

Volume 21 No. 4 1987

LAW & SOCIETY REVIEW

The Journal of the Law and Society Association

Contributors:

Joachim J. Savelsberg

Donald Black

Howard S. Erlanger

Elizabeth Chambliss

Marygold S. Melli

David M. Engel

Kent W. Smith

Karyl A. Kinsey

LAW & SOCIETY REVIEW

POLICY

The *Law & Society Review* welcomes articles and research notes by lawyers, social scientists, and other scholars that bear on the relationship between society and the legal process. The *Review* is published by the Law and Society Association, an international group drawn primarily from the legal and social science professions, whose purpose is the stimulation and support of research and teaching on the cultural, economic, political, psychological, and social aspects of law and the legal system.

MEMBERSHIPS

Members of the Law and Society Association receive the *Review* as a perquisite of membership. Dues in the Association are:

Student (nonvoting)	\$10.00	Contributing	\$ 50.00
Regular	\$35.00	Sustaining	\$100.00

Contributions to the Law and Society Association are tax exempt.

FREQUENCY AND SUBSCRIPTIONS

The *Law & Society Review* (ISSN 0023-9216) is published 5 times each year; February, April, July, October, and December by the Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst MA 01003. Second class postage is paid at Amherst, MA, and additional mailing offices.

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

Subscriptions may be entered on a volume basis. Each volume consists of approximately 640 pages (plus index). Nonmember and institutional rates for a one-year subscription are \$65.00 (\$67.00 outside the U.S.A.). Special two- and three-year rates are available on request. *Single copies* of the current issue may be obtained from the Association at \$10.00 each. Single copies of back issues are available at \$10.00 each, except for Vol. 3, Nos. 2 and 3 (combined issue), Vol. 7, No. 4, and Vol. 13, No. 2, which are \$15.00 each, Vol. 11, No. 2 (Special Issue), which is \$2.00 (\$3.00 outside U.S.A.), Vol. 14, No. 3, which is \$4.00 (\$5.00 outside U.S.A.), and Vol. 15, No. 3-4, which is \$20.00.

Direct communications to: Executive Office, Law and Society Association, Hampshire House, University of Massachusetts at Amherst, Amherst MA 01003.

MANUSCRIPTS

All manuscripts and editorial correspondence should be sent to:

Robert Kidder, Editor
Law & Society Review
Department of Sociology
College of Arts and Sciences
Temple University
Philadelphia, PA 19122

Manuscripts should be submitted in quadruplicate. Text, including footnotes and references, should be double spaced with ample (1 $\frac{1}{4}$ inch) margins. Footnotes, references, tables, and graphs should follow the main body of the text. Citations that make the author's identity obvious should, to the extent feasible, be deleted from three of the four copies in order to facilitate anonymous reviewing. Each manuscript should contain a short (100 word) abstract and one biographical description of the author(s) should be submitted. A style sheet is available upon request. Manuscripts cannot be returned to authors. Because of the commitment we ask of our outside referees, the *Review* cannot consider for publication manuscripts being considered by other journals, and a submission to the *Review* carries with it the implicit promise that the manuscript will not be submitted elsewhere so long as it is under consideration by the *Review*.

The *Law & Society Review* gratefully acknowledges the generous assistance of Temple University College of Arts and Sciences and Temple University Law School in supporting 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, 1987
All Rights Reserved

LAW & SOCIETY REVIEW

VOLUME 21, NUMBER 4 / 1987

CONTENTS

ABOUT THE AUTHORS	523
FROM THE EDITOR	525
THE MAKING OF CRIMINAL LAW NORMS IN WELFARE STATES: ECONOMIC CRIME IN WEST GERMANY	
JOACHIM J. SAVELSBERG	529
COMPENSATION AND THE SOCIAL STRUCTURE OF MISFORTUNE	
DONALD BLACK	563
PARTICIPATION AND FLEXIBILITY IN INFORMAL PROCESSES: CAUTIONS FROM THE DIVORCE CONTEXT	
HOWARD S. ERLANGER	585
ELIZABETH CHAMBLISS	
MARYGOLD S. MELLI	
LAW, TIME, AND COMMUNITY	
DAVID M. ENGEL	605
UNDERSTANDING TAXPAYING BEHAVIOR: A CONCEPTUAL FRAMEWORK WITH IMPLICATIONS FOR RESEARCH	
KENT W. SMITH	639
KARYL A. KINSEY	

LAW & SOCIETY REVIEW

Editor:	Robert L. Kidder
Associate Editor:	Stephen D. Gottfredson
Editorial Assistant:	Rosemary Ricci-Vasiliadis
Production Editor:	P.M. Gordon Associates

EDITORIAL ADVISORY BOARD

Lawrence Baum, Ohio State University
Upendra Baxi, The Indian Law Institute, India
Richard A. Berk, University of California, Santa Barbara
Erhard Blankenburg, Vrije Universiteit, Netherlands
John Brigham, University of Massachusetts
Leonard G. Buckle, Northeastern University
Suzanne Buckle, Northeastern University
Bliss C. Cartwright, Econometric Research, Washington, D.C.
Joe Shelby Cecil, Federal Judicial Center, Washington, D.C.
William Clune, University of Wisconsin
Ellen S. Cohn, University of New Hampshire
Jane Collier, Stanford University
Rajeev Dhavan, Brunel University, England
Shari Diamond, University of Illinois, Chicago
Robert W. Gordon, Stanford Law School
David Greenberg, New York University
Carol J. Greenhouse, Cornell University
Mark H. Haller, Temple University, Philadelphia
Anne M. Heinz, 525 Judson Ave., Evanston, Illinois
Wolf V. Heydebrand, New York University
Robert A. Kagan, University of California, Berkeley
Ronald Kahn, Oberlin College
Steven Klepper, Carnegie-Mellon University
Judith N. Levi, Northwestern University
Craig McEwen, Bowdoin College
Sally Engle Merry, Wellesley College
Eli Noam, Columbia University
D. Marie Provine, Syracuse University
David Rauma, University of Michigan
Kahei Rokumoto, University of Tokyo
Joseph Sanders, University of Houston
John Henry Schlegel, State University of New York, Buffalo
Sandra Shane-DuBow, Sentencing Commission, Madison, Wisconsin
Jeffrey S. Slovak, Rutgers University, Newark
Francis G. Snyder, University of Warwick
Boaventura de Sousa Santos, University of Coimbra, Portugal
Steven Spitzer, Suffolk University
June Starr, State University of New York, Stonybrook
Austin T. Turk, University of Toronto
Joanna K. Weinberg, Bryn Mawr College
Ann Witte, Wellesley College
Barbara Yngvesson, Hampshire College