Editor's Introduction

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In this issue, *Law and Social Inquiry* is very pleased to present findings from the first large-scale empirical study to examine the results of affirmative action in law school admissions. This issue has been the subject of much public debate among lawyers and legal academics, and in court opinions. However, until now, we have had little empirical information on which to base these discussions. In "Michigan's Minority Graduates in Practice: The River Runs Through Law School," Richard O. Lempert, David L. Chambers, and Terry K. Adams report the results of a study examining the careers of minority graduates from the University of Michigan Law School classes of 1970 through 1996, and of a random sample of white alumni from the same period. They conclude that in terms of income, satisfaction, and service contributions, minority graduates are "no less successful than white graduates." Indeed, minority graduates tend to give more back to society in terms of pro bono work, community service, and mentoring. The authors conclude that affirmative action aided the University of Michigan Law School in attaining stated admissions goals for the law school generally, and enriched the profession accordingly.

Five commentators respond to the Lempert, Chambers, and Adams article. Professor Thomas D. Russell, a legal historian at the University of Texas Law School, comments on the applicability of the study's findings to the current situation at his own law school, at which the numbers of students of color dropped precipitously following a federal court ruling against the school's affirmative action program. Moreover, Russell spotlights the fact that Michigan is a state-sponsored law school—a fact that he feels is inadequately addressed in the Lempert, Chambers, and Adams study, and perhaps, in the school itself. Robert L. Nelson and Monique R. Payne, of the American Bar Foundation and Northwestern University, argue that more work on the interactions between race, gender, and class is necessary to fully understand the results of affirmative action in law schools. They also express concern that the authors have "minimized evidence that points to substantial continuing patterns of inequality by race and gender within the legal profession."

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David Wilkins, Kirkland & Ellis Professor of Law and director of the Program on the Legal Profession at Harvard Law School, also discusses the issue of continued discrimination facing minority lawyers. Drawing on the results of his own research on black lawyers, Wilkins describes the tension between this more negative picture of minority attorneys' prospects and the positive picture emerging from the Michigan study as an ongoing paradox that must be confronted. Richard Sander, economist and law professor at the University of California, Los Angeles, raises a number of methodological issues for consideration, and also warns against generalizing the findings from this study to other law schools—particularly those with less "elite" status. He stresses that further study is needed before we can achieve an accurate overall assessment of the relative success of affirmative action in law schools. Professor Lani Guinier of the Harvard Law School concludes the commentaries with a discussion of the future possibilities for change toward "confirmative action" indicated by Lempert, Chambers, and Adams's study. In particular, she builds from their findings to argue against the use of standardized test scores generally, asserting that all students and the profession itself might benefit from a move toward more diversified "whole person" approaches to evaluation.

Lempert, Chambers, and Adams end the exchange with a response to the commentators. In past issues, our "Trenches and Towers" exchanges have pointed to the importance of empirical research for understanding how law and the legal profession really work "on the ground."[1] We have also examined issues of method, scope, and ethics that must be faced when we turn to social science for answers. This discussion of affirmative action in law school continues both themes. First, it calls our attention to the constitution of the legal profession, from whose ranks come the judges and attorneys who, to a great extent, run the U.S. legal system. Use of standardized tests and undergraduate grades to select law students has become so accepted that to question this approach might seem almost heretical. Data from Lempert, Chambers, and Adams challenge us to turn fresh eyes on the question of what makes a good attorney. If law schools and the legal profession truly hold high goals of providing access to justice for all parts of society, and of training lawyers who will work with under-served parts of the population, perhaps they should select more of the kinds of students who are most likely to help attain those goals. Second, both authors and commentators carefully delineate and discuss the methodological questions that must be addressed in further explorations of this topic, and before attempting to generalize from these findings about the University of Michigan Law School to affirmative action in other law schools. Thus, the exchange continues and deepens our ongoing exploration of law "from the trenches and towers."

1. All lead articles in our "Trenches and Towers" exchanges undergo the standard peer review process required of other articles that appear in *Law and Social Inquiry*.