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1992 Call for Papers

The Law Review Symposium Issue: Community of Meaning or Reinscription of Hierarchy?*

Jean Stefancic**

Since publication of the earliest known law review symposium in 1889, tens of thousands of symposia, colloquies, and special issues have been published. During the period 1980 to 1990, almost 14,000 symposium articles were indexed in *Legal Resource Index*. Indeed, there has been approximately a twofold increase in the number of symposium-type issues in the last decade.

What accounts for this increase? Does it reflect some deeper shift in the way we think and write about the law? And does it have implications for the future of legal publishing? My article examines the proliferation of the symposium issue and what that proliferation indicates about the state of legal scholarship.

Part I presents a brief history of the symposium movement in general. Part II explains my hypothesis that law review symposia have become a form of search for meaning. Human beings demand meaning, coherence, and order. During times of social crisis and fragmentation, this search is particularly urgent. Moreover, toward the end of an era, society usually demands more certainty than usual because of a need for closure. In this last decade of the twentieth century, we live in crisis and also approach the end of a millennium.

Law does not escape these social forces. The recent literature is replete with articles by scholars attempting to discover, impose, clarify, and defend meaning in the law. Indeed, a recent scholarly movement holds that "interpretive communities" or "communities of meaning" are key elements in legal judgment and interpretation. Symposium issues are, in a highly significant sense, searches for communities of meaning.

Every symposium has a theme or core subject that the contributors explore. Within this thematic framework, symposia appear to break down

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into three broad time orientations: future, past, and present. Future-oriented symposia bring together writers who wish to establish new meanings or challenge old ones. Past-oriented symposia (for example, anniversary issues) celebrate or examine a past event. Contributors share a conviction that this event contains meanings we should preserve because of their continuing value. Present-oriented symposiasts present "developments in" or "current aspects of" the law. For these writers, the relevant search for meaning is pragmatic, concerned with the daily problems of practitioners and clients.

Part III addresses the practical and political dimensions of symposium issues, exploring issues such as, who writes? which law reviews publish symposia? which subjects are covered, and with what effect? Regardless of the type of symposium, I detected a somewhat troublesome tendency on the part of editors and authors to state the same themes and invite the same participants. Perhaps community and exclusion are inextricable unless strenuous and intentional efforts are made to reduce the latter.

Part IV analyzes whether, and how, the symposium movement is likely to shape legal thought in the future. I suggest that the format may change under the impact of technology. As our culture continues to fragment and the pace of social change accelerates, the need for commonality and dialogue will only heighten. So long as symposium issues are seen to answer this need and give shape to the communitarian impulse, they are likely to remain a vital, growing force in legal scholarship and publishing.