From the Editor

Acknowledgments

This is the final number in Volume 27, and at the end of each volume it has been customary to acknowledge those who have helped by reviewing manuscripts received during the year. The names of reviewers for this volume appear at the end of the issue.

The number of people to thank has been growing. The number of reviewers has increased; more people have been involved in developing, editing, or contributing to special issues; and a large number of advisory board members and other colleagues[1] undertook special tasks at my request or have given me much needed advice. I would also like to acknowledge the continuing contributions of the people in two locations who make publication possible—Bette Sikes, my Chicago-based copyeditor and manager of production; Sara Faherty, the coordinator of the Buffalo office; and Oren Zeve and Bobbe Morano who have assisted in my office for the past two years. I would also like to thank Laura Mangan, managing editor of *Law & Policy*, who assisted in copyediting the articles for the death penalty research symposium in Volume 27, Number 1.

In This Issue

Judging by titles alone, it is likely that different readers will select one or two, but will rarely read all, of the articles in a particular issue (one of the virtues of having titles on the cover is that readers will at least stop to consider these choices). For example, the articles in this particular issue are about topics as different as legislating criminal penalties for corporations, the myths made by parents about the disabilities of their children, the Marcos dictatorship's effect on the Philippine Supreme Court, and the impact of changing gender roles on responsiveness to sanctions. For the eclectic reader this variety is a feast of research about interesting problems in different institutional settings and different legal cultures. For many readers, the top-

[1] Among them a baker's dozen from the Law and Society Association Board of Trustees, the entire Advisory Panel on Symposia, and 28 members of the Editorial Advisory Board.

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ics may be viewed as belonging to different fields of study and to different schools of thought marked both by a literature on theory and by the way evidence is gathered and brought to bear on a question. These differences appear more pronounced where, as here, three of the articles are studies of distinct cases or problems.

The problem focus of much recent law and society research reflects a growing appreciation of influences of context and biography on normative order and, therefore, of the importance of appropriately nuanced research. At the same time, each such thoroughly explored problem is part of larger problems or contexts that make up a community, nation or tribe, and, indeed, a global society. Problem-focused research appears against a background, not necessarily as a *representative* of general patterns but as a connected part of a social order that transcends the particular setting. The differences in ways of explaining the relevance of insights achieved through the research, and differences in the emphasis on "general theory" in particular, arise from the complexity of the relationship between particular cases or instances and the larger picture. This connection is often what makes an article most worth reading.

Read in this way, as attempts to understand the significance of law in society by examining law in particular contexts, these articles address quite similar questions—about the influence of standpoint on the production of law and about the distributive justness of the social order thus produced. A great deal can be learned by comparing the way the authors ask these questions in each setting, the significance they attribute to biographical, institutional, or contextual standpoints in the production of law, the degree to which the production of law is a competitive process among participants with different interests and power, the importance of reflexivity (i.e., self-conscious engagement with the perspective of subjects), and the way history is used to reveal the influence of both particular standpoints and institutional continuity.

In a study examining the impact of changing gender roles on the effectiveness of social, psychological, and legal sanctions, Harold Grasmick, Brenda Blackwell, and Robert Bursik report results of surveys conducted over a ten-year period. Their hypotheses about the effects of greater participation by women in the labor force and the changing family role of women on perceptions of sanctions are derived from Hagan's power control theory and have broad implications for legal and normative order in a gendered world. Although the social changes that lead the authors to predict a decline in gender differences in attitudes are widespread, the results provide partial confirmation, primarily for the better educated respon-

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dents, for certain crimes and for external sanctions (embarrassment and legal sanctions) rather than internal sanctions (shame). The complex pattern discovered and discussed by the authors has broad implications for further study of gender and normative order.

Also emphasizing the importance of the historical context for legal order, Neal Tate and Stacia Haynie examine the changes in the production of law by the Philippine Supreme Court under democracy and under the Marcos dictatorship. The "institutional performance" of the Court is followed by observing changes in three specific functions suggested by the work of Martin Shapiro—conflict resolution, social control, and administration. In this first attempt to build a theory of such performance, the authors explain the effects of politically controlled input: prosecution of cases, legal jurisdiction, and selection of personnel. Further, the implications of controlling inputs are assumed to be understood by political officials, who value the court's legitimacy, thus giving the authors' theory an important reflexivity. Finally, the Box-Jenkins analysis employed by the authors permits detection of changes in the functional performance of the court through different historical phases of the Marcos dictatorship.

In a contrasting study of the production of law by legislators, lobbyists, and middle-level government officials, William Lofquist examines the United States Sentencing Commission's development of guidelines for organizational probation. The focus on the production of law within a single branch of government permits Lofquist to assess the value of a number of theories about competitive interaction among participants representing both personal standpoints and institutional commitments. Factors ignored by theories, however, emerge as critically important, including the conflicting interests of various state managers, the bounded rationality of representatives of institutional and class interests, and the reflexive focus of debates on the meaning of statutory language and its impact.

David Engel's study of law and myth begins with his discovery that parents of children with disabilities tell similar stories about the origin of their own and others' perceptions that their child is disabled, stories that highlight misperception and misunderstanding by medical professionals, as well as parents' own frustration, conflict, and, ultimately, vindication. Engel searches for the meaning of the stories and finds it in the frustration of the parents. While federal law has mandated a local forum for reaching mutual agreement on schooling, that mutuality has been undermined by the power exercised by professionals and other repeat players, and by the label "disability," which disempowers the nonexpert parents who must plead for

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resources to meet the "special needs" of their "disadvantaged" child. Myths created by parents, similar to the role of myths in many other cultures, reflect the failure of everyday life and law to resolve conflict and express an ideal resolution not achieved through the remedy of rights.

Frank Munger

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