Volume 21 No. 2 1987

LAW & SOCIETY REVIEW

The Journal of the Law and Society Association

Contributors:

Stewart Macaulay

Setsuo Miyazawa

Joel Rosch

Kathleen Daly

Celesta A. Albonetti

H. Laurence Ross
James P. Foley

Charles A. Johnson

Herbert M. Kritzer

https://doi.org/10.1017/S0023921600018764 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

POLICY

The *Law & Society Review* welcomes articles and research notes by lawyers, social scientists, and other scholars that bear on the relationship between society and the legal process. The *Review* is published by the Law and Society Association, an international group drawn primarily from the legal and social science professions, whose purpose is the stimulation and support of research and teaching on the cultural, economic, political, psychological, and social aspects of law and the legal system.

MEMBERSHIPS

Members of the Law and Society Association receive the *Review* as a perquisite of membership. Dues in the Association are:

Student (nonvoting)	$10.00	Contributing	$ 50.00
Regular	$35.00	Sustaining	$100.00

Contributions to the Law and Society Association are tax exempt.

FREQUENCY AND SUBSCRIPTIONS

The *Law & Society Review* (ISSN 0023-9216) is published quarterly each year; summer, fall, winter, spring by the Law and Society Association, 1900 Olive Street, Denver, Colorado 80220. Second class postage is paid at Denver, Colorado, and additional mailing offices.

POSTMASTER: Send address change form 3579 to: *Law & Society Review*, 1900 Olive Street, Denver, Colorado 80220.

Subscriptions may be entered on a volume basis. Each volume consists of approximately 640 pages (plus index). Nonmember and institutional rates for a one-year subscription are $65.00 ($67.00 outside the U.S.A.). Special two- and three-year rates are available on request. *Single copies* of the current issue may be obtained from the Association at $10.00 each. Single copies of back issues are available at $10.00 each, except for Vol. 3, Nos. 2 and 3 (combined issue), Vol. 7, No. 4, and Vol. 13, No. 2, which are $15.00 each, Vol. 11, No. 2 (Special Issue), which is $2.00 ($3.00 outside U.S.A.), Vol. 14, No. 3, which is $4.00 ($5.00 outside U.S.A.), and Vol. 15, No. 3-4, which is $20.00.

Direct communications to: Executive Office, Law and Society Association, University of Denver College of Law, 1900 Olive Street, Denver, Colorado 80220.

MANUSCRIPTS

All manuscripts and editorial correspondence should be sent to:

Robert Kidder, Editor
Law & Society Review
Department of Sociology
College of Arts and Sciences
Temple University
Philadelphia, PA 19122

Manuscripts should be submitted in quadruplicate. Text, including footnotes and references, should be double spaced with ample (1¼ inch) margins. Footnotes, references, tables, and graphs should follow the main body of the text. Citations that make the author's identity obvious should, to the extent feasible, be deleted from three of the four copies in order to facilitate anonymous reviewing. Each manuscript should contain a short (100 word) abstract and one biographical description of the author(s) should be submitted. A style sheet is available upon request. Manuscripts cannot be returned to authors. Because of the commitment we ask of our outside referees, the *Review* cannot consider for publication manuscripts being considered by other journals, and a submission to the *Review* carries with it the implicit promise that the manuscript will not be submitted elsewhere so long as it is under consideration by the *Review*.

The *Law & Society Review* gratefully acknowledges the generous assistance of Temple University College of Arts and Sciences and Temple University Law School in supporting 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, 1987
All Rights Reserved

https://doi.org/10.1017/S0023921600018764 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

VOLUME 21, NUMBER 2 / 1987

CONTENTS

ABOUT THE AUTHORS 179

FROM THE EDITOR 181

PRESIDENTIAL ADDRESS

IMAGES OF LAW IN EVERYDAY LIFE: THE LESSONS OF SCHOOL, ENTERTAINMENT, AND SPECTATOR SPORTS
STEWART MACAULAY 185

TAKING KAWASHIMA SERIOUSLY: A REVIEW OF JAPANESE RESEARCH ON JAPANESE LEGAL CONSCIOUSNESS AND DISPUTING BEHAVIOR
SETSUO MIYAZAWA 219

INSTITUTIONALIZING MEDIATION: THE EVOLUTION OF THE CIVIL LIBERTIES BUREAU IN JAPAN
JOEL ROSCH 243

STRUCTURE AND PRACTICE OF FAMILIAL-BASED JUSTICE IN A CRIMINAL COURT
KATHLEEN DALY 267

PROSECUTORIAL DISCRETION: THE EFFECTS OF UNCERTAINTY
CELESTA A. ALBONETTI 291

RESEARCH NOTES

JUDICIAL DISOBEDIENCE OF THE MANDATE TO IMPRISON DRUNK DRIVERS
H. LAURENCE ROSS and JAMES P. FOLEY 315

LAW, POLITICS, AND JUDICIAL DECISION MAKING: LOWER FEDERAL COURT USES OF SUPREME COURT DECISIONS
CHARLES A. JOHNSON 325

FEE ARRANGEMENTS AND NEGOTIATION
HERBERT M. KRITZER 341

https://doi.org/10.1017/S0023921600018764 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

Editor:	Robert L. Kidder
Associate Editor:	Stephen D. Gottfredson
Editorial Assistant:	Rosemary Ricci-Vasiliadis
Production Editor:	P.M. Gordon Associates

EDITORIAL ADVISORY BOARD

Lawrence Baum, Ohio State University
Upendra Baxi, The Indian Law Institute, India
Richard A. Berk, University of California, Santa Barbara
Erhard Blankenberg, Vrije Universiteit, Netherlands
John Brigham, University of Massachusetts
Leonard G. Buckle, Northeastern University, Boston
Suzanne Buckle, Northeastern University, Boston
Bliss C. Cartwright, Econometric Research, Washington, D.C.
Joe Shelby Cecil, Federal Judicial Center, Washington, D.C.
William Clune, University of Wisconsin
Ellen S. Cohn, University of New Hampshire
Jane Collier, Stanford University
Rajeev Dhavan, Brunel University, England
Shari Diamond, University of Illinois
Robert W. Gordon, Stanford Law School
David Greenberg, New York University
Carol J. Greenhouse, Cornell University
Mark H. Haller, Temple University, Philadelphia
Anne M. Heinz, 525 Judson Ave., Evanston, Illinois
Wolf V. Heydebrand, New York University
Robert A. Kagan, University of California, Berkeley
Ronald Kahn, Oberlin University
Steven Klepper, Carnegie-Mellon University
Judith N. Levi, Northwestern University
Craig McEwen, Bowdoin College, Brunswick, Maine
Sally Engle Merry, Wellesley College
Eli Noam, Columbia University
D. Marie Provine, Syracuse University
David Rauma, University of Michigan
Kahei Rokumoto, University of Tokyo
Joseph Sanders, University of Houston
John Henry Schlegel, State University of New York, Buffalo
Sandra Shane-DuBow, Sentencing Commission, Madison, Wisconsin
Jeffrey S. Slovak, Rutgers University, Newark
Francis G. Snyder, University of Warwick, England
Boaventura de Sousa Santos, University of Coimbra, Portugal
Steven Spitzer, Suffolk University, Boston
June Starr, State University of New York, Stonybrook
Austin T. Turk, University of Toronto
Joanna K. Weinberg, Bryn Mawr College, Pennsylvania
Ann Witte, Wellesley College
Barbara Yngvesson, Hampshire College, Amherst

https://doi.org/10.1017/S0023921600018764 Published online by Cambridge University Press