

## Race, Inequality, and Colonialism in the New World Order

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Sally Engle Merry

Sherene H. Razack, *Dark Threats and White Knights: The Somalia Affair, Peacekeeping, and the New Imperialism*. Toronto: University of Toronto Press, 2004. 236 pages. \$50.00 cloth; \$24.95 paper.

Balakrishnan Rajagopal, *International Law from Below: Development, Social Movements, and Third World Resistance*. Cambridge: Cambridge University Press, 2003. 343 pages. \$80.00 cloth; \$36.20 paper.

In early 2004, as Americans viewed the photographs of beatings, humiliation, and abuse of the Iraqi prisoners at Abu Ghraib with horror, they were repeating the experiences of Canadians 10 years earlier. In 1994, Canadians saw photos and videotapes of cruelty and abuse by their peacekeepers toward the Somalis they had been sent to rescue. In 2004, Americans confronted the fact that U.S. soldiers were capable of the same forms of brutality and cruelty they had come to expect from other regimes. For Canadians, proud of their status as peacekeepers to the world, this experience was also deeply distressing. How did they make sense of their behavior? Reading this event through the lens of race, Sherene Razack in *Dark Threats and White Knights* argues that this was not an aberrant event, the product of a few “bad apples,” or a failure of oversight but an expression of the underlying dynamics of race and imperialism that shaped the peacekeeping project in the first place.

In her trenchant study of what the Canadians call the “Somalia Affair,” she explores the events that took place during the Canadian peacekeeping mission in Somalia in 1993 and the legal investigations and inquiry that followed. Razack’s book relies on a detailed analysis of these trials and the national inquiry as well as

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Please address correspondence to Sally Engle Merry, Department of Anthropology, New York University, New York; e-mail: Sally.Merry@nyu.edu.

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discussions in the popular press about these incidents (p. 7). She uses this case study to illuminate the larger global situation of modern peacekeeping, arguing that it is a new form of imperialism in which the civilized North rescues the tumultuous South from its inability to govern itself. This is a racially coded process: white nations are helping brown and black ones to control their populations. Although the legal investigation and prosecution of this affair reinterpreted the violence as the actions of a few individuals, she argues that the violence and abuse were embedded in widespread narratives of race and danger, the civilizing mission of colonialism, and Kiplingesque notions of “savage wars of peace.” These images, along with conceptions of hegemonic masculinity, pervaded the Canadian military and Canadian society itself. Her courageous examination of the systemic role of race and imperialism in peacekeeping missions provides a powerful critique of the image of the civilized global North serving as the rescuer of a chaotic global South. The similarity between this event and the American military action in Iraq with the pervasive patterns of prisoner abuse is striking.

Balakrishnan Rajagopal challenges the idea that international law develops according to its own internal principles and the logic of legal scholarship. He takes issue with this comfortable self-assessment, showing instead how its major institutions have developed in response to protest movements in the Third World. Like Razack, he situates an apparently progressive institution within the dynamics of race and colonialism, providing a provocatively different perspective. He shows how, time and again, the development of international law has been a reaction to the need to contain and manage the Third World rather than a response to international law's own internal agendas and concerns. His major concern is a critique of colonialist dimensions of the development project and the way international law has been shaped by this project. The book includes a history of Third World involvement in international law, dating back to the Mandate period of the 1930s and the nonaligned movement of the 1950s. The book clearly shows that the development of international law has always been linked to an effort to control Third World resistance and promote global capitalist expansion. The shift to a focus on poverty and development, for example, grew out of anxieties that impoverished Third World countries (this is the term he uses) would turn to communism.

Rajagopal is addressing an international law audience when he insists that international law and legal institutions have historically been shaped by social contexts of colonialism, anti-colonial nationalist movements, and contemporary social movements based on identity claims, cultural claims, and economic and political demands. In effect, he is calling for a sociolegal analysis of interna-

tional law, one that sees it as a social and political as well as a legal system and that recognizes its dynamic and constitutive relationship with the states and peoples of the global South. His book could be read as a call for law and society research to turn its attention, theoretical frameworks, and methodologies to the analysis of international law and its institutions. He calls for an analysis of international law in its social and historical context. In particular, he advocates closer attention to Third World social movements such as women's movements, indigenous movements, labor movements, and gay and lesbian movements as alternative sites of resistance and models of social justice that take place outside the more elitist human rights framework of international law. These movements often deviate from human rights principles and even challenge them.

Both books examine the continuing role of colonialism and its legacies of racism and global inequality in the creation of the New World Order. Razack shows how the conflict and poverty in parts of the global South are managed by military interventions by the former colonial powers of the global North in the name of peacekeeping. Rajagopal traces the close linkages between colonialism and development as well as the way colonialism laid the groundwork for key conceptions within human rights law. The post-Cold War order is one of increasing economic inequality in which the losing peoples, mostly in the global South, mobilize political protests that encourage further elaboration of the mechanisms of global governance. These mechanisms include the kinds of peacekeeping initiatives Razack describes as well as the governance inherent in development projects and human rights law and institutions.

Both of these books criticize institutions celebrated by global liberal reformism as conducive to global peace and justice, turning them upside down and looking at them from a new vantage point. The heroism of peacekeepers in general, and Canadian ones in particular, is deeply challenged by Razack's reading of their actions in terms of race, both the racial tensions among the soldiers as well as their racialization of the field they encountered in Somalia. International law's claims of neutrality and justice, with human rights law the only approved approach to emancipation and social justice, are both critiqued in Rajagopal's examination of the expansion of international law over the last half century (p. 165). By reading this history from the perspective of Third World resistance movements and challenges to Western hegemony, he shows how international law has repeatedly shifted in response to social movements of resistance and opposition, acting to contain them and to extend forms of governance over Third World masses viewed with fear and loathing. Human rights law descends from and is compatible

with colonialism, as it incorporates colonial concerns with law and order and allows governments to take extreme measures without sanctions in the name of protecting human rights (p. 182).

Provocative and challenging, both books unsettle comfortable, established views of international law and peacekeeping. They open new perspectives, bringing to the fore issues of race and resistance. They are both important in reshaping the way we understand law in this new world of international law, peacekeeping, and global governance.

### **Race and the “Somalia Affair”**

In late 1992, Canada joined with the United States and several other countries in a humanitarian peacekeeping operation in Somalia, described as facing a “holocaust of war and famine.” The Canadians dubbed their project Operation Deliverance, while the U.S. forces called their effort Operation Restore Hope. Despite the benign labels, by 1994 the Canadian public was stunned to see photographs of Canadian soldiers standing grinning beside beaten and bloodied Somalis, to hear that six Somalis were killed by Canadian troops, and to see videotapes that revealed racialized hazing and abuse taking place within the Canadian military in Canada. In March 1993, two Somalis were shot in the back by Canadian soldiers, one fatally. Two weeks later, a 16-year-old Somali prisoner, Shidane Arone, was tortured to death by soldiers. Many soldiers watched or knew about the torture. “Gruesome photographs of the 16 March event survive; photographs of the bloodied and battered head of a Black man, a baton holding his head in place for the camera as his torturer posed grinning beside him” (Razack 2004:4). Other trophy photos showed soldiers posing with bound, hooded, and possibly beaten Somali youth, or with groups of Somali youth sitting hooded and tied in the hot sun wearing signs around their necks saying “thief” (p. 5). The soldiers acted more like conquerors than humanitarians.

Razack argues that these actions reveal the imperial underpinnings of the current peacekeeping project and the extent to which its dynamics are shaped by conceptions of race. Peacekeeping is, she argues, a form of colonial violence (p. 55). Peacekeeper violence mimics colonial violence in its inversion between stereotypical representations and actions. The alleged savagery and cannibalism of the colonized requires savage responses to keep such people under control. These representations of the savagery of brown and black men confirm the superiority of the white men (p. 61).

The response to the public outcry in Canada was a series of military trials of those who carried out the violence along with a

wider Commission of Inquiry, established in late 1994, which investigated the organization and management of the Canadian military operations in Somalia. The outcome of these legal procedures was a narrative of a failure of military leadership that betrayed an innocent nation of peacekeepers and a few bad people in the lower ranks who succumbed to an environment of ingratitude, hostility, and heat. A narrative emerged of the trauma of peacekeeping and the suffering of the soldiers. As the law intervened to make sense of this event, the violence was submerged. The racism disappeared and the innocence of a Canada, conceptualized as white, was recuperated with the argument that the country was too concerned with self-examination and self-critique. Canada's own history of violent suppression of Aboriginal people and seizure of their lands and resources was ignored in favor of an image of Canada as a benevolent white nation, even though these national experiences shaped the way soldiers thought about race in general and Somalis in particular. Moreover, videotapes revealed the widespread racism within the Canadian military.

Yet in the legal proceedings, racism was defined in narrow terms as actions carried out by members of white-supremacist groups. Even an incident in which a black soldier had KKK written on his back was passed off as normal by the soldier himself, not as a sign of racism (p. 71). In contrast to this legal account of the events, Razack reads them as expressions of underlying conceptions of race and colonialism in Canada and the framing of peacekeeping as a new form of colonialism. Such an analysis is as applicable to the U.S. intervention in Iraq and subsequent violence as it is to Canadians in Somalia.

The humanitarian mission to Somalia was portrayed in both Canada and the United States as a mission of salvation to a primitive place, bound by backward traditions, which required the taming of the soldiers of the modern, civilized North. It reflects a new, more "muscular" peacekeeping, justified by the idea that the "natives" will not understand anything besides force and that their crises are so dire that no civilized nation can stand by and fail to act (p. 42). Some advocates of this new policy even describe it as a revival of colonialism, where the collapse of governments means that outside forces provide the only escape from ethnic tyranny, marauding bandits, and pervasive insecurity (p. 43). Such projects anticipate grateful natives appreciative of Western military and governance capacity. They operate within a racial hierarchy in which civilized First Worlders discipline and instruct uncivilized Third World peoples in democracy and human rights. This is a story of white innocence and a portrait of good and evil on a global stage (p. 49).

However, in Somalia, as in other peacekeeping operations of the 1990s, peacekeepers brought increased violence in their wake.

The natives were often ungrateful. Peacekeeping missions began to fail: peacekeepers behaved ruthlessly and sexually exploited young women. They were often unable to restore order. The consequence was a demand for a more aggressive approach to peacekeeping (p. 44). Yet Razack argues that the whole peacekeeping endeavor is framed by ideas about race and otherness that presage future difficulties. Canadian peacekeepers traveled to Somalia innocent and ignorant, unaware of the West's complicity in the civil war in Somalia but confident in their own nobility and superiority. They were "surprised and outraged when they found ungrateful natives and a complicated conflict. In such an environment, violence directed at Somalis enabled some peacekeepers to manage their own fears and ignorance and to see themselves as men in control" (p. 48).

Canadian soldiers grew increasingly hostile to the Somalis as they discovered that they were not grateful for their help. Setting up their camp, well-stocked with water, food, and other desirable items, in an area where these were all in short supply, invited envy and thievery. Responding to the sense of threat, Canadian soldiers became more and more hostile and abusive, trying to "teach the Somalis a lesson." When some higher-ranking military people gave tacit approval to abusing prisoners and shooting intruders, some lower-ranked soldiers engaged in these behaviors, leading to the death of the 16-year-old in custody and the shooting of another Somali at night. Canadian troops fired into an unarmed crowd at one point. Yet the Canadians were in a relatively stable area and faced no aggressive events beyond thievery and rock-throwing by boys. The Somali militia had long since left the area, which was populated largely by starving refugees. No Canadian personnel were killed or wounded by Somalis (p. 73). In fact, as the threat diminished, the more extreme incidents of peacekeeper violence occurred. Why did the Canadian soldiers become so aggressive and abusive toward the Somalis?

Razack argues that part of the answer lies in the "imperial fantasies" the soldiers brought with them, the idea that they were in Africa to save Somalis from themselves, and that the only way to justify their presence was the existence of black savagery (p. 69). It was also the product of hegemonic masculinity and the way violence provides a way to enact that masculinity. This is a military masculinity in which physical violence against women and racial minorities is excessively celebrated (p. 56). Violence against racial minorities such as Indians creates a national manhood, understood in both the United States and Canada as white (p. 62). In imperial Britain, manhood was defined by white men's violence as necessary for the good of the brown subjects (p. 63). In Somalia, enacting this racialized masculinity required abuse and violence

toward the Somalis as a patriotic duty and an opportunity to prove one's manhood.

Two of the soldiers accused of the violence were part Aboriginal. Razack considers how they came to participate as central actors through the lens of race and masculinity. Although some argue that racially subordinated males may be more violent than white males in order to compensate for their subordinate status, Razack rejects this explanation. Instead, she argues that both white and minority men were pulled into the hegemonic masculinity of imperialism in which violence serves to confer power. In a white nation, men of color as well as white men are seduced into performing white hegemonic masculinity in the service of the nation, including engaging in acts of racial domination. Thus, they are behaving as ideal men, men in control who are defending the values of their nation and resisting their oppression as racial minorities (pp. 90–1). The men of color are, as one journalist put it, trying to “outwhite the white guys” (p. 103).

In Somalia, peacekeeper violence was common among the Americans, Italians, and Belgians as well as the Canadians. The violence, ranging from racial slurs to torture and murder, was typically practiced in front of witnesses, often documented by videotapes and trophy photos and described in diaries, often directed at children and youth, and typically sexualized with rape and sodomy taking place. As Razack points out, this makes it difficult to argue that the violence was the result of soldiers pushed to extreme reactions by an aggressive and unwelcoming local population (p. 53). These patterns are chillingly similar to those revealed about the American treatment of Iraqi prisoners in Abu Ghraib.

The military tribunals and national inquiry interpreted these events as the actions of a few bad apples and focused on the cover-up by generals rather than the pervasive racism of the military that encouraged these actions. It was not interpreted as a colonial encounter shaped by notions of white supremacy but as an exceptional event, a case of a rogue regiment and rogue leaders (pp. 115–8; 119–22). There was a general understanding that an unusual level of military aggression was necessary because there were so many “unruly natives” (p. 93). Indeed, in one case the beating of a 16-year-old Somali boy was witnessed by as many as 80 people who stopped by or heard the screams. The murder was recorded in 16 trophy photos featuring the grinning soldier and his prey, a stance all too familiar to Americans today. This incident was only an instance of the widespread practices that humiliated and degraded prisoners (p. 85).

The legal process of trial and inquiry avoided confronting the racial meanings of these events, focusing instead on finding a few individuals guilty and examining the way the cover-up of these

events by military brass damaged the image of Canada and betrayed the nation. Both defense and prosecution argued that Somalia was a lawless land where well-intentioned peacekeepers were besieged by ungrateful Somalis, portraying events in terms of white innocence and black culpability (p. 89). The role of the legal process was to convert this racial violence into a different story about a few men unable to survive the anarchy and savagery of their environment. The Canadian legal inquiries disguised racial superiority as a story of hapless men from the North trying to civilize Africans and other Third World people and keep them in line (p. 151). The racism in the military was defined narrowly as the overt actions by a small group of white supremacists, while its everyday, pervasive manifestations were ignored (p. 131). Thus, in an astounding twist, the victimization of the Somalis disappeared, replaced by the victimization of the nation itself and its loss of innocence. The much prized national image of Canadians as peacekeepers to the world had suffered a painful setback.

As I write, the trial of one of the abusers in Abu Ghraib is beginning, with the prosecution claiming that the accused soldier was a sadistic thug who punched detainees for sport while the defense argues that he was simply following orders and using techniques from his civilian life as a prison guard. The defense claimed that putting naked prisoners on a leash is much like what parents do to their toddlers in airports while using naked and hooded prisoners to make a human pyramid is what cheerleaders do “all over America” at football games (Zernike 2005:1). As in the Canadian trials, it appears that questions of systemic racism and imperialism will not arise and that the inquiry will instead focus on the actions of a few low-ranking individuals and the role of their immediate superiors in authorizing the abuse. The opportunity to scrutinize American society and its imperial policies more closely will be lost in a narrow examination of how a few people went wrong in an environment of lawlessness and fear.

In the U.S. trials, as in the Canadian ones, it seems likely that the discussion will rely on a narrative all too familiar from the time of Joseph Conrad’s novel of the Congo, *Heart of Darkness*: the power of a primitive environment bereft of laws, police, and security to bring out the inner violence and evil of the average person. Razack points out that this framework was used to interpret the behavior of the Canadian peacekeepers in Somalia. It became a story that features the heroism of peacekeepers from Northern countries and the traumas they suffer as they help Third World nations move toward modernity (p. 7). In this narrative, the construction of the environment itself as lawless and primitive goes unchallenged.



The idea that this behavior can be excused because it involved a dangerous job in a harsh and hostile climate, as one witness described the incidents (p. 100), has strong parallels with the violence Taussig describes in the Putamayo region of Colombia in the early twentieth century, the creation of what he calls the space of death (1992). In this rubber-harvesting region of the Amazon rainforest, the Europeans and their West Indian overseers forced the Huitoto Indians to collect rubber through flogging, stocks, torture, and killing. Stories circulating about the cannibalism and violence of the Indians created a sense of imminent death for those who saw themselves living in a hostile jungle surrounded by bloodthirsty natives. Although Casement's report on the situation described the Indians as gentle and docile, the Europeans justified their torture and murder of Indians by their sense of danger, their fear and anxiety about rebellion, disease, natural predators, and death (Taussig 1992:153). Stories of Somali violence and hostility awakened anxiety among the Canadian soldiers as well. As one soldier said, he had a sense of being in a "killing zone" where it was not safe to go out alone at night (p. 74).

However, in Razack's insightful interpretation, this culture of terror is a part of larger narratives of racial superiority and the alleged confrontation of civilized people with the primitive. Somalia became the heart of darkness, the trying environment in which good men go bad. And, as she reminds us, the underlying story is that it is black men who make white men go bad, even as violence against people of color by whites is a fundamental part of the civilizing process (p. 8). Taking up the white man's burden has always required violence (p. 151).

## **International Law and Third World Resistance**

International law is similarly framed by concepts of the civilizing process, in which law-givers from the rational and orderly worlds of the global North develop rules and mechanisms to bring order and the rule of law to the violent and chaotic South. Rajagopal's fascinating study of the history of international law focuses on the way it has reacted to social movements of resistance in the Third World, the term he uses for the global South. Most of his case studies and examples come from South Asia, although the analysis also incorporates examples from Latin America and, to a lesser extent, Africa. He traces changes in international law from the Mandate period of the interwar years through the early post-war concern with modernization, then the 1970s and 1980s focus on development and the 1990s preoccupation with human rights. In the 1990s, a new synthesis developed between the rather

different concerns of development and human rights. For each of these historical periods, Rajagopal points to the continuities with colonialism, including an ongoing concern with containing movements of protest such as anti-colonial nationalist movements and more recent anti-dam and anti-globalization movements. In response, new forms of governmentality appeared, first the science of colonial administration followed by the science of development, increasingly administered through international institutions.

The major argument of *International Law from Below* is that traditional analyses of international institutions ignore the role of the Third World. Rajagopal's history of international law reveals how the system is always trying to contain and respond to Third World demands for development, autonomy, and justice. He puts these movements at the center of his analysis, arguing that their agency, rather than that of international lawyers and leaders of international law institutions such as the Bretton Woods organizations, explains the historical development of international law. He criticizes the traditional idea in international law that these are functional, political organizations moving toward a world community. Instead, he sees these organizations as changed from their Eurocentric origins by Third World resistance movements.

Rajagopal's particular concern is the emergence of the idea of development as a focus for international law and legal institutions. The models of development that historically influenced international law incorporated colonial-era assumptions that the chaotic, savage peoples of the colonies needed to be civilized by the missionaries and merchants of Europe. As the discontent caused by increasing poverty, inequality, and the disruptions of new economic relationships spread through the Third World, international law and its institutions shifted to incorporate a focus on development. In the process, they took on board Europe's colonial understandings of the Third World, including the importance of the "civilizing mission." For example, in the 1940s and 1950s, the World Bank lent funds to developed countries, but during the Cold War of the 1960s and 1970s, it shifted to a policy of poverty alleviation because of worries about Third World radical movements and "losing the poor." Poverty became a security issue, and development seemed a solution to these security concerns. Many of the UN agencies created in the 1950s and 1960s, such as UNESCO, UNICEF, UNDP, and FAO, focused on development and social programs in an effort to respond to the concerns of the Third World poor and stem the spread of communism, a major concern of the United States (pp. 100–12). Since the 1970s, a growing critique of development that attributed misery not to the failure of development but to development itself fostered a reorientation of the Bretton Woods institutions to poverty, the environment, and equity (p. 97). When

grassroots groups pushed for a more environmentally friendly and participatory model of development in the 1980s, both the IMF and the World Bank responded (pp. 116–7). In the post–Cold War period, democratization has replaced modernization as a central concern, interpreted mostly in human rights terms. Recent development efforts focus on promoting democratization, peace, and human rights as well as development in a whole package, arguing that economic development alone is inadequate.

Yet this means an intensified management of social reality in Third World countries by international institutions (p. 160). The changing focus on development and participation has expanded the scope of surveillance and management of Third World countries. A turn to the modernist goal of development defused radicalism, at least through the 1970s (pp. 91–4). Radical social movements produced new international institutions such as the United Nations Conference on Trade and Development (UNCTAD) and the G-77 (Group of 77) coalition of Third World countries. Yet these new institutions contained and deradicalized the social movements that produced them. More recently, surveillance has expanded through loan conditionality. Making loans conditional—requiring policy changes such as the promotion of human rights or democratic governance, for example—expands the scope of intervention without necessarily achieving the policy goals. It does lead to an increase in the authority of international legal institutions over these societies (pp. 131–4). Thus, they are in effect returning to colonial-era ideas about the importance of “civilizing” and managing Third World peoples who are interpreted as unable to govern themselves. As in the colonial period, this incapacity is typically imagined in racialized terms. It is also often understood in cultural terms. Third World peoples are represented as the bearers of “culture,” understood as tradition, and thus unable to participate adequately in the modern world.

Rajagopal raises serious concerns about the reliance on human rights as the only approved discourse of emancipation for the Third World. He notes the limitations of human rights conceptions and their linkage to colonial-era concerns with law and order and containing the masses. Moreover, human rights law has a very limited theory of violence. For example, torture is clearly defined as a human rights violation, but until recently private violence in the home, such as domestic violence, was excluded. Forms of violence accompanying development, such as the massive removal of populations by dam construction or environmental degradation, are not included as human rights violations. Nor is the violence of the market. For example, the 1984 disaster in Bhopal, India, in which a leak from the Union Carbide factory killed and injured thousands of people was never defined as a human rights issue (pp. 195–6).

Despite these limitations, social movements in many Third World countries have taken up human rights ideas, often completely outside the international law system. Rajagopal mentions numerous social movements that operate outside the human rights framework, often based on shared work, identity, or other cultural characteristics. These organizations, such as the Working Women's Forum (WWF; the largest women's organization in India), promote micro-credit, health care, family planning, and political activism among poor women (pp. 272–89). In his case study of the WWF, Rajagopal outlines the organization and how it works and argues that it has an approach to social justice that does not rely on human rights but challenges it. It is not closely linked to international law or movements but has a more locally grounded focus in its work and aspirations. Such movements, which he traces in many different parts of the world, express ongoing protests to the effects of globalization and increasing immiseration, protests that are outside the structure of the human rights system and that challenge its hegemony. In the past, international law has responded by incorporating these claims and domesticating the social movements.

Rajagopal's major concern is that the scholarship on international law and institutions ignores these social movements and fails to recognize the ways that the international system has been shaped by them over time. He advocates closer attention to social movement scholarship and notes that anthropology in particular has developed a rich scholarship in this field. Aside from the brief case study of WWF, however, this book does not incorporate such scholarship into its analysis of international law in any sustained or detailed way. However, it has done a masterful job of defining the issues, emphasizing the importance of this form of analysis, and laying out the terrain for further ethnographic studies that could then explore how, in practice, social movements such as WWF intersect with international law. The book is a clear and powerful call for a more sociolegal analysis of international law, one that should inspire not only international law scholars but also those who work within the disciplinary traditions of law and society.

As both of these books indicate, understanding the contemporary processes of democratization, human rights mobilization, and peacekeeping from a sociolegal perspective is a critically important project. Both books encourage taking a historical approach, foregrounding the perspectives of the less powerful, and focusing on shifting forms of governmentality. Both books show the significance of discourses and practices that take place underneath the official rhetoric of these apparently benign and cosmopolitan practices, particularly those with colonial origins. They demonstrate the continuing power of categories of race, backwardness, and irrationality to channel the way these projects take place. The ideas of

irrational savages, of racialized persons unable to govern themselves, and of unpredictable masses of the poor continue to shape political movements today. Particularly in the contemporary era, with its obsession with security, such categories help transform grassroots protest movements into threats to the security of transnational elites, requiring expanded forms of surveillance and control. Together, these books map out a critically important terrain for sociolegal research in these present times of anxiety and insecurity.

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*Sally Engle Merry* is Professor of anthropology and Professor in the Institute for Law and Society at New York University and was formerly the Marion Butler McLean Professor in the History of Ideas and Professor of anthropology at Wellesley College. She is the author or editor of six books, including *Colonizing Hawai'i: The Cultural Power of Law* (Princeton University Press, 2000), which received the 2001 J. Willard Hurst Prize from the Law and Society Association, and *Human Rights and Gender Violence: Translating International Law into Local Justice* (University of Chicago Press, 2005). Her work focuses on the anthropology of law, colonialism, and transnationalism. She is past-president of the Law and Society Association and the Association for Political and Legal Anthropology.