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Editor's Preface:

This issue of AMICI features a mini-symposium on law and the public-private dichotomy. AMICI is pleased to have contributions from Susan Boyd, Brian Gran and Gerald Turkel. I thank all three participants for their essays. Thank you also to Brian Gran for organizing this mini-symposium.

Symposium: *Law and the Public-Private Dichotomy: New Patterns and New Questions*

Introduction:

Brian Gran
Case Western Reserve University

Over the last decade, U.S. federal officials have taken remarkable steps to expand the public sector, with even the Bush administration accused as "big government." Officials have expanded policing powers so that government can violate an individual's privacy without his or her knowledge, let alone approval. They have sought to limit individual autonomy, such as in legislation restricting an American's private decisions on how and with whom they can live. In turn, these same officials have sought to privatize government commitments to promoting socio-economic security. Clearly the boundary separating public and private is in flux. U.S. society is not unique in these changes, but because of the cultural importance of rights and law, their influences may be significant.

David Shulman, AMICI's editor, has offered this forum for a discussion of socio-legal issues surrounding law and the public-private dichotomy. With Shulman's support, Gerald Turkel of the University of Delaware, Susan Boyd of the University of British Columbia, and I offer AMICI readers three essays on the public-private dichotomy. Turkel and Boyd's essays identify some of the important implications for gender, family and individual civil liberties that are implicit in debates about law and the public-private dichotomy. Their essays demonstrate, as I hope mine does too, that many important questions remain as the boundaries separating public and private change. These essays also treat questions of private and public in an international context, broadening the inquiry into this dichotomy and illustrating its large empirical scope. Our essays can highlight only a few of the important areas for further research on the public/private dichotomy, a subject that we agree is rich, important, and warranting of increasing attention from socio-legal scholars.

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Message from the Chair: 'Law between the Global and the National' at ASA

Joachim J. Savelsberg (University of Minnesota)

The 2004 ASA Meetings in San Francisco witnessed an impressive set of sociology of law panels. I can only mention "The Social Structure of Law," organized by Mark Cooney (Georgia), "Social Movements and the Law," organized by Mary Bernstein (Connecticut), and a set of roundtables, each of which would have deserved the status of an independent panel, organized by Elizabeth Hoffmann (Purdue). ASA offered additional Law and Society sessions, organized by Pamela Irving Jackson (Rhode Island). I invite you to check the ASA catalogue for titles and to contact authors if you are interested in their papers. All in attendance found reconfirmed that a Sociology of Law program within the ASA meetings is an intellectual enrichment--reason enough by itself to attend the meetings.

This year I have the honor to serve as your chair, the first non-American chair of this section. It may not surprise you that the migrant between continents directs your attention to our panel on "Law between Globalization and National Institutions." Globalization has become a central focus of scholarship. Specifically in socio-legal research, the National Science Foundation featured a special funding program dedicated to the topic. One of the many outstanding books to come out of that program received our section's 1998 Distinguished Book Award (Dezalay and Garth's *Dealing in Virtue*). As work on globalization has matured, its practitioners have recognized that taking globalization seriously cannot mean disregarding the national/local. Instead, global social forces, encountering the national, contribute to transforming it, not resulting in convergence across nations but in something new. Much of my own work, beginning with a 1994 AJS article "Knowledge, Domination and Criminal Punishment" has focused on criminal law, where global shifts toward late modernity do not lead to identical cultures of control, but to new nation-specific forms, in a path dependent process in which national institutions play a central role (see also Sutton in AJS 2000).

We now face the challenge of finding analytic tools to discuss encounters between the global and the national. Four outstanding papers, highly praised and critiqued in the best sense of that term by Marion Fourcade-Gourinchas (Berkeley), addressed diverse levels at which these encounters occur. They begin to provide the needed analytic tools and thus open up an agenda for future work. Consider the levels or loci of global-national interaction addressed:

- Legally constituted identities in Elizabeth Boyle's (Minnesota) paper on "Migrant Transnationalism from a Neo-Institutionalist Perspective;"
- Formation of national laws, shaped in the interaction between world-level institutions and national forces in Bruce Carruthers (Northwestern) and Terence Halliday's (ABF) paper on "Negotiating Globalization: Global Templates and the Construction of Insolvency Regimes in East Asia;"

- Formation of national law, as global forces are deployed by local actors who draw upon foreign law and European recommendations in Abigail Saguy's (UCLA) paper "Sexual Harassment Law in France;"
- The construction of legal cases through local knowledges in newly formed international legal institutions in Ron Levi (Toronto) and John Hagan's (Northwestern) paper "Local Knowledge and Transnational Expertise: Authority, Legitimacy, and Legal Knowledge Practices at the International Criminal Tribunal for the Former Yugoslavia" (CTFY).

Two papers discuss law making in the intersection between global forces and national institutions and cultures. **Carruthers** and **Halliday** observe an isomorphic process as many East Asian countries work to develop some kind of corporate bankruptcy law. Yet, they reject a straightforward "world culture" argument as they examine the complex interaction between diverse actors from international institutions, such as the World Bank and the International Monetary Fund, with local actors for the cases of China, Indonesia, and South Korea. They causally link different timing and shapes of legislative efforts in these cases to two analytic dimensions, (1) the country's position in the international arena, and (2) the presence or absence of a set of intermediaries to bridge the distance between the global and the local. One of the contributions of this paper is to do what has not been done in studies on globalization so far: to examine empirically in fine detail the actual intersection of the global and local in terms of the actors who mediate it and what functions they are called upon to perform. Fourcade-Gourinchas explored how Carruthers/Halliday's two dimensions open up a new theoretical and research agenda that invites further specification and empirical testing.

Saguy's paper, examining legislation against sexual harassment law in France, points at limits of globalization. While ideas circulate broadly they will not necessarily take hold in all countries. Instead, they will be selected and modified when they encounter distinct political regimes, institutional factors and cultural repertoires. Specifically, as local movements exploit disparate political, cultural and legal constraints and resources available in their respective contexts, distinct sexual harassment laws emerge. Further, international policies are only effective through the efforts of local political actors, here French feminists. Finally, French activists and lawmakers used the sexual harassment issue to draw symbolic boundaries against the United States. Fourcade-Gourinchas observed how the latter argument is in line with Carruthers and Halliday's observations on the Indonesian case of corporate bankruptcy law. She applauds the argument and further points at parallels with the sphere of economic law (especially in work by Dobbin).

Not national legislation but interaction between international institutions and heterogeneous knowledges are at stake when **Levi** and **Hagan** examine how a legal institution, the International Criminal Tribunal for the Former Yugoslavia, is a site for the production of sociotechnical arrangements. The knowledges in this field are not exclusively "legal," with law being a site through

which actors, such as forensic investigators, social scientists, foreign correspondents and victim assistance workers, work to produce their expertise, and with the Tribunal simultaneously contributing to their generation. Fourcade-Gourinchas characterizes Levi and Hagan's understanding of law as a deeply heteronomous field. At the same time, the international legal institution that builds claims on a diversity of local knowledges also prompts the construction of new forms of knowledge and expertise, new technologies and new professions all of which have new claims on the definition of legal reality and of the objects they produce for legal effect. It remains to be seen how these claims work themselves out in the court room, and how they might lead to new institutionalizations of law in transnational fields.

To understand law between globalization and national institutions, **Boyle** focuses on a set of global travelers, migrants. She extends theories of legal consciousness and migrant transnationalism by following the traces of national institutions in the legal and political consciousness of migrants in the United States. Through in-depth interviews and ethnographic observation, she examines the situation of immigrants from an empire (Ethiopia), a failed state (Somalia), and a "modern" state (Tanzania). While all of these groups are marginalized in American politics and law, she finds that the unique long-term history of each group played an important role in its members' current perspectives on law and politics. Future work will spell out the interaction effects between the history of sending countries, interstate relations, and conditions in the receiving country.

We hope to offer you this set of papers in published form in the near future. The agenda laid out here warrants further development if we seek to understand the life, behavior, meaning, and culture of law in the contemporary world. It suggests that we follow these papers' lead to explore (1) the concrete actions and processes through which "globalization" comes about; (2) the filtering of global processes through locally specific institutional legal and social contexts; and (3) the role played by the United States in the globalization process and the response this role provokes in other nation states.

The ASA Sociology of Law Mentoring Program

The Sociology of Law Mentoring Program seeks to provide assistant professors in the sociology of law with a senior mentor at a different institution. The idea is to offer assistant professors informal guidance on a wide variety of academic and institutional issues, although each mentor/mentee pair works out the parameters of their relationship. If you are interested in participating as a mentee or willing to serve as a mentor, please send your e-mail to:

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Editorial Notes

I'd like to thank Samara Newman, an undergraduate student at Lafayette College, for her work on this issue of AMICI. I also want to remind section members that they are welcome to submit any ideas for contributions to this newsletter. Original research essays in the sociology of law, essays on teaching issues in the sociology of law, and books in our sociological specialty can all be considered for a symposium. Please send contributions to:

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Gratefully Welcoming Section Officers for 2004-05

Joachim J. Savelsberg, Chair

Our section's elected **COUNCIL** will consist of **Elizabeth A. Hoffmann** (Purdue University), **Kathleen E. Hull** (University of Minnesota), **Fiona Kay** (Queens University), **Laura Beth Nielson** (American Bar Foundation), **Rebecca Sandefur** (Stanford University), and **Kim Lane Scheppele** (University of Pennsylvania). The elected Secretary-Treasurer is **Robert Granfield** (SUNY Buffalo). We are most grateful to each of them, as we are to those who agreed to serve on the diverse committees:

(a) The **PUBLICATIONS COMMITTEE** with **Matt Silberman**, Chair (Bucknell University), **David Shulman**, Newsletter Editor (Lafayette College), **Nancy Fisher** (Macalester College), and **Ryan King**, Graduate Student Member (University of Minnesota); the **NOMINATIONS COMMITTEE** with **Kathleen E. Hull**, Chair (University of Minnesota), **Lauren Edelman** (University of California at Berkeley), **John Hagan** (Northwestern University and American Bar Foundation), and **Joshua A. Guetzkow**, Graduate Student/Post-doc Member (Princeton/Harvard Universities); the **MEMBERSHIP COMMITTEE** with **Mathieu Deflem**, Chair (University of South Carolina), **Vanessa Barker** (Florida State University), **Brian Gran** (Case Western), **Carroll Seron** (CUNY), **Mary Nell Trautner**, Graduate Student Member (University of Arizona); the **DISTINGUISHED ARTICLE AWARD COMMITTEE** with **Terence Halliday**, Chair (American Bar Foundation), **Katherine Beckett** (University of Washington), **Calvin Morrill** (University of California at Irvine), and **Susan Silbey** (Massachusetts Institute of Technology); the **STUDENT PAPER AWARD COMMITTEE** with **Annette Nierobisz**, Chair (Carleton College), **Jim Inverarity** (Western Washington University), **Louise Marie Roth** (University of Arizona), and **Melissa Thompson** (Oregon State University); and last but not least the **LOCAL RECEPTION AD-HOC COMMITTEE** with **Kim Lane Scheppele**, Chair (University of Pennsylvania).

The committees', especially award committees', success, of course, depends on you. Please nominate strong work of your students and colleagues.

Privatization, Law, and the Public/Private Divide

Susan B. Boyd
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Perhaps the greatest challenge to the ideological boundary between public and private spheres that has been so fundamental to liberalism and capitalism has been elaborated by feminist scholars, including numerous feminist legal scholars.¹ This comment briefly summarizes some insights of that work, particularly in relation to family law and policy, and considers the complications that have arisen in recent years as economic restructuring and privatization have accelerated in this era of neo-liberalism.

Since the 1970s, feminists have highlighted problems with the notion that state or legal regulation is permissible only in the public sphere, noting, among other things, that "the personal is political". First, non-regulation of the "private" sphere of family has too often resulted in consolidation of pre-existing power relations and the often unequal distribution of material goods within the family.² The history of domestic violence being hidden within the family and insulated from legal scrutiny provides a classic example,³ but we could also mention the history of women's responsibility for domestic labour being "hidden in the household."⁴ The ideology of the public/private divide thus typically reinforces the status quo in the private sphere, which often means reinforcing unequal relations based on gender, class, race, or age, among others. These unequal relations in the private sphere in turn support unequal relations in the public sphere. For example, the sexual contract between husband and wife in the family supports the public sphere in which men dominate.⁵

A second key insight that feminists have offered is that it is a myth that the state does not intervene in the family, or the market, for that matter.⁶ Rather, the privatization of social reproduction (the production of human life through procreation, socialization, and daily maintenance, all of which are gendered and tend to be accomplished largely through women's labour) has been embedded within legal and state intervention in, and regulation of, the family.⁷ This line of argument has perhaps been developed more fully in Canada, but American feminist legal scholars have addressed the problems with models of the state that are premised on the privatization of caregiving labour, (still) predominantly performed by women. Martha Fineman, for instance, has shown that the uncompensated labour of (especially female) caregivers provides an unrecognized subsidy to society.⁸ She argues for a more collective responsibility, rather than a perpetuation of the American myths of autonomy and self-sufficiency—in other words, of liberal individualism. This second feminist insight about the myth of state intervention is key to the most recent trends, as we shall see. The state often plays a regulatory role even when it appears that private norms are predominant.

In my 1997 book, I argued that the public/private divide has always been ideological rather than real, which means in turn that it shifts according to changes in social and economic relations.⁹ Arguably, the public sphere is increasingly dominated by values associated with the private

sphere.¹⁰ This trend contains contradictions that make it less than obvious. In recent years, public efforts to regulate what might previously have been seen as "private" relations have emerged, but these efforts have evolved simultaneously with important, and arguably more dominant, trends related to economic restructuring and privatization. For instance, in Canada, several public initiatives have been taken to deal with child poverty. For example, child support obligations on separation or divorce have been more clearly structured and enforced. Some efforts have also been made to deal with domestic violence and to recognize women's unpaid labour in the home. To some extent, then, the traditional public/private dichotomies between work and family, and between state and family, have been challenged. However, despite these initiatives, little improvement has resulted in relation to child poverty or woman abuse, and women's standard of living continues to plummet upon divorce. The shifting nature of the public/private divide as well as its ideological power permits this apparent contradiction at the same time as it obscures its impact.

In my 1997 book, Marlee Kline observed that "[t]he postwar compromise on which the welfare state rested has now crumbled and societal expectations about provision for social need appear to be swiftly changing." She added that "[c]entral to current political struggle over the fate of the institutions of the welfare state is a renegotiation of the appropriate division between public and private responsibilities."¹¹ These trends have accelerated since 1997, and in countries such as the United States, which never had anything resembling Canada's attempt at a social welfare state (however imperfect), the impact may be worse. Despite its reliance on many patriarchal assumptions, the 20th century welfare state provided openings for a realignment of the public/private divide that was more fair to women. Recent research demonstrates that the various modalities of privatization pose challenges both to the gains produced as a result of the feminist struggle and to the strategies that feminists employ in relation to state and law.¹²

For instance, public initiatives concerning child poverty in Canada may fail because they continue to rest on the problematic assumption that women will continue to provide "free" unpaid labour in relation to children and families – in other words that this labour should be hidden in the household or the private sphere. The invisibility of women's unpaid labour is also aggravated by the child poverty initiatives, which tend to artificially sever children's interests from those of their caregivers, typically their mothers.¹³ As a result, public understanding of poverty is limited, as is the construction of adequate solutions. Women's poverty is constructed as not a social or public concern, but rather a matter for which the individual herself is primarily responsible.¹⁴ If a single mother on welfare fails to take up opportunities such as workfare, she is regarded as less than a full citizen.¹⁵ If a divorced woman fails to enforce a privatized remedy, such as claiming alimony from her former partner, she may not find a public remedy available to address her financial need or that of her children.

Another recent phenomenon is the blurring of the ideological boundaries of public and private. An obvious example is that paid work has entered the home to a greater degree due to technological advances permitting some workers to take their work out of the traditionally defined

workplace. This trend contributes to the notion that women can take up paid labour even while assuming responsibility for domestic labour and childcare in the “private” sphere. In family law, the blurring of public and private is manifested by norms that encourage domestic partners to resolve their disputes using privatized mechanisms such as mediation and contracts rather than (public) courts. We used to say that family relations only became public when marriages broke down and divorce law stepped in. Now, privatized remedies are the ideal *and* they are encouraged through the use of public norms.¹⁶

One might argue that these examples suggest that the public/private divide has become an irrelevant concept. However, in my current work, I feel sure that without an understanding of the ways in which ideas about public and private have informed law and social policy in the past, and the ways in which these ideas remain embedded in ideological representations of family, work, and legal regulation, we cannot fully comprehend the trajectory of neo-liberalism.

Recent Canadian work highlights several ways to think about the reconfiguration of public and private spheres in a variety of fields, including and beyond family/state relations.¹⁷ This work illustrates that state regulation is not necessarily diminishing, but rather is shifting its regulatory modalities. Some public responsibilities are shifted to the private sphere, while other roles of the state are protected and strengthened. Decentralization of power has also undermined the notion of universal social citizenship. We have seen the reprivatization of goods and services, commodification of once-public goods and services as market based, familialization of responsibilities, individualization of responsibility for risks and solutions, delegation of decision-making and a decrease in public accountability, and the depoliticization or the evacuation of issues, goods, and services from political contestation.¹⁸

My recent work has focused mainly on the familialization of responsibilities for economic well-being and caregiving for children. For example, I have explored how the increasing legal recognition and regulation of same sex relationships, while a crucial development in many respects, occurs in a way that reinforces privatization of economic responsibilities within the family and diminishes collective responsibility for economic wellbeing.¹⁹ I have also explored the tension between the increasing assumption within family law that women and men are gender neutral, interchangeable beings and the social fact that the sexual division of labour persists to a greater extent than we might expect in the early 21st century.²⁰ I have argued that a legal system that fails to recognize the still gendered patterns of caregiving, which are exacerbated by privatization trends, can be disastrous for women and children.²¹ My latest work examines the ways in which fathers’ rights discourse has influenced these trends in the realm of child custody law reform.²² Family law is arguably reinscribing the ostensibly gender neutral, but actually highly gendered, rational liberal individual in ways that undercut the ongoing need to redress women’s substantive inequalities.

I am also involved in a project on poverty and human rights, which examines the ways in which neo-liberal discourse and privatization play out in relation to social and economic rights and includes a focus on women’s poverty.²³

The neo-liberal ideology of market-based norms such as choice, self-reliance, and efficiency and the legal constitution of subjects as autonomous, unencumbered individuals has undermined the gender order of Keynesianism, premised on a male breadwinner and female caregiver model, which in turn reflected public/private ideology. Male wages—the material basis for the male breadwinner—have declined and feminized work has increased. Yet many of the shifts associated with neo-liberalism and privatization rely on an assumption that someone—generally a woman—will be assuming unpaid responsibility for those who need care and who do not meet the assumptions of market-based norms, for instance children, elderly persons, and persons with disabilities. Female employment remains precarious and unsupported by social services such as childcare.²⁴ Women are expected under privatization to be both gender-neutral market workers and have primary careers, taking up the slack left by degraded public services.

The state is not inactive in these privatization processes. State apparatus may actually intensify their activity, particularly in relation to coercive instruments such as criminal law. The contrast between this coercive intervention and the diminished attention to social welfare and poverty illustrates how the degree and mode of “intervention” of the state varies according to factors such as class, race, gender, and social location. This insight, offered by public/private divide scholarship, is key to understanding the role of the state in relation to various socio-legal institutions such as the family – or legal education²⁵ – in the neo-liberal context of the early 21st century.

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¹ A large literature exists on this topic. In 1997, I edited *Challenging the Public/Private Divide: Feminism, Law, and Public Policy* (Toronto: University of Toronto Press, 1997), which references much of this literature. See also Margaret Thornton, ed., *Public and Private: Feminist Legal Debates* (Melbourne: Oxford University Press, 1995).

² Similar comments could be made about non-regulation of the market. See Frances Olsen, “The Family and the Market: A Study of Ideology and Legal Reform” (1983) 96(7) *Harvard Law Review* 1497.

³ See Martha A. Fineman and Roxanne Mykitiuk, eds., *The Public Nature of Private Violence* (New York: Routledge, 1994).

⁴ Bonnie Fox, *Hidden in the Household: Women's Domestic Labour Under Capitalism* (Toronto: Women's Press, 1980).

⁵ Carole Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988).

⁶ Frances Olsen, “The Myth of State Intervention in the Family” (1985) 18(4) *University of Michigan Journal of Law Reform* 835. The removal of Aboriginal children from their families and communities using child welfare law provides an apt example. Family and social welfare law have also long been used to regulate families, especially those viewed as not conforming to the norm.

⁷ Jane Ursel, *Private Lives, Public Policy: 100 Years of State Intervention in the Family* (Toronto: Women's Press, 1992).

⁸ Martha Albertson Fineman, “Cracking the Foundational Myths: Independence, Autonomy, and Self-Sufficiency”

(2000) 8 *American University Journal of Gender, Social Policy & Law* 13.

⁹ Boyd, *supra* note 1.

¹⁰ See Davina Cooper, "Like Counting Stars?: Re-Structuring Equality and the Socio-Legal Space of Same-Sex Marriage," in R. Wintemute and M. Andenaes, eds., *Legal Recognition of Same-Sex Partnerships* (Portland: Hart Publishing, 2001), 75 at 85.

¹¹ Marlee Kline, "Blue Meanies in Alberta: Tory Tactics and the Privatization of Child Welfare," in Susan B. Boyd, ed., *Challenging the Public/Private Divide: Feminism, Law, and Public Policy* (Toronto: University of Toronto Press, 1997), 330.

¹² See Brenda Cossman and Judy Fudge, eds., *Privatization, Law, and the Challenge to Feminism* (Toronto: University of Toronto Press, 2002) for several linked case studies arguing that the increasing (re)privatization that has accompanied globalization and economic restructuring over the past couple of decades, reflecting the decline of the Keynesian welfare state and the rise of the neo-liberal state, has been accomplished in part through law.

¹³ Wanda Wiegiers, *The Framing of Poverty as "Child Poverty" and Its Implications for Women* (Ottawa: Status of Women Canada, 2002). <http://www.swc-cfc.gc.ca/>.

¹⁴ Wiegiers, *ibid.*. See also Janet Mosher et al., *Walking on Eggshells: Abused Women's Experiences of Ontario's Welfare System* (Final Report of Research Findings from the Women and Abuse Welfare Research Project, April 5, 2004). http://www.yorku.ca/yorkweb/special/Welfare_Report_walking_on_eggshells_final_report.pdf [last accessed October 10, 2004].

¹⁵ Mosher, *ibid.* In the US context, see Martha M. McCluskey, "Efficiency and Social Citizenship: Challenging the Neoliberal Attack on the Welfare State", (2002) 78 *Indiana Law Journal* 783.

¹⁶ Alison Diduck, *Law's Families* (Butterworths, 2003); Helen Reece, *Divorcing Responsibly* (Portland: Hart Publishing 2003).

¹⁷ See Cossman and Fudge, *supra* note 12. This book extends the analysis in my 1997 book, Boyd, *supra* note 1.

¹⁸ Cossman and Fudge, *supra* note 12.

¹⁹ See, for example, Susan B. Boyd and Claire F.L. Young, "From Same-Sex to No Sex? Trends Towards Recognition of (Same-Sex) Relationships in Canada" (2003) 1(3) *Seattle Journal for Social Justice* 757.

²⁰ Susan B. Boyd and Claire F.L. Young, "Feminism, Law and Public Policy: Family Feuds and Taxing Times" 42(4) *Osgoode Hall Law Journal*, in press.

²¹ Susan B. Boyd, *Child Custody, Law, and Women's Work* (Toronto: Oxford University Press, 2003), especially chapter 9.

²² See, for example, "Backlash against Feminism: Canadian Custody and Access Reform Debates of the Late Twentieth Century" (2004) 16(2) *Canadian Journal of Women and the Law*, forthcoming.

²³ Margot Young, Susan Boyd, Gwen Brodsky, and Shelagh Day, eds., *Poverty: Rights, Social Citizenship, and Governance* (forthcoming 2005).

²⁴ Leah Vosko, *Temporary Work: The Gendered Rise of a Precarious Employment Relationship* (Toronto: University of Toronto Press, 2000).

²⁵ I discuss the impact of privatization on legal education in Susan B. Boyd, "Corporatism and Legal Education in Canada," *Social and Legal Studies*, forthcoming.

Shifts in the Private/Public Division: Greater Surveillance and Government Secrecy

Gerald Turkel

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The private/public division demarcates boundaries for legal and social action. Private spheres are defined by exclusive use, intimacy, particular meanings and commitments, and by being physically hidden and undisclosed. Public spheres are defined by common use and are arenas open to observation and full disclosure, and universal meanings and commitments. Rather than dichotomizing legal and social activities, the private/public division distinguishes a continuum from strictly private to strictly public locations with a great deal of variation in between. As a sphere of activity in which strangers are dependent on one another for food, medical, safety and other needs, society blends public and private features. People are visible to one another yet anonymous, indifferent to one another yet mutually dependent, disclose specific information to one another and withhold others, apply universal standards to one another and form particular attachments.

Since the attacks of September 11, 2001, relations between core private and public domains have been changing. On the one hand, the authority of law enforcement agencies to engage in surveillance of individuals has greatly expanded through, for example, the USA PATRIOT Act. On the other hand, government secrecy in implementing of law and classifying records has also expanded dramatically. This combination of greater state surveillance of individuals and organizations with greater governmental secrecy is realigning the relations between private actors and the public authority of the state. Individuals and organizations are increasingly visible and subject to disclosures without being aware that this is ongoing. They are made more transparent and made more subject to legal discourse by public authorities. At the same time, the activities of law enforcement and government authority are more secretive, subject to less record keeping, and are less accountable in legal and political public discourses and institutions.

Two examples from the USA PATRIOT Act demonstrate these points. Section 507 of the USA PATRIOT Act amends the Family Education Privacy Act (FERPA), which, since 1974, has served to protect the confidentiality of students' records by preventing their unauthorized disclosures. Section 507 creates an *ex parte* court order procedure through which a senior US Justice Department official may seek authorization to collect educational records relevant to an investigation or prosecution of terrorism as an exception to the confidentiality requirement of FERPA without notice to the individual student. The standard for requesting such a court order and approval of it, moreover, fall below the "probable cause" standard that typically pertains in criminal cases. The standard in Section 507 requires that "there are specific and articulable facts giving

reasons to believe that the education records are likely to contain” information relevant to an authorized investigation or prosecution of domestic or international terrorism. Institutions of higher education are required to disclose the records without notifying the student. The institution is not required to keep any records of disclosures made under this provision of the Act. Section 507 does not have a sunset provision.

Section 215 of the Act empowers US Justice Department officials to order any person or entity to turn over “any tangible things” so long as there is specification that the things are required “for an authorized investigation . . . to protect against international or clandestine intelligence activities.” As with changes to FERPA, the Justice Department does not have to show probable cause. Moreover, orders are obtained from the Foreign Intelligence Surveillance Court composed of eleven designated federal district court judges who operate outside of public view. Through Section 215, the Justice Department is empowered to require bookstores and libraries to disclose the records of individuals. Section 215, moreover, prohibits record keepers – a librarian, for example – from disclosing that the Justice Department sought or obtained the records in question. Also, the person or entity being investigated does not have to be informed that their records have been disclosed.

These two key provisions of the USA PATRIOT Act not only show the heightened levels of intrusion of investigative power into records that had previously had privacy protections, but also demonstrate levels of secrecy accomplished by limited record keeping and lack of disclosure on the part of the government of its activities. Governmental secrecy has been furthered by other Bush Administration actions. Many of the efforts to heighten government secrecy have recently been compiled in a report prepared by Representative Henry Waxman, Secrecy in the Bush Administration (US House of Representatives, Committee on Government Reform – Minority Staff Special Investigations Division, September 14, 2004).

The Freedom of Information Act (FOIA), adopted in 1966, provided public access to information held by the executive branch. While resisted by several administrations, the Clinton Administration restricted the ability of government officials to limit access and also created a system for declassifying information. Beginning in 2001, the Bush Administration reversed the presumption that government documents should be disclosed whenever possible. In Executive Order 13292 issued in March 2003, President Bush removed a system of classifying documents which generally declassified them in ten years to a system that provided for initial classification to more likely last twenty-five years. In addition, extensions of ten-year classifications could be imposed without clear limitations, and the budget for declassifying information was cut by more than half.

In another vein, it sought to establish a new category of documents that could be held back from the public. This new category, “sensitive but unclassified,” is information that is available only to covered persons in government and in industry with a “need to know.” It applies primarily to transportation, falling under the authority of the Transportation Security Administration (TSA), which was established to administer the Aviation, and Transportation

Security Act passed shortly after September 11, 2001. Professionals in the transportation industry and consumer advocates have claimed that this new level of secrecy has been used to shield the transportation industry and the Office of Homeland Security from public accountability.

The greater surveillance of actors along with growing secrecy of state agencies raises fundamental questions about the legal legitimacy of state power, how private individuals and associations can sustain their autonomy, and the disputes that are generated in maintaining the rule of law during a period of national security crisis. As in the past, thorough questioning and resistance will be required to sustain arenas of private autonomy and public participation.

Gerald Turkel’s email: Gmturkel@UDel.Edu

Call for Submissions

DISTINGUISHED ARTICLE AWARD 2004

The Sociology of Law Section announces its biannual Distinguished Article Award. The Section will award a prize for the best article in the sociology of law published between 2002 and 2004. Articles previously submitted to the Article Committee in a prior year may *not* be submitted again. The submission deadline is **March 1, 2005**.

Winners will receive their award at the 2005 ASA Annual Meeting. Articles may be self-nominated by the author(s) or they may be nominated by other scholars, editors, or publishers.

To nominate an article, please send a brief letter of nomination and five (5) copies of the article by March 1, 2005, to:

Terence Halliday
American Bar Foundation
750 N. Lake Shore Drive
Chicago IL 60611.
Phone: 847-988-6593.
Email: Halliday@abfn.org.

Alternatively, if the article is accessible online, you may also submit by email with an attachment or URL.

The 2005 Distinguished Article Committee comprises Terry Halliday, chair, (American Bar Foundation), Katherine Beckett (University of Washington), Calvin Morrill (University of California, Irvine), and Susan Silbey (MIT).

Call for Submissions
ASA Sociology of Law
STUDENT PAPER AWARDS 2005

The Sociology of Law Section of the American Sociological Association announces its Annual Student Paper Awards. The section will award prizes for both the best graduate and undergraduate paper. Winners will receive their award at the ASA Annual Meeting in Philadelphia, August 2005.

Papers may address any topic in the Sociology of Law. Papers may be reports of any kind of original research, including empirical and theoretical contributions or evaluations of existing scholarship. Originality, clarity, and analyses of substantive social issues are typically seen as important advantages.

Entries should be double-spaced and not exceed 35 pages in length (including tables, appendices, and references). Entries should follow ASA style. Papers must have been written while the student was a graduate or undergraduate student. Papers that have been accepted for publication or already published at the time of submission are not eligible. Papers may be submitted by students or by professors on behalf of their students.

The deadline for submissions is March 31, 2005.

Please send one copy of the paper as well as one copy on disc (in Microsoft Word format) with specification of student standing (undergraduate or graduate), to be received by March 31, 2005 to:

Annette Nierobisz
 Assistant Professor of Sociology
 Department of Sociology & Anthropology
 Carleton College
 Northfield, MN 55057
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Children's Ombudspersons: Neither Public nor Private? *†

Brian Gran
 Case Western Reserve University

As Turkel and Boyd suggest, public and private labels are politically charged, even if their applications lead to fuzzy results. Yet some actors strive to avoid a label of public or private. This essay presents results from an on-going study of offices of children's ombudspersons, whose leaders endeavour to characterize their offices as neither public nor private. I will briefly describe this institution, then examine a

key characteristic used to describe children's ombudspersons as neither public nor private.

Sometimes characterized as "children's champions," nearly forty national governments, twenty U.S. state governments, and a handful of Canadian provinces, Australian states, and Russian oblasts have established offices of children's ombudspersons. Most children's ombudspersons attempt to ensure that their government and other organizations fulfill the goals of the United Nations Convention on the Rights of the Child (U.N. Convention). To reach these goals, children's ombudspersons typically monitor and reform their jurisdiction's public and private actors' behaviors toward children. Because of this role, many children's ombudspersons and other institutions consider independence to be crucial.

By independence, children's ombudspersons seem concerned with freedom from intrusion and coercion in the goals they set, approaches they take, and decisions they make. The power to monitor and ensure that government fulfills its obligations arising from the U.N. Convention necessitates that a children's ombudsperson have the abilities to criticize and challenge their government. A children's ombudsperson may need to be able to "take on" a government that is not willing to enforce the U.N. Convention. Indeed, the United Nations Committee on the Rights of the Child sometimes demands that a national government establish an independent office for children.

But are children's ombudspersons independent? At the time of this essay's writing, I am visiting the United Kingdom to conduct research on children's ombudspersons in England, Northern Ireland, Scotland, and Wales. The four UK cases are interesting for a variety of reasons, one of which is the order in which they were established. The office of the Welsh children's ombudsperson was established in 2001; the Northern Ireland office in 2003; and the Scotland office in 2004. The English office is in progress, with legislation surrounding its establishment hotly debated right now. Another reason these four cases are interesting is because of the degree of their independence. After English establishment, all four children's ombudspersons will have been formed by their governments, will receive their budgets from government, and their governments will have established their legislated powers. Nevertheless, these children's ombudspersons cannot be removed from office without cause and have terms of office (Northern Ireland: four, Scotland: five, and Wales: seven). They are not accountable to government in how they pursue their work. An important exception is England, where current legislation indicates that the Secretary of State can direct the English children's ombudsperson to hold an inquiry. The English children's ombudsperson will also have to answer to government upon request. In sum, governments appoint and designate powers possessed by these four children's ombudspersons. With the exception of England, these children's ombudspersons can do their jobs unfettered by government, unless government chooses to reduce their budgets, not a minor concern.

What about the independence of the private sector? Debates over children's ombudspersons tend to focus on independence of the public sector, probably because children's ombudspersons are typically charged with making sure their governments meet the U.N. Convention.

Preliminary results from this study indicate, however, that non-public actors and organizations influence how children's ombudspersons are established and do their work. An important example is the European Network of Ombudsmen for Children (ENOC). As its name indicates, ENOC is a network of children's ombudspersons. It holds an annual conference for its members as well as separate meetings on other issues. ENOC is financially supported by its membership, some governments, and non-governmental organizations. What influence does ENOC have on its members and potential members? In addition to its meetings, ENOC has established standards that an office of a children's ombudsperson must meet to join ENOC. These standards include independence from government and an exclusive focus on children (as opposed to adults). During its 2004 annual meeting, ENOC addressed a letter to the U.K. government indicating that draft legislation for the English children's ombudsperson would prevent the English children's ombudsperson from becoming an ENOC member. This letter was raised in a House of Commons committee meeting on the legislation and was apparently discussed in the legislation's revision. ENOC influences children's ombudspersons in other ways. In addition to its membership standards, some ENOC members advise other governments on establishment of their children's ombudspersons. One ENOC member holds a summer camp for new children's ombudspersons in which strategies and "best practices" are discussed. As mentioned, evaluations of independence typically overlook the private sector. During the 2004 ENOC annual meeting, however, during the discussion over the lack of independence of the English children's ombudsperson, one ENOC member exclaimed, "But what about independence from ENOC?" Her comment was ignored.

This research raises doubts about the independence of children's ombudspersons. For an office that is often characterized as neither public nor private, a closer look at children's ombudspersons indicates they can be independent of neither. Instead, a better description of offices of children's ombudspersons may be public and private. For children's ombudspersons, the consequences are unclear. Can a children's ombudsperson who is not independent of public and private actors and organizations still fulfill the U.N. Convention and enhance children's welfare and rights? Further, how many other organizations straddle the same fuzzy border, and with what effects?

Brian Gran's email: Brian.Gran@Case.Edu

*: The author thanks Julianne Schumacher and David Shulman for their suggestions on this essay.

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Visiting Scholars 2005-2006 Center for the Study of Law and Society University of California, Berkeley

The Center for the Law and Society, University of California, Berkeley invites applications for visiting scholars for 2005-2006. Since 1961, the Center has fostered empirical research and theoretical analysis concerning legal institutions, legal processes, legal change, and the social consequences of law. Closely linked to Boalt Hall School of Law, the Center creates a multidisciplinary milieu with a faculty of distinguished socio-legal scholars in the sociology of law, political science, criminal justice studies, law and economics, legal history, and legal and social philosophy, along with visiting scholars from the United States and around the world. Faculty members affiliated with the Center include K.T. Albiston, Robert Cooter, Lauren B. Edelman, Malcolm M. Feeley, Robert A. Kagan, Linda Krieger, Christopher Kutz, David Lieberman, Kristin Luker, Robert MacCoun, Laura Nader, Daniel L. Rubinfeld, Harry N. Scheiber, Gordon Silverstein, Jonathan Simon, David Vogel and Franklin Zimring.

Application Requirements:

1. Applicants normally must possess a Ph.D. or J.D. (or foreign equivalent).
2. Applicants must submit a full curriculum vita.
3. Applicants must submit a cover letter specifying the time period they wish to be in residence at the Center and describing their proposed program of research or study. Applicants must pursue a program of research or study of mutual interest to faculty members at the Center for the Study of Law and Society.
4. Applicants must indicate their source of funding while visiting Berkeley, e.g. sabbatical pay, scholarship, government funding, personal funds, etc. Unfortunately, the Center cannot offer stipends or other financial assistance.

The Center will consider applications for varying time periods, from one month duration to the full academic year. Applicants should submit the information listed above by post or e-mail to:

Visiting Scholars Program
Center for the Study of Law and Society
University of California, Berkeley, CA 94720-2150,
csls@uclink.berkeley.edu, by **February 1, 2005**.

Inquiries may be made to the Director, Professor Lauren Edelman, ledelman@law.berkeley.edu; or to the Associate Director, Dr. Rosann Greenspan, rgreenspan@law.berkeley.edu.

For additional information, visit the Center's website at
<http://www.law.berkeley.edu/institutes/csls/>

Distinguished Book Award Committee

The Committee that awarded the distinguished book prize was composed of Ruth Horowitz, chair, Robert Dingwall, Elaine Draper, Orville Lee, and Becky Sandefur. The committee selected two winners: Susan Shapiro's *Tangled Loyalties: Conflict of Interest in Legal Practice* (University of Michigan Press 2002) and David T. Johnson's *The Japanese Way of Justice: Prosecuting Crime in Japan* (Oxford Press 2002). What follows are descriptions of the merits of each book, submitted by Ruth Horowitz.

Susan Shapiro's *Tangled Loyalties: Conflict of Interest in Legal Practice*, (University of Michigan Press) 2002.

In an era of perceived increase in professional self-interest and stories of diminution of a service ethic, failures of self-regulation, and the lack of teeth of third party oversight, is a very important study for understanding how lawyers think about ethical obligations. Shapiro follows her interest in exploring issues of trust and fiduciary duty and her enumeration of the areas where conflict of interest is possible is prodigious. She deftly lays out many of the places where conflicts occur from role conflicts, multiple roles, organizational growth, multiple clients, and priorities. This a carefully reasoned sociological analysis of what lawyers say about conflicts of interest and their role in the everyday practice of law, particularly in relation to ongoing ties, repeat players, client size, and client sophistication. She gets to the heart of how they deal with them in the practice of law. It is refreshing in this area to find an empirical analysis of what a very diverse group of 128 interviewees from large urban firms to small town practitioners say about their practice of identifying and resolving conflicts of interest. She uses this sample to show how the incidents of conflict of interest increase significantly with firm size and how large firms handle them differently than small ones. This book greatly adds to our understanding of trust, what is happening to professional autonomy today, how the practice of law is conducted, and the growing importance and difficulties of firms in the practice of law. Susan Shapiro is Senior Research Fellow at the American Bar Foundation. We congratulate Susan for having written a wonderful book.

David T. Johnson's *The Japanese Way of Justice: Prosecuting Crime in Japan*, (Oxford Press) 2002.

Johnson's book is an impressive analysis of the Japanese criminal justice system that illuminates the pivotal role of the prosecutor. Johnson's innovative account shows how Japanese criminal justice relies on prosecutors who achieve a strikingly high rate of convictions, based largely on confessions extracted through prolonged and relatively unfettered interrogation. In contrast with U.S. prosecutors' preoccupation with punishment and plea bargaining, Japanese prosecutors focus much more on rehabilitation, invoking remorse, and repairing injuries to crime victims and communities. Johnson's cultural, political, and organizational analysis reveals the vast resources and authority that boost prosecutors' influence. He bases his provocative and well-reasoned analysis on court documents and survey data, as well as on in-depth interviews and

observation of Japanese prosecutors that required overcoming formidable access barriers. His comparative perspective suggests fascinating implications for the U.S. criminal justice system. The book serves as a model of insightful and extraordinarily well-supported argument in the sociology of law that exemplifies the vitality of the field today. David Johnson is Assistant Professor, University of Hawaii, Manoa. Congratulations, David, on this fine piece of scholarship.



(Pictured: Ruth Horowitz (left) and Susan Shapiro (right).
Not pictured: David Johnson.

FELLOW MEMBERS, DON'T FORGET TO RENEW YOUR 2005 MEMBERSHIP IN THE SOCIOLOGY OF LAW SECTION!

Your Sociology of Law Section continues to provide the best forum for exchange among sociologists interested in law and legal institutions, structures and processes. We therefore encourage current members to renew their membership and kindly ask them to advertise our section to their colleagues and students.

This year, we also ask all section members who are faculty to consider sponsoring the section membership of at least one or more of their students. There is no formal ASA procedure on sponsoring a student's membership, but you can arrange this informally with your students. Our student members are the future of our section, so it is important we help them the best we can.

YOU CAN (RE) JOIN THE SOCIOLOGY OF LAW SECTION ONLINE AT:

<http://www.asanet.org/members/membership.html>

PER FORM: <http://www.asanet.org/forms/membapp.pdf>

Membership is on a calendar-year basis and can be applied from October onwards. If you have any questions, please get in touch with: American Sociological Association Membership Office, 1307 New York Avenue, N.W., Suite 700, Washington, DC 20005, (202) 383-9005
membership@asanet.org

On behalf of the Membership Committee, we hope you will (re) join our section this coming year!

Report of the Sociology of Law Section's Committee on Student Paper Competition, 2004

The papers for this year's graduate student paper prize in the Sociology of Law presented the committee with an excellent group of papers. After much discussion, the committee chose Michael Sauder and Ryon Lancaster's "Law School Rankings and Admissions: The Effects of the Redefinition of a Status Hierarchy" as the first place winner. This paper investigated the effect of law school status hierarchy upon both prospective law school students and the admissions process of law schools themselves. The rankings of interest were those compiled by *U.S. News and World Report*, and the authors compared the status order of law schools before this periodical began to quantitatively rank schools to the current order as driven by the *U.S. News and World Report's* rankings. The authors argue that prior to the USN defined field of excellence, the relative rank of schools was more ambiguous, and at least accredited schools could "craft their reputations [and] strengths" and offer themselves in the educational market as unique and non-commensurable objects (6). Status is now precisely (quantitatively) defined, and creates more levels of distinction, and hardens those distinctions. While there has been much debate over the effects this new state of status has had legal education, the authors present some of the only empirical research attempting to get at those effects, using USN rankings (1993-2003), and quantitative characteristics accredited law schools compiled by *The Official Guide to U.S. Law Schools* (1996-2003) and measuring those rankings impacts on such dependent variables as the number of students applying to schools, proportion of top students (LSATs above 160), and percent matriculated. As well, they investigate whether schools alter their behavior in response to changes in their ranks. The authors argue that the small changes in a law school's standing appear significant and are creating both a feedback loop and a negative spiral wherein the rankings "play a role in creating rather than simply reflecting the quality of a school" (31). In light of recent discussions on status hierarchies and social capital in other academic fields (see Burris, *American Sociological Review*, 69 (2) 2004: 239), this paper has the potential to be an important contribution to both sociology of law, and the field of sociology more generally.

We chose to award Scott Leon Washington's "The Killing Fields Revisited: Lynching and Anti-Miscegenation Legislation in the Jim Crow South, 1882-1930" with an Honorable Mention. Mr. Washington is at Princeton University's Dept. of Sociology and Office of Population Research. This paper sought to tease out the relationship between anti-miscegenation in the legal arena, and extralegal white-on-black lynching. In an approach that questioned earlier works' stronger (or sole) reliance on economic factors in the southern cotton market, the author offers a far more situated examination of the impact of symbolic factors on the presence of lynching, particularly in the most cotton-dependent regions of the South during the Jim Crow period. Presenting both anti-miscegenation law and lynching as functioning as boundary-work between the races, the author concluded that social demarcation is as important as social control, understanding the legal and extralegal as parts of a cultural continuum of violence – both symbolic and physical.

As the undergraduate student paper winner, we chose David Kovacs's "Tough Choices: A Sociological Analysis of Prosecutorial Decisions in Antitrust Cases." This paper addressed the issue of a particular white-collar crime, using the theories of Durkheim, Foucault, and Weber to explicate the decision-making process. Focusing on the concepts of solidarity (Durkheim), social control, knowledge-power and domination (Foucault), and bureaucracy and rationalized action (Weber), Mr. Kovacs successfully negotiated competing - and often difficult to reconcile - theoretical approaches to prosecutorial decisions in anti-trust cases and went beyond laying them out in an attempt to synthesize them.

We congratulate all the authors on their excellent work, and look forward to seeing them in print. The committee consisted of Jennifer S. Earl (University of California-Santa Barbara), Ronit Dinovitzer (University of Toronto), and Sarah N. Gatson (Texas A&M University). ~Submitted by Sarah N. Gatson



Pictured Sarah Gatson (left) and Ryon Lancaster (right)
Not Pictured: Michael Sauder & Scott Leon Washington



Pictured (L-R) Alya Guseva, Sarah Gatson, David Kovacs & Wendy Espeland

Editorial Note:

A new publication, *The Annual Review of Law and Social Science*, which is of interest to section membership, is being launched. I have included a table of contents and a descriptive paragraph, courtesy of the editor, John Hagan and Izumi Barker and Erin Wait of *Annual Reviews*. – DS

“The *Annual Review of Law and Social Science*, publishing in 2005, will cover significant developments in the field of Law and the Social Sciences, including Law and Economics, Law and Inequality, Legal History, Law and Sociology, Legal Culture, Law and Anthropology, Law and Crime, Politics of Law, Law and Psychology, Theories of the Law, and Judicial Process and the Courts.” The price for individuals is \$76 (US) and \$81 (Int'l), and online access is included with a current individual subscription. Additional information for the series can be found at

<http://www.annualreviews.org/catalog/2005/ls01.asp>



Annual Review of Law and Social Science

Volume 1, Year 2005

Planned Topics and Authors

Prefatory Chapter, Lawrence M. Friedman
Comparative Analyses of Contemporary Penalty,

James Q. Whitman

Constitution of Europe, Joseph Weiler

Criminal Disenfranchisement, Christopher Uggen

Death Penalty Revisited, Robert Weisberg

Economic Theories of Settlement and Litigation,

Andrew Daughety and Jennifer Reinganum

Evidence after Daubert, Michael Saks and David L.

Faigman

Feminist Law and Economics, Gillian Hadfield

Indigenous Rights, John Borrows

Islamic Law after 9/11, Susan Hirsch

Law and Development, Jennifer Widner

Law Facts, Arthur Stinchcombe

Law, Race, and Education, Samuel R. Lucas

Law, Work, and Stratification, Robert Nelson

Legal Culture and Legal Consciousness, Susan

Silbey

Legal Forms of Business Organization, Neil

Fligstein

Plea Bargaining and the Eclipse of the Jury, Bruce

Smith

Procedural Justice, Robert J. MacCoun

Real Juries, Shari Seidman Diamond

Risk Assessment, Jonathan Simon

Spatial Dimensions of Crime, Robert J. Sampson

Stereotypes and Law, Linda Krieger and Mahzarin

Banaji

Transnational Human Rights, Heinz Klug

Women and Men in Legal Practice, Ron Daniels

ASA Section on Sociology of Law

The Section invites submissions for two paper sessions and one roundtable session for the ASA meetings:

(1) Sociology of Law (open-topic paper panel):

Jerry Van Hoy, University of Toledo,

jerry.vanhoy@utoledo.edu

(2) Legal Dynamics in the Economy/Economic Dynamics in the Law (paper panel co-sponsored with the Section on Economic Sociology): Mark

Suchman, University of Wisconsin-Madison,

suchman@ssc.wisc.edu

(3) Sociology of Law Roundtables (one-hour):

Elizabeth Hoffmann, Purdue University,

hoffmanne@soc.purdue.edu and Annette

Nierobisz, Carleton College,

anierobi@carleton.edu

Editorial Note: Spotlighting Some Websites of Interest

There are many potentially useful websites out there. Here I highlight some of my (subjective) favorites. I identify these websites in particular because they provide a wonderful service in archiving dozens of useful links under one virtual roof. Brief descriptions follow. (DS)

<http://www.sociolog.com/index.html>

This site, “Julian Dierkes’ Comprehensive Guide to Sociology On-Line,” offers a motherlode of links that are relevant to sociologists. Links to journals, professional associations, various databases and home pages for various sociology departments are available here. An additional virtue to this site is an attention to the global range of sociological practice. I’d start with examining “Julian Dierkes’ Sociology Links” (under the Resources heading).

<http://www.criminology.fsu.edu/cjlinks/>

The homepage for the Florida State University Criminal Justice Program offers many links that relate to criminal justice and to a multitude of other law-related interests.

<http://www.aldaily.com/>

This website, the “Arts and Letters Daily,” is not directly a law-related website. The site offers a multitude of intellectual content (courtesy of the *Chronicle of Higher Education*), that spotlights contemporary cultural debates and social issues and contains links to many newspapers, magazines and columnists.