From the Editor

Most empirical sociolegal scholarship can be categorized as either method-driven or target-informed. In method-driven research, scholars approach every research question with the methodological tools commonly used in their root discipline. Thus, sociolegal researchers trained as social psychologists typically conduct laboratory experiments, historians usually rely upon analysis of archival data, and anthropologists generally employ qualitative methods. This style of research sometimes evokes critical comments from reviewers who are unsympathetic to traditions typically associated with other disciplines. On the whole, however, both reviewers and the best sociolegal research fall in the second category of sociolegal scholarship, the target-informed research that the articles in this issue of the *Review* exemplify.

In target-informed sociolegal scholarship, researchers do not use the same methodological hammer to hit every research question, recognizing that not every research question is a nail. Thus, if the researcher wants to know whether or how mediators structure dispute resolution, or to test the hypothesis that increased penalties produce reductions in white-collar crime, the researcher will choose methodological tools and conceptual apparatus appropriate to the question. And the choice will not be predetermined by whether the researcher was trained as a political scientist or an anthropologist or an economist. This model of scholarship is only a model, of course—choices in research as in other activities are always influenced by familiarity, and the construction of the research question itself is influenced by the researcher. Thus, while the research is target-informed, it is not target-determined. The articles in this issue represent a particularly good reflection of what I take to be the genuinely growing interdisciplinary approach to sociolegal scholarship characterized by target-informed research.

The issue opens with an historical piece by political scientists Malcolm Feeley and Deborah Little who are attempting to understand the place of women in criminal activity and sanctioning. We often uncritically assume that the patterns we observe today represent enduring regularities. Feeley and Little remind us that historical analysis can jar such facile assumptions: females constitute a small portion of the offender population today, but this substantial underrepresentation of females is of relatively recent vintage. In an innovative study of offenders in the criminal process in England from 1687 to 1912, Feeley and Little find that until the end of the eighteenth century women constituted roughly 45 percent of those indicted for felonies. Carefully testing the potential explanations for the "vanishing female" in the defendant population, they suggest that the apparent drop cannot be explained away by mea-

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surement, jurisdictional, or enforcement changes. Instead, they argue for a more global explanation: a shift in the role of women and a change in society from public to more private forms of social control. While it is difficult to test such explanations, this provocative thesis invites the further research it will no doubt stimulate.

The second article, by Robert Cooter, is the work of an economist who writes about the origins of property law using his observations in Papua New Guinea where private property is even today relatively unknown. Cooter explores the economic consequences of three possible approaches to the development of property law. In the process, he raises fundamental questions about what it means to own land and how variable notions of land ownership can affect the development of law. The reviewers on this manuscript, an economist, an anthropologist, a sociologist, and a specialist on Papua New Guinea, operating in the best sociolegal tradition, were enthusiastic about the research, even though it came in a form unfamiliar to some of them; indeed, some of their insights emerged primarily *because* the reviewers came to the manuscript from different research traditions.

Other articles in this issue too display the benefits of scholarly investigation freed from disciplinary methodological blinders. Psychologists Peter van Koppen and Marijke Malsch go beyond the dispute resolution setting that has been the focus of most research on civil conflicts and ask what happens to cases in which the courts have made an award. Using a survey to follow outcomes in the wake of plaintiff victories, they found that three years after the court made its award, only half the plaintiffs they studied had obtained full compliance and 35 percent had obtained no compliance at all.

The next two articles in this issue both apply behavioral decision theory to questions about tax compliance, a research area that has grown in breadth and depth in the past several years. Against the backdrop of traditional deterrence theory, Jeff Casey and John Scholz show how cognitive heuristics can modify compliance responses. Similarly, Karyl Kinsey, Harold Grasmick, and Kent Smith use framing concepts from behavioral decision theory to examine sources of perceived unfairness in the tax system. In both of these articles, the authors discuss potential implications of their findings for tax policy.

The final article in this issue is a Research Note by Herbert Kritzer, Neil Vidmar, and W. A. Bogart. Reexamining the data from the Civil Litigation Research Project (CLRP) along with some new Canadian and Australian data, they raise questions about the commonly held belief that victims of discrimination are much less likely to complain about their problem than are victims of other wrongs. The Note exemplifies the value of secondary analysis and invites a reconceptualization of both discrimination grievances and the transformation of disputes.

As I look at the articles in this issue, I am struck by fact that four of the six are co-authored by interdisciplinary teams. Although the selection was accidental, it is telling. Editing the *Review* has reinforced my belief that good sociolegal research is very hard to do. If the research is to be target-informed and context-sensitive, it demands a multiplicity of skills that are rarely found in a single investigator or one traditional disciplinary background.

As my term as editor ends, I have many debts to acknowledge. The reviewers and authors I have dealt with in the past three years have given me a wide-ranging and intensive set of lessons on the scope and promise of sociolegal scholarship. Authors whose manuscripts are published receive public acknowledgment for their contributions, but reviewers are not identified by the contributions they make to individual articles. While many, indeed most, reviewers provide thoughtful and constructive commentary, I would like publicly to acknowledge four reviewers in the past three years who made extraordinary contributions. They provided reviews that entirely restructured an article ultimately published, or totally reanalyzed data in a submitted manuscript in a way that illuminated the strengths and weaknesses of the research. Robert Kagan, Colin Loftin, Martin Shapiro, and Donna Stienstra each wrote reviews that deserved editorial credit, so it seems appropriate to publicly express my appreciation to them.

I have also received crucial support from colleagues and coworkers. Associate Editor Jonathan Casper, Review Essays Editor Joe Sanders, Production Editor Bette Sikes, and Production Assistant Fred Meyer have all given more than their positions called for and have made my life as easy as an editor's life ever gets. In addition, the *Review* benefited from the assistance of both the University of Illinois at Chicago and the American Bar Foundation. Colleagues at both institutions, particularly Susan Shapiro at the American Bar Foundation, provided regular and valuable counsel.

Editors are fond of complaining about the amount of work involved in editing a journal, and I am no exception. But for all of those who think they might sometime consider such an activity, I have a confession to make. The *Review* has been a great source of satisfaction for me. It has provided the opportunity to stimulate more submissions and publish more work by non-U.S. authors and to initiate the Special Issue on Gender and support the Special Issue on Longitudinal Studies of Courts. It also made it possible for me to encourage and publish more submissions from underrepresented disciplines like economics and psychology, as well as to read and publish thoughtful scholarship in a variety of traditional areas of sociolegal inquiry. I will be glad to reclaim my time, but the enterprise has been well worth the investment.

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