From the Editor

The four articles in this issue reflect the empirical tradition in law and society scholarship. This tradition which has been the mainstay of the field since its inception characterizes the interests and research orientations of the majority of scholars who have submitted their work for consideration by the *Review* this year. The standards of empirical research and theory building by generalizing from empirical research findings are the measures that most sociolegal scholars use in their peer assessments of the writings of fellow researchers. The articles in this issue represent some of the best current research in our field as judged in this manner. The issues reported here vary widely: further exploration of the gender gap in lawyers' earnings, a study of factors associated with decisions to file medical malpractice claims, an investigation of the culture of taxpaying in American society, and a comparison of litigation as a local political resource in France, Germany, and the United States.

Dixon and Seron argue that previous research has overlooked the organizational content of segmentation in legal practice. Using a sample of lawyers working in the New York City area, they show that differences among professional private firms, the public bureaucracy of government, and the private bureaucracy of the general counsel offices of industry lie at the base of sex differences in lawyers' earnings. Considerable research has been devoted to understanding sex differences in the legal procession, but Dixon and Seron show that we can do a better job of filling out our understanding of the sociology of the legal profession by adding an organizational perspective to human and social capital theories utilized in previous explanations of observed differences in male and female lawyers' compensation.

Sloan and Hsieh's article addresses a neglected area in the study of tort liability—the decision to sue. Their research focuses on the decision to file a claim by families who suffer adverse birth outcomes. They show how a complex set of factors (degree of physician liability, extent of the injury itself, degree of patient negligence, nonpecuniary motives, cost of obtaining compensation, and demographic variables) lie behind medical malpractice suits. By opening up a discussion of why tort claims of this sort get made, they suggest a range of issues that they and other researchers will want to investigate in order to provide a more complete understanding of why some claims get made whereas other potential ones never materialize.

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Kent Smith examines the culture of taxpaying in the United States and, by implication, other developed societies that place similar obligations about taxpaying on their citizens. This culture is predicated on the logic of rational financial accounting procedures that individuals must learn and use to some degree in order to comply with the law. Smith finds the culture of taxpaying highlighted in the tax audit, a process that often reveals faults in the compliance of audited individuals with that culture. He considers the broader implications of this culture both internally within American society and internationally as other countries attempt to model their tax systems on those of Western capitalist societies.

Jefferey Sellers investigates land controversies in three settings in order to understand differences in the degree to which litigation is utilized as a local political resource. He finds no simple contrast between the American and European cases regarding the significance of litigation in political strategies. Rather, observed differences result from the way that litigation is employed and by whom. His study is a particularly welcome contribution to comparative sociolegal scholarship because of its careful, side-by-side comparison of French, German, and American cases, a model that other researchers would do well to emulate in order to provide the basis for other generalizations about law and societies that apply cross-nationally.

—William M. O'Barr

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