## Contents



## Introduction 9

## Part One Law and Social Structure 15

- Emile Durkheim (1964)Types of law in relation to types of social solidarity 17
- 2 Henry Maine (1960)
  From status to contract 30
- O. Kahn-Freund (1949)
   Introduction to Karl Renner's The Institutions of Private Law and their Social Functions 32
- 4 Karl Renner (1949)
   The development of capitalist property and the legal institutions complementary to the property norm 33
- 5 Thurman W. Arnold (1962) Law as symbolism 46
- 6 Harry C. Bredemeier (1962)

  Law as an integrative mechanism 52

## Part Two Legislation, Law Enforcement and the Public 69

- 7 A. V. Dicey (1905)

  Law and public opinion in England 71
- 8 O. Kahn-Freund (1959)

  Labour law and public opinion 80
- 9 Yehezkel Dror (1959)

  Law and social change 90
- 10 Jan Górecki (1966)

  Divorce in Poland a socio-legal study 100

	Some social functions of legislation 116
	12 Michael Banton (1964)  Law enforcement and social control 127
	13 Adam Podgórecki (1962)  Attitudes to the Workers' Courts 142
	Part Three Law and Conflict Resolution 151
	14 Max Weber (1954) Rational and irrational administration of justice 153
	15 Max Gluckman (1955)  The judicial process among the Barotse of Northern Rhod 161
	16 Torstein Eckhoff (1966)  The mediator and the judge 171
	17 Takeyoshi Kawashima (1964)  Dispute resolution in Japan 182
•	18 Stewart Macaulay (1963) Non-contractual relations in business 194
	Part Four Judicial Behaviour 211
	19 Glendon Schubert (1965)  Judicial policy-making 213
	20 Roger Hood (1962)  Sentencing in magistrates' courts 228
	21 Harry Kalven Jr and Hans Zeisel (1966)  Disagreement between jury and judge 237
	22 Julius Stone (1966)  Computers, behavioural science and the human judge 256
	Part Five The Legal Profession 265

Lawyers and doctors: a comparison of two professions 267

23 Dietrich Rueschemeyer (1964)

11 Vilhelm Aubert (1966)

- 24 Brian Abel-Smith and Robert Stevens (1967)

  Lawyers and the courts 279
- 25 Ralf Dahrendorf (1964)

  Law faculties and the German upper class 294
- 26 Ezio Moriondo (1966)

  The value-system and professional organization of Italian judges 310
- 27 Abraham S. Blumberg (1967)

  The practise of law as confidence game 321
- 28 Jerome E. Carlin and Jan Howard (1965)

  Legal representation and class justice 332

Further Reading 351
Acknowledgements 353
Author Index 357
Subject Index 363