Law and Alternative Stress of the second sec VÍCW \mathbf{C}

The purpose of *Law and History Review* is to further research and writing in the fields of the social history of law and the history of legal ideas and institutions. The Review is sent to all members of the American Society for Legal History.

Back issues of *Law and History Review* may be ordered directly from *Law and History Review*, Cambridge University Press, Journals Fulfillment Dept., One Liberty Plaza, New York, NY 10006-4020, USA.

Editorial Office: Department of History, American University, 4400 Massachusetts Avenue, NW, Washington, DC 20016, USA. Gautham Rao, Editor; telephone: 202-885-6745; e-mail: gauth.rao@gmail.com

Address all general editorial correspondence to Gautham Rao, Editor, *Law and History Review*, American University, 4400 Massachusetts Avenue, NW, Washington, DC 20016, USA (tel: 202-885-6745; e-mail: gauth.rao@gmail.com). Address correspondence regarding book reviews and reviewing on the Americas to Angela Fernandez, Associate Editor, University of Toronto Faculty of Law (email: angela.fernandez@utoronto.ca). Address correspondence regarding book reviews and reviewing on Europe to Elizabeth Papp Kamali, Associate Editor, Harvard Law School (email: ekamali@law.harvard.edu). Address correspondence regarding book reviews and reviewing on Asia, Africa, and the Pacific to Jedidiah Kroncke, University of Hong Kong Faculty of Law (email: jkroncke@hku.edu). Address correspondence regarding digital projects to Michan Connor, Associate Editor (email: michan.connor@gmail.com).

Publishing, Advertising, and Subscription Offices: Cambridge University Press, One Liberty Plaza, New York, NY 10006-4020, *USA* (for USA, Canada, and Mexico); or Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, *UK* (for UK and elsewhere).

Law and History Review (ISSN 0738-2480) is published four times a year, in February, May, August, and November by Cambridge University Press, One Liberty Plaza, New York, NY 10006-4020, USA / Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge, CB2 8BS, England for the American Society of Legal History. Annual institutional subscription rates for Volume 37 (2019) USA, Canada, and Mexico / Elsewhere \$308 / £182 are for print and electronic subscriptions. Single part: \$88 / £53. Prices include postage and insurance. Law and History Review and all other Cambridge journals can be found at http://journals.cambridge.org/.

© The American Society for Legal History, Inc. 2019. All rights reserved. No part of this publication may be reproduced in any form or by any means, photocopying, electronic, or otherwise, without permission in writing from Cambridge University Press. Policies, request forms, and contacts are available at: *http://www.cambridge.org/rights/permissions/permission.htm*.

Permission to copy (for users in the USA) is available from the Copyright Clearance Center (CCC), *http://www.copyright.com*, email: *info@copyright.com*.

Forwarding and return postage guaranteed, address correction requested. Postmaster: Send address changes in the USA and Canada to *Law and History Review*, Cambridge University Press, Journals Fulfillment Dept., One Liberty Plaza, New York, NY 10006-4020, USA. Send address changes elsewhere to *Law and History Review*, Cambridge University Press, University Printing House, Shaftesbury Road, Cambridge, CB2 8BS, England.

Abstracting and Indexing Information: America: History and Life; CSA Worldwide Political Science Abstracts; Current Law Index; Current Abstracts; SocIndex; SocIndex with Full Text; TOC Premier; Scopus; Family Index; Academic OneFile; General OneFile; InfoTrac Custom; LegalTrac; Biography Index; Index to Legal Periodicals & Books; Historical Abstracts.

Law and History Review

Volume 37, Number 4

November 2019

Published four times a year by Cambridge University Press for the American Society for Legal History

Editor

Gautham Rao American University Department of History 4400 Massachusetts Avenue, NW Washington, DC 20016 202.885.6745 FAX: 202.885.6166 EMAIL: gauth.rao@gmail.com

Associate Editor (Book Reviews, Asia, Africa, Pacific) Jedidiah Kroncke University of Hong Kong Faculty of Law EMAIL: jkroncke@hku.edu

Associate Editor

(Book Reviews, Americas) Angela Fernandez University of Toronto Faculty of Law EMAIL: angela.fernandez@ utoronto.ca

Associate Editor (Book Reviews, Europe)

Elizabeth Papp Kamali Harvard Law School EMAIL: ekamali@law.harvard. edu

Associate Editor (Digital Projects) Michan Connor Independent Scholar EMAIL: michan.connor@gmail. com

Editorial Board

David Anderson University of Warwick

Constance Backhouse University of Ottawa

Edward J. Balleisen Duke University

Nicholas Barreyre L'ecole des Hautes Etudes en Sciences Sociales

Felice Batlan ITT Chicago-Kent College of Law

Fihad Bishara University of Maryland

Holly Brewer University of Maryland

Thomas Buoye University of Tulsa

Christopher Capozzola Massachusetts Institute of Technology

Amy Chazkel Queens College, CUNY

Li Chen University of Toronto-Scarborough

Andrew Wender Cohen Syracuse University

Rohit De Yale University Alejandro de la Fuente Harvard University

Laura F. Edwards Duke University

Carole Emberton University at Buffalo

Lisa Ford University of New South Wales

Sally E. Hadden Western Michigan University

Amalia Kessler Stanford University

Daniel M. Klerman University of Southern California

Elizabeth Kolsky Villanova University

Adriaan Lanni Harvard University

Kenneth F. Ledford Case Western Reserve University

David Lieberman University of California, Berkeley

Assaf Likhovski Tel Aviv University

Rebecca McLennan University of California, Berkeley Ajay Mehrota American Bar Foundation

M. C. Mirow Florida International University

Devin Pendas Boston College

Intisar Rabb Harvard University

Stephen Robertson Roy Rosenzweig Center for History and New Media

Lena Salaymeh Tel Aviv University

Reuel Schiller Hastings College of Law

Karl Shoemaker University of Wisconsin

Karen Tani University of California, Berkeley

Heather Ann Thompson University of Michigan

Stefan Vogenauer Max Planck Institute

James Q. Whitman Yale University

Anders Winroth Yale University

Will Hanley Florida State University

Contents

Law and History Review	Vol. 37, No. 4, November 2	2019
Full text available at http://journals.cambr	ridge.org/lhr	
In This Issue		v
Articles		
Of "Masculine Tyranny" and the "Wom	•	
Politics of Jury Service in Third Republic	c France	
Sara L. Kimble		867
FORUM: Disqualified Witnesses between		
Roman Law: The Archeology of a Legal Orit Malka	Institution	903
Comment: The Political Functions of (Premodern) Courts and	903
Procedure and Questions of Comparative	· · · · · · · · · · · · · · · · · · ·	
Amalia D. Kessler	Wethod	937
Comment: Disqualified Witnesses Betwee	n Tannaitic Halakha and	201
Roman Law: A Response to Orit Malka		
Paul J. Du Plessis		947
Comment: Roman and Jewish Law: Look	ing for Interaction in all	
the Right Places		
Christine Hayes		955
Book Reviews		
A People's Constitution: The Everyday L	ife of Law in the Indian	
Republic—Rohit De		
reviewed by Arvind Elangovan		961
Marriage, Law, and Gender in Revolutio	nary China,	
1940–1960—Xiaoping Cong		
reviewed by Yue Du		963
Legal Lessons: Popularizing Laws in the	e People's Republic of	
<i>China, 1949–1989</i> —Jennifer Altehenger reviewed by Glenn Tiffert		966
The Law and Economics of Confucianism	n-Taisu Zhang	900
reviewed by Maura Dykstra		968
		200

Making Manslaughter: Process, Punishment and Restitution in	
Württemberg and Zurich, 1376–1700—Susanne Pohl-Zucker	
reviewed by Harriet Rudolph	971
Memory Laws, Memory Wars: The Politics of the Past in Europe	
and Russia-Nikolay Koposov	
reviewed by Ian Cram	973
Boundaries of the International: Law and Empire—Jennifer Pitts	
reviewed by Alexander Arnold	975
Black Litigants in the Antebellum American South—Kimberly M.	
Welch	
reviewed by Allison Madar	977
Slave Law and the Politics of Resistance in the Early Atlantic	
World—Edward B. Rugemer	
reviewed by H. Robert Baker	979
They Were Her Property: White Women as Slave Owners in the	
American South—Stephanie E. Jones-Rogers	
reviewed by Julia W. Bernier	981
The Burning House: Jim Crow and the Making of Modern	
America—Anders Walker	
reviewed by Brandon Jett	983