

Restructuring Justice

The Innovations of the Ninth Circuit and the Future of the Federal Courts

By ARTHUR D. HELLMAN, Editor.

"*Restructuring Justice* is both valuable and timely. . . . [The book] is a thoughtful contribution to the debate over problems associated with large circuits. . . . [The authors' work] makes a compelling case . . . for ongoing study of the circuit's ability to manage its caseload rather than for immediate division of the circuit."—*Harvard Law Review*. \$42.50 cloth, \$14.95 paper

Identity\Difference

Democratic Negotiations of Political Paradox

By WILLIAM E. CONNOLLY. In this work, one of the country's most influential political thinkers makes a highly original contribution to our understanding of the relationship between personal identity and democratic politics.

"An exhilarating experience. There are very few political theorists as continuously instructive as Connolly on the depths and the deceptive surfaces of doctrinal responses to the human condition."—George Kateb, Princeton University. \$27.50

Making All the Difference

Inclusion, Exclusion, and American Law

By MARTHA MINOW. "A pioneering study of the legal construction and reconstruction of stigma in American public life. *Making All the Difference* offers an imaginative reflection on how to institute a legal order that would take seriously the ideal of an inclusive political community. At the same time, it provides a chilling picture of the power of our inherited patterns of thought and practice to exclude and marginalize diverse Americans, including racial, religious, ethnic, and sexual minorities, women, children, and the disabled."—Hendrik Hartog, University of Wisconsin Law School. \$29.95

NEW STUDIES FROM PLENUM

LANGUAGE IN THE JUDICIAL PROCESS

edited by **Judith N. Levi**
and **Anne Graffam Walker**

In this interdisciplinary volume, contributors present empirical studies addressing the complex and critical relationships between language and legal processes in the United States. Chapter authors analyze spoken language as it is used in a wide range of legal contexts, and explore the impact on legal proceedings of court interpreters and court reporters. Specific topics include narratives and narrative structure in plea bargaining, legal realism in lawyer-client communication, language and cognition in products liability, and much more. Volume 5 in the series *Law, Society and Policy*.

0-306-43551-9/404 pp./fill./1990/\$49.50
text adoption price on orders of six or more copies: \$32.50

POLICE AS PROBLEM SOLVERS

by **Hans Toch**
and **J. Douglas Grant**

This lively and authoritative book explores the problem-oriented approach to policing and examines how individual police officers can use this process to help produce real social change. The authors present verbatim transcripts and other case material from their pioneering study on problem-oriented policing and assess the long-term impact of this method on both police and the community. In addition, they relate the issue of police reform to other literature on work reform and provide a thorough analysis of how problem-oriented policing can help authorities prevail in the war against drugs.

0-306-43845-3/295 pp. + index/fill./1991
\$39.50
text adoption price on orders of six or more copies: \$24.50

THE LOGIC OF SOCIAL CONTROL

by **Allan V. Horwitz**
with a foreword by **Donald Black**

Horwitz synthesizes findings from various disciplines on the penal, compensatory, conciliatory, and therapeutic styles of control systems, and develops a number of generalizations that can be drawn from the way these systems emerge, operate, and change. The book discusses • how variations in the social structural contexts of social control efforts explain differences among the systems • a social theory of social control • the impact recent social changes will have on future social control systems.

0-306-43475-X/306 pp./fill./1990/\$35.00
text adoption price on orders of six or more copies: \$24.50

DELINQUENCY CAREERS IN TWO BIRTH COHORTS

by **Paul E. Tracy,**
Marvin E. Wolfgang,
and **Robert M. Figlio**

Based on the authors' longitudinal study, this inaugural volume in the series compares the juvenile delinquency careers of youths in two birth cohorts to determine the differences and similarities in their delinquent behavior. This comprehensive handbook compares the two cohorts in terms of • pervasiveness of delinquency and crimes of violence • severity of crimes on an empirical gravity scale • delinquency specialization • desistance rates • court handling of delinquents. The inaugural volume in *The Plenum Series in Crime and Justice*.

0-306-43631-0/318 pp./fill./1990/\$35.00
text adoption price on orders of six or more copies: \$24.50

Book prices are 20% higher outside US & Canada.



PLENUM PUBLISHING CORPORATION
233 Spring Street, New York, NY 10013-1578
Telephone orders: 212-620-8000 1-800-221-9369

Now in paperback...

Pornography in a Free Society

Gordon Hawkins and Franklin E. Zimring

"It is certainly the best and most intelligent work about pornography for a long time."

—John Kaplan, Stanford Law School

Pornography in a Free Society deals with what has been called the "civil war over smut." The authors look at the problems of pornography in a broader perspective than that of partisan political debate and explain why it has become so controversial and divisive an issue in Western nations in recent decades.

40600-5 Paper \$14.95

Critique and Construction

A Symposium on Roberto Unger's Politics

Robin W. Lovin and Michael J. Perry, Editors

This volume contains essays on Unger's work by a wide range of social, political and legal theorists. The essays are not intended as reviews of Politics. Rather, the contributors take the work as a point of departure for reflecting on their own disciplines and for evaluating their own views in the light of Unger's theories.

35208-8 Hardcover \$44.50

The Rule of Law in a Penal Colony

Law and Politics in Early New South Wales

David Neal

This book, written by a lawyer and unique for its perspective based in both legal and social history, illuminates the important role played by the concept of the rule of law in the transformation of New South Wales from a penal colony to a free society.

Studies in Australian History

37264-X Hardcover about \$44.50

The Limits of Law

The Public Regulation of Private Pollution

Peter Cleary Yeager

This book examines the systematic constraints on U.S. law enforcement agencies to regulate business behavior. It looks specifically at the postwar development of laws regulating water pollution and at the Environmental Protection Agency's efforts to enforce them.

36535-X Hardcover \$49.50

Aboriginal Youth and the Criminal Justice System

Fay Gale, Rebecca Bailey-Harris, and Joy Wundersitz

This careful study of young Australian aborigines' encounters with the legal system illuminates the question of how racial minorities fare in systems intended to be neutral among groups and the concept of "equality before the law."

37464-2 Hardcover \$44.50

A Disease of Society

Cultural and Institutional Responses to AIDS

Dorothy Nelkin, David P. Willis, and Scott V. Parris, Editors

"Thoughtful, disturbing, and beautifully written, *A Disease of Society* forces the reader to see AIDS as a social phenomenon with widespread effects on the way Americans think and act."

Rosemary Stevens,
University of Pennsylvania

This book provides the first assessment of the impact of AIDS on American life from such a diverse set of perspectives, and it will be of interest to anyone concerned with the effect of the disease on our society.

40411-8 Hardcover \$42.50

40743-5 Paper \$13.95

Available in bookstores or write:

CAMBRIDGE UNIVERSITY PRESS

40 West 20th Street, New York, NY 10011. Call toll-free 800-872-7423.

MasterCard/VISA accepted. Prices subject to change.

Legal Studies from Chicago

Law and Public Choice

A Critical Introduction

Daniel A. Farber and Philip P. Frickey

A remarkably rich and accessible introduction to the central principles of public choice and of the implications for the American legal system. Farber and Frickey also critique arguments based on public choice for the "new conservative judicial activism."

Paper \$13.95 176 pages
10 figures, tables throughout

The Illusion of Equality

The Rhetoric and Reality of Divorce Reform

Martha Albertson Fineman

In a critique that examines the symbols and rhetoric of contemporary divorce reform, Fineman persuasively demonstrates that gender-equality-oriented rules have been successfully instituted at the expense of the women and children they were designed to help.

Cloth \$24.95 240 pages

Private Property and the Limits of American Constitutionalism

The Madisonian Framework and its Legacy

Jennifer Nedelsky

"Upsetting many fundamental assumptions about the Constitution, this brilliant and provocative study reveals the central, formative role of private property in the Framers' thought" —Frank I. Michelman, Harvard Law School

Cloth \$29.95 358 pages

The Scale of Imprisonment

Franklin E. Zimring and Gordon Hawkins

Two of the nation's foremost criminal justice scholars offer a comprehensive assessment of the factors behind the overcrowding of American prisons. Their remarkable findings reveal that the growth of prison population has no direct relationship with the factors usually deemed responsible.

"If not crime rates, what has filled our prisons and jails to bursting point? . . . Zimring and Hawkins offer by far the best presently available answer." —Norval Morris, University of Chicago

Cloth \$29.95 264 pages

13 tables, 14 figures

Studies in Crime and Justice

Tournament of Lawyers

The Transformation of the Big Law Firm

Marc Galanter and Thomas Palay

Galanter and Palay explore how the "promotion-to-partner tournament" has spurred the exponential growth of large law firms and analyze the dangerous turning point to which that very success has inexorably led the profession.

**UNIVERSITY
of CHICAGO
PRESS**

*5801 South Ellis
Chicago, IL 60637*

AMERICAN LAW, AMERICAN LAWYERS

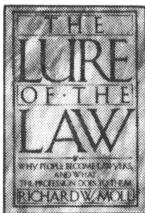


THE LITIGATION EXPLOSION What Happened When America Unleashed the Lawsuit

Walter K. Olson
From malpractice

suits to libel actions, from job discriminations to divorce, Americans have become the world's most litigious people. What was viewed twenty years ago as a last resort has now become a commonplace occurrence. *The Litigation Explosion* exposes these revolutions in American law, and how, since 1970, it has been easier to start, prolong, and win a court trial on numerous questionable, and sometimes, false pretenses. Olson's animated study points the way towards many intelligent and realistic reforms in an attempt to combat the modern judicial state of siege that is presently staggering our entire system of economy and justice. 416 pp.

Dutton hardcover 0-525-24911-7 \$24.95



THE LURE OF THE LAW Why People Become Lawyers, and What the Profession Does to Them

Richard W. Moll

"Frank revelations of professional people wedded to their careers yet divorced from their families."—*ALA Booklist*. Drawing on more than 40 personal interviews with practicing, prospective, and former lawyers, Moll explores both the allure and expectations of the profession and compares them with actual experiences and realities of lawyers, often uncovering many cases of dissatisfaction, frustration, and disillusionment. "Lively autobiographies and views on the law and colleagues...penetrating analyses." —*Publishers Weekly*.

240 pp.

Viking hardcover 0-670-81969-7 \$18.95

THE COURAGE OF THEIR CONVICTIONS

Sixteen Americans Who Fought
Their Way to the Supreme Court
Peter Irons

"Peter Irons's extraordinary book reveals the live faces behind the masks of constitutional law; to read it is to understand the inner dynamics of law's outward development."—*Lawrence H. Tribe, Harvard Law School*. Irons insightfully conveys the human side of the workings of our constitutional system through this analysis of 16 cases that were brought to the Supreme Court by ordinary citizens. *Winner of the Silver Gavel Award of the ABA*. 432 pp.

Penguin paperback 0-14-012810-7 \$8.95

WITH JUSTICE FOR NONE

Gerry Spence

"A scathing indictment of how the law is taught, practiced, and administered in this country."—*Denver Post*. Gerry Spence, the famed and outspoken trial lawyer, utilizes his more than 35 years of experience in the legal system to show how the rules of the game conspire to deprive ordinary citizens of their Constitutional rights of equal protection under the law. 384 pp.

Penguin paperback 0-14-013325-9 \$9.95

THE RIDDLE OF POWER

Presidential Leadership from Truman
to Bush

Robert Shogan

Shogan argues that while the President of the United States remains the most powerful governmental figure in the world, the last nine people who have held this post had been constantly plagued by failed policies, broken promises, and political deadlock. *The Riddle of Power* reveals that the strength of three individual personality traits a President possesses—ideology, values, and charisma—are more powerful than the actual legislative power they wield. 352 pp.

Dutton hardcover 0-525-24956-7 \$21.95

PENGUIN USA

Academic Marketing Department

375 Hudson Street, New York, N.Y. 10014-3657

Oxford

The Electronic Media and the Transformation of Law

M. ETHAN KATSH, *University of Massachusetts, Amherst*

"A seminal book." — *ABA Journal*

"Katsh maintains that new forms of electronic communication, in their ability to foster more and faster links among people, will be supportive both of less abstraction in legal relations and of greater group consciousness in the formulation of our legal ideals. . . . This is an absorbing book, evocative and optimistic."

— *The New York Times Book Review*

1989 (paper July 1991) 368 pp. paper \$15.95 cloth \$39.95

Winner of the James Willard Hurst Award of the Law and Society Association

The Marshall Court and Cultural Change, 1815-1835

Abridged Edition

G. EDWARD WHITE, *University of Virginia*

"Edward White. . . has produced no less than a one-volume education in the formative period of American law. . . . Of few books may one venture the term definitive. It is hard to think of any respect in which this one is not."

— *Washington Post Book World*

"The best work of American constitutional history in the last twenty-five years." — Morton Horwitz, *Harvard Law School*

March 1991 784 pp. paper \$16.95 cloth \$49.95

Public Law and Democracy in the United Kingdom and the United States of America

PAUL CRAIG, *Oxford University*

This study brings the fruits of writings in political science and political theory to bear on the issues of public law. A critical examination of the centralist democratic views of Dicey is followed by an extensive discussion of a variety of pluralist theories of democracy.

1991 364 pp. \$49.95

The Use and Abuse of Unjust Enrichment

Essays on the Law of Restitution

JACK BEATSON, *Oxford University*

This book offers in-depth coverage of most of the important topics on the law of restitution.

March 1991 288 pp. \$68.00

The Political Economy of the Sherman Act

The First One Hundred Years

Edited by E. THOMAS SULLIVAN, *University of Arizona, Tucson*

"A valuable and thoughtfully arranged selection of readings."

— Robert Pitofsky, *Dean of Georgetown University Law Center*

This book examines the legislative history and the political economy of the Sherman Antitrust Act — the main federal statute that regulates economic activity in the United States.

February 1991 344 pp. \$35.00

Prices and publication dates are subject to change and good only in the U.S.

To order, send check or money order to: Department KLH

*To order by phone using major credit cards,
please call 1-800-334-4249, ext. 7106.*

THE
ELECTRONIC
MEDIA AND THE
TRANSFORMATION
OF LAW

M. ETHAN KATSH

Oxford University Press

200 Madison Avenue • New York, NY 10016

LAW AND SOCIETY ASSOCIATION

OFFICERS

- PRESIDENT:** Richard L. Abel, Law, University of California, Los Angeles
PRESIDENT-ELECT: Joel Handler, Law, University of California, Los Angeles
IMMEDIATE PAST PRESIDENT: Felice J. Levine, Law and Social Science, National Science Foundation
SECRETARY: Tom Tyler, Psychology/Political Science, Northwestern University/
American Bar Foundation
TREASURER: Susan Silbey, Sociology, Wellesley College
EDITORS: *Law & Society Review:* Shari Diamond, Psychology, University of Illinois,
Chicago; *Book Review:* Joseph Sanders, Law, University of Houston
EXECUTIVE OFFICER: Ronald M. Pipkin, Legal Studies, University of
Massachusetts-Amherst

BOARD OF TRUSTEES

- Class of 1991**
Kathleen Daly, Sociology, Yale University
Yves Dezalay, Sociology, Centre National de la Recherche Scientifique, Paris
Valerie P. Hans, Criminal Justice/Psychology, University of Delaware
Darnell F. Hawkins, Black Studies, University of Illinois-Chicago
Susan M. Olson, Political Science, University of Utah
June Starr, Anthropology, State University of New York-Stony Brook
David M. Trubek, Law, University of Wisconsin-Madison
Robin L. West, Law, University of Maryland
- Class of 1992**
David C. Baldus, Law, University of Iowa
Malcolm Feeley, Law/Political Science, University of California, Berkeley
Richard Lempert, Law/Sociology, University of Michigan
Mari Matsuda, Law, University of Hawaii
Nancy Reichman, Sociology, University of Denver
Judith Resnik, Law, University of Southern California
Susan Shapiro, Sociology, American Bar Foundation
Joyce Sterling, Sociology, University of Denver
- Class of 1993**
John Brigham, Political Science, University of Massachusetts-Amherst
Kimberle Crenshaw, Law, University of California, Los Angeles
William L. F. Felstiner, Law/Political Science, American Bar Foundation
Lawrence Friedman, Law, Stanford University
James L. Gibson, Political Science, University of Houston
Christine B. Harrington, Political Science, New York University
Kim Lane Scheppele, Political Science, University of Michigan
Lenore J. Weitzman, Sociology, Harvard University
- Ex Officio Trustee** **Immediate Past Editor:**
Robert Kidder, Sociology, Temple University
- Past Presidents:**
Harry Ball, Sociology, University of Hawaii
Lawrence M. Friedman, Law, Stanford University
Marc Galanter, Law, University of Wisconsin-Madison
Herbert Jacob, Political Science, Northwestern University
Charles D. Kelso, McGeorge School of Law, University of the Pacific
Samuel Krislov, Political Science, University of Minnesota
Stewart Macaulay, Law, University of Wisconsin-Madison
Victor G. Rosenblum, Law, Northwestern University
Richard D. Schwartz, Law, Syracuse University
Robert B. Yegge, Law, University of Denver

ISSN 0023-9216