

LAW, COURTS, AND JUDICIAL PROCESS SECTION

NEWSLETTER

Vol. 3 No. 1

Fall, 1985

TABLE OF CONTENTS

Section News	
1985 Annual Section Meeting	1
1985 Annual Section Executive Committee Meeting	1
Graduate Student Paper Award	2
Amendments to the By-Laws	3
Announcements	
National Science Foundation Law and Social Sciences Program	5
Conference Information	
Law, Courts, and Judicial Process Section Panels (1986)	5
Law and Society Association (1986)	6
Bellagio Conference (1985)	8
Northeastern Political Science Association (1985)	10
Southern Political Science Association (1985)	12
Journal Information	
American Journal of Political Science	13
American Political Quarterly	13
American Political Science Review	14
Journal of Politics	14
Polity	14
Social Science Quarterly	15
Western Political Quarterly	15
Editorial Comments	15

*Chair: Bradley Canon*

*Secretary/Treasurer: Susetta Talarico*

*Executive Committee: R. Carp, L. Carter, B. Henschen, C. Lamb, G. Tarr*

*Newsletter Editor: Charles A. Johnson*

*Associate Editors: Lief Carter and Charles Lamb*

## Instructions to Contributors

The Newsletter publishes articles, news items, announcements, commentary, and features of interest to members of the Law, Courts, and Judicial Process Section. The Newsletter is published three times each year in Fall, Spring, and Summer issues. Deadlines for submission of materials for each issue are as follows: Fall (September 15th), Spring (January 15th), and Summer (May 15th). Contributions to the Newsletter should be sent to the appropriate editor listed below.

### Articles and Commentary

Brief articles and notes describing matters of interest to the field will be published subject to review by Newsletter editors. Authors are encouraged to share research findings, teaching innovations, or commentary on developments in the field which would interest members of the section. Footnote and reference style should follow that of the American Political Science Review.

Please send two copies of prospective articles and commentary to:

Professor Lief Carter, Associate Editor  
Law, Courts, and Judicial Process Section Newsletter  
Department of Political Science  
University of Georgia  
Athens, Georgia 30602  
[(404) 542-2057]

Authors are encouraged to call Professor Carter if in doubt about whether an article is appropriate for submission to the Newsletter.

### Conventions and Bibliographic Information

The Newsletter attempts to inform members of upcoming and past conferences as well as the publication of judicial articles and books. Organizers of judicial panels at national, regional, state, or other professional meetings are encouraged to inform the Newsletter so that papers and participants may be reported. Authors of judicial books are also encouraged to inform the Newsletter of their manuscript's publication. Suggestions and information concerning conventions or publications in the field should be sent to:

Professor Charles Lamb, Associate Editor  
Law, Courts, and Judicial Process Section Newsletter  
Department of Political Science  
State University of New York at Buffalo  
Buffalo, New York 14226  
[(716) 636-2251]

Announcements for organizing panels should be submitted well in advance of deadlines. Announcements of past panels should include the name of the meeting, dates, name of the panel, paper titles, and authors of the papers.

### Announcements and Correspondence

Announcements and section news will be included in the Newsletter. Developments in the field such as fellowships, grants, etc., will be announced if there is sufficient time for submission of materials to the granting body. Announcements and correspondence concerning the Newsletter should be sent to:

Professor Charles A. Johnson, Editor  
Law, Courts, and Judicial Process Section Newsletter  
Department of Political Science  
Texas A&M University  
College Station, Texas 77843  
[(409) 845-2511]

## SECTION NEWS

### *1985 ANNUAL SECTION MEETING*

The annual meeting of the Law, Courts, and Judicial Process Section was held on Friday, August 30th, at the APSA meeting in New Orleans. The meeting was chaired by section chair Burton Atkins. Atkins reported that the section's treasury was in good shape with a current balance of \$1421.46. The number of members was also very high with a total membership of more than 500 individuals.

Robert Carp, Chair of the Graduate Paper Award Committee, reported that the 1985 award was being presented to Mr. Richard Feiock, a Ph.D. student at the University of Kansas. The title of the paper was "Support for Business in the Federal District Courts: The Impact of State and Local Environments" and was presented at the 1985 Annual Meeting of the Southwestern Social Science Meeting. Mr. Feiock will receive an honorarium of \$100 and a copy of *Guide to the U.S. Supreme Court*, which is being donated by CQ Press.

There was a general discussion regarding the selection of officers for the section regarding the issue of whether the nominations committee should nominate a slate of candidates or present several candidates for election by the section's members. Samuel Krislov moved that the Executive Committee of the section propose a change in the by-laws which would allow the nomination of a slate of candidates for section office. These candidates would be presented for election at section's annual meetings. Competitive elections would take place if additional nominations were made at that time. The motion passed on a voice vote. *[See the report of the executive committee and enclosed changes of the by-laws for further information on this motion.]*

### *1985 ANNUAL SECTION EXECUTIVE COMMITTEE MEETING*

The Executive Committee met on Saturday, August 31st, at the APSA meeting and took the actions noted below. Members present were Section Chair Bradley Canon, Committee members Bob Carp, Chuck Lamb and Alan Tarr, and Newsletter Editor Charles Johnson.

(1) The Committee voted to discontinue the cash bar reception following the annual Section Meeting. The reception competes with too many other receptions or parties (which in some cases offer free drinks). We have not come close to the breakeven point (we were 65 drinks short this year) and the Section has had to make up the difference from its treasury.

(2) In accord with the Section Meeting mandate, the Committee voted to recommend revision of the Section By-laws to provide for the Nominating Committee to propose a single slate of officers to be elected at the annual Section Meeting, to establish procedures for the nomination of other candidates and for a mail ballot if this occurs, and to create the office of Chairperson-Elect to provide greater continuity in the Section leadership. A more detailed explanation of the proposed changes appears on page 3 of the Newsletter. A mail ballot also is attached to the Newsletter and should be returned to Secretary/Treasurer Susette Talarico.

(3) The Committee voted to sponsor several panels at the 1986 APSA meeting. The Executive Committee will try to develop a workshop or panel on the availability and nature of judicial data sources. In addition, the Section will try to arrange another "Supreme Court Tour" short course. This has been well-subscribed

in the past when the APSA has met in Washington. The Section plans to sponsor traditional format panels in two areas: analysis of judicial doctrine and criminal justice. The Section is also open to sponsoring a state-of-the-research roundtable or panel in some area of the field, e.g., plea bargaining, judicial decision-making. In addition, the Section can sponsor one or two other panels which are proposed by Section members. Paper proposals or other offers of participation should be sent to Bradley Canon at the University of Kentucky. [For further information about Section panels at the 1986 APSA Meeting, see the Conference Information section of the Newsletter.]

(4) The Committee accepted Charles Johnson's suggestion that Chuck Lamb and Lief Carter be named associate editors of the Newsletter. Lamb will handle bibliographic listings and Carter will furnish the Newsletter with reports of current events relating to law, courts and judicial processes.

(5) The Committee voted to make the terms of the Best Graduate Student Paper Award Committee run two years and to stagger them so that they don't all expire in the same year.

(6) The Committee discussed ways of soliciting additional membership into the Section both among political scientists and among scholars in other disciplines who are doing research on law, courts, and judicial processes.

#### GRADUATE STUDENT PAPER AWARD

The Section will offer an award for the best graduate paper presented at a professional meeting covering law, courts, and the judicial process. The objective of the award is to promote graduate student papers at professional meetings. The award will include a \$100 honorarium and a copy of *Guide to the U.S. Supreme Court* (Washington, D.C.: Congressional Quarterly, 1979) which is being donated by CQ Press. Announcement of the award will be made at the annual Section meeting.

The competition is open to papers authored solely by a graduate student and presented at a professional meeting. Co-authored papers (with other graduate students or with professors) are not eligible for the award. The papers may be presented at any professional meeting including but not limited to national or regional political science meetings or law related meetings such as the Law and Society Meeting. Competition for the 1986 award will include papers presented during the 1985-86 academic year, including the 1985 APSA meeting.

A committee of three persons, David O'Brien (Chair), University of Virginia; David Neubauer, University of New Orleans, and Lettie Wenner, University of Illinois, Chicago, will review papers submitted during the year and recommend one for the award.

Papers may be nominated or may be submitted by the author. To be considered each member of the committee should receive a copy of the paper. The addresses of the committee members are: David O'Brien, Department of Government, University of Virginia, Charlottesville, Virginia 22901; David Neubauer, Department of Political Science, University of New Orleans, New Orleans, Louisiana 70148; and Lettie Wenner, Department of Political Science, University of Illinois, Chicago, Chicago, Illinois 60680.

*PROPOSED AMENDMENTS TO THE BY-LAWS*

*Law, Courts, and Judicial Process Section  
American Political Science Association*

Deletions are in brackets; *additions are italicized.*

II. Governance of the Section

A. The Section will be governed by a Chairperson, a *Chairperson-elect*, a Secretary-Treasurer and [a] five members of the Executive Committee.

B. The duties of these officers are as follows:

Chairperson: (as is)

*Chairperson elect: Assume the office of Chairperson at the next annual meeting; serve as a member of the Executive Committee; chair the meeting of the Section or the Executive Committee in the absence of the Chairperson; assume the office of Chairperson in the event of a vacancy.*

Secretary-Treasurer: (as is)

*Executive Committee: Except when the office of chairperson is filled as described above, it shall fill all vacancies in any office including its own membership until the next election; audit the annual report of the Secretary-Treasurer; propose amendments to these by-laws or receive petitions for changes in the by-laws; make decisions and recommendations for any other business of the Section; and interpret these by-laws.*

C. [The election of officers should be conducted in March or April, with the elected officers taking office at the Annual Section Meeting at the Annual Meeting of the APSA.] The election of officers should proceed as follows:

1. [Prior to the election] In March [or April] the Section Chairperson should organize a nominating committee consisting of at least five members of the Section representing the diverse interests of the Section.

2. [At least two months prior to the elections] *Following its appointment, the nominating committee should solicit the members of the Section for nominations for section offices. [All individuals receiving nominations from 10 percent of the Section's membership should automatically be placed on the ballot. The nominating committee should construct the final ballot based on the nominations, self-nominations and nominations from 10 percent of the section.] The nominating committee shall nominate a slate of officers that (a) is taken from the names received, particularly those persons receiving several mentions, and (b) represents the diverse interests of the section. The slate shall be listed in the summer issue of the Section Newsletter and/or PS or otherwise distributed to the Section members so that the nominees are known prior to the Annual Section Meeting.*

3. [The election should be by mail ballot to all members of the Section in March or April.] *Five members of the Section may nominate candidates for*

any office (except Chairperson) at the Annual Section Meeting, or by petition sent to the chairperson prior to the meeting.

4. For offices for which no nominations are received or made at the Annual Section Meeting, the nominating committee's slate shall be considered elected and the officers shall assume office at the conclusion of the meeting. Offices which are contested shall be filled by mail ballot sent to all members of the section by the end of September. The winner shall be determined by a majority vote of all members participating in the election. In cases where no individual receives a majority of votes, a run-off election between candidates receiving the two greatest number of votes should be held at a date no later than [June 1st] November 1st. The winners shall assume office upon election.

5. The membership of the section should be informed of the election outcomes [prior to the Annual Section Meeting] in the next Section Newsletter.

6. (as is)

D. The terms of section officers are as follows:

Chairperson: one year [beginning on the date of the Annual Section Meeting.]

*Chairperson-elect: one year* [beginning on the date of the Annual Section Meeting.]

Secretary-Treasurer: three years [beginning on the date of the Annual Section Meeting.]

Executive Committee members: two years [beginning on the date of the Annual Section Meeting.] *Terms shall expire at the conclusion of the Annual Section Meeting, except that when an office is contested, the incumbent shall continue in office until his/her successor is elected.*

#### *Explanation for Proposed Changes in Section By-Laws*

Because of nominating and election problems during the past two years, the Annual Section Meeting voted to recommend a change in the By-laws. The wording of the proposed revision of the By-laws and a mail ballot for approving or disapproving the change appear in this issue of the Newsletter.

The current By-laws imply that the Nominating Committee should put several candidates for each office on the ballot, based on names received from the Section membership. However, Karen O'Connor, chairperson of the Nominating Committee, reported that she received very few suggestions from the membership for section officers and that some individuals suggested were not interested in running in a contested election. Consequently, the Nominating Committee has offered a single slate. The By-laws as currently written require a mail ballot. This is seen as superfluous if there is no contest. More important, it costs the Section about \$125. It is also sent out over the summer months when many section members are not at their home universities.

At the Annual Section Meeting a motion was made and passed to instruct the

Executive Committee to draft a revision of the by-laws to alleviate this problem, by having the Nominating Committee circulate a single slate of nominees, but providing a mechanism by which other candidates could be nominated for Section Office. The mail ballot would be used only if one or more offices were contested.

The Executive Committee has revised Section II-C accordingly. However, because it is vital to have a Section Chairperson in office during the fall months when arrangements for the following year's APSA program are being made, the Executive Committee also proposes revising Section II-B to that the Chairperson be elected a year ahead of time. This would also provide more continuity of leadership by having the Chairperson not come into office "cold" as has been the case in the past. (If the proposed revisions are adopted, the Nominating Committee for 1986-87 officers will nominate both a Section Chairperson and a Section Chairperson-Elect.)

--Bradley C. Canon, Section Chair

## ANNOUNCEMENTS

### *NATIONAL SCIENCE FOUNDATION LAW AND SOCIAL SCIENCE PROGRAM*

The Law and Social Sciences Program at the National Science Foundation continues to support scientific studies in law, legal process, and law-like systems of rules. These can include, but are not limited to, research designed to enhance the scientific understanding of the impact of law; human behavior and interaction as these related to law; the dynamics of legal decision making; and the nature, sources, and consequences of variations and changes in legal institutions. The primary consideration in reviewing applications is that the work advances scientific knowledge about law and legal process, regardless of the theoretical perspective, methodology, or context for study (including comparative, cross-cultural, and longitudinal).

The dates for submission of a proposal are January 1 for funding to begin as early as July 1 and August 15 for funding to begin as early as January 1. For further information about funding write or call: Felice J. Levine, National Science Foundation, Washington, D.C. 20550; (202) 357-9567.

## CONFERENCE INFORMATION

### *LAW, COURTS, AND JUDICIAL PROCESS SECTION PANELS (1986)*

The Law, Courts, and Judicial Process Section will sponsor several panels at the 1986 meeting of the APSA. As of this date, four panels are in early planning stages. Proposals for participation of these panels should be sent to the organizers listed with each panel. Proposals for papers on other topics should be sent to Bradley Canon, Section Chair, University of Kentucky.

*Roundtable on Data Sources in Public Law.* A roundtable on data sources in public law and the judicial process will be held at the 1986 APSA meeting in Washington, D.C. The focus of the discussions will be on publicly available sources

of data. If individual researchers have private data sources which they would like to make available to other researchers, please notify the panel chair. The data sources will be compiled and handed out to attendees. Information about data sources and data sets should be as specific as possible, including how they could be obtained and accessed. Communications should be sent to the panel chair: Professor Peter F. Nardulli, Institute of Government and Public Affairs, University of Illinois, 1201 West Nevada, Urbana, Illinois 61801.

*Roundtable on Researching State Supreme Courts.* Researching state supreme courts will be the focus of a roundtable at the 1986 APSA convention. The renewed interest in probing the work of state high courts emerged during a section sponsored panel on comparative state judicial research at the 1985 convention. As a follow up, the section will sponsor a roundtable to assess the current status of research efforts with a particular emphasis on issues of conceptualization and measurement. Of special interest are the variety of theoretical approaches that underlie contemporary research: quantitative as well as qualitative methods; process and policy; and case studies and comparative efforts. Presentations will be geared toward discussing problems and issues that emerge while conducting research rather than reports of research findings.

As part of the roundtable, a bibliography (perhaps annotated) on state supreme courts will be presented. Although these important judicial bodies have received less attention than the U.S. Supreme Court or trial courts, there is more literature than most realize. Books and a few articles that have appeared in major journals are highly visible in the profession. On the other hand, some interesting research findings can be found in harder to locate publication outlets such as law reviews, non-political science journals, dissertations, newsletters, speciality publications, convention papers, occasional collections and the like. Anyone who has authored material related to state supreme courts or knows of such works (dissertation advisors come quickly to mind) is strongly encouraged to contact David Neubauer, the panel chair, who is preparing the bibliography. Reprints of articles would be particularly useful, but full citations would also be helpful. The bibliography will attempt to compile, collate, and organize the existing work in the field. Its purpose is to help the roundtable better assess where we have been and where we are going.

Anyone with materials for the bibliography or who is interested in participating on the roundtable should contact: Professor David Neubauer, Department of Political Science, University of New Orleans, New Orleans, Louisiana 70148; 504-286-6455.

*Political Power and Reform of Criminal Justice.* This panel will be devoted to evaluating reform in criminal justice. Possible areas of interest for papers on the panel include the impact of specific reforms in criminal justice or analysis of the processes by which change occurs. The papers may concern reforms as they apply to the law itself or to institutions such as the police, courts, or corrections.

Paper proposals should be sent to Professor Susette Talarico, Department of Political Science, University of Georgia, Athens, Georgia 30602; 404-542-2057.

*Doctrinal Developments in Public Law.* This panel will include papers addressing doctrinal developments in public law. Papers for this panel are not limited to a specific topic, however, the panel chair will work with paper presenters to develop a focus.

Paper proposals should be sent to Professor G. Alan Tarr, Political Science, Rutgers University, Camden, New Jersey 08102; 609-757-6084.

*LAW AND SOCIETY ASSOCIATION (1986)*

The Program Committee for the Law and Society Association encourages proposals to organize sessions or submit individual papers for the 1986 Annual Meeting in Chicago, scheduled for May 29 - June 1. The deadline for proposals is January 6, 1986. Suggestions that come in early will be easier to implement, especially when they involve proposals for individual papers that the committee will try to match with other proposals for sessions and papers.

The general theme of this year's meeting is "Traditions of Critical Inquiry in Law and Society," and therefore the committee hopes to facilitate sessions that will examine the assumptions and values of law and society as well as the "findings" of social research. For example, particular sessions might ask in what way and to what extent research in the law and society tradition questions the values of the legal order? How our work in law and society relates to other spheres of value inquiry, such as the work of humanistic scholars? How methods of inquiry and canons of acceptable work may encourage or discourage value-oriented scrutiny? Or how our work relates, if at all, to competing visions of society and projects of social transformation?

The committee's work in building the program consists in facilitating sessions and individual papers that address the general theme or focus on other concerns of the law and society community. For the purpose of facilitating the accommodation of particular proposals, the program committee has divided itself according to the topics described below. While there is bound to be some overlap and ambiguity in the topics as described, most individuals ought to be able to pick one member of the committee as the most likely target for a particular proposal. If an idea simply does not seem to belong to any topics listed or seems only to address the general theme, please send it to the program chair, Bryant Garth.

The format for sessions may include panels, roundtables, author-meets-critics, or other ideas. In order to promote coordination and less reliance on the reading of papers, there will be time at the meeting set aside specifically to encourage participants in sessions to get together informally and coordinate their presentations. Another idea, which has been tried with some success elsewhere, is for participants to prepare a one or two page summary that can be circulated at the session, read by the audience at the outset, and then used to promote questions leading to a focused discussion.

Areas of responsibility for program committee members are:

1. Bureaucracy and Administrative Regulation - Christine Harrington, Department of Politics, New York University, 25 Waverly Place, New York, New York 10003 (212) 598-3275
2. Courts: From County Courts to the Supreme Court - Carroll Seron, Federal Judicial Center, 1520 H Street, N.W., Washington, D.C. (202) 786-6123
3. Law, Social Structure, and the Transformation of Power - John Henry Schlegel, Faculty of Law and Jurisprudence, SUNY-Buffalo, John Lord O'Brian Hall, Amherst Campus, Buffalo, New York 14260 (716) 636-2053
4. Cultural and Social Psychological Bases of Law and Procedure: Public Opinion, Values and Attitudes - Malcolm Feeley, Jurisprudence and Social Policy Program, University of

California, School of Law, Boalt Hall, Berkeley, CA 90024 (415) 642-4038

5. Occupations of Law: Lawyers and Others - Austin Sarat, Department of Political Science, Amherst College, Amherst, MA 01002 (413) 542-2300

6. Criminal Justice and Social Control - Ilene Nagel, Indiana University, School of Law, Bloomington, IN 47405 (812) 335-6403

7. Litigation, Dispute Processing, and Civil Justice - David Trubek, University of Wisconsin, Law School, Madison, WI 53706 (608) 263-2545

8. Language, Rhetoric, Ideology, and Symbolism - Jane Collier, Department of Anthropology, Stanford University, Stanford, CA 94305 (415) 497-3130 (office) and (415) 493-8311 (home)

9. Theory and Methods in Socio-Legal Studies - Carroll Seron, Federal Judicial Center, 1520 H Street, N.W., Washington, D.C. (202) 786-6123

10. Legal History - William Forbath, UCLA School of Law, 405 Hilgard Avenue, Los Angeles, CA 90024 (213) 825-5752

11. Law and Economics - Merritt Fox, Indiana University, School of Law, Bloomington, IN 47405 (812) 335-4079

12. Law and Society in Asia - John Thomas, Baldy Center for Law and Policy, 511 O'Brian Hall, Buffalo, New York 14260 (716) 636-2102

13. Comparative Socio-Legal Research - Bryant Garth, Indiana University, School of Law, Bloomington, IN 47405 (812) 335-1161

#### Contents of Proposals

All proposals should contain the name, institutional affiliation, address, and telephone number of each person mentioned in the proposal, as well as a short description or abstract.

#### *BELLAGIO CONFERENCE (1985)*

The following papers were presented at conference organized by Professor John R. Schmidhauser at the Rockefeller Conference Center at Bellagio, Lake Como, Italy, June 24-28, 1985.

#### *Post World War II Judicial and Legal Elites - Developed Nations*

"Post World War II Italian and French Legal Elites," Guiseppe Di Federico, University of Bologna

"The Characteristics of Japan's Judges and Lawyers," Takeo Hayakawa, Senshu University

"Selection to the West German Constitutional Court," Donald P. Kommers, Notre Dame University and Innsbruck University

"Who is Included in Sweden's Judicial and Legal Elites," Torbjorn Vallinder, University of Lund

*Post World War II Judicial and Legal Elites in Developed, Semi-Periphery, and Periphery Nations*

"The Unique Role of Justices in Modern Israel," Martin Edelman, SUNY, Albany

"Dependency Theory and the Legal and Judicial Elites of Periphery and Semi-Periphery Nations," John R. Schmidhauser, University of Southern California

"The British Left's Perspective on Judges and the Judicial and Legal System of Great Britain," Frank Belloni, Virginia Commonwealth University and the University of Warwick

"Indian Supreme Court Justices: The Selection Process, 1947-1984," George Gadbois, University of Kentucky

*Continuity and Change in Judicial and Legal Elites*

"Recruitment of the British Higher Judiciary, 1876-1972," C. Neal Tate, North Texas State University

"A Dutch Judicial Elite: The Members of the Hoge Raad, 1836-1984," Peter van Koppen and Jan ten Kate, Erasmus University, Rotterdam

"Judicial and Legal Elites in Germany from the Empire to Bonn," Henry W. Erhmann, Dartmouth College and the University of California, San Diego

"The Soviet Judicial and Legal Elites: Are They Truly Elites?," George Ginsburgs, Rutgers University

*Judicial and Legal Elites in Ethnically Diverse Nations*

"Judicial Elites in Yugoslavia: The Professionalization of Political Justice," Lenard Cohen, Simon Fraser University

"The English and French Balance in Canadian Judicial Elites: The Chief Justice and the Justices of Canada," Edward McWhinney, Q.C., Simon Fraser University

"Judge and Jurist in India: Notes Toward an Understanding of Legal Elites in India," Rajeev Dhavan, Brunel University and the University of Texas at Austin

"Comparative Judicial and Legal Elites: The Case of State Supreme Court Justices, Northern and Southern, 1838-1860," A. E. Keir Nash, University of California, Santa Barbara

*The Interaction of Political, Social, and Professional Factors in Judicial Elite Composition and Behavior*

"Women on Supreme Courts: A Cross-National Analysis of Correlates of Access," Rajeev Dhavan, Brunel University and the University of Texas at Austin

"A Comparative Analysis of South African and Swiss Judges," Glendon Schubert, University of Hawaii at Manoa

"Plus ca la Change' Revisited: Judicial Elites in Post-Authoritarian Greece and Spain," Adamanitia Pollis, The New School, and Carl Pinkele, Ohio Wesleyan University

*NORTHEASTERN POLITICAL SCIENCE ASSOCIATION (1985)*

The following papers were presented at the Northeastern Political Science Association Meeting on November 14th-16th, 1985.

*The Philosophical Origins of the American Constitution*

"The Scottish Enlightenment and Anti-Federalism," Gary L. McDowell, National Endowment for the Humanities and Tulane University

"The Influence of Classical Political Philosophy on the American Founders," Colleen Sheehan, Claremont Graduate School

"Locke, Montesquieu and the American Founding," Joseph Phelan, National Endowment for the Humanities

"The Impact of the History of Republican Rome on the Political Philosophy of the American Founders," Hrach Gregorian, Simmons College

*Equal Protection of the Laws*

"The End of Affirmative Action," Stephen M. Baron, SUNY-Oswego

"Passive Virtues or Sins of Omission," William Haltom, University of Vermont

*Judicial Perspectives on Constitutional Jurisprudence*

"John Marshall Harlan II and Theories of 14th Amendment Due Process," Ron Fiscus, Skidmore College

"The Judicial Philosophy of Sandra Day O'Connor," Shirley Ann Hislip, Fitchburg State College

"Oliver Wendell Holmes," Gary J. Aichele, Norwich University

*Women and the Constitution*

"Consistency and Coherence in Abortion Theory," Ira L. Strauber, Grinnell College

"Pornography, Feminism, and the First Amendment," Ted G. Gelen, Illinois Benedictine College, and L. Kent Sezer, Illinois Human Rights Commission

*The Constitution in Action: The Early Years of the American Federal Government*

"Interest Groups and the Development of the House Committee System, 1789-1829," Thomas Skladony, American Enterprise Institute

"The Development of Partisanship in the Early U.S. Senate," Elaine Swift, Harvard University

*Judicial Politics*

"Reagan and Carter Appointments to the U.S. Courts of Appeals," Jon S. Gottschall, SUNY-Plattsburgh

"The Intergovernmental Politics of Legal Service Agencies," Mark Kessler, Bates College

*Judicial Interpretation*

"The Political Dimensions of Interpretivist Review," Sheldon Pollack, University of Pennsylvania

"Justifying Noninterpretive Review," Gregory Leyh, Illinois Wesleyan University

*Federal-State-Local Relations*

"Regulating the States: Federal Mandates and Environmental Primacy," Patricia Grotty, East Stroudsburg University

"Impact of Federal Initiatives on Local School Governance," Walter G. Markham, University of Hartford

"Transformation on Home-Rule in New Jersey Through Judicial Policy-Making," Martin A. Bierbaum, Rutgers University-Newark

"The Supreme Court, Congress, and Dillon's Rule," Priscilla Hopkirk, Villanova University, and Jack Hopkirk, Widener University

*SOUTHERN POLITICAL SCIENCE ASSOCIATION (1985)*

The following papers were presented at the Southern Political Science Association Annual Meeting on November 7th-9th, 1985.

*Judicial Policy Making and Interaction With the Other Branches*

"The Court and the Reagan Administration: Church-State Relations," Rodney A. Grunes, Rhodes College

"Statutory Policy Making by Courts: A Theoretical Perspective with Illustrations," William P. McLaughlan, Purdue University

"The Good Faith Exception to the Exclusionary Rule: Reaction in Congress and the Executive Branch," Otis H. Stephens and Joe Anderson, University of Tennessee at Knoxville

*Actors in the Judicial System*

"Black Federal Judges: Some New Insights," Abraham L. Davis, Morehouse College

"Implementing and Interpreting Federal Judicial Policies: The Role of State Attorneys-General," Thomas R. Morris, University of Richmond, and William Thompson, University of Nevada at Las Vegas

"States as Litigants Before the U.S. Supreme Court," Karen O'Connor and Lee Epstein, Emory University

"Trial Judges' Responsiveness to Political Climate: Sentencing Disparities in Georgia's Criminal Courts," Alissa Pollitz Worden, University of North Carolina at Chapel Hill

*Analyses of Supreme Court Decision Making*

"Subgroup Formation on the U.S. Supreme Court: A Reconsideration," Melinda Gann Hall, Colorado State University

"Burger Court Ideological Shifts: Blocs and Social Issues, 1978-84," Robert M. Kaufman, University of Miami

"Decision Criteria in Sole-Authored Opinions: Consistency and Change in the U.S. Supreme Court," William Nicholls, Texas Tech University

"Have Four Vote Certiorari Cases Been Unimportant? Qualitative and Quantitative Tests of Justice Stevens' Argument," R. Christopher Perry and John L. Carmichael, University of Alabama at Birmingham

*Women and the Law*

"A Cross National Comparison of Women in the Courthouses," Beverly Cook, University of Wisconsin-Milwaukee

"Women Supreme Court Justices: Do They Make A Difference?," David Allen, Mercy Hurst College

"Black Women Judges: A Profile," Jewel L. Prestage, Southern University-Baton Rouge

*Civil Rights Policy*

"Equal Employment Opportunity Policy Implementation in the Reagan Administration," M. Margaret Conway and Hartley Martin, University of Maryland

"Politics and Expertise in Educational Policymaking: Montgomery County's Search for Quality Integrated Education," Floyd W. Hayes III, U.S. Equal Employment Opportunity Commission

"Law, Policy and the Handicapped: The Problem of Differential Disabilities," John W. Winkle III, University of Mississippi

*Judicial Review and Constitutional Crises*

"The Supreme Court in Periods of Crisis," William Lasser, Clemson University

"Judicial Review: The Politics of Scholarship," Wallace Mendelson, University of Texas at Austin

"Conservative Rule and the Crisis of Law: Constitutional Theory and Practice Today," James R. Stoner, Jr., Goucher College

**JOURNAL INFORMATION**

*AMERICAN JOURNAL OF POLITICAL SCIENCE (VOL. 28, 1984)*

"Policy Reasoning and Political Values: The Problem of Racial Equality," Paul M. Sniderman, Richard A. Brody, James H. Kuklinski 75

"The Political Structure of Constitution Making: The Federal Convention of 1787," Calvin C. Jillson, Cecil L. Eubanks 435

*AMERICAN POLITICS QUARTERLY (VOL. 12, 1984)*

"State Supreme Court Elections: The Significance of Racial Cues," Burton Atkins, Matthew DeZee, and William Eckert 211

"Judicial Selection Systems and Nomination Outcomes: Does the Process Make a Difference?," Elliot E. Slotnick 225

"White Enrollment Loss: The Effects of School Desegregation in Perspective," David R. Morgan and Robert E. England 241

"The Supreme Court and Policy Legitimation: Experimental Tests," Larry R. Baas and Dan Thomas 335

*THE AMERICAN POLITICAL SCIENCE REVIEW (VOL. 78, 1984)*

"The Heresthetics of Constitution-Making: The Presidency in 1787, with Comments on Determinism and Rational Choice," William H. Riker 1

"Black Representation and Educational Policy: Are They Related," Kenneth J. Meier and Robert E. England 392

"Predicting Supreme Court Cases Probabilistically: The Search and Seizure Cases, 1962-1981," Jeffrey A. Segal 891

"The Supreme Court's Certiorari Decisions: Conflict as a Predictive Variable," S. Sidney Ulmer 901

"Unraveling the Complexities of Decision Making in Face-to-Face Groups: A Contextual Analysis of Plea-Bargained Sentences," Peter F. Nardulli, Roy B. Flemming, and James Eisenstein 912

"Individual Participation in Collective Racial Violence: A Rational Choice Perspective," David Mason 1040

*JOURNAL OF POLITICS (VOL. 46, 1984)*

"Teachers, Students, and Discrimination: The Policy Impact of Black Representation," Kenneth J. Meier 252

"Parties at the Bar: Equal Protection, Freedom of Association, and the Rights of Political Organizations," Clifton McCleskey 346

"Reconsidering Dworkin's Case for Judicial Activism," Stanley C. Brubaker 503

"Judges' Policy Choices and the Value Basis of Judicial Appointments: A Comparison of Support for Criminal Defendants Among Nixon, Johnson, and Kennedy Appointees to the Federal District Courts," C. K. Rowland, Robert A. Carp, and Ronald A. Stidham 886

"Issue Specialization as a Variable in Opinion Assignment on the U.S. Supreme Court," Saul Brenner 1217

*POLITY (VOL. 17, 1984)*

"Justice Rehnquist's Judicial Philosophy: Democracy v. Equality," Sue Davis 88

"Juridical Democracy and Democratic Values: An Evaluation of Lowi's Alternative to Interest-Group Liberalism," Robert C. Grady 404

"The Supreme Court's Promotion of Sexual Equality: A Case Study of Institutional

Capacity," F. L. Morton

467

*Social Science Quarterly (Vol. 65, 1984)*

"A Legal Voice for the Chicano Community: The Activities of the Mexican American Legal Defense and Educational Fund," Karen O'Connor and Lee Epstein 245

"Dismissal, Conviction, and Incarceration of Hispanic Defendants: A Comparison with Anglos and Blacks," Susan Welch, Hohn Gruhl, and Cassia Spohn 257

"Ethnicity and Justice in the Southwest: The Sentencing of Anglo, Black, and Mexican Origin Defendants," Malcolm Holmes and Howard Daudistel 265

"Fear of Victimization: Why Are Women and the Elderly More Afraid?," Mark Warr 681

"Substitution, Size Effects, and the Composition of Property Crime," Simon Hakim, Uriel Spiegel, and J. Weinblatt 719

"School Prayer and the Politics of Life-Style Concern," Matthew Moen 1065

*WESTERN POLITICAL QUARTERLY (VOL. 37, 1984)*

"The Origins of Human Rights. A Hegelian Perspective," Lewis P. Hinchman 7

"Skokie, Nazis, and the Elitist Theory of Democracy," James L. Gibson and Richard D. Bingham 32

"Women as Criminal Defendants: A Test for Paternalism," John Gruhl, Susan Welch, and Cassia Spohn 456

"Judicial Decision Making and Biological Fact: Roe v. Wade and the Unresolved Question of Fetal Viability," Robert H. Blank 584

**EDITORIAL COMMENTS**

Beginning with this issue of the Newsletter, the editorial responsibilities will be shared by Lief Carter of the University of Georgia and Charles Lamb of the State University of New York, Buffalo. I welcome their assistance and look forward to their contributions.

The editorial responsibilities of the Newsletter will be as follows. Lief Carter will be associate editor in charge of developing short articles and news items for the subfield. His comments below give some indication of the nature and scope of the articles we would like to publish. I encourage you to contact Lief if you have any ideas about an article, research project, teaching innovation, or news you believe the subfield should know about.

Charles Lamb will be associate editor in charge of developing further the bibliographic components of the Newsletter. My contacts with section members suggest that publishing conference paper titles and the tables of contents from professional journals is a popular and useful feature. Charles will continue with

these services and expand our coverage when possible. His comments below indicate his initial intentions and I urge that you contact him with suggestions about how our services might be improved. He is especially eager to consider how the Newsletter can inform the field about book-length publications.

I will continue as editor of the Newsletter and will also be responsible for the announcements and section news parts of it. The Newsletter will also continue to be published at Texas A&M University. I would appreciate hearing from you if you have any suggestions for improving the Newsletter.

*Articles and News Items*  
Lief Carter, Associate Editor

Starting in its next issue, the Newsletter will publish brief articles and notes describing matters of scholarly interest to the discipline. This will not serve as an alternative outlet for articles written with refereed publication in mind. Rather, this service encourages you to share findings, discoveries, and opinions that interest a significant portion of the section's membership and whom you would like to reach quickly.

Here are some examples:

(1) John Paul Ryan's piece in the Summer, 1985 Newsletter. (2) A description of what strikes you as an important but obscure development in state law. (3) A bibliography essay, perhaps a spinoff of your current work or of a student on a precise topic in a rapidly changing field (e.g. legislative veto or the Harvard-MIT negotiation project). (4) Short analyses of our responses to section events or news events of wider interest, e.g. Ed Meese's recent flirtation with turning back the 14th Amendment clock to pre-absorption days.

Please send all articles, notes, comments, etc. (of potential pedagogical as well as research interest) to Lief Carter, Department of Political Science, University of Georgia, Athens, Georgia 30602.

*Conventions and Bibliographic Information*  
Charles Lamb, Associate Editor

In upcoming issues of the Newsletter, we anticipate providing titles of recent law journal articles and law-related books that may be useful to members of the Section. The law journals to be included will be principally based on the Fall, 1984, survey conducted through the Newsletter on those journals in which Section members expressed the strongest interest. Other journals will be scanned for articles thought to be especially interesting to a reasonable number of political scientists in our subfield. Book announcements, however, present an obvious problem: that of identifying from a large volume of recent law-related literature those books that Section members would most like brought to their attention. Therefore, if you would like to suggest a recent book to be listed in the Newsletter, including any that you or your associates have published, your input would be appreciated. Please send all suggestions for book entries to Charles M. Lamb, Department of Political Science, State University of New York at Buffalo, Buffalo, New York 14226.

## BALLOT

I  approve  do not approve  
of the amendments to the By-Laws as proposed by the Executive Committee and  
described on pp. 3 - 5 of this Newsletter.

Please return this ballot to the Secretary/Treasurer:

Professor Susette Talarico  
Department of Political Science  
University of Georgia  
Athens, GA 30602

The ballot should be returned no later than January 1, 1986.

Comments:

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