

Legal Culture and Legal Consciousness

The phrases 'legal culture' and 'legal consciousness' are used analytically to identify the understandings and meanings of law that circulate in social relations. The prefix *legal* characterizes an aspect of the general culture that is associated with law, legal institutions,

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legal actors and behaviors. Legal *culture* refers to an aggregate level (macro or group) phenomenon; legal *consciousness* usually refers to micro level social action, specifically the ways in which individuals interpret and mobilize legal meanings and signs.

Culture and consciousness are constructs debated and contested regularly, and the adoption of these terms in legal scholarship has also been fraught with controversy. The meaning of these terms is unstable, both theoretically and empirically. This may be due to a long history in social science as well as common parlance, but it may also be, as Raymond Williams writes, because 'culture is one of the two or three most complicated words in the English language' (Williams 1983, p. 87). Some confusion derives from intermingling two common meanings of culture: as an analytic tool of social analysis referring to the meaningful semiotic aspects of human action, and as a concrete world of beliefs and practices, ways of doing and thinking that are associated with a particular group or society. In the latter use, referring to the distinctive customs, opinions and practices of a particular group or society, the term is often used in the plural, as in the legal cultures of Japan and China, or in reference to African or Latin cultures. In the former, analytic sense, the word is used in the singular, as in legal culture, or the culture of academia. These distinctions need to be specified clearly when using these terms.

Despite often theoretically abstruse debate, many scholars find the concepts of legal culture and consciousness hard to avoid when they attempt to focus on aspects of law that are not confined to formal legal materials (such as doctrines, statutes, cases, constitutions) or offices and institutions (such as lawyers, judges, courts). Legal culture and consciousness are terms used to emphasize analytically ways in which formal legal institutions and everyday social relations intersect and share cognitive resources.

1. The Concept of Culture Generally

The concept of culture as an aspect of social life has been invoked in numerous ways. Referring primarily to learned behavior as distinct from that which is given by nature, or biology, culture has been used to designate everything that is humanly produced (habits, beliefs, arts, and artifacts) and passed from one generation to another. In this formulation, culture is distinguished from nature, and distinguishes one society from another. A narrower conception of culture refers to a particular set of social institutions that is devoted specifically to the production of signs and meanings. In this usage, cultural institutions include, for example, art, music, theater, fashion, literature, religion, media, and education. While the first definition is overly broad, including just about all of human life, the second is too specific: the meanings

produced and circulating through the other institutions and 'noncultural' spheres of life are ignored or devalued.

Contemporary cultural analyses have moved beyond these extreme conceptions of culture as either everything human or as only that which calls itself culture, to conceive of culture as a system of symbols and meanings and their associated social practices. This formulation of culture treats as inseparable signs and performances, meanings and actions. It highlights by abstracting 'the meaningful aspect of human action out of the flow of concrete interactions ... [by disentangling], for the purpose of analysis, the semiotic influences on action from the other sorts of influences—demographic, geographical, biological, technological, economic, and so on—that they are necessarily mixed within any concrete sequence of behavior' (Sewell 1999, p. 44). This attention to linguistic and symbolic aspects of social action rejects any notion that culture is uniform, static, or shared ubiquitously. Moreover, this conception of culture goes beyond a focus on language alone. Drawing from sociological theories of action and practice (Bourdieu 1990), culture is conceived as an arena or field of practical daily interaction, competition, and struggle, deploying repertoires and strategies of action (Swidler 1986). Here, culture is not a coherent, logical and autonomous system of symbols, but a diverse collection of resources that are deployed in the performance of action. Variation and conflict concerning the meaning and use of these symbols and resources is expected. Although many of these cultural resources are discrete, local, and intended for specific purposes, it is possible to observe patterns so that we are able to speak of a culture, or cultural system.

System and practice are complementary concepts: each presupposes the other ... The employment of a symbol can be expected to accomplish a particular goal only because symbols have more or less determinate meanings—meanings specified by their systematically structured relations to other symbols. Hence practice implies a system. But it is equally true that the system has no existence apart from the succession of practices that instantiate, reproduce, or—most interestingly—transform it. Hence a system implies practice. System and practice constitute an indissoluble duality or dialectic: the important theoretical question is thus not whether culture should be conceptualized as practice or as a system of symbols and meanings, but how to conceptualize the articulation of system and practice. (Sewell 1999, p. 47)

2. The Concept of Legal Culture Introduced and Debated

Writing in 1975, Lawrence Friedman introduced the concept of 'legal' culture as a means of emphasizing the fact that law was best understood and described as a system, a product of social forces, and itself a conduit of those same forces. Although law is com-

monly understood as 'a set of rules or norms, written or unwritten, about right and wrong behavior, duties and rights,' (1975, p. 2) according to Friedman this conventional notion attributes too much independence and efficacy to the law on the books, effacing the power and predictability of legal practices. To advance a social scientific study of law in action, Friedman adopted the model of a system—a set of structures that processes inputs (demands and resources) from an environment to which it sends its outputs (functions) in an ongoing recursive feedback loop (see *Luhmann, Niklas* (1927–98)). He identified three central components of the legal system: (a) the social and legal forces that, in some way, press in and make 'the law'; (b) 'the law' itself—structures and rules; and (c) the impact of law on behavior in the outside world. 'Where the law comes from and what it accomplishes—the first and third terms—are essentially the social study of law' (Friedman 1975, p. 3).

Although the social scientific study of law was, with minor but notable exceptions, marginalized in American universities—law schools and social science departments—Friedman was working in a tradition that had strong European roots. In jurisprudence, for example, Friedrich Karl von Savigny (1831), a nineteenth-century German statesman and jurist, had described law as one of the most important expressions of the 'spirit of a people' (*Volkgeist*), a continuous thread in an evolving culture. Oliver Wendell Holmes (1881), the American judge and jurist, wrote from a very different, distinctly realist and pragmatic rather than romantic perspective, but nonetheless expressed a similar conviction that the law was a great anthropological document. Such notions of the cultural character and significance of law challenged positivist jurisprudence that defined law as an autonomous system of officially sanctioned and logically derived rules and procedures (e.g., see *Legal Scholarship*). Classical works of European sociology also placed law at the center of social life rather than at the margins. Both Durkheim and Weber offered analyses of law both as an expression of broader social forces in the transformations toward modernity, and as a channel for developing social sensibilities, interests, and actions (e.g., see *Durkheim, Emile* (1858–1917); *Weber, Max* (1864–1920)).

Friedman chose the phrase legal culture to name the 'social forces ... constantly at work on the law,' 'those parts of general culture—customs, opinions, ways of doing and thinking—that bend social forces toward or away from the law' (1975, p. 15). As an analytic term, legal culture emphasized the role of taken for granted and familiar actions that operated on and within the interactions of the legal system and its environment. As a descriptive term, it identified a number of related phenomena: public knowledge of and attitudes toward the legal system, as well as patterns of behavior with respect to the legal system. These included judgments about the law's fairness, legitimacy, and utility. To the

extent that patterns of attitudes and behaviors are discernible within a population and vary from one group or state to another, it was possible, he said, to speak of the legal culture(s) of groups, organizations, or states (Friedman 1975, p. 194). As an example of variations within legal cultures, Friedman distinguished the internal legal culture of professionals working *in* the system from the external legal culture of citizens interacting *with* the system. As the 'ideas, values, expectations, and attitudes toward law and legal institutions, which some public or some part of the public holds,' legal culture was meant to name a range of phenomena that would be, in principle, measurable (Friedman 1997, p. 34). Although never theorized elaborately and reformulated several times over the years as a general concept more than a set of quantifiable indicators, the concept of legal culture was useful as a way of 'lining up a range of phenomena into one very general category' (1997, p. 33).

Following its introduction, researchers began using the concept of legal culture in a range of empirical projects including studies of: children's knowledge of and attitudes to law (Tapp and Levine 1974), rights consciousness among Americans (Scheingold 1974), the practices of criminal courts (Eisenstein et al. 1988; but see Kritzer and Zemans 1993), and comparative analysis of different groups and nations (Kidder and Hostetler 1990, Hamilton and Sanders 1992, Sanders and Hamilton 1992, Bierbrauer 1994, Chanock 2001). For those who attempt to measure variations in legal culture, the indicators include such diverse phenomena as litigation rates and institutional infrastructures (Blankenburg 1994, 1997); crime rates (Miyazawa 1987), or assumptions about who should use the legal system and when (Ferrarese 1997).

Predictably, debates have arisen among researchers who have attempted to use the concept in empirical projects (Nelken 1997). The most persistent divide seems to be among those who use culture as an analytic concept within a more developed theory of social relations, and those who view legal culture as concrete, measurable phenomena. Those who attempted to use the concept as a focus for comparative research moved quickly toward measurement and a more limited concept. For some of these researchers, when the concept of legal culture is used with insufficient specificity, the distinction between all of culture and legal culture is unclear, and what constitutes the legal seems too often assumed and undefined (Blankenburg 1997). Some researchers insist that legal culture is that which is produced and studied most effectively among professional legal actors, while others insist that such a narrow definition belies the theoretical utility of the concept of legal culture as a way of marking the inescapable connection between law and everyday life, the feedback loop that Friedman posited in his notion of a legal system.

Cotterrell has produced one of the most sustained critiques of the concept (1997). He insists that 'every-

thing about law's institutions and conceptual character needs to be understood in relation to the social conditions which have given rise to it. In this sense law is indeed an expression of culture.' Nonetheless, Cotterrell is unwilling to accept a concept of legal culture that makes it indistinguishable from other forms of social control or normative ordering; instead, he seeks a middle ground that recognizes the cultural influences on and from law but yet retains a recognition of the distinctiveness of legal forms and doctrines.

To some extent, the sociolegal debates reproduce the controversies among anthropologists and sociologists concerning the concept of culture generally. The most important issues are less empirical than theoretical. The measurement problems derive from the theoretical arguments. How is legal culture evident and measurable, and yet diffuse and abstract; what is the relative importance of causal explanation as against description and interpretive understanding in producing a social scientific study of law; how central is formal legal doctrine in understanding participation in, support for, and consequences of law? Contemporary research on legal consciousness addresses these questions.

3. *Legal Consciousness*

If research on legal culture focuses attention on the myriad ways in which law exists within society generally, the study of legal consciousness traces the ways in which law is experienced and interpreted by specific individuals as they engage, avoid, or resist the law and legal meanings. This empirical attention to popular understandings of law reformulates some of the theoretical debates expressed in the study of legal culture.

3.1 *Legal Consciousness as Attitude*

Some scholars conceptualize consciousness as the ideas and attitudes of individuals that, when taken together, determine the form and texture of social life. An expression of the liberal tradition in political and legal theory, this conception of consciousness suggests that social groups of all sizes and types (e.g., families, peer groups, corporations, communities, nation states and societies) emerge out of the aggregated actions of individuals. In this individualist conception, consciousness consists of both reason and desire. According to liberal ideology, inevitable human variation will always assure that humans will desire different things, even if they reason similarly.

Relying on this attitudinal conception of legal consciousness, researchers have attempted to document the variation in beliefs, attitudes, and actions of individuals as a means of explaining the shape of legal institutions and practices. Some assess the degree to

which the rule of law is part of the socialization and habits of population (Stalans and Kinsey 1994). Others, Lind and Tyler (1988) for example, document Americans' attachment to ideas of fairness and due process, describing a deep normative consensus on what they call procedural justice (cf. Thibault and Walker 1975, Tyler 1990). The research suggests that Americans commonly evaluate their legal experiences in terms of the processes and forms of interaction rather than the outcomes of those interactions (see *Compliance and Obedience: Legal*). In contrast, a study of legal attitudes among Europeans observes considerable variability in citizens' commitments to, and alienation from, law and legal values (Gibson and Caldeira 1997). Studies in states transitioning from authoritarian rule to democracy also report notable intra-nation as well as international variation (Kourilsky-Augeven 1997).

3.2 *Legal Consciousness as Epiphenomenon*

In other formulations, some scholars regard consciousness as a by-product of the operations of social structures rather than the formative agent in shaping institutions and history. Structural anthropology, for instance, describes social actors located in complex webs of patterned social relationships that determine their perceptions and actions. Similarly, some Marxist structuralism treats ideas, including cultural symbols and narratives, as a superstructural residue of material conditions that serve the interests of elites. Following this perspective, legal consciousness is an epiphenomenon, because a particular social and economic structure is understood to produce a corresponding legal order with similarly constituted legal subjects. Individuals seem to lack agency, portrayed as the bearers rather than authors of social relations. Work in this tradition often describes how the needs of capitalist production and reproduction mold legal behavior and consciousness. Studies focus on the production and practice of law, its accommodation to class interests, and the inequities that result.

Some research from this structuralist perspective complicates the proposed relationship between law and institutional structures by suggesting that the legal order develops in response to conflicts and inconsistencies generated by the capitalist mode of production rather than as a direct instrument of particular class interests. 'To legitimize the inconsistencies and irrationalities born of the contradictions of the economy, the legal order constitutes myths, creates institutions of repression, and tries to harmonize exploitation with freedom, expropriation with choice, inherently unequal contractual agreements with an ideology of free will' (Chambliss and Seidman 1982, p. 70). By focusing on the legitimating functions of law, research describes the ways in which law helps people see their worlds, private and public, as both natural and right.

Balbus, for example, argues that certain features of liberal law, such as the highly prized claims to formal equality, what others describe as procedural justice (see *Compliance and Obedience: Legal*, buttress and legitimate the inequality of the existing economic order. Due process and formal equality help convince 'the "propertyless" that they have the legal right and, hence, the real opportunity of rising into the bourgeoisie' (Balbus 1973, p. 6). Some of this literature has focused on 'false consciousness,' or the inability of subjects, especially members of the working class, to perceive their true interests or to recognize opposing interests.

Other structuralist and Marxist theorists, however, do not treat cultural symbols as superstructural residues. Althusser (1971), for example, suggests that cultural symbols, or ideologies, are themselves material practices and relatively autonomous; hence culture and ideology are more than just residues. In this sense, the distinction between structure and consciousness is overdrawn. Rather than by-products of material practices, culture and consciousness participate actively in the production of material practices and social realities (see *Structuralism; Marxist Social Thought, History of*).

4. Constitutive Theories of Legal Culture and Consciousness

Constitutive analyses work to resolve these debates concerning causality, determinism, structure, and agency in studies of culture and legal consciousness. Research from a constitutive perspective emphasizes the roles of consciousness and cultural practice as communicating factors between individual agency and social structure rather than expressions of one or the other. Defining legal consciousness as participation in the processes of social construction, research has focused on the ways in which local, concrete action accumulates into systemic institutions and structures (Ewick and Silbey 1998).

Working within a Gramscian framework (e.g., see *Gramsci, Antonio* (1891–1937)), analysts try to describe how the taken-for-granted aspects of social relations, including the legal aspects, are produced, enacted, and reproduced. They document situations in which local processes reproduce macro social structures and institutions recursively, and at the same time provide openings for creativity in reshaping those structures. In particular these constitutive/cultural analyses of legal consciousness describe the processes by which law contributes to the articulation of meanings and values in daily life. Attention is directed to the local contests to create controlling meanings from competing discourses within most aspects of ordinary life including families (Merry 1990, Yngvesson 1993), religious communities (Greenhouse

1986), medical care (Heimer and Stassen 1998, Heimer 1999), engineering (Espeland 1998), gender, race or age discrimination (Bumiller 1988), management of handicapped identities (Munger and Engel 1996) or poverty and public welfare (Sarat 1990, Munger 1999) (e.g., see *Law and Everyday Life*). In these analyses, researchers observe both the orchestration of the local contest and the systematic outcome, in this way mediating micro and macro perspectives. Within this framework, consciousness is understood to be part of a reciprocal process in which the meanings given by individuals to their world become patterned, stabilized and objectified. These meanings, once institutionalized, become part of the material and discursive systems that limit and constrain future meaning-making. In this constitutive conception of legal consciousness, law does more than reflect or encode what is otherwise normatively constructed. Law enables as well as constrains the possibilities of social interaction.

In one study, Conley and O'Barr observed litigants in small claims courts to determine how ordinary 'people identify and analyze legal problems, how they decide when and in what form to bring a problem to the legal system, and how they respond to the demands that the system makes of them' (1990, p. ix). The authors observed two distinct discursive styles. One style is rule oriented, adopted primarily by experienced players who see law as a system for assessing and distributing responsibility; this style is valued by the judges and court personnel. The second style focuses on and emphasizes relationships, sequences of events, and the temporal unfolding of a narrative; this style is preferred by minority and group litigants as well as women and poorer citizens. Although having one's day in court is an American ritual, highly prized as an essential human right, many citizens end up frustrated, the researchers claim, because legal authorities prefer and often demand something other than a heart-rending narration of pain or an impassioned moral claim (Merry 1990).

In a recent study of the legal consciousness of ordinary Americans, Ewick and Silbey (1998) construct three accounts of law that encompass the range of cultural materials with which people produce and experience legality as a structure of social action. The stories incorporate alternative normative bases for legal claims to authority, varying constraints that define action as legal, varying sources for legal capacities, as well as varying temporal and spatial locations for law. In one account, the law is remote, impartial and objective, something to be invoked for solemn and collective purposes that transcend the messiness and partiality of individual lives. The law itself resides in times and spaces separate from everyday places and, while enacted by legal functionaries, exists apart from the words or deeds of particular persons. In a second account, legality is understood to be a game of skill, resource, and negotiation, where persons can seek their own interests

legitimately against others. Law in this rendering appears as a defined arena for strategic interactions, sometimes engaged playfully and sometimes with deadly seriousness, but always simultaneously alongside and within everyday life. A third story describes the law as an arbitrary power against which people feel virtually incapacitated. Often the only means of deflecting the legal power is to employ various subterfuges and evasions. These minor forms of resistance typically leave the law unchallenged and unchanged. Their employment and effectiveness is premised, however, upon a potentially subversive recognition of the structure and organization of legality in everyday life.

Ewick and Silbey demonstrate the connection between the micro phenomenon of legal consciousness and the macro institutions of law by showing how the multiple forms of legal consciousness expressed in the three stories of law exist simultaneously, and together sustain legality as a durable structure of social action. Although the dual depictions of law as god-like (remote, transcendent, objective and magisterial) and game-like (legitimate, rule bound, and resource dependent) seem to challenge one another, they are actually complementary. Although each view emphasizes different normative values and provides a different account of the social organization of law, as an ensemble they cover the range of conventional experiences of legality. Any particular experience can find expression within the heterogeneity of the whole. The law is neither rendered irrelevant for everyday life (by virtue of being remote) nor subsumed by it (by virtue of being familiar).

These constitutive studies reject the dualisms in recurrent debates about the relative roles of structure and agency in shaping the world and focus instead on the role of consciousness (participation in social interaction) in (re)producing the social world (e.g., see *Law as Constitutive*). Moreover, these constitutive analyses of culture and consciousness specify how myriad discrete actions accumulate into institutional forms through processes of reification in which the contingent human production of social life is effaced by attending to its continuous, durable features. This attention to systematic aspects make the social interactions and practices appear to be independent of just that human action of which it is composed. Thus, studies of legal culture and consciousness try to emphasize the daily, locally repeated enactment or practice of social structure. Some cultural accounts, however, go so far as to reject explicitly any distinction between structure and agency, insisting that the analytic distinction itself contributes to the ongoing processes of reification constituting social reality. Finally, in these constitutive studies of legal culture and consciousness, law is understood to be part of a complex totality in which 'it constitutes as well as constituted, shapes as well as is shaped' (Kairys 1982, p. 5).

See also: Civil Liberties and Human Rights; Cultural Psychology; Disputes, Social Construction and Transformation of; Human Rights, History of; Law and Society: Sociolegal Studies; Law: Anthropological Aspects; Law: History of its Relation to the Social Sciences; Law, Sociology of; Legal Process and Social Science: United States; Lifelong Learning and its Support with New Media: Cultural Concerns; Norms

Bibliography

- Althusser L 1971 Ideology and ideological state apparatuses. In: Althusser L (ed.) *Lenin and Philosophy*. New Left Books, London
- Balbus I 1973 *The Dialectics of Legal Repression: Black Rebels Before the American Criminal Courts*. Transaction Books, New Brunswick, NJ
- Bierbrauer G 1994 Toward an understanding of legal culture: Variations in individualism and collectivism between Kurds, Lebanese, and Germans. *Law and Society Review* 2(2): 243-64
- Blankenburg E 1994 The infrastructure of legal culture in Holland and West Germany. *Law and Society Review* 28(4): 789-809
- Blankenburg E 1997 Civil litigation rates as indicators for legal cultures. In: Nelken D (ed.) *Comparing Legal Cultures*. Dartmouth, Brookfield, VT, pp. 41-68
- Bourdieu P 1990 *The Logic of Practice*, trans. Nice R. Stanford University Press, Stanford, CA
- Bumiller K 1988 *The Civil Rights Society: The Social Construction of Victims*. Johns Hopkins University Press, Baltimore, MD
- Chambliss W, Seidman R 1982 *Law, Order, and Power*. Addison-Wesley, Reading, MA
- Chanock M 2001 *The Making of South African Legal Culture 1902-1936: Fear, Favour and Prejudice*. Cambridge University Press, Cambridge, UK
- Conley J M, O'Barr W M 1990 *Rules Versus Relationships: The Ethnography of Legal Discourse*. University of Chicago Press, Chicago, IL
- Cotterrell R 1997 The concept of legal culture. In: Nelken D (ed.) *Comparing Legal Cultures*. Dartmouth, Brookfield, VT, pp. 13-32
- Durkheim E 1933 [1902] *The Division of Labor in Society*. Free Press, Glencoe, IL
- Eisenstein J, Flemming R B, Nardulli P F 1988 *The Contours of Justice: Communities and Their Courts*. Little, Brown, Boston, MA
- Espeland W N 1998 *The Struggle for Water: Rationality, and Identity in the American South West*. University of Chicago Press, Chicago, IL
- Ewick P, Silbey S 1998 *The Common Place of Law: Stories From Everyday Life*. University of Chicago Press, Chicago, IL
- Ferrarese M R 1997 An entrepreneurial conception of the law? The American model through Italian eyes. In: Nelken D (ed.) *Comparing Legal Cultures*. Dartmouth, Brookfield, VT, pp. 157-82
- Friedman L M 1975 *The Legal System: A Social Science Perspective*. Russell Sage Foundation, New York
- Friedman L M 1997 The concept of legal culture: A reply. In: Nelken D (ed.) *Comparing Legal Cultures*. Dartmouth, Brookfield, VT, pp. 33-40
- Gibson J L, Caldeira G A 1997 The legal cultures of Europe. *Law and Society Review* 30(1): 55-85

- Greenhouse C J 1986 *Praying for Justice: Faith, Order, and Community in an American Town*. Cornell University Press, Ithaca, NY
- Hamilton V L, Sanders J 1992 *Everyday Justice: Responsibility and the Individual in Japan and the United States*. Yale University Press, New Haven, CT
- Heimer C 1999 Competing institutions: Law, medicine and family in neo-natal intensive care. *Law and Society Review* 33(1): 17-66
- Heimer C, Stassen L 1998 *For the Sake of the Children*. University of Chicago Press, Chicago, IL
- Holmes O W 1881 *The Common Law*. Little, Brown, Boston, MA
- Kairys D (ed.) 1982[1990] *The Politics of Law*. Pantheon Books, New York
- Kidder R L, Hostetler J A 1990 Managing ideologies: Harmony as ideology in Amish and Japanese societies. *Law and Society Review* 24: 895-922
- Kourilsky-Augeven C (ed.) 1997 *Socialisation Juridique et Conscience du Droit: Attitudes Individuelles, Modeles Culturels et Changement Social*. Reseau Europeen Droit et Société 2
- Kritzer H M, Zemans F K 1993 Local legal culture and the control of litigation. *Law and Society Review* 27(3): 535-7
- Lind A E, Tyler T R 1988 *The Social Psychology of Procedural Justice*. Plenum Press, New York
- Merry S E 1990 *Getting Justice and Getting Even: Legal Consciousness Among Working-class Americans*. University of Chicago Press, Chicago, IL
- Miyazawa S 1987 Taking Kawashima seriously: A review of Japanese research on Japanese legal consciousness and disputing behavior. *Law and Society Review* 21: 219-41
- Munger F 1999 Immanence and identity: Understanding poverty through law and society research. *Law and Society Review* 32(4): 931-67
- Munger F W, Engel D M 1996 Rights, remembrance, and the reconciliation of difference. *Law and Society Review* 30(1): 7-53
- Nelken D 1997 *Comparing Legal Cultures*. Dartmouth, Brookfield, VT
- Sanders J, Hamilton V L 1992 Legal cultures and punishment repertoires in Japan, Russia, and the United States. *Law and Society Review* 26(1): 117-38
- Sarat A 1990 'The law is all over': Power, resistance, and the legal consciousness of the welfare poor. *Yale Journal of Law and Humanities* 2(2): 343-79
- Savigny F K von 1831[1975] *Of the Vocation of Our Age for Legislation and Jurisprudence*, trans. Hayward A. Arno Press, New York
- Scheingold S A 1974 *The Politics of Rights: Lawyers, Public Policy, and Political Change*. Yale University Press, New Haven, CT
- Sewell W H Jr 1999 The concepts of culture. In: Bonnell V E, Hunt A H, Biernacki R (eds.) *Beyond the Cultural Turn: New Directions in the Study of Society and Culture*. University of California Press, Berkeley, CA, pp. 35-61
- Stalans, L J, Kinsey K A 1994 Self-presentation and legal socialization in society: Available messages about personal tax audits. *Law and Society Review* 28(4): 859
- Swidler 1986 Culture and action: Symbols and strategies. *American Sociological Review* 51: 273-86
- Tapp J L, Levine F L 1974 Legal socialization: Strategies for an ethical legality. *Stanford Law Review* 27: 1-72
- Thibaut J, Walker L 1975 *Procedural Justice: A Psychological Analysis*. L. Erlbaum Associates, New York
- Tyler T R 1990 *Why People Obey the Law*. Yale University Press, New Haven, CT
- Weber M 1947 *The Theory of Social and Economic Organization*, trans. Henderson A M, Parsons T. Oxford University Press, New York
- Weber M 1954 *On Law in Economy and Society*, trans. Rheinstein M. Simon and Schuster, New York
- Williams R 1983[1976] *Keywords: A Vocabulary of Culture and Society*, rev. edn. Fontana, London
- Yngvesson B 1993 *Virtuous Citizens, Disruptive Subjects: Order and Complaint in a New England Court*. Routledge, New York

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