Volume 23 No. 5 1989

LAW & SOCIETY REVIEW

The Journal of the Law and Society Association

https://doi.org/10.1017/S0023921600033922 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

POLICY

The *Law & Society Review* commissions review essays and book reviews by lawyers, social scientists, and other scholars that bear on literature referring to the relationship between society and the legal process. The book review editors also welcome unsolicited reviews, although authors should realize that the editor may have already commissioned a review. Persons wishing either to write reviews or to submit manuscripts are *urged* to contact the book review editor. The Law and Society Association is 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, historical, and social aspects of law and the legal system.

1989 MEMBERSHIPS

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

Student (nonvoting)	$15.00	Contributing	$ 75.00
Regular	$50.00	Sustaining	$150.00

Contributions to the Law and Society Association are tax exempt.

1989 FREQUENCY AND SUBSCRIPTIONS

The *Law & Society Review* (ISSN 0023-9216) is published 5 times each year: February, May, August, November, and December by the Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst MA 01003. Second class postage is paid at Amherst, MA, and additional mailing offices.

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

Subscriptions may be entered on a volume basis. Each volume consists of approximately 800 pages (plus index). Nonmember and institutional rates for a one-year subscription are $72.00 ($77.00 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, Hampshire House, University of Massachusetts at Amherst, Amherst MA 01003.

MANUSCRIPTS

All editorial correspondence and manuscripts should be sent to:

Shari Diamond, Editor
Law & Society Review
Department of Psychology (M/C 285)
University of Illinois—Chicago
Box 4348
Chicago, IL 60680

Review essays should concentrate on some body of important literature in the field of law and society. Authors are *urged* to contact the editor before undertaking such a review in order that an understanding may be reached about the proposed essay's content, length, and scope. A style sheet is available from the editor. Manuscripts will not be considered if they have been submitted elsewhere.

The *Law & Society Review* gratefully acknowledges the generous assistance of the University of Florida College of Liberal Arts and Sciences and the University of Florida College of Law in supporting the editorial offices of the book review issue.

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

© The Law and Society Association, 1989
All Rights Reserved

https://doi.org/10.1017/S0023921600033922 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

VOLUME 23, NUMBER 5 / 1989

CONTENTS

GUNTHER TEUBNER / How the Law Thinks: Toward a Constructivist Epistemology of Law 727

MANFRED WEISS / Recent Trends in the Development of Labor Law in the Federal Republic of Germany 759

CRAIG BECKER / Comment on Weiss 773

HUBERT ROTTLEUTHNER / A Purified Sociology of Law: Niklas Luhmann on the Autonomy of the Legal System 779

KITTY CALAVITA / Recent Works on Immigration Policymaking: A Review Essay and Agenda for the Future 799

MICHAEL J. CHURGIN / Comment on Calavita: Immigration Research—Words of Caution 821

RITA J. SIMON and JAMES P. LYNCH / The Sociology of Law: Where We Have Been and Where We Might Be Going 825

KEEBET VON BENDA-BECKMANN / Comment on Simon and Lynch 849

RITA J. SIMON and JAMES P. LYNCH / Response to von Benda-Beckmann 855

JOHN R. SCHMIDHAUSER / Power, Legal Imperialism, and Dependency 857

FRANK K. UPHAM / What's Happening in Japan, Sociolegalwise 879

KUN YANG / Law and Society Studies in Korea: Beyond the Hahm Theses 891

JI WEI-DONG / The Sociology of Law in China: Overview and Trends 903

N.E.H. HULL / The Perils of Empirical Legal Research
Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* 915

MICHAL R. BELKNAP / Civil Rights During the Kennedy Administration
Carl M. Brauer (ed.), *Civil Rights During the Kennedy Administration* 921

https://doi.org/10.1017/S0023921600033922 Published online by Cambridge University Press

MICHAEL DE L. LANDON / The Beginnings of the English Bar
Wilfrid R. Prest, *The Rise of the Barristers: A Social History of the English Bar, 1590–1640* **929**

JOHN PAUL RYAN / Criminal Courts Revisited
Lisa J. McIntyre, *The Public Defender: The Practice of Law in the Shadows of Repute*
Peter F. Nardulli, James Eisenstein, and Roy B. Flemming, *The Tenor of Justice: Criminal Courts and the Guilty Plea Process* **933**

THOMAS S. ULEN / The Economics of Tort Law
Steven Shavell, *Economic Analysis of Accident Law*
William M. Landes and Richard A. Posner, *The Economic Structure of Tort Law*
Henry J. Steiner, *Moral Argument and Social Vision in the Courts: A Study of Tort Accident Law* **939**

MARTHA L. FINEMAN / Neither Silent, Nor Revolutionary
Herbert Jacob, *Silent Revolution: The Transformation of Divorce Law in the United States* **945**

CAROLE GOLDBERG-AMBROSE / Theory, Practice, and Perception in Rape Law Reform
Susan Estrich, *Real Rape*
Zsuzsanna Adler, *Rape on Trial* **949**

JOANNA K. WEINBERG / The Ambiguity of Ideological Ambulance Chasing
Mark Kessler, *Legal Services for the Poor: A Comparative and Contemporary Analysis of Interorganizational Politics* **957**

SAMUEL JAN BRAKEL / Response to James Ellis **961**

https://doi.org/10.1017/S0023921600033922 Published online by Cambridge University Press

LAW & SOCIETY REVIEW

Editor: Kermit L. Hall
Editorial Assistants: Elizabeth B. Monroe/Steven G. Noll
Production Editor: P.M. Gordon Associates

EDITORIAL ADVISORY BOARD

Ronald L. Akers, Sociology, University of Florida
Francis A. Allen, University of Florida College of Law
Michael D. Bayles, Philosophy, Florida State University
Donna M. Bishop, Center for Studies in Criminology and Law, University of Florida
Charles W. Collier, University of Florida College of Law
Gerhard Dilcher, Johann Wolfgang Goethe-Universitat, West Germany
Donald G. Gifford, University of West Virginia, College of Law
John Griffiths, Rijksuniversiteit Groningen, Netherlands
Jeffrey L. Harrison, University of Florida College of Law
Stanley Ingber, Drake University College of Law
Lonn Lanza-Kaduce, Sociology, University of Florida
Toni M. Massaro, University of Arizona College of Law
Albert R. Matheny, Political Science, University of Florida
Setsuo Miyazawa, Kobe University Faculty of Law, Japan
Christopher Slobogin, University of Florida College of Law
Charles W. Thomas, Center for Studies in Criminology and Law, University of Florida
Walter O. Weyrauch, University of Florida College of Law

https://doi.org/10.1017/S0023921600033922 Published online by Cambridge University Press