

The Commission on Folk Law and Legal Pluralism

Announcement of the XVth International Congress and the VIIth International Course on Legal Pluralism

The Commission on Folk Law and Legal Pluralism will hold its XVth International Congress in Depok, West Java, Indonesia, June, 29 - July, 2, 2006, with the theme "Law, Power and Culture: Transnational, National and Local Processes in the Context of Legal Pluralism". The Commission will also organise its VIIth International Course on the same theme, in Ciawi/Bogor, West Java, June 24 – June 27, 2006. Both the Congress and the Course will be hosted jointly by the Faculty of Law and the Centre for Women and Gender's Studies, University of Indonesia, HuMa (Association for Community- and Ecologically Based Law Reform), and the Center for Irrigation, Land and Water Resources and Development Studies (PSI-SDALP UNAND), Andalas University, Padang, West Sumatra.

The Commission on Folk Law and Legal Pluralism

The Commission on Folk Law and Legal Pluralism was established in 1978 by the International Union of Anthropological and Ethnological Sciences (IUAES). A network of approximately 400 lawyers, anthropologists and other social scientists as well as NGO activists and policy makers representing all regions of the world and concerned with state law, folk law and international law in both theory and practice has participated in the activities of the Commission. The Commission's primary purpose is to further knowledge and understanding of folk law and legal pluralism, with a focus on theoretical and practical problems resulting from the interaction of many levels of law. The Commission's current activities are: the issue of a newsletter; the organization of international symposia, and the initiation and encouragement of regional working groups in different parts of the world. The Commission is particularly concerned to further mutual learning and cooperation between scholars and practitioners of northern and southern states. So far, the Commission has organized 14 international conferences, all of which have led to book publications or special issues of international journals.

The Commission has also organized six international courses on issues such as governance, resource rights, human rights, and social, economic and political development from a legal pluralism perspective to contribute to the capacity building of younger academics and practitioners who are confronted with problems of folk law and legal pluralism in their academic or practical work. The Commission members (and its executive board) work on a voluntary basis; the Commission as such is unable to finance major activities but has always attempted to raise funds for participants from less developed regions for whom the cost of attending international meetings is often prohibitive. External funding is essential to undertake these activities.

Call for Papers and Paper Organisers

The Congress will address a number of related themes and issues pertaining to power and cultural aspects of law, especially in the context of the relations between transnational, national and local processes which affect the everyday life of people as they pursue their various activities.

While the congress symposia are comparative in nature and ask for papers from all over the world, a major focus will be on issues particularly relevant to South and Southeast Asia. In the historical development and contemporary situation in these regions, the legal landscapes are undergoing rapid change. Local populations, non-governmental and governmental agencies alike are faced with immense challenges posed by the plurality of laws and institutions. Besides local forms of traditional and neo-traditional law and the diverse regulations of governments at different levels of administration, religious laws (Islamic, Buddhist and Hindu law in particular) also play an important role in the organization and legitimation of governance, of social, political and economic relationships, and the administration of justice. In the context of globalisation, international and transnational legal rules and conventions as well as international actors, governmental and non-governmental organisations increasingly add to the earlier forms of legal complexity, not only influencing law making at the national level but also having impacts on small-scale local communities.

The Congress will attract participants from all over the world including people from various academic backgrounds, such as law, anthropology, sociology, development studies and gender studies as well as practitioners (social workers, NGO members, dispute mediators, legal advocates, planners, state officials, political activists) who in their work are confronted with issues of legal pluralism.

The Congress will address a number of issues that will form the core themes of the symposia and panels. The following outline is in the preparatory stages. The symposia and panels will be more closely focused in cooperation with panel organizers and the local organizing committee. Moreover, interested colleagues are invited to suggest additional proposals for panels, and proposals by participants from less developed countries as well as joint panels organized by northern and southern scholars are very welcome.

People who are interested in organising panels, either the ones listed below or new ones, are invited to notify the local organising committee latest by 30th September, 2005. The panel organisers will be expected to submit the description (themes, issues, questions) of their panels for general information.

Abstracts of papers are to be submitted to panel organisers, with a copy to the local organising committee by 31st January, 2006. Completed papers are to be submitted to the panel organisers by 15th May, 2006.

Proposed symposia and panels for the congress

Symposium I: Theoretical and Methodological Issues

- Panel 1: The Problems of Case-Method Approaches in Legal Anthropology
- Panel 2: Disputing Process and Legal Anthropology
- Panel 3: Inter - and Intra Societal Comparison
- Panel 4: Normative and Analytical Study of Law
- Panel 5: Space, Time and Law (Or Spatial and Temporal Dimensions of Law)

Symposium II: Law, Governance and Market in a Transnational World

- Panel 1: State Structures and Practices in Relation to Legally Plural Populations
- Panel 2: Devolution of Power and Legal Change
- Panel 3: Globalisation, Market and Law
- Panel 4: International Agencies, Multinational Corporations and the State

Symposium III: Rights, Culture and Plural Laws

- Panel 1: The State, Multiculturalism and Rights
- Panel 2: Indigenous Groups and Legal Pluralism
- Panel 3: Religion and Legal Pluralism
- Panel 4: Human Rights, Conflicts and Law

Symposium IV: Gendered Perspectives on Law

- Panel 1: Gendered Violence and Discrimination
- Panel 2: The International Trafficking of People
- Panel 3: Access to Property and Resources: A Gendered Perspective
- Panel 4: Reproductive Health and Rights
- Panel 5: Gender and Development: Where Do We Go from Here?

Symposium V: Natural Resources, Property Theories and Legal Pluralism: Southeast Asia in Comparison

- Panel 1: Property Theories and Legal Pluralism
- Panel 2: Intellectual Property and Genetic Resources
- Panel 3: Rights, Equity, and Justice in Natural Resources and the Environment
- Panel 4: Recent Developments in Local/Indigenous Natural Resource Management Regimes
- Panel 5: Conflict and Dispute Resolution in Natural Resource Management
- Panel 6: Gender and Natural Resources Tenure after Crisis: Lessons from Southeast Asia and other Regions

Symposium VI: Social Security and Social Insecurity, Disasters, Aid and Rights

- Panel 1: Social Security and Insecurity in Everyday Life
- Panel 2: Disasters, Conflicts, Aid and Rights

The International Course

In addition to the congress, a four-day International Course on the subject "Law, Power and Culture: Transnational, National and Local Processes in the Context of Legal Pluralism" will be organized for academics, researchers and practitioners whose work might benefit from an in-depth study of the implications of legal pluralism.

The course aims at capacity building on the complex issues of legal pluralism by drawing on the expertise of international scholars in the field who will attend the conference. It will provide a combination of practical and theoretical insights into some of the central questions and problems of legal pluralism, especially concerning the development and safeguarding of local populations' rights in the context of transnational, national and local processes and laws. The course will assist participants to develop the legal and anthropological skills necessary to understand and move towards the practical solutions of problems in contexts of legal pluralism. The purpose of the course is to familiarize the participants with the current international debates and insights in legal pluralism and to offer them a comparative perspective that allows them to rethink their own research and practical work. At the centre of the discussion will be issues of human rights, recognition of local populations' folk laws and governance in the context of globalising economic, political and legal developments. Special attention will be given to rights to natural resources and sustainable development.

As in past courses (held in Wellington, Accra (Ghana), Moscow, Arica (Chile), Chiang Mai and Fredericton) the teaching teams will consist of senior academics drawn from the Commission and of colleagues from the region, in this case from Indonesia, India and the Philippines. Co-teaching among international and local scholars has proven to be very conducive for challenging discussions among the staff and the participants. Here, as during the conference, both practitioners and academics of various backgrounds will be brought together.

The Course Participants

Participation is limited to 30 persons, to allow for maximum discussion. The majority of the participants (maximally 25 of the 30) will come mainly from South and Southeast Asia, but it has been an established practice to have some wider international participation. Therefore five places in the course will be reserved for participants from other regions. *Participation to the course is open only to persons who will attend both the course and the congress.*

The participants should be academics and practitioners who are dealing with folk law and legal pluralism in their academic or practical work. Academics are those who are teaching legal anthropology, sociology of law, *adat* law (indigenous/folk law) science and other socio-legal field of studies and/or doing research using legal pluralism perspectives. Practitioners are those who have to address issues of legal pluralism in their activities or work; they include NGO activists, planners and government officials.

Proposed topics for the course:

1. Theories and methodologies in legal anthropology (two sessions)
2. Transnational, national and local processes and laws (one session)
3. Gendered perspectives on law (one session)
4. Natural resources and legal pluralism (one session)
5. Rights, culture and legal pluralism (one session)
6. Disasters and conflict research (one session)
7. Field trip: (half-day)

Organization

The conference and the course will be hosted jointly by the Law Faculty and the Center for Women and Gender's Studies, University of Indonesia, Association for Community-and Ecologically Based Law Reform (HuMa), Center for Irrigation, Land and Water Resources and Development Studies (PSI-SDALP UNAND), Andalas University, West Sumatra. The local *organising committee*, co-chaired by Hikmahanto Juwana and Sulistyowati Irianto of the Law Faculty, University of Indonesia, and including as members, Asep Yunan and Sandra Moniaga of HuMa and Yonariza of PSI-SDALP UNAND, will organize the logistics of the congress and the course in cooperation with the Commission on Folk Law and Legal Pluralism.

The *programme committee* will develop and coordinate the symposia and panel structure for the conference and the teaching and discussion programme of the course. The programme committee will consist of members of the local organisation committee and some members of the Commission on Folk Law and Legal Pluralism. The programme committee will review and evaluate the applications for full or partial funding of non-Indonesian applicants for the course and congress. It will also coordinate with the Course Organisers. Members of the programme committee are Sulistyowati Irianto (*convenor*) Anne Griffiths, Melanie Wiber, Franz von Benda-Beckmann, Keebet von Benda-Beckmann, Valerine Kriekhof, T. Omas Ihromi and Yonariza.

The *course organisers* will help develop and coordinate the teaching and discussion programme of the course, in consultation with the programme committee. The course organisers are Sandra Moniaga and Asep Yunan F. (*co-convenor*), Gordon Woodman, Anne Griffiths, Melanie Wiber, Rival G. Achmad and Rajendra Pradhan.

The *secretariat* for the congress and course will be located in the Center for Women and Gender's Studies, University of Indonesia, with Lim Sing Mei as the Executive Secretary. A supporting secretariat, mainly for the course, will be located in HuMa.

Finance

The Congress and the Course fees will be 100 US \$ each. Registered members of the Commission will have to pay only US \$ 75 each. Accommodation for the congress will be most probably in Makara Hotel located in the campus of University of Indonesia in Depok and a training center/hotel in Ciawi/Bogor, West Java for the course. The definitive choice of the hotels and their prices are still under negotiation. The probable costs will be around 45 US \$ for a single room, and 56 US \$ for a double room (US\$ 28 per person), including accommodation and all meals. Local transport to the course's venue is between US\$ 10 (shuttle bus + mini bus) and US\$ 30 (taxi). Further information will be provided in subsequent communication.

Travel and Participation Grants

There is a probability that the organising committee will find funding for a limited number of persons, especially from South and Southeast Asia, to attend both the congress and course. We expect that these funds will cover participants' travel costs,

conference and course fees and living costs during their stay in Indonesia. Those who wish to attend the course and the congress are strongly advised to seek funding from their own sources, due to the limited funding available.

In addition to the grants for both congress and course, there will hopefully be some funds for persons interested in presenting papers at the congress. These funds will be used to (co-)finance travel and accommodation costs of scholars and participants from less developed countries.

Applications for Grants

Applications for grants to cover travel and other expenses should be sent to Dr. Sulistyowati Irianto, with a cc to the secretariat by February 28th, 2006. Applications should include a one page letter indicating what the applicant's work has been so far in the field of folk law and legal pluralism, the reasons for attending the course and conference, and a CV.

Important Deadlines

1. **Panel organizers** to notify the local organising committee (Dr. Sulistyowati Irianto) of their intention to organise a panel (if possible with panel description – key themes, issues and questions) – September 30th, 2005.
2. **Panel description** – Submission by panel organisers of panel description to the local organising committee - October 15th, 2005.
3. **Information regarding panels** (organisers and description of panels) to be posted on the website and sent via email – November 7, 2005.
4. **Submission of paper abstracts** to panel organisers, with a copy to the local organising committee – January 31st, 2006.
5. **Acceptance of abstracts** (to be communicated by the panel organisers to their panel members and the local organising committee) – February 15th, 2006.
6. **Application for funding for the course and congress** – Feb 28th, 2006.
7. **Information about funding** – 31st March, 2006.
8. **Visa letters** to be sent out first week of April by regular post.
9. **Submission of papers** - 15th May, 2006.

Contact persons

Co-Chair, Local Organising Committee

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