

The Journal of the Law and Society Association

Articles

Rights, Remembrance, and the Reconciliation of Difference - David M. Engel & Frank W. Munger

The Legal Cultures of Europe - James L. Gibson & Gregory A. Caldeira

On the Struggle for Judicial Supremacy - Jack Knight & Lee Epstein

Differential Treatment of Corporate Defendants by Juries: An Examination of the "Deep-Pockets" Hypothesis -Robert J. MacCoun

The Internal/External Distinction and the Notion of a "Practice" in Legal Theory and Sociolegal Studies - Brian Z. Tamanaha

Book Review

Lawyers and Power: Reproduction and Resistance in the Legal Profession - Robert Granfield



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, Law & Society Review Box 90091, Duke University Durham, NC 27708-0091

Direct inquiries about book reviews and review essays to:

Nancy Reichman Department of Sociology, University of Denver Denver, CO 80208

1996 Frequency and Subscriptions

The Law & Society Review (ISSN 0023-9216) is published four times a year: 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 1996 one-year subscriptions are \$108.00 (\$117.00 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.

1996 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 1996 (*Review* Volume 30) are:

Under \$15,000	\$ 30.00	Above \$60,000	\$ 90.00
\$15,000-\$29,999	\$ 50.00	Student (nonvoting)	\$ 25.00
\$30,000-\$60,000	\$ 70.00		

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 Duke University 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, 1996 All Rights Reserved

LAW & SOCIETY

Review

Volume 30 Number 1 1996

Contents

Contents		
About the Authors	1	
From the Editor		
Articles		
Rights, Remembrance, and the Reconciliation of Difference David M. Engel & Frank W. Munger	7	
The Legal Cultures of Europe James L. Gibson & Gregory A. Caldeira	55	
On the Struggle for Judicial Supremacy Jack Knight & Lee Epstein	87	
Differential Treatment of Corporate Defendants by Juries: An Examination of the "Deep-Pockets" Hypothesis Robert J. MacCoun	121	
The Internal/External Distinction and the Notion of a "Practice" in Legal Theory and Sociolegal Studies Brian Z. Tamanaha	163	
Book Review		
Lawyers and Power: Reproduction and Resistance in the Legal Profession Robert Granfield Reviewing Shamir, Managing Legal Uncertainty; Hagan & Kay, Gender and Practice; & Sarat & Felstiner, Divorce Lawyers and Their Clients	205	



Review

Editor: William M. O'Barr

Associate Editors: Patricia Ewick, James L. Gibson, E. Allan Lind,

Raymond Paternoster

Review Essays Editor:Nancy ReichmanEditorial Assistant:Rosa ProiettoProduction 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 Abel, University of California-Los Angeles

Lawrence Baum, Ohio State University Roberto Bergalli, Oñati Institute for the Sociology of Law, Spain

Martin Chanock, La Trobe University,

Australia Sara Cobb, University of California-Santa

Barbara
John Conley, University of North

Carolina-Chapel Hill

Rosemary J. Coombe, University of Toronto

Roger Cotterrell, Queen Mary and Westfield College, United Kingdom

Kathleen Daly, University of Michigan-Ann Arbor

Yves Dezalay, Paris, France

Robert Emerson, University of

California-Los Angeles

Lee Epstein, Washington University

William Felstiner, University of

California-Santa Barbara

Martha Fineman, Columbia University Lawrence Friedman, Stanford University

Hazel Genn, Queen Mary College, United Kingdom

Darnell Hawkins, University of

Illinois-Chicago

Robert Kagan, University of California-Berkeley

Stewart Macaulay, University of

Wisconsin-Madison

Lynn Mather, Dartmouth College

Greg Matoesian, University of

Illinois-Chicago

Michael McCann, University of Washington

Calvin Morrill, University of

Arizona-Tucson

Michael C. Musheno, Arizona State University

Marie Provine, Syracuse University

Joseph Sanders, University of Houston Austin Sarat, Amherst College

Joachim Savelsberg, University of

Minnesota-Minneapolis

Kim Lane Scheppele, University of

Michigan-Ann Arbor

Carroll Seron, Baruch College, City University of New York

Maria-Teresa Sierra, CIESAS, Mexico

Stephen Wasby, State University of New York-Albany

Lucie White, Harvard University Susan White, University of

New Hampshire