

2007

Association for Political and Legal Anthropology

Jan Hoffman French

University of Richmond, jfrench@richmond.edu

Follow this and additional works at: <http://scholarship.richmond.edu/socanth-faculty-publications>



Part of the [Other Anthropology Commons](#)

Recommended Citation

French, Jan Hoffman. "Association for Political and Legal Anthropology." *Encyclopedia of Law and Society*. Vol. 1. Los Angeles: Sage Publications, 2007.

This Article is brought to you for free and open access by the Sociology and Anthropology at UR Scholarship Repository. It has been accepted for inclusion in Sociology and Anthropology Faculty Publications by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.

the architect of a Far East policy that “lost” China to the communists. Arnold successfully defended Lattimore against a perjury charge resulting from testimony that Lattimore had given to Congress.

Though a civil libertarian, Arnold later privately resigned from the American Civil Liberties Union over its advocacy, as Arnold saw it, of civil disobedience. Late in life, Arnold publicly defended both American policy in Vietnam and his old friend and former law partner Abe Fortas, who was forced to resign from the U.S. Supreme Court amid allegations of financial impropriety. Arnold died in 1969, remembered for his wit, his disdain for pomposity, and a personality described as equal parts “Voltaire and the cowboy.”

—Brannon P. Denning

See also Civil Liberties; Law Firms; Pound, Roscoe; Realism, American Legal

Further Readings

- Arnold, Thurman. (1965). *Fair Fights and Foul*. New York: Harcourt, Brace & World.
- Denning, Brannon P. (2001). “Arnold, Thurman Wesley.” In *Great American Lawyers*, edited by John R. Vile. Santa Barbara, CA: ABC-CLIO.
- Duxbury, Neil. (1990). “Some Radicalism about Realism? Thurman Arnold and the Politics of Modern Jurisprudence.” *Oxford Journal of Legal Studies* 10: 11–41.
- Gressley, Gene M., ed. (1977). *Voltaire and the Cowboy: The Letters of Thurman Arnold*. Boulder, CO: Colorado Associated University Press.

culture and power. They are also concerned with the cultures of legal and political institutions.

APLA members share interests in issues such as nationalism, citizenship, political and legal processes, the state, civil society, colonialism and postcolonial public spheres, multiculturalism, globalization, and immigration. Within the context of political and legal anthropology, scholars situate law and politics in a cultural and historical context and explore the meanings of law in everyday life. Legal and political anthropologists are concerned with issues of identity, human rights, violence, gender, and the way law shapes, and is shaped by, such issues.

The paradigms of political and legal anthropology over the last half century include inquiries into the nature of law, custom, and political systems; disputing; legal pluralism; legal consciousness; the constitutive and productive qualities of law; and the exploration of law and politics in a transnational context. The fields of political and legal anthropology take a cross-cultural and implicitly, if not explicitly, comparative approach to understanding governmental and legal processes. The APLA sponsors panels, workshops, and lectures at the annual conference of the AAA and awards a prize each year for a student essay. This award is an example of one of the APLA’s prime goals: to mentor students of law and anthropology. Leaders of the APLA include John Bowen, Jane Collier, John Comaroff, Carol Greenhouse, Peter Just, Sally Engle Merry, June Nash, Joan Vincent, and Barbara Yngvesson.

The APLA’s primary activity is the publication of its flagship journal, *Political and Legal Anthropology Review (PoLAR)*. Founded as a newsletter in 1991 by Rebecca Redwood French and Rosemary Coombe, *PoLAR* became a journal in 1994 and issues twice a year. After French’s editorship, Bill Maurer, Sally Merry, Susan Hirsch, Susan Coutin, and Annelise Riles have served as editors of *PoLAR*. Each issue of the journal has a theme, such as considering violence; politics and identity in the Americas; subjects of law, objects of politics; gender, law, and politics in Africa; citizenship and difference; and state making at the fringes of development. *PoLAR* is also a forum for sharing syllabi, successful grant proposals, and book reviews.

—Jan Hoffman French

ASSOCIATION FOR POLITICAL AND LEGAL ANTHROPOLOGY

The Association for Political and Legal Anthropology (APLA) is a division of the American Anthropological Association (AAA) dedicated to studying and promoting anthropological approaches to law, political systems, and governmental authority. As anthropological subdisciplines, legal and political anthropology have promoted ethnographic research and theoretical contributions to understanding law’s relationship to

See also Anthropology of Law; IUAES Commission on Folk Law and Legal Pluralism; MPI for Social Anthropology Project Group Legal Pluralism; *Red Latinoamericana de Antropología Jurídica*

Further Readings

- Association for Political and Legal Anthropology. (2006). "Home Page." <http://www.aaanet.org/apla>.
- . (1994–2006). *PoLAR* 1–13. <http://www.aaanet.org/apla/polar.html>.
- Conley, John M., and William M. O'Barr. (1993). "Legal Anthropology Comes Home: A Brief History of the Ethnographic Study of Law." *Loyola of Los Angeles Law Review* 27: 41–64.
- Moore, Sally Falk. (2005). *Law and Anthropology: A Reader*. Malden, MA: Blackwell.
- Nader, Laura. (2002). *The Life of the Law: Anthropological Projects*. Berkeley: University of California Press.
- Starr, June, and Jane F. Collier, eds. (1989). *History and Power in the Study of Law: New Directions in Legal Anthropology*. Ithaca, NY: Cornell University Press.
- Vincent, Joan. (2002). *The Anthropology of Politics: A Reader in Ethnography, Theory, and Critique*. Malden, MA: Blackwell.

ASYLUM, REFUGEES, AND IMMIGRATION

The rejection by King George III (reigned 1760–1820) and the British government of demands by colonial America for a more open immigration policy to attract newcomers to its shores was one of the causes of the American Revolution. The Declaration of Independence in 1776 charged the King with attempting to keep the colonies depopulated, refusing to recognize naturalization acts passed by colonial assemblies, and restricting westward settlement. The framers of the U.S. Constitution made the foreign born ineligible for only one office in the federal government, that of the presidency.

In 1790, the Congress passed the first federal laws that loosely defined a uniform rule for the naturalization of immigrants: any fully white person who resided for two years within the limits and under the jurisdiction of the United States. In 1801, Congress

changed the residency requirement to five years, which it remains today. The federal government kept no official records of immigration until 1820. It was not until 1850 that the U.S. Census Bureau distinguished between foreign- and native-born citizens. In 1864, Congress established a Bureau of Immigration.

From 1820 to 1995, more than sixty-two million immigrants came to the United States. In the period before the Civil War (1861–1865), the large majority of immigrants, more than 80 percent, were from the northern and western parts of Europe. Many, with the exception of the French and the Irish, were Protestant, and most were farmers. A big change began in the 1880s and continued through World War I: during that time the large majority of immigrants came from southern and eastern Europe, and most were Catholics and Jews. Beginning in the 1960s, most immigrants have arrived from Western Hemisphere countries (Mexico, Canada, and Cuba principally) and, since the 1980s, also from Asia, mostly from the Philippines, Korea, and China. Today, more than 10 percent of the American population is foreign born.

United States Immigration Legislation

In 1875, Congress enacted the first federal statute to regulate immigration by preventing the entry of criminals and prostitutes. Before 1880, there was very little restriction of immigration into the United States. Scholars have characterized the period from 1880 to the mid-1960s as the restrictionist era in U.S. immigration policy. Beginning with the Chinese Exclusion Act of 1882, Congress began to take an active part in the administration and control of immigration. This Act suspended the entry of Chinese workers for ten years and barred all foreign-born Chinese from acquiring citizenship. This marked the first time that Congress excluded a group from the United States because of its national characteristics.

The Immigration Act of 1917, passed over a presidential veto, required proof on the part of immigrants older than age sixteen that they were able to read and write in some language (their native language, English, or any other). Those who could not meet that