



## Editorial

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To cite this article: Maarten Bavinck, Marc Simon Thomas & Bertram Turner (2015) Editorial, The Journal of Legal Pluralism and Unofficial Law, 47:3, 373-374, DOI: 10.1080/07329113.2015.1113679

To link to this article: <https://doi.org/10.1080/07329113.2015.1113679>



Published online: 02 Dec 2015.



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## EDITORIAL

This special issue contains a reflection on the importance of Franz von Benda-Beckmann for the study of legal pluralism. Von Benda-Beckmann (1941–2013) was a core figure in this interdisciplinary field. Not only did he, in the words of John Griffiths (2013, 8), make the concept of “legal pluralism” “central to the anthropology of law”, he also achieved “something like a paradigm shift among enlightened legal scholars and sociologists of law, such that the pluralistic character of ‘law’ in society became generally accepted”.

Von Benda-Beckmann was an advocate not only of the study of legal pluralism but also of societal engagement. Contemptuous of overbearing interpretations of law’s role in society, he was sympathetic to those (such as indigenous peoples) who, operating within legal pluralist orders, are frequently disregarded and marginalized. The Commission on Legal Pluralism,<sup>1</sup> which he helped to found and to sustain, aims to further knowledge and understanding of legal pluralism among academics and practitioners. Von Benda-Beckmann’s premature death was a severe blow to the community of scholars and activists gathered in the Commission as well as to broader field of socio-legal studies.

Turner kicks off this special issue. He provides an introduction to the academic work of Franz von Benda-Beckmann, highlighting its importance for various forward-looking avenues of research in legal anthropology. His extended contribution is followed by two articles that situate von Benda-Beckmann’s work in the space between law and anthropology. Anders defines his role in creating the subdiscipline of legal anthropology, while Good, departing from the notion of folk law, emphasizes von Benda-Beckmann’s efforts to realize a solid comparative perspective.

The following three articles highlight the contribution of Franz von Benda-Beckmann to property analysis and politics. Wiber, as well as Roth and coauthors, discuss von Benda-Beckmann’s interest in debates over privatization and standardization of property rights. The latter authors focus specifically on the topic of water rights. Nuijten evaluates the relevance of von Benda-Beckmann’s work for social movements that challenge a dominant (normative) order, drawing examples from the struggle of the Platform of Mortgage Victims in Spain. Vel and Bedner finally engage with von Benda-Beckmann’s history of ethnographic fieldwork among the Minangkabau of Indonesia. They take his last coauthored monograph on the effects of administrative decentralization in Indonesia as a starting point.

The postscript by Bavinck and Simon Thomas presents insights into the realization of the special issue and summarizes the various contributions. These contributions on the academic significance of von Benda-Beckmann’s work are followed by a complete overview of his numerous publications.

### Note

1. The Commission on Legal Pluralism was established in 1978 by the International Union of Anthropological and Ethnological Sciences (IUAES), and is affiliated with the International Association of Legal Science (IALS). See [www.commission-on-legal-pluralism.com](http://www.commission-on-legal-pluralism.com) for more information.

**Reference**

Griffiths, John. 2013. "In Memoriam Franz von Benda-Beckmann." *Recht der Werkelijkheid* 34 (1): 6–10.

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