Volume 28 No. 2 1994

LAW & SOCIETY Review

The Journal of the Law and Society Association

Law and Relational Business Practices in Taiwan

Relational Practices and the Marginalization of Law: Informal Financial Practices of Small Businesses in Taiwan - *Jane Kaufman Winn*

Comment—Speculations on Legal Informality: On Winn's "Relational Practices and the Marginalization of Law" - *Frank K. Upham*

Cultural Differences and Legal Consciousness

Toward an Understanding of Legal Culture: Variations in Individualism and Collectivism between Kurds, Lebanese, and Germans - *Günter Bierbrauer*

Gender and Conflict in the Workplace: Toward New Theory

Gender and Workplace Dispute Resolution: A Conceptual and Theoretical Model - *Patricia A. Gwartney-Gibbs & Denise H. Lach*

State Theory, Myths of Policing, and Responses to Crime

The State and White-Collar Crime: Saving the Savings and Loans - *Kitty Calavita & Henry N. Pontell*

Watchman and Community: Myth and Institutionalization in Policing - *John P. Crank*

Of Dragons, Flowers, and Constructing a Science: An Exchange

On Constructing a Science of Comparative Judicial Politics: Tate & Haynie's "Authoritarianism and the Functions of Courts" - *Howard Gillman*

Building a Scientific Comparative Judicial Politics and Arousing the Dragons of Antiscientism - *C. Neal Tate & Stacia L. Haynie*

Review Essay

Intertwined Histories: Islamic Law and Western Imperialism - *Jane F. Collier*

https://doi.org/10.1017/S0023921600020417 Published online by Cambridge University Press

LAW & SOCIETY Review

Policy

The *Law & Society Review* is a peer-reviewed publication for work bearing on the relationship between society and the legal process, including articles or notes of interest to the research community in general, new theoretical developments, results of empirical studies, and comments on the field or its methods of inquiry. The *Review* is broadly interdisciplinary and welcomes work from any tradition of scholarship concerned with the cultural, economic, political, psychological, or social aspects of law and legal systems.

Manuscript Submission

What to submit: Five copies of the manuscript and an abstract of about 100 words, together with a brief biographical description of the author(s). Manuscripts submitted to the *Review* must not be under consideration by another publication. Manuscripts cannot be returned to authors.

Manuscript format: Delete all identifying references from four of the five copies of your manuscript. Text, including footnotes and references, should be double spaced with 1-inch margins. Footnotes, references, tables, and figures should be placed at the end. An abridged style sheet is published from time to time in the *Review*; a full style sheet is available on request.

Send manuscripts to:

William M. O'Barr, Editor Elect, *Law & Society Review*
Department of Cultural Anthropology, Duke University
Durham, NC 27706

Direct inquiries about book reviews and review essays to:

Barbara Yngvesson
School of Social Science, Hampshire College
Amherst, MA 01002

1994 Frequency and Subscriptions

The *Law & Society Review* (ISSN 0023-9216) is published five times a year: February, April, June, October, and December by the Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst, MA 01003-3615. Second class postage is paid at Amherst, MA, and additional mailing offices.

POSTMASTER: Send address change form 3579 to: *Law & Society Review*, Hampshire House, Box 33615, University of Massachusetts at Amherst, Amherst, MA 01003-3615.

Subscriptions are entered on a volume/calendar year basis. Each volume consists of about 1,000 pages (plus index). Nonmember and institutional rates for 1994 one-year subscriptions are $96.00 ($101.00 outside USA). For two- and three-year subscription rates or prices of *single copies* of the current and back issues, call or write the Executive Office.

1994 Law and Society Association Membership

Membership in the Association is open to individuals and includes a subscription to the *Review*. Members have the right to reprint articles from the *Review* without charge for classroom use. Annual dues for 1994 (*Review* Volume 28) are:

Under $15,000	$ 20.00	Above $60,000	$ 80.00
$15,000–$29,999	$ 40.00	Student (nonvoting)	$ 20.00
$30,000–$60,000	$ 60.00	Life	$750.00

Contributions to the Law and Society Association are tax exempt.

Direct communications about membership, subscription, back issues, reprint permission, or advertising to: Executive Office, Hampshire House, Box 33615, University of Massachusetts at Amherst, Amherst, MA 01003-3615. Telephone (413) 545-4617; FAX (413) 545-1640; E-mail LSA@LEGAL.UMASS.EDU.

The *Law & Society Review* gratefully acknowledges the generous assistance of the State University of New York at Buffalo for support of its editorial office.

The *Law & Society Review*, its editors, editorial board, and publisher, and the Law and Society Association disclaim responsibility and liability for any statements of fact or opinion made by contributors.

© The Law and Society Association, 1994 All Rights Reserved

https://doi.org/10.1017/S0023921600020417 Published online by Cambridge University Press

LAW & SOCIETY
Review

Volume 28
Number 2
1994

Contents

About the Authors 187

From the Editor 189

Law and Relational Business Practices in Taiwan

Relational Practices and the Marginalization of Law: Informal Financial Practices of Small Businesses in Taiwan *Jane Kaufman Winn* 193

Comment—Speculations on Legal Informality: On Winn's "Relational Practices and the Marginalization of Law" *Frank K. Upham* 233

Cultural Differences and Legal Consciousness

Toward an Understanding of Legal Culture: Variations in Individualism and Collectivism between Kurds, Lebanese, and Germans *Günter Bierbrauer* 243

Gender and Conflict in the Workplace: Toward New Theory

Gender and Workplace Dispute Resolution: A Conceptual and Theoretical Model *Patricia A. Gwartney-Gibbs & Denise H. Lach* 265

State Theory, Myths of Policing, and Responses to Crime

The State and White-Collar Crime: Saving the Savings and Loans *Kitty Calavita & Henry N. Pontell* 297

Watchman and Community: Myth and Institutionalization in Policing *John P. Crank* 325

https://doi.org/10.1017/S0023921600020417 Published online by Cambridge University Press

Of Dragons, Flowers, and Constructing a Science: An Exchange 353

On Constructing a Science of Comparative Judicial Politics: Tate & Haynie's "Authoritarianism and the Functions of Courts" *Howard Gillman* 355

Building a Scientific Comparative Judicial Politics and Arousing the Dragons of Antiscientism *C. Neal Tate & Stacia L. Haynie* 377

Review Essay

Intertwined Histories: Islamic Law and Western Imperialism *Jane F. Collier* 395

Reviewing Messick, *The Calligraphic State*; Mitchell, *Colonising Egypt*; Said, *Culture and Imperialism*; and Starr, *Law as Metaphor*

https://doi.org/10.1017/S0023921600020417 Published online by Cambridge University Press

LAW & SOCIETY
Review

Editor:	Frank Munger
Associate Editors:	David Engel, John Hagan, Nancy Reichman
Review Essays Editor:	Barbara Yngvesson
Editorial Assistant:	Sara Faherty
Production Editor:	Bette H. Sikes

Advisory Panel on Symposia

Lawrence Baum, Ohio State University
Jane Collier, Stanford University
Shari Seidman Diamond, University of Illinois and American Bar Foundation
Stewart Macaulay, University of Wisconsin Law School
Susan S. Silbey, Wellesley College

Editorial Advisory Board

Richard Berk, University of California, Los Angeles
John Braithwaite, Australian National University
Gregory Caldiera, Ohio State University
John Comaroff, University of Chicago and American Bar Foundation
Yves Dezalay, Paris, France
Klaus Eder, European University Institute
Theodore Eisenberg, Cornell Law School
Vincenzo Ferrari, University degli Studi di Milano
Marc Galanter, University of Wisconsin–Madison
James Gibson, University of Houston
Michael R. Gottfredson, University of Arizona
Carol Greenhouse, Indiana University
Michael Grossberg, Case Western Reserve University
Kermit Hall, University of Florida
Keith Hawkins, Oxford Centre for Socio-Legal Studies
Andre J. Hoekema, University of Amsterdam
Heleen Ietswaart, Erasmus University
Robert Kagan, University of California, Berkeley
Steven Klepper, Carnegie Mellon University
Lewis Kornhauser, New York University
Colin Loftin, University of Maryland
Elizabeth Loftus, University of Washington
Lynn Mather, Dartmouth College
Joan McCord, Temple University
Craig McEwen, Ohio State University
Carrie Menkel-Meadow, University of California, Los Angeles
Brinkley Messick, University of Michigan
Setsuo Miyazawa, Kobe University
Eric Monkkonen, University of California, Los Angeles
Martha Myers, University of Georgia
Raymond Paternoster, University of Maryland
Rogelio Perez-Perdomo, I.E.S.A., Caracas, Venezuela
Daniel Rubinfeld, University of California, Berkeley
Boaventura de Souza Santos, Universidade de Coímbra
Carroll Seron, University of California, Los Angeles
Susan Shapiro, American Bar Foundation
Grazyna Skapska, Jagiellonian University
Carol Smart, University of Leeds
Cassia Spohn, University of Nebraska at Omaha
Neelan Tiruchelvam, Law and Society Trusts, Colombo, Sri Lanka
Neil Vidmar, Duke University
Lucie White, University of California, Los Angeles
Susan White, University of New Hampshire
Patricia Williams, University of Wisconsin–Madison
Franklin Zimring, University of California, Berkeley

https://doi.org/10.1017/S0023921600020417 Published online by Cambridge University Press