Abortion and Dialogue

Pro-Choice, Pro-Life, and American Law

Ruth Colker

"... Colker thoughtfully argues that the right to abortion would be better premised on guarantees of equal protection than on the right to privacy." —Publishers Weekly

"The issues she takes on are crucial—not solely the subject areas of reproductive rights and law, or public policy lenses and judicial impact on women's and children's lives, but also the more difficult and fundamental questions of how these 'hot topics' can be approached so as to make the most of the good will of all and the force of free discussion for social learning. . . . she brings a strong, evolving and distinctive perspective to the discussion." —Emily Fowler Hartigan

Ruth Colker's feminist-theological perspective on reproductive health issues encourages both pro-choice and pro-life advocates to consider how the value of life is implicated in discussions of reproduction.

cloth \$29.95 paper \$12.95

The Hidden Life of Polish Prisons

Paweľ Moczydľowski

"A very important addition to the literature on prisons. It offers illuminating glimpses at Polish society and culture. And it is unique in its description of a prison system about which we know very little. Moczydłowski's most important contribution is his lucid description of prison life." —William Selke

In the first behind-the-walls look at the "hidden life" of Polish prisons, this study penetrates the inmates' facade of silence and deception toward outsiders and paints a vivid portrait of the prison's secret social organization. The description of the origins and functions of hidden relationships in prisons is both a unique look at life behind bars in an Eastern European country and an important contribution to comparative criminology.

cloth \$35.00

Indiana University Press

Dept A2UH, Bloomington, IN 47404 At bookstores or credit card orders may call 1-800-842-6796

The University of Chicago Press Journals and Annual Series

SOCIAL SCIENCES

Adolescent Psychiatry American Journal of Sociology **Child Development** Child Development Abstracts and Bibliography Crime and Justice Economic Development and Cultural Change International Annals of Adolescent Psychiatry Isis Journal of British Studies The Journal of Business Journal of Consumer Research Journal of the History of Sexuality Journal of Labor Economics The Journal of Law & Economics The Journal of Legal Studies The Journal of Modern History Journal of Political Economy Law & Social Inquiry Monographs of the Society for Research in Child Development Ocean Yearbook Osiris Public Opinion Quarterly Signs: Journal of Women in Culture and Society Social Service Review The Supreme Court Review Technology and Culture

EDUCATION

American Journal of Education Comparative Education Review The Elementary School Journal

Scheduled to Appear Spring 1993 Perspectives on Science: Historical, Philosophical, Social

BIOLOGICAL AND MEDICAL SCIENCES

The American Journal of Human Genetics The American Naturalist International Journal of Plant Sciences (formerly Botanical Gazette) Clinical Infectious Diseases (formerly Reviews of Infectious Diseases) The Journal of Infectious Diseases Molecular Biology and Evolution Perspectives in Biology and Medicine Physiological Zoology The Quarterly Review of Biology

HUMANITIES

Classical Philology Critical Inquiry Ethics: An International Journal of Social, Political, and Legal Philosophy History of Religions International Journal of American Linguistics Journal of Near Eastern Studies The Journal of Religion The Library Quarterly Modern Philology Winterthur Portfolio: A Journal of American Material Culture

PHYSICAL SCIENCES

The Astrophysical Journal The Astrophysical Journal Supplement Series The Journal of Geology

DISTRIBUTED BY THE UNIVERSITY OF CHICAGO PRESS Metropolitan Museum Journal

Metropontan Museum Journa

The University of Chicago Press

Journals Division, P.O. Box 37005, Chicago, IL 60637 USA Phone (312) 753-3347 • Facsimile (312) 753-0811

Droit et Société Revue internationale de Théorie du Droit et de Sociologie Juridique

Publiée avec le concours du CNRS (France) et du Ministère de la Justice (France)

Trois numéros par an		
Prix du numéro :		150 F
Abonnement :	France	330 F
	Étranger	350 F

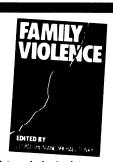
Au sommaire du N° 20-21/	1992
Editorial de Jacques COMMAILLE	
Dossier : "Une science sociale p Coordonné par André-Jean ARNAUD Contributions de : André-Jean ARNA AMADO – Michel MIAILLE – Franço	AUD – Gilles Gaston GRANGER – Juan Antonio GARCIA
Recherche et justice	
Editorial de Nicole MAESTRACCI	
Le savoir et les institutions Contribution de : Louis ASSIER- Commentaires : Maurice ZAVAR	
L'Europe juridique et le juge fra Contributions de : Antoine GAR. Commentaires : André-Jean ARN	APON – Guy CANIVET – Régis de GOUTTES
Etudes Contributions de : Serge BORIES – Y Alain BANCAUD – René LEVY – Xa	'olande WOUTERS – Francis VAN LOON – Irène THERY – vier ROUSSEAUX
Nouvelles du monde	
Chronique bibliographique	
Rédaction	C.R.I.V., 54 rue de Garches F-92420 VAUCRESSON Tél. (1) 47.41.91.09 Fax (1) 47.01.41.48
Diffusion Abonnements	L.G.D.J., 26 rue Vercingétorix F-75014 PARIS Tél. (1) 43.35.01.67

Family Violence

Volume 11 of the Crime and Justice series

Volume editors: Lloyd Ohlin and Michael Tonry

Series editors: Michael Tonry and Norval Morris



Increasingly drawing the attention of legislators, sociologists, criminologists, policymakers, and the public at large, family violence is a far-ranging problem that was once tolerated in relative silence. In this climate of increased awareness, just how much do we really know about the actual causes and effective control of violence within families? **Family Violence** presents a review of current research on the legal, social, and criminological issues surrounding family violence. Providing a comprehensive

approach to all areas of family violence (including domestic assault and homicide, marital rape, child abuse, and reprisal), this collection of commissioned essays includes Family Violence as Crime Lloyd Ohlin and Michael Tonry Criminal Approaches to Family Violence, 1640 to 1890 Elizabeth Pleck The Explanation of Family Violence: The Role of Biological, Behavioral, and Cultural Selection Robert L. Burgess and Patricia Draper Family Violence Research Methodology and Design Joseph G. Weis The Incidence and Prevalence of Violence in Marriage Irene Hanson Frieze and Angela Browne The Incidence and Prevalence of Child Maltreatment James Garbarino The Incidence and Prevalence of Criminal Abuse of Other Family Members Mildred Daley Pagelow Intra-family Violence, and Crime and Violence Outside the Family Gerald T. Hotaling, Murray A. Straus, with Alan J. Lincoln Cessation of Family Violence: Deterrence and Dissuasion Jeffrey Fagan Criminal Justice Procedures in Family Violence Crimes Delbert S. Elliott Treatment Programs for Family Violence Daniel G. Saunders and Sandra T. Azar Toward a Jurisprudence of Family Violence Franklin E. Zimring Cloth 595 pp. \$37.50 ISBN: 0-226-80806-8 1989 \$19.95 ISBN: 0-226-80807-6 Paper The University of Chicago Press

11030 S. Langley Ave., Chicago, IL 60628

ONATI INTERNATIONAL INSTITUTE FOR THE SOCIOLOGY OF LAW ONATIKO LEGE-SOZIOLOGIAKO NAZIOARTEKO ERAKUNDEA L'INSTITUT INTERNATIONAL DE SOCIOLOGIE JURIDIQUE D'ONATI INSTITUTO INTERNACIONAL DE SOCIOLOGIA JURIDICA DE ONATI

INTERNATIONAL MASTER'S DEGREE IN SOCIOLOGY OF LAW 1993–1994

A SOCIOLEGAL APPROACH TO EUROPEAN LAW AND EUROPEAN LEGAL CULTURES

Aimed at post-graduate students and professionals with a degree in Law, Social Sciences, Political Science, Economics, or similar degree.

This Master's Degree in Law will provide intensive courses in the main fields of European sociolegal research ranging from theories of regulation and legal decision making to practical training in European civil procedure, labor law, human rights, penal control, business law, international private law, and cross-border business relations. All courses discuss the impact of the European institutions in the formation and modernization of European legal cultures. The student will get used to a comparative and empirical approach to law.

The Executive Board of the Master's Degree, which is composed of wellknown specialists from European universities, will closely follow each student's progress.

Language: English.

Candidates must submit their applications before 15th March 1993.

Limited places available.

Course commences at the beginning of October 1993—Length of course: 6 months.

This Master's Degree is equivalent to the first stage of the International Doctorate in Sociology of Law that is offered by the I.I.S.L. in conjunction with 50 European and American universities, and which lasts 3 years.

> information available on request and applications through the:

I.I.S.L.-Master's in Law Department Ap. 28-20560 ONATI, Gipuzkoa (Spain) Tel: [34] 43 - 78 30 64 / 78 34 00 Fax: [34] 43 - 78 31 47 Telex: 36905 OSJI E

Contributors **BRUCE ACKERMAN** MARY E. BECKER RONALD DWORKIN FRANK H. EASTERBROOK **RICHARD A. EPSTEIN** CHARLES FRIED MARY ANN GLENDON PHILIP B. KURLAND MICHAEL W. McCONNELL FRANK I. MICHELMAN **RICHARD A. POSNER** JOHN PAUL STEVENS DAVID A. STRAUSS KATHLEEN M. SULLIVAN CASS R. SUNSTEIN

Free Speech. Privacy. Religious Freedom.

Just how broadly does the Bill of Rights define these and other "human rights?"

These essays, written by fifteen of the most prominent constitutional scholars in the country, represent the full range of views and interpretations of what the first ten amendments to the U. S. Constitution mean today as guarantors of individual rights.

The BILL of RIGHTS

Edited by Geoffrey R. Stone, Richard A. Epstein, and Cass R. Sunstein \$55.00 cloth, \$19.95 Paper

UNIVERSITY OF CHICAGO PRESS

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (Required by 39 U.S.C. 3685)

- 1. a. Title of publication: Law and Social Inquiry: Journal of the American Bar Foundation
 - b. Publication number: 08976546
- 2. Date of filing: September 25, 1992
- 3. Frequency of issue: Quarterly
 - a. No. of issues published annually: 4
 - b. Annual subscription price: \$59.00
- Complete mailing address of known office of publication: 5720 South Woodlawn Ave., Chicago, Cook, IL 60637
- Complete mailing address of the headquarters or general business offices of the publishers: 5720 South Woodlawn Ave., Chicago, Cook, IL 60637
- Full names and complete mailing addresses of publisher, editor, and managing editor: Publisher: The University of Chicago Press, 5720 South Woodlawn Ave., Chicago, IL 60637 Editor: Terence C. Halliday, American Bar Foundation, 750 North Lake Shore Drive, Chicago, IL 60611 Managing Editor: John Atkinson, American Bar Foundation, 750 North Lake Shore Drive, Chicago, IL 60611
- Owner: American Bar Foundation, 750 North Lake Shore Drive, Chicago, IL 60611
- Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages or other securities: None
- The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes have not changed during preceding 12 months.

10.	Extent and nature of circulation:	Average Number Copies Each Issue During Preceding 12 Months	Actual Number Copies of Single Issue Published Nearest to Filing Date
Α.	Total number copies printed	7,560	8,075
B.	Paid circulation: 1. Sales through dealers and carriers, street vendors and counter sales		
	2. Mail subscription	6,124	6,023
C.	Total paid and/or requested circulation	6,124	6,023
D.	Free distribution by mail, carrier or other means: samples, complimentary, and other free copies	76	81
E.	Total distribution (sum of C & D)	6,200	6,104
F.	 Copies not distributed: Office use, left over, unaccounted, spoiled after printing Returns from news agents 	1,360	1,971
G.	Total (sum of E, F1 and 2)	7,560	8,075
	Looptify that the statements made	hu ma ahaya a	ra correct and

11. I certify that the statements made by me above are correct and complete.

ROBERT SHIRRELL, Journals Manager

Law & Social Inquiry

Is this your personal copy?

If you're reading a borrowed copy of this journal, how soon will you have to return it? Will you be finished reading it by then? Do you really want to continue photocopying articles?

An easy solution to the problems these questions pose is to order a personal subscription. You'll receive each issue as soon as it is published—no waiting, no photocopying. With the convenience of a personal subscription, you can read your own copy at your leisure, and enjoy continuing access in your own reference library. Save time and money . . . Use the order form on the reverse.

New subscribers save 15%

Law & Social Inquiry

Is this your personal copy?

If you're reading a borrowed copy of this journal, how soon will you have to return it? Will you be finished reading it by then? Do you really want to continue photocopying articles?

An easy solution to the problems these questions pose is to order a personal subscription. You'll receive each issue as soon as it is published—no waiting, no photocopying. With the convenience of a personal subscription, you can read your own copy at your leisure, and enjoy continuing access in your own reference library. Save time and money . . . Use the order form on the reverse.

New subscribers save 15%

Law & Social Inquiry				
ENTER A NEW S	UBSCRIPTION AND SAV	/E 25%!		
 Individuals Academic* Institutions 	New □ \$27.00 (F) □ 21.75 (F) □ 44.25 (F)	Renewal □ \$36.00 □ 29.00 □ 59.00		
*For college/university facult				
OUTSIDE USA? Please add CANADIANS, please add 79		ge.		
□ Charge my □ Visa □ Acct. #				
Signature Check enclosed (payable)	e to <i>Law & Social Inquiry</i>)			
Name				
Address				
City State / Country		ZIP		
For special savings on two and three	ee year rates, please direct inquin			
of Chicago Press, at the address	listed below.			
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, I	listed below. ty of Chicago Press, Jour L 60637.	IF3XX		
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, II Law 8	listed below. ty of Chicago Press, Jour L 60637.	IF3XX		
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, I Law 8 ENTER A NEW S	listed below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA	IF3XX V VE 25%!		
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, I <i>Law &</i> ENTER A NEW S	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) 21.75 (F)	IF3XX VE 25%! Renewal \$36.00 29.00		
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, I Law 8 ENTER A NEW S	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) 21.75 (F)	IF3XX VE 25%! Renewal □ \$36.00		
of Chicago Press, at the address Please mail to The Universi P.O. Box 37005, Chicago, II Law 8 ENTER A NEW S	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) \$21.75 (F) 44.25 (F)	IF3XX VE 25%! Renewal \$36.00 29.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law & ENTER A NEW S	listed below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SAU New \$27.00 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage.	IF3XX VE 25%! Renewal \$36.00 \$29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law 8 ENTER A NEW 8 Individuals Academic* Institutions *For college/university facult OUTSIDE USA? Please add 7 CANADIANS, please add 7 Charge my Visa	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SAN UBSCRIPTION AND SAN New \$27.00 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for posta	IF3XX VE 25%! Renewal \$36.00 29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law & ENTER A NEW S Individuals Academic* Institutions *For college/university faculty OUTSIDE USA? Please add 70 CANADIANS, please add 70 Charge my Visa C Acct. # Signature	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) \$21.75 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for posta MasterCard Exp. date	IF3XX VE 25%! Renewal \$36.00 29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law 8 ENTER A NEW 8 Individuals Academic* Institutions *For college/university faculty OUTSIDE USA? Please add 7 CANADIANS, please add 7 Charge my Visa Acct. #	Iisted below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) \$21.75 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for posta MasterCard Exp. date	IF3XX VE 25%! Renewal \$36.00 29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law 8 ENTER A NEW 8 Individuals Academic* Institutions *For college/university faculty OUTSIDE USA? Please add 74 Charge my Visa Acct. # Signature Check enclosed (payable)	listed below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SAT UBSCRIPTION AND SAT New \$27.00 (F) \$21.75 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for postat MasterCard Exp. date to Law & Social Inquiry)	VE 25%! Renewal \$36.00 29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law & ENTER A NEW S Individuals Academic* Institutions *For college/university faculty OUTSIDE USA? Please add 74 CANADIANS, please add 74 Charge my Visa Acct. # Signature Check enclosed (payable) Name Address	listed below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) 21.75 (F) 44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for posta MasterCard Exp. date to Law & Social Inquiry)	VE 25%! Renewal \$36.00 29.00 59.00		
of Chicago Press, at the address Please mail to The Universit P.O. Box 37005, Chicago, II Law 8 ENTER A NEW 8 Individuals Academic* Institutions *For college/university faculty OUTSIDE USA? Please add 74 Charge my Visa Acct. # Signature Check enclosed (payable)	listed below. ty of Chicago Press, Jour 60637. Social Inquir UBSCRIPTION AND SA New \$27.00 (F) \$21.75 (F) \$21.75 (F) \$44.25 (F) y and students. \$6.00 for postage. % GST plus \$6.00 for posta \$6.00 for postage. % GST plus \$6.00 for posta \$5.00 for postage. % GST plus \$6.00 for posta \$2.00 for postage. % GST plus \$6.00 for posta	VE 25%! Renewal \$36.00 29.00 59.00 ge.		

IF3XX

https://doi.org/P.O. Box 37005, Chinagne IJ canorage Thiversity Press

American Bar Foundation

BOARD OF DIRECTORS

President, Robert W. Bennett, Northwestern University School of Law • Vice-President, John C. Deacon, of the Arkansas Bar • Secretary, Robert MacCrate, of the New York Bar • Treasurer, John L. Carey, of the Indiana Bar

Brooksley Born, of the D.C. Bar • Kenneth J. Burns, Jr., of the Illinois Bar • Hon. Jerome Farris, United States Court of Appeals, Ninth Circuit • Daniel Gourash, of the Ohio Bar • Harry E. Groves, University of North Carolina School of Law • Martha L. Minow, Harvard University Law School • Wm. Reece Smith, Jr., of the Florida Bar • Robert A. Stein, University of Minnesota Law School • Cathy S. Wright, of the Alabama Bar

ex officio:

J. Michael McWilliams, President, American Bar Association • R. William Ide, III, President-Elect, American Bar Association • Philip S. Anderson, Chairman, House of Delegates, American Bar Association • John L. Carey, Treasurer, American Bar Association • Herschel H. Friday, Jr., President, American Bar Endowment • Daniel L. Golden, Chairman, The Fellows of the American Bar Foundation • Richard L. Thies, Vice-Chairman, The Fellows of the American Bar Foundation • James W. Hewitt, Secretary, The Fellows of the American Bar Foundation

OFFICERS

Bryant G. Garth, Director Joanne Martin, Assistant Director Anne Tatalovich, Assistant Director Hayden C. Flor, Jr., Financial Officer

RESEARCH FELLOWS

Lori B. Andrews, J.D. Yale University Ian Ayres, J.D. Yale University; Ph.D. M.I.T. Jonathan D. Casper, Ph.D. Yale University John L. Comaroff, Ph.D. University of London Stephen Daniels, Ph.D. University of Wisconsin Shari S. Diamond, Ph.D. Northwestern University; J.D. University of Chicago John J. Donohue, J.D. Harvard University; Ph.D. Yale University William L. F. Felstiner, J.D. Yale University Bryant G. Garth, J.D. Stanford University; Ph.D. European University Institute Janet A. Gilboy, Ph.D. Northwestern University Terence C. Halliday, Ph.D. University of Chicago James J. Heckman, Ph.D. Princeton

Carol A. Heimer, Ph.D. University of Chicago

John P. Heinz, LL.B. Yale University Keith N. Hylton, J.D. Harvard University; Ph.D. Massachusetts Institute of Technology Wayne A. Kerstetter, J.D. University of Chicago Karyl A. Kinsey, Ph.D. University of Chicago E. Allan Lind, Ph.D. University of North Carolina at Chapel Hill Arthur F. McEvoy, J.D. Stanford University; Ph.D. University of California, San Diego Elizabeth Mertz, J.D. Northwestern University; Ph.D. Duke University Robert L. Nelson, J.D., Ph.D. Northwestern University Susan P. Shapiro, Ph.D. Yale University Peter Siegelman, Ph.D. Yale University Kent W. Smith, Ph.D. Harvard University Christopher L. Tomlins, Ph.D. Johns Hopkins

VISITING RESEARCH FELLOWS

Wilmot James, Associate Professor of Sociology, University of Cape Town Robert Mason, Professor of Sociology, Oregon State University

LIAISON RESEARCH SERVICES PROGRAM

Joanne Martin, M.M. Northwestern University, J.D. Loyola University Barbara A. Curran, LL.B. University of Connecticut, LL.M. Yale University

Law & Social Inquiry

Volume 17, Number 3, Summer 1992

REVIEW SECTION SYMPOSIUM

Lawyering on Wall Street and Main Street

A Little Theorizing about the Big Law Firm: Galanter, Palay, and the Economics of Growth RICHARD H. SANDER AND E. DOUGLASS WILLIAMS

Rural Justice: Country Lawyers and Legal Services in the United States and Britain JON T. JOHNSEN

REVIEW SECTION SYMPOSIUM

Redressing Inequality and Exclusion

Minow's Social-Relations Approach to Difference: Unanswering the Unasked KATHARINE T. BARTLETT

Equality and Difference: Reclaiming Motherhood as a Central Focus of Family Law JUNE CARBONE

REVIEW ESSAYS

Rights Talk: Must We Mean What We Say? SUZANNA SHERRY

Columbus in the Twilight Zone: Bruce Ackerman's "Discovery" of the Constitution IONATHAN SIMON

Law and Economics—Valuable but Controversial WERNER Z. HIRSCH AND EVAN OSBORNE

Toward New Images of Policing: Herman Goldstein's Problemoriented Policing GEORGE L. KELLING

White Collar Crime and the Poverty of the Criminal Law KENNETH MANN

BOOK NOTES

