CONTENTS and as protein legal and an arrange and areas and areas and areas and areas areas and areas a

Not	es on the Contributors	xv
	I. CONTEXTS: LOCATING LEGAL HISTORY	
1.	Philosophical Analysis and Historical Inquiry: Theorizing Normativity, Law, and Legal Thought MAKSYMILIAN DEL MAR	3
2.	The History and Historical Stance of Law and Economics Ron Harris	23
3.	Critical Histories of Comparative Law Günter Frankenberg	43
4.	Literary Analysis of Law Simon Stern	63
5.	Rhetoric and the Possibilities of Legal History MARIANNE CONSTABLE AND SAMERA ESMEIR MAGNATURE CONSTABLE AND SAMERA ESMEIR	79
	II. APPROACHES: CONCEPTUALIZING	
	LEGAL HISTORY	
6.	Legal History as Legal Scholarship: Doctrinalism, Interdisciplinarity, and Critical Analysis of Law Markus D. Dubber	99
7.	Law as Social History Laura F. Edwards	119
8.	Legal History as Political History Roy Kreitner	135

9.	The Intellectual History of Law Assaf Likhovski	151
10.	Legal History as Doctrinal History JOSHUA GETZLER	171
11.	Historical Method in the Study of Law and Culture Bryan Wagner	193
12.	Legal History as Economic History Anne Fleming	207
13.	Femininities and Masculinities: Looking Backward and Moving Forward in Criminal Legal Historical Gender Research CAROLYN STRANGE	221
14.	and the second s	243
15.	From Evolutionary Functionalism to Critical Transnationalism: Comparative Legal History, Aristotle to Present Katharina Isabel Schmidt	
16.	Archival Legal History: Towards the Ocean as Archive	291
17.	Spelunking, or, Some Meditations on the New Presentism ELIZABETH DALE VIOLETT ISSUE TO SHIPLIFFE AND ADDRESS OF SHIPLIF	311
18.	Legal History: Taking the Long View MAR GMA AMADIMAN PAUL D. HALLIDAY	323
19.	Quantitative Legal History Daniel Klerman	343
	III PERSPECTIVES: LEGAL HISTORY	

III. PERSPECTIVES: LEGAL HISTORY IN MODERN LEGAL THOUGHT

20. Blackstone John V. Orth 975 Law as Social History

totall manner of totall mas

21.	Jeremy Bentham (1748–1832) PHILIP SCHOFIELD	379
22.	Historical Jurisprudence Mathias Reimann	397
23.	Legal Formalism MICHAEL LOBBAN	419
24.	Sociological Jurisprudence and the Spirit of the Common Law Noga Morag-Levine	437
25.	The Return of Legal Realism Dan Priel	457
26.	&: Law _ Society in Historical Legal Research Catherine L. Fisk	479
27.	Legal History and the Material Turn Tom Johnson	497
28.	Marxist Legal History Christopher Tomlins	515
29.	Structuralist and Post-Structuralist Legal History JUSTIN DESAUTELS-STEIN	541
30.	Sez Who? Critical Legal History without a Privileged Position John Henry Schlegel	561
31.	Critical Legal Studies: Europe Emilios Christodoulidis and Johan van der Walt	577
32.	Feminist Historiography of Law: An Exposition and Proposition Maria Drakopoulou	603
33.	Critical Race Theory and the Political Uses of Legal History H. TIMOTHY LOVELACE, JR.	621
34.	Queering Law's Empire: Domination and Domain in the Sexing Up of Legal History DAVID MINTO	

IV. TRADITIONS: TRACING LEGAL HISTORY

35.	Roman Law Clifford Ando	663
36.	Medieval Canon Law KARL SHOEMAKER	681
37.	The Transformation of the Common Law: Modernism, History, and the Turn to Process Kunal M. Parker	695
38.	Tracing Legal History in Continental Civil Law HEIKKI PIHLAJAMÄKI	
39.	Jewish Law Steven Wilf	
40.	Historical Research on Islamic Law Lena Salaymen	757
41.	'By the Light of the Moon': Looking for China's Rich Legal Tradition Tahirih V. Lee	777
42.	Traditions: Tracing Legal History, Aboriginal/Indigenous Law (Australia/New Zealand) Shaunnagh Dorsett	799
43.	Indigenous Rights: Latin America Thomas Duve	817
44.	Indian Law montaoqxa na swallo ydomoniai i sanima i Mitra Sharafi montaoqxa ha swallo ydomoniai i sanima i i	839
45.	Doreen Lustig	859
	Imperial Law: The Legal Historian and the Trials and Tribulations of an Imperial Past PAUL G. McHugh	883

V. ILLUSTRATIONS: DOING THINGS WITH LEGAL HISTORY

47.	A History of Violence: American Constitutional History and the Criminal System	903
	GERALD LEONARD	
48.	Doing Things with Legal History: Historical Analysis in Property Law Alfred L. Brophy	923
49.	What Do Contracts Histories Tell Us About Capitalism? From Origins and Distribution, to the Body and the Nation ANAT ROSENBERG	941
50.	Historical Analysis in Criminal Law: A Counter-History of Criminal Trial Verdicts Arlie Loughnan	965
51.	The Historical Method in Public Law Martin Loughlin	983
52.	Historical Analysis in Environmental Law DAVID B. SCHORR	1001
53.	Redeeming the American Founding? NORMAN W. SPAULDING	1017
54.	Foundings: European Integration Peter Lindseth	1043
55.	Adjudication of Indigenous-Settler Relations RICHARD P. BOAST	1061
56.	Cultural Genocide: Between Law and History LEORA BILSKY AND RACHEL KLAGSBRUN	1081
57.	Historians' Amicus Briefs: Practice and Prospect Sam Erman and Nathan Perl-Rosenthal	1095
Ind	ex	1115