

## In This Issue

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This issue of *Law and History Review* begins with Tomiko Brown-Nagin's plenary lecture at the 2017 annual meeting of the American Society for Legal History. Brown-Nagin's piece puts in historical context the "resistance," which has become so prominent since the 2016 United States presidential election. Yet Brown-Nagin argues that the resistance was not spontaneously generated. Rather, she traces the deep historical roots of the movement back to the civil rights movement.

We then revisit the topic of freedom suits, this time in nineteenth-century Brazil. Mariana Dias Paes and Pedro Cantisano provide us with a remarkable microhistory of a single suit that demonstrates how legal argumentation and political developments were mutually constitutive. Thus they seek to reframe the story of the demise of slavery in Brazil from its traditional political understanding to a more legal framework.

We then have articles by Will Smiley and John Fabian Witt. Smiley's article reassesses how the law of war worked in practice during the American conquest of the Philippines. He finds that United States military officers reworked the meaning of international law to incorporate practical demands of governance and powerful racial ideologies. Witt has uncovered Francis Lieber's unfinished magnum opus on the legal lessons of the civil war, which Lieber's son, Guido Norman, also tried to complete. Above all, Witt argues, the Lieber manuscript justified the use of emergency powers as central to the existence of the modern state. That Smiley and Witt have similar interests should not be surprising, because they worked closely together when Smiley was a law student at Yale Law School, where Witt continues to teach.

War is also crucial for Anna Wallerman in her article about the problem of Aryanization for the Swedish Supreme Court during the Second World War. The court saw numerous conflicts between Nazi-appointed officials and exiled Jewish business and property owners. Wallerman breaks sharply

with existing literature on these cases by arguing that for the court, private international legal principles, not anti-Nazi political sentiment or wartime necessity, were the most important factors in adjudicating these cases.

Our final article, by Sara Mayeaux, examines the tenure of Los Angeles County Public Defender Frederic Vercoe from 1927 to 1946. Mayeaux uncovers substantial evidence that Vercoe and his deputies were nothing like the caricature of early twentieth-century public defenders as being chiefly interested in judicial efficiency. Rather, they were advocates. Vercoe's progressive understanding of municipal law, together with his belief in the importance of adversarial legal culture, aimed to protect individual rights, prevent wrongful convictions, and establish the Public Defender's Office as a vital institution within the state's legal framework.

This issue features a book review by independent researcher, writer, and producer Tom Coffman, which discusses the major new work by Harry N. Scheiber and Jane L. Scheiber, *Bayonets in Paradise: Martial Law in Hawai'i during World War II*. This review will be of particular interest to members of the American Society for Legal History, because Harry N. Scheiber is past president of the society. Coffman finds that the Scheibers have written an important work that will change the way scholars think about the role of the military in Hawai'i during the war.

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 [@history\\_law](http://www.twitter.org/history_law).

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