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BRONISLAW MALINOWSKI

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THE article which follows presents almost the last words written for publication by Bronislaw Malinowski, whose sudden death on May 16, 1942, removed an outstanding citizen of our age and one of the genuinely creative social scientists of all time. Trained in mathematics and the natural sciences in his native Poland, converted to an interest in human behavior by the great psychologist Wundt, and exposed to a diversity of cultural environments by long periods of field work among the aboriginal peoples of New Guinea, Melanesia, East Africa, and Mexico and by years of residence in continental Europe, in England, and in the United States, Malinowski brought to social science an extraordinary background as well as exceptional intellectual gifts. Knowing many kinds of people as a traveled man, knowing them critically as an observant man, and knowing them intimately as a sensitive man, he found himself unable to subscribe to the anthropological fiction that man is but a culture-bearing phantom who helplessly adopts and perpetuates any absurdity of custom to which he is exposed. He saw people rather as vibrantly alive, wrestling with their environments and collaborating with one another in the endeavor to satisfy basic biological urges, and adopting and transmitting only such techniques and usages as proved expedient in practice.

In the first two decades of the twentieth century, anthropologists became dissatisfied with, and completely rejected, the crude evolutionistic theories of nineteenth century social science. So strong was their reaction that they threw out the baby with the bath—they denied to the realm of society and culture any generally valid principles, or at least ignored the possibility of their existence. It became fashionable to be "historical" rather than scientific. Primitive peoples were studied for their own sake alone, to unravel their historical relationships with one another rather than to contribute to the knowledge of mankind as a whole. At its best this movement produced a mass of somewhat random descriptive data, some valuable historical insights, and a recognition of the uniqueness and relativity of culture; at its worst it degenerated

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into sterile antiquarianism. Such was the world of anthropology — insulated from the other social studies by its distrust of theory and smugly satisfied with its isolation — when the products of Malinowski's labor and thought began to erupt into print with volcanic effect some two decades ago. He and his "functionalism", *i.e.*, his insistence that cultural phenomena are not anarchic but lawful and necessarily related to basic needs and to the prevailing possibilities of satisfying them, became immediately the focus of a tornado of controversy. Today, this storm has finally spent its force. Most anthropologists now accept the essence of Malinowski's revolutionary contribution and have integrated it firmly with the rest of their heritage of knowledge. In so doing, however, they have given their discipline a new orientation. Anthropology has abandoned its intellectual isolationism and has taken its place with its sister social sciences — as perhaps the most central, because the most broadly based, of them all.

Malinowski's influence has spread, however, far outside of the anthropological confraternity. In particular, he has made a lasting impression upon students of comparative law and jurisprudence. In a series of books, articles, and prefaces, beginning with his *Crime and Custom in Savage Society* (1926) and ending with the accompanying review, he has shed enduring light on the relationship of law to custom, to biological imperatives, to social control, to institutional organization. No longer can custom be regarded as autonomous and self-regenerating, or as set apart in neat opposition to "law". No longer can law be regarded as a closed system, impervious to the changing needs of individuals and to the evolving forms of their social relationships. To be sure, the credit for contemporary changes in the attitude toward legal norms and judicial institutions must be distributed very widely, and only a portion can justly be assigned to Malinowski. But he does deserve a portion — and a not insignificant one. That his perceptiveness, his soundness of analysis, and his clarity of exposition will continue to exert an influence beyond his lifetime can not be doubted by any thoughtful reader of the paper that follows.