

## NOTES AND NEWS

### THE COMMISSION ON FOLK LEGAL PLURALISM AND THE VANCOUVER SYMPOSIA, AUGUST, 1983

As reported in this Journal ("Notes and News" [1981] J.A.L. 57), the Commission on Folk Law and Legal Pluralism was created by the International Union of Anthropological and Ethnological Sciences (I.U.A.E.S.) in 1978. It unites lawyers and anthropologists interested in "folk law", more frequently known in Africa by such names as "customary law", "traditional law" or "native law and custom". The Commission's first principal meeting was a symposium in Bellagio, Italy, in 1981. It held a further programme of four symposia in Vancouver, Canada, in August, 1983, these forming part of the International Congress of Anthropological and Ethnological Sciences.

The Vancouver symposia were under the titles: "The Interaction of State Law and Folk Law in Contemporary Society"; "The Legal Position of Ethnic and Cultural Minorities"; "The Anthropology of Law in the Formation and Implementation of Socio-Legal Policy"; and "Aboriginal Law and Tradition in Australian Society: Problems of Conflict, Co-existence and Adaptation". As at the Bellagio symposium, a number of participants had specifically African experience, on which they drew in their papers. However, on this occasion they were fewer, a change which presumably reflects the difficulty for scholars resident in Africa and Europe in financing travel to the far coast of North America, as well as other factors.

At a business meeting the Commission adopted a Constitution in which its objects were stated thus:

"The primary purpose of the Commission is to further knowledge and understanding of folk law and legal pluralism, with a focus upon theoretical and practical problems resulting from the interaction of folk law and state law. The Commission aims to promote interregional and interdisciplinary communication and to stimulate a dialogue between scholars and those engaged in practice of various sorts.

Without limiting the generality of the foregoing, the Commission's activities shall, where appropriate, include:

- a. assisting in making sympathetic and constructive contributions to the solution of problems connected with the interaction of folk law and state law and thus to the future of indigenous, ethnic and social groups, governed by folk law, in the modern world;
- b. assisting other individuals and organisations, including organisations of peoples governed by folk law that share some or all of the Commission's purposes;
- c. reporting upon legal difficulties of such peoples and contributing to the solution of such difficulties by encouraging and contributing to the discussion of legal and other reforms;
- d. contributing to the development of a better documentation of various systems of folk law and seeking to make such knowledge more widely known and accessible."

There was considerable discussion and some dispute over the types of activities and degree of commitment which might be both practically useful to "indigenous, ethnic and social groups, governed by folk law", and in accord with the scholarly objectivity favoured by many members. This type of dispute and most of the arguments deployed were of varieties familiar to those acquainted with discussions about the future of customary law in Africa. The

ultimate formulation of purposes aimed to provide scope within the Commission for varying degrees of activism and political passivity.

The Commission's current activities comprise three categories: the publication of newsletters (thrice every two years, usually running to about 80 pp., and including information on work in progress and a directory of members); the organisation of symposia; and the stimulation of Regional Working Groups (established for S.E. Asia, Indonesia, Canada, Australia and the Netherlands, but not, as yet, Africa).

The papers presented at the 1981 symposium were published in 1984: A. Allott and G. R. Woodman (eds.), *People's Law and State Law: the Bellagio Papers*, Foris: Dordrecht. Selections of the papers presented in 1983 will appear in the *Journal of Legal Pluralism* (Special No., 1985), and in another volume which it is hoped to publish in Canada. The next symposium is projected for Australia in 1986, but the Commission hopes also to participate in the I.U.A.E.S. inter-congress at the end of 1985 in Assuan, Egypt.

The Commission welcomes membership inquiries from qualified and interested persons, who should write to the Secretary, F. Strijbosch, at:  
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