

LAW AND SOCIETY:  
A SELECTED BIBLIOGRAPHY\*

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ARTICLES

1. RESPONSE TO JUDICIAL DECISIONS

2. JUDICIAL ADMINISTRATION, SELECTION, AND EDUCATION

BARNET, Walter (1971) "Law Reform and Law for the Layman: A Challenge to Legal Education," 24 *Vanderbilt Law Review* 5.

Examines the traditional conception of a law school's extramural roles and their failure to meet the needs of society; shows that professors have failed to help government devise rational laws and have neglected to educate the public on the importance of law in their daily lives.

BROWN, Douglas (1971) "Bail: An Examination," 45 *Australian Law Journal* 4.

Examines the practice of the courts and raises certain questions about the practicality of bail.

FAIR, Daryl (1971) "State Intermediate Appellate Courts: An Introduction," 24 *Western Political Quarterly* 3.

Attempts to fill the need for basic information on state intermediate appellate courts. Information is derived from questionnaires to court clerks in each of the 19 states with appellate courts.

Juries and Jury Trials (1971) 55 *Judicature* 3.

HARLEY, Herbert "Where Jury Trial Fails"

HELWIG, Gilbert "The American Jury System: A Time for Re-examination"

MACKOFF, Benjamin "Jury Selection for the Seventies"

MEYER, Bernard, and Maurice ROSENBERG "Questions Juries Ask: Untapped Springs of Insight"

HANNAH, Harry "Voir Dire: Its Value — How to Use It"

KANDT, William "Jury Waiting Time Can Be Eliminated"

CONNELLY, Michael "Jury Duty — The Juror's View"

HARBINGER, Richard "Trial by Drama"

KEETON, Robert (1970) "Law Reform and Legal Education," 24 *Vanderbilt Law Review* 1.

Focuses on the contributions to law reform that a law professor can make through his teaching.

LUMBARD, J. Edward (1971) "Trial by Jury and Speedy Justice," 28 *Washington and Lee Law Review* 2.

Examines how trial by jury contributes to delays in courts and explores means whereby time required to try cases can be reduced within constitutional and statutory limits.

POSTEL, Robert (1971) "Civil Commitment: A Functional Analysis," 38 Brooklyn Law Review 1.

Analyzes the question of whether and under what conditions an individual suffering from a "mental disorder" may void an attempt by the state to compel his institutionalization.

SLOVENKO, Ralph (1971) "Civil Commitment in Perspective," 20 Journal of Public Law 1.

Discusses civil commitment and its place in contemporary society.

WEXLER, David, et al. (1971) "Special Project — The Administration of Psychiatric Justice: Theory and Practice in Arizona"

Part I Civil Commitment Process

Part II Criminal Commitment Process

Part III Post-commitment Legal Aspects Relating to State Hospitalization

Part IV General Conclusion

### 3. JUDICIAL PROCESS AND BEHAVIOR

ARNOLD, William (1971) "Race and Ethnicity Relative to Other Factors in Juvenile Court Dispositions," 77 American Journal of Sociology (September).

Finds differential handling of minority and Anglos in juvenile court, but two-thirds of the differential is not explained by characteristics of offenders and offenses, or race and class bias of court officers.

HOWARD, J. Woodford Jr. (1971) "Biography and the Behavioral Persuasion," 65 American Political Science Review 3.

An evaluation of the relation between judicial biography and research in judicial behavior.

Judicial Ethics (1970) Law and Contemporary Problems (Winter)

WEISAU, John "Foreword"

KAUFMAN, Judge Irving "Lions or Jackals — The Function of a Code of Judicial Ethics"

- MC KAY, Robert "The Judiciary and Non-judicial Activities"  
CLARK, Justice Tom "Judicial Self Regulation — Its Potential"  
FRANK, John "Disqualification of Judges: In Support of the Bayh Bill"  
MILLER, Arthur Selwyn "Public Confidence in the Judiciary: Some Notes and Reflections"  
DOWNING, Rondal "Judicial Ethics and the Political Role of the Courts"  
ERWIN, Sam Jr. "Separation of Powers: Judicial Independence"  
HOLLOMAN, John III "The Judicial Reform Act: History, Analysis and Comment"  
BRAITHWAITE, William "Judicial Misconduct and How Four States Deal With It"

SLAYTON, Philip (1971) "A Critical Comment on Scalogram Analysis of Supreme Court of Canada Cases," 21 University of Toronto Law Journal 3.

Discusses scalogram analysis and its defects as a means of discovering how judges arrive at their decisions.

#### **4. JURIMETRICS AND CONTROLLED EXPERIMENTS**

#### **5. LAWYERS, LEGAL EDUCATION, LEGAL PROFESSION**

AMANDES, Richard (1971) "Legal Education — Whither Law Goest," 25 Southwestern Law Journal 3.

Talks about current legal education and suggests alternatives.

BRICKMAN, Lester (1971) "Expansion of the Lawyering Process Through a New Delivery System: The Emergence and State of Legal Para-professionalism," 71 Columbia Law Review 7.

Explores contemporary concern for the role of laymen in the lawyering process and the means by which such concern has manifested itself operationally.

BROWN, Harold (1971) "The Unified Bar: Will a Closed Shop Serve the Lawyer and the Public," 77 Catholic Lawyer 1.

Discusses the unified bar and whether its growth is in the interest of the public and the administration of justice.

Comments (1970) "Bar Examinations: Good Moral Character, and Political Inquiry," 1970 Wisconsin Law Review 2.

Considers several features of the controversy surrounding bar examinations, the history of bar admission regulations, three

cases presently before the court and several statutory solutions which might be proposed.

EDWARDS, Harry (1971) "A New Role for the Black Law Graduate—A Reality or an Illusion?" 69 Michigan Law Review 8.

Poses three questions: Why are there so few black lawyers? What impact does the lack of black lawyers have within our society? What must be done by the legal profession not only to alleviate the negative impact of such a shortage but also to enhance the opportunity for black attorneys to become a more significant and influential force in the effort to bring about social justice.

GARRETT, Mickall and Jean Zimmer PENNINGTON (1971) "Will They Enter Private Practice?" 57 American Bar Association Journal (June).

Private law firms must take account of the aspirations of lawyer candidates and adapt to the changing needs of society.

MC GEE, Henry Jr. (1970-71) "Minority Students in Law School: Black Lawyers and the Struggle for Racial Justice in the American Social Order," 20 Buffalo Law Review 2.

Talks about the social implications of an increase in black attorneys in three areas: effect upon the dominant or majority group, effect upon blacks as a group, and the ways in which the lawyers themselves will be affected.

MESERVE, Robert (1971) "Our Forgotten Client: The Average American," 57 American Bar Association Journal (November).

ABA has helped design and is supporting two experimental projects for prepaid legal services — one in Shreveport, Louisiana, and one in Los Angeles.

MILLER, Richard (1971) "The Role of the University Law School in the Evolutionary Scheme," 1971 University of Illinois Law Forum 1.

Suggests contributions that law schools might make to ensure man's survival, or at least, to enhance the quality of his existence until he extinguishes himself.

Minority Students in Law School (1970-71) 20 Buffalo Law Review 2.

MC GEE, Henry "Black Lawyers and the Struggle for Racial Justice in the American Social Order"

ITALAYE, D. A. "Concessional Admission of Underprivileged Students"

PINDENHUGHES, Charles "Increasing Minority Group Students in Law Schools: The Rational and the Critical Issues"

ALLEYNE, Reginald Jr. "Creative Legal Research: Relevant Uses for an Old Law School Curriculum"

NEISSER, Eric (1971) "Draft Refusal, Marijuana and Bar Admission," 57 American Bar Association Journal (February).

Discusses draft refusal, marijuana as evidence of "moral turpitude" and the inadvisability of prohibiting entrance to the bar on the bases of conviction of these offenses.

Symposium (1971) 32 Ohio State Law Journal 2.

JONES, Harry "Professional Education in the Contemporary University"

LEVI, Edward "The Place of Professional Education in the Life of the University"

KIRBY, James Jr. "The Teaching and Research Missions of the University Professional School"

PINCUS, William "The Clinical Component in University Professional Education"

DARRELL, Noris "The Role of the Universities in Continuing Professional Education"

Symposium on Legal Education (1971) 44 Southern California Law Review 3

GORHAM, Robert "Clinical Legal Education: A Prospectus"

REDLICH, Allen "Perceptions of a Clinical Program"

LA FRANCE, Arthur "Clinical Education"

BELLOW, Gary and Earl JOHNSON "Reflections on the University of Southern California Clinical Semester"

LEVINE, Michael "Toward Descriptive Grading"

EPSTEIN, Richard "Grade Normalization"

REISS, Michael "The Minority Student Program at the University of Southern California"

## 6. PENOLOGY, PREVENTION OF CRIME, DETERRENCE

BLOCK, Richard (1971) "Fear of Crime and Fear of the Police," 17 Social Problems (Summer).

National survey analysis shows fear of crime weakly related to either support for police or protection from them, but fear of police is strongly related to both.

CHIRICOS, Theodore, and Gordon WALDO (1971) "Punishment and Crime: An Examination of Some Empirical Evidence," 18 *Social Problems* (Fall).

Finds little consistency of evidence that rates of crime and certainty and severity of punishment are inversely related; concludes that existing sources of data may be inappropriate to test deterrence hypotheses.

CRAIG, W. Laurence, and William DOOROVIC (1971) "The French Experience with Preventive Detention," 57 *American Bar Association Journal* (June).

French experience suggests that a system of preventive detention may introduce grave social costs both to individuals and to a penal system devoted to incarcerating those awaiting trial.

DERSHOWITZ, Alan (1971) "Imprisonment by Judicial Hunch," 57 *American Bar Association Journal* (June).

Focuses on pretrial detention, its historical basis, its constitutionality and the ability to predict future behavior.

GIBBONS, Don (1971) "Observations on the Study of Crime Causation," 77 *American Journal of Sociology* (September).

Explores major theories of criminal causation; argues for more exploration of situational elements.

GLASSER, Daniel (1971) "Criminology and Public Policy," 6 *The American Sociologist* (June).

Points out difference between deviant behavior and crime and criminals. States that differentiation among types of crime and criminals will reduce errors in judging the individuals. Sociological theory and research may guide public policy with respect to most behaviors defined criminal, and most state reactions to those behaviors.

GOLDFARB, Ronald, and Linda SINGER (1970) "Redressing Prisoners' Grievances," 39 *George Washington Law Review* 2.

Discusses the "Hands-Off" doctrine, prisoners' rights, and regulation of the discretion of prison administrators.

HOLT, Norman (1971) "Temporary Prison Release: California's Pre-release Furlough Program," 17 *Crime and Delinquency* 4.

Describes successful pre-release furlough program in California since 1969; dwells on the reasons for its success.

WILLIAMS, Vergil, and Mary FISH (1971) "Rehabilitation and Economic Self-Interest," 17 *Crime and Delinquency* 4.

Discusses possibilities of employing economic incentive in prisons for the purpose of rehabilitation.

## 7. POLICE ADMINISTRATION AND CRIMINAL JUSTICE

Comment (1971) "Socio-Legal Aspects of Racially Motivated Police Misconduct," 1971 *Duke Law Journal* 4.

Analyzes the psycho-sociological causes of racially motivated police misconduct and examines the federal civil remedies available for redress of such misconduct.

Symposium on Police and Society [edited by HARLAN HAHN] (1970) 13 *American Behavioral Scientist* 5 and 6.

HAHN, Harlan "The Police and the Public: An Overview"

HALLER, Mark "Police Reform in Chicago: 1905-1935"

BORDUA, David, and Edward HAUREK "The Police Budget's Lot: Components of the Increase in Local Police Expenditures, 1902-1960"

BERCAL, Thomas "Calls for Police Assistance: Consumer Demands for Governmental Service"

SAVITZ, Leonard "The Dimensions of Police Loyalty"

WALSH, James Leo "Professionalism and the Police: The Cop as Medical Student"

GROVES, W. Eugene, and Peter ROSSI "Police Perceptions of a Hostile Ghetto: Realism or Projection"

MENDELSON, Robert "Police-Community Relations: A Need in Search of Police Support"

HAHN, Harlan "Cops and Rioters: Ghetto Perceptions of Social Conflict and Control"

BLOCK, Richard "Support for Civil Liberties and Support for the Police"

FEAGIN, Joe "Home-Defense and the Police: Black and White Perspectives"

JOHNSON, Deborah, and Robert GREGORY (1971) "Police-Community Relations in the United States: A Review of Recent Literature and Projects," 62 *The Journal of Criminal Law, Criminology and Police Science* 1.

Selected review of literature concerning police-community relations.



KHAN, Zillur, and William SPRAZENS (1970) "American and Pakistani Policemen's Attitudes Toward Law Enforcement," 23 *The Western Political Quarterly*.

A comparison of American and Pakistani police officers, focused on the correlation between socioeconomic variables and attitudes. Pakistani respondents have more respect for authority and authority figures—American cops tend to be more individualistic with their relationship to law.

VANDALL, Frank (1971) "Training to Meet the Police Function," 1971 *Wisconsin Law Review* 2.

Discusses kinds of training which should be given to policemen to prepare them to respond to potentially riotous situations and to prevent escalation of ordinary police action to a riot point.

WEINER, Norman and Charles WILLIE (1971) "Decisions by Juvenile Officers," 77 *American Journal of Sociology* (September).

Finds that race and socioeconomic status of juvenile, and racial composition and socioeconomic status of his neighborhood have no effect on disposition by juvenile police officers.

## 8. LAW AND THE DISADVANTAGED

ASHMAN, Allan (1970) "Representation for the Poor in State Rulemaking," 24 *Vanderbilt Law Review* 1.

Suggests participation by the poor in state and local agency rulemaking as a step toward the objective of giving the poor some voice and some sense of control over their economic and social destiny.

HAEMMEL, William (1970) "The Poor Man Before the Bar of Justice in Tennessee," 38 *Tennessee Law Review* 1.

Reviews the changes that have taken place in Tennessee over the past 10 years in the posture of the poor before the bar of justice, how they have fared and what changes in their status have occurred.

LEVINE, Felice, and Elizabeth PRESTON (1970) "Community Resource Orientation Among Low Income Groups," 1970 *Wisconsin Law Review* 1.

Reports the findings of a pilot survey of the poor undertaken as part of a larger study by the American Bar Foundation on Legal Services for the Poor.

ROBB, John (1971) "New Niche for National Legal Services," 57 American Bar Association Journal (June).

National legal services program has expanded legal services to the poor, but external political attacks, conflicts and administrative problems in OEO have given impetus to the development of plans to provide a new place in the federal structure for the legal services program.

## 9. JUVENILES AND THE LAW

Juvenile Justice: An Unexplored Unsettled Frontier of the Law (1971) 9 Duquesne Law Review 4.

CAHILL, Maurice B. Jr. "The United States Supreme Court and the Juvenile Courts—An Overview"

TAMILIA, Patrick "Neglect Proceedings and the Conflict Between Law and Social Work"

WEISS, Jonathan "The Poor Kid"

COOLEY, Thomas M. II "Constitutional Control over Treatment of Juvenile Offenders"

FINLAY, H. A., and Stanley GOLD (1971) "The Paramount Interest of the Child in Law and Psychiatry," 45 Australian Law Journal 2.

Studies the problems that arise through the introduction of psychological principles in the matter of social control of behavior and suggests an approach that could possibly remove some of the anomalies.

Project (1971) "The Lawyer-Child Relationship: A Statistical Analysis," 9 Duquesne Law Review 4.

Discusses the legal and social responsibilities of the lawyer who deals with delinquent, neglected and dependent children.

## 10. LAW AND THE MEDICAL SCIENCES

Comments (1970) "Comprehensive Health Planning—Federal, State, Local: Concepts and Realities," 1970 Wisconsin Law Review 3.

Describes the forces that create, forestall, dilute and terminate health planning, and assesses this planning in a limited context; identifies the relevance of planning legislation, de-

scribes and analyzes the planning process, and suggests the legislation needed to make planning effective.

CURRAN, William (1971) "Cross-Professional Education in Law and Medicine: The Promise and the Conflict," 24 *Journal of Legal Education* 1.

Reports on a comprehensive survey conducted among people in United States and Canada who have obtained degrees in medicine and law.

GILBORY, Janet, and John SCHMIDT (1971) " 'Voluntary' Hospitalization of the Mentally Ill," 66 *Northwestern University Law Review* 4.

Analyzes results of study in Illinois of voluntary admission procedure and finds them not very "voluntary."

Symposium on Health Problems of the Poor — Inkind Welfare (1970) 1970 *Wisconsin Law Review* 3.

SILVER, Laurens "Medical Care Delivery Systems and the Poor: New Challenges for Poverty Lawyers"

HEREZOG, Barry "Participation by the Poor in Federal Health Programs"

BERNARD, Sydney, and Eugene FEINGOLD "The Impact of Medicaid"

FORGOTSON, Edward, Charles BRADLEY, and Martha BALLERGER "Health Services for the Poor — The Manpower Problem: Innovations and the Law"

## 11. CIVIL LIBERTIES, CIVIL RIGHTS, RACE RELATIONS

BARON, Harold (1971) "Race and Status in School Spending: Chicago, 1961-1966," 6 *The Journal of Human Resources* 1.

Study shows that in early 1960s there were higher expenditures per pupil for the more privileged racial and status groups, both in central city and suburban ring. Pressures of the civil rights movement and new federal funds for children of poor families had the effect of partially equalizing expenditures.

BROWN, Barbara, et al. (1971) "The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women," 80 *Yale Law Journal* 5.

Discusses women's rights and explores some necessary changes, especially the equal rights amendment.

COLEMAN, Francis (1971) "The Philadelphia Plan Goes to Washington," 57 American Bar Association Journal (February).

Discusses the development of the Washington Plan and its relationship to the Philadelphia Plan.

Comment (1971) "The Elimination of Sex Discrimination in Employment: Alternatives to a Constitutional Amendment," 12 Boston College Industrial and Commercial Law Review 4.

Demonstrates that the goal of equality in employment can be advanced through statutory modifications and through more responsive judicial utilization of presently available federal statutory prohibitions against discrimination based on sex.

FOX, Robert (1971) "Abortion: A Question of Right or Wrong?" 57 American Bar Association Journal (July).

Analyzes the abortion controversy as a collision between two irreconcilable conceptions of human nature and ultimate reality in order to better inform lawyers of depth and breadth of the legal issue.

KUH, Richard (1971) "For a Meaningful Right to Counsel on Sentencing," 57 American Bar Association Journal (November).

Defendants have the right to the assistance of counsel upon sentencing. That right is often illusory. Counsel should have access to presentence reports that are the foundation of any sentence imposed.

LURIE, Howard (1971) "Conscientious Objection: The Constitutional Questions," 73 West Virginia Law Review 2.

Examines conscientious objection with a view to resolving the constitutional questions which the Supreme Court has avoided so far.

REISNER, Ralph (1971) "Selective Service Appeal Boards and the Conscientious Objector Claimant: Congressional Standards and Administrative Behavior," 1971 Wisconsin Law Review 2.

An empirical study of 272 actual case files of appeals from local board decisions in order to ascertain the deviation from judicially sanctioned standards.

SASSOVIER, Doris (1971) "The Role of Lawyers in Women's Liberation," 76 *Case and Comment* 2.

Discusses the role women lawyers ought to have in such issues as employment and educational equality, free abortion on demand and 24-hour child care.

SILVA, Ruth (1970) "The Constitution, the Conscientious Objector, and the 'Just' War," 75 *Dickinson Law Review* 1.

Discusses the four types of conscientious objectors—religious pacifists, ethical-humanist pacifists, secular objectors to a particular war, and religious objectors to a particular war with emphasis on the last.

Symposium on Women and the Law (1970) 25 *Rutgers Law Review* 1.

GINSBURG, Ruth "Introduction"

EPSTEIN, Cynthia "The Docile Majority: Bridging the Gap"

NORTON, Eleanor "For Sadie and Maude"

HODES, W. William "Women and the Constitution: Some Legal History and a New Approach to the 19th Century"

SASSOVIER, Doris "The Legal Profession and Women's Rights"

COOPER, George "Working Wives and the Tax Law"

## 12. SOCIAL WELFARE AND RELATED COMMUNITY PROBLEMS

HANDLER, Joel, and Ellen Jane HOLLINGSWORTH (1971) "How Obnoxious is the 'Obnoxious Means Test'? The Views of AFDC Recipients," 1971 *Wisconsin Law Review* 1.

Discusses state policies and procedures with regard to intake of AFDC recipients, what is meant by the means test, attitudes of recipients, and some implications for reform.

WEISSBERG, Norman (1971) "Intergenerational Welfare Dependency: A Critical Review," 18 *Social Problems* (Fall).

Reviews evidence of intergenerational public assistance dependency; documents dearth of data on incidence antecedents and correlates of dependency.

## 13. SOCIAL CONFLICT AND SOCIAL CONTROL

BERKOWITZ, Leonard, and Jacqueline MACAULAY (1971) "The Contagion of Criminal Violence," 34 *Sociometry* 2.

Data collected from 40 United States cities indicate that after

Kennedy's assassination and the Speck and Whitman crimes in '66, there followed unusual increases in violent crimes; authors offer an explanation.

GIBBONS, Don, and Joseph JONES (1971) "Some Critical Notes on Current Definitions of Deviance," 14 *Pacific Sociological Review* 14.

Reviews various contemporary conceptions of deviance, showing there is little agreement on boundaries of the field and a great deal of ambiguity and confusion in theoretical statements.

HUDSON, James R. (1970) "Police-Citizen Encounters That Lead to Citizen Complaints," 18 *Social Problems* (Fall).

Examines citizen complaints of police misconduct in Philadelphia to discover the combination of conditions that lead to tense encounters.

MARRETT, Cora Bagley (1971) "The Brown Power Revolt: A True Social Movement?" 19 *The Journal of Human Relations* 3.

Looks for conditions affecting the development of a social movement in the context of the current attempt by Mexican Americans to alter the conditions which affect their lives.

PALETZ, David, Peggy REICHERT and Barbara MCINTYRE (1971) "How the Media Support Local Governmental Authority," 35 *Public Opinion Quarterly* (Spring).

Explores mechanisms by which the press reinforce legitimacy of local government.

Symposium on Violent Confrontation [edited by Anthony DWORKIN] (1971) 12 *Sociological Quarterly* (Summer).

DWORKIN, A.G. "The Structure of Violence: An Introduction to the Symposium"

EHRlich, H.J. "Social Conflict in America: The 1960's"

HALLIHER, J.F. "Explanations of Police Behavior: A Critical Review and Analysis"

BOGGS, S.L. "Formal and Informal Crime Control: An Exploratory Study of Urban, Suburban, and Rural Orientations"

BENSON, J.K. "Militant Ideologies and Organizational Contexts: The War on Poverty and the Ideology of 'Black Power' "

GEEN, R.G. "Some Implications of Experimental Social Psychology for the Study of Urban Disorders"

WARREN, D.I. "Neighborhood Status Morality and Riot Behavior: An Analysis of the Detroit Disorders of 1967"

WILSON, R.A. "Anomia on Militancy Among Urban Negroes: A Study of Neighborhood and Individual Effects"

PERINBANAYAGAM, R.S. "The Dialectics of Charisma"

FURI, S. "Political Assassination in India"

#### **14. JURISPRUDENCE, LEGAL PROCESS, BEHAVIORAL SCIENCE THEORY**

ELLIS, Desmond (1971) "The Hobbesian Problem of Order: A Critical Appraisal of the Normative Solution," 36 *American Sociological Review* 4.

Evaluation of three answers—normative, coercive and exchange—to the Hobbesian question: How can one establish a society in which force and fraud are not routinely used in satisfying wants?

GIBBONS, Hugh (1971) "Law in an Age of Social Change," 57 *American Bar Association Journal* (February).

Suggests that social sciences have a new vital significance for lawyers by giving the lawyer the ability to act as the vehicle through which solutions to social change may be transformed into social action.

HURST, James Willard (1971) "Problems of Legitimacy in the Contemporary Legal Order," 24 *Oklahoma Law Review* 2.

Discusses the moral and functional justifications for the law through four questions: distrust of Presidential power, law and race relations, corporate powers, and public concern vs. private decisions.

LEMPERT, Richard and Kiyoshi IKEDA (1970) "Evictions from Public Housing: Effects of Independent Review," 35 *American Sociological Review* 5.

Examines changes in eviction decisions when authority is transferred from officials to citizen volunteers.

LOCKHART, William (1971) "The Findings and Recommendations of the Commission on Obscenity and Pornography: A Case Study of the Role of Social Science in Formulating Public Policy," 24 *Oklahoma Law Review* 2.

Discusses and clarifies from a lawyer's viewpoint the collaboration of social scientists, lawyers and independent citizens on the pornography commission.

ROSENBLUM, Victor (1971) "A Place for Social Science Along the Judiciary's Constitutional Law Frontier," 66 *Northwestern University Law Review* 4.

Suggests that more use could be made of social science data by the judicial system, and discusses how.

YARBROUGH, Linsley (1971) "Mr. Justice Black and Legal Positivism," 57 *Virginia Law Review* 3.

Provides a framework for understanding Justice Black's judicial career.

### 15. ADMINISTRATIVE LAW, PLANNING, AND POLITICS

FURSTENBERG, Frank E. Jr. (1971) "Political Intrusion and Governmental Confusion: The Case of the National Institute of Law Enforcement and Criminal Justice," 6 *The American Sociologist* (June).

Points out that there is great amount of governmental intrusion in the research of the National Institute of Law Enforcement and Criminal Justice and that the research program represents the prejudices of the administration rather than any consensus of professional opinion.

JONES, Ruth S. and E. Terrence JONES (1971) "Issue Saliency, Opinion-Holding, and Party Preference," 24 *The Western Political Quarterly* 3.

Shows that people who have a stake in an issue are more likely to have an opinion on that issue, people with strong opinions on an issue are more likely to perceive accurately the difference in party positions on that issue, and individuals are better able to distinguish party positions on issues they select than they are on issues chosen by some research group.

LOWENSTEIN, Edward (1971) "Citizen Participation and the Administrative Agency in Urban Development: Some Problems and Proposals," 45 *Social Service Review* 3.

Examines citizen participation as a problem for urban development agencies; discusses the major dilemmas and how to reconcile them.

MARMOR, Theodore (1971) "On Comparing Income Maintenance Alternatives," 65 *American Political Science Review* 1.



Makes clear the criteria and trade-offs between competing objectives in policymaking for income maintenance programs.

RILEY, Dennis (1971) "Party Competition and State Policy Making: The Need for a Reexamination," 24 *The Western Political Quarterly* 3.

Author argues that the conclusion reached by a number of scholars that party competition is not influential in the policy-making process is unwarranted.

ROE, Douglas, and Michael TAYLOR (1971) "Decision Rules and Policy Outcomes," 1 *British Journal of Political Science* 1.

Offers a theoretical model for policy outcomes from given configurations of elite preferences.

STANS, Maurice (1971) "Law and the Future Society," 47 *Notre Dame Lawyer* 1.

Discusses role of law in improvement and achievement within our system.

Symposium on Social Science and the Federal Government [edited by Gene LYONS] (1971) 394 *Annals of the American Academy of Political and Social Science* (March).

LYONS, Gene "An Introductory Note"

LAKOFF, Sanford "Knowledge, Power, and Democratic Theory"

GREEN, Philip "The Obligations of American Social Scientists"

ORLANS, Harold "The Political Uses of Social Research"

LYONS, Gene "The President and His Experts"

FLASH, Edward S. Jr. "Macro-Economics for Macro-Policy"

SCHICK, Allan "From Analysis to Evaluation"

LIPSKY, Michael "Social Scientists and the Riot Commission"

BECKMAN, Norman "Congressional Information Processes for National Policy"

RIECKEN, Henry "The Federal Government and Social Science Policy"

TAEUBER, Conrad "The Federal Government as a Source of Data"

LYONS, Gene "More Reading: A Bibliographic Note"

## 16. LAW, THE ECONOMY, AND TECHNOLOGY

HOLMES, R.A. (1969) "On the Economic Welfare of Victims of Automobile Accidents," 60 *American Economic Review*.

Assesses present system of compensating victims considering compensation received relative to losses suffered; time lag from accident to compensation. Shows that compensation provided to victims is inadequate.

### 17. FOLK AND NATIVE LAW

COHEN, Yehudi (1969) "Ends and Means in Political Control: State Organization and the Punishment of Adultery, Incest, and Violation of Celibacy," 71 *American Anthropologist*.

Cross-cultural analysis is used to explain how rulers achieve political ends by imposing unique sexual controls.

HEIDER, Karl (1969) "Anthropological Models of Incest Laws in the United States," 71 *American Anthropologist*.

Incest laws of the 50 states are esoteric folk norms, and are haphazard in their prohibitions. Two models are used to explain the differences.

LEVY, Jerrold, Stephen KUNITZ, and Michael EVERETT (1969) "Navajo Criminal Homicide," 25 *Southwestern Journal of Anthropology*.

Examines common notions in Navajo homicide and its relationship with alcohol and acculturation. Homicide rates among Navajos are stable and comparable with those of the United States. Increased use of alcohol did not increase homicide rates. Most murders are committed by males age 35-39 against wives over sexual jealousy or domestic quarrels. A high proportion of homicides are followed by suicide.

### 18. INTERNATIONAL AND COMPARATIVE LAW

ANDERSON, J.N.D. (1971) "The Role of Personal Statutes in Social Development in Islamic Countries," 13 *Comparative Studies in Society and History* (January).

Analysis of legislative codification of family law in Muslim countries and its impact on social development.

GROSSHOLTZ, Jean (1970) "Integrative Factors in the Malaysian and Philippine Legislatures," 3 *Comparative Politics* 1.

Deals with society and the legislators and the relationships which control and reduce conflict.

KESSELMAN, Mark (1970) "Overinstitutionalization and Political Constraint: The Case of France," 3 *Comparative Politics* 1.

Emphasizes inadequate institutionalization and overinstitutionalization, political decay and political constraint, as proc-

esses explaining the problems in France between local and national governments.

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