Index

Aas, K. 72
Abraham, H. 200
Abramsong, J. 244
Ackerman, B. 293, 298
Adams, M. 217, 219, 230
Adler, Michael 254–89
administrative law, agencies and redress mechanisms 254–89
absolute and relativistic approaches to 256–9
administrative justice, contrasting approaches 255–6, 285–7
administrative law, nature of 259–60
agencies 263–8
appeal tribunal reviews 270–71
asylum and immigration 267–8, 272, 273, 275–6, 278–83, 286–7
central government departments 263
civil law and common law, differences between 285
comparison, scope for 254–5
constitutional arrangements and separation of powers 260–61, 283–4
courts and tribunals 262, 268–77, 284
enhancement, internal means of 275–83
European Union membership, effects of 261–2
feedback mechanisms 276–8
integrated approach 256, 286
judicial review 261, 262, 269, 270, 275–6, 283
justice in administration approach 255, 286
Mashaw’s analytic framework 256–8
media role 274
models of administrative justice 256–8
NGOs, role of 265–7
ombudsmen 274, 277
procedural administrative law 260
public policy areas, decision-making in 267–8
regional and local government 263–4
social insurance decision-making 267–8, 273, 275–8, 280–87
substantive administrative law 259
traditional administrative law approach 255, 286
Agersnap, T. 55, 56
Agnew, R. 16
Ahdieh, R. 307
Ahlering, B. 107, 108, 113–14, 125, 127, 128, 130
Akerman, F. 413
Albanese, J. 61
Albertyn, C. 27
Alford, W. 377, 378
Almond, G. 19, 157
Almqvist, R. 266
Altenhain, K. 250
Amaral-Garcia, S. 301
Amorim Neto, O. 166
Anderson, K. 358, 383
Andreas, P. 63, 73
anthropology
anthropocentrism and environment, legal protection of 406–7
models, sociology of law 47
understanding of, legal cultures 313, 319
anthropology of law 15–16, 77–91
alternative dispute resolution (ADR) and disempowerment 89
Berkeley Village Law Project 83–4
colonialism links 83, 85–6
critical and European social theory and semiotics–dialogue with 87–8
cultural and historical context, importance of 80
customary law and colonialism 83
disputes, research into 83–5
future research 87–91
Gluckman–Bohannan debate 82–3
history of 79–86
identity and rights claims 86
integrative approaches, need for 89–90
Kalven Prize for lifetime achievement 85
legal language, research into 86
legal pluralism 82–3
legal realist case method 82
processual models 84
research growth 77–8
semi-autonomous field concept 84
social ordering and control 81
structural-functionalism, theories of 80–81
transnationalism 88–9
Western Society studies 84–5, 89
Appadurai, A. 88, 316
Argentina 28, 303, 305–6, 340, 341
Armour, J. 127, 128
Arnaud, A.-J. 31
Arnold, G. 136
Arnow-Richman, R. 431
Aromaa, K. 31
Arthurs, H. 339, 380
Ashford, R. 33
asylum and immigration 267–8, 272, 273, 275–6, 278–83, 286–7
Australia 27, 28, 78, 228, 371–2, 392
Austria 25, 28, 189, 227, 293, 343, 396
Babha, H. 86
Bachelard, O. 431
Bachofen, J. 15, 79, 80
Bahry, D. 158, 169–70
Baier, G. 175
Baker, J. 330, 331, 333
Baker, R. 292
Baldwin, J. 275
Balkin, J. 321
Banakar, R. 22
Bancaud, A. 25
Barker, A. 265
Barros, R. 299
Barry, B. 171
Bartlett, R. 236
Barzilai, G. 32
Bailey, D. 265
Beccaria, C. 13, 238
Beck, U. 50, 58
Becker, P. 16
Beirne, P. 17, 62
Beittel, M. 51, 58
Belge, C. 305
Bell, D. 330, 334
Bell, J. 196, 197, 203, 204, 205, 254, 315
Beller, R. 111
Benda-Beckmann, K. von 31
Benda-Beckmann, F. and K. von 319
Benoit, K. 163
Bentham, J. 16
Bentzon, A. 55, 56
Benvenisti, E. 305
Berah, E. 27, 29
Bergoglio, M. 26
Bernstein, L. 335
Berman, H. 364
Bernhard, M. 170
Biagiotti, G. 186
Binet, A. 20
Black, C. 158
Blackstone, W. 11, 12, 346
Blankenburg, E. 229, 230–31, 232, 311, 323, 381
Blatman, M. 426, 430
Bledniak, E. 424
Blondel, J. 165
Board, J. 125
Boardman, J. 23
Bodde, D. 239, 240
Bodenheimer, E. 5, 6
Bokman, P. 82–3
Boiguel, A. 25
Bollen, K. 43, 45, 48, 49, 50, 52
Bondy, V. 262
Bonelli, M. 26
Boon, A. 335, 344
Bothwell, R. 140
Bourchier, D. 306
Bourdieu, P. 88
Bourgeot, S. 426, 430
Bowen, J. 88
Bradfield, A. 139, 144, 150
Bradney, A. 25
Brand, P. 330, 331
Brants, C. 322
Brazil 28, 299, 340, 341
Brennan, T. 11
Brenner, S. 301
Brewer, Neil 133–53
Brewer-Carias, A. 292, 293
Brickman, R. 125
Briggs, C. 88
Brooks, C. 331
Bruinsma, F. 231, 310, 311, 323, 383
Buckhout, R. 136
Budge, I. 164, 166
Bull, T. 262, 269
Burgess, M. 178
Burnham, W. 121
Buzzi, S. 423
Bylander, E. 272
Cain, M. 64, 125, 313
Calabresi, G. 18, 93
Calavita, K. 323
Canada 24, 28, 295, 335–6, 339, 372, 380, 382, 391–2
Canada, provincial constitutionalism 175–92
distinctiveness of 176–8
entrenched limitations 178–81, 188
federal Charter of Rights and Freedoms
178, 180, 183, 184, 186
judicial authority, centralized 181–2, 183–4
Quebec Bill 196 176, 185
Quebec Charter of Rights and Freedoms
180–81, 183, 184
rights guarantees 179
self-determination right 185
social and economic rights, protection of 180, 183
subnational constitutional change 187–90
subnational constitutions, political role of 184–7
subnational law, authority for interpretation of 181–4
supremacy clauses 186
US judiciary, comparison of 181–3
US state constitutionalism restrictions, comparison of 178–80
Canivet, G. 196
Cappelletti, M. 194, 211, 214, 293
Carbonara, E. 103
Carbonnier, J. 41
Carey, J. 158, 160–61, 166, 167
Carlson, C. 141
Carrese, P. 12
Carson, C. 383
Carson, R. 409
Caspar, G. 111, 112
Casse, S. 381
Cassou, B. 431
Cattaneo, M. 13
Cawson, A. 116–17
Chahyadi, C. 112
Chanock, M. 83
Chase, O. 323
Chatterjee, P. 86
Chavez, R. 297
Cheibub, J. 161
Chen, J. 377, 397
Chiba, M. 4, 26, 34, 241, 323
Chile 26–7, 28, 299, 300–301, 340
China 6–8, 26, 239–40, 376–9, 396–7
Chow, D. 377, 378, 397
Chu, J. 26
Cicourel, A. 4
civil court litigation and alternative dispute resolution 216–34
ADR, criticism of 224–5
arbitration methods 223
bargaining power problems 224
barriers to justice 222
case numbers, increase in 221–2
comparative law, possible problems with 216–18, 226–9
debt collection procedures 232
differential use, explanation for 229–33
dispute resolution continuum 223
dispute resolution starting point, legal decisions on 220–21
essentialist definitions, problems with 220
future research 229, 234
judicial independence 221
legal sociology approach 216–18
legal terminology, national variations in 220
mediation 223, 224
privatization of jurisprudence 224–5
state judiciary, comparison of 181–3
US state constitutionalism restrictions, comparison of 178–80
Canivet, G. 196
Cappelletti, M. 194, 211, 214, 293
Carbonara, E. 103
Carbonnier, J. 41
Carey, J. 158, 160–61, 166, 167
Carlson, C. 141
Carrese, P. 12
Carson, C. 383
Carson, R. 409
Caspar, G. 111, 112
Casse, S. 381
Cassou, B. 431
Cattaneo, M. 13
Cawson, A. 116–17
Chahyadi, C. 112
Chanock, M. 83
Chase, O. 323
Chatterjee, P. 86
Chavez, R. 297
Cheibub, J. 161
Chen, J. 377, 397
Chiba, M. 4, 26, 34, 241, 323
Chile 26–7, 28, 299, 300–301, 340
China 6–8, 26, 239–40, 376–9, 396–7
Chow, D. 377, 378, 397
Chu, J. 26
Cicourel, A. 4
civil court litigation and alternative dispute resolution 216–34
ADR, criticism of 224–5
arbitration methods 223
bargaining power problems 224
barriers to justice 222
case numbers, increase in 221–2
comparative law, possible problems with 216–18, 226–9
debt collection procedures 232
differential use, explanation for 229–33
dispute resolution continuum 223
dispute resolution starting point, legal decisions on 220–21
essentialist definitions, problems with 220
future research 229, 234
judicial independence 221
legal sociology approach 216–18
legal terminology, national variations in 220
mediation 223, 224
privatization of jurisprudence 224–5
state judiciary, comparison of 181–3
US state constitutionalism restrictions, comparison of 178–80
Canivet, G. 196
Cappelletti, M. 194, 211, 214, 293
Carbonara, E. 103
Carbonnier, J. 41
Carey, J. 158, 160–61, 166, 167
Carlson, C. 141
Carrese, P. 12
Carson, C. 383
Carson, R. 409
Caspar, G. 111, 112
Casse, S. 381
Cassou, B. 431
Cattaneo, M. 13
Cawson, A. 116–17
Chahyadi, C. 112
Chanock, M. 83
Chase, O. 323
Chatterjee, P. 86
Chavez, R. 297
Cheibub, J. 161
Chen, J. 377, 397
Chiba, M. 4, 26, 34, 241, 323
Chile 26–7, 28, 299, 300–301, 340
China 6–8, 26, 239–40, 376–9, 396–7
Chow, D. 377, 378, 397
Chu, J. 26
Cicourel, A. 4
civil court litigation and alternative dispute resolution 216–34
ADR, criticism of 224–5
arbitration methods 223
bargaining power problems 224
barriers to justice 222
case numbers, increase in 221–2
comparative law, possible problems with 216–18, 226–9
debt collection procedures 232
differential use, explanation for 229–33
dispute resolution continuum 223
dispute resolution starting point, legal decisions on 220–21
essentialist definitions, problems with 220
future research 229, 234
judicial independence 221
legal sociology approach 216–18
legal terminology, national variations in 220
mediation 223, 224
privatization of jurisprudence 224–5
resolution mechanisms and ‘paths to justice’ studies 225–6
surveys and sampling procedures 228–9
see also criminal courts and procedures
Clark, David S. 1–36, 220, 229, 328–402
Clifford, J. 86
Coase, R. 18, 420
Cohen, S. 67–8
Cohen-Tanugi, L. 318
Cole, R. 431
Coleman, J. 99
Collier, J. 83, 86
Colombia 28, 304, 340, 341
Colson, E. 82
Comaroff, Jean 83, 89
Comaroff, John 83, 84, 85, 89
Combrink-Kuiters, L. 222, 224
Combs, N. 241
Cominelli, L. 219, 221
comparative law and society, history of 1–36
Ancient Greek comparison 5–6, 11
Chinese comparison 6–8
Christian canon law 9–10
Classical legal traditions, comparisons in 5–12
disciplines related to law 15–21
evolutionary theory classifications 13
free law school 22–3
future research 31–6
historical materialism 13–14
Indian (Hindu) law comparison 8–9
international organizations 29–31
Islamic (Shar‘ia) law comparison 9–11
legal realism 22–3, 34–5
modern classifications 12–13
national organizations 27–9
repressive law 14
research decline 32–3
restitutive law 14
Roman law comparison 6, 11–12, 13
worldwide spread of, post-World War II 23–7
see also individual specialisms
Conley, J. 86
Comparative Law and Society

Connors, E. 137
Constable, M. 90
Constantinesco, L. 125

Constitutional Law and Courts 290–309
Ancillary powers 306–8
Attitudinalism and Court Decision-Making 301–2
Authoritarian regimes 298–9, 306
Democratization Effects 298
Federation 298
Fragmentation of power, effects of 303
Future research 303
International context 305–6
Judicial independence 297
Performance measurement 299–306
Political uncertainty, Effects of 297–8
Positiveism 300
Rights consciousness 296
Rule of law theory 296
Strategic model 302–5
Voting behavior studies 301–2
Constitutional law and courts, Judicial Review
First wave 291–3
Public support for 303–4
Rise of 291–5
Second wave 293–4
Third wave 294–5
Timing of adoption of 297
Constitutionalism
Administrative law and separation of powers 260–61, 283–4
Judicial careers and independence 194–5, 197, 211–13
Law and political economy 120–21
Provincial See Canada, Provincial
Constitutionalism
See also Judicial Review
Coombe, R. 86, 316
Cooter, R. 97, 98, 100, 101–2
Costa Rica 304–5
Cotta, S. 102
Coutin, S. 88–9, 90
Cover, A. 301
Creutz, M. 163
Cresswell, J. 65
Criminal courts and procedures 235–53
Anglo-American adversarial trial, Development of 242–3
Consensual procedures for lesser offences 250–51
Cooperation agreements 251
Court systems, history of 243–6
Customary procedures, importance of 235–7
Dispute resolution in Asia, out-of-court 239–42
Human rights, procedural changes effected by 246–9
Inquisitorial to adversarial procedural shift 246–9
Jury courts and trials, history of 242–5
Lay participation, future of 251–2
Majority verdicts 252
Mixed courts 245–6, 248, 252
Modern 246–53
Plea bargaining 243, 249–51
Politicization of criminal law, history of 237–9
Reconciliation measures 250
Right of appeal, ensuring effective 252
Victims’ rights, increased emphasis on 252–3
Victim-offender mediation, history of 235–7
Written statements as evidence 247
See also Civil court litigation and alternative
Dispute resolution
Criminology 16–17, 25, 27, 28–9, 61–76
Case studies and comparative method 65–7
Comparative context 67–72
Comparative research, reasons for 62–4
Corruption, differing conceptions of 70
Crime rate statistics 68–9, 70–71
Criminal definitions, variations in 70
Cultural dominance and hegemony, concerns over 63
Definition 62
Deviant cases 65
Ethnocentric bias 64, 66–7
And globalisation 72–4
Immigration and globalisation 67, 74
Language problems 66
Policy transfer and policy diffusion, Difference between 63–4
Prison data 71
Subjectivity problems 65–6
Transnational crime 72–3
Victimisation surveys 69, 70
Cruise, K. 134
Curran, V. 46, 47, 54
Cutler, Brian L. 133–53
Czarnota, A. 25
Dam, S. 8
Damaška, M. 125–6, 243, 245, 322
Dammer, H. 17, 61
Dannemann, G. 5–6, 230
Davies, G. 29, 31, 148

David S. Clark - 9781781006092
Downloaded from Elgar Online at 02/11/2019 10:05:52PM
via free access
Davis, D. 9
Dawson, J. 123
De Geest, G. 31, 92
De la Maza, I. 27
Deakin, S. 107, 108, 113–14, 125, 127, 128, 130
Debeljak, J. 181
Deffenbacher, K. 136, 139, 140
Dejours, C. 431
Delanoeije, E. 219, 225
Defts enbacher, K. 136, 139, 140
Deleuze, G. 202, 204, 208, 213
Di Federico, G. 202, 204, 208, 213
Diamond, A. 235
Dìez-Picazo, L. 213
Dinan, J. 190
Dissent, C. 380, 382
Donahue, C. 6, 12
Dotan, Y. 298
Dowell, K. 390
Downes, D. 65
Downs, G. 305
Drobnig, U. 25
Drobnig, U. 25
Dubber, M. 250
Dunleavy, P. 274
Dupret, B. 27
Durkheim, E. 13, 14, 20, 43–4, 51, 62, 81, 87
Duverger, M. 165, 166
Dyèvre, P. 423, 424, 428, 429
Dyson, K. 116

Easton, D. 157
Ebbinghaus, H. 136
Eberhard, C. 59
Economics see law and economics
Education see legal education
Ehrlich, E. 13, 22–3, 25
Ehrmann, H. 12
Eicher, J.-C. 339
Esgruber, C. 24
Eliaeson, S. 47
Elion, L. 185
Elkins, Z. 308
Elon, M. 241

Ely, J. 186
Employment law and preventative healthcare
see preventative healthcare and employment law
Engel, D. 86, 323–4
Environment, legal protection of 403–21
Anthropocentrism 406–7
cap-and-trade approach 409
Challenges of 405–6
Climate change and greenhouse gas regulation 414–15, 419
Conservation and preservation ethics 407–8
cost-benefit analysis 412–13
Ecological restoration and rewilding 418–19
Ecosystem services 413–14
Environmental harms, temporal dimensions of 405–6
Federalism and preemption 410–11
Implementation of 410–14
Interdisciplinary nature of 406
International cooperation, necessity of 404
Legal standing to sue 411–12
Market-based approaches 409
Nature of laws 408–10
Overfishing and ocean degradation 415–16
Philosophical bases of regulation 406–8
Polluter pays principle (PPP) 416
Precautionary principle 416–17
And property rights 416, 419–20
Religious bases and theocentrism 408
Risk-benefit analysis 413
Social class and racial disparities 412
Special courts and tribunals 405
Sustainable development 418
Transnational treaties 404–5
Epp, C. 296, 305
Epstein, L. 199, 200, 201, 301, 302
Erlandsson, M. 263
Erlanger, H. 24
Eskridge, C. 29
Eskridge, W. 303
Esmein, A. 235, 236, 237, 242
Estlund, C. 428, 442
Europe
Council of Europe, judicial independence 196
Criminal courts see criminal courts and procedures
Environmental law 409, 414, 417
EU membership, effects of, administrative law 261–2
Judicial review, history of 291
Law and society movement 256
Legal education 353–6
Legal professions 373–4, 397–8
preventative healthcare see preventative healthcare and employment law
socio-legal research, development of 54
see also individual countries
European Convention of Human Rights (ECHR) 246–9, 261–2, 269, 271–2, 283, 285
Ewald, W. 6, 130
Ewick, P. 320
eyewitness identification see psychology, and eyewitness identification

Faivovich, E. 341
Farber, D. 413
Farinola, L. 113
Farnsworth, E. 123
Faulconbridge, J. 382
Faust, F. 18, 32
Feeley, M. 43, 221
Feest, J. 23, 31, 41, 316
Feldman, E. 311, 318
Fellmeth, A. 35
Felstiner, W. 225
feminization
legal education 339–40, 341
legal professions and law firms 364, 365, 382
Ferejohn, J. 303
Ferenbacher, D. 186
Fernandez, G. 426
Ferrajoli, L. 242, 243
Ferrarese, M. 320
Ferrari, V. 3, 25, 42
Field, S. 49, 340
Filho, R. 340, 341
Finer, H. 157
Finkel, J. 297
Fiorino, N. 302
Fisher, G. 243, 249
Fitzpatrick, P. 311
Fitzsimmons, M. 335
Fix-Fierro, H. 26, 340, 341
Flatness, A. 400
Fletcher, N. 388
Flood, J. 349, 353
Foley, M. 177
Fon, V. 93
Fortes, M. 81
Foster, N. 343, 374, 383
Foucault, M. 88
France
civil procedure, witness interrogation 121–2
constitutionality of legislation 120–21
contract law remedies 123–4
corporatism and political economy 116–18, 119
employment law 105, 107–8
government intervention policies 112–13
inquisitorial court procedures, history of 242–3, 246–7
judicial review 129, 294, 296, 302, 303
judiciary 206–7, 210, 212, 228
jury courts, history of 244–5
Labor Code health provisions see under preventative healthcare and employment law
law students 337–40, 343–4, 355
legal professions 373, 394
prosecutorial independence 213–14
Franck, R. 302
Fraser, C. 419
Freckelton, I. 27, 29
Freeman, M. 16
Freud, D. 267
Frey, B. 102
Friedman, G. 429
Friedrich, C. 157
Friedrichs, D. 24, 33
Friesen, J. 182
Frye, T. 158, 163
Fuchs, E. 22–3
future research
anthropology of law 87–91
civil court litigation and alternative dispute resolution 229, 234
comparative law and society, history of 31–6
consitutional law and courts 303
law and political economy 130–31
Gaines, S. 416
Galanter, M. 8, 219, 222
Gallagher, M. 163
Gamper, A. 189
Garapon, A. 315
Garcia-Villegas, M. 320
Gardbaum, S. 121, 295
Garland, D. 65
Garlicki, L. 305
Garofalo, R. 17
Garoupa, N. 301–2
Garth, B. 33, 53, 316
Geertz, C. 47, 82, 84, 251, 318
Geipel, A. 245
Gény, F. 23
Gerber, D. 112
Germany
Basic law 180
civil procedure, witness interrogation 121
Index

constitutional courts 120–21, 212, 307
contract law remedies 123
corporatism and political economy 116, 117, 118, 119
debt collection procedures 232
employment law 107–8
government intervention policies 112–13
judicial review 129, 293, 302, 303
judiciary 203–5, 210, 212
Land constitutions 180, 190, 204–5
legal education 28, 203–4, 210, 337–40, 343, 355, 361, 375
legal professions 373–4, 381, 382, 383–4, 395
litigation rates 226, 230–32
mixed courts, history of 245–6
plea bargaining 250
Gessner, V. 312
Gijsegem, V. van 25
Gillespie, J. 316
Glabman, M. 433
Glennon, M. 219
globalization see transnationalism
Gluckman, M. 82–3
Gneezy, U. 99
Golder, M. 159, 161–2
Goldman, D. 397
Goldschmidt, V. 55, 56, 57
Gollac, M. 431
Gómez, M. 25, 34
Goodale, Mark 15, 77–91
Gooding, S. 86
governmental powers see legislative and executive governmental powers, separation of
Graber, M. 291
Grabsky, P. 27
Gramatikov, M. 233
Grammond, S. 184
Gramsci, A. 112
Graziadei, M. 45
Greathouse, Mark 15, 77–91
Greene, J. 160
Greene, W. 95
Greenhouse, C. 84, 86
Greenhouse, S. 431
Griffiths, J. 25, 218
Grillo, R. 57
Grosskopf, A. 305
Grotius, H. 12
Guarnieri, Carlo 193–215, 221
Guha, R. 86
Guiaux, M. 223
Gunlicks, A. 180
Gustafsson, H. 276
Haarhuis, C. 219, 220, 225, 228
Habermas, J. 88
Hagen, J. 25
Hagopian, F. 169
Hale, C. 292, 293
Hale, M. 19
Haley, J. 6, 230, 311, 337, 381
Hall, J. 41
Hall, K. 186
Hall, P. 114, 116, 118, 119, 158
Halliday, S. 275
Haltom, W. 322
Hammersley, O. 25
Hamson, C. 337
Hansford, T. 301
Hardin, G. 416, 419
Harding, A. 41, 294, 315
Hare, R. 134
Harlow, C. 260, 261, 270
Harrington, C. 24
Harwood-Richardson, S. 388
Hasel, L. 29
Hastie, R. 134
Hayden, E. 22
Headley, M. 151
Henton, P. 144
Hechter, M. 48, 50
Hegel, G. 112
Heidensohn, F. 65, 67, 70
Heinz, J. 372
Heinzerling, L. 413
Heise, M. 224
Helmke, G. 304–5, 306
Henderson, D. 376
Herget, J. 23
Herrmann, F. 17
Herron, E. 300, 303
Hertogh, M. 315
Heyderbrand, W. 316
Hicken, A. 162
Hicks, S. 32
Hiebert, J. 181
Hilbink, E. 300–301
Hirigoyen, M.-F. 429
Hirsch, S. 86, 88, 90
Hirsch, R. 296, 297–8, 308
Hochstetler, K. 162, 169, 170
Hodgson, J. 315
Hoebel, E. 82, 235
Hoetker, G. 226, 229, 232–3
Hoffman, Allison 431
Hoffman, Andrew 408
Comparative law and society

Hofnung, M. 298
Hönnige, C. 302
Hooker, M. 34
Höpfel, F. 31
Horowitz, D. 168, 171
Horry, Ruth 20, 133–53
Hovinkamp, H. 111
Howard, G. 17
Howard, J. 61, 67
Howland, J. 351
Huez, D. 424
Hulbert, R. 122
Hulliung, M. 18
human rights
  European Convention of Human Rights
    (ECHR) 246–9, 261–2, 269, 271–2, 283, 285
  Inter-American Court of Human Rights 305–6
Huneeus, A. 306
Hunt, A. 125
Huntington, S. 169
Hurtado, L. 341
Husa, J. 254
Hymes, D. 91
Iaryczower, M. 303
Immergut, E. 158
immigration 267–8, 272, 273, 275–6, 278–83, 286–7
India 8–9, 26, 28, 241, 293, 304, 392
Ingram, J. 19
Iran 28, 298–9
Ishiyama, J. 294
Islamic law 9–11, 374–5
Israel 26, 28, 344–5, 373
Italy 221, 381–2
  criminal trial reforms 247–8, 250
  judiciary 207–9, 210, 212–14, 302
  law students 28, 337–40
Jackson, J. 246
James, O. 265
Jamin, C. 40
Japan
  judicial review 293, 301, 356, 357–8
  law students 25–6, 28, 337–40, 356–8
  legal culture 310–11
  legal professions 375–6, 381, 382, 383, 396, 399
  litigation rates 65, 226, 227–8, 230, 232–3
Jessop, B. 115
Jettinghoff, A. 315
Jhering, R. von 22
Ji, W. 26
Johnson, D. 243, 315
Jones, T. 63
judicial careers and independence 193–215
  ad hoc justice, prohibition against 193
  adversary principle 193–4
  civil law countries 202–5, 207, 208–9, 210–11
  in common law countries 196–202
  and constitutionalism 194–5, 197, 211–13
  current trends and perspectives 214–15
  disputing parties, independence from 194
  governmental pressure, freedom from 194
  hierarchical organizational structure 203, 204, 207, 208–9
  impartiality and independence 193–5
  institutional independence 195–6
  judicial passivity principle 194
  prosecutorial independence 213–14
  reliance on pre-existing norms 194
  selection and appointment systems 197–210
  see also individual countries; legal
  professions and law firms
judicial review
  administrative law 261, 262, 269, 270, 275–6, 283
  constitutional law and courts see
  constitutional law and courts, judicial
  review
  law and political economy contrast 129–30
  see also constitutionalism; individual
  countries
Judkins, R. 13
Jung, C. 20
Junqueira, E. 341
Juslin, P. 140
Kagan, R. 24, 314, 315, 333
Kahan, D. 100
Kahn, P. 311
Kantorowicz, H. 22–3
Kapardis, A. 19, 20
Kassin, S. 134
Katz, P. 433
Katzenstein, P. 116
Kawashima, T. 25
Kaye, D. 25
Kearns, T. 311
Kebbell, M. 144
Keeler, J. 117
Keene, E. 12
Kelman, R. 58
Kelsen, H. 293, 294, 305
Keman, H. 164, 166
Kemp, R. 143, 144
Kenney, S. 296

David S. Clark - 9781781006092
Downloaded from Elgar Online at 02/11/2019 10:05:52PM via free access
Index 453

Kiechel, K. 134
Kim, Y. 158, 169–70
Kincaid, J. 177, 181
Kirchner, J. 107
Kirton-Darling, E. 276
Kiser, E. 48, 50
Klarmann, M. 299
Klein, A. 222, 231
Klingemann, H.-D. 164
Knight, J. 301, 302
Knopff, R. 177
Kogacioglu, D. 26
Komers, D. 293, 307
Koncz-Bruner, J. 400
Konrad, W. 434
Korea 26, 28, 359–60, 366, 401
Kötz, H. 6, 8
Kovalev, N. 246
Kovera, M. 138, 143
Krajcinovic, I. 434
Krishnan, J. 345
Kritzer, H. 219, 220, 221, 222
Kronstein, H. 24
Krygier, M. 314
Kuper, A. 313
Küper, W. 245
Kwon, Y. 366

La Penna, A. 433
La Porta, R. 95–6, 126
Lamy, A. 430
Landes, D. 107
Lando, O. 58–9
Langbein, J. 121, 238, 242, 249, 328, 332
Langer, M. 246
Larivière, D. 122
Latin America 26–7, 162–3, 168–70, 252, 291–2, 305–6, 340–42, 396
codes of criminal procedure 247
criminal courts 250
Inter-American Court of Human Rights 305–6
judicial review 291–2
law and society developments 26–7
law students 340–42
legal specialization 396
mixed courts 252
presidentialism 162–3, 168, 169–70
see also individual countries
Laumann, E. 372
Laver, M. 163, 164, 166
Law, D. 301
law and economics 17–18, 27–8, 92–104
countervailing norms 102–3
deterrence theory 97–102
efficiency hypothesis 93, 95–6
empirical testing 95–7
expressive law 99–102
first-party enforcement 98, 100
functional approach 94
legal enforcement, possible shortcomings of 97–8
morality and law, shared common purpose 102–3
normative analysis 93–4
Pareto criterion 94, 101
punishment, psychological research into 98–9
rational choice theory 94, 97, 99
self-compliance rules 97–8, 99–102
social norms, accounting for 97–103
time series studies 96
theory of 92–4
wealth maximization theory 93–4
law and political economy 18–19, 105–32
abstract review 120–21
civil procedure 121–2, 125–6
common law and contract remedies 122–4, 127
constitutionality of legislation 120–21
corporatism 116–17, 118, 119
definition 110
embedded capitalism 111–12
employment law as example of theory 105–8, 109, 127–8
future research 130–31
information sources 111–13
institutional structure 113–19, 127–8, 131
judicial review contrast 129–30
legal origins 107–8, 126–7
pluralism 115–16, 118, 119
political economy concept 105–10
US, Europe comparison 112–13
Lazarus-Black, M. 89–90
Lee, L. 133
Lee, S. 359
legal cultures 310–27
anthropological understanding of 313, 319
coherence of 321–3
comparative law classifications 312
concepts, use of alternative 314
culture, criticism of term 313–14
definition 310–13
explanatory enquiries 317–19, 320–21
guilds for lawyers, creation of 332–4
imported dissimilar legal models 315–16
individual’s attitudes and opinions 312–13
interpretative approach 318
jurists’ understanding of 311–12
legal consciousness 314, 319–23
as legal tradition 314
national 317, 323
political science use of term 314, 319
positivist approach 317–18
and reflexivity 323–4
rule of law culture 312, 318–19, 322
sociology of law use of term 314
transnational 315–16, 317
as variable or aggregate, difference between 319–20
legal education 328–61
apprenticeship training 334–5, 343–5, 352
church, state and market, dominating role of 328–30
civil law and common law countries, comparative illustrations 335–42
Europeanization of 353–6
feminization of 339–40, 341
history of 328–31
theory and practice, balance between 331–5
university and law schools 331–2, 335–42
see also individual countries
legal education, US
apprenticeship, absence of 351–2
clinics and professional skills training 351–2
and globalization 345–9
and globalization, influence abroad 353–60
graduate degree program 350
NGO flexible regulation 350–51
singularity of 349–53
worldwide prestige ranking 352–3
legal professions and law firms 362–402
advocates and procurators 370–79
advocates and procurators, civil law countries 373–4
advocates and procurators, common law countries 370–73
civil and common law countries, differences between 362–5
competitiveness, effects of 365
current trends 364–6
ethnic minorities 382–3
feminization of 364, 365, 382
financial status and income levels 366
GATS and trade liberalization 400–401
government lawyers 368–70, 379
law firms’ revenue 385–6, 389–91
legal traditions 363–4
national conceptions 367
notaries 367–8
offshore legal process outsourcing (LPO) 365
private sector 364–5, 379, 387
professional associations, loss of status of 365–6
size and distribution of 379–84
specialization 365, 384–97
specialization, legal globalization, agents for 392–4
technology, effects of modern 365
transnational nature of 365, 392–4, 397–8, 398–400
types of lawyers 366–70
see also individual countries; judicial careers and independence
Léger, D. 423, 424, 428, 429
Légéron, P. 430, 431
legislative and executive governmental powers, separation of 157–74
accountability and transparency 164–5, 167–8
budgetary control 161
conflict, dealing with 160, 162–3, 164, 167
democratization, proper balance for 160–61, 168–70
elections 160, 167
government portfolios, party control over 164
impeachment process 165
new institutionalism 158
overview and history 157–9
parliamentary systems 163–5
portfolio control 164, 166
presidential systems 159–63
presidential systems, runoff systems 161–2
presidentialism definition 159
proportional representation, benefits of 169
semi-presidential regimes (dual executive) 165–8
temporal and geographic analysis 159
Legrand, P. 41, 46, 49–50
Lehmbruch, G. 116
Leishman, F. 65, 66
Levack, B. 333
Lewis, B. 392
Liang, B. 377, 378
Lijphart, A. 166, 169, 171
Lin, A. 365
Linberg, W. 351
Lindblom, P. 224
Lindsay, R. 135, 138, 142, 144
lineups see psychology, and eyewitness identification, lineups
Linz, J. 159, 162, 166, 168
Lipset, S. 158, 168
Lipsky, M. 257
Index

Livermore, M. 413
Llewellyn, K. 23, 82, 235
Loader, I. 68
Loewenstein, K. 157
Loftus, E. 135, 136
Lonbay, J. 398
López-Ayllón, O. 340, 341
Lorber, L. 183
Losano, M. 22
Lucke, D. 25
Ludwikowski, R. 307
Luhmann, N. 44
Luppi, Barbara 92–104
Luschin, C. 395
Luus, C. 137, 143
Lynch, E. 376

McAdams, R. 97, 101
McAlinn, G. 358
Macaulay, S. 4, 88
McCaffrey, Stephen C. 403–21
McCann, M. 299, 322
McFarlane, A. 79
McHugh, J. 175
McLennan, J. 15, 79–80
McLeod-Roberts, L. 393
Macedo, R. 157
Maesschalck, J. 228
Magalhães, P. 302
Magaloni, B. 297
Maine, H. 13, 44, 79, 80
Mainwaring, S. 161, 169
Malingowski, B. 80–81
Malpass, R. 137, 139, 141, 142, 145
Mandel, R. 90
Mank, B. 412
Mannheim, K. 67
Mantini-Briggs, C. 88
Marcos, L. 250
March, J. 106, 113, 114, 158
Marsh, R. 44
Marshall, G. 177
Marshall, J. 291
Marshfield, J. 184
Martin, W. 51, 58
Marx, K. 5, 13–14, 16, 17, 18, 44, 87, 110
Mashaw, J. 256–8, 277–8
Massell, G. 4
Mather, L. 24, 52
Matsuda, T. 301
Mattei, U. 18, 32, 92, 123
Mattson, I. 264, 267
Maurer, W. 88

Mauss, M. 44
Maveety, N. 305
Maywald, C. 184
Mecklenburg, S. 146
Medema, S. 18
Meggison, W. 112, 113
Mehdi, R. 57
Mehrota, A. 23
Memon, A. 137, 143, 144
Menkel-Meadow, C. 222, 224
Menski, W. 6, 7, 8, 9, 34, 40, 240
Merry, S. 84, 89, 313, 314, 316, 319
Merryman, J. 6, 22, 242, 337, 339, 340, 341, 363, 381
Merton, R. 46
Mertz, Elizabeth 15, 77–91
Messick, R. 31
Metcalf, L. 158, 161
Metraux, R. 80
Mettenheim, K. von 158
Mexico 28, 292–3, 297, 304, 340, 341–2, 346, 361
Michaels, R. 45, 126
Miles, J. 121
Milhaupt, C. 375
Miller, D. 258–9
Miller, J. 4, 44
Miller, R. 375
Milovanovic, D. 33
Mirow, M. 345
Miyazawa, S. 3, 26, 356, 357, 359
Modarressi Tabataba’i, H. 10
Monshipouri, M. 9
Montesquieu, C.-L. de 12–13, 18, 44, 79, 244–5
Moore, S. 83, 84, 85, 87, 218
Moore, W. 23
Moos, R. 244
Morgan, M. 118–19
Morgan, L. 13, 15–16, 80
Morgan-Jones, E. 164, 165, 166, 167
Morgenroth, S. 107
Morgenstern, R. 410
Morris, C. 239, 240
Moses, D. 16
Moustafa, T. 306
Moyers, B. 73
Mullin, K. 401
Munday, R. 41
Münsterberg, H. 19–20, 136
Muratova, Y. 388
Murayama, M. 229
Murdock, G. 80
Murray, C. 184
Murray, D. 150
Musnik, I. 339
<table>
<thead>
<tr>
<th>Name</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nadelmann, E.</td>
<td>63, 73</td>
</tr>
<tr>
<td>Nader, L.</td>
<td>16, 81, 83-4, 84-5, 89</td>
</tr>
<tr>
<td>Nadler, J.</td>
<td>101</td>
</tr>
<tr>
<td>Naess, A.</td>
<td>407</td>
</tr>
<tr>
<td>Nagashima, Y.</td>
<td>375</td>
</tr>
<tr>
<td>Napier, D.</td>
<td>16</td>
</tr>
<tr>
<td>Nasse, P.</td>
<td>430</td>
</tr>
<tr>
<td>Nelken, David</td>
<td>17, 39, 41, 43, 45, 46, 47, 48, 49, 50, 52, 56, 62, 63, 64, 310–27</td>
</tr>
<tr>
<td>Nergelius, J.</td>
<td>260, 261, 269</td>
</tr>
<tr>
<td>Netherlands</td>
<td></td>
</tr>
<tr>
<td>civil cases, increase in 221–2</td>
<td></td>
</tr>
<tr>
<td>debt collection procedures 232</td>
<td></td>
</tr>
<tr>
<td>legal professions 28, 344, 381, 382, 383, 394</td>
<td></td>
</tr>
<tr>
<td>litigation rates 226, 230–32</td>
<td></td>
</tr>
<tr>
<td>prison rate development comparison case study 65</td>
<td></td>
</tr>
<tr>
<td>Newman, G.</td>
<td>17</td>
</tr>
<tr>
<td>Ng, K.</td>
<td>87</td>
</tr>
<tr>
<td>Niblett, A.</td>
<td>96</td>
</tr>
<tr>
<td>Nicholson, P.</td>
<td>239, 240, 294</td>
</tr>
<tr>
<td>Niezbiorala, M.</td>
<td>430</td>
</tr>
<tr>
<td>Nkwi, P.</td>
<td>78</td>
</tr>
<tr>
<td>Nomiyi, D.</td>
<td>58</td>
</tr>
<tr>
<td>Nonet, P.</td>
<td>44</td>
</tr>
<tr>
<td>Nosworthy, G.</td>
<td>138</td>
</tr>
<tr>
<td>Nozick, R.</td>
<td>258</td>
</tr>
<tr>
<td>O'Barr, W.</td>
<td>86</td>
</tr>
<tr>
<td>O'Brien, D.</td>
<td>195</td>
</tr>
<tr>
<td>Ofce, C.</td>
<td>111–12</td>
</tr>
<tr>
<td>Olgiati, V.</td>
<td>34, 381</td>
</tr>
<tr>
<td>Olsen, J.</td>
<td>106, 113, 114, 158</td>
</tr>
<tr>
<td>Organksi, A.</td>
<td>158</td>
</tr>
<tr>
<td>Oruçü, E.</td>
<td>41, 218</td>
</tr>
<tr>
<td>Ostrom, E.</td>
<td>420</td>
</tr>
<tr>
<td>Pakes, Francis</td>
<td>17, 61–76</td>
</tr>
<tr>
<td>Palmer, Matthew A.</td>
<td>133–53</td>
</tr>
<tr>
<td>Papadopoulos, J.</td>
<td>315</td>
</tr>
<tr>
<td>Parisi, Francesco</td>
<td>17, 92–104</td>
</tr>
<tr>
<td>Parsons, T.</td>
<td>44</td>
</tr>
<tr>
<td>Partington, M.</td>
<td>276</td>
</tr>
<tr>
<td>Pasquino, G.</td>
<td>166</td>
</tr>
<tr>
<td>Pasquino, P.</td>
<td>195</td>
</tr>
<tr>
<td>Passas, N.</td>
<td>72, 73, 74</td>
</tr>
<tr>
<td>Paulson, S.</td>
<td>23</td>
</tr>
<tr>
<td>Pautler, E.</td>
<td>338</td>
</tr>
<tr>
<td>Payne, G.</td>
<td>40, 43</td>
</tr>
<tr>
<td>Pearson, H.</td>
<td>13, 14</td>
</tr>
<tr>
<td>Pederzoli, P.</td>
<td>203, 209, 211</td>
</tr>
<tr>
<td>Peer Boom, R.</td>
<td>8, 239, 378, 379, 397</td>
</tr>
<tr>
<td>Pélices, J.</td>
<td>320</td>
</tr>
<tr>
<td>Penrod, S.</td>
<td>134, 135, 136, 137, 138, 139, 140</td>
</tr>
<tr>
<td>Pérez-Perdomo, R.</td>
<td>34, 194, 242, 237, 317, 340, 341, 363, 396</td>
</tr>
<tr>
<td>Peters, B.</td>
<td>158</td>
</tr>
<tr>
<td>Peters, T.</td>
<td>30</td>
</tr>
<tr>
<td>Petersen, H.</td>
<td>56, 276</td>
</tr>
<tr>
<td>Peterson, P.</td>
<td>160</td>
</tr>
<tr>
<td>Petersson, O.</td>
<td>264, 266, 267</td>
</tr>
<tr>
<td>Petrażycki, L.</td>
<td>22</td>
</tr>
<tr>
<td>Philips, S.</td>
<td>87</td>
</tr>
<tr>
<td>Piana, D.</td>
<td>210</td>
</tr>
<tr>
<td>Pickering, S.</td>
<td>69</td>
</tr>
<tr>
<td>Pinchot, G.</td>
<td>407</td>
</tr>
<tr>
<td>Pizer, W.</td>
<td>410</td>
</tr>
<tr>
<td>Pizzi, W.</td>
<td>250</td>
</tr>
<tr>
<td>Pocar, V.</td>
<td>381</td>
</tr>
<tr>
<td>Polak, P.</td>
<td>319</td>
</tr>
<tr>
<td>Polanyi, K.</td>
<td>112</td>
</tr>
<tr>
<td>political economy see law and political economy</td>
<td></td>
</tr>
<tr>
<td>Polk, Jonathan T.</td>
<td>157–74</td>
</tr>
<tr>
<td>Porter, M.</td>
<td>179</td>
</tr>
<tr>
<td>Portugal</td>
<td>28, 209–10, 212, 301, 307</td>
</tr>
<tr>
<td>Posner, R.</td>
<td>93, 233</td>
</tr>
<tr>
<td>Pospíšil, L.</td>
<td>15, 82, 83</td>
</tr>
<tr>
<td>Pound, R.</td>
<td>22, 24, 218, 237, 322</td>
</tr>
<tr>
<td>Powell, B.</td>
<td>18, 19</td>
</tr>
<tr>
<td>preventative healthcare and employment law</td>
<td></td>
</tr>
<tr>
<td>comparative lessons 436–42</td>
<td></td>
</tr>
<tr>
<td>confidentiality and doctors' independence 438–41</td>
<td></td>
</tr>
<tr>
<td>mandatory checkups 423, 436–7</td>
<td></td>
</tr>
<tr>
<td>occupational safety and health law 441–2</td>
<td></td>
</tr>
<tr>
<td>US 433–42</td>
<td></td>
</tr>
<tr>
<td>US, company doctors 434–5</td>
<td></td>
</tr>
<tr>
<td>US, onsite clinics 433–4</td>
<td></td>
</tr>
<tr>
<td>voluntary checkups 437</td>
<td></td>
</tr>
<tr>
<td>preventative healthcare and employment law, French law of occupational medicine 422–32</td>
<td></td>
</tr>
<tr>
<td>challenges of 432</td>
<td></td>
</tr>
<tr>
<td>compulsory checkups 423</td>
<td></td>
</tr>
<tr>
<td>individual accommodations 425–7</td>
<td></td>
</tr>
<tr>
<td>information disclosure 428–9</td>
<td></td>
</tr>
<tr>
<td>and moral harassment 429–31</td>
<td></td>
</tr>
<tr>
<td>policymaking 427–9</td>
<td></td>
</tr>
<tr>
<td>third-time rule 428</td>
<td></td>
</tr>
<tr>
<td>Price, D.</td>
<td>91</td>
</tr>
<tr>
<td>Priest, G.</td>
<td>93</td>
</tr>
<tr>
<td>Pring, G. and K.</td>
<td>405</td>
</tr>
</tbody>
</table>

David S. Clark - 9781781006092
Downloaded from Elgar Online at 02/11/2019 10:05:52PM
via free access
professions see legal professions and law firms
Protsyk, O. 166
provincial constitutionalism see Canada, provincial constitutionalism
psychology, and eyewitness identification 19–20, 133–53
court evidence 147–53
court evidence, expert testimony 152–3

Qian, Y. 298 Quinlivan, D. 147, 150, 151 Quint, P. 180


David S. Clark - 9781781006092
Downloaded from Elgar Online at 02/11/2019 10:05:52PM via free access
comparative methods 41, 45–8
comparison scope of 48–51, 56–7
cross-national comparison 42, 42–4, 47–50, 53–9
Danish ‘juridical expedition’ case study 54–7
evolution and developmental theory 44–5
external interventions, control of 50, 56–7
functionalism 45–6
globalisation and aims of comparison 57–9
legal culture interpretation 46–8
positivism 45, 49
qualitative and quantitative studies 48, 50, 52
research contexts 51–7
research range 51–3
similarity studies 48, 57
societies, comparison of 42–5
socio-legal experience, studying from inside 46–8
sociology as methodological resource 43, 45–6, 51
as transdisciplinary field 51
translation and commensurability 48–50, 56, 58–9
Soskice, D. 119
South Africa 27, 28, 186, 307
Spaeth, H. 301
Sparkman, R. 386
Sparks, R. 68
Spivak, G. 85
Sporer, S. 140, 141
Spriggs, J. 301
Starr, J. 86, 89
Starr, P. 434
Staton, J. 304
Steblay, N. 135, 141, 146
Steiler, D. 430
Steiner, J. 163
Stendahl, Sara 254–89
Stepan, A. 161, 166
Stephenson, K. 297
Sterling, J. 33, 53
Stern, W. 136
Stevens, R. 336
Stjernquist, P. 54, 56
Stocking, G. 80–81
Stoll, H. 162
Stou, A. 294
Stone, J. 23
Stone, K. 431
Strøm, K. 164, 166
Stuckey, R. 351
Stumpf, J. 74
Index 459

Suehiro, I. 25
Suk, Julie C. 422–43
Sule, S. 343, 374, 383
Sullivan, W. 111, 351
Suls, J. I
Summers, C. 125, 437
Sunstein, C. 100
Svolik, M. 158, 170
Sweden
administrative law see administrative law, agencies and redress mechanisms
European Convention on Human Rights (ECHR) 261–2, 269, 271–2, 283, 285
fair trials and judicial appeals 262
Instrument of Government (RF) 260–61, 261–2, 266, 283
judicial review 269, 275–6, 283
judiciary 205, 212, 262, 271–2
prison rate development case study 65
socio-legal research, development of 54
Sweet, A. 211
Switzerland 28, 186, 395–6
Sznaider, N. 50, 58
Taiwan 26, 28, 301–2
Tamanaha, B. 23, 34
Tanaka, H. 357
Tanase, T. 311
Taras, R. 158
Tarr, G. Alan 34, 175–92
Tate, N. 214, 290
Tavits, M. 167
Taylor, R. 158
Taylor, V. 353
Terry, L. 353, 400
Teubner, G. 49
Thaman, Stephen C. 235–53
Thomas, C. 203
Thomas, D. 176
Thomas, Robert 270, 278
Thomas, Rosalind 79
Thompson, B. 183
Thompson, J. 141
Tie, W. 34
Tinsley, Y. 142
Todd, R. 396
Toharia, J. 320
Tolley, M. 31
transnationalism
anthropology of law 88–9
criminology 72–3
environmental treaties 404–5
legal cultures 315–16, 317
legal professions and law firms 365, 392–4, 397–8, 398–400
Treanor, W. 291
Treviño, A. 22
Trochev, A. 300
Trubek, D. 125, 379
Tu, H. 433
Turem, Z. 26
Turkey 26, 28, 305, 378, 396
Turner, J. 249–50
Turner, K. 7
Turtle, J. 137
Tushnet, M. 181
Twining, W. 58
Twomey, A. 188
Tyler, R. 393
Tyler, T. 100
UK
administrative law see administrative law, agencies and redress mechanisms
Border Agency 267, 278
British Crime Survey 69
Constitutional Reform Act 197
corporatism and political economy 116, 118
court evidence, England and Wales 147–9
Department for Work and Pensions (DWP) 267, 276, 280–81
Devlin Report 147–8
employment law 107–8, 127–8
European Convention on Human Rights (ECHR) 262, 283, 285
eyewitness identification evidence, collection procedures 142–5, 147–9, 152
Franks Report 270
Home Office ‘New Asylum Model’ 278–9
Human Rights Act (HRA) 121, 262, 283
judicial review 262, 270, 275, 283, 295
jury courts, history of 243–4
law students 28, 330–31, 332, 335, 337–40
legal aid 272, 278
legal globalization, agents for 392–4
legal specialization, England and Wales 388–91
Leggatt Report 270–71
litigation rates 226
litigation-related measures 228
National Audit Office (NAO ) 274, 276, 278

David S. Clark - 9781781006092
Downloaded from Elgar Online at 02/11/2019 10:05:52PM
via free access
PACE Act Codes 142–5, 149
parliamentary votes of confidence 163–4
penal policy comparison case study 65
quangos 265–7
socio-legal research, development of 53–4
Tribunals Service 271, 272–3, 276–7, 278–9
Turnbull rulings 148, 152
Wednesbury unreasonableness test 270
written constitution, lack of 261
Ullmann-Margalit, E. 100
UN, Independence of the Judiciary 196, 213–14
UNEP (United Nations Environment Programme) 404–5, 413
UNESCO 30–31
Unger, R. 44
US
American Journal of Comparative Law 24, 27
American Society of Comparative Law (ASCL) 30
Berkeley Village Law Project 83–4
CEELI program 24
civil procedure, witness interrogation 122
constitutionality of legislation 120
contract remedies 122
court evidence 149–53
criminal courts 247, 248–9, 251
Disability Insurance (DI) 257, 277
employment law 10, 105–6
environmental law see environment, legal protection of
eyewitness identification evidence 145–7, 149–52
government intervention policies 112–13
home legal anthropological studies 84–5
The Innocence Project 135, 137
judicial review 129–30, 270, 291, 297, 298, 301, 302–3
judiciary 181–3, 195, 198–202
judiciary, Canadian comparison 181–3
jury courts, history of 243–4
Justice Project 145–6
law apprenticeship training 345
Law and Society Review 3–4, 27, 52, 85
legal education see legal education, US
legal features, global spread of (post WWII) 23–4
legal globalization, agents for 392–4
legal professions 365, 372, 382–8, 398–400
legal specialization 384–8
litigation rates 226, 227, 230
litigation-related measures 228
MacCrate Report 351
plea bargaining 249, 251
pluralism and political law 115–16, 118, 119
political power separation 124
preventative healthcare see under
preventative healthcare and employment law
prosecutorial independence 213–14
socio-legal research, prominence of 53
state constitutionalism restrictions,
Canadian comparison 178–80
subnational constitutions 185–6
Valentine, T. 143, 144
Vallinder, T. 214, 290
Valls, A. 32
Van Aeken, Koen 216–34
Van Aerschot, P. 258
Van Caenegem, R. 194
Van den Bergh, R. 92
Van der Zeijden, P. 225
Van Dijk, J. 69
Van Hoecke, M. 40, 46
Van Loon, J. 42
Van Tulder, F. 231
Van Velthoven, B. 219, 220, 225, 228
Vanberg, G. 293, 302, 303
Van Oeverbeke, D. 228
Venezuela 28, 340
Verdier, J-M. 107
Vidmar, N. 246
Vogels, R. 225
Vogler, R. 236
Volkoff, S. 431
Van Gierke, O. 13, 108
Van Hofer, H. 65
Van Liszt, F. 16–17
Van Savigny, K. 79, 82, 245
Van Wangenheim, G. 102–3
Vrij, A. 134
Wallace, C. 134
Walmsley, R. 71
Walzer, M. 258–9
Wang, T. 358
Wardak, A. 17
Warnling-Nerep, W. 261
Warrington, M. 46
Warwick, P. 166
Watson, A. 49
Watt, H. 34, 40
Webb, J. 335, 344
Webber, I. 42, 43
Webber, J. 311–12
Weber, M. 14, 43, 44, 47, 51, 87–8, 125, 218