

BOOK REVIEWS

Extra-Territorial Law of Deaths and Injuries in Semi-Colonial Siam

Sovereign Necropolis: The Politics of Death in Semi-Colonial Siam. By Trais Pearson. Ithaca: Cornell University Press, 2020. xii + 252 pp. Hardcover \$49.95
doi:10.1017/als.2021.39

Sovereign Necropolis, by Trais Pearson, is a remarkable, compelling, and engaging study about the politics of death in turn-of-the-twentieth-century Siam. Drawing upon cases of unnatural or suspicious deaths compiled by the Siamese Ministry of the Capital beginning in 1890 (p. xii), Pearson explores the ways in which the Siamese state investigated the dead and, in so doing, he uncovers how death became “a matter of transnational concern and expert intervention” (p. 2).

Treaty port Bangkok was a vibrant cosmopolitan city “full of doctors, lawyers, newspapermen, judges, jurors, but also limited liability corporations, managers, shareholders” all of whom enjoyed extra-territorial legal protections (p. 154). Foreign lawyers were trying to impose law and order in the capital city; foreign residents, administrators, and consular officials were looking for ways to make life more manageable (p. 108). These actors thus played an important role in shaping social life and political culture in Siam (and were integral to the formation of the kingdom’s modern legal system) (p. 61). Pearson effectively argues that the reforms made in the arena of civil law and legal medicine were the direct result of “the practical challenges faced by the Siamese elite in their ongoing engagement with imperial powers” (p. 4). [That a bilingual dictionary of Siamese language published by a British barrister helped to shape Siamese civil law is worth noting.]

Pearson brilliantly captures throughout the book the ensuing tensions between the Siamese elite and the foreign powers, and documents how those conflicts and negotiations played out in the plural legal arena of civil law and forensic medicine. The interest of the state in death thus led to “the emergence of a necropolitical regime at the turn-of-the-century” (p. 4).

The death of a labourer in September 1890 marks the first instance of an unnatural death to enter the state archives (p. 13). In this era, post-mortem examinations were conducted on-site and in public by untrained state officials who were beginning to view unnatural death “as a matter of suspicion that merited investigation and documentation” (p. 35). Officials often relied on witness testimony, however, and death “remained a largely social and communal affair” (p. 21). Prince Naret, who was appointed to the Ministry of the Capital in 1892, had executive authority over cases of unnatural death and his verdict in one marked the first instance in which the input of medical practitioners was sought in a police investigation (p. 29).

The arrival of the urban rail transit system in 1887 sets the scene for Pearson’s analysis of accidental death and injury caused by tramcars, and his inquiry into loss and liability and the legal and extra-judicial consequences of accidental death. Pearson explains that in nineteenth-century Siam, “death required compensation, typically in the form of an ex-gratia payment made to the relatives of the deceased without the intervention of courts

or the admission of legal or moral responsibility” (p. 9). In other words, payments were made from “moral obligation without an acknowledgement of legal culpability” (p. 47). Here, the plural legal environment allowed limited liability corporations like the Bangkok Tramway Company to act in their own best interest by appealing to and participating in local customary practices of compensation (p. 54). While the Siamese elite were free to assess their own liability by offering whatever compensation they deemed appropriate to the victim (p. 58), managers of the Bangkok Tramway Company were free to do the same. Such acts of remediation and compensation, argues Pearson, are evidence of a distinct legal regime consisting of individuals “endowed with certain privileges and obligations” (p. 9).

His investigation into the legal and medical disputes that arose when foreign residents sustained injuries on the tramway tracks points to the complexities and the decentred nature of legal change in Siam and reveals how the institutions and agents involved in these disputes “all acted independently of the Siamese state” (p. 84). After a British lawyer was awarded 6,000 dollars in damages when his foot was run over by a tramcar (p. 63), the Bangkok Tramway Company faced a barrage of civil suits (which threatened the profitability of the company and ensued in a plot to reincorporate the company under Danish law). The testimony of an American physician, as an expert medical witness, was also key in determining the extent of liability faced by the company (p. 81).

Pearson’s fascinating insight into the complex and multifaceted nature of legal change in turn-of-the-twentieth-century Siam continues with the “moment of the accident” (p. 88). Here, Pearson traces the genealogy of the term (as a new mode of classifying death) to the arrival of A. J. A. Jardine, a British officer commissioned on loan to serve as head of the Bangkok metropolitan police force (p. 96). Jardine restructured the entire organization and issued a new decree regarding the registration of deaths in Bangkok. As Pearson indicates, the accident was introduced “as part of a governmental reckoning with social life” given the “glaring lack of authority in matters of law or procedure for Siamese subjects” (p. 98). [Criminal negligence as a new form of liability would be introduced by Jardine’s successor.]

In the chapter entitled “Morbid Subjects,” Pearson examines how forensic medicine was utilized by the Siamese state in its efforts “to overcome the inequities of the plural legal system created by extraterritorial law” (p. 120). Since foreign consular officials relied on forensic evidence in court to protect their subjects, Siamese state officials realized that they could too. And it was Prince Naret who introduced forensic medicine as part of police investigative procedures; Naret would also reform the standards of forensic evidence in Siamese courts (p. 120). In this context, argues Pearson, “medicolegal concern rendered the dead and injured bodies of Siamese subjects into powerful pieces of leverage against foreign residents who enjoyed extraterritorial legal privileges and the consular officials and institutions who protected them” (p. 11).

The engaging and gripping final chapter (“Incisions and Inscriptions”) points to the advances made in medico-legal science (as the dead body moved out of public spaces and into the morgue) and uncovers how the epistemic field of forensic medicine was “undermined by the inherent fragility of social relations” (p. 151). We are introduced to the death of Amdaeng Si—“the first documented case of unnatural death to receive an autopsy and a full medical forensic investigation conducted by physicians working for the Siamese state in conjunction with the metropolitan police force” (p. 130).

In 1896, Siamese state officials had chosen to adopt the standards of evidence of the foreign consular courts (p. 133). Pearson examines the implications of this decision by focusing on the collaborative work of Dr P. A. Nightingale, a British physician responsible for conducting the post-mortem examinations, and Mo (Dr) Meng Yim, his assistant and translator who was responsible for writing the autopsy reports. According to Pearson, Drs Nightingale and Meng Yim “helped to establish forensic medicine as a central part

of the investigation and documentation of cases of unnatural death in the Siamese capital” (p. 145). When their partnership ended, however, the era of forensic medicine ended too and forensic investigation “once again became the domain of untrained police officers,” autopsy reports and death certificates disappeared, and the executive authority of elite officials returned (p. 150).

Brilliantly organized and eloquently written, *Sovereign Necropolis* is a notable and original contribution to our understanding of modern Thai history. Pearson recovers a forgotten yet crucial moment in Thai history by calling our attention to the lost voices of the subaltern dead and injured, and by bringing to the fore the social actors and institutions who were very much a part of this period of transition and transformation (p. 39). In doing so, he offers a refreshing new perspective to normative accounts of Thai history and casts new light on power and politics in fin-de-siècle Siam.

Reviewed by Piya PANGSAPA
Thammasat University

Legal History of Anti-Asian Racism in America

The Rise and Fall of America's Concentration Camp Law: Civil Liberties Debates from the Internment to McCarthyism and the Radical 1960s. By Masumi IZUMI. Philadelphia: Temple University Press, 2019. 274 pp. Hardcover \$69.50
doi:[10.1017/als.2021.38](https://doi.org/10.1017/als.2021.38)

Anti-Asian racism represents a prominent theme within the larger history of American race relations. After successfully lobbying Congress to bar Chinese labourers in 1882, West Coast exclusionists continued their crusade to prevent the arrival and establishment of Asian immigrant communities, and enacted restrictive laws such as the California Alien Land Act of 1913. As Asian Americans challenged these laws in court, the judiciary intervened in support of exclusion. In 1922, the Supreme Court ruled in *Ozawa v. United States* that Japanese immigrants were not eligible for citizenship and ruled a year later in *Thind v. United States* that South Asians were also excluded. In the wake of the Johnson-Reed Act of 1924, the complete exclusion of Asian immigrants from the US remained the law of the land for a generation.

Despite this history of racial discrimination against Asian immigrants, the incarceration of Japanese nationals and Americans of Japanese descent during World War II represented a broader violation of the principles of the US Constitution. Between 1942 and 1946, 120,000 individuals of Japanese ancestry from the West Coast of the US, irrespective of their citizenship status, faced forced removal and incarceration in a set of ten concentration camps administered by the federal government. Although justified by War Department leaders and White House authorities as an act of “military necessity,” the influence of racism on their actions, already apparent to many observers at the time, was shown by a series of later historians and activists to be decisive. American citizens of Japanese ancestry challenged their removal and confinement in a succession of cases, four of which ended up being heard by the Supreme Court: the cases of *Hirabayashi*, *Yasui*, *Korematsu*, and *Endo*. Even though, in *Endo*, the justices formally overturned the indefinite confinement of concededly loyal citizens, leading the government to lift the West Coast