From the Editor

With this issue the *Law & Society Review* begins its second quarter-century of publication. Much has changed in the field of law and society studies since the publication of the first issue, but the *Review's* mission to publish the best work and the work that contributes most to further intellectual development of the field remains the same.

Among the most important of the changes in the law and society field in a quarter-century has been its increasing intellectual diversity, marked by the emergence of conflicting perspectives on theory and science as a continuing theme, by the emergence of distinct interdisciplinary subfields (many strong enough to establish one or more journals for publication of work on that particular interdisciplinary boundary), and by the field's increasing internationalization. This diversity makes the annual meetings of the Law and Society Association a busy intellectual crossroads.

In contrast to many of the newer journals in the law and society field, the *Review* maintains the broadest possible perspective. One measure of its success might be whether it regularly publishes work from all of the areas of ongoing and emerging interest, work reflecting the full range of perspectives on theory and science, and work by authors from many cultures and countries. Rather than making an actual count of articles, we might better ask whether the *Review* captures the excitement of the meetings at which scholars actively engaged in the research and discussions of the field get together.

While the mission of the *Review* may be clear, measuring up to that mission is a problem for the editor of a journal with a strong commitment to maintaining an open window for authors. An editor can be receptive and can marshal resources (through reviews and the editor's own time) to help authors strengthen what has been submitted for review. Ultimately, decisions by authors to submit work to the *Review* are not under the editor's control. From an author's perspective, the reputation for quality and the large audience of the *Review* is a draw. Yet, an author wants to be read by colleagues, and in view of the many publications which are more specialized for law and society studies situated in economics, history, psychology, or progressive politics, the very diversity of the field reflected in the range of articles published in the *Law & Society Review* may seem to be a deterrent because the *Review* does not direct its appeal to a particular core audience.

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The fact remains that the *Review* is widely read. Much of the excitement of annual meetings occurs because diversity and interaction are stimulating. Commitment to an open window continues to be the editorial policy of the *Law & Society Review*. Over the next three years, I propose to build on this strength by attempting to extend the range of perspectives, theories, and subjects offered to readers and by creating opportunities for interaction among perspectives and among readers of the *Review*.

As a first step, I have issued a call for proposals for mini-symposia to present new areas of research and to encourage interaction among diverse interests and perspectives. A mini-symposium will be a small group of articles, together with an introduction by the symposium's organizer, on a common theme or situated in a particular subfield or perspective, and may include commentary, criticism, and debate. I believe that a mini-symposium will attract types of work that have not previously appeared in the *Review* and that a critical mass of work from a new perspective will be most interesting and accessible to the *Review's* readership.

Proposals to organize a mini-symposium may be made at any time and should be sent to the editor. Proposals should be in the form of a letter, no more than a few pages in length, and should set forth the symposium topic, explain its importance, suggest whom the organizer might invite to participate in the symposium and why, and describe what an introductory essay might cover and who will write it. It is assumed that no commitments from authors will have been obtained prior to submitting a proposal and that the proposal may undergo further development after consultation with the editor. In some cases, a further public call for contributions may be appropriate, while in others, relevant work might be limited to a small number of persons who are obvious choices for selection. Proposals submitted to the editor will be distributed first to an advisory committee for comment (see list of advisory board members), and all contributions will be peer-reviewed.

In collaboration with the Review Essays editor I will consider other ways to extend the range of comment, debate, and interaction among readers. I am receptive to publication of comments and significant letters to the editor. My own comments in the "From the Editor" on fulfilling the mission of the *Review* might be an initial focus, but others will occur to you.

The five articles in this issue of the *Law & Society Review* present important findings and insights from a very wide range of research interests. While they draw on different contexts,

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they are about two foundational themes in the law and society field, culture and change. The different perspectives on these themes illustrate the divergence within the field as it has grown and suggest the possibility of further growth through the interaction of different perspectives.

Sally Falk Moore examines a document instructing British colonial administrators about their responsibilities for organizing and guiding native courts under British rule. Moore shows that the British perceptions of local African culture contained fundamental errors, but she uncovers a more profound process of cultural transformation as well. The document at the center of her analysis is more than a description of British legal culture; it is an interpretation of British legal culture that was intended to establish its legitimacy for those who had to apply it locally. Viewing the document as a purposeful interpretation allows Moore to uncover and explain the contradictory assumptions that underlie it and that have become part of a legacy of legal culture inherited by African court administrators in the postcolonial period.

Research described by Lauren Edelman, Steven Abraham, and Howard Erlanger also places interpretation at the center of legal culture. The authors analyze the differences between the descriptions of current employment relations caselaw constructed by three groups of professionals. Using measures derived from the content of articles published by the members of each group, they show that there are systematic differences in the way recent developments in legal doctrine are constructed by each group. While their measures of the construction of law are certain to be controversial, their study breaks new ground by suggesting that professional commitments inevitably create a plural legal culture.

These two articles are distinctive because they view culture as the result of interpretive acts. Culture is a process that can be understood best by examining its construction. An alternative perspective views culture as a pattern, a set of distinctions or meanings attributed to social actions. In two articles in this issue, the attention of the researchers is on the internal structure of a legal culture that seems to explain why members of society hold certain beliefs or attitudes toward punishment or liability. These studies are not about change, and thus do not engage the question of how legal culture is maintained or created in society.

Valerie Hans and William Lofquist report a path-breaking study based on interviews with jurors about litigation against corporations and corporate liability. Jurors display both some skepticism of plaintiffs' claims and a general absence of anti-corporate bias. Against a backdrop of public commentary proclaiming a litigation and corporate liability explosion, the find-

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ings suggest that jurors are neither predisposed to find corporations liable, nor, conversely, are their judgments moderated by perception of a litigation explosion. Instead, Hans and Lofquist's careful exploration of jurors' attitudes reveals a more complex ideological structure comprised of beliefs about individuals and organizations as subjects of law together with some skepticism about the tort litigation process itself.

Joe Sanders and Lee Hamilton's comparative research examines views of responsibility and punishment for norm violations in the United States, Soviet Russia, and Japan. They meet the difficult challenge of cross-cultural comparison by a creative interviewing methodology in which respondents are presented with several vignettes containing an appropriately contextualized description of a norm violation. In previous research, they were able to explain differences between attributions of responsibility in the United States and Japan as an effect of a cultural difference, namely, the degree to which Japanese view persons as "contextual actors," i.e. "as a social participant whose identity is . . . defined by social relationships." Notwithstanding informalist and collectivist tendencies in Soviet society, the responses of Russians resembled those in the United States in their emphasis on punishment which isolated the wrongdoer and differed from the modal response of the Japanese, a preference for restoration of relationships. Sanders and Hamilton find a plausible explanation in fundamental differences in the social organization of the societies, in this instance the difference between membership in a state-centered collective society and membership in a communal society in which the family is the model for all relationships.

In the last article, Alan Holmes, Howard Daudistel, and William Taggart examine the effect of elimination of plea bargaining on court caseloads. The authors exploit a ban on plea bargaining in the district courts of El Paso, Texas, to provide an elegant interrupted time series analysis that permits a more careful examination of the effects of such a ban than previous studies. The strength of this study lies in the ability of the investigators to draw valid statistical inferences about the impact of the ban on the jury trial, disposition, and conviction rates. As the authors also note, their case study reflects historical idiosyncrasies which cannot be completely eliminated by their statistical methods. However, readers will find that the authors have been extremely sensitive to the context of the case study; indeed, in my view one of the significant strengths of this research is its attention to alternative ways in which prosecutors and judges may have interpreted and reacted to the policy change. Their sensitivity unexpectedly creates a link to the other articles in this issue, which focus on acts of interpretation and construction of meaning as central to social change.

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I would like to draw attention to changes that have accompanied the transition from Shari Diamond's editorship to mine. Some readers will have noticed the changes in cover design and cover contents. Others more attentive will notice that the entire layout of the *Law & Society Review* has been overhauled to increase its readability. Many of the most important changes from past practice (for example, placing the contents on the cover) were the result of consultation with Shari Diamond and took place before the transition occurred. Others, such as the new masthead and typeface, began with this issue.

I would also like to introduce the excellent staff that supports the editorial office of the *Review*. Sara Faherty, a joint degree candidate in law and political science, fills the important role of assistant to the editor, helping to maintain the editorial office in Buffalo. Bette Sikes, based in Chicago, has been copy-editor and much more for both Shari Diamond and me. Joyce Farrell provides secretarial support for the Buffalo office.

Frank Munger

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