Volume 26 No. 3 1992

LAW & SOCIETY Review

The Journal of the Law and Society Association

The Emergence of the Business Corporation

Economy, Community, and Law: The Turnpike Movement in New York, 1797–1845 - *Daniel B. Klein & John Majewski*

The Active Juror

Blindfolding the Jury to Verdict Consequences: Damages, Experts, and the Civil Jury - *Shari Seidman Diamond & Jonathan D. Casper*

The Context of Litigation

The Elusive Shadow of the Law - *Herbert Jacob*

The Dynamics of Jail Reform Litigation: A Comparative Analysis of Litigation in California Counties - *Wayne N. Welsh*

The Value of Counsel: 20 Years of Representation before a Public Housing Eviction Board - *Karl Monsma & Richard Lempert*

Review Essay

Ordinary Litigation in America's Civil Courts: Images of Lawyers and Bargaining - *Roy B. Flemming*

https://doi.org/10.1017/S002392160001971X Published online by Cambridge University Press

LAW & SOCIETY Review

Policy

The *Law & Society Review* is a peer-reviewed publication for work bearing on the relationship between society and the legal process, including articles or notes of interest to the research community in general, new theoretical developments, results of empirical studies, and comments on the field or its methods of inquiry. The *Review* is broadly interdisciplinary and welcomes work from any tradition of scholarship concerned with the cultural, economic, political, psychological, or social aspects of law and legal systems.

Manuscript Submission

What to submit: Five copies of the manuscript and an abstract of about 100 words, together with a brief biographical description of the author(s). Manuscripts submitted to the *Review* must not be under consideration by another publication. Manuscripts cannot be returned to authors.
Manuscript format: Delete all identifying references from four of the five copies of your manuscript. Text, including footnotes and references, should be double spaced with 1-inch margins. Footnotes, references, tables, and figures should be placed at the end. An abridged style sheet is published from time to time in the *Review*; a full style sheet is available on request.

Send manuscripts to:

Frank Munger, General Editor, *Law & Society Review*
Faculty of Law, State University of New York at Buffalo
Buffalo, NY 14260

Direct inquiries about book reviews and review essays to:

Barbara Yngvesson
School of Social Science, Hampshire College
Amherst, MA 01002

1992 Frequency and Subscriptions

The *Law & Society Review* (ISSN 0023-9216) is published quarterly by the Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst, MA 01003. Second class postage is paid at Amherst, MA, and additional mailing offices.

POSTMASTER: Send address change form 3579 to: *Law & Society Review*, Hampshire House, University of Massachusetts at Amherst, Amherst, MA 01003.

Subscriptions are entered on a volume/calendar year basis. Each volume consists of about 1,000 pages (plus index). Nonmember and institutional rates for 1992 one-year subscriptions are $91.00 ($96.00 outside USA). For two- and three-year subscription rates or prices of *single copies* of the current and back issues, call or write the Executive Office.

1992 Law and Society Association Membership

Membership in the Association is open to individuals and includes a subscription to the *Review*. Members have the right to reprint articles from the *Review* without charge for classroom use. Annual dues for 1992 (*Review* Volume 26) are:

Student (nonvoting)	$20.00	Contributing	$ 75.00
Regular	$60.00	Sustaining	$150.00

Contributions to the Law and Society Association are tax exempt.

Direct communications about membership, subscription, back issues, reprint permission, or advertising to: Executive Office, Hampshire House, University of Massachusetts at Amherst, Amherst, MA 01003. Telephone (413) 545-4617; FAX (413) 545-1640.

The *Law & Society Review* gratefully acknowledges the generous assistance of the State University of New York at Buffalo for support of its editorial office.

The *Law & Society Review*, its editors, editorial board, and publisher, and the Law and Society Association disclaim responsibility and liability for any statements of fact or opinion made by contributors.

© The Law and Society Association, 1992 All Rights Reserved

https://doi.org/10.1017/S002392160001971X Published online by Cambridge University Press

LAW & SOCIETY
Review

Volume 26
Number 3
1992

Contents

About the Authors 463

From the Editor 465

The Emergence of the Business Corporation

Economy, Community, and Law: The Turnpike Movement in New York, 1797–1845
Daniel B. Klein & John Majewski 469

The Active Juror

Blindfolding the Jury to Verdict Consequences: Damages, Experts, and the Civil Jury
Shari Seidman Diamond & Jonathan D. Casper 513

The Context of Litigation

The Elusive Shadow of the Law *Herbert Jacob* 565

The Dynamics of Jail Reform Litigation: A Comparative Analysis of Litigation in California Counties *Wayne N. Welsh* 591

The Value of Counsel: 20 Years of Representation before a Public Housing Eviction Board *Karl Monsma & Richard Lempert* 627

Review Essay

Ordinary Litigation in America's Civil Courts: Images of Lawyers and Bargaining
Roy B. Flemming 669
Reviewing Kritzer, *The Justice Broker* and *Let's Make a Deal*

https://doi.org/10.1017/S002392160001971X Published online by Cambridge University Press

LAW & SOCIETY
Review

Editor:	Frank Munger
Associate Editors:	David Engel, John Hagan, Nancy Reichman
Review Essays Editor:	Barbara Yngvesson
Editorial Assistant:	Sara Faherty
Production Editor:	Bette H. Sikes

Advisory Panel on Symposia

Lawrence Baum, Ohio State University
Jane Collier, Stanford University
Shari Seidman Diamond, University of Illinois and American Bar Foundation
Stewart Macaulay, University of Wisconsin Law School
Susan S. Silbey, Wellesley College

Editorial Advisory Board

Richard Berk, University of California, Los Angeles
John Braithwaite, Australian National University
Gregory Caldiera, Ohio State University
John Comaroff, University of Chicago and American Bar Foundation
Yves Dezalay, Paris, France
Klaus Elder, European University Institute
Theodore Eisenberg, Cornell Law School
Vincenzo Ferrari, University degli Studi di Milano
Marc Galanter, University of Wisconsin–Madison
James Gibson, University of Houston
Michael R. Gottfredson, University of Arizona
Carol Greenhouse, Indiana University
Michael Grossberg, Case Western Reserve University
Kermit Hall, University of Florida
Keith Hawkins, Oxford Centre for Socio-Legal Studies
Andre J. Hoekema, University of Amsterdam
Heleen Ietswaart, Erasmus University
Robert Kagan, University of California, Berkeley
Steven Klepper, Carnegie Mellon University
Lewis Kornhauser, New York University
Colin Loftin, University of Maryland
Elizabeth Loftus, University of Washington
Lynn Mather, Dartmouth College
Joan McCord, Temple University
Craig McEwen, Ohio State University
Carrie Menkel-Meadow, University of California, Los Angeles
Brinkley Messick, University of Michigan
Setsuo Miyazawa, Kobe University
Erik Monkkonen, University of California, Los Angeles
Martha Myers, University of Georgia
Raymond Paternoster, University of Maryland
Rogelio Perez-Perdomo, I.E.S.A., Caracas, Venezuela
Daniel Rubinfeld, University of California, Berkeley
Boaventura de Souza Santos, Universidade de Coímbra
Carroll Seron, University of California, Los Angeles
Susan Shapiro, American Bar Foundation
Grazyna Skapska, Jagiellonian University
Carol Smart, University of Leeds
Cassia Spohn, University of Nebraska at Omaha
Neelan Tiruchelvam, Law and Society Trusts, Colombo, Sri Lanka
Neil Vidmar, Duke University
Lucie White, University of California, Los Angeles
Susan White, University of New Hampshire
Patricia Williams, University of Wisconsin–Madison
Franklin Zimring, University of California, Berkeley

https://doi.org/10.1017/S002392160001971X Published online by Cambridge University Press