History and Power in the Study of Law

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Published by Cornell University Press

Collier, Jane F. and June Starr.
History and Power in the Study of Law: New Directions in Legal Anthropology.

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Preface

A conference called “Ethno-historical Models and the Evolution of Law” was held in Milan and at Bellagio, Lake Como, Italy, from August 10 to August 18, 1985. The Wenner-Gren Foundation for Anthropological Research and the Rockefeller Foundation provided funding. The conference was organized by June Starr of the Department of Anthropology, State University of New York at Stony Brook, and Jane F. Collier of the Department of Anthropology, Stanford University. The goal was to compare case studies of legal change in particular societies using historical frameworks in order to search for shared questions and methodologies to direct future research.

The twenty anthropologists, sociologists, and law professors from North America and Europe who attended devoted five half-days to discussing seventeen previously circulated papers and four half-days to a general consideration of conference issues. In their discussions, participants focused on the models they were using to analyze the development, change, decay, integration, and articulation of legal systems within specific social units. Professors Elizabeth Colson and William Twining served as commentators, Jessica Kuper was editorial adviser, and Longina Jakubowska and Richard Maddox were rapporteurs.

We soon settled down into a cheerful and sometimes argumentative group. Almost every idea offered was challenged, reanalyzed, and re-
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constituted. This aspect of the conference is covered in more detail elsewhere.¹ By the end of the conference we believed that we had developed new ideas and methods for studying the anthropology of law, and conference participants decided we should publish the papers as a unit in a volume.

Most of the chapters here have been reworked so that they relate to the major intellectual developments of the conference. Authors of six conference papers were offered the opportunity to rewrite their papers or submit different ones. Laura Nader and Francis Snyder submitted different papers, June Starr rewrote hers, and Philip Gulliver, Sally Humphreys, and Robert Hayden chose to publish their papers elsewhere.

We especially wish to thank Lita Osmundsen, past president and director of research at the Wenner-Gren Foundation, for her sustained support of our project. We are also indebted to Nina Watson, who made complicated administrative arrangements go smoothly. Susan Garfield of the Rockefeller Foundation, and the staff at Bellagio, gained our appreciation for creating a tranquil atmosphere in which the only surprises were culinary and intellectual. Linda Josephs quickly and efficiently retyped sections of the manuscript.

We also thank Peter Agree, our editor at Cornell University Press; Peggy Hoover, our copyeditor for the Press; and Roger Sanjek, the series editor, who helped us solve certain problems with the manuscript.

J.S. and J.F.C.

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