

should stimulate a healthy debate. A significant portion of society's concerns is entrusted to those of us in the academic business. Even from an unselfish point of view our future is a matter of no small importance.

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The Legal System as Social

An Invitation to Law and Social Science. Desert, Disputes, and Distribution. RICHARD LEMPert and JOSEPH SANDERS. Longman, New York, 1986. xvi, 528 pp., illus. \$39.50; paper, \$21.95.

Over the past several decades a vigorous field of interdisciplinary scholarship on "law and society" has emerged. In contrast to traditional legal scholarship, which treats law as a logically self-contained body of normative rules, law and society scholars operate on the premises that law is derived from social and cultural forces, that the processes and impact of law are intimately tied to the social, psychological, and cultural milieu, and that these qualities of law can be empirically described. In short the legal system is an open system and it can be analyzed in nonnormative terms.

In *An Invitation to Law and Social Science* Richard Lempert and Joseph Sanders, both of whom hold degrees in law and in sociology, have two goals. The first is to introduce advanced undergraduates, graduate students, and law students to the field of law and society. The second is to synthesize existing theory and research. It is an important book, not only because it is successful in its attempt to build new theoretical structures but because it demonstrates the potential that law and society scholarship has for understanding the legal system.

After an introductory chapter the book is divided into three parts, each of which deals with a different legal problem. Part 1 is concerned with the process of determining responsibility for behavior. Its opening chapter examines different meanings of moral and legal responsibility and the excuses that may be allowed to avoid responsibility. The concept of "rule logics" is introduced to help categorize the types of responsibility rules and allow us to view responsibility as a variable. The thrust of this chapter is that responsibility involves more than just behavior; rather, it entails agency and purpose and has social as well as legal meaning. The next two chapters are directed to the problems of evidence that must be overcome to prove that someone should be held legally respon-

sible. Chapter 3 discusses how adjudicative processes differ with respect to the scope of the inquiry into the relevant evidence and the extent to which the adjudicator considers the mental state of the person whose actions are being judged. Chapter 4 develops the notion of "case logics" to describe ideal ways in which legal cases are processed. "Deep" case logics are used when the adjudicator searches for the actor's point of view in attempting to understand the behavior under consideration. "Shallow" case logics ignore the actor's viewpoint in deference to whether the behavior falls into some pre-established category. Different types of social organizations produce different proclivities toward types of case logics. Even though the formal law may dictate a search for the actor's viewpoint, bureaucratic demands may encourage a shallow search for meaning. The insights of the preceding chapters are then applied to two areas of tort law, workers' compensation and automobile accidents, in which there have been significant changes in liability (responsibility) rules. These examples demonstrate the close connections between social processes and decisions about legal responsibility.

Part 2 is concerned with dispute resolution. Responsibility is again a salient concept, but its role in this context is much less one involving morality than one expediting the resolution of particular disputes. Different forms of legal tribunals place different emphases on responsibility, that is, in the extent to which they allocate fault between disputing parties. Taking a dispute to a legal forum causes the parties involved to relinquish much of the control over it because substantive and procedural rules of the forum impose a definition of what is in conflict and dictate the number and form of possible solutions. Part 2 examines how disputes are processed under various circumstances and why. Chapter 6 analyzes disputes from a game theory perspective that is helpful in understanding why cases go to trial or are settled beforehand. The fairness of settlements is also dissected. Chapter 7 considers alternative styles of dispute processing between and within cultures. Chapter 8 is concerned with attempts to change the way disputes are processed when social and institutional developments render traditional methods inadequate. The small claims court and the juvenile justice system are singled out to show the limits of law as an agent of dispute resolution.

Part 3 considers law from a macro perspective, namely as a system that distributes the goods and other resources of society. Its concern is with social justice rather than the matters of individual justice that were the subjects of parts 1 and 2. Chapter 9 dis-

cusses models of social justice with particular emphasis on the theory developed by the philosopher John Rawls. The purpose is to develop standards by which different allocative systems, endorsed and enforced by law, can be evaluated. In chapter 10 the insights of chapter 9 are applied to an analysis of the role that business corporations and labor unions play in society. The close relation between law, power, and social justice is highlighted. Conflicts between individual and group rights are analyzed, as is the influence of social forces on the shaping of labor and business laws. The failure of law to check excess corporate power is also considered. Chapter 11 is devoted to an analysis of law and racial equality. The civil rights movements of the 1960's was characterized by an attempt to use law to advance social and economic equality through equal opportunity. The varying degrees of success of this enterprise are discussed, along with the unwillingness—and inability—of courts to implement social ideals in full measure. Then chapter 12 turns to the issue of law as an autonomous force. Autonomy is at best partial because of the constraints of social and political forces. Chapter 13 addresses the law-making process and the conflicts that confront attempts to use law to achieve social equality. A final chapter summarizes the themes developed in the book.

An Invitation to Law and Social Science convincingly illustrates how inseparably the legal system is tied to other social structures and how these relationships produce different qualities of justice. It is selective in the topics that are considered. However, the intent of the authors is not to discuss every subject in this diverse field but rather to develop a perspective for empirical inquiry into the relationship between law and society—and they have succeeded very well in this task. The book frequently requires work and concentration on the part of the reader, but students and mature scholars alike will be rewarded for their efforts.

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Applications of Group Theory

Group Structure of Gauge Theories. L. O'RAIFEARTAIGH. Cambridge University Press, New York, 1986. x, 172 pp., illus. \$34.50. Cambridge Monographs on Mathematical Physics.

The author, perhaps most famous for the O'Raifeartaigh method of supersymmetry breaking, is one of the leading experts on