

赵旭东 张 洁

内容提要

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一、国外法律人类学理论简史

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Max Cluckman 1955 Paul Bohannan 1957

Leo Pospisil 1958^[6]

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Eric Wolf

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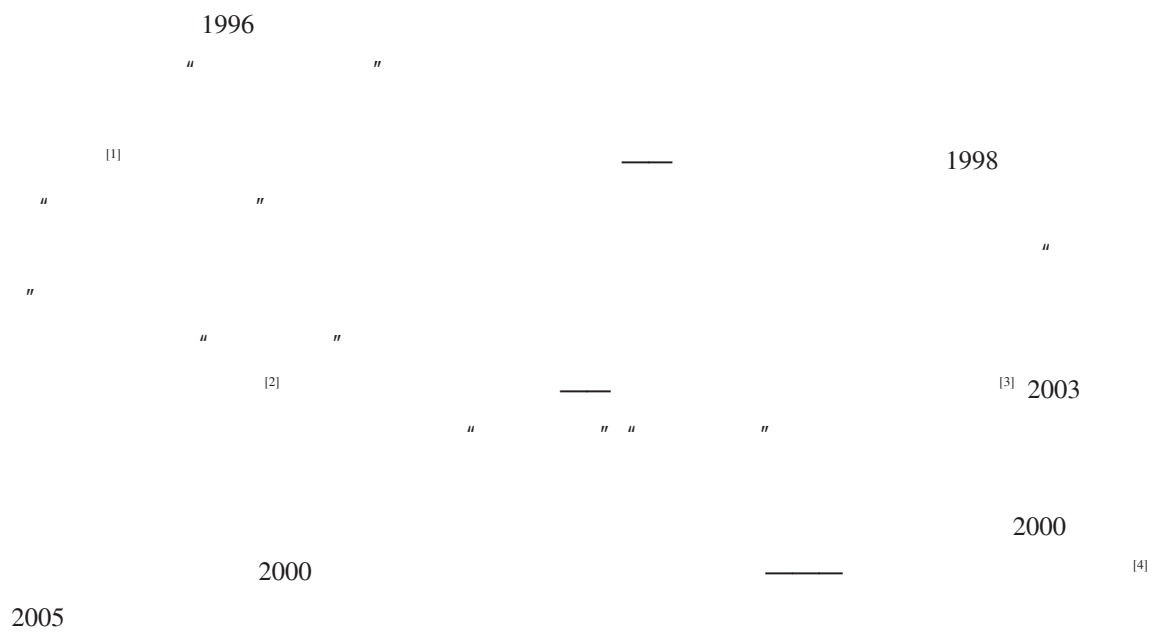
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 Claude Levi-Strauss
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三、范式、技术与方法

Raymond Firth 1938 " " 1996

[1] 1994 62-63

[2] 1997

[3] 1998 1

[4] " " 1998 2

[5] Geert, Clifford, 1983, Local knowledge: Further Essays in Interpretive Anthropology. Basic Books, Inc. p.183.

[6] ———

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[7] " " ———

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[8] 2011 4

四、问题与展望

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From Foreign Studies to Local Studies: the Reality and the Development of Local Studies in China' s Legal Anthropology

Zhao Xudong Zhang Jie

Abstract: Legal anthropology is to study legal rules in " the other " culture from the perspective of anthropology. By reviewing foreign literature in legal anthropology, the present article maintains that legal anthropology, as a subdiscipline, has undergone the initial interaction of disciplines and discoveries, the establishment of legal ethnographic field research, and the mature development of four paradigm shifts, revealing the trends and the characteristics of the development of legal anthropology. Since the late 20th century, Chinese legal anthropology, after several shifts in research paradigm and skips in subjects, has gradually generated some types of ethnography in legal anthropology with distinctive perspectives and subjects. Nowadays, the discipline of legal anthropology, full of vitality, is open to multi-disciplinary combination.

Keywords: legal anthropology; a short history of development; research paradigm

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