part in constituting a dual economy with a distinctive geography, Raianu argues, characterized by mechanized enclaves surrounded by traditional agricultural villages. Such privately governed spaces of extraction institute their own forms of social life, authority, and centripetal force.

Attending to a different form of legal anomaly, **Guo-Quan Seng’s** essay, “The Gender Politics of Confucian Family Law...” documents the extraordinary economic power enjoyed by creole Chinese women in nineteenth-century Java. These women possessed inheritance rights and directed their household economies, often retaining substantial wealth independent from husbands’ debts or other family liabilities. Beginning in the 1860s, though, Dutch officials began to administer Chinese family law in the colonial courts, and they did so relying on abstract ideals of Confucianist ethics grounded in Sinological studies and formalist textual interpretations. Confucianist legal doctrines of the male as natural head of the household began to inform Dutch legal norms. As a result, by the 1880s women’s autonomous wealth was made vulnerable to husbands’ debt and obligations. Seng shows that Dutch Confucianism, installed in the name of Chinese “tradition,” deprived creole Chinese women of legal rights that they had long enjoyed in *actual* tradition and practice.

**EGYPTIAN VERNACULAR** This rubric presents three portraits of Egypt, the first from the 1860s, the second from 1922 forward, and the third from contemporary Cairo. Each strikes a vivid profile of the national vernacular. They show, respectively, how notions of “development,” “religious freedom,” and “housing markets” have been manifested in and through specific Egyptian dynamics and contingencies. **Adam Mestyan’s** “Domestic Sovereignty, *A’yan* Developmentalism, and Global Microhistory in Modern Egypt,” leads off with a story of political transformation in the 1860s prior to colonialism. It weaves together dreams of steamships, the telegraph, and mystical visions of a mighty Ottoman governor. Technological developmentalism, Mestyan shows, was pitched in poetry, petitions, and metaphysical dreams, and articulated in a mode of consultation rather than constitutionalism, the mode that would follow. “Development” was yoked to a project of crafting a version of non-European sovereignty. This was, Mestyan argues, a brilliant if brief axial moment prior to British colonial intrusion. It forged a domestic sovereignty from values and sources ready-to-hand: local notables, an Ottoman governor, and a dream.

**Jeffrey Culong** interprets the Egyptian law against “contempt of religion” (*izdirá al-din*), installed in 2011. Yet his paper, “‘The Shari’a must go’: Seduction, Moral Injury, and Religious Freedom in Egypt’s Liberal Age,” traces the

law's roots to a genealogy of the secularization of Egypt already in motion since 1922. In the 1920s, Christian missionaries used claims to legally mandated "religious freedom" to advance their particular denominational and confessional interests. Insisting that religious freedom ensured the right to proselytize and convert, Christian missionaries sparked revolts at al-Azhar University and elsewhere, as Culong documents in compelling detail. Nearly a century later, contemporary "contempt of religion" charges rely, paradoxically, on the same claims to religious freedom, merely sieved through a new Islamic ethical vernacular, and accelerated by a different set political pressures. Culong points to the ways a law or right instituted in one historical moment assumes new implications in another.

In 1996, rent control laws were reversed in Cairo, ostensibly opening housing to free market forces. Yet in many districts, as **Sarah El-Kazaz** explores in "Building 'Community' and Markets in Contemporary Cairo," the market was deliberately re-regulated in the name of producing community. This transpired in both high-market and low-market neighborhoods. At the high end, one housing consortium foregrounded the terms of "authenticity" and a "community of strangers" to advertise and instantiate stable prices. At the low end, another consortium announced the virtue of communal "collaboration." El-Kazaz shows how urban planning and design are harnessed to projects of social engineering, increasingly in the guise of "community," a word diversely applied to administering moral relations in the city. Community, she argues, is a term leveraged to nurture difference among groups of distinct destinies, tastes, and values. It sets spatial boundaries of local trust that stand in for general trust; thus "community" is called on to replace and perhaps even weaken the welfare state, radically resetting the calculus of social trust.

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