Volume 33 No. 1 1999



The Journal of the Law and Society Association

1998 Presidential Address

Making Connections: Law and Society Researchers and Their Subjects - *David M. Engel*

Articles

Competing Institutions: Law, Medicine, and Family in Neonatal Intensive Care - *Carol A. Heimer*

Risking Relationships: Understanding the Litigation Choices of Sexually Harassed Women - *Phoebe A. Morgan*

Newspaper Coverage of Automotive Product Liability Verdicts - Steven Garber & Anthony G. Bower

Competing Narratives in a Judicial Retention Election: Feminism versus Judicial Independence - *Susan M. Olson & Christina Batjer*

The Social Origins of Plea Bargaining: Conflict and the Law in the Process of State Formation, 1830–1860 - *Mary E. Vogel*

Review Essay

Not Always in Knots - Catherine Connolly

LAW & SOCIETY

Review

Policy

The Law & Society Review is a peer-reviewed publication for work bearing on the relationship between society and the legal process, including articles or notes of interest to the research community in general, new theoretical developments, results of empirical studies, and comments on the field or its methods of inquiry. The *Review* is broadly interdisciplinary and welcomes work from any tradition of scholarship concerned with the cultural, economic, political, psychological, or social aspects of law and legal systems.

Manuscript Submission

What to submit: Five copies of the manuscript and an abstract of about 100 words, together with a brief biographical description of the author(s). Manuscripts submitted to the *Review* must not be under consideration by another publication. Manuscripts cannot be returned to authors.

Manuscript format: Delete all identifying references from four of the five copies of your manuscript. Text, including footnotes and references, should be double spaced with 1-inch margins. Footnotes, references, tables, and figures should be placed at the end. An abridged style sheet is published regularly in the *Review*; a full style sheet is available on request.

Send manuscripts to:

Susan S. Silbey, Editor, *Law & Society Review* Department of Sociology Wellesley College Wellesley, MA 02181-8203

Direct inquiries about book reviews and review essays to:

Helena Silverstein, Government and Law Department Lafayette College, 111 Quad Drive Easton, PA 18042-1780

1999 Frequency and Subscriptions

The Law & Society Review (ISSN 0023-9216) is published four times a year: April, June, October, and December by the Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst, MA 01003-3615. Periodicals postage is paid at Amherst, MA, and additional mailing offices.

POSTMASTER: Send address change form 3579 to: Law & Society Review, Hampshire House, Box 33615, University of Massachusetts at Amherst, Amherst, MA 01003-3615.

Subscriptions are entered on a volume/calendar year basis. Each volume consists of about 1,000 pages (plus index). Nonmember and institutional rates for 1999 one-year subscriptions are \$124.00 (\$139.00 outside USA). For two- and three-year subscription rates or prices of *single copies* of the current and back issues, call or write the Executive Office.

1999 Law and Society Association Membership

Membership in the Association is open to individuals and includes a subscription to the *Review*. Members have the right to reprint articles from the *Review* without charge for classroom use. Annual dues for 1999 (*Review* Volume 33) are:

Under \$15,000	\$ 30.00	\$60,001-\$80,000	\$ 90.00
\$15,000-\$30,000	\$ 50.00	Above \$80,000	\$110.00
\$30,001-\$60,000	\$ 70.00	Student (nonvoting)	\$ 25.00

Contributions to the Law and Society Association are tax exempt.

Direct communications about membership, subscription, back issues, reprint permission, or advertising to: Executive Office, Hampshire House, Box 33615, University of Massachusetts at Amherst, Amherst, MA 01003-3615. Telephone (413) 545-4617; FAX (413) 545-1640; E-mail LSA@LEGAL.UMASS.EDU. Website: http://www.lawandsociety.org

The Law & Society Review gratefully acknowledges the generous assistance of Wellesley College for support of its editorial office.

The Law & Society Review, its editors, editorial board, and publisher, and the Law and Society Association disclaim responsibility and liability for any statements of fact or opinion made by contributors.

© The Law and Society Association, 1999. All Rights Reserved

LAW & SOCIETY Review

	me 33 nber 1)
About the Authors	1
1998 Presidential Address	
Making Connections: Law and Society Researchers and Their SubjectsDavid M. Engel	3
Articles	
Competing Institutions: Law, Medicine, and Family in Neonatal Intensive Care Carol A. Heimer	17
Risking Relationships: Understanding the Litigation Choices of Sexually Harassed Women Phoebe A. Morgan	67
Newspaper Coverage of Automotive Product Liability Verdicts	
Steven Garber & Anthony G. Bower	93
Competing Narratives in a Judicial Retention Election: Feminism versus Judicial Independence Susan M. Olson & Christina Batjer	123
The Social Origins of Plea Bargaining: Conflict and the Law in the Process of State Formation, 1830–1860	
Mary E. Vogel	161

Not Always in Knots

Catherine Connolly 247 Reviewing Minow's Not Only for Myself: Identity, Politics and the Law

LAW & SOCIETY Review

Editor: Associate Editors:

Review Essays Editor: Editorial Assistant: Production Editor: Susan S. Silbey Marianne Constable, Robert Dingwall, Lee Epstein, Jonathan Simon Nancy Reichman Kathryn Foster Bette H. Sikes

Editorial Advisory Board

Elizabeth Chambliss, University of Denver Nahum Chandler, Duke University Mark Cooney, University of Georgia, Athens Eve Darian-Smith, University of California, Santa Barbara Yves Dezalay, Paris, France Theodore Eisenberg, Cornell University Robert Ellickson, Yale University Phoebe Ellsworth, University of Michigan Eric A. Feldman, Institute for Law and Society, New York University Lisa Frohmann, University of Illinois-Chicago Angela Garcia, University of Cincinnati John Gilliom, Ohio University Thomas Green, University of Michigan David Greenberg, New York University Joel Grossman, Johns Hopkins University Alice Hearst, Smith College Stuart Henry, Valparaiso University Alan Hunt, Carleton University David Kairys, Temple University Duncan Kennedy, Harvard University John Kilwein, University of West Virginia Chantal Kourilsky, I.R.C.I.D., Ivry-Cedex, France Richard Lempert, University of Michigan Richard Leo, University of California, Irvine Robert MacCoun, University of California, Berkeley

Martha McCluskey, State University of New York, Buffalo Brinkley Messick, Columbia University Michael Meurer, State University of New York, Buffalo Leslie Moran, Birkbeck College, University of London Richard Moran, Mount Holyoke College Calvin Morrill, University of Arizona-Tucson Pat O'Malley, La Trobe University, Australia Karen Orren, University of California, Los Angeles Gerald Rosenberg, University of Chicago Thomas Russell, University of Texas Robert Sampson, University of Chicago John Henry Schlegel, State University of New York, Buffalo Carroll Seron, City University of New York Helena Silverstein, Lafayette College Ronnie Steinberg, Vanderbilt University David Sugarman, University of Lancaster, United Kingdom Thomas Streeter, University of Vermont Takao Tanase, Kyoto University, Japan David Trubek, University of Wisconsin-Madison David Weisburd, Hebrew University Stanton Wheeler, Yale University James Boyd White, University of Michigan