

In This Issue

This issue begins with an article by Jim Jose and Kcasey McLoughlin. Their study considers John Stuart Mill's opposition to the Contagious Diseases Acts in 1871, exploring how and why Mill argued that personal liberty trumped public health in that instance. Along the way, their article considers the relationship among law, liberty, and the public good, while demonstrating how Mill's opposition to the Acts exposed the gendered nature of the Contagious Diseases Acts. Mill's view of colonial subjects helped shape part of his reaction to the Acts, and another look at colonial subjects is provided in the next article, by Jane McAdam. Her study of the relocation of the Banaban community from Ocean Island to Rabi Island in 1945 looks at the legal status accorded the Banaban. She explores the way that citizenship and nationality were negotiated, and what impact the relocation had on Banaban rights to land, access, self-determination, and governance. As McAdam notes, the issues that arise in this case study speak not only to the legal history of the Pacific, but also to contemporary debates over relocations planned in response to climate change and natural disasters. The following article, Rowan Dorin's study of a shift in canon law to justify the expulsion of the Jews in the late Middle Ages, offers another perspective on relocation and law. Dorin's study looks at the interplay between legislative intent and legal interpretation to show how a law that was drafted in response to Christian moneylending ultimately was interpreted so broadly that it seemed to require Jewish expulsion.

Next, Ofra Freisel's article considers the intersection of national interest and international law in the twentieth century. Looking at recently released government meeting protocols, Freisel provides a new perspective on the Israeli government debates over what to do with East Jerusalem in 1967. She argues that those debates revealed that control over a united Jerusalem trumped other concerns, including the goal of cementing an alliance with the United States or the apparent limits of international law. Her work is followed by a piece of applied legal history. In his article, Ziv Bohrer, argues against the received wisdom that international criminal law began at Nuremberg. Tracing the development of a coherent transnational doctrine

of crime from the late Middle Ages to Nuremberg, Bohrer asserts that this history refutes those who argue that international criminal law is an abnormal system that violates long-standing notions of criminal justice.

The final article in this issue shifts the focus away from international law, to consider the interplay of law and science. Marie-Amelie George argues that custody and child visitation cases involving gay and lesbian parents in the 1970s turned court into sites for scientific debate over homosexuality. Those debates, she shows, pushed scientific and medical research into issues of sexuality and gender identity, influencing research and researchers even after the American Psychological Association chose to declassify homosexuality as a mental illness in 1973.

This issue concludes with a selection of book reviews. We invite readers to also consider 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>, where they may read and search issues of the journal.

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