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Disciplinary Deities and How to Please Them

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TALESH, SHAUHIN, ELIZABETH MERTZ, and HEINZ KLUG, eds. 2021. *Research Handbook on Modern Legal Realism*. Cheltenham, UK: Edward Elgar. Pp. xiv + 519.

VALVERDE, MARIANA, KAMARI CLARKE, EVEN DARIAN-SMITH, and PRABHA KOTISWARAN, eds. 2021. *The Routledge Handbook of Law and Society*. London: Routledge. Pp. xv + 257.

After more than half a century of law and society scholarship, two recent volumes propose to survey and advance the field. Edited by Mariana Valverde, Kamari Clarke, Even Darian-Smith, and Prabha Kotiswaran, The Routledge Handbook of Law and Society *(2021) draws on an international list of contributors to refocus law and society scholarship on fresh topics and themes.* The Research Handbook on Modern Legal Realism *(2021), edited by Shauhin Talesh, Elizabeth Mertz, and Heinz Klug, presents a comprehensive guide to the New Legal Realism (NLR) movement that emerged from law and society around fifteen years ago. This review essay explores how the volumes' common call for a more prominent and methodologically diversified social science of law also encourages a renewed attention to the internal logics of legal doctrine.*

INTRODUCTION

Against accepted wisdom, at least in some parts of the world, I have always thought it possible—even preferable—to serve two masters. Which masters one serves matters less, I think, although for the readers of this review essay and, indeed, of this journal at least one of the two is very likely to be law. (By the same token, whether one is also of a political, sociological, or, as in my case, anthropological persuasion matters less than the fact of having such a persuasion to begin with.) Two masters are better than one inasmuch as dissonance is more provocative than harmony, surprise more humbling than confirmation, and plurality more interesting than singularity—and scholarship that is provocative, humbling, and interesting is a worthy grail indeed.

To be sure, I am hardly alone in thinking all this: the entire field of law and society, the journals and conferences and careers it has generated, and, most recently, the two edited volumes about it that have inspired this essay, are all attestations of faith in the idea that more is better. More methods, more theories, more data sources and discoveries, more intellectual ancestors, more unsettling perspectives; all of these are very good things according to a great many people. But having a multiplicity of masters is one thing—serving them well is another. How can those of us operating at the nexus of "law" and "society" best please all our disciplinary deities? Should we even try?

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Two recent volumes—the *Routledge Handbook of Law and Society* (hereinafter *Routledge Handbook*) and the *Research Handbook on Modern Legal Realism* (hereinafter *MLR Handbook*)—model current answers to these questions. Those answers, while new in their particulars, nonetheless reflect an intellectual premise that has, with time, been elevated to an article of faith—namely, the idea that doctrinal law could use a little less law and a little more society. I share the faith; I accept (for the most part) its tenets. By and large, I think the "law ands," both in these volumes and before, have it right.

But to say all this is to serve only one of our masters, and there are reasons, as I have already noted, to believe that it is preferable to do more. In the rest of this essay, I will suggest that it is time for adherents of law and society to more reciprocally embrace the "eclectic pluralism" (Doniger 2006, 9) that, for some sixty years now, they have so earnestly and energetically championed on behalf of the social sciences (for example, Levine 1990). Placing law, at least occasionally, at the center of our pantheon is essential to this task, and doing so need not wholly subvert the "desire to move beyond traditional doctrinal scholarship" (Talesh, Mertz, Klug 2021a, 2), nor deny that "the sovereign fiction of … law is fraying" (Valverde et al. 2021a, 4). In other words, "competing monisms" are possible in scholarship as well as in more conventional faith communities, and they may even be more valuable (Doniger 2006, 9). Law and society—a big tent made even more commodious by these most recent additions to its canon—can lead the way.

The first section of this review essay sketches an origin story for law and society scholarship that comes to a provisional pause with the two handbooks published in 2021. The second section takes the reader through the *Routledge* and *MLR* handbooks themselves, with an eye to contrast and convergence rather than exhaustive engagement. The third section explains why, beyond their substantive and theoretical offerings to the field, the volumes' greatest contribution may lie in what they convey about law and society—its authors and audiences, its intellectual agenda—because, in doing so, the volumes clarify where there is room for growth.

ORIGINS

Law and society now boasts a founding myth on par with those of all but the most venerable disciplines. We have our own antediluvian ancestors, our great flood, and our generations of matriarchs and patriarchs. We have our internal schisms and our subsidiary sects. So well established are we, in fact, that we can comfortably disagree with one another—where exactly *does* the family tree begin?—without ever seriously troubling our sense of collective self. There even exists, although I hesitate to say this, a shared telos, a commitment to particular visions and practices regarding the study of law, as well as a sense of doing better (or not) than those who came before (Friedman 1986, 763; Calavita and Seron 1992, 770–71). All of which is to say that although we may criticize our past and even our descriptions of our past, we are quite confident that this past is *ours* (Galanter 1985, 543).

In the beginning, as this story goes, were the legal realists (Trubek 1984, 577; Silbey and Sarat 1987, 170; Sarat 2004b, 2). To be sure, some of us may look further

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back, to Pound's "sociological jurisprudence,"[1] or to common forbearers like Durkheim and Weber (Suchman and Mertz 2010, 555), while others among us may reach more ambitiously for Montesquieu "or for that matter … Aristotle" (Friedman 1986, 764). Still, a majority of law and society scholars will quite happily complete their genealogical excursions somewhere in the early decades of the twentieth century and in the august company of Karl Llewellyn (Macaulay 2005, 370; Miles and Sunstein 2008, 831; Nourse and Shaffer 2009, 61).

Llewellyn, who would have been a perfectly respectable ancestor just by virtue of having studied at Yale and taught at Columbia and Chicago, appears positively Mosaic thanks to his leadership during the journey away from legal formalism. "'Questions of law,' to lawyers," Llewellyn (1949, 1286–87) sighed, "are questions about the doctrinally correct interpretation of rules of law … there is nothing to law except these authoritative rules, statutory or other, which explain how officials are, supposed to behave in 2,461,879 various and subtly differentiated contingencies." In widely cited articles, introductory texts, interdisciplinary collaborations, and even in the moderately more "real" world of the Uniform Commercial Code, Llewellyn (1931, 1222; emphasis in original) pursued the Realist question—"what *difference* does statute, or rule, or court-decision, make?"—with persistence and with undeniable flair.

Llewellyn figures centrally in this part of our history not just because he is Llewellyn, although this is certainly part of it, but also because, more than any other member of the Realist pantheon, he remains recognizable to both the "law" and the "society" aspects of our contemporary selves. More than Jerome Frank,[2] more than Felix Cohen,[3] more than Willard Hurst,[4] Underhill Moore,[5] and Walter Wheeler Cook,[6] more than Soia Mentschikoff (the lone woman to occasionally surface in this part of the story[7]), and

1. On "sociological jurisprudence," see Pound (1907). On the distinct, but related, matter of which movement was truly responsible for transforming American legal education and scholarship—Sociological Jurisprudence or Legal Realism—see Hull 1990, 1305, n. 10.

2. Jerome Frank was a scholar, Second Circuit judge, and periodic holder of government office (most notably, as a Securities and Exchange commissioner); he was especially known for developing a jurisprudence marked by a skepticism that bordered on nihilism and for integrating his interest in psychoanalysis with his study of law (Duxbury 1991).

3. Felix Cohen is most associated with his participation, during his employment with the Department of the Interior, in the drafting of the Indian Reorganization Act, June 18 1934, Pub. L. 73-383 (Mitchell 2018).

4. Hendrik Hartog (2021) discusses Willard Hurst's profound, though not uncomplicated, influence on the development of legal history in the United States.

5. Underhill Moore was most known for his work on commercial banking, through which he tried to pursue an empirical study of law that was both deductive and objective (Northrop 1950).

6. Walter Wheeler Cook was especially known for his contributions to legal education writ large, but his areas of topical expertise were procedure (especially the law versus equity distinction) and the conflict of laws (Clark 1943–44; Yntema 1943–44).

7. Soia Mentschikoff's place among the Legal Realists as well as her role in the development of the Uniform Commercial Code (UCC) are both subject to interpretation. Stewart Macaulay (2005, 377; emphasis added) mentions Mentschikoff once in his discussion of Legal Realism and, not unreasonably given Llewellyn's status as "chief" reporter, describes the UCC as "[o]ne of *his* achievements." Similarly, Gregory Maggs (2000, 541–42) argues that "[t]he Uniform Commercial Code ('U.C.C.') at one time indisputably owed more to Professor Karl N. Llewellyn than to anyone else," which is why the UCC "has acquired nicknames like 'Karl's Kode' and 'Lex Llewellyn.'" Meanwhile, in the *MLR Handbook*, Elizabeth Mertz and Marc Galanter (2021, 24–25) note that "Mentschikoff has not received the recognition she arguably deserves," and Galanter, who took classes with both Mentschikoff and Llewellyn at the University of Chicago, recalls: "I don't remember Llewellyn mentioning the UCC. That was [Mentschikoff's] baby."

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perhaps even more than one of his own teachers, Arthur Corbin,[8] Llewellyn remains both the first and the last universal common ancestor for those of us interested in law, in social science, and in their offspring.[9] Anthropologists still occasionally read Llewellyn, sociologists and legal scholars still know him, and to law review editors submerged in the biannual deluge, Llewellyn's vaguely familiar name is likely to resemble nothing so much as a welcome flotation device.

Among law and society adherents, Llewellyn and the Legal Realists are venerated primarily for their anti-formalism. Worthy ancestors that they (mostly) were,[10] the Realists knew that law needed to be studied in context and for what it does rather than in the abstract and for what it claimed to be. This realization placed them at odds with a classical approach of indeterminate parentage but with decidedly Langdellian contours (Schlegel 1985, 314),[11] according to which decision makers either need not, or ought not, consider factors external to law (Schauer 1988, 510). "[P]rinted books," the Harvard dean had intoned, "are the ultimate sources of all legal knowledge"; if this sounds absurd to our twenty-first-century ears, that is because the Realists made it so through their "consistent, persistent, insistent" journeys off the written page (Fisher, Horwitz, and Reed 1993, 234). That same focus on law in context also led the Realists quite naturally to an "appreciation of early empirical social science"—the rock upon which, in due course, law and society would be built (Morrill and Edelman 2021, 415).

Even when Realists focused on rules, which they did rather more often than some of us descendants might like,[12] they took care to reveal law's indeterminacy—that remarkable phenomenon by which, for instance, multiple rules could produce multiple outcomes in a single situation with all permutations being correct (Nesiah 2021, 16). Not for nothing are *The Cheyenne Way*, with its painstakingly assembled collection of trouble cases (Llewellyn and Hoebel [1941] 2002), and "Remarks on the Theory of Appellate Decision," with its infamous dueling canons (Llewellyn 1950)—works that emphasize rules in different but undeniable ways—both hallmarks of the Realist legacy and, also, both Llewellyn's creations (Redfield 1942, 366; Sunstein 1989, 451).

8. Murray et al 1993; see also Twining (1973) 2012, 27 (who names Corbin as one of the three individuals most associated with Yale's "rise to eminence," which itself was "closely linked with the first phase of the realist movement"; the second and third individuals being Walter Wheeler Cook and Wesley Hohfeld). Arthur Corbin's text, *Corbin on Contracts*, heavily influenced the *Restatement (Second) of Contracts* as well as, through Llewellyn, the UCC.

9. On Llewellyn's centrality to Legal Realism and Roscoe Pound's comparatively lesser importance, see Hull 1990, 1317.

10. Consider Llewellyn's fighting for Germany in the First World War, Pound's "eugenic jurisprudence" (both in Morrill and Edelman 2021, 415), and Hurst's blithe inattention to race, class, and gender (Hartog 2021, 47).

11. Christopher Columbus Langdell was the dean of Harvard Law School for a quarter-century (1870–95). Langdell is alternately credited with, and blamed for, the development of the American law school as we still know it as well as for the casebook-and-Socratic method approach that law schools still follow. Indeed, the institutional structure championed by Langdell has been called the "Harvard Structure" and the pedagogical structure he made famous called the "Harvard Approach." Schlegel 1985, 312–13, citing Stevens 1971, 63–64; 1983, xv.

12. Laura Kalman (1996, 15–16), for instance, notes that Realist "scholarship was in some respects traditional" because "it was doctrinal work, explicating the internal logic of legal rules" and because it sought to lay the groundwork for "improved legal rules [that] would utilize the insights of the social sciences." Macaulay (2005, 375), meanwhile, notes that "[t]he classic realists talked about doing empirical research, but relatively little was accomplished."

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The Realists knew better than to elevate doctrine, we tell ourselves, even if they did not always do better.

In the second half of the twentieth century, a very mild form of rebellion against the Realist creed—a polite demur, a gentle fist shaking—began with the emergence of "gap studies." Gap studies took the Realist commitment to anti-formalism, mixed in a good bit of faith in law's ameliorative potential (also a Realist tenet, see Kalman 1996, 16), and, most significantly, put empirical research behind the entire enterprise (Feeley 1976, 497; Morrill and Edelman 2021, 415). Instead of merely arguing that law was whatever happened on the ground, gap scholars got quite unceremoniously down to the business of documenting that ground-level activity in the name of improvement (Darian-Smith 2013, 2). (Technocratic approaches to law were, at this point, a way of studying rather than themselves being an object of study.[13])

The "discourse of solutions" that emerged from this effort—the project of "aligning social description with the discourse of federal political debate"—proved extremely influential (Greenhouse 2011, 142). Not only did it provide law and society scholarship with a soteriology that had been wanting, it reached further by transforming some of the disciplinary antecedents from which law and society had sprung. In 1965, for instance, anthropologists of law were described as "thus far not [having] shared the applied and policy orientation of the sociologists" (Nader 1965, 16). By the 1990s, even anthropologists *not* focusing on law could be described as having "absorbed *Brown*'s critical positioning of the individual relative to the nation" and as marshaling new techniques of first-person narrative to construct "the subject as both a potential object of federal relief but also as an object of political anxiety" (Greenhouse 2011, 174–200).[14] The purposive amalgamation of law and social science in the *Brown* brief,[15] which had provided a kind of existential justification to law and society, also provided a new imaginative framework for anthropologists writ large.

Openly refining a founder's message, as gap scholars did, may be the prerogative of academic inheritors more than ecclesiastical ones because we expect to do better than our forbearers, to tell truths that are truthier and perhaps more amenable to hearing. Precisely who constitutes the "we" is, therefore, a matter of no small importance since it determines both the grounds for improvement and the metrics for measurement. In our corner of the scholarly universe, the first generation to do this sort of telos-defining work was emphatically sociological. All of the ninety-odd individuals who, in September 1964, met to discuss interdisciplinary approaches to the study of law were affiliated with the American Sociological Association (ASA) (and, this being 1964, all but one of them were white men) (Levine 1990, 10–11).[16] One of their first tasks was determining whether to pursue their efforts as a division of the ASA. That they decided in favor of independence is telling, but so too is the necessity of asking the question. The founding of law and society—as field, as association, as journal, as persona—was, in other words and in an inescapable sense, sociological.

13. Contrast the rich anthropological literature critiquing technocratic modes of governance that is discussed in Riles 2004.

14. Besides being the landmark US Supreme Court ruling prohibiting racial segregation in public schools, *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954) is famous for its unusual reliance on social science insights regarding the harmful effects of racial segregation. See, for example, Jackson 2001.

15. *Brown*, 347 U.S.

16. The lone woman in attendance was the sociologist Rita James Simon (Levine 1990, 10).

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To be sure, disciplinary breadth (as well as gender diversity) came soon enough: Herbert Jacob approached political scientists to join the new effort, and Laura Nader recruited anthropologists (Yegge 1966, 4).[17] Today's association makes space for a panoply of methods, while its current and four previous presidents—in addition to eight others overall—have been women.[18] Today's elders, not a few of whom are represented on the covers or in the pages of the *Routledge* and *MLR* handbooks, are an admirably eclectic assembly. But despite this gradual expansion, the style and substance of law and society have not been disciplinarily unmarked— and, to the extent that any discipline has been dominant, that discipline is sociology.

Consider our scholarly preoccupations, which have often reflected sociological predilections more than anthropological, historical, or even political science ones. "Minding the gap," the task that early law and society set for itself (Sandefur 2021), carries a profoundly different meaning for someone trained in anthropology: more "another country heard from" and less books versus action (Geertz 1973, 23). (Anthropologists of law, as I have noted elsewhere and with not a little disappointment, have long tended to shy away from book law altogether [see Das Acevedo, forthcoming].) "Legal consciousness," another grand theme in the soteriology of law and society, feels—from an anthropological vantage point, anyway—less like a way of doing things than like the thing itself (Silbey 2005; Chua and Engel 2021). What else, my graduate school self wondered, was one *supposed* to do besides "turn … to ordinary daily life to find … the traces of law within" (Silbey 2005, 326)? Had we anthropologists not been doing that all along?

Or consider the nomenclature. What is called "law and society" in this essay is elsewhere just as often termed "socio-legal research" or the "sociology of law," as if naming conventions for disciplines are just quirks of convenience or geography while naming conventions for persons, places, and practices are meaningful indicators.[19]

Consider, lastly, our institutional leadership. Of the twenty-eight doctorate-holding presidents who have led the Law and Society Association (LSA), a plurality (ten) were trained—like the ASA-affiliated group that began everything—in sociology.[20] So too were eight of the twenty doctorate-holding individuals who have edited the *Law and Society Review* (*LSR*).[21] (Arguably, the social science inclinations of most non-doctorate-holding editors and presidents could also be characterized as broadly sociological in nature.)[22] Granted, these figures are hardly the stuff of disciplinary dominance, and they may not even signal terribly convincing preeminence: political science, after all, with

17. In truth, conversations at the intersection of law and anthropology were already underway: a few months before the 1964 meeting, the Wenner-Gren Foundation sponsored the first of two conferences on anthropology and law organized by Laura Nader (Nader [1969] 1997, viii).

18. Law and Society Association (LSA), *LSA History*, https://www.lawandsociety.org/lsa-history/.

19. For a rare acknowledgment of the need to distinguish between these three terms, see Darian-Smith 2013, 1, n. 1.

20. Readers should note that I am using "doctorate" to refer to research doctorates, and I have counted individuals holding both a doctorate and a terminal law degree as "doctorate holding." I have not counted honorary degrees.

21. LSA, *LSR History*, https://www.lawandsociety.org/lsr-history/.

22. These individuals are: Margot Young and Marc Galanter (*Law and Society Review* editors); Penelope Andrews, David Engel, Joel Handler, Stewart Macaulay, Marc Galanter, Lawrence Friedman, Charles Kelso, Robert Yegge (LSA presidents). See LSA, *LSA History*; LSA, *LSR History*.

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seven editors and eight presidents, comes in a close second. I will also readily concede that leadership and credentialing constitute decidedly imperfect signals. But even with all of these caveats, it seems clear that sociology's status has been, at the very least, one of *primus inter pares* and, moreover, that this status has not waned with time. Seven of the discipline's ten LSA presidents and five of its eight *LSR* editors have held their positions since 2000, representing between 50 and 60 percent of all doctorate-holding presidents and editors in that period.

All of this is to say that law and society emerged, and has even partly continued, as law and sociology: a particular mission particularly framed to explore particular particulars. It is *not* to say that we should remake the field in the image of other disciplines—to anthropologize or historicize it, to assign it new texts or incorporate new prophets. We have built something that is worth celebrating, in part because that something is increasingly variegated. But it is nevertheless the case that our way of studying law—our big tent, inclusive, methodologically, ideologically, and theoretically diverse law-and-society way—is also a *particular* way, with antecedents and ancestors that may be more idiosyncratic than we believe them to be. Like the faithful worldwide, we tend to occasionally forget this and to universalize that which is not universal. This—as I will explain shortly—is at least somewhat to our detriment.

Nearly six decades have passed since the LSA and the *LSR* were founded: only two to three generations in demographic terms, but a few more in academic ones. Law and society has since generated its own champions and its own (often internal) critical commentaries (see, for example, Abel 1980; Macaulay 1984), its own descendants (on which, more below), and its exemplars. Our texts are no longer simply efforts at intellectual outreach—not just hopeful knocks on the doors of nescient others. Instead, they are now also stories we tell ourselves about ourselves, having finally been around long enough to constitute both the subject and object of exploration (Feeley 1976; Friedman 1986; Galanter and Edwards 1997). Indeed, we have told these stories with such frequency that, like so many begats in another community's narrative, we now sometimes run through them *tout court* with a whiff of happy impatience.[23] Into this universe of dynamic stability, both extending and departing from what came before, step the two volumes that inspire this essay.

NARRATIVES

The *Routledge* and *MLR* handbooks are about law and society without being, precisely, *of* law and society. Unlike the "readers," "invitations," "companions," and "assessments" already in circulation, these new volumes are not guidebooks for what has already been: they are treatises for what could and should be. The *Routledge Handbook*, edited by Mariana Valverde, Kamari Clarke, Eve Darian-Smith, and Prabha Kotiswaran, advances a markedly new state of the field that intentionally troubles the "very goals and objectives of the law and society movement" (Valverde et al. 2021a, 6). The *MLR Handbook*, edited by Shauhin Talesh, Elizabeth Mertz, and Heinz

23. For narratives of law and society that quickly name key works or concisely describe key themes, see Sarat 2004b, 7; Seron and Silbey 2004, 35–36; Suchman and Mertz 2010, 556.

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Klug, presents the state of a new field—or, at least, of a field that is moderately young (Talesh, Mertz, and Klug 2021a, 1)—through its focus on the NLR movement that has emerged out of law and society. Together, the handbooks offer a wealth of information about law and society research in the twenty-first century, but there are noticeable and thought-provoking differences between them.

The *Routledge Handbook* is imagined as a classroom text: a set of materials suitable for social science and interdisciplinary courses that could also, with some curation, be used in law school classes (Valverde et al. 2021a, 5). Its chapters blend the broad explanatory sweep of an *Annual Review* essay with the implicit, indeed very often explicit, evaluative tone of a critique. Everything about the *Routledge Handbook* is, in fact, carefully done with an eye toward critique and correction: from the selection of editors "representing different experiences and standpoints," to the selection of contributors who include "people in the global South (and global South scholars working in the North)," to the choice of themes that constitute both "newer socio-legal topics" and "a fresh take on old topics," and even to the pairing of themes with contributors so as to reflect "the complex relationships between particular authors, their background and location" (Valverde et al. 2021a, 5). The structure of the *Routledge Handbook* is thus itself a critical commentary—thoughtful and appreciative, but critical nonetheless—that stands quite independent of the book's content.

On what is the *Routledge Handbook* commenting? Who is its imagined other? For the *Routledge*'s editors, and, indeed, for many of its chapter contributors, the clear target is an incumbent and now readily recognizable variety of law and society scholarship. "20 to 30 years ago," the editors observe, "a 'law and society' collection would have emphasized the political and social character of state law" with a view to revealing the distance between formal law and law in action (Valverde et al. 2021a, 3). That kind of collection might have included chapters demonstrating the racial impact of facially neutral housing laws or attesting to the continued economic and corporeal subjugation of women who enjoy formal legal equality. It would have focused on "standard categories of race, class, and gender" (4). And that kind of scholarship, the *Routledge*'s editors note, remains valuable. It was good, solid work that showed (in a way that the Legal Realists themselves could have only *told*) what actually matters in the workings of law—not just abstract principles but also social dynamics—and then bent this knowledge toward progressive social change. Consequently, the *Routledge Handbook* includes chapters by at least a few of the scholars whose research in this vein still exemplifies law and society scholarship especially, but not only, in the global North (see, for example, Garth 2021a; Chua and Engel 2021; Coutin 2021; Merry 2021).

Nevertheless, the *Routledge Handbook*'s editors argue, this kind of traditional approach is inadequate to the task of determining "what is law and whose law counts" (Valverde et al. 2021a, 4). It is simply no longer possible to assume, even for argument's sake, that the nation-state exists as a "coherent, autonomous" entity, much less one that enjoys "an effective and legitimate monopoly over law-making and law enforcement" (4). For that matter, it is no longer possible to assume a shared understanding of social justice—which, after all, was what lay behind the bending of law-in-action knowledge toward book-law reform that remains so emblematic of classical law and society scholarship. Strongman rule looks increasingly just to an increasing number of people, and, at any rate, it seems preferable to many who are faced with the ostensible yet

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glaringly fictional neutrality of markets, elections, and independent courts. But if the "mainstream view of law" is fraying, and if law can no longer lay claim to being "autonomous … effective and legitimate," what does this mean for law and society scholarship (4)? "How," the editors ask, "does one study law when the what, which, why, and who of law are profoundly in question?" (4).

The *Routledge Handbook*'s answer comes in the form of fifty-two short chapters sorted into two parts. In Part I, ten chapters introduce frameworks for analysis that have been useful to—and perhaps challenging for—law and society scholars. These are not the iconic "law and society approaches" that emerged from the field itself and that have attained the status of an intellectual calling card: there is no entry on gap studies here or anywhere else in the *Routledge Handbook*, and the volume's chapter on legal consciousness is categorized as a substantive topic by virtue of its location in Part II (Chua and Engel 2021). Instead, Part I explores the analytic frameworks that have been important for law and society scholarship but that either reflect the continuing influence of the field's disciplinary antecedents (see, for example, O'Malley 2021 on "Governmentality and Sociolegal Studies") or that arguably rise above disciplines altogether (see, for example, Alessandrini 2021 on "Feminism"). For the most part, perhaps with the exception of a chapter on liberalism (Valverde 2021), these chapters explain perspectives that have been used to trouble the "mainstream view of law" that, the editors contend, informed much twentieth-century law and society scholarship.

The remaining forty-two chapters, by contrast, explore substantive areas of law and society research—"Migration" (Yeoh 2021), "Genocide" (Palmer 2021), and "Cities and Urbanization" (Azuela 2021), for instance. Many chapters center issues that, though hardly new in the world and not necessarily new to scholarly analysis, are relatively recent additions to the landscape of law and society; consider, for example, Gonzalez (2021) on "Food Sovereignty and Food Justice," Johnson (2021) on "Indigeneity: Making and Contesting the Concept," and Sarfaty (2021) on "Supply Chains and Logistics." Other chapters take up topics that have been the focus of law and society research for some time, including "Gender and Law" (Banerjee and Nasiri 2021), "Human Rights: Challenging Universality" (Golder 2021), and "Imperialism and Law" (Rajah 2021). As promised in the introduction, none of the topics presume "a world order … based on singular and stable national systems," and, going further, none of them replicate law school categories like contract, family law, and criminal law (Valverde et al. 2021a, 4). Conversely, because all of the chapters are informed by "questions of law and justice," there are no dedicated entries on resistance or social movements as readers might expect (5–6).

Because of this commitment to destabilizing received notions of law (and, for that matter, received notions of society) many of the *Routledge Handbook*'s chapters concern overlapping areas of life and learning. This is how it comes to be that two chapters explicitly focus on property (Davies 2021; Malik and Coombe 2021), two on conquest (Hunt 2021; Rajah 2021), two on water (Meshel 2021; Parmar 2021), and four on various intersections of geography and law (Blomley 2021; Keenan 2021; McVeigh 2021; Pasternak 2021). Other synergies exist between chapters whose primary themes are strikingly different—for instance, there is a chapter on "Food Sovereignty and Food Justice," but there is also considerable attention to hunger in the chapter on "Gender and Law." And while forty-two substantive chapters is a lot—earlier edited volumes

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had, altogether, eleven (Lipson and Wheeler 1986), nineteen (Abel 1995), thirty-three (Sarat 2004a), and, at the high end, forty-three (Larson and Schmidt 2014) chapters—the chapters themselves are three to five pages each.

This approach is an intentional departure from earlier law and society collections that featured comparatively in-depth discussions keyed to research over teaching, and it produces a distinctive internal dynamic within the handbook. Consider the interplay between Rajah (2021) on "Imperialism and Law" and Hunt (2021) on "Settler Colonialism." Rajah (2021, 154) sets out to complicate the commonly held notion that "[i]mperialism is, at its heart, an exploitative relationship in which the interests of a dominant state or states are furthered at the expense of a subordinated state or states." While this notion remains true, the chapter nonetheless pokes at the concept of state sovereignty that is so central to that common view of imperialism through a case study of land dispossession with local, national, and international elements. Hunt (2021) sketches the distinctive concerns raised by settler colonialism (as opposed to metropole-periphery colonialism) through a discussion of scholarly and activist writing that ranges across thematic and geographic contexts. The chapter argues that "settler colonialism depends on, and assumes the presence of, Indigenous peoples" but criminalizes those peoples "in order to avert attention away from the illegality" of the nation-state superimposed on their territory (214–15).

Both chapters grapple with the immense and self-perpetuating power behind the nation-state form. Likewise, both critique international regimes, whether corporate or regulatory (or both), that legitimate and are in turn legitimated by the nation-state. But the chapters also partly function as foils for one another. Rajah (2021), after all, is committed to questioning the potency of the very nation-state form that, in Hunt (2021), is oppressively inescapable. Structurally, too, they take different paths that are equally recognizable as belonging to the law and society tradition: Hunt (2021) samples widely from a range of disciplinary and interdisciplinary sources, while Rajah (2021, 155) dives deep in order to build an "understanding [of] how law works in specific contexts." Through these kinds of substantive and stylistic contrasts, the *Routledge Handbook* aims to provide a broad critical sampling that "reflect[s] issues of our time that were not part of the original, 1960s law and society movement" (Valverde et al. 2021a, 5).

In contrast to the *Routledge Handbook*'s emphasis on classroom use, the *MLR Handbook* presents itself as both an introduction and a summation for researchers.[24] "The goal of this volume," the editors state, "is to show the distinctive qualities of New Legal Realism," a scholarly movement that has emerged from the law and society tradition over the past fifteen years (Talesh, Mertz, and Klug 2021a, 4). "We invite you to . . . assess how NLR is different," they continue, and "we hope this book encompasses the best of the new Legal Realist ideals" (4–5). Both the mission and the invitation are characteristic of NLR, which, like its parent field of law and society, has always been deeply and publicly introspective.[25] But, whereas earlier NLR publications have tended

24. Although the volume's title includes the phrase "modern legal realism," the movement itself is known by the name "new legal realism." Consequently, except when referencing the volume itself, I use the latter phrase and the acronym "NLR."

25. See, for example, Klug and Merry 2016; Mertz, Ford, and Matoesian 2016; Mertz, Macaulay, and Mitchell 2016; the special issue introduced by Erlanger et al. 2005, the special issue introduced by Gulati and Nielsen 2006; the special issue introduced by Garth and Mertz 2016.

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to focus on introducing NLR and applying its insights to particular themes (Mertz, Macaulay, and Mitchell 2016), methods (Mertz, Ford, and Matoesian 2016), or contexts (Klug and Merry 2016), the *Handbook* adds a third, still more reflexive, element: disciplinary perspectives on the NLR enterprise from scholars ranging across the social sciences and from within law and society itself. Collectively, the chapters in Part III advance the movement's translational agenda by speaking to both NLR practitioners about disciplinary viewpoints and to "Law and" scholars with strong disciplinary affiliations about NLR.

How *is* NLR "different"—and who is it different from? For a movement that eagerly acknowledges its relationship to law and society, and that just as eagerly embraces an "inclusive interdisciplinar[it]y" that it also ascribes to law and society, these questions *matter* (Suchman and Mertz 2010, 560; Talesh, Mertz, and Klug 2021a, 3). In the *MLR Handbook*, as in earlier NLR writings, the answer that emerges is tripartite. There are three Others for NLR: three contrasting approaches, three alternative universes, three ways in which NLR is "different."

NLR's first, gentlest, and least momentous parting of the ways is with law and society itself. As the vector to law and society's scalar, NLR is a mode of analysis ("the social science of law") with an added directional focus ("how to translate that to law and lawyers") that its parent tradition does not necessarily possess (Talesh, Mertz, and Klug 2021a, 3).

Second, and perhaps most self-consciously, NLR is different from another Legal Realist grandchild: the Empirical Legal Studies (ELS) movement whose "primary contributing disciplines … are economics, political science, and psychology" (Suchman and Mertz 2010, 558; Talesh, Mertz, and Klug 2021a, 2). NLR publications regularly devote sizable word count to differentiating NLR from ELS and, quite understandably, to reclaiming the mantle of "empirical" approaches to legal scholarship that ELS appears to have reserved for itself (Talesh, Mertz, and Klug 2021a, 7). ELS, as the *MLR Handbook* editors remark here and elsewhere, "is 'more quantitative than qualitative, more confirmatory than exploratory, and more contemporary than historical'"; it is a "smaller, faster, leaner ship" to NLR's "bigger and roomier" vessel (Talesh, Mertz, and Klug 2021a, 2–3, citing Suchman and Mertz 2010, 558).

Most profoundly, though perhaps least contentiously, NLR distinguishes itself from legal formalism. Like both its immediate antecedents (law and society) and its contemporaries (ELS), NLR embraces the "pragmatic" approach of Legal Realism as well as the Realist mandate to go "beyond pronouncing what the law ought to be" in order to discover "what's actually going on with law in the world" (Talesh, Mertz, and Klug 2021a, 1). And for those readers wondering who exactly are the formalists still among us—who, in other words, is unconcerned with "what's actually going on"—the New Realists, like the Old Realists, have an answer: "[t]raditional doctrinal exploration" (1).[26] NLR may be most committed to differentiating itself from ELS, but its true intellectual target remains the law-on-the-books scholarship that is still

26. That doctrinal analysis is the heir to legal formalism is made amply clear on the first page of the introduction. See, for example, the following excerpt: "Many legal academics still focus primarily on legal doctrine and texts of judicial opinions, perform analyses assuming that court decisions automatically cause real change on the ground, and opine about understandings of law and legal doctrine using a normative framework. … Whereas law review journals used to be a location for doctrinal scholarship only. …

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dominant in the American legal academy (see, for example, Garth 2021b, 490; Mertz and Galanter 2021, 22; Taylor Poppe 2021, 194). "NLR," the editors state, "continues a longstanding attempt to help law professors view law 'in action' as well as 'in books', drawing on systematic knowledge from social science" (Talesh, Mertz, and Klug 2021a, 7). Everything about the *MLR Handbook* is responsive to this mission.

Take, for instance, the *MLR Handbook*'s internal organization, which both resembles and diverges from the format of the *Routledge Handbook*. Like the latter volume, the *MLR Handbook* sorts itself into distinct sections, one of which is dedicated to establishing analytic frames (Part I on the varieties of Legal Realism) and one of which applies those frames to substantive topics (including "Policing," "Legal Education," and "International and Global Standards"). But the *MLR Handbook* also includes a third part, on Disciplinary Perspectives, in which interdisciplinary legal scholars with varying degrees of investment in the NLR project reflect on their home fields' contribution to that project. Together, the three parts of the *Handbook* mimic the theory-application-discussion format that is typical of formalistic legal reasoning and traditional law school pedagogy.[27] If familiarity indeed encourages acceptance, then the *MLR Handbook*'s organizational structure should itself advance NLR's overarching goal of facilitating doctrinal engagement with social science methods—and previous NLR publications suggest that this was precisely the intent.[28]

Other structural features reiterate the *MLR Handbook*'s orientation toward convincing doctrinal law scholars to incorporate more social science insights into their research and teaching. The volume's thirty-one chapters average around fifteen pages each so that, in length and depth, they mimic the peer review articles with which doctrinal legal scholars might be most familiar. And each of those thirty-one chapters includes extensive references that, when combined with the *Handbook*'s theory-application-discussion format, make the volume a self-contained resource for scholars seeking something more than the basics of NLR. To be sure, the familiar pitch and sizable bibliographies of the *Handbook*'s chapters also ensure that the volume functions as an accessible classroom text. But despite its noticeable commitment to reimagining how students engage with law, NLR's attention has always been on the person behind the podium: how might they study law, teach law, write law, and write about law? The *MLR Handbook*, through both content and structure, imagines new possible answers.

Consider the interplay between a handful of the volume's chapters. Chapter 2, "Realism Then and Now," does important scene-setting work by tracing the arc of Realist thought over a span of nearly one hundred years (Mertz and Galanter 2021). But it does so in a way that both exemplifies the NLR commitment to a social science of law (and society) and hints at the methodological tools (first-hand experience) and

The old Legal Realists were a group of scholars who sought to pivot away from doctrinal analysis and legal formalism" (Talesh, Mertz, and Klug 2021a, 1).

27. The regularly taught and much-maligned "IRAC" method of case briefing—issue, rule, application, and conclusion—is, after all, how many lawyers and legal scholars are first taught to construct a legal argument.

28. Marsha Mansfield and Elizabeth Mertz (2021, 209) note that the first of two NLR volumes published in 2016 signaled the movement's "emphasis on pedagogy by placing the chapters on law teaching"—for instance, Tejani 2016 on ethnography in the law school classroom—"ahead of the chapters on philosophy and method (reversing the usual status hierarchy)."

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analytical frameworks (unsettling assumptions) of its primary author's home discipline: anthropology. Chapters 3 and 4 continue the work of unsettling what we think we know about Legal Realism, but this time through a historical lens that interrogates Realism's presumed transformations over time and space (Baumgardner and Mehrotra 2021; Kalman 2021). By the time we reach chapters 13 and 14, the volume's attention has shifted squarely to NLR, as exemplified by these chapters' attention to something that, outside the movement, is quite often left to improvisational effort: the task of incorporating social science into legal pedagogy. What are the nuts and bolts of a (New) Legal Realist classroom experience. What are possible assignments, principles, and reading materials one might include? These chapters provide examples that are not intended as exemplars. Finally, the very last chapter, on legal formalism, completes the arc; as against most of the *MLR Handbook*, which explains why NLR should ascend, the last chapter instead explores why formalism persists (Garth 2021b). It responds by demonstrating that structural factors relating to the role of law in society explain both formalism's vitality and realism's appeal, and it does so using a comparative analysis that is, itself, classically NLR (501).

Unlike most of the volume, these chapters have neither an overt disciplinary orientation nor a specified subject matter along the lines of "policing" or "immigration." They are not, explicitly at least, about NLR approaches as applied to X or viewed from the perspective of Y. Nevertheless, and very much like their companion contributions, these six chapters draw on a range of intellectual styles (anthropological, historical, sociological), are attentive to context (both within the United States and outside), are inescapably self-reflexive, and, finally, are consistent in their directional orientation toward law schools. And in keeping with the volume at large—of which they constitute a remarkable microcosm—these six chapters replicate the theory-application-discussion format that is likely somewhat familiar to doctrinal faculty.

INTIMATIONS AND OVERTURES

Their differences aside, the *Routledge* and *MLR* handbooks are, as assessments and expressions of law and society scholarship, remarkably aligned. For instance, both volumes reflect their contributors' belief in measuring scholarship by what it helps achieve outside the much-maligned ivory tower. They do this differently, to be sure. In a world marked by narrowing worldviews and hardening divisions, the *Routledge Handbook* editors write that "[t]he very meaning and scope of the term 'law' takes on new urgency" (Valverde et al. 2021a, 6). Indeed, the *Routledge Handbook* incorporates perspectives and topics centered on social justice to such a degree that it needs no separate chapter on "social movements" or "resistance." The *MLR Handbook*, for its part, reflects an old-school Realist faith in the ameliorative potential of the law—in the task of "collecting data … to better inform legal and policy debates" (Talesh, Mertz, and Klug 2021a, 2). Why else pursue more and better translations between law and social science? Contributors to the *MLR Handbook*, like their Legal Realist forbearers, seem clear that the motivation for engaging in this work emanates, above all else, from social and legal dilemmas in today's world (the title, not coincidentally, of the volume's Part II).

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Both volumes also push for a social science of law that is orders of magnitude broader than what currently exists. The *Routledge Handbook* does this most clearly through its early call for law and society research to include diverse ontologies instead of merely exploring law's impact on diverse populations. It is not enough, the *Routledge* editors argue, to more thoroughly consider "the standard categories of race, class, and gender": law and society scholarship must ask "[w]hat happens when different legal systems are found in the same space at the same time?" (Valverde et al. 2021a, 3). What does "law" mean to—and *do* to—communities and spheres of activity where the word itself signals something other than the uniform, centralized, command model of authorized force embodied by the nation-state?

The *MLR Handbook*, meanwhile, calls for breadth at the level of analytical frame, but not by adding one or two departmental headings to the already-packed law and society marquee. To be sure, the kind of methodological and theoretical breadth that NLR advocates for is more receptive to qualitatively grounded disciplines than both doctrinal analysis and alternative Realist descendants (ELS) tend to be. But intellectual expansiveness, in the NLR view, is epistemological more than methodological: NLR scholars "do not assume that their individual method is the only way of understanding a particular social or legal issue" (Talesh, Mertz, and Klug 2021a, 8). In an area of life and learning that is centered on telling some people how to tell other people what to do, this commitment to suspending one's own sense of superiority is refreshing.

Change in the world and perspectival breadth are both laudable goals with which I am entirely in sympathy. They are also challenging enough to occupy several careers, if not lifetimes. Nevertheless, in this last part of the review essay, I should like to add to the task list that the *Routledge* and *MLR* handbooks have set for themselves.

Beyond any ontologies, methodologies, theories, or themes that we may want to introduce into the resolutely doctrinal realms of legal scholarship and pedagogy, I encourage those of us in the law and society universe to occasionally flip the narrative by *talking law to social scientists*. Ours, after all, is an interdisciplinary field, neither singular in its focus nor consistently "indiscipline[d]" (Comaroff 2010): whether we take the field in its *Routledge*, NLR, or incumbent variations, the dissonance, like the harmony, is meant to flow both ways. Yet while we have become past masters at speaking social science *to* law—to translating, explaining, extolling, and otherwise communicating the virtues of a social scientific approach for legal analysis—we have yet to speak very much *for* law.[29] This we can change, and I propose that we do so.

Why? First, at the risk of inviting both the "slur of functionalism" and the wrath of our Realist ancestors, let me suggest that stuff does stuff sometimes (Das Acevedo, forthcoming). Law being stuff, as the syllogistic reasoning goes, it too does stuff—sometimes. Now, we law and society folk are right to note that words on the page rarely effect states of the world in the unproblematically linear way that is regularly assumed by doctrinal analysis. But we too easily conclude that, where law's effects are unintended, underwhelming, or unpleasant—that is, wherever they are less than ideal—that laws themselves are uninteresting and unimportant.

29. This has not always been a problem: Christopher Tomlins (2000, 958–59) notes that law and society at Wisconsin "did not 'return' to law" because "law had been its central focus from the start" (quoted in Macaulay 2005, 380–81).

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Surely the opposite is true. When the words on the page do *not* translate well into states of the world—when we must query hearts and databases alike for the ostensibly magical utterances behind dismal or curious realities—surely that is when those utterances become even more worthy of exploration. Gap minding matters because law matters: because book law has meaning and potency even when it is formalistic and abstracted, and despite its being taught, read, and interpreted as such. Put differently, mischievous forces are forceful nonetheless and must be understood before being propitiated or tamed. And while few of us might disagree with this in principle (the shadow of the law[30] looms large over us as much as over the people we study), fewer still care to return, bearing social-scientific insights, to the formalistic rules that sent us out into the world. We dismiss those rules as so many technicalities even as we call for them to be improved (but see Riles 2005).

The logic of law has, admittedly, seemed somewhat meaningful to our interdisciplinary community when the law is constitutional in nature (see, for example, Scheppele 2004) or when our interest in it is historical in style (see, for example, Lee 2014; Weinrib 2016). Under these circumstances, we are willing to say that what was formally articulated—what the words are, abstracted from context—might matter because that is often how (highly contextualized) human beings engage with them. Even in these instances, we are usually quick to pour the society back into law with theoretically rich and empirically grounded care. This is as it should be. And, occasionally—increasingly often in the study of private organizations that are able to shape the very rules that bind them (Talesh 2009; Edelman 2016)—we integrate book law and law in action in a way that is truly inspiring. Nevertheless, quite often in practice and more frequently still in rhetoric, we proceed as if formal law is an impediment to understanding law itself. But the stuff-ness of formal law, its misfired, even misunderstood, impact on the world, encourages us to do otherwise.

So too does our own interdisciplinary nature. For over half a century, our field, journal, and association have engaged in a kind of call and response with legal traditionalists: they sing "law," we cry, inexorably, "and society." Without a doubt, our response has become more nuanced, more alive to melodic variation, and more inclusive of rhythmic diversity; we call for ontologies and universes, not just populations and themes. But we seem to have forgotten that our nave faces two altars and that it is better for doing so—that we can sing law to the social sciences too. Without this mutuality of exchange, we are not "law and society" so much as a "social science critique of law," and our interdisciplinarity stands incomplete. We are also, for that matter, not markedly different from exhibiting the kind of epistemic exceptionality that we so often ascribe to doctrinal legal analysis. Perhaps this is, indeed, what we intend to say: that law has much to learn from the social sciences but little to give in return. Perhaps, in the face of qualitative nuance and quantitative breadth, law's revelatory powers seem decidedly less powerful. Our ways are better than your ways, we may be suggesting; our gods are bigger gods. (Our Realist ancestors certainly thought so.)

30. Robert Mnookin and Lewis Kornhauser's (1979) text remains the classic articulation of the idea that formal law structures behavior even when it is not activated. They argued that "the primary function of contemporary divorce law" was not to impose "order from above, but rather" to provide "a framework within which divorcing couples can themselves determine their postdissolution rights and responsibilities" (950).

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But I do not think this is what we mean, even if we sometimes imply it. Law and society, from the outset, has been characterized by curiosity as much as by confidence. Our practitioners have worked to maintain an intellectual humility that is as endearing as it is enlightening. The *Routledge* and *MLR* handbooks exemplify these attitudes, with their calls to think broader, harder, more carefully, and, yes, more empirically—calls that are not only directed at law folk but also at scholars within our own interdisciplinary universe. Denigrating formal law, avoiding its categories, and shying away from its internal logics—asking doctrinal law to feature a little less law and a little more society—all of this sits poorly with our well-established traditions of intellectual ecumenism.

It also, finally, overlooks the somewhat inconvenient fact that interdisciplinarity is only possible where there is disciplinary distinction. As a field, we pride ourselves on occupying the in-between: neither the study of society writ large nor the study of legality written down but both, simultaneously and seemingly despite one another. Law and society depends on the cognitive dissonance produced by its constitutive and competing monisms (Doniger 2006, 9). It is therefore not simply that our disciplinary axes *may* never truly converge (Garth 2021b) or that "any efforts at deep reconceptualization … *may* … never be successful (Talesh, Mertz, and Klug 2021a, 6; emphasis added). It is that we ought to hope with all our might that, regardless of our admirable translational efforts, our disciplinary deities retain their distinctive personas. Without boundaries there can be no translation; without disciplinary diversity there can be no interdisciplinary revelation.[31] It is in the constant process of disorienting and reorienting ourselves—of making one-half of ourselves intelligible to the other and vice versa—that we stand to learn, and teach, the most. "Asymptotic progression," I have suggested elsewhere, "leaves room for infinite progress" (Das Acevedo 2020, 48).

What, as the Hyde Park saying goes, does this mean in theory?[32] It means, for instance, acknowledging how "ideologies of rationality" largely influence "both organizations' strategic responses to law and the courts' responses to organizational actions" and then studying particular rules and particular organizations to show how this works (Edelman, Uggen, and Erlanger 1999, 407). It means asking why problematic legal rules seem to be compelling (not just obfuscating or oppressive) to those whom they most disadvantage and then developing empirically rooted answers that may sound in power asymmetries (Dubal 2017) or in differing conceptions of agency (Das Acevedo 2018).[33] It may even mean asking whether law on the books matters despite its non-observance,

31. In a similar vein, but in a slightly different context, see Jean-Klein and Riles 2005, 174 ("the trend in anthropology has been rather to celebrate antidiscipline"). Disciplinary diversity becomes an even more salient concern if we recall that law and society is itself not stylistically unmarked: our way is a particular way with particular ancestors and approaches and nomenclature. The problem, as I have already suggested, lies not in the particularity so much as in failing to remember it.

32. Among the many idiosyncrasies of the University of Chicago is an inversion of the common expression: "That's all good in theory, but what about in practice?" For a while, the College Admissions Office even sold t-shirts bearing the inversion of this slogan. See, for example, *University of Chicago College Admissions*, November 21, 2011, https://uchicagoadmissions.tumblr.com/post/13123492245/thats-all-well-and-good-in-practice-but-how-does (displaying photographs of shirts imprinted with the phrase "That's all well and good in practice … but how does it work in theory?").

33. I offer other examples drawing on my own work and suggesting that not all such work need be empirically grounded. See Das Acevedo 2022; forthcoming.

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and it may subsequently mean accepting that the answer, at least occasionally, is "yes": our imaginations are often as alive to what might be as to what actually is (Offit 2019). Doing law and society work, in other words, means viewing law as more than a distraction—as a starting point, if not an end.

Fortunately, as these volumes make clear, we are already adept at taking law seriously, even if we frequently feel compelled to suggest otherwise. *Why* we are so compelled is itself a worthy exercise in collective introspection, and the literature gestures at several possible explanations. Competition for the Realist mantle, staking out disciplinary boundaries, tussling for disciplinary prominence, the prestige and material advantages enjoyed by academic law whether inside or outside the university—all of these may help to explain why law and society has addressed itself so peculiarly to one of its possible audiences. For my part, though, I prefer a simpler explanation: it is hard to host contradictory selves and to please dissimilar masters. Success is to be celebrated, not expected.

CONCLUSION

The path forward, as the *Routledge* and *MLR* handbooks suggest, partly lies in more expansively and intensively incorporating social scientific approaches into the study of law. We need analysis that builds on the traditions we have inherited—on Realist origins as well as on law and society intermediaries. And we need analysis that critically engages with those traditions, that asks whose universes they reflect (and exclude), which dynamics they capture, and to which urgently needed reforms they can contribute. This path, in other words, calls for us to follow the excellent example of these volumes by more exuberantly proclaiming—and more unapologetically pursuing—the benefits of a social science of law.

But the path forward also lies in better integrating doctrinal law into social science. We need analysis that takes seriously how legal logics effectuate things in the world—albeit not always, as we well know, the things they were meant to effect. We need analysis that takes social scientists to task for their dismissal of law as often as it chides legal scholars for their oversight of social science. And we need analysis that acknowledges law's disciplinary integrity, if not on existential grounds, then on positivistic ones. This path calls on us to expand the directive of these handbooks by at least occasionally centering law in our disciplinary pantheon. More would be ideal, but something less would still be an improvement. Collectively, the *Routledge Handbook* and the *MLR Handbook* suggest that the best response to doctrinal law's monistic pretensions is not pluralism but, rather, competing monisms and that we in law and society are its ideal expositors. Each one of us in this intermediate universe serves, at least, two masters, each one of us is already adept at navigating the serial supremacy that this implies. We are, in other words, ideally situated to acknowledge all of our disciplinary deities.

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