From the Editor

At the 1995 Annual Meeting of the Law and Society Association, Boaventura de Sousa Santos delivered an invited plenary address in which he challenged sociolegal scholars to consider the current state of our field. Perhaps, he argued, the paradigms that stand behind the conventions of much current scholarship are inadequate for understanding critical aspects of the law-society relationship. He proposed three metaphors to describe paradigmatic crises and possibilities: the frontier, the baroque, and the South. Santos provoked considerable discussion in the corridors of the Royal York Hotel in Toronto, but a jam-packed meeting program did not offer an opportunity for any sort of public commentary from those who heard him.

Publication of his remarks in this issue provides an opportunity for those who heard him to reflect further on his challenges as well as a chance for those who missed the address in Toronto to join in the discussion. In addition, I have asked six established scholars in the field to write brief commentaries in response to Santos. Those commentaries follow Santos's address and will serve, I hope, to stimulate further thought. After reading the commentaries, Santos himself declined to write a formal response. The real test of the validity of his observations and challenges, he noted, will be found in future sociolegal scholarship.

In their article, Tina Loo and Carolyn Strange examine efforts to regulate traveling shows in turn-of-the-century Ontario as a means of understanding community and identity. As historians, they explore issues similar to those considered by Carol Greenhouse, David Engel, and Barbara Yngvesson in more contemporary ethnographic contexts. In addition to its contributions to sociolegal theorizing about community, this article is a good read.

Greg Matoesian examines one of the notorious trials of the last few years: the William Kennedy Smith rape trial. He demonstrates the utility of microlevel linguistic analysis by focusing on the critical issues of just what it is about rape trials themselves that "revictimizes" alleged victims. He is able to show the mechanics of what we know generally and thereby to lay bare the structure that itself might be changed to provide a more humane environment for so difficult a situation as testifying about the violation of self that is rape. He examines previous efforts in the form of rape shield legislation that have attempted to ameliorate

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the situation and considers whether they in fact provide needed and workable solutions.

Jerry Van Hoy's article explores a poorly documented sector of the legal profession: the franchise law firm. Just as managed care is revolutionizing medical care for the majority of Americans, those who work in franchise law firms may be the kinds of legal practitioners whom most Americans will encounter at significant moments in their lives. Van Hoy takes us into the inner workings of such firms. He shows the division of labor between lawyers and secretaries who mass produce legal services and how the demands of such an environment shape the legal services such firms deliver.

Francine Sanders uses the familiar case of *Brown v. Board of Education* to examine the relative importance of legal and extralegal variables in judicial decisionmaking. The particular value of her study is its focus on federal district court decisions where Sanders finds overwhelming evidence for the importance of legal variables over region or type of case.

—William M. O'Barr

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