1. Record Nr. UNINA9910815839103321 Autore Junker Kirk W. Titolo Legal culture in the United States: an introduction / / Kirk W. Junker Pubbl/distr/stampa Abingdon, Oxon;; New York:,: Routledge,, 2016 **ISBN** 1-317-24555-5 1-315-62994-1 1-317-24554-7 Descrizione fisica 1 online resource (269 p.) Collana Zones of Religion Disciplina 340/.1150973 Soggetti Law - United States - Methodology Culture and law - United States Justice, Administration of - Social aspects - United States Adversary system (Law) - Social aspects - United States Sociological jurisprudence - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Includes index. Title Page: Copyright Page: Dedication: Table of Contents: Nota di contenuto Acknowledgements; Foreword; Preface: Seeing Law through the Reference Frames of Culture; 1 The Goal: Knowing the Soul and Spirit of U.S. Legal Culture through the Experience of the Common Law; 1.1 Framing Issues; 1.1.1 Spirit; 1.1.2 Soul; 1.1.3 The Spirit and the Soul of Advocacy; 1.2 Conclusions from Experience; Literature; 2 The Always and Already Comparative Nature of "Foreign" Law; Framing Issues; 2.1 Introduction: 2.2 Cognitive Status Quo: 2.2.1 Why Compare? A Brief History of Comparative Law; 2.2.2 Comparative Method 3.3 Comparisons within the Family: English Law and U.S. LawLiterature; 4 The Historical Reference Frame of "Kingless Commonwealths on the Other Shore of the Atlantic"1; Framing Issues; 4.1 The Problems of History; 4.2 Framing the Questions of History, U.S. History and U.S. Legal History: 4.2.1 The Static View: 4.2.2 The Circular or Cyclical View: 4.2.3 The Progressive or Enlightenment View; 4.2.4 The Spiral View; 4.2.5 The Cataclysmic View; 4.2.6 The Regressive View; 4.3 Proceeding

History

from the Assumptions in the Various Views; 4.4 The Use and Abuse of

4.5 Punished by Places and by Times: Establishing an Historical Narrative for U.S. Law4.5.1 The Birth of the Common Law; 4.5.2 Early Period: Eleventh-Thirteenth Centuries; 4.5.3 Middle Period: 1340s-1640s; 4.5.4 The Modern Period: The Eighteenth Century Until Today; 4.6 U.S. History; 4.7 U.S. Legal History; 4.8 Conclusion; Literature; 5 The Social Reference Frame: Cultural Practices We Call "Law"; Framing Issues; 5.1 Introduction: Does Society Want Legal Specialists?; 5.1.1 The Social Approach to the Legal Actors; 5.1.2 Legal Practice and Training in the United States

5.1.3 U.S. Legal Education and Practice Immediately After Independence5.1.4 General Considerations for Admission to the Practice of Law; 5.1.5 Legal Education in the Twentieth and Twenty-first Centuries; 5.2 The United States Today: Entry into the Profession of Practicing Law; 5.3 Foreign Lawyer Practice in the United States (LL.M. and Foreign Legal Advisor); 5.4 Legal Science; 5.5 Lawyers and Law Students by the Numbers; 5.5.1 Gender; 5.5.2 Race; 5.6 A New Millennium for Common Law Education, A New Century for U.S. Legal Education; 5.7 Conclusion: Are the Horses in the Street Frightened Yet? Literature