

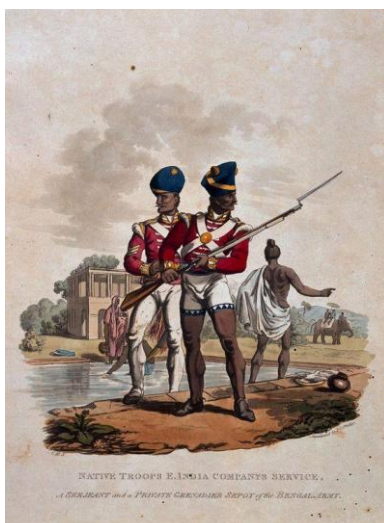
Inaugural Conference of the Global History Initiative, Queen's University

Conference Report by Gabriela Castillo

During April 20-22, Queen's University held the Inaugural Workshop of the Global History Initiative under the motto ***"Global Legal Regimes: Beyond Imperial Frames"***. The GHI at Queen's welcomed scholars from universities in Canada, United States and the United Kingdom and had the honor to present Dr. Jeremy Adelman, from Princeton University, as Keynote Speaker.

The workshop's opening remarks were delivered by Dr. Amitava Chowdhury, Co-Convenor of the Global History Initiative at Queen's University. Dr. Chowdhury's words were the stepping stone upon which the GHI set its task of nurturing and interrogating the idea of global history not as a globally inclusive perspective or an archimedean vantage, but most fundamentally as a critique of methodological nationalism and an historiographical critique. According to Dr. Chowdhury, the GHI operates on three layers or levels: it runs locally, by fostering an appreciation for the field of Global History; it works regionally, by serving as a network of prominent institutes and institutions with similar initiatives or programs or research clusters; finally, it operates globally, by setting up a global network whose goal is not only to develop the field of global history worldwide, but also to provide a platform for graduate students in the member institutions, with opportunities for semester abroad, co-supervision of research projects, dissertation workshops, and postdoctoral positions

Following Dr. Chowdhury's intervention, Dr. Jeremy Adelman presented his keynote address titled *"The Witness and the Other: Photography and the Origins of Humanitarianism"* and in it, he addressed the powerful relationship between images and historical narrative; while citing several key moments and places in history, Dr. Adelman presented an overwhelming amount of images that supported his idea that the origin of modern humanitarianism can be traced back to the visual and narrative description of colonial atrocities, such as Congolese natives being exploited and brutalized to enrich others or a tribe of Guatemalan peoples being cornered and then massacred by their Government. Dr. Adelman also pointed out how the arrival of world wars in Europe pulled the veil back on the scale of state violence against civilians, making it a point of no return for the way in which we understand humanitarianism today.



Panel 1 was titled ***"A rule of experts"*** and it was opened by Dr. Debjani Bhattacharyya, from Drexel University, with her work *"Soaking Ecologies: Swamps, Law and the East India Company in Bengal"*, where she explored the role of the East India Company from an environmental and legal history perspectives. In order to understand the genealogy of property in colonial India, Dr. Bhattacharyya focused her research and ethnographic work on the concept of *soil* as an entry point or, as she pointed out, this soil as an intractable soil-water admixture peculiar to the Bengal tidal basin. This soil, known as *char*, was used to understand the material and social processes of making property in a swamp.

Dr. MitraSharafi, from the University of Wisconsin-Madison, presented her paper *"Corruption and Forensic Experts in British India"* where she analyzed the Indian model of scientific experts, describing them as court appointed experts that were more similar to the German courts' medical "referee" than to anything present in English law. Dr. Sharafi talked about the cases of W. S. Newman (1893) and W. S. Falvy (1939) in order to describe the phenomenon of corrupt forensic experts, particularly Europeans, and the significance that their presence had: on the one hand, they represented a threat to race and class based narratives about corruption in India, and on the other, their existence undermined the new forensic science for India, which presented itself as a solution to the problem of "native mendacity."

Finally, Dr. David Parker and I, from Queen's University, presented the paper *"Laws in Translation: Asymmetric Globality and the Dialogue between French Expert Knowledge and Chilean Social Legislation, 1889-1931"* where we analyzed two case studies: (Chile's Worker's Housing Law of 1906, modeled on France's "Siegfried Law" of 1894, and the creation of the *Inspección del trabajo*, one of the first administrative organs charged with the collection of labor statistics) in order to understand why did certain French legal reforms and not others shape Chilean debates on the social question and also, to what extent did foreign precedents affect how Chileans perceived their own social problems and legislative needs; we took both case studies as an example of philosophical convergence as well as demonstration of Chilean's *aspiration* to join the world's "advanced countries."

Panel 2: **Juridical Subjects and Legal Thought**, opened with the presentation by Dr. Faisal Chaudhry, from University of Arizona, and his work *"Re-Evaluating the Shari'a's Domestication: Marriage, Family, and the Personal Law of Indian Muslims in the Global Imaginary of Classical Legal Thought;"* in it, Dr. Chaudhry situated the 'personal law' in late colonial India in the nineteenth-century genealogy of the idea of 'family law.' By examining the case of Abdul Kadir and his wife Salima (who abandoned him) he established that, whether through the intensification of Islamization programs by existing regimes or through anti-regime forces calling for (militant) reform/revolution in the name of political Islam, belief in the possibility of a distinct form of rule through 'Islamic law' has seemed to increase rather than decrease

Dr. IshitaPande, from Queen's University and co-convener of the GHI's Steering Committee, presented her paper *"India's Child Marriage Laws and the Epistemic Contract on Age."* Dr.Pande took as starting point the case study of convicted sodomite Sahdeo Ram's court appeal, in order to address the history of the "universal" child in liberal political theory and its concomitant legal prescriptions. DrPande stressed the issue of "globality" in this analytical category suggesting that the



modern disciplines, and most significantly colonial law, made possible the notion of a “universal” child, that lives on as a normative category in international law –and liberal feminist scholarship –to this day while at the same time, analyzing the paradoxical role of the reification and manufacturing of chronological age as a stable measure of legal personhood.

Dr. Sandra Den Otter, from Queen’s University and Member of the GHI’s Steering Committee, presented the work titled *“Legal subjectivities, freedom of contract and marriage in the mid-nineteenth century South Asia discussed”* where she contested the idea of marriage as a civil contract between consenting individuals through the case study of Shumsoonnissa Begum, a Muslim woman from Calcutta who lived in seclusion with her husband and their young daughter and later escaped his alleged mistreatment and confinement to begin a suit against her husband for recovery of her property which, she claimed, he had taken from her. By analyzing this case, Dr. Den Otter illuminated the intersecting worlds of contract thinking that crisscrossed the common law world in the mid nineteenth century and their significance for “the cultures of legality that were constitutive of colonialism



Panel 3 Indigenous and Imperial Subjects—I began with Dr. Teresa Ventura, from Concordia University, who presented her paper *“Making the Cariño Doctrine: Land Law and Indigenous Rights.”* In this research paper, Dr. Ventura analyzed the implications of the Cariño Doctrine (named after Mateo Cariño, an Ibaloi chieftain from the Benguet province in Philippines) which has been invoked to protect indigenous lands across the Philippines from state and private expropriation,

provided the legal grounding for the landmark 1997 Indigenous Peoples Rights Act, and has been cited as a precedent in indigenous land rights cases in settler colonies like Canada, New Zealand, and the United States. Through this case study, Dr. Ventura examined the relationship between the local and the global during transitions of power as well as the divergent possibilities embedded within those transitions for indigenous people.

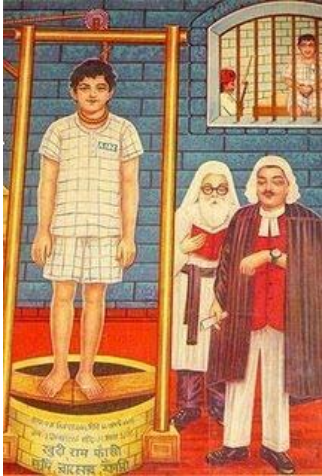
Dr. Reeju Ray, from Western Ontario University, talked about her work *“At the Intersections of Indigeneity and Ethnicity: The Lineage Act, 2005”*, where she analyzed the colonial category *tribal* (which was determined within the Lineage Act of 2005) and how said category brought outrage by imposing a temporal and spatial backwardness upon the Khasi, Jaintia, and Garo communities through the mechanism of law. In doing so, Dr. Ray valued the centrality of differentiated laws in colonial and national frontiers and posed the question of how law precedes both nation and state making processes in north east India while, at the same time, examining law in these borderlands as both the site for and constitutive of gendered concepts of ethnicity and indigeneity.

Panel 4 **Indigenous and Imperial Subjects—II** opened with Dr. Sarath Pillai, from the University of Chicago and his work *“Palimpsest of Domination: Rethinking Colonial Sovereignty in Princely India through Treaties and Paramountcy”* where he proposed a categorical shift in our understanding of colonial sovereignty and domination by reconceptualizing these terms through the concepts of British indirect rule in princely India. In order to do so, Dr. Pillai focused his research specifically on the idea of Paramountcy as the constitutional basis of British indirect rule in the Indian princely states; he qualified it as a unique form of imperial domination inapplicable to the directly ruled British provinces in colonial India thus questioning the undivided nature of colonial sovereignty

PhD Candidate Andre Kobayashi Deckrow, from Columbia University, presented his paper titled *“Protecting Imperial Subjects Overseas: State-Sponsored Japanese Migration in the Wake of Hemispheric Asian Exclusion,”* where he spoke about the understanding of Japanese-Brazilian migration (which began in 1895 with the *Treaty of Amity, Commerce, and Navigation*) as a relationship based on a legal contract between migration and private coffee plantation, facilitated by the state of São Paulo and overseen by the Japanese government. By expanding on the notion of “most favored nation” while relying on the use of newspapers editorials as primary sources, Kobayashi suggested that in establishing the legal basis for Japanese Brazilian migration as product of bilateral diplomacy, the Japanese-Brazilian treaty concerned itself solely with the notion that Japanese be treated equally to other foreign immigrants.



The last panel of the workshop, **Freedom, Bodies, Dissent**, was inaugurated by Dr. Durba Ghosh, from Cornell University, with her work *“From Revolutionary to Freedom Fighter: The Making of Khudiram Bose as National Hero”*. In this paper, Dr. Ghosh examined the evolution of the figure of Khudiram Bose, a young man who attempted to assassinate a British official, District Magistrate Douglas Kingsford in Bengal in 1908. By focusing on the proliferation of popular and folk representations of Khudiram that followed in the aftermath of his execution, Dr. Ghosh illuminated how this young man went from revolutionary terrorist to nationalist hero and patriot; in doing so, she argued that the history of revolutionary terrorism continues to be an important feature of the history of



the anticolonial struggle in postcolonial India, while stressing that only some terrorists are able to become (and be portrayed as) freedom fighters.

Elizabeth Elbourne, from McGill University, presented her paper *"Whose bodies? Regulating marriage and sexuality in the London Missionary Society, 1795-1817,"* where she spoke about missionary societies as examples of global institutions that, in some ways, acted like transnational merchant companies, transporting personnel around the globe, developing internal norms and sometimes coming into conflict with local legal regimes. While Missionary Society regulation cannot be seen as "law" in a conventional sense, these institutions did indeed

seek to exert control over people rather than places, even though in time, the size of the group of people that they hoped to control expanded through conversion. According to Dr. Elbourne, this mechanism slid inexorably into control over place, through the space of the Mission station and its outstations, as they sometimes came to function almost as *de facto* states within states.

The workshop's closing paper belonged to PhD Candidate Joey McQuade, from the University of Cambridge, and it was titled *"Managing Bodies, Policing Dissent: Imperial law and the Ghadar movement during the First World War"* where he explored 'emergency' legislation during the First World War which sought to regulate the movement of bodies within the British Empire, through the policing of anti-colonial dissent. By focusing on the 1914's *"Ingress into India Ordinance"*, McQuade examined the construction of a narrative surrounding a particular form of "enemy", one that would emphasize the alleged 'foreign' character of Indian expatriates returning from overseas. This narrative sought to limit the transgressive potential of Ghadar propaganda and transnational revolutionary networks based out of North America and parts of East and Southeast Asia thus allowing officials to justify extraordinary measures taken in restricting and transporting dissenting bodies.