## Contents

*Contributors*

**Introduction**
Robert W. Gordon and Morton J. Horwitz

**PART I OVERVIEWS AND ASSESSMENTS OF FRIEDMAN’S WORK**

1. Lawrence Friedman and the Canons of Law and Society
   Lauren B. Edelman

2. “Then and Now”: Lawrence Friedman as an Analyst of Social and Legal Change
   Vincenzo Ferrari

3. Lawrence Friedman and the Bane of Functionalism
   Victoria Saker Woeste

4. Lawrence M. Friedman’s Comparative Law
   Tom Ginsburg

**PART II APPLICATIONS OF CONCEPTS, INSIGHTS, AND METHODS IN FRIEDMAN’S WORK**

**Legal Culture**

5. To Influence, Shape, and Globalize: Popular Legal Culture and Law
   Jo Carrillo
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td><strong>Exploring Legal Culture: A Few Cautionary Remarks from Comparative Research</strong></td>
<td>90</td>
</tr>
<tr>
<td></td>
<td>José Juan Toharia</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td><strong>The Travails of Total Justice</strong></td>
<td>103</td>
</tr>
<tr>
<td></td>
<td>Marc Galanter</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td><strong>“Total Justice” and Political Conservatism</strong></td>
<td>118</td>
</tr>
<tr>
<td></td>
<td>Robert A. Kagan</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td><strong>Failures of War Tribunals: From Leipzig, Nuremberg, and Tokyo to Milošević and Saddam Hussein</strong></td>
<td>137</td>
</tr>
<tr>
<td></td>
<td>Erhard Blankenburg</td>
<td></td>
</tr>
<tr>
<td><strong>PART II THE LEGAL PROFESSION</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Contents**

Law and the Family

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.</td>
<td>Civil Rites: The Gay Marriage Controversy in Historical Perspective</td>
<td>253</td>
</tr>
<tr>
<td></td>
<td>Joanna L. Grossman</td>
<td></td>
</tr>
</tbody>
</table>

**PART V FACTS FROM THE UNDERGROUND: DIGGING LEGAL HISTORY OUT OF THE CELLAR**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.</td>
<td>Historian in the Cellar</td>
<td>273</td>
</tr>
<tr>
<td></td>
<td>George Fisher</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>The Discreet Charm of Inquisitorial Procedure: Judges and Lawyers in a Case of L`ese Majest´e in Late-Eighteenth-Century Venezuela</td>
<td>293</td>
</tr>
<tr>
<td></td>
<td>Rogelio Pérez-Perdomo</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>“Keep Negroes Out of Most Classes Where There Are a Large Number of Girls”: The Unseen Power of the Ku Klux Klan and Standardized Testing at The University of Texas, 1899–1999</td>
<td>309</td>
</tr>
<tr>
<td></td>
<td>Thomas D. Russell</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Harry N. Scheiber</td>
<td></td>
</tr>
</tbody>
</table>

**PART VI PERSPECTIVES FROM OTHER CONCEPTUAL WORLDS**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.</td>
<td>Sociological Jurisprudence – Impossible but Necessary: The Case of Contractual Networks</td>
<td>367</td>
</tr>
<tr>
<td></td>
<td>Gunther Teubner</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Richard S. Markovits</td>
<td></td>
</tr>
</tbody>
</table>

**Index**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>431</td>
</tr>
</tbody>
</table>