

Law & Society Review

The Journal of the
Law and Society Association

Volume 13 Number 3
Spring 1979



ISSN 0023-9216

LAW & SOCIETY REVIEW

VOLUME 13, NUMBER 3 SPRING 1979

CONTENTS

ABOUT THE AUTHORS	693
MARKET DISCRIMINATION AGAINST THE POOR AND THE IMPACT OF CONSUMER DISCLOSURE LAWS: THE USED CAR INDUSTRY	
KENNETH MCNEIL	
JOHN R. NEVIN	
DAVID M. TRUBEK	
RICHARD E. MILLER	695
TESTING DURKHEIM: SOME THEORETICAL CON- SIDERATIONS	
GERALD TURKEL	721
LAW ACTUAL AND PERCEIVED: THE SEXUAL POLI- TICS OF LAW IN MOROCCO	
DAISY HILSE DWYER	739
THE SIGNIFICANCE OF VOTING CUES IN STATE SUPREME COURT ELECTIONS	
PHILIP L. DUBOIS	757
RULE DEPARTURES AND MAKING LAW: JURIES AND THEIR VERDICTS	
MARTHA A. MYERS	781
MEDIA OMBUDSMEN: A CRITICAL REVIEW	
FRANK S. PALEN	799

LAW & SOCIETY REVIEW

Editor:	Joel B. Grossman
Associate Editors:	Stewart Macaulay/Jack Ladinsky
Editorial Secretary:	Edith P. Wilimovsky
Production Editor:	Amelia Kritzer

EDITORIAL ADVISORY BOARD

Upendra Baxi, Law, University of Delhi
Ilene Bernstein, Law and Sociology, Indiana University
Erhard Blankenburg, International Institute of Management, Berlin
Alexander Brooks, Law, Rutgers University
Colin Campbell, Law, Queens University
Bliss Cartwright, Sociology, University of Virginia
Masaji Chiba, Law, Tokyo Metropolitan University
Joaquim de Arruda Falcao, Law and Sociology, Cidade Universitaria, Brazil
Giuseppe de Federico, Political Science, Università de Bologna
Jaime Fuster, Law, University of Puerto Rico
James Gibson, Political Science, University of Wisconsin, Milwaukee
P.H. Gulliver, Anthropology, York University, Toronto
John Hagan, Sociology, Erindale College, University of Toronto
Jan Hellner, Law, Stockholm University
Morton Horwitz, Law, Harvard University
J. Woodford Howard, Jr., Political Science, Johns Hopkins University
J. Willard Hurst, Law, University of Wisconsin, Madison
Alvin Klevorick, Economics, Yale University
Herbert Kritzer, Political Science, University of Wisconsin, Madison
Arthur A. Leff, Law, Yale University
P.S.C. Lewis, Law, All Souls College, Oxford
Wallace Loh, Law, University of Washington
Maria Los, Sociology, University of Sheffield
Barry Mahoney, Vera Institute of Justice, London
John Monahan, Social Ecology, University of California, Irvine
Sally Falk Moore, Anthropology, University of California, Los Angeles
Philippe Nonet, Sociology, University of California, Berkeley
Robert Rabin, Law, Stanford University
Wallace Rudolph, Law, University of Puget Sound
Stuart Scheingold, Political Science, University of Washington
Kees Schuyt, Law, Catholic University, Nijmegen, The Netherlands
Jean Van Houtte, Centrum voor Rechtssociologie, University of Antwerp

LAW AND SOCIETY ASSOCIATION

OFFICERS

PRESIDENT: Charles D. Kelso, McGeorge School of Law

PRESIDENT-ELECT: Lawrence M. Friedman, Stanford Law School

SECRETARY: June L. Tapp, Institute of Child Development, University of Minnesota

TREASURER: Stephen L. Wasby, National Science Foundation

EDITOR, *Law & Society Review*: Joel B. Grossman, Political Science, University of Wisconsin, Madison

EXECUTIVE OFFICER: James E. Wallace, University of Denver College of Law

BOARD OF TRUSTEES (in addition to officers)

Class of 1979 **Gerald Clark**, UMWA Health and Retirement Fund, Washington, D.C.
 Jane Collier, Anthropology, Stanford University
 Malcolm Feeley, Political Science, University of Wisconsin, Madison
 Mark H. Haller, History, Temple University
 Robert L. Kidder, Sociology, Temple University
 Felice Levine, American Bar Foundation
 Warren Samuels, Economics, Michigan State University
 June Starr, Anthropology, SUNY, Stony Brook

Class of 1980 **Carl Auerbach**, Law, University of Minnesota
 Herbert Jacob, Political Science, Northwestern University
 Richard O. Lempert, Law, University of Michigan
 Stewart Macaulay, Law, University of Wisconsin, Madison
 H. Laurence Ross, Sociology, SUNY, Buffalo
 Harry N. Scheiber, History, University of California, San Diego
 Lee Teitelbaum, Law, University of New Mexico
 Barbara Yngvesson, Anthropology, Hampshire College

Class of 1981 **Marc Galanter**, Law, University of Wisconsin, Madison
 Robert W. Gordon, Law, University of Wisconsin, Madison
 John P. Heinz, Law, Northwestern University
 Robert Kagan, Political Science, University of California, Berkeley
 Richard Markovits, Law, University of Texas
 Lynn Mather, Government, Dartmouth College
 Constance Perin, Anthropology, Washington, D.C.
 Austin Sarat, Department of Justice, Washington, D.C.

Ex Officio **Immediate Past Editor:**
 Richard L. Abel, Law, UCLA

Past Presidents:
 Harry Ball, Sociology, University of Hawaii
 Samuel Krislov, Political Science, University of Minnesota
 Victor G. Rosenblum, Law, Northwestern University
 Richard D. Schwartz, Law, Syracuse University
 Robert B. Yegge, Law, University of Denver

**FORTHCOMING
IN
LAW & SOCIETY REVIEW**

- Baldwin, John and McConville, Michael, "Trial by Jury: Some Empirical Evidence on Contested Criminal Cases in England"
- Canon, Bradley and Dean Jaros, "The Impact of Changes in Judicial Doctrine: The Abrogation of Charitable Immunity"
- Croyle, James L., "The Impact of Judge Made Policies: An Analysis of Research Strategies and an Application to Products Liability Doctrine"
- Johnson, Charles A., "Judicial Decisions and Organization Change: Some Theoretical and Empirical Notes on State Court Decisions and State Administrative Agencies"
- Mandel, Michael, "Dworkin, Hart, and the Problem of Theoretical Perspective"
- Merry, Sally Engle, "Going to Court: Strategies of Dispute Management in an American Urban Neighborhood"
- Rabin, Robert L., "Impact Analysis and Tort Law: A Rejoinder to Professors Canon, Croyle and Jaros"
- Samuels, Warren J., *Review Essay*: "Legal Realism and the Burden of Symbolism: The Correspondence of Thurman Arnold"
- Songer, Donald R., "The Relevance of Policy Values for the Confirmation of Supreme Court Nominees"