

HOW “OUTSIDERS” SEE US: MULTIDISCIPLINARY UNDERSTANDINGS OF LEGAL ACADEMIA

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Despite calls for legal academics to engage in cross-disciplinary collaborative work, and evidence highlighting how insight into and positive attitudes towards other fields help foster partnerships across disconnected domains, little work outside of legal studies evaluates the beliefs and cognition possessed by others about legal academia. In legal studies, how “outsiders” think about legal academia is largely imagined, rather than empirically rooted - and critically, it is persistently negative, maintaining that the field is held in low regard and misunderstood. Playing havoc with those assumptions, our paper discusses our scoping study at a research intensive UK university. Enquiry into what non-legal academics think about legal academia, whether interaction with legal academics makes a difference, and how legal academics imagine “others” perceive them, reveals a startling finding: such negative beliefs find stronger evidential life in legal scholars’ imaginations, than in the minds of “others”. Inviting others to join a fascinating new meta-disciplinary research field, the authors for legal academics to project more positive messages about their field to the wider world.

Keywords - Legal Academia, Cross-disciplinary Understandings, Beliefs, Interaction, Interdisciplinarity

I INTRODUCTION

Central to this paper is the question of how non-legal academics within the higher education sector, perceive the legal academy. As part of a broader project funded by the British Academy we ran a series of online surveys with academics at a pre-92 Research Intensive University in the UK to investigate non-legal academics attitudes and basic knowledge about the discipline of law, and to assess the extent to which different levels of interaction and collaboration with legal academics impact upon knowledge and beliefs. How other disciplinary actors see the legal academy has not, despite Tony Becher’s¹ fascinating exploration of disciplinary cultures in the UK and US in the 1980s, and Paul Trowler’s subsequent work,² been subjected to sustained analysis. Moreover, as we found in an extensive literature search to identify trends within non-legal academic scholarship, remarkably little attention is paid to legal academia as a disciplinary unit by other fields. Law, of course, in a far more general sense, is a popular subject for other disciplines. Nevertheless, when law-based themes emerge in other disciplinary accounts, ‘official’ legal spaces and agents take centre-stage. Such work typically demonstrates a strong preoccupation with law and legal actors as they emerge within adversarial

¹ Tony Becher, *Academic Tribes and Territories: Intellectual Enquiry and the Cultures of Disciplines* (Society for Research into Higher Education, 1st Edition, 1989) (*‘Academic Tribes and Territories’*).

² Tony Becher and Paul Trowler, *Academic Tribes And Territories: Intellectual Enquiry and the Culture of Disciplines* (McGraw-Hill Education (UK), 2nd Edition, 2001) (*‘Academic Tribes And Territories’*); Paul Trowler, ‘Depicting and Researching Disciplines: Strong and Moderate Essentialist Approaches’ (2014) 39(10) *Studies in Higher Education* 1720 (*‘Depicting and Researching Disciplines’*).

settings such as the courtroom.³ The judge, the courtroom and scientific artefacts as they move through official legal processes or settings prove especially alluring,⁴ but we find few instances of where the spotlight is upon the legal academic and legal academia. When legal academics emerge, they typically arise as marginal characters rather than specific objects of study.⁵ As such, we are left with limited work that can tell us about how non-legal academics ‘think’ about the legal academy, the extent to which such actors interact with their legal peers or the kind of sources they draw upon that might shape their beliefs about or insights into the legal academy.

While there is good reason in an era of ‘interdisciplinarity’ to be interested in how others perceive legal academics, nor has this constituted a theme for empirical investigation within the legal academy. The preoccupation of legal scholars contemplating the discipline of law and legal academia⁶ is typically upon the norms and behaviours, and research patterns and trends *within* the discipline⁷ rather than exploring the vantage point(s) of, or cognitive resources held by those looking in. That is not to say that there is *no* concern with how the discipline of law is externally perceived. A range of legal academics have ventured ideas about how other fields might regard academic law and its constituents, albeit, as we note elsewhere, these contributions are based upon ‘thought experiments’, ‘anecdotal reports’ or assertions presented as ‘fact’.⁸ What emerges from these accounts is a fairly undisrupted ‘bleak’ picture consisting of a series of ‘negative imaginaries’ – where the overarching assumption is that actors outside of law hold the legal academic field in low regard, and/or possess ideas about legal academia that fail to correspond with what legal scholars actually do. Take for example, the assumption that “outsiders” believe that ‘academic lawyers are only interested in what law-makers actually do’, or regard law as ‘a practical and not an academic subject’.⁹ Such imaginaries prove to be dominant in these accounts. Others, echoing such assertions, have suggested that flawed perceptions of legal academia are owing to a communication failure on the part of legal scholars. While Murphy and Roberts¹⁰ highlight that the legal academy has ‘failed to provide any significant explanation or justification of what academic lawyers do (as is normally demanded of the theoretical component of a discipline) and thus of what academic law is or might be’, Chynoweth notes that the failure of the legal research community to ‘adequately explain itself to its peers in other disciplines’ means that ‘it can hardly complain if those peers then judge it by standards other than its own’.¹¹ As our broader work shows, however, these negative imaginaries have a life beyond the handful of authors producing these legal texts.¹² Our

³ Sheila Jasanoff, ‘What Judges Should Know about the Sociology of Science’ (1992) 32 *Jurimetrics* 345; Bruno Latour, *The Making of Law: An Ethnography of the Conseil d’Etat* (John Wiley & Sons, 2013) (*The Making of Law*).

⁴ Lawrence Baum, *Judges and Their Audiences: A Perspective on Judicial Behavior* (Princeton University Press, 2009) (*Judges and Their Audiences*); Simon A Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (Harvard University Press, 2009) (*Suspect Identities*).

⁵ Baum (n 4); Latour (n 3); Kyle McGee, *Latour and the Passage of Law* (Edinburgh University Press, 2015).

⁶ Fiona Cownie, *Legal Academics: Cultures and Identities* (Hart Publishing, 2004) (*Legal Academics*).

⁷ Susan Bartie, ‘Histories of Legal Scholars: The Power of Possibility’ (2014) 34(2) *Legal Studies* 305 (‘Histories of Legal Scholars’); Susan Bartie, ‘The Lingering Core of Legal Scholarship’ (2010) 30(3) *Legal Studies* 345; Hazel Genn, Martin Partington and Sally Wheeler, *Law in the Real World: Improving Our Understanding of How Law Works* (The Nuffield Foundation, 2006) (*Law in the Real World*); Paddy Hillyard, ‘Law’s Empire: Socio-Legal Empirical Research in the Twenty-First Century’ (2007) 34(2) *Journal of Law and Society* 266 (‘Law’s Empire’); Mathias M Siems and Daithí Mac Síthigh, ‘Mapping Legal Research’ (2012) 71(3) *The Cambridge Law Journal* 651; JM Smits, *The Mind and Method of the Legal Academic* (Edward Elgar Publishing, 2012a).

⁸ Nicky Priaux et al, ‘Fear and Loathing in Legal Academia: How We Perceive the Field of Legal Academia and Our Curious Imaginaries of How “Others” Perceive It’ (2020) 19 *British Journal of American Legal Studies*.

⁹ Mathias M Siems, ‘The Taxonomy of Interdisciplinary Legal Research: Finding the Way out of the Desert’ (2009) 7(1) *Journal of Commonwealth Law and Legal Education* 5, 18.

¹⁰ ‘Introduction’ (1987) 50(6) *The Modern Law Review* 677, 682.

¹¹ ‘Advanced Research Methods in the Built Environment’ in Andrew Knight and Les Ruddock (eds), *Advanced Research Methods in the Built Environment* (John Wiley & Sons, 2009) 28, 37.

¹² Priaux et al (n 8).

investigation into how academics think about legal academia also included a benchmarking survey with legal academics.¹³ Among the survey topics we asked Cardiff University legal academics to highlight their own views about different aspects of legal academia, including how they typify the field, and their approaches to research and scholarship, and then we asked them to imagine how others, outside the discipline of law, might respond to such questions. What we found, to a striking degree, was that legal academics exhibited the same pessimism about how others ‘think’ about legal academia as had emerged from the scholarly literature – and this pessimism was widespread among the surveyed population of legal academics at Cardiff University. Nevertheless, these negative ‘imaginaries’ of how *others* might see the field contrasted in a striking way with the attitudes legal academics themselves held about their own field. Indeed, legal academics’ perceptions of their own field was generally extremely positive and at points evidenced considerable pride about the field, but the tenor and tone markedly shifted at the point of imagining how others would come to typify legal academia. The “outsider” to law is imagined in ways that are highly consistent with the ‘negative imaginaries’ emerging within the legal scholarly literature.

Whether those outside of the field of legal academia do in fact hold the kinds of beliefs that legal academics tend to imagine – as is evidenced in legal scholarly accounts and supported by our benchmarking study, is the question here. In investigating this topic, our aim has been to start addressing as a striking gap in the literature, but also a gap in our understanding about our position within the academy, as legal academics. We regard this latter issue as critical for a number of reasons. Numerous legal scholars have urged, albeit with different ends in sight, the importance of legal scholars fostering cross-disciplinary and collaborative work with scholars in other fields and disciplines. Whether encouraged in order to enrich legal research,¹⁴ enhance the ‘social relevancy’ of the field or robustness of resulting policy-orientated research,¹⁵ improve opportunities for securing research funding in line with other disciplines,¹⁶ to raise the (internal and external) profile of the work that we do, or encourage others to develop an appetite for ‘law and legal phenomena’,¹⁷ understanding how legal academia is perceived and understood by actors outside of legal academia seems increasingly critical. If non-legal academics possess, as is claimed, weak insight into what we do, and hold our discipline in low regard, then this poses obvious fundamental challenges to all of the above stated aims. In this respect, our work needs to consist of identifying how we reach those audiences, how we improve cross-disciplinary insight into legal studies and what techniques work for placing our vibrant, diverse and muscular field onto the radars of others. The present paper, in line with the overarching concern of our project, takes a first step in this direction – and centralises our concern with whether these ‘imaginaries’ correspond with what non-legal academics do in fact think about the discipline of law.

As we argue, the findings from our study at Cardiff University provides some room for optimism in terms of how non-legal academics regard our field; moreover, this research also helps to provide the basis for thinking through strategies for broader engagement. In particular, our findings demonstrate that the population captured under the general category of ‘other’, in the context of non-legal academics, is inhabited by a series of very distinctive populations possessing different levels of insight and distinctive beliefs about legal academia. When evaluating the data to identify trends, we explored

¹³ This is discussed at length elsewhere, *ibid*.

¹⁴ Genn, Partington and Wheeler (n 7).

¹⁵ ROB VAN GESTEL, HANS-W. MICKLITZ & EDWARD L. RUBIN, *RETHINKING LEGAL SCHOLARSHIP: A TRANSATLANTIC DIALOGUE* (2017); Gavin Little, *Developing environmental law scholarship: going beyond the legal space*, 36 *LEGAL STUDIES* 48–74 (2016); Nicky Priaulx & Martin Weinel, *Behaviour on a Beer Mat: Law, Interdisciplinary & Expertise*, 2014 *U. ILL. J.L. TECH. & POL’Y* 361–391 (2014); Edward L. Rubin, *Law and the Methodology of Law and Society & Law and Economics: Common Ground, Irreconcilable Differences, New Directions*, 1997 *WIS. L. REV.* 521–566 (1997).

¹⁶ CJJM Stolker, ‘Legal Journals: In Pursuit of a More Scientific Approach’ (2005) 2(2) *European Journal of Legal Education* 77 (‘Legal Journals’).

¹⁷ Genn, Partington and Wheeler (n 7).

a wide range of factors, including age, position, gender, field, school/college, contract type and interactional intensity.¹⁸ As we discuss in the first part of this paper in outlining the key theoretical drivers for our work, in evaluating those points at which the responses of non-legal academics converged or diverged from legal academics, interaction with legal academics stood out as the main factor. This finding maps neatly to onto our original hypothesis that different levels of interaction with legal academics would lead to our survey eliciting distinctive responses in respect of attitudes to legal academia, and levels of insight in respect of the norms, nature of, and approaches to legal research. What we found was that the more that non-legal academics collaboratively engaged with legal academics, the more favourable their view of the field, and in turn, the more their assessments of the field started to mirror the representations of the field given by legal academics themselves. Such a finding may well seem highly intuitive – but it stands in stark contrast with the legal scholarly literature which presents a largely homogenous external ‘outsider’. As such, the identification of distinctive populations within the non-legal academic cohort based on ‘social distance’ constitutes an important step forward in allowing us to identify disciplines and field groups, at the survey site, that enjoy stronger links and those that appear more distant. Nevertheless, the aggregate picture is also promising. Even among the populations that report little or no interaction with legal academics, our findings demonstrate a sharp departure from the ‘negative imaginaries’ emerging from the legal scholarly literature and indeed, out of the legal academic benchmarking surveys. While the expectation had been that outsiders would hold legal academia in low regard, and portray the field in very particular ways, in contrast, we found an overwhelmingly more positive appraisal of the legal academia field held by non-legal academics.

The insights from this scoping study point to the importance of a new and promising agenda for legal academia – one that is directed towards the aim of cultivating cross-disciplinary collaborative work and creative exchange between law and other disciplines. While our survey sought to investigate surface level beliefs an insights into the field of legal academia, rather than exploring the depth of understanding non-legal academics possessed about the field of legal studies, it nevertheless serves to provide a powerful counter-narrative to the negative imaginaries that have been circulating within the legal scholarly literature as to how ‘others’ regard us. In doing so, it also provides a promising platform for further investigation. Our survey results suggest most certainly at Cardiff, that the field of legal academia enjoys far higher reputational capital than many have anticipated; moreover, it suggests a population of individuals who, even if lacking depth of insight into our work, regard the field favourably and anticipate a wide diversity of research approaches being deployed by legal researchers. As we note towards the end of this paper, this work constitutes an important prompt for broader work of the same kind, including empirical investigation beyond Cardiff of how ‘others’ think about our field, the extent to which they possess basic literacy about legal studies and aligned areas, and perhaps most critically of all - the extent to which perceptions and knowledge of varying degrees impact upon the appetite of non-legal academics to collaborate with researchers within the legal academic community.

II HOW OTHERS THINK ABOUT LEGAL ACADEMIA: INTERACTION AND SOCIAL DISTANCE

While legal scholars have occasionally speculated how those external to legal academia might perceive the field,¹⁹ such authors consistently treat those outside of legal academia - whether within or outside

¹⁸ Embedded within the survey were a series of questions designed to elicit information from participants as to the extent to which they interacted with legal academics, and the specific sites and modes of interaction – see the Appendices.

¹⁹ Matthew W Finkin, ‘Reflections on Labor Law Scholarship and Its Discontents: The Reveries of Monsieur Verog Essay’ (1991) 46 *University of Miami Law Review* 1101 (‘Reflections on Labor Law Scholarship and Its Discontents’); Geoffrey Samuel, ‘Interdisciplinarity and the Authority Paradigm: Should Lawyers Be Taken Seriously by Scientists and Social Scientists?’ (2009) 36(4) *Journal of Law and Society* 431; Smits (n 7); Stolker (n 16); Mark Tushnet, ‘Legal Scholarship: Its Causes and Cure Symposium on Legal Scholarship: Its Nature and

of higher education - as a homogenous group. Authors speak of the perceptions of 'many within universities', 'the outside world',²⁰ of 'other disciplines',²¹ 'outsiders',²² with others pointing to a more qualified but largely undefined cluster, 'some outside the discipline'.²³ As we note elsewhere, the invocation of the 'external other' in these accounts frequently arises as a rhetorical device, one which appears at least in some cases, more reflective of an author's own misgivings about the field. Nevertheless, what is apparent is that there is little call for undertaking an empirical investigation into what 'others' do think, nor much in the way of contemplation as to how differently situated populations might perceive legal academia in quite distinctive ways.

Standing in contrast, the present research critically pivoted on empirical evaluation. We sought to evaluate the extent to which 'interaction' with legal academia/academics impacted upon the responses that survey participants from other fields and disciplines gave. Our hypothesis was that we would be likely to see a demarcation between non-legal academics that strongly interact with legal academics, and those that never or infrequently interact. We anticipated that survey participants that interacted with legal academics in ways that drew them within the *substance* of the field of law, through engagement with legal academics in cross-disciplinary teaching and collaborative research, and perhaps drawing on legal scholarship and research, would offer more nuanced accounts of the discipline in ways that more closely mirrored the accounts provided by legal academics in the benchmarking surveys.

The theoretical driver for this hypothesis is based upon insights from the Studies of Expertise and Experience,²⁴ and by a broader body of work that highlights the significant barriers and obstacles for actors located in one field gaining an 'understanding' of other disciplines.²⁵ This literature highlights that disciplines are akin to foreign cultures, with different languages, norms and forms of life, and actors become disciplined and acquire the tacit knowledge – the unwritten rules and conventions - inhabiting their fields by virtue of social immersion. It is socialisation within the expert domain which provides the 'deep understanding' to be able to 'know what one is talking about'.²⁶ The logical corollary of this, is that a lack of socialisation results in the absence of a deep appreciation of what is going on in other fields. This 'social distance' results in a hypothesis which demarcates crudely between 'insiders', 'interactors' (who while possessing different levels of insight into a field, may acquire more of the tacit knowledge of a field through interaction with domain experts) and 'outsiders'. That social distance from disciplines and domains impacts upon our perception of their characteristics is emphasised by Collins and Pinch's²⁷ 'distance lends enchantment' (which they emphasise can transform into disenchantment²⁸), as well as Trowler's²⁹ work which highlights that when viewed at a distance, disciplines 'may seem to have certain common characteristics, but viewed close up those characteristics

Purposes' (1980) 90 *Yale Law Journal* 1205 ('Legal Scholarship'); Douglas W Vick, 'Interdisciplinarity and the Discipline of Law' (2004) 31(2) *Journal of Law and Society* 163.

²⁰ Smits (n 7) 4.

²¹ Stolker (n 16) 78.

²² Smits (n 7) 4.

²³ Samuel (n 19) 432.

²⁴ Harry Collins and Robert Evans, *Rethinking Expertise* (The University of Chicago Press, 2007); Harry Collins and Robert Evans, 'The Third Wave of Science Studies: Studies of Expertise and Experience' (2002) 32 *Social Studies of Science* 235.

²⁵ Elizabeth Merz, 'Undervaluing Indeterminacy: Legal Translations of Social Science' (2011) 60 *DePaul Law Review* 397; Prialx and Weinel (n 15).

²⁶ *Supra* note 24.

²⁷ *The Golem at Large: What You Should Know about Technology* (Cambridge University Press, 2014) ('*The Golem at Large*').

²⁸ *Ibid* 199.

²⁹ *Supra* note 2.

crumble in the analytical hand'.³⁰ Particularly germane to the current study, Trowler³¹ also notes how academic law when 'viewed close up' contains a variety of approaches that are very different in essence but nevertheless co-exist, whilst 'strong essentialist accounts flatten out internal differences and occlude complexity'. Our study provided us with the opportunity to evaluate the extent to which 'social distance' had any palpable effect on survey responses in respect of 'insight' based questions which asked respondents to assess approaches to legal research, as well as the relative prestige of different research outputs and activities in law.

The broader survey was also driven by a range of other queries. While we concentrate here on the question how non-legal academics perceive legal academia, we also ran benchmarking surveys with legal academics to provide our comparative baseline. The results from these benchmarking surveys have also allowed us to evaluate how legal academics regard their own discipline as well as how they imagine non-legal academics might imagine the field of legal academia. In respect of non-legal academics, many of our hypotheses were largely determined by the broader literature in legal academia which has assumed that non-legal academics would be likely to perceive the field of legal academia in a negative light. While we expand upon this below, we posed a series of question blocks to survey participants which sought to elicit their impressions of legal academia as a field, the beliefs or knowledge about different aspects of legal research, and more controversially, their ideas about the likely personality traits of legal academics.

III PORTRAYALS OF LEGAL ACADEMIA

Our review of the literature around how non-legal academics perceive legal academics revealed a paucity of scholarship. Despite casting the net wide, identifying literature where non-legal academics have engaged with legal academia and legal scholarship with the aim of providing a 'field-wide depiction' resulted in a very small number of works.³² As specific objects of study, the legal academic and legal academia will, of course, prove to be more interesting to legal scholars than any other population. Various motivational levers serve to maintain our focus upon our home disciplines, and perhaps for this reason, we should expect to see meta-disciplinary work more often undertaken by "insiders", than "outsiders". Moreover, by virtue of immersion within the domain, "insiders" may be best situated to make sense of it. Nevertheless, for those, like Tushnet³³ who complain about the 'marginality of legal scholarship' in the wider social sphere, the absence of interest in legal academia for scholars most engaged in the study of disciplines, their cultures and paradigm orientations, this 'silence' might be exacted as a second blow. The strong emergence of interdisciplinarity and interdisciplinary studies, where the interplay between different fields explicitly constitutes the object of study, might also make the absence of the legal, or the legal scholar, more conspicuous. One might

³⁰ Ibid 1723.

³¹ Ibid 1724.

³² Scholarship that fell short of this were placed to the side for revealing insights about how the field is externally perceived. Works falling into this category include those where legal academics make very marginal appearances in non-legal scholarship – so as to amount to brief mentions – and as such, these failed to be illuminating. While we were able to identify work that involved non-legal academics engaged in field wide depiction, those involving co-authorship with a legal academic were also excluded (for example, Kathleen Margaret Mack & Sharyn Leanne Roach Anleu, *The relationship between sociology and cognate disciplines: law, in THE FUTURE OF SOCIOLOGY* (2009). Finally, nor have we included the wonderful book by STEPHEN H. KELLERT, *BORROWED KNOWLEDGE: CHAOS THEORY AND THE CHALLENGE OF LEARNING ACROSS DISCIPLINES* (2008) in which a small number of legal academics feature prominently, sitting alongside scholarship drawn from economics and literature. Kellert's aim is not to provide field-level depiction or draw conclusions about different disciplinary cultures. As such it does not prove to be illuminating about legal academia as a field, even the selection of those disciplines might well be significant given the overarching theme of the work (evaluating 'technical applications and metaphorical speculations' – and frequently misappropriations, of chaos theory).

³³ *Supra* note 19.

jealously look to other fields (e.g. the biological, medical and physical sciences) which attract the lion's share of sociologists' attention, and wonder why the groups, communities, organizational makeup and forms of life that inhabit the law school prove somewhat less sociologically alluring.

The same pattern is replicated in popular culture. Law and legal process constitute popular topics for film, television and literature;³⁴ as Friedman commented, 'television would shrivel up and die without cops, detectives, crimes, judges, prisons, guns and trial'.³⁵ Yet that burgeoning interest in law seems to stop at the door of the law school - the law school, its constituents and legal academic thought, compared to the popularity of many other disciplines that find their way into television, film and literature,³⁶ for good or ill³⁷ - are conspicuously absent. Decades later, many of Austin's³⁸ concerns about the depiction of law schools in popular culture, including his observation that they had not 'received the ultimate measure of recognition - the examination of institutional character through literary fiction', hold as true today.³⁹ While there is continuing debate about the extent to which popular culture shapes people's understanding,⁴⁰ it might not be surprising if "outsiders" struggled to imagine law beyond the images privileged in popular culture (including those few where the law school is central), where 'law work' is portrayed as a vocational and professional pursuit.⁴¹

³⁴ Steven Greenfield and Guy Osborn, *Readings in Law and Popular Culture* (Routledge, 2007); Steve Greenfield and Guy Osborn, 'Where Cultures Collide: The Characterization of Law and Lawyers in Film' (1995) 23(2) *International Journal of the Sociology of Law* 107 ('Where Cultures Collide').

³⁵ Lawrence M Friedman, 'Law, Lawyers, and Popular Culture' (1989) 98(8) *The Yale Law Journal* 1579, 1588.

³⁶ Roslynn D Haynes, 'Whatever Happened to the "Mad, Bad" Scientist? Overturning the Stereotype' (2016) 25(1) *Public Understanding of Science* 31 ('Whatever Happened to the "Mad, Bad" Scientist?'); Cornelius Holtorf, *Archaeology Is a Brand! The Meaning of Archaeology in Contemporary Popular Culture* (Archaeopress Archaeology, 2006).

³⁷ Matthew Reisz, 'Image and Reality: Popular Culture Portrayals "Devalue Academia"', *Times Higher Education (THE)* (26 February 2017) <<https://www.timeshighereducation.com/news/image-and-reality-popular-culture-portrayals-devalue-academia>> ('Image and Reality').

³⁸ 'The Waste Land of Law School Fiction', ed John Osborn, Katherine Roome and Michael Levin (1989) 1989(2) *Duke Law Journal* 495, 495.

³⁹ Most certainly law professors assume fairly central roles in *Legally Blonde* Robert Luketic, *Legally Blonde* (Metro-Goldwyn-Mayer, 2001)., *The Paper Chase* James Bridges, *The Paper Chase* (Thompson-Paul Productions, Twentieth Century Fox, 1973)., *The Pelican Brief* Alan J Pakula, *The Pelican Brief* (Warner Bros., 1993). and *How to Get Away With Murder* Peter Nowalk, 'How to Get Away With Murder' (2014). but beyond this one can only point to a small collection of fictional books (*Called On* Cody Corlis, 'Called On: A Novel Reflecting the Changing Nature of Legal Education' (2016) 6 *HLRe: Off the Record - Houston Law Review* 199., *One L* Scott Turow, *One L: The Turbulent True Story of a First Year at Harvard Law School* (Pan, 2014) ('*One L*'), *The Professor* Robert Bailey, *The Professor* (Thomas & Mercer, 2015)., *Daddy's Girl* Lisa Scottoline, *Daddy's Girl* (Pan, On Demand edition, 2013)., and cameos of legal academia or law professors (for example, *Suits* Aaron Korsh, 'Suits', *Yesterday's Gone* (2011)., *Rainmaker* Francis Ford Coppola, *Rainmaker* (Constellation Entertainment, Douglas/Reuther Productions, American Zoetrope, 1997)., *Rounders* John Dahl, *Rounders* (Miramax, Spanky Pictures, 1998).).

⁴⁰ Anthony Bradney, 'The Case of Buffy the Vampire Slayer and the Politics of Legal Education' in Steven Greenfield and Guy Osborn (eds), *Readings in Law and Popular Culture* (Routledge, 2007) 15; Lieve Gies, 'The Media and Public Understanding of the Law' in Steven Greenfield and Guy Osborn (eds), *Readings in Law and Popular Culture* (Routledge, 2007) 65.

⁴¹ While the aim here is not to offer a critique of popular cultural representations, a noticeable and dominant feature of the few films and books that attempt to capture the law school and legal academics, is the intense connection made between law school and legal *practice*. Law professors typically arise as organising 'props' (rather than central characters) for the discussion of the student learning, university experience and career orientation, so that the classroom, lecture hall, modes of pedagogical delivery to, and broader interactions with students become central. If the litmus for the success of fiction is that it should aspire to confront 'complex forces pulsating through law school society', so as to draw in broader law school life and the range of work that legal academics are engaged in, Austin's indictment of contemporary 'law school fiction' firmly stands: 'None succeed as fiction' (n 38) 495.

Although the question of how non-legal academics perceive legal academics is a neglected one, we can identify three distinct sources to preliminarily explore different populations of “outsiders”. The first is ‘insider outsider-imaginaries’ of legal academics themselves who either draw upon anecdotal accounts or craft thought experiments to imagine how others might come to see them. The second is where empirical studies are undertaken which evaluate how non-legal academics do perceive legal academia – the ‘outsider’ study. The third is literature emerging from the work of non-legal academics who, while strictly speaking ‘outsiders’ by virtue of belonging to a non-law field, have nevertheless enjoyed more extensive interactions with legal academics in producing field-wide descriptions of legal academia – the ‘interactor’ study. Within this latter category, as we discuss below, one can find significant differences in how the field of legal academia is portrayed – but in a way that is fairly intuitive. While those working within a field, particularly highly esoteric ones, have unrivalled “insider” access to the knowledge and work undertaken within that field, the assumption that all “outsiders” will be left out in the cold, can be quickly troubled. Mirroring the kind of processes all of us have had to go through in the acquisition of our own expertise, what we should expect to find is that through increased substantive interaction with “insiders”, “outsiders” will acquire increasing amounts of disciplinary specific knowledge about that domain. In some instances prolonged and extensive interaction with actors within an expert domain can allow individuals to linguistically (even if nothing more) pass themselves off as experts within that field.⁴²

A Insider’s Outsider-Imaginaries

As we earlier outlined, our review of the literature highlighted the prevalence of ‘negative imaginaries’ within legal scholarship about how “others” might evaluate the discipline of law. This became an important source in its own right. Whether consisting of anecdotal reports, ‘thought experiments’, or assertions presented as ‘fact’, none of this scholarship claims to be based on an empirical evaluation of what non-legal academics actually think – even if some of these accounts highlight experiences of legal academics encountering attitudes of “others”. For example, based on her interviews with 54 UK legal academics, Cownie⁴³ notes how outsiders, even within the academy, ‘frequently characterise law as vocational’. While all of her interviewees worked in academic, rather than vocational law departments, a number of them reported a lack of understanding of what a ‘legal academic’ is or does. Some complained of being confused ‘with practising lawyers’,⁴⁴ while another commented that ‘[e]ven in universities, there are people who think we’re all in practice’.⁴⁵ Others, like Stolker,⁴⁶ use ‘thought experiment’ as a means of identifying how others might think. He surmises that other disciplines would view legal scholarship in the following way,

[T]o have a strong national focus, an individualistic nature and a rather peculiar publishing culture; it is normative, commentative, a discipline lacking an explicitly-defined scholarly method, and one with little interest in empirical research. As a result, it is a remarkable discipline in terms of both form and content. ...[I]t is difficult to obtain a clear picture of what we do...⁴⁷

⁴² Collins and Evans (n 24); Daniel Davies, ‘Faking the Physics’, *the Guardian* (10 October 2006) <<http://www.theguardian.com/commentisfree/2006/oct/10/fakingthephysics>>.

⁴³ *Supra* note 6 at 78.

⁴⁴ *Ibid* 100.

⁴⁵ *Ibid* 78.

⁴⁶ Stolker (n 16).

⁴⁷ *Ibid* 78.

In similar force, Smits,⁴⁸ while offering no support for his propositions, highlights that outsiders see the discipline of law as ‘unacademic’,⁴⁹ as the ‘odd one out in the modern university’,⁵⁰ and as a discipline that has fallen in the eyes of the outside world, where legal science is seen (by others) as possessing a methodological orientation that is incapable of producing ‘real knowledge’.⁵¹ Similarly highlighting the “outsider” perception of dubious methodology and lack of rigour in legal studies is Vick who notes that, ‘to this day, many within universities harbour a palpable scepticism about the academic rigour of legal scholarship which is often a reaction to the close association of the discipline of law within the legal profession – a skills-orientated profession at that’.⁵² The most dominant theme within the legal scholarly literature is the view that outsiders now regard legal academia as ‘irrelevant’. Whether by virtue of its professional legal orientation⁵³ or the extent to which legal scholarship is tied to an ‘authority paradigm’ rather than one of enquiry,⁵⁴ the disinterest of non-legal academics in legal scholarship, in contrast with the strong appetite of legal academics for the work of other disciplinary actors, is well-noted.⁵⁵ Finally, when it comes to the personality attributes of legal academics, some have highlighted, albeit drawing upon empirical work looking at perceptions of law students and practising lawyers, Douglas Vick notes that there is a ‘strong perception, in some, that lawyers are bad collaborators because they tend to be pushy know-it-alls’.⁵⁶

B The Outsider

While we noted the paucity of studies in respect of how different fields perceive one another, Tony Becher’s study undertaken in the 1980s constitutes *the* noteworthy exception – and indeed, Becher’s work was path-breaking at the time.⁵⁷ The present work apart, Becher’s study was the only one we could identify which empirically sought to evaluate how non-legal academics perceive legal academia. While not the sole focus, his small-scale study of the nature of academic disciplines included law - alongside chemistry, physics, biology, mechanical engineering, pharmacy, economics, sociology, history, modern languages, geography and mathematics. Undertaking interviews with practising academics from these fields in institutions in the UK and the US, Becher sought to investigate the characteristics of these disciplines, epistemological and methodological issues, as well as exploration of concerns around career patterns, reputations and rewards, and practitioners’ ‘value systems’. Embedded within this latter category, and of interest here, Becher also explored practitioners’ characterisations of other disciplines and disciplinary actors. Noting that academics’ perceptions of other disciplines and disciplinary practitioners seemed to be ‘surprisingly hazy’, ‘neither particularly perceptive nor particularly illuminating’,⁵⁸ and on the whole ‘rather crude and hostile’, he nevertheless

⁴⁸ Smits (n 7).

⁴⁹ Ibid 4.

⁵⁰ Jan Smits, ‘What Do Legal Academics Do?’ *ElgarBlog from Edward Elgar Publishing* (2012b) <<https://elgar.blog/2012/08/15/what-do-legal-academics-do/>> (‘What Do Legal Academics Do?’).

⁵¹ Smits (n 7) 4.

⁵² Vick (n 19) 187.

⁵³ Tushnet (n 19).

⁵⁴ Geoffrey Samuel, ‘Interdisciplinarity and the Authority Paradigm: Should Law Be Taken Seriously by Scientists and Social Scientists?’ (2009) 36(4) *Journal of Law and Society* 431 (‘Interdisciplinarity and the Authority Paradigm’).

⁵⁵ Gerhard Anders, ‘Law at Its Limits: Interdisciplinarity between Law and Anthropology’ (2015) 47(3) *The Journal of Legal Pluralism and Unofficial Law* 411; Stephen Feldman, ‘Can Law Be a Source of Insight for Other Academic Disciplines?’ (2016) 8(151–169) *Washington University Jurisprudence Review* Washington University Jurisprudence Review; Genn, Partington and Wheeler (n 7); Dave Owen and Caroline Noblet, ‘Interdisciplinary Research and Environmental Law’ (2015) 41 *Ecology Law Quarterly* 887.

⁵⁶ *Supra* note 19 at 192.

⁵⁷ *Supra* note 1.

⁵⁸ ‘Towards a Definition of Disciplinary Cultures’ (1981) 6(2) *Studies in Higher Education* 109, 110.

found that the ‘gallery of stereotypes’,⁵⁹ produced discernibly different profiles of the academic subjects in question. To those outside the field, Becher notes that the predominant view of lawyers,

[I]s that they are not really academic – “arcane, distant and alien: an appendage to the academic world”. Their personal qualities are dubious: vociferous, untrustworthy, immoral, narrow, and arrogant: though kinder eyes see them as impressive and intelligent. The discipline is variously described as unexciting, uncreative, and comprising a series of intellectual puzzles scattered among “large areas of description”.⁶⁰

This characterisation of legal academics strongly resonates not only with the ‘negative imaginaries’ that emerged (perhaps not coincidentally) within legal scholarly writings,⁶¹ but as we highlight later in this paper, the imaginaries of legal academics themselves within our survey population.⁶² At this stage, whether in the imaginations of legal academics themselves, or as viewed through the lens of Becher’s ‘crude and hostile’ gallery of legal academic stereotypes, the overwhelming picture of legal academia is of a largely vocational field, one that is methodologically deficient, unacademic, irrelevant, unexciting, uncreative, unscientific and tied to legal practice. In respect of its constituents, legal academics are painted in a similarly negative light, as pushy, non-collaborative, arrogant, and by some, impressive and intelligent.

C The Interactor

While Becher’s participants provided ‘crude and hostile’ depictions of other disciplinary domains, including law, we have little sense of the extent to which different participants enjoyed much, if any, engagement or interaction with the scholarly populations that they were being asked to judge. This was not Becher’s particular concern, no doubt reflecting the ethos of the time where the emphasis on cross-disciplinary collaboration was far less prevalent than it is today. The reference to ‘distant’ and ‘alien’ certainly suggests limited interaction with legal academics, and this is consistent with the past accounts of a range of legal scholars who have expressed concern about the prevalence of the ‘lone researcher’ in law, and the extent to which law schools have traditionally been physically and intellectually isolated within the university.⁶³ Nevertheless, our hypothesis suggested that accounts of the discipline of law occurring at the same broad point in time might well look a great deal cruder based on increased social distance, but that the representations of legal academia might well start to change with increasing levels of interaction.

⁵⁹ *Supra* note 1 at 28.

⁶⁰ Becher (n 58) 111. This negative view, Becher found, also seemed ‘to be shared by its victims’ BECHER, *supra* note 1 at 30. This speaks not only to a self-confessed tendency of legal academics ‘towards self-denigration’, or ‘a sense of doubt about one’s intellectual quality’, but also the views of different legal academic communities towards each other, expressing greater or lesser levels of esteem. While US academic lawyers expressed concerns that their ‘techniques and methodologies’ might not be sufficiently probing or fundamental, some cast their English counterparts as ‘narrow and uninteresting’, ‘atheoretical, *ad hoc*, case-orientated and not much interested in categories and concepts’ *Ibid*. While English legal scholars themselves downplayed the ‘scholarly’ status of English academic law, suggesting it shared the ‘anti-intellectual ethos of practising lawyers’, was ‘insular’, standing separate to other fields, and ‘based on a narrow and isolated education’ *Ibid* 31., the view of legal academia across the Atlantic was far more favourable, presented (in contrast to English legal academia), as a ‘higher tradition of worthwhile academic thought’.

⁶¹ Perhaps more significantly, we also find that the ‘crude and hostile’ stereotype of the discipline of law emerging from Becher’s work, also often constitutes a key source in such works (see further, Chynoweth (n 11); Smits (n 7).)

⁶² Priaulx et al (n 8).

⁶³ Hillyard (n 7); Vick (n 19).

In this respect, a range of broader figures appear within the non-legal academic literature which highlight ‘outsiders’, in the sense of being non-native to the discipline of law, that invite different albeit, fuzzy characterisations. Some might collaboratively work with legal academics whilst continuing to work within their own field (as is the case here) so that one draws in legal academic expertise to directly inform a project;⁶⁴ some might, possess attributes that straddle the insider/outsider dichotomy, for example, from possessing some credentials in law, making some contribution to taught legal programmes, mixing with legal academics all the while remaining largely within one’s own non-legal field. Others, who while belonging to a different discipline, might spend extensive time working with legal academics and attending law-specific workshops and conferences. Some might find themselves working alongside legal academics by virtue of school mergers, and while being engaged in all manner of cross-disciplinary citizenship activities, might well gain some occasional insight about the discipline of law through research committees or attendance of joint school seminar series. Or, indeed, one might to different extents fit the more ethnographic characterisation highlighted earlier – remaining outside the field but working with “insiders” to gain a window into a field. In differing ways, these kinds of interactions, result in different opportunities to gain insights into the internal language and social norms that should lead to quite distinctive accounts of the field of legal academia.

Take for example, Becher himself who sought to identify ‘the interconnections between academic cultures and the nature of knowledge’,⁶⁵ including law. While standing as an “outsider”, with a background in mathematics and philosophy and a senior career in higher education research,⁶⁶ his work is nevertheless characterised by a moderate ‘interactional’ approach, one that drew upon the ‘testimony of practicing academics’ and ‘on published and sometimes unpublished writings of other researchers interested in this general area of enquiry’.⁶⁷ In the case of the discipline of law, Becher undertook interviews with 24 legal academics across Kent University, London School of Economics and Southampton University in the UK, and California (Berkeley) in the US. In many respects, the account produced of the discipline of law, while not aimed at producing a granular description of the field, is one that many of us will recognise (even if aspects of the discipline have most certainly moved on since 1989). By way of example, note Becher’s description of the field of law in terms of its ‘convergent status’, as drawn from his informants,

What disables academic lawyers from the unequivocally convergent status is a continuing dispute about the nature of the subject. Although they have ‘the same basic intellectual knowhow’, ‘a common core of technique’, ‘a shared database’ and ‘the same forms of thought and rules in formulating arguments’, they are nonetheless divided in their views about whether law departments ought to concentrate on the content of their subject (black letter law) or should aim to place it in its social context (the socio-legal approach), or indeed to view it from a predominantly sociological perspective (the sociology of law movement). This uncertainty over what the discipline is or ought to be makes it inappropriate to categorize academic law as a highly convergent field.⁶⁸

The overall description certainly capture debates within legal studies that would have been prevalent at that time. Moreover, this reveals a range of tensions about the field which have endured.⁶⁹ Some

⁶⁴ Sharyn Roach Anleu and Kathy Mack, ‘The Relationship between Sociology and Cognate Disciplines: Law’ (‘The Relationship between Sociology and Cognate Disciplines’).

⁶⁵ Becher (n 1) 1.

⁶⁶ Matthew Reisz, ‘Roy Anthony Becher, 1930-2009’, *Times Higher Education (THE)* (2 April 2009) <<https://www.timeshighereducation.com/news/people/obituaries/roy-anthony-becher-1930-2009/406027.article>>.

⁶⁷ Becher (n 1) 2.

⁶⁸ *Ibid* 156.

⁶⁹ Bartie, ‘The Lingering Core of Legal Scholarship’ (n 7); Siems and Síthigh (n 7); Smits (n 7).

decades later, many of Becher's original observations about the field of law, the tensions within it, and its lack of 'convergent' status, have stood the test of time, as our own research with legal academics show.⁷⁰ The point however, is this - Becher's account of the field of law, while not aimed at offering high level description, nevertheless, demonstrates a richer characterisation of the field than pure 'outsiders' articulated. And, critically, much of what Becher describes there would be virtually impossible for someone positioned entirely outside the field to ascertain. His ability to gain insight into internal debates within the field of course, is achieved by virtue of greater interaction with legal academics, and for the most part, deference to his informants in the original text.

Nevertheless, while Becher demonstrates some knowledge about the field, this is not to overstate the extent of his insight into the discipline of law. The kinds of accounts that 'interactors' will be able to offer about a field should look different and offer greater nuance in line with the extent of their interaction, in contrast with those who do not interact with "insiders" at all. Unless our 'interactor' has 'gone native', experts within a domain should still easily be able to 'call out' those that stand outside of their field, by virtue of having unrivalled access to the norms, conventions and language of their discipline and through being immersed in the wider life of that discipline. An interactor, for example, might be able to boast considerable knowledge of particular areas and topics within a field in which she is engaged, but nevertheless be 'caught out' on other areas which are part of the 'ubiquitous grammar' of a field relating to things one *just knows* through constant social immersion within that field. For example, to those within the discipline of law, Becher's lack of immersion within the discipline of law, legal academic actors and indeed the 'tacit' norms that inhabit the field, becomes visible at different junctures. One of these points to temporal distance from legal academia in continuing to rely upon claims from the original study that no longer rang true (at least in the UK) just over a decade later. Take for example, his claim that 'in law, books commonly take the form of student texts on particular topics rather than scholarly analyses of a major field or central theme';⁷¹ while this may have been true in the late 1980's, this claim is repeated in the second edition of *Academic Tribes and Territories*⁷² by which time, publishing trends had most certainly dramatically changed in the UK.⁷³ Moreover, while Becher's study embraced prestigious law schools in the US and the UK, and at points his interviewees intimate the presence of different cultures, an insider might well have struggled to talk meaningfully about a discipline of law given the profound differences between most aspects of law school life on either side of the Atlantic. Another example highlights the perils of relying alone upon explicit discourse to understand a field; while consultation with legal academics would have pointed towards an 'extensive literature on various aspects of legal education and research',⁷⁴ Becher and Trowler noted that they nearly arrived at a 'complete blank' in terms of identifying any documentation of the disciplinary cultures relating to a range of fields, including academic law.⁷⁵ Again, an extensive written discourse may provide outsiders with an excellent opportunity to learn much about a field, but finding it in the first place, let alone *really* understanding it, can be far more challenging than outsiders might anticipate.

In this respect, while Cownie notes how this 'speaks volume about the opacity of law as a discipline to those outside of it' (for example, she notes that much of this literature is labelled 'legal education' so it might misleadingly suggest that it relates only to pedagogical matters),⁷⁶ in fact *much* of what constitutes a discipline or field is opaque to those outside of it. As we have argued elsewhere in the context of exploring legal academics drawing 'insights' from other fields, much of what disciplinary

⁷⁰ Priaux et al (n 8).

⁷¹ Becher (n 1) 83.

⁷² Becher and Trowler (n 2) 111.

⁷³ Anthony Bradney, *Conversations, Choices and Chances: The Liberal Law School in the Twenty-First Century* (Hart Publishing, 2003) 9 ('*Conversations, Choices and Chances*').

⁷⁴ Cownie (n 6) 63.

⁷⁵ Becher and Trowler (n 2) 53.

⁷⁶ Cownie (n 6) 63.

actors “know” about their disciplines, consists of a huge volume of unwritten codes, rules and conventions – ‘tacit knowledge’ – and it is this which makes explicit knowledge meaningful.⁷⁷ Indeed the example immediately above, highlights that knowing where to look for authoritative knowledge about a field, itself has a largely tacit character. It is this argument that points towards the critical importance of collaborating with field experts: those ‘who know what they’re talking about’.

Nevertheless, the more one substantively interacts within a specific domain of knowledge, as our hypothesis runs, the more that we should find that actors acquire greater insight into the field. In this respect, the work of Douglas Toma proves highly distinctive and provides an example of a more intensive interactional profile. While working as a Professor of Higher Education, among his credentials (which included Bachelor of Arts in Public Policy and History, Master of Arts in History and PhD in Higher Education) he had also practised law for five years following graduation from his Doctor Juris and taught sports law at the University of Georgia. He was certainly no stranger to the law or law school life. Moreover, among his fairly expansive interests, he was a part of an educational law consortium, and produced a number of key publications relating to legal issues in the higher educational sphere.⁷⁸ Toma’s research in respect of law as a discipline, is also marked by extensive interaction with legal academics. In a study exploring how the inquiry paradigms that scholars adopt influences their professional lives, Toma interviewed 22 law faculty members working at three leading law schools in the US. Selecting schools of ‘roughly similar reputation’, he notes how each are ‘particularly noted for their work within a certain school of legal thought’: ‘Left State is a “hotbed” of critical scholarship, ‘central in the critical legal studies movement’ and ‘associated with the study of law using sociological methods’. ‘Right University’, is ‘the home of law and economic scholarship, a model that begins and ends with postpositivist paradigmatic assumptions’, attracting ‘politically conservative scholars’ whilst ‘Center University’ ‘has an overall reputation for a more conventional scholarship, but has law faculty working in each paradigm’.⁷⁹ Coupled with undertaking reviews of the scholarly work of all interview participants, this lead, perhaps unsurprisingly, to a strong, and highly informed account of the kind of works and intellectual shifts apparent within US legal scholarship, as well as the connects and disconnects with the paradigm orientations inhabiting other fields, such as the social sciences. He notes that legal scholars ‘often work within the same inquiry paradigms and often with the same conceptual tools as scholars in other disciplines, particularly those in the social sciences’⁸⁰ and drawing on Becher, highlights that law is a ‘soft-applied academic field like education or other applied social science disciplines’. Scholars falling within this typography he notes, tend to be ‘functional and utilitarian in their uses of knowledge’, are orientated towards ‘the enhancement of professional practice, work towards protocols and procedures, and frame recommendations to those who make decisions’.⁸¹ The cultures inhabiting those soft-applied fields tend to be ‘outward-looking, dominated by intellectual fashions, and power-orientated’, and while legal scholarship might be distinctive in different ways, there are nevertheless overall parallels so that the social science-based typology can apply to law.⁸² In terms of aspects that serve to distinguish legal scholarship from this social scientific typification, Toma notes in particular the common engagement by US legal scholars in ‘normative work’ and ‘empirical work’.

⁷⁷ Prialux and Weinel (n 15).

⁷⁸ J Douglas Toma, *Managing the Entrepreneurial University: Legal Issues and Commercial Realities* (Routledge, 2011) (*Managing the Entrepreneurial University*); J Douglas Toma and Richard L Palm, *The Academic Administrator and the Law: What Every Dean and Department Chair Needs to Know, Volume 26, Number 5* (John Wiley & Sons, 2011) (*The Academic Administrator and the Law*).

⁷⁹ J Douglas Toma, ‘Alternative Inquiry Paradigms, Faculty Cultures, and the Definition of Academic Lives’ (1997) 68(6) *The Journal of Higher Education* 679, 686.

⁸⁰ *Ibid* 682.

⁸¹ *Ibid* 683.

⁸² *Ibid*.

The point here is that greater levels of interaction with legal academics and immersion within the 'world' of legal academia, should afford the interactor with greater opportunities to gain insight into the field. As a result, we should expect to see more granular accounts of the field emerge. Most certainly, some will contest the classification of Toma as an "outsider" given his background in practice and ongoing work in education and sports law, and a profile that might well look similar to many of his legal professorial peers in the US. Nevertheless, our aim is not to regulate or determine 'fuzzy boundaries', but to underpin a critical point – there is no 'typical' outsider and a closer analysis of a few accounts highlights the presence of "outsiders" of quite different kinds. For our purposes, the most sensible way of demarcating between actors within the 'outside' category, is by the level of their active and substantive engagement with legal academia and legal academics. As such, our focus is on populations within the "outsider" category who demonstrate different levels of interactive intensity. The more one is socially engaged with actors within a field the more opportunities one gains to acquire some of the language or 'grammar' of that field, in ways that at least to some extent might converge with aspects of the accounts that those native to that field will recognise; in contrast, the less one interacts, the more socially distant one is from the language of that domain with the effect that one's descriptions of the field will be less convincing to those native within the field. These observations supports Trowler's⁸³ argument that the distance from disciplines changes one's perspective of it; nevertheless, our contribution also extends that thesis in important ways. In particular, the focus on interaction with actors within an expert domain as the *mode* of gaining greater insight into a field, and as a measurable aspect of how non-legal academics perceive the field of legal academia, proves to be central to our study.

This novel and promising line of enquiry is one which proves significant in a number of ways. Not only does it constitute one of a series of variables to help us to identify and measure varying levels of insight into different disciplines, but potentially it has the capacity to point towards the kinds of factors that enhance cross-disciplinary collaboration and understanding. In this sense, a focus on interaction as one of a series of potential pivots, rather than simply how different fields and disciplinary actors regard one another, has the capacity to support further learning. Moreover, such an evaluation (and aspiration) seems particularly fitting for an era where higher levels of interaction, interdisciplinarity and collaboration are the expectation within higher education. This stands in stark contrast to the era in which Becher's study was conducted. While Becher enquired with his participants about overlaps and boundaries between different disciplines, those which 'were more or less closely related to their own',⁸⁴ discussion of interdisciplinary ties or cross-disciplinary collaboration is absent. As Manathunga and Brew⁸⁵ comment, universities have significantly changed since the publication of Becher's study, where academics are 'increasingly called upon to address multidisciplinary questions and modular course structures mean that university study has become more interdisciplinary'. And while Becher's later partnership with Trowler led to an explicit acknowledgement of this shift in the second edition of *Tribes and Territories*,⁸⁶ as Manathunga and Brew comment, this merely gestured towards interdisciplinarity rather than offering a substantial account of the impact upon disciplines.⁸⁷ These concerns are by no means criticisms of the work produced by Becher and Trowler, and in so many respects, the original study and broader work produced by Becher (and Trowler) has been path-breaking. Nevertheless, insofar as their work has stimulated extensive work in the field of higher education studies, the broad thrust of Becher's inquiry in respect of how different disciplinary groups regard each other, has been largely neglected, and this is certainly the case in respect of academic law in the decades elapsing since

⁸³ Trowler (n 2).

⁸⁴ Becher (n 1) 36.

⁸⁵ 'Beyond Tribes and Territories: New Metaphors for New Times' in Paul Trowler, Murray Saunders and Veronica Bamber (eds), *Tribes and Territories in the 21st-Century: Rethinking the Significance of Disciplines in Higher Education* (Routledge, 2012) 44, 44.

⁸⁶ Becher and Trowler (n 2) 37–38.

⁸⁷ Trowler, Saunders and Bamber (n 85) 49.

his original study. As such, what our study has sought to achieve is to provide a concentrated pilot which evaluates beliefs and cognitive insight non-legal academics possess around legal academia and legal academics. While our pilot has focused on one research intensive UK University, it provides a promising set of tools for exploring differences across a range of institutions. Moreover, it allows us to capture more of a contemporary picture of different trends and changes within the field of legal academia, and the attitudes and beliefs of others in that respect, in a way that we would readily expect will look profoundly different to the eras in which Becher, and Becher and Trowler produced *Academic Tribes and Territories*.

Within the field of law, we have certainly experienced profound changes since Becher's original study. Just over a decade later, Cownie's evaluation of the field highlighted a 'discipline in transition', one that was then 'moving away from traditional doctrinal analysis towards a more contextual, interdisciplinary approach'.⁸⁸ In turn, she also noted the impact that external research audits like the RAE had on the field, in 'increasing the emphasis upon research' and 'enabling law as a discipline to move further towards the centre of the academy',⁸⁹ with a corresponding impact on the kind of publications that legal academics produce, but one where 'research has come to play an increasingly important part in the culture of academic law'. While more can be said of the changes within the field of legal academia, with the growth of interdisciplinarity and empirical work, many of these can be attributed to a range of more general changes that have impacted the higher education landscape as a whole. Certainly in the UK, the contemporary University is bigger, busier and more overtly driven by a concern with grant acquisition, industry partnerships and excellence in a competitive 'market'. In many fields, there are fewer opportunities to remain within one's silo in an era of hyper-connectivity, cross-institutional 'citizenship', enhanced programmes of centralisation and merger, as well as the plethora of initiatives aimed at stimulating cross-fertilising networks, heightening academic research productivity, impactful research and global relevancy.⁹⁰ In a digital age, the information we are presented with, and the opportunities to reach into other fields and connect, transform the university into a multiversity. All of these forces, serve to remove much of the autonomy once enjoyed by individual schools – and might serve to strip down at least some of the traditional boundaries between disciplines. Our scholarly lives, are far less cloistered – so that enjoying connections with other fields and disciplines is not only becoming increasingly normal, but expected.⁹¹ These factors, coupled with a backlash against strong essentialism, means that even the descriptions offered of other disciplinary actors and fields in Becher's original work, appear like curious historic artefacts just a few decades later. How we speak, live, think about and experience everyday life within the new academy, will look very different today. As such, a fresh analysis of how non-legal academics think about and 'know' about the field of legal academia, presents us with a key opportunity to evaluate what is now a very different terrain.

VI RESEARCH APPROACH AND METHODS

Our method for investigating the beliefs, attitudes and knowledge of non-legal academics around legal academia was online survey using Qualtrics. Surveys were run exclusively at Cardiff University, UK. We screened our initial survey through a social science focus group, and gained ethical approval for our study in early 2016. We also ran small pilots with legal and non-legal academics to stress-test the survey. Across the course of 2016 and early 2017, we ran a total of four surveys, two 'main' surveys with non-

⁸⁸ Cownie (n 6) 197.

⁸⁹ Ibid 135 citing Bradney 2003.

⁹⁰ Ronald Barnett, *Understanding the University: Institution, Idea, Possibilities* (Routledge, 2015) ('*Understanding the University*').

⁹¹ Nicky Priaux and Martin Weinel, 'Connective Knowledge: What We Need to Know about Other Fields to "Envision" Cross-Disciplinary Collaboration' (2018) 6(1) *European Journal of Futures Research* 21 ('Connective Knowledge').

lawyers and two 'benchmark' surveys with legal academics. The survey questions are presented in **Tables 1 to 4** in the Appendix. The overarching aims of the surveys were to identify how the field of legal academia was perceived, how legal academics are perceived in terms of personality traits, and the extent to which non-legal academics have insight into aspects of the nature of and approaches to legal research. In respect of insight based questions, our survey did not demand 'deep knowledge' of the field of legal academia. Instead, the surveys were pitched at a fairly low level of knowledge about the field, relating to items that would be 'ubiquitous' to those within the field, but would invite rather more "hit and miss" responses from those outside of the field unless they interacted with legal academics and in the field of legal academia in substantive contexts (e.g. collaborative research, engaging with a range of legal research, joint teaching etc.). The survey blocks relating to such questions included asking participants to evaluate the relative prestige of a range of research outputs and activities, as well as to highlight the range of subjects, methods and approaches legal academics might use in their research.

We also sought to investigate the sources of those beliefs/knowledge. This included asking participants to highlight sources of their understanding, to report the extent to which they interact or collaborate with legal academics and/or draw upon legal research and scholarship for their own work, as well as their general attitudes and behaviours in respect of 'interdisciplinarity'. Such factors enabled us to gain some insight into the extent to which non-legal academics venture into the field of law and/or collaborate with legal academics, and whether those factors had any discernible impact upon their responses to questions about the field of legal academia. In terms of defining the field of 'legal academia', by which to compare the responses of non-legal academics, our benchmarking survey did this work. Our benchmarking survey sought to elicit from legal academics a wide range of views, and to capture a sense of the scope of research styles and views on research prestige norms. We also invited both divisions of the Law Department to contribute, including those working with the Centre for Professional Legal Studies whose work consists mainly of legal scholarship (pedagogical-orientated research) and the delivery of professionally-orientated legal programmes, including the Bar Professional Training Course (BPTC) and Legal Practice Course (LPC) for prospective barristers and solicitors respectively. From the outset our aim was to run one phase of surveys but ended up running two phases of survey. In the first phase, we distributed two separate surveys using a number of departmental email lists with different target audiences, a main survey for non-legal academics and a bench-marking survey with legal academics. The main survey asked non-legal academics about: their interaction with legal academics, the contexts and frequency of those interactions, engagement with legal scholarship and beliefs and knowledge about legal academia, the personality traits of legal academics, the relative prestige of a variety of research outputs and activities, their beliefs/knowledge about approaches taken to, and nature of legal academic research, sources of understanding (e.g. contact with legal academics, films, television etc.) and general (inter)disciplinary disposition. We also posed a series of demographic questions by which to contextualise responses. Our benchmark survey posed the same questions to legal academics; we also included an optional question inviting legal academics how they would describe the discipline of law to non-legal academics. A total of 102 non-legal academics (min of 3.72% participation rate) and 26 legal academics (39.39% participation rate) participated.⁹²

The second phase involved a shorter survey being distributed by email, including a main survey to non-legal academics and a benchmarking survey to legal academics. For the main survey of non-legal academics we targeted a small number of schools at Cardiff that had not been included in the first

⁹² We experienced challenges in recruiting non-legal academics at Cardiff University by virtue of limited communication options for highlighting the presence of our survey. These difficulties were amplified owing to the recent implementation of communication policies designed to reduce the volume of email across campus and a lack of alternative modes of easily reaching academics across campus. Using social media was not an option for us given that we restricted this survey to Cardiff University academics as our pilot site and ethical approval had been sought for that geographic location alone.

survey release. 29 non-legal academics completed the main survey (participation rate of 8.76% of total population targeted) and 19 legal academics (28.78% participation rate) completed the benchmark survey. In addition to standard demographic questions, the second survey sought to gain a deeper understanding about the relationship between non-legal academics' interaction with legal academics and their understanding of the nature of research that legal academics are engaged with. It also sought research participants' views on 'research prestige' markers, including a 'trick' question which we considered would likely reveal to a stronger degree whether non-legal academics had insight into basic research prestige norms in law. Alongside this, we also asked non-legal academics to identify research prestige norms in their own field in order to assess the extent to which survey participants might simply be basing their responses in respect of legal academia upon their home field norms. Running the second survey also gave us an opportunity to improve on the design of the first survey.⁹³

For the purposes of the current paper, our aim here is to provide an overview of how non-legal academics in our survey population regard the field of legal academia, legal academics, and the extent to which 'interaction' arises as a factor that might impact upon insight and attitudes towards the field. Where it is useful to do so, we comment on the extent to which the survey responses of the non-legal academic population(s) converges/diverges from responses offered by legal academics, but only briefly insofar as we have addressed this at length elsewhere.⁹⁴

V HOW NON-LEGAL ACADEMICS TYPIFY LEGAL ACADEMIA

In the first main survey, we asked non-legal academics to highlight their beliefs and /or knowledge about legal academic as a discipline *as a whole*. We provided 21 pre-set key attributes to arrive at a range of descriptors which in principle could apply to a range of fields/specialisms. We identified 'disciplinary' descriptors emerging from both Cownie's⁹⁵ interviews with legal academics, as well as those arising from Becher's⁹⁶ interviews across 12 disciplines. We then reviewed the range of overall key terms and added to these where necessary to include attribute 'opposites' (e.g. 'interesting' versus 'boring'), excluded terms that were overly specific, either in a disciplinary sense or in terms of overall description (e.g. 'dusty', 'white coats', 'very left', 'Boffins', 'fuddy-duddy', 'dubious in methodology') or transformed them in order to achieve more generalizable concepts (e.g. 'scientific', 'methodological').⁹⁷ Non-legal academic survey participants could select as many of the attributes as they wished but were asked to select those that they considered best described the discipline. In the benchmarking survey, legal academics were also presented with the same list of pre-set attributes, and were asked to provide their own typification of their discipline, and germane to the present paper, we also asked respondents to indicate which attributes they imagined academics from other disciplines would select. The sample

⁹³ For instance, we had some concerns about using 'sliding scales' in two sections of the first survey. On analysis we found that non-legal academics stuck closely to a default 50% bar. While there is ongoing debate about whether slider scales produce a bias in results Catherine A Roster, Lorenzo Lucianetti and Gerald Albaum, 'Exploring Slider vs. Categorical Response Formats in Web-Based Surveys' (2015) 11(1) *Journal of Research Practice* 1., in practice, the first survey had been lengthy, potentially increasing the likelihood of declining participant engagement by that stage of the survey. By virtue of a refinement in our analytical approach to evaluating the data in assessing 'interaction', coupled with an adaptation to survey design, the patterns we were able to identify in relation to the relationship between insight and interaction, became highly pronounced in the second survey.

⁹⁴ Prialux et al (n 8).

⁹⁵ Cownie (n 6).

⁹⁶ Becher (n 1).

⁹⁷ Pre-set attributes given to survey respondents were: *Innovative, Interesting, Applied, Unapplied, Coherent, Uncreative, Arcane, Modern, Fragmented, Creative, Empirical, Unscientific, Methodological, Boring, Practical, Theoretical, Vocational, Reliant on Documents, Dealing in Pure Ideas, Scientific, and Academic*. These attributes were randomised as they appeared to survey participants.

of non-legal academics was 102, and the number of legal academics was 26. We report our key findings below highlighting percentages which indicate frequency by which attributes were selected.

A “Outsider” Perspectives on Legal Academia

In respect of non-legal academics, while the population as a whole provided responses that span the full range of attributes, the most frequently selected were *Academic* (60.8%), *Applied* (54.9%), *Reliant on Documents* (46.1%), *Interesting* (45.1%) and *Theoretical* (43.1%). Across the population of non-legal academics as a whole, the mean number of attributes selected per survey respondent stood at 5.08, with none selecting above 16. We also cross-referenced the responses of non-legal academics with a basic ‘interactional’ measure – simply using the self-reported levels of interaction by non-legal academics on a scale of ‘Never’ up to ‘Frequently’. We found that level of interaction did appear to make a difference to characterisations of the field of legal academia. Here we used Non-legal academics who frequently interacted with legal academics were more likely to characterise legal academia as *Theoretical* (50%) than those that never interact (23.9%), and significant differences with frequently selection also appeared in relation to other attributes: *Methodological* (Frequently: 62.5%; Never: 41.3%) and *Empirical* (Frequently: 50%; Never: 17.4%). While none of those reporting higher levels of interaction with legal academics (Occasional and Frequent) selected *Uncreative*, *Dealing in Pure Ideas* or *Boring*, a small percentage of those falling into ‘Never’ or ‘Rarely’ selected these (<10% in each category, with the exception of *Boring* which 11.1% of those ‘Rarely’ interacting selected).

B Convergence or Divergence from Responses of Legal Academics?

When evaluating the responses afforded by non-legal academics, the “outsider” perspective here presents a rather different narrative to that emerging in the legal scholarly literature. While there are limitations to a survey, undertaken at Cardiff University and among a relatively small population of academics, we see that a high proportion of the surveyed population characterise legal academia as 'academic', 'interesting', and 'theoretical'. While some emphasised its vocational dimension, as well as its applied nature, these are attended by a broader range of descriptors which suggest that survey participants anticipate a far richer and diverse scholarly field. While aware that we were inviting even greater levels of speculation, we wanted to see if our legal academic population would mirror the ‘insider’ imaginaries we saw within the legal scholarly literature. Our legal academic survey population included vocational legal scholars (VLS) and academic legal scholars (ALS). We asked them to select from the same list of 21 descriptors the attributes *they believed others* might select in typifying legal academia. In respect of those surveyed, while the legal academics’ imaginaries often contrasted with how non-legal academics responded, we do see a number of points of alignment. Attributes frequently selected by legal academics in terms of how they imagined non-legal academic responses, included *Theoretical* (VLS: 83.3%; ALS: 40%) – an attribute which was in the top five of those selected by non-legal academics. In respect of *Reliant on Documents*, a large proportion of both parts of the law school (VLS: 83.3%; ALS: 80%) also anticipated this attribute as one that non-legal academics would likely select (non-legal: 41.6%), which also sat in the top five of attributes selected by non-legal academics in practice.

Nevertheless, for the greater part we see very different portrayals of legal academia emerging between the ‘imaginaries’ of legal academics and how *non-legal academics* actually typified the field. In terms of *Interesting*, no VLS members anticipated that non-legal academics would select this attribute to describe legal academia. Only 10% of ALS imagined that non-legal academics would select this attribute – a factor also mirrored in the frequency of ALS respondents selecting *Boring* (60%) as an attribute that they imagined non-legal academics would select. In fact, 6.9% of non-legal academics selected this attribute. While a high number of vocational lawyers and academic lawyers had selected *Academic* in terms of their 'own' perception of the discipline, when coming to imagine how others might perceive law, this factor was far less pronounced (VLS: 16.7%; ALS: 25%). Legal academics' perceptions were

rather far off the mark on *Unscientific*. 66.7% of VLS respondents imagined that non-legal academics would perceive legal academia this way, whilst 35% of ALS respondents shared this view. In practice, only 7.8% of non-legal academics made this assessment (with 11.8% of non-legal academics positively selecting *Scientific*). Again, in respect *Applied* as a factor, 16.7% of VLS, and 15% of ALS imagined that non-legal academics would select this, whilst this was the second most popular descriptor selected by non-legal academics in practice (54.9%).

The overall picture presented in terms of how legal academics imagine legal academia through the eyes of “outsiders” is pretty bleak and fairly peculiar – *Arcane, Uncreative, Unscientific, Unapplied, Non-methodological, impractical* field, with minimal *empiricism*, minimal *coherence*, that is vocationally-orientated, *boring*, and perceived as less *academic*. What remains, confidently, is an imaginary that others will see the field as one that is highly *Reliant on Documents* (80% of legal academics selected this; whilst 46.1% of non-legal academics did). To the extent that this attribute is selected by all populations highlights some alignment between legal academic ‘imaginaries’ and outsider perspectives. Nevertheless, the overall thrust of legal academics’ imaginaries is that outsiders are unlikely to grasp the more nuanced position that ‘documents’ or ‘text’ occupy within the field – a factor that one of our legal academic respondents was keen to emphasise to the ‘hypothetical outsider’,

The legal discipline always implies the analysis of legal texts (whether hard law, soft law, or case law) in a way no other discipline does. At the same time, the legal discipline engages with the context of these texts; mostly to understand them better, while some legal research reverses that order by primarily aiming to understand the societal reality in which the texts operate. Understanding that reality (partially by analysing the texts) is then the main focus, rather than aiming to interpret the texts by taking into account the contextual reality (legal academic survey respondent).

VI PERSONALITIES AND ATTRIBUTES OF LEGAL ACADEMICS

How do “others” see legal academics, in terms of our personalities and attributes – to what extent do these mirror our self-perceptions and ideas about how others might see us, and to what extent does interaction with legal academics make a difference to how others come to characterise us? Would non-legal academics several decades elapsing since Becher’s study come to view us in a similarly negative light? The presence of a legal scholarly literature highlighting that even within the academy some confused legal academics with their practising counterparts, led us to wonder whether legal academics might end up being tarred with the kind of unfortunate ‘lawyer bashing’ stereotypes and opinions circulating about lawyers more generally.⁹⁸ Most certainly, even within the literature there is a tendency to treat ‘lawyers’ as one amorphous category in a way that assumes a similar personality orientation irrespective of whether one is a lawyer, a legal academic or a law student. Vick, for example, draws on Weinstein’s work in order to highlight personality barriers that stand in the way of collaboration with legal academics given the ‘strong perception, in some, that lawyers are bad collaborators because they tend to be pushy know-it-alls’.⁹⁹ Yet Weinstein’s¹⁰⁰ work, slips and slides between a number of empirical studies around the personalities of practising lawyers and, separately, law students to contemplate barriers to interdisciplinary collaborative education. The overall picture is a highly generalised one - that the person that ‘does law’ is likely to conform with ‘popular stereotypes’ of lawyers – as ‘more achievement-oriented, more aggressive, and more competitive than other professionals and people in

⁹⁸ Roger C Cramton, ‘What Do Lawyer Jokes Tell Us about Lawyers and Lawyering’ (1996) 23 *Cornell Law Forum* 3.

⁹⁹ Vick (n 19) 192.

¹⁰⁰ ‘Coming of Age: Recognizing the Importance of Interdisciplinary Education in Law Practice’ (1999) 74 *Washington Law Review* 319 (‘Coming of Age’).

general', as 'cold and uncaring people', and 'more logical, unemotional, rational, and objective in making decisions and perhaps less interpersonally oriented than the general population'.¹⁰¹

As part of the first survey phase, we separately asked legal academics and non-legal academics a series of personality trait questions about legal academics, using 13 categories of Personality factors with four personality traits in each. Survey participants were asked to select one of the primary personality traits and individual quality from each category, by clicking on a radio button. Legal academics were asked to complete this in a way that they felt best described them. By contrast, non-legal academics were asked to undertake the same exercise but based on what survey participants believed best describes legal academics (either on the basis of generalising about legal academics they know, or in the absence of this, what kinds of personality traits they believed legal academics generally possess). The decision to include a personality assessment within our survey did not go unchallenged, for reasons that might be readily apparent. It was also an aspect of the survey that was discussed at length in working groups during the design of the survey. Concerns were expressed about the time it would take participants to complete this single question in the context of a fairly substantial survey, the increased risk of drop-out from the survey, and much related, the particular nature of the responsive which it invited – effectively, asking survey non-legal academic participants to 'essentialise' their legal academic counterparts. While alert to all of these issues, the latter concern was particularly thought-provoking.

On the one hand, a noticeable feature of Paul Trowler's work has been his criticism of 'strong essentialism' and its 'disabling effect' in closing down 'an appreciation of the complexity of disciplines as a whole and of individual examples of them';¹⁰² it is perhaps no coincidence that Becher's¹⁰³ 'gallery of stereotypes' was not included in the second edition of *Academic Tribes and Territories*.¹⁰⁴ On the other hand, given our interest in identifying factors that might present ways forward for enhancing collaboration between legal academics and other parts of the academy, we were also alert to an emerging body of work around factors now regarded as increasingly important for the configuration of collaborative and interdisciplinary work.¹⁰⁵ In particular, a range of authors have placed increased emphasis upon the role that personality, socio-interactive and affective affinities play in this regard, as well as the extent that stereotypes can act as a barrier to collaboration.¹⁰⁶ Furthermore, our analysis of the literature available in respect of legal academics, continually confronted us with a body of work that frequently invoked negative generalisations about the field and the personality dispositions of its occupants. Whether driven by anecdote, or based on empirical work (e.g. Becher's) from several decades ago, this section of the survey provided at least some opportunity to assess the extent to which attitudes have changed, including whether actors would be as willing, as they were in the 1980s to *stereotype* in this way. For these reasons, while alert to the potentially jarring effect of asking

¹⁰¹ Ibid 348–9.

¹⁰² Trowler (n 2) 1720.

¹⁰³ Becher (n 1).

¹⁰⁴ Becher and Trowler (n 2).

¹⁰⁵ Gabriele Griffin, Pam Medhurst and Trish Green, *Interdisciplinarity in Interdisciplinary Research Programmes in the UK* (University of Hull, May 2006) <https://www.york.ac.uk/res/researchintegration/Interdisciplinarity_UK.pdf>; Yamini Jha and Eric W Welch, 'Relational Mechanisms Governing Multifaceted Collaborative Behavior of Academic Scientists in Six Fields of Science and Engineering' (2010) 39(9) *Research Policy* 1174; Veronica Boix Mansilla, Michele Lamont and Kyoto Sato, 'Successful Interdisciplinary Collaborations: The Contributions of Shared Socio-Emotional-Cognitive Platforms to Interdisciplinary Synthesis' (2012) <<https://dash.harvard.edu/handle/1/10496300>> ('Successful Interdisciplinary Collaborations').

¹⁰⁶ Christine A Ateah et al, 'Stereotyping as a Barrier to Collaboration: Does Interprofessional Education Make a Difference?' (2011) 31(2) *Nurse Education Today* 208 ('Stereotyping as a Barrier to Collaboration').

participants to complete this aspect of the survey, and a heightened risk of drop out,¹⁰⁷ we favoured its inclusion nevertheless.

In the next section we discuss those elements of the section on personality traits that ‘stand out’, as opposed to a lengthier exposition covering all 13 personality factors (warmth, emotional stability, dominance, liveliness, social boldness, vigilance, abstractedness, privateness, openness to change, self-reliance, perfectionism, rule-consciousness and reasoning). In drawing up an initial list of personality factors, we drew on the personality attributes and traits arising from both Becher and Cownie’s studies. In seeking to provide a list that transcended specific disciplinary associations and avoided over-specified terms (e.g. in Becher’s study, terms such as ‘bookish’, ‘fuddy-duddy’ or ‘dusty’ were used to describe historians), and also possessed a balance of personality traits that extended beyond those elicited through Cownie and Becher’s interviews, we drew on personality factors from Cattell’s work on personality traits.¹⁰⁸

A How legal academics evaluated their own personalities

Our legal academic population was invited to undertake self-evaluations. As a group the factors most highly emphasised by legal academics in terms of personality traits, included: Co-operative (74.1%), Enthusiastic (63%), Skeptical (51.9%), Open to Change (51.9%), Individualistic (48.1%), Attentive to Others (48.1%), Deliberative (44.4%), and Rule Conscious (40.7%). None of the survey participants selected ‘Aggressive’, ‘Unsuspecting’, or ‘Impersonal’. Within the legal academic group as a whole, and accepting the small sample size, particularly from the vocational legal scholars (VLS), we do nevertheless see differences in traits. In particular while those from the VLS population most commonly selected “Skeptical” as a personality trait (83.3%), only 45% of academic legal scholar (ALS) population selected this attribute. No member of the VLS population selected ‘Trusting’ within this category, whilst 50% of ALS did. 66.7% of VLS selected ‘threat-sensitive’ whilst only 30% of ALS selected this option. Within the broader category of ‘Abstractedness’ (abstracted, imaginative, practical and down-to-earth), VLS were evenly split between ‘practical’ and ‘down to earth’, whilst 25% and 20% of ALS selected these options respectively, with 45% instead selecting ‘imaginative’. None of the VLS selected ‘abstract’ in respect of reasoning style, or ‘assertive’ under *Dominance*, whilst 20% of ALS chose both of these options. Finally, in relation to *Self-reliance*, we see a distinction between the academic lawyers and vocational lawyers, with 65% of the former clustering around more individualistic/solitary traits and 35% towards group-orientated/affiliative approaches; in respect of the vocational lawyers, this divide is 50/50.

B How Non-Legal Academics Depicted Legal Academics’ Personalities

102 non-legal academics completed the survey including this part. Here we see more interesting results. The factors that were most emphasised by non-legal academics included: Skeptical (71.6%), Organised (69.6%), Rule Conscious (69.6%), Emotionally Stable (59.8%), Assertive (60.8%) and Practical (58.8%). The personality traits selected the least included ‘spontaneous’ (0%), ‘unsuspecting’ (1%),

¹⁰⁷ In practice, out of the 74 non-legal academics that dropped out of the survey, 17 of these dropped out at, or immediately after the Personality Traits section of this survey. Of the 102 non-legal academics that went onto complete the survey, 7 left comments highlighting their discomfort with this question block. Those who were categorised as ‘high interactors’ tended to emphasise that they found it difficult to select traits in respect of ‘diverse people’ that populated legal academia. Those categorised as having no interaction, or rarely interacting also expressed discomfort in choosing traits “which might not apply to individuals”.

¹⁰⁸ Gregory J Boyle et al, ‘Hans J. Eysenck and Raymond B. Cattell on Intelligence and Personality’ (2016) 103(Supplement C) *Personality and Individual Differences* 40; Mihaly Csikszentmihalyi and Jacob W Getzels, ‘The Personality of Young Artists: An Empirical and Theoretical Exploration’ in *The Systems Model of Creativity* (Springer, Dordrecht, 2014) 11 <https://link.springer.com/chapter/10.1007/978-94-017-9085-7_2> (‘The Personality of Young Artists’).

‘affected by feelings’ (2.9%), ‘deferential’ (4.9%), and ‘aggressive’ (4.9%). A significant deviation in the way that non-legal academics as an aggregate group purport to see us from how we regard ourselves can be seen across most categories. In particular, while a third of all legal academics (overall and broadly a third within each legal academic population) typified themselves as ‘organised’, a far higher percentage of non-legal academics selected this attribute (69.6%). Similarly, few non-legal academics appear to regard legal academics as ‘affected by feelings’ whilst for VLS and ALS alike, a third of the participants selected this option. More striking still, while legal academics rated ‘co-operative’ highly on their own personality profiles, fewer non-legal academics selected this option (36.3%), with most opting for ‘assertive’ (60.8%). It would appear that while some see academic lawyers as an enthusiastic group (36.3%) others are inclined to regard them as ‘serious’ (42.1%), ‘careful’ (34.4%) but not spontaneous (0%).

C Does Frequent Interaction with Legal Academics Make a Difference?

As noted earlier, we hypothesised that interaction with legal academics might make a difference to perception of legal academia, including the perception of legal academics’ personalities. In this respect, we sought to evaluate whether differences arose in respect of those who interacted with legal academics the least, and the most.¹⁰⁹ We linked data in terms of self-reported levels of interaction with legal academics to assess whether the results changed. While across a range of personality traits we see no significant differences between those that interact the least and most, there are some notable exceptions to this. Accepting that those frequently interacting constitute a small number (8 academics of 102), their assessments of legal academics map relatively well onto the responses of legal academics in respect of traits associated with *Warmth* – high interactors were split across, relatively closely to legal academics, on traits: *attentive to others, caring and reserved*. Also in common with legal academics, no frequent interactors selected ‘impersonal’ (by contrast with 23.9% of never interactors). In similar force, on traits grouped under *Dominance* while 21.7% of those in the ‘never interacting’ group selected ‘co-operative’ and were drawn more towards characterising legal academics as ‘assertive’, this position reverses with high interactors – who again, largely mirror the personality assessments of legal academics themselves (75% - co-operative). Moreover, standing in contrast with those never interacting, high interactors, were more inclined to see legal academics as they see themselves – as enthusiastic (High Interactors: 50% Never Interact: 26.1%) and imaginative (High Interactors: 25%; Never Interact: 10.9%). While still regarding academic lawyers as more ‘serious’ than they see themselves, fewer high interactors selected this (37.5%) than those never interacting (52.5%). Again, the mirror more or less holds in high interactors assessments of legal academics in respect of ‘thick-skinned’ and ‘threat sensitivity’, but over-assess, to a significant degree – with high percentages of non-interactors (56.5%) and high-interactors (65%) alike regarding legal academics as ‘socially bold’ (while only 14.8% of legal academics view themselves in this light). In the same category of ‘Social Boldness’, neither the High nor Occasional Interactors selected ‘timid’ to describe legal academics, whilst 29.6% of legal academics described themselves in this way.

Nevertheless, while the above suggests that high interactors’ responses largely mirror the self-reports of legal academics themselves, where the mirror analogy falters is where high interactors overstate personality traits significantly above those of non-interactors, and even further away from legal academics themselves. Under the category of Reasoning, 50% of those in the frequent interaction group assessed that lawyers are more ‘concrete’ (while 30.4% of non-interactors selected this, and legal academics themselves at 7.4%). Preferring to evaluate legal academics as ‘concrete’ and ‘deliberate’ – and split across these categories, no high interactors selected the trait ‘quick-thinking’ or ‘abstract’. This stands in contrast with those that never interact, 23.9% of whom believed legal academics to be quick-thinking (and indeed, those falling into the category of rarely interacting, 29.6%), with <5%

¹⁰⁹ On interactional intensity, 45 academics were placed into ‘never interacts’, 28 academics into ‘rarely interacts’, 21 academics into ‘occasionally interacts’ and 8 academics into ‘frequently interacts’.

selecting 'abstract'. In similar force, frequent interactors also assessed to a far higher degree than non-interactors, and legal academics themselves, the legal academic's rule consciousness (75%), group orientatedness (37.5%), affiliativeness (62.5%), and attachment to the familiar (37.5%). In this respect, no high interactors regarded legal academics as either individualistic or solitary in stark contrast with legal academics (48.1% / 11.1%) and those never interacting with legal academics (26.1% / 12.7%).

D Beyond the 'Crude and Hostile' Gallery of Stereotypes

So what conclusions can we draw from this? Do we acquire a picture of how non-legal academics might see us in personality terms? This is a necessarily crude aspect of the survey, by virtue of what the exercise sought to achieve; while we mapped the assessments of non-legal academics against the self-reported traits of legal academics, a broader range of legal academics might have typified themselves in quite different ways. Moreover, the reader might well have spotted that we were also asking quite different things of different populations – the extent to which one can align self-assessments, with a series of non-legal academic assessments about an entire population of legal academics is of course questionable. Nevertheless, we wanted to gain a sense of how others broadly see legal academics – and in particular whether some of the 'crude and hostile' attitudes that emerged in the legal scholarship and Becher's study, arose within this study.

The first general observation is that interaction as a factor might play some role in influencing how non-legal academics regard legal academics; of course, the kinds of factors that emerge – for example, high on *Warmth*, low on *Dominance* (in favour of co-operative traits), and low on *Self-Reliance* (in favour of group orientated and affiliative) might well be expected by virtue of a population that self-reports high levels of interaction with legal academics. Nevertheless, among the non-interactors, we see the opposite pattern; low on *Warmth*, high on *Dominance* (with the majority selecting 'Assertive' rather than 'Aggressive'), and an expression on *Self-Reliance* that while emphasising more affiliative traits, is spread across the other traits (Solitary, Group-Orientated and Individualistic). Nevertheless, what we can say from evaluation of aspects of frequent interactors versus those that never or rarely interact, is that in respect of legal academics inter-personal or 'social' orientation, frequent interactors' ideas come close to mirroring how our legal academic survey participants saw themselves – as attentive to others, caring, rather than impersonal, and co-operative, enthusiastic and imaginative. Insofar as just under half of legal academics on aggregate rated themselves as group-orientated or affiliative in approach, with a stronger emphasis on individualistic/solitary approaches, it may be that academics outside the discipline of law have a different – and perhaps more accurate - lens on this in practice. An alternative response might be that these responses in fact, are valid; the high-interactors are interacting with legal academics, after all, whom one might suppose would be more inclined to more groupish behaviour; alongside this, it is equally conceivable that other legal academics, in contrast, might exhibit more lone-wolf traits – out of the line of sight of non-legal academics.

While there are significant limitations to this aspect of the survey, and we would certainly not run such an element again in the same way, it has nevertheless been valuable. In light of the absence of empirical work undertaken around how others view legal academics, and in particular, the opacity of Becher's study in terms of the number of participants that were willing to offer 'crude and hostile' personality assessments of legal academics, we have been able to show that when invited, a number of academics are simply not willing to 'stereotype' in the way that Becher's participants were – regarding this as either an impossible exercise in the absence of interacting with legal academics, or by virtue of knowing a range of legal academics and being unable to represent a diverse range of personalities and attributes in the way that we had asked them to do. Nevertheless, where academics had provided such assessments, these too were fairly telling. While the sample size is still small, it provides, at least some

indication, that the kinds of stereotypes about lawyers more generally¹¹⁰ as cold, impersonal, aggressive and non-collaborative, or those equally cutting assessments emerging from Becher's study, are not widely held amongst our survey population.

VII COGNITION AND INSIGHT: RESEARCH PRESTIGE MARKERS

The elements of the survey that we have reported so far are based on attitudinal data or information that is highly susceptible to guesswork, rather than "insight" into or 'knowledge' about a discipline. Nevertheless the aspect of the survey that go onto report here, was designed to invite responses that could help us to better assess 'insight' and the potential impact of 'interaction'. While seeking to achieve this, the design of an online survey that could elicit data of this sort was far from straightforward. In designing a survey seeking to evaluate the extent to which non-legal academics possess insight into the discipline of law our initial dilemma was how to avoid requiring detailed knowledge about a discipline (that would be more typically possessed by insiders) that most non-legal academics would not be capable of answering, as well as avoiding posing extremely high level questions for which the answers would not be particularly telling at all. One such example of the latter is where respondents can simply draw on knowledge that is ubiquitous to many other disciplines, presenting the illusion that they have 'insight' into legal norms. In attempting to find a balance between these considerations, we focused on a number of areas, including prestige markers relating to research outputs and activities.

What is considered prestigious in one discipline or field in research terms, is culturally specific so that immersion within a field enables us to 'just know' what kinds of research is particularly worthwhile in terms of recognition in the field, more likely to be seen as authoritative by our peers, endear college and university panels to our applications for tenure and promotion and so on. From the prestige attached to announcing findings via a short letter in *Physical Review Letters* in physics, to the higher prestige of monographs to journal articles in history, to the preference for journal articles in engineering, Becher's original research highlighted how characteristic modes of publication 'vary from discipline to discipline'.¹¹¹ While we ventured into this area understanding that what counts as a prestige marker within any single discipline might well have substantially changed since Becher's study, and that research exercises in the UK, such as RAE and REF, might well serve to create more common ground between disciplines, we would nevertheless expect to see *some* enduring differences between disciplines, particularly between those falling into areas categorised by Becher as 'hard' and 'soft'.¹¹² Furthermore, what 'counts' as prestigious, and the kinds of activities and outputs that are less valued, falls squarely into the category of 'fundamental cultural rules' and 'know-how' that those joining academic departments must learn in order to thrive within those communities.¹¹³ For these reasons, the kind of responses we sought to elicit, while not inviting great depth, nevertheless possess a 'tacit' and 'backstage' dimension and might well prove more telling of those interacted with 'insiders' and those who did not.

As noted earlier, our research consisted of two separate survey phases – and while the second survey phase consisted of a shorter survey, and targeted a smaller population of non-legal academics and legal academics - the aim of running further surveys was to sharpen up and refine our survey design in respect of 'insight' based ingredients, as well as eliciting deeper information about non-legal academics'

¹¹⁰ Weinstein (n 100); Marc Galanter, *Lowering the Bar: Lawyer Jokes and Legal Culture* (Univ of Wisconsin Press, 2006) (*'Lowering the Bar'*).

¹¹¹ Becher (n 58) 112.

¹¹² Becher (n 1).

¹¹³ *Ibid* 25.

interaction with legal academics. Our first survey asked non-legal academics to rate, on a sliding scale of 0 (low prestige) – 100 (high prestige), the extent to which a range of items constituted research prestige markers for career and promotion for legal academics: *Journal articles in practitioner journals, Case notes (on legal judgment), Short letters announcing findings, Acquisition of grant funding, Academic Citations, Impact on legal practice (e.g. citation in judgments, legal reform), Monograph, Student Texts and Peer-reviewed journal articles*. The same question was put to legal academics in the benchmarking survey. The overall ranking, coupled with individual ratings afforded by the legal academic and non-legal academic populations are presented in **Figure 1** below, alongside a further sub-categorisation of the non-legal academic population organised by the highest and lowest interactors (taken from self-reports of interaction).

Ranking	Legal Academics		Non-Legal Academics		
	ALS (n=20)	VLS (n=6)	Non-Legal Academics (n=102)	Never Interacts (n=46)	Frequently Interacts (n=8)
1 Highest Prestige	Peer review journal articles (80.9%)	Academic Citations (82.5%)	Peer review journal articles (80%)	Having Impact (81.2%)	Peer review journal articles (80.1%)
2	Monograph (79.2%)	Grant Funding (77.8%)	Having Impact (75.3%)	Peer review journal articles (74.8%)	Monograph (77.9%)
3	Grant Funding (74.7%)	Peer review journal articles (73.8%)	Grant Funding (71.4%)	Grant Funding (74.1%)	Grant Funding (75.3%)
4	Having Impact (69.1%)	Monograph (65%)	Academic Citations (67.5%)	Academic Citations (71.7%)	Having Impact (66.4%)
5	Academic Citations (65.7%)	Having Impact (59.2%)	Practitioner Journals (60.5%)	Practitioner Journals (63.4%)	Academic Citations (51.6%)
6	Student Texts (40.9%)	Student Texts (51.7%)	Monograph (58.5%)	Case Notes (59.2%)	Practitioner Journals (50.3%)
7	Case notes (39.7%)	Case notes (46.8%)	Case notes (54.4%)	Monograph (51%)	Case Notes (42.4%)
8	Practitioner Journals (35.9%)	Practitioner Journals (40.7%)	Student Texts (39.6%)	Short Letters (39.7%)	Short Letters (38.3%)
9 Lowest Prestige	Short Letters (27%)	Short Letters (36.7%)	Short Letters (37%)	Student Texts (37.9%)	Student Texts (22.4%)

Figure 1 – Rankings of Research Prestige Markers across all First Survey Phase Populations (self-reported interaction, 'Never', 'Rarely', 'Occasionally', 'Frequently')

The overall rankings above, highlight some interesting differences in thinking between different populations. At first sight, the rankings of the aggregate populations of non-legal (i.e. drawing no distinction between interactional frequency levels) and legal (i.e. aggregating ALS and VLS) serves to mask quite sizeable differences in thinking about the relative prestige of particular research activities and outputs. When disaggregated, the sub-populations that stand out in this regard are Vocational Legal Scholars and the 'Never Interacts' groups. While the VLS sample is small, the overall ordering of *Monograph* and *Peer Review Journal Articles* as lower than *Academic Citations* and *Grant Funding* suggests some level of divorce from research active norms within the research community – which would certainly be explained by reference to contract type (where Teaching and Scholarship contracts are the norm). In respect of the Non-Legal Academic community, while *Monograph* features far lower down the rankings, closer analysis highlights that there is a significant difference in thinking between different sub-populations – with those Never Interacting affording a very low weighting (51%), and those reporting Regularly Interacting affording a rating of 77.9% strongly aligned with the ALS

Community (79.2%). In relation to other sub-populations of Non-Legal Academics, we see the prestige afforded to the *Monograph* rise in line with level of self-reported interaction with legal academics (Never (n=46): 58.5%; Rarely (n=27): 59%; Occasionally (n=21): 67%; Regularly (n=8): 77.9%).

A Rethinking Interactional 'Context' and Research Prestige Norms

At this stage of our analysis, we had taken self-reported data in respect of 'frequency' of interaction with academics, ranging from 'never' up to 'frequently'. Nevertheless, what these self-reports did not tell us, but other question sets had sought to elicit, was a richer form of data that highlighted the *contexts* in which non-legal academics interacted and engaged with legal academics. In line with our 'social distance' hypothesis, as highlighted earlier, and our discussion about different levels and kinds of interaction, we anticipated that the *kinds* of interaction would matter. Our hypothesis was that we should expect to see a difference between those who hang out with legal academics in social contexts alone, or in transdisciplinary contexts such as citizenship/administration where the concerns central are often more generalised/less discipline specific, from those who engage with legal academia and academics in substantively driven contexts. In this respect, we also asked non-legal academics to select using radio buttons to highlight the kinds of contexts in which they interacted with legal academics, including *Research* (research groups, workshops, conferences, research projects), *Private* (social/friendship), *Citizenship* (advisory boards, ethics committees etc.), *Teaching* (joint supervision/teaching), *Administrative* (committee meetings etc.), and *other*. We also asked non-legal academics to highlight if they used legal scholarship in either their research or teaching, if they collaborated with legal scholars in producing research or engaged in collaborative teaching, sought advice from legal academics in respect of their work, or other. We scored items accordingly, affording *Research* and *Teaching* and 'other' items which highlighted substantive engagement with law, as well as 'collaboration' (teaching/research) with legal academics as 2, and reading legal scholarship and seeking advice from legal scholars as 1. The maximum score possible in terms of 'law-rich' contextual interaction was 8, but a score of 4 and above, was treated as 'high interaction' for demonstrating fairly high levels of cross-discipline engagement with legal academia.

The resulting interactive populations, based on score, of course, could be segregated in different ways. We divided the groups up into 'no interactors' (with a score of zero), 'low interactors' (with a score of 1 that highlighted only reading of legal scholarship or seeking advice from a legal academic, but failing to select options that demonstrated deeper collaboration), 'medium interactors' (with a score of between 2 – 3, highlighting one significant form of collaborative engagement as well as either reading scholarship or seeking advice from a legal scholar) and 'high interactors' (with scores of 4 or above, highlighting a range of law-rich collaborations).¹¹⁴ At this stage our interest was in identifying whether we would find a continued difference between those that interact in law-rich contexts and those that did not, alongside whether the sub-populations would look different based on contextual data. We were aware that asking respondents to highlight frequency of interaction based on 'rarely', 'occasionally' and 'regularly' in particular invited potentially large differences in view as to what those meant, and as such, we used this as a *separate* pivot in re-evaluating Survey 1 Prestige Markers data.

¹¹⁴ The distribution between these sub-populations based on contextual data was as follows: *no interactors* (n=57), *low interactors* (n=8), *Medium Interactors* (n=18) and *High Interactors* (n=19).

Ranking	Non-Legal Academics: Self-Reported Frequency of Interaction			Non-Legal Academics: Context-Sensitive Forms of Interaction			Legal Academics
	All Non-Legal Academics (n=102)	Never Interacts (n=46)	Frequently Interacts (n=8)	Non-Context Interact (n=57)	Context Interact (all) (n=45)	High Context-Engagement (n=19)	ALS (n=20)
1 Highest Prestige	Peer review articles (80%)	Impact (81.2%)	Peer review articles (80.1%)	Impact (78.82)	Peer-review article (83.84)	Peer-review articles (85.89)	Peer review articles (80.9%)
2	Impact (75.3%)	Peer review articles (74.8%)	Monograph (77.9%)	Peer-review Article (76.89)	Impact (70.80)	Grant Funding (69.79)	Monograph (79.2%)
3	Grant Funding (71.4%)	Grant Funding (74.1%)	Grant Funding (75.3%)	Grant Funding (72.56)	Grant Funding (69.82)	Monograph (69.37)	Grant Funding (74.7%)
4	Citations (67.5%)	Citations (71.7%)	Impact (66.4%)	Citations (70.98)	Monograph (67.24)	Impact (69.21)	Having Impact (69.1%)
5	Practitioner Journals (60.5%)	Practitioner Journals (63.4%)	Citations (51.6%)	Practitioner Journals (64.26)	Citations (63.18)	Citations (65.05)	Academic Citations (65.7%)
6	Monograph (58.5%)	Case Notes (59.2%)	Practitioner Journals (50.3%)	Case notes (58.53)	Practitioner Journals (55.62)	Practitioner Journals (50.32)	Student Texts (40.9%)
7	Case notes (54.4%)	Monograph (51%)	Case Notes (42.4%)	Monograph (51.67)	Case notes (49.18)	Case notes (47.11)	Case notes (39.7%)
8	Student Texts (39.6%)	Short Letters (39.7%)	Short Letters (38.3%)	Student Texts (43.30)	Short letters (34.98)	Student texts (38.53)	Practitioner Journals (35.9%)
9 Lowest Prestige	Short Letters (37%)	Student Texts (37.9%)	Student Texts (22.4%)	Short letters (38.60)	Student Texts (34.89)	Short letters (32.47)	Short Letters (27%)

Figure 2 – Rankings of Prestige Markers by Interactional Context (Survey 1)

A context-orientated assessment demonstrates some differences, as represented in Figure 2. Most striking here is that we see a larger sub-population of non-interactors appear than was the case with self-reported frequency data. What this revealed was the presence of non-legal academics who mixed exclusively with legal academics in social or administrative settings. When analysed on the basis of context, this larger group (n=57) afford far lower prestige to ‘Monograph’ as a research output, ranking this 7th of the 9th items. In turn, we see a larger group of Interactors emerge when organised on the basis of engagement in law-rich contexts (n=47), with a ranking that looks similar, though certainly not identical to legal academics. The group that looks the closest to, though not quite as sharply mirroring the responses of the academic legal scholars as was the case with the small group self-reporting ‘frequent interaction’ is the High-Context-engagement group (n=19).

B Interactional Context, ‘Insight’ and ‘Home’ Prestige Norms

In a second survey phase, targeting a smaller audience, we sought to re-evaluate elements of our original approach. We had a variety of concerns foremost in mind; first, the use of a slider bar in our original survey design in two survey blocks, where these had been set to 50% as the default raising the potential at least for bias in participants sticking closely to the default value. Secondly, we wanted to consider the presence of alternative explanations for survey responses (whether closely mirroring the responses of legal academic researchers or not), beyond ‘insight’/‘knowledge’ (or its absence). In particular, one key factor was disciplinary ‘isomorphism’, where external factors serve to weaken professional identities and increase homogeneity between different disciplines.¹¹⁵ In this respect, there was a possibility that at least with some disciplines, actors might simply draw upon knowledge of their own home norms. The more closely these mirror the research norms of law, survey responses would tell us little to nothing about whether different levels of interaction might provide enhanced opportunities to gain insight into legal norms. This consideration struck us as important given significant

¹¹⁵ Paul J DiMaggio and Walter W Powell, ‘The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields’ (1983) 48(2) *American Sociological Review* 147 (‘The Iron Cage Revisited’).

changes within the research culture of law, which as noted earlier, some have claimed that the effect of research assessment exercises in the UK have served to bring the discipline ‘significantly nearer to the heart of the academy’.¹¹⁶ Indeed, for us, the extent to which legal prestige norms have moved closer to the heart of the academy, and the extent to which we find commonalities and differences between fields and disciplines, was empirically interesting in its own right.

As such, we revised our survey in respect of research prestige in three ways. The first was to dispense with the slider bar as a means of evaluating relative prestige. Instead we provided participants with a list of 10 items and asked them to lift each item and place them into a box, ranking them relative to each other with 1 being the highest and 10 the lowest. The second adaptation consisted of changing the list of research prestige markers; we bound together case study, with short notes and letters, and introduced two further items, *Publications in Conference Proceedings*, and more critically, *Successful Litigation of a Case*. We discuss the significance of this latter item, in the next section. This survey block was put to our main audience, non-legal academics, as well as used within our benchmarking survey to legal academics. The final significant change was to use the same list (removing ‘Successful litigation of a Case’) to gather data from non-legal academic participants about their *own home ‘prestige’ norms* in respect of research outputs and activities to establish the extent to which researchers were simply using home norms as a vehicle for evaluating law. We also invited participants to add a further item of research prestige relating to their own field/discipline. These data could also provide us with valuable information about cultural differences between different fields, as well as forms of output that would not be amenable to the kind of generalised lists given their field specificity (e.g. musical composition, software prototype). Alongside this we also introduced further overall changes to the design of the survey, reducing it in size and scope, as well as eliciting more granular data in respect of non-legal academics’ collaborative and interdisciplinary habits and orientations, including their interactional behaviours with legal academics.

For the purposes of evaluating Prestige Markers, we maintained our focus on ‘law-rich context’ as the key pivot for distinguishing between different interactional groups. By virtue of a smaller sample size (total non-legal academics = 29), with only 1 survey respondent falling into the ‘low interaction’ group (with a score of 1 indicating drawing on legal scholarship as the maximum form of engagement with legal academia), we merged the ‘no interaction’ and ‘low interactor’ groups. This produced three distinctive groups; No to Low Interaction Factor (No to Low IF) with a score of between 0 and 1, Medium Interaction Factor (Medium IF) where the maximum score was between 2 and 3, and High Interaction Factor (High IF) with scores of 4 and above.

C Research Prestige Norms: Tacit Knowledge

In contrast with our first survey phase where we had sought to elicit responses that rated relative prestige of a variety of items on a sliding scale, we asked survey respondents to rank from 1 (high prestige) to 10 (lowest prestige) ten separate research output/activity items. Significantly, we also included a ‘trick’ item, ‘Successful Litigation of a Case’. From an insider perspective, in terms of enhancing one’s career and promotional prospects, such an item speaks to a form of activity that would not be common within the field of legal academic research, nor neatly maps onto the kinds of activities and outputs that are actively encouraged for promotion in career terms in the UK (lamentably). That is not to say that a case could not be made for such an item to be advanced as one that is prestigious, and worthy of recognition, nor that the failure to standardly recognise such work is correct; the point here is simply that “insiders” are easily able to call this out as low prestige in terms of hegemonic research culture (which was the reason for inclusion). In a follow up question on the legal academic benchmarking survey, we checked this and asked this survey population to comment on whether there

¹¹⁶ Fiona Cownie, ‘Law, Research and the Academy’ in Paul Trowler, Murray Saunders and Veronica Bamber (eds), *Tribes and Territories in the 21st-Century: Rethinking the Significance of Disciplines in Higher Education* (Routledge, 2012) 57, 66.

were any items on the ‘prestige list’ that they did not think belong there. 8 of the Legal Academics commented, and all bar one highlighted that ‘Successful Litigation of a Case’ either did not belong or fitted uncomfortably. In this latter case, the respondent highlighted that ‘some kind of ‘test case’ might [count], I suppose’. One of our respondents noted ‘in terms of research prestige markers, this is not an obvious item... though involvement in a significant case may result in highly regarded publications, at a later date’. Another suggested that while this item did not fit, ‘in a non-REF, sane world, this would be an asset to a legal academic’. Across the population of legal academics, ‘Successful Litigation of a Case’ was placed in 10th position as the least prestigious item, with an overall mean score of 8.79.

For outsiders, however, particularly those that have limited or no interaction with legal academics, we anticipated that this question would prove far more difficult to assess. As Cownie’s ¹¹⁷ interview participants highlighted, legal academics could be confused with ‘practicing lawyers’, with others, even within the academy frequently mischaracterising the discipline of law as vocational. As such, for those with limited interaction with legal academics, ‘successful litigation of a case’ might well be considered to be an item of research prestige for those that have little idea about what legal academics really do, or the research norms that inhabit the field.

Prestige Ranking	All Legal Academics (n=19)	Non-Legal Academics					
		No to Low IF (n=14)		Medium IF (n=12)		High IF (n=3)	
1 (High)	Peer-reviewed articles (2.21)	Peer-reviewed articles (2.64)		Peer-reviewed articles (2.25)		Peer-reviewed articles (1.33)	
2	Monograph (2.26)	Impact (3.50)		Impact (2.75)		Monograph (3)	Impact (3)
3	Grant Funding (3.47)	Grant Funding (3.71)		Monograph (4)			
4	Impact (3.53)	Practitioner Publications (4.64)		Grant Funding (4.50)		Grant Funding (3.67)	
5	Citations (5.32)	Monograph (5.21)		Citations (5.75)		Practitioner Publications (5.67)	
6	Practitioner publications (6.53)	Litigation (6)	Citations (6)	Litigation (5.83)	Practitioner Publications (5.83)	Student Law Texts (6)	Citations (6)
7	Conference Publication (7.32)						
8	Student Law Texts (7.58)	Conference Publication (6.57)		Student Law Texts (7.42)		Litigation (8.33)	Short notes etc. (8.33)
9	Short notes etc. (8)	Student Law Texts (8.07)		Conference Publication (8.08)			
10 (Low)	Litigation (8.79)	Short notes etc. (8.64)		Short notes etc. (8.58)		Conference Publication (9.67)	

Figure 3 – Research Prestige Marker Rankings based on Interactional Factor (IF) (Survey 2)

When turning to non-legal academics, **Figure 3** shows the differences of thinking amongst the broader academic community about where to position different items in terms of prestige in legal research. We can see that in respect of *Peer-Reviewed Journal Articles*, there is, on aggregate, consensus that this constitutes the highest item in prestige terms. On view of the rankings across the board however, we see differences. In common with Survey 1, the responses of those with High Interactional Factors - who engage to the highest degree in ‘law rich contexts’ - best map onto the responses of legal academics. This provides an interesting indicator – though not more than this – that interaction could be a factor that provides “outsiders” with a stronger sense of the norms within the field of law. In the case of the High Interactors, *Successful Litigation of a Case* is afforded very low prestige; also in common with legal academics, *Peer-Reviewed Journal Articles* and *Monographs* are ranked at the top of the prestige list. By contrast, those with the lowest Interactional Factor, in common with Survey 1, rank *Monographs* as comparatively low in prestige, and alongside this, rank *Litigation* far higher than the Legal Academic and High Interactor populations.

¹¹⁷ Cownie (n 6).

As such, we sought to use this small pool of data by which to start modelling the potential impact of other variables. We used a number of additional pivots, including college¹¹⁸ and age bracket (owing to a low participation rate amongst females, and small numbers per school, analysis by these factors would not have produced useful or indicative results). Nevertheless, the factor that consistently rose above other variables was interaction; the groups most closely mapping to legal norms corresponded in both cases with the highest interactional factor means, and groups farthest away from legal means were those with the lowest interactional factors. With the exception of ‘Successful Litigation of a Case’, however, there was a strong possibility that non-legal academic actors might nevertheless be more or less successful in their ability to evaluate the research prestige norms of legal academia, simply on the basis of ‘home’ norms. The potential for this was highlighted given the strong consensus across all IF groups in respect of ‘Peer-reviewed Journal Articles’. To cross-check, we undertook an analysis by College. We looked at the overall ranking and means of responses organised by *College Arts, Humanities and Social Sciences* (AHSS), *Biomedical Life Sciences* (BLS) and *Physical Science and Engineering* (PSE).

Prestige Ranking	AHSS (n=12)	AHSS Own Norms	BLS (n=8)	BLS Own Norms	PSE (n=9)	PSE Own Norms
1 (High)	Peer-reviewed articles (1.83)	Peer-reviewed articles (1.50)	Peer-reviewed articles (1.5)	Peer reviewed articles (1.13)	Impact (2.56)	Peer-reviewed Publications (2.56)
2	Monograph (3.58)	Grant (3.08)	Impact (3)	Grant (1.88)	Grant (3.44)	Grant (2.78)
3	Impact (3.67)	Monograph (3.17)	Grant (3.38)	Impact (3.63)	Peer-reviewed articles (3.78)	Citations (3.78)
4	Practitioner Publications (4.67)	Impact (3.36)	Monograph (4.63)	Citations (4.25)	Litigation (4.67)	
5	Grant Funding (4.92)	Citations (5.42)	Citations (5.38)	Monograph (5.63)	= Citations (5.56) = Monograph (5.56)	Impact (4.11)
6	Litigation (6.17)		Practitioner Publications (5.63)	Practitioner Publications (6.88)		Conference Publication (5.67)
7	Citation (6.5)	= Conference Publication (6.75)	Conference Publication (7.25)	Student Texts (7.13)	Practitioner Publications (5.67)	Monograph (6.11)
8	Student Texts (7.33)	= Practitioner Publications (6.75)	Student Texts (7.5)	Conference Publication (7.25)	Conference Publication (6.67)	Practitioner Publications (6.56)
9	Short notes etc. (8)	Student Texts (7.17)	Litigation (7.88)		Student texts (8)	Student Texts (7.56)
10 (Low)	Conference Publication (8.33)	Short Notes (7.75)	Short notes etc. (8.88)	Short notes (8.0)	Short notes (9.11)	Short notes (7.67)

Figure 4 – Rankings of Research Prestige Markers based on College (Survey 2)

The results from each College are shown in **Figure 4** above. We also highlight the overall means in respect of reported prestige of the same items (other than ‘Litigation’) in respect of their home disciplines in order to assess the extent to which disciplinary norms might be different, and the extent to which home norms might serve to dictate the responses in respect of law. In the latter respect, we find a migration away from home norms on key items suggesting a genuine attempt to assess the field of law (e.g. AHSS: grant funding, practitioner publications; BLS: monograph; PSE: Impact, Peer-reviewed articles, Impact). Key areas of interest in terms of the extent to which survey participants from college migrated or not from home ‘College’ norms, are indicated by connective red arrows in Figure 4. The same data are also interesting for highlighting different disciplinary norms; as reported by participants, the status of monographs, for example, hold higher prestige overall in the arts, humanities and social sciences, than in the biomedical life sciences and physical sciences and engineering. Across the board, the securing of grant funding, is an item of high prestige (only 1 respondent in the non-legal academic population ranked this below 5).

The extent to which data of this kind, even if achieved at larger scale, could tell us about the relationship between interaction and ‘insight’, is highly debatable. What we do see are suggestive patterns however given a strong coincidence between interactional factor and the extent to which overall College results map to a greater or lesser degree onto the responses of legal academics. The responses afforded by those in PSE were most certainly far off, and illustrated very low levels of insight into the prestige norms

¹¹⁸ At Cardiff University, schools are assigned into ‘Colleges’ (which resemble faculties).

within the field of law. In this respect, our data highlights that those participating from PSE, also enjoy the lowest levels of law-rich collaboration and engagement with legal academics across the three colleges. In the second survey, 7 of the 9 PSE survey respondents indicated that they did not collaborate or engage with legal academics at all. The same interaction-to-prestige alignment pattern can be seen in respect of BLS and AHSS. The BLS responses best reflect legal research norms. While the placement of *Litigation* is potentially the most telling with BLS affording this the lowest ranking of the three colleges which suggests the potential for insight into legal prestige norms, in addition to this, BLS respondents ranked the same top 5 items as legal academics. In practice, BLS was the College possessing the highest interactional factor, with 5 of the 8 respondents (62.5%) interacting with legal academics in law-rich contexts. In College AHSS, 5 of the 12 survey respondents reported engaging with academics in law-rich contexts; here we see a ranking that looks fairly similar to legal academics, albeit, with far higher status afforded to *Litigation* and *Practitioner Publications* than had been afforded by legal academics.

Rank	Non-Legal Academics						Legal Academics
	Self-Reported Frequency of Interaction			College Responses			
	All Non-Legal Academics (n=102)	Never Interacts (n=46)	Frequently Interacts (n=8)	AHSS (n=44)	BLS (n=42)	PSE (n=16)	
1 <i>High Prestige</i>	Peer review articles (80%)	Impact (81.2%)	Peer review articles (80.1%)	Peer-review article (84.84)	Peer-review article (76.90)	Impact (79.56)	Peer review articles (80.9%)
2	Impact (75.3%)	Peer review articles (74.8%)	Monograph (77.9%)	Impact (73.32)	Impact (75.71)	Peer-review Article (74.56)	Monograph (79.2%)
3	Grant Funding (71.4%)	Grant Funding (74.1%)	Grant Funding (75.3%)	Grant Funding (71.3)	Grant funding (71.14)	Citation (73.50)	Grant Funding (74.7%)
4	Citations (67.5%)	Citations (71.7%)	Impact (66.4%)	Monograph (66.11)	Citations (67.14)	Grant (72.0)	Having Impact (69.1%)
5	Practitioner Journals (60.5%)	Practitioner Journals (63.4%)	Citations (51.6%)	Citations (65.75)	Practitioner Journals (61.02)	Practitioner Journals (66.44)	Academic Citations (65.7%)
6	Monograph (58.5%)	Case Notes (59.2%)	Practitioner Journals (50.3%)	Practitioner Journals (57.53)	Case notes (57.64)	Case notes (60.88)	Student Texts (40.9%)
7	Case notes (54.4%)	Monograph (51%)	Case Notes (42.4%)	Case notes (48.95)	Monograph (53.31)	Monograph (51.44)	Case notes (39.7%)
8	Student Texts (39.6%)	Short Letters (39.7%)	Short Letters (38.3%)	Student Texts (31.43)	Student Texts (47.19)	Short letters (46.75)	Practitioner Journals (35.9%)
9 <i>Low Prestige</i>	Short Letters (37%)	Student Texts (37.9%)	Student Texts (22.4%)	Short letters (29.27)	Short letters (41.38)	Student Texts (42.06)	Short Letters (27%)

Figure 5 – Rankings of Research Prestige Markers based on College and by Self-Reported Frequency of Interaction (Survey 1)

While Survey 2 had a very small population of non-legal academics engaged, the more granular context-driven interaction would appear to arise as an interesting variable when we return to Survey 1 and organise the data by College.¹¹⁹ This is represented in **Figure 5** above. The same pattern is repeated: the higher the interaction factor (with legal academics) of the College, the more the respondents' assessments of legal research prestige norms reflect those offered by legal academics. In common with Survey 2, PSE also emerges as the least interactional (with legal academics) of the three colleges with over 90% falling into the 'no interaction' group. Critically however, and in contrast with Survey 2, AHSS

¹¹⁹ Note, however, that in the case of Survey 1, non-legal academics were given a narrower range of examples of context-rich interactions to select from, and 'Successful Litigation of a Case' did not feature among the research prestige markers.

- rather than BLS - emerges as the College for which survey participants enjoyed the highest levels of context-rich interaction. AHSS possesses a high Interactional Factor mean standing at 2.20, and with over 50% of the AHSS survey respondents falling into the mid to high Interactional Factor populations. Within the AHSS population, just over 35% reported no forms of Contextual Interaction with legal academics. BLS sits nestled between the two with an interactional factor of 1.21. Just over 30% fall into the mid to high Interactional Factor groups but with high proportion (over 60%) reporting no interaction with legal academics in a law-rich context.

What we are provided with, is a series of interesting indicators that suggest the potential for greater interaction with legal academics in more substantively driven contexts, which in theory could enable greater insight into a range of disciplinary norms – ones which would be difficult to know when standing entirely outside the field. In particular, potentially the most telling of all the items we included within this aspect of the survey was ‘Successful Litigation of a Case’. Nevertheless, while interaction stands as an interesting factor – perhaps more so, insofar as our data suggests that even fairly modest levels of interaction with legal academia might make a very significant difference to ones’ basic literacy around ‘insider norms’, it only stands as an interesting hypothesis. To ascertain the impact that different kinds of interaction might have, both in one’s appreciation of a field as well as one’s literacy in relation to it, we would need to gather broader data to evaluate the extent, frequency and indeed, depth, of the variety of collaborations that non-legal academics claim to enjoy. To get at data of these kinds, a range of methods, rather than survey alone, would ideally be employed to enable a fuller understanding of the cognitive profiles of participants and the nature and extent of their engagement with legal academics.

Nevertheless, these data do highlight some things of interest. In particular, and standing in contrast with Becher’s findings several decades ago, we can see that the culture of research, the modes of its production in terms of output, have dramatically changed in the field of law – and even if imperfectly, disciplinary actors spread across the vast majority of disciplines at Cardiff University were easily able to anticipate the importance of *Peer-Reviewed Journal Articles* in the field of law, the greater purchase placed upon the acquisition of *Grant Funding*, relevance of *Impact* and growing importance of *Citations*. Identification of these changing trends does not necessarily tell us about insight *into* legal academia given that these particular prestige markers might well be easily ascertainable through a supportive matrix of factors; promotion and performance development criteria applies more or less standardly to all fields (even if it admits of distinctions between disciplines), the growing importance of ‘metrics’ and ‘objective’ measures for demonstrating excellence, University Key Performance Indicators, and external levers, such as the Research Excellence Framework all constitute opportunities for acquiring some insight into research prestige markers that apply to alternative fields. This matrix of factors should certainly serve, as it has operated in the field of law, to increasingly smooth out the kinds of marked differences that Becher observed between law and other fields in the 1980s.

VIII THE NATURE OF AND APPROACHES TO LEGAL RESEARCH

Earlier in this piece, we described our findings in respect of how survey participants typified the field of law as a whole, and how this aligned with the ‘imaginaries’ of legal academics themselves. While legal academics’ responses about how “others” might perceive them mirrored the rather pessimistic expectations emerging within the legal scholarship, what we found emerging was a rather different picture when it came to explore how in fact, “others” did perceive legal academics and legal research. Nevertheless, we sought to interrogate these themes in more detail. Based on the legal scholarly literature, some have ventured very specific views of how “others” will imagine the kind of work that occurs within the field of law, as: as strongly vocational in orientation, as individualistic, insular, descriptive, normative, disinterested in empirical research, and distant from other disciplines. We sought to explore the extent to which these characterisations emerged within the responses of non-

legal academics when specifically asked about the kinds of concerns and approaches that characterise research within the field of legal academia. In turn, in a benchmarking survey, we had the opportunity not only to assess the extent to which the perceptions of others aligned with the views of legal academics, but also to get a sense of the kinds of approaches that legal researchers at Cardiff University take in respect of their work. This aspect of the survey provided us with an opportunity to assess previous empirical work around ‘what legal academics do’, the approaches they take,¹²⁰ and to build upon that work.

Our study on research approaches operated across the two survey phases, which we report here separately given the agile and incremental approach we adopted in evaluating this novel terrain. We start here with the first survey phase. Our survey was directed to two main groups, non-legal academics and legal academics, with the latter constituting the critical benchmark for evaluating non-legal academic responses. The legal academic group was also inhabited by two sub-groups, vocational legal scholars (VLS) and academic legal scholars (ALS).¹²¹ By virtue of the breadth of the audience, ranging from non-legal academics, vocationally-orientated legal academics through to academic legal researchers, the design of the survey needed to be kept at a level of specification that avoided terms which are well-appreciated within the academic legal community – such as “black-letter law” or “socio-legal studies” – but might be fairly meaningless to those who do not share the internal grammar of the discipline of law. Moreover, as we discuss at greater length elsewhere,¹²² even *within* the academic legal community, terms like ‘socio-legal studies’ are ‘fuzzy’ and invite quite different understandings of the kinds of work and approaches that this captures.¹²³ As such, we opted for a survey design that blended a range of empirical approaches designed to capture legal research styles, based on constituent elements of legal research. The categories consisted of the following:-

- *Descriptive*, concerned with legal judgments, statutory provisions and other legal instruments;
- Investigative/*empirical* approaches;
- Investigation of *social phenomena*;
- Adopt *vocational approach* with strong focus on legal education and legal profession;
- *Theoretical* and critical approaches, including social, economic, feminist, historical and political;
- *Normative/Philosophical/Analytical Approaches*.¹²⁴

In the first phase of surveys, non-legal academics were presented with these categories and asked to situate on a sliding scale how much they thought that the subjects and approaches best described the research and research approaches of legal academics. In turn, all legal academics were presented with the same survey block, but were asked to situate on a sliding scale how much they thought the subjects and approaches best described *their own* research or scholarship. The sliding scale ran from 0 – 100 (does not describe well - does describe well), with the default sitting at 50. Survey respondents could also select ‘not applicable’ which had the effect of returning a zero response for that item. In a follow

¹²⁰ Cownie (n 6); Robert C Ellickson, ‘Trends in Legal Scholarship: A Statistical Study Interpreting Legal Citations’ (2000) 29 *Journal of Legal Studies* 517 (‘Trends in Legal Scholarship’); Siems and S thigh (n 7).

¹²¹ As we noted earlier in this paper, the vocational legal scholars employed at Cardiff Law are typically on teaching and scholarship contracts, rather than teaching and research, and their central work consists of work activities that have a vocational orientation rather than an academic leaning. Yet constituents belonging to both the VLS and ALS groups are all ‘legal academics’. Moreover, we know members within the VLS, who, despite contract type, *are* engaged in research activities, just as ALS is not composed exclusively of individuals on teaching and research contracts (one of our ALS survey respondents was employed on a teaching and scholarship contract, and another was a part-time tutor on a casual contract). For these reasons we sought to encompass approaches to *scholarship* and *research* in this section of the survey.

¹²² Prialux et al (n 8).

¹²³ Cownie (n 6).

¹²⁴ We also included the categories Individual/Armchair/library based – *lone scholarship* and *Collaborative/Cross-disciplinary work*. The results of these categories are discussed later.

up survey block, legal academics were also presented with the same question but modified asking them to highlight, in the same way, how they thought academics from other disciplines would respond to such a question.

A *Constructing a Research Profile Spectrum – Black-Letter to Socio-Legal*

Each survey response to this question consisted of individual scores for each constituent element (i.e. *Descriptive, Vocational, Empirical* etc.), the totality of which was treated as a unique and indivisible research profile record. To evaluate and map these research profiles and the scores within them, we created an overarching scoring method. We scored specific ingredients of each research record, according to whether they were closely associated with the farthest points of a ‘Black-letter law’ approach (*Vocational* and *Descriptive*), or a Socio-Legal Approach (*Social Phenomena, Empirical, and Theoretical*). This created three sets of scores: A Black-letter Law Approach Score, a Socio-Legal Approach Score, and a Score for *Normative*, which stood in its own right. To produce a spectrum onto which we could plot individual research profile records, running from pure Black-letter law (non-normative), to a more traditional scholarly conception of Black-letter law (including normative orientation) and finally Socio-Legal (including normative orientation), we combined the overarching *Socio-Legal* score with *Normative*, and deducted the *Black-letter Law* score.¹²⁵ This achieved a single “Research Profile Score” for each unique research record – and this constituted an analytical approach for evaluating research records in a consistent and coherent way. In testing the spectrum for the maximum scores achievable under each category, this produced a starting point for black-letter law at -100 where scores consisted exclusively of 100 on both *vocational* and *descriptive* approaches, with all other ingredients (i.e. empirical, normative, social phenomena, theoretical) standing at zero.¹²⁶ In fact, one VLS respondent mapped directly onto this definition of ‘pure black letter law’ having selected 100 *Vocational, 100 Descriptive* with all other attributes scored to zero.

The aim of the spectrum was not to arrive at calculations which categorise all individual survey participants into either ‘Black-Letter Law’ or ‘Socio-Legal’; instead the aim was to simply create an indicative spectrum that consists of markers which highlight to greater or lesser degrees particular orientations consisting of ingredients most closely associated with those orientations. At the highest point of the spectrum is purely socio-legal (+200), typified by responses of 100 on each of the categories of *social phenomena, empirical, normative* and *theoretical*, with an absence of all Black-Letter Law ingredients. Scores sitting in between -100 and zero are typified by a dominance of Black-letter law approaches - e.g. a score of zero can represent a response of 100 for *Vocational, Descriptive* and *Normative*. Nevertheless, scores around zero can also denote an increasing mixture of approaches, but these remain more strongly typified by Black-letter law factors. Scores between zero and 100, indicate an increasingly “mixed” profile which becomes more dominated by socio-legal approaches. Profiles above 100 sit within a terrain very strongly dominated by socio-legal approaches with an extremely limited emphasis on *Vocational* and *Descriptive* factors. This spectrum and the scoring method provided the framework for plotting the profiles of legal academics (and others) and enabling subsequent

¹²⁵ We could, of course, have reversed this overarching research rating in order to produce a minus value for scores associated with *Socio-Legal* attributes, rather than *Black-letter law*. To some degree, our decision to present the scale in this way, rather than reverse it, is by virtue of a kind of political “intuition” (one that we are consciously aware is fuelled by virtue of the sustained criticism that purely black-letter law approaches have been subjected to).

¹²⁶ This is, of course, contestable. While some definitions of ‘black-letter law’ often include normative elements Bartie, ‘The Lingering Core of Legal Scholarship’ (n 7)., this would appear to be contested by others Smits (n 7). Moreover, insofar as those engaged in scholarship might be involved in work that is not necessarily self-consciously involved in addressing overarching questions about ‘how society ought to be’, it seemed to us a better description of more vocationally orientated work to exclude normative dimensions. What we found in practice was that while most respondents across the legal academic population selected ‘normative’ to some degree, where this element was not selected sat exclusively in the VLS population.

analysis. Our findings from this aspect of the first phase of surveys fall into three distinct categories: how legal academics (within the vocational legal scholar and academic legal scholar categories) typify their *own* research and scholarship; how legal academics *imagine others* will typify legal research; and how non-legal academics typify legal research. While our main focus here is on how non-legal academics typify legal research, it is useful to highlight a number of points about the responses afforded by legal academics, which we have explored in greater detail elsewhere.¹²⁷ In turn, and enriched by virtue of our analytical approach taken in a subsequent survey phase, we also reanalysed the First Survey phase data by Interactional Factor, using the context-orientated forms of interaction as central in separating out different interactional groups (rather than relying upon self-reported frequency).

B Presentation of Own Research and Scholarship Approaches

The overall mean of each law group, Academic Legal Scholars (ALS), and Vocational Legal Scholars (VLS), in respect of self-rating ('my approach to research and scholarship') is reflected below as "ALS self" or "VLS self", and the rating in respect of how ALS and VLS groups believe non-legal academics will respond when addressing such a question is detailed under "ALS Thinks Others", and "VLS Thinks Others", accordingly. The results in **Figure 6** present the overall means of these groups, as well as providing the minimum and maximum Research Profile Scores from each constituent group.

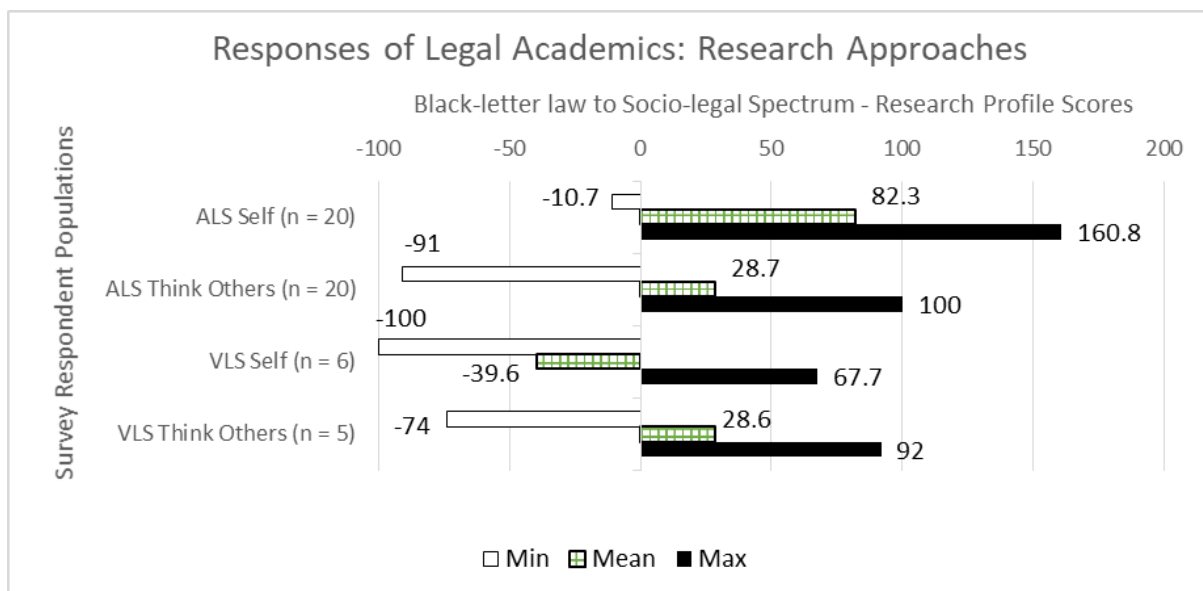


Figure 6 – Research Approaches (Responses of Legal Academics) Survey 1

In respect of self-reports of ALS, the overall mean sits within "mixed" territory, but with a strong orientation towards socio-legal approaches, and to a lesser degree, a tendency to also draw on approaches associated black-letter law. 7 of the ALS survey participants had Research Profile Scores that were above 100, indicating profiles that are very strongly socio-legal, with very low scores on black-letter law factors (an average overall Black-letter score of 16). Nevertheless, for the remaining ALS population (n = 13) factors associated with black-letter law, *Vocational or Descriptive*, or both, most clearly have a place in their work (with an average Black-letter score of 43). The maximum ALS Research Profile Score at 161, highlighted a profile composed of 85 *Social Phenomena*, 5 *Vocational*, 12 *Descriptive*, 80 *Theoretical*, 85 *Normative*, and 88 *Empirical*. At the minimum end, the lowest Research Profile Score recorded is -10.7. This was the only ALS score that dipped below 0, and the profile belonged to the only survey respondent on a teaching and scholarship contract in the ALS population. Such a finding appears to support the conclusions reached by Cownie,¹²⁸ and Siems and

¹²⁷ Prialux et al (n 8).

¹²⁸ Cownie (n 6).

Síthigh,¹²⁹ to the extent that there would appear to be a strong prevalence of mixed approaches within the field of legal academia, with a lessening dominance of ‘black-letter law’ and increasing prevalence of approaches associated with socio-legal studies.

In respect of the survey responses of VLS, the overall mean score demonstrates the opposite pattern, sitting firmly below zero, indicating a very strong orientation towards black-letter law factors. An overall Research Profile Score of zero, would typically indicate a profile composed of *Vocational*, *Descriptive* and *Normative*, whilst a score of -100 indicates a more “Professional Law” profile consisting exclusively of *Vocational* and *Descriptive*. In practice, 5 VLS Research Profile Scores sit below zero (-17, -23, -74, -91, and -100) indicating an orientation that ranges between Black-Letter Law towards a more professionally distilled form of Black-Letter Law. Out of the 6 VLS respondents, only one had a Research Profile Score above 0, sitting at 67.7 with a strongly mixed profile: 82 *Social Phenomena*, 96 *Vocational*, 82 *Descriptive*, 80 *Theoretical*, 80 *Normative*, and 68 *Empirical*. Overall, these findings align neatly with our expectation of the VLS population in light of contract type and professional orientation.

C How Others Typify Legal Research

Before turning to the central question – how “others” typify legal academic research, it is useful to briefly set out how legal academics ‘imagine’ others will regard them as a means of evaluating the extent to which these different perspectives converge or diverge. These ‘imaginaries’ are also summarised in **Figure 6**. Here we see particularly interesting results. The imaginaries of both ALS (n = 20) and VLS (n = 5)¹³⁰ were fairly similar with means that sit within the “mixed” territory. This sits somewhat at odds with the earlier “outsider” imaginaries our survey respondents provided when asked to identify how others might typify the ‘field’. Moreover, it provides a very stark contrast with the ideas circulating in legal scholarship where it is imagined that “outsiders” will regard legal research as being strongly black-letter law in orientation. Nevertheless, the earlier survey exercise which invited this general survey of the field by selecting radio buttons, suffered from key weaknesses – in particular, high above them was the presentation of a series of binary choices (e.g. “empirical”, “non-empirical”), rather than admitting of degrees which would afford survey participants the opportunity to offer a more nuanced/measured evaluation of how “others” might think. The framing of the present question in practice did serve to elicit responses that offered far more nuance, and significantly, the results suggest that the overall view presented from the earlier exercise might not be as bleak as it had first appeared. The overall Scores of ALS and VLS populations highlights a belief that others will regard the field as consisting of a “mixed” terrain, rather than squarely ‘Black-letter Law’. However, as **Figure 6** shows, both the ALS and VLS populations anticipate that non-legal academics will portray the research approaches in law very differently to how ALS and VLS populations *themselves* depict it. Across both populations we see a combination of up and down-grading from self-reported data that suggests that legal academics expect to see “outsiders” view legal research in ways that are very different to their own perspectives.¹³¹ Nevertheless, insofar as this suggests an expectation that “outsiders” will see it as *more* vocational and descriptive, this is a far cry from an imaginary that non-legal academics will anticipate a field that is purely doctrinal. As such, what we find is a series of legal academic voices which sit counter to those in the legal scholarly literature. Instead, the overall results highlight an expectation that outsiders might see the field as largely *mixed*.

One of our key aims in setting about this study at Cardiff University was to start probing the question of how non-legal academics *do* conceptualise legal academia, their attitudes towards the field, as well as insight into the field. In particular, at the centre of this analysis was the concept of ‘interaction’. We started with a hypothesis that the more one interacts with legal academics, the more likely it is that one will develop a stronger insight into the field, and potentially that one’s impressions of it may also shift in a way that avoids

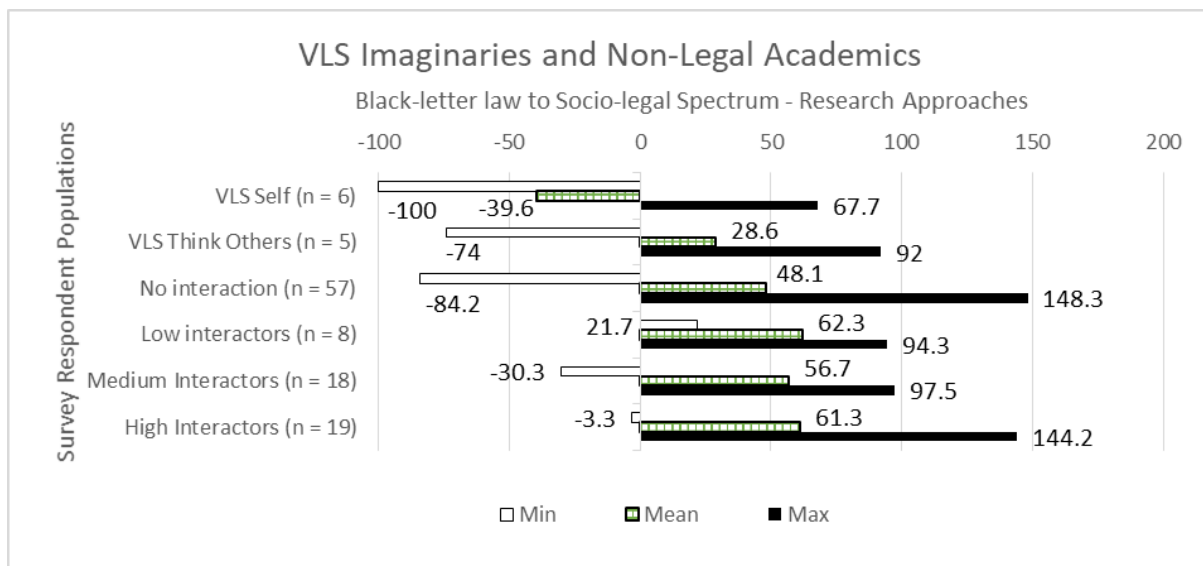
¹²⁹ Siems and Síthigh (n 7).

¹³⁰ One of our VLS respondents that had provided a self-report of approaches to research and scholarship, and went onto complete the remainder of the survey, nevertheless selected ‘not applicable’ for all elements of this aspect of the survey. No explanation was given for this in the comments at the end of the survey.

¹³¹ This is discussed in more detail in a separate paper Priaulx et al (n 8)..

the strong essentialist (or indeed, ‘crude and hostile’) accounts afforded in Becher’s research.¹³² As Trowler notes, academic law when ‘viewed close up’ contains a variety of approaches that are very different in essence but nevertheless co-exist, whilst ‘strong essentialist accounts flatten out internal differences and occlude complexity’.¹³³ These comments are particularly germane when exploring the differential views of non-legal academics. As we noted earlier, while the emergence of the “outsider” within the scholarly literature was striking for being based on assertion rather than enquiry, it also appeared problematic for two further reasons which are strongly interlinked. The first of these is by virtue of the consistently negative imaginaries associated with how “outsiders” (might) regard the field; and secondly, the assumption that *all* outsiders might come to think in the same way about legal academia.

We first start by taking issue with the assumption that “outsiders” will perceive the field of legal academia in a negative light, as largely doctrinal, unempirical, untheoretical etc. For the present purposes we will call this the “literary view”. While we earlier highlighted survey findings which suggested a more positive portrayal of the field on the part of non-legal academics, in ways that counter the literary view, our non-legal academic survey sample’s depiction of Research Profiles in law, also bears this out. The literary view, and indeed, Becher’s research which also revealed some negativity towards legal academics and about the field of legal academia, stand at odds with our findings. Instead, what is apparent from across the survey results as a whole and presented in **Figure 7**, is that non-legal academics portray the field as one which is overwhelmingly “mixed” in terms of the nature of research and research approaches deployed.¹³⁴ Insofar as the profile of the Vocational Legal Scholars (VLS) perhaps best typifies one that most strongly resembles a ‘Black-letter law’ approach, **Figure 7** plots that ‘scholar’ profile which provides a useful baseline for visualising the extent to which ‘others’ map onto, or deviate from this. In fact, the norm was deviation away from the assumption of law being dominated by black-letter law approaches. None of the non-legal academic Research Profile score *means* dip below zero (or even come close to zero) and only 7 of the overall 102 non-legal respondents produced Research Profile Scores that dipped below zero. The remainder are situated above zero, with over 55 per cent recording Research Profile Scores above 50, and nearly 6 per cent with a Research Profile above 100. As such, none of the “outsider” groups (represented here as ‘no’, ‘low’, ‘medium’ and ‘high’ interactors in common with our categorization based on interactional factors discussed in Research Prestige Markers), nor the population on aggregate, come close to resembling the legal scholarly profile of our VLS population in overall mean score.



¹³² Becher (n 1).

¹³³ Trowler (n 2) 1724.

¹³⁴ This finding is one that is also supported strongly by a second set of surveys run at Cardiff University which used slightly different analytical techniques in order to “stress test” our approach.

Figure 7 – VLS Imaginaries and Non-Legal Academics (Survey 1)

The second issue concerns the extent to which we see homogeneity or heterogeneity in respect of the responses that non-legal academics provide. Again, this query relates to the “literary view” (or at least what it summons up) that “outsiders” will see the field in the same light. While this is tantamount to shooting fish in a barrel, our findings demonstrate that non-legal academics, do *not* see the field in the same way. Even prior to organising the data according to different ‘interactive’ groups, the raw data demonstrated considerable diversity of view in terms of how non-legal academics portray the field.

Nevertheless, organising the Research Profile records according to different demographic factors (gender, age, school, college, etc.) as well as using interactional scoring, helped us to evaluate the extent to which there were patterns that emerged in relation to the responses we received. The most consistent of these (across both surveys) was *interaction*. In **Figures 7 and 8** we present the overall results of the non-legal academic Research Profile Scores in distinctive categories according to extent of context-relevant interactions (ranging from no interaction through to high interaction). The lowest overall mean is seen amongst the ‘no interaction’ group (48.1), with scores above 60 with both the low and high interactors. While the minimum scores among both the ALS and VLS populations anticipate that non-legal academics are likely to regard the field of legal academia as bordering on ‘purely black-letter law’ in approach (with the ALS group anticipating this to an even stronger degree with a Research Profile Score of -91), across the entire non-legal academic population as a whole (n=102) only 7 survey respondents move below zero in their assessments. 5 of the survey respondents whose responses fall below zero came from the ‘no interaction’ group – and it is the no interaction group that offer the highest maximum and minimum scores of all the non-legal academic populations.

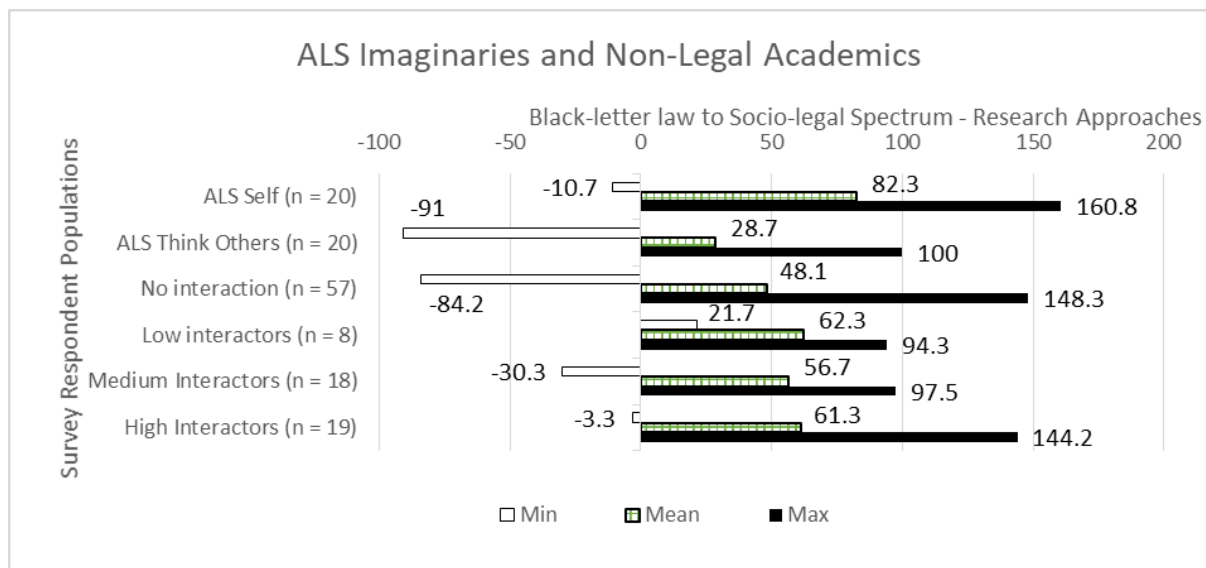


Figure 8 – ALS Imaginaries and Non-Legal Academics (Survey 1)

We should note, however, that the task we set the legal academic population, in asking them to imagine how non-legal academics might portray the field, did not ask whether their responses might differ if they were dealing with different populations (for example, ones from neighbouring disciplines, or from ones more distant, or indeed peers from other fields they did or did not interact with). As such, simply asking legal academics to represent the views of *all* outsiders is perhaps a little unfair. It may well be the case that the responses of both the ALS and VLS populations, have the ‘non-interactional’ population particularly in mind (just as it would appear to be the dominant expectation in the scholarly literature). In this respect then, the ‘imaginaries’ of both the VLS and ALS populations may be operating along fairly sensible lines if the “outsider” one imagines, maintains considerable social distance from the field of law. That is not to say that the distanced outsider will always see law in a negative light or as strongly orientated towards a ‘Black-letter law’ depiction – and indeed our findings suggest this is far from the case. But, what one might expect, as might explain the

pattern we see, is that this population might be particularly prone to hazarding fairly wild 'guesses' about a discipline into which they have no insight, so that the responses offered are both widely distributed and positioned at the most extreme points.

While the relationship between greater interaction and stronger insight (or perhaps fewer in the way of negative preconceptions about) into the discipline of law as presented on these results, is not as neat or as strongly pronounced as we highlight later in this paper in discussing the second survey phase, we do nevertheless find some points of convergence between the aggregate responses of those enjoying higher levels of 'integrative' interaction with legal academics and the self-reports of the ALS population. While such a finding can also be supported by our wider findings across Survey One as a whole, we do see an overall pattern that suggests non-legal academics belonging to different interactive groups have distinctive beliefs about legal academia. There is, for example, a close correspondence between the aggregate results of the high interactors and the "insider" responses of ALS on Research Profiles. Akin to the ALS "insider" (or 'Self') means, and contrasting with all other 'interactor' groups, the High Interactors only minimally enter into black-letter law territory (1 non-legal academic respondent at -3.3). Moreover, the mean, while not quite the highest, is in close reach of the self-reported mean in ALS. What lends this latter aspect greater credibility is the overall 'stretch' of responses - from minimum through to mean to maximum, the High Interactor group provides an overarching profile that most closely resembles the self-portrayals of the ALS group, than any other.

IX OUTSIDERS' PERCEPTIONS OF RESEARCH: DOES INTERACTION MAKE A DIFFERENCE?

The second phase of surveys that we highlighted earlier in respect of *Research Prestige Markers*, also sought to retest the terrain in respect of *Approaches to Legal Research*. For the reasons we highlighted earlier, we moved away from the use of sliding bars, in favour of asking survey respondents to select and rank items, and to compare and rank items. In respect of research approaches, we provided non-legal academics with the same list of research approaches and subject-matter (e.g. social phenomena, descriptive, vocational, empirical etc.) and asked survey respondents to choose four or more items and to place into one of two groups 'likely to describe well', 'not likely to describe well'. Items selected from the former group (describes well) were scored simply as 1, and items 'not likely to describe well' were scored as -1. As detailed earlier, these responses were treated as individual research records, and placed onto a 'black-letter law' to 'socio-legal spectrum'.¹³⁵

A Refining and reassessing Interactional Factors: Interactional Power

In terms of organising research records into groups for subsequent analysis, we sought to further refine our approach to interaction. Our analysis, as presented here constitutes the third refinement of our analytical approach. The first phase, relied upon self-reported frequency of interaction with legal academics; the second phase, focused purely on the kinds of contexts in which those interactions were enjoyed. As we explained earlier, our shift in favour of using contextually-orientated pivots for analysing data and organising survey responses into interactional groups in this way, particularly critical for supporting an 'insight' based assessment (rather than attitudinal questions), was iteratively developed during the course of designing and analysing the second survey phase.

The third phase of analysis embraced a wider range of data including self-reported frequency of interacting with legal academics (never, rarely, occasionally and frequently), self-reported number of legal academics known, and the extended contextual data.¹³⁶ This allowed us to check the validity of

¹³⁵ We also sought to achieve our 'legal academic' baseline by converting data from Survey 1. >5 values were converted into 1, <5 and 'not applicable' were converted into 0.

¹³⁶ In particular, in relation to Survey 1, we had used the simple category of 'Research' to encompass research groups, workshops, conferences, reading groups and research projects, as a means of identifying contexts where non-legal academics engaged with legal academics. In Survey 2 we unpacked these items to invite more

'never', as well as to assess the interpretative stability of labels such as 'rarely', 'occasionally' and 'frequently' in practice when cross-linked with contextual data and numbers of legal academics known. What might seem like a frequent occurrence to me, might seem occasional to you! We combined all this data to score component parts; in relation to self-reported frequency we scored 'never' as 0, rarely as 2, occasionally as 3 and frequently as 4. In turn, we took the numbers of legal academics that individual survey respondents estimated they knew (between 0 and 50 on the population sample) and arrived at an interactional score.

Alongside this we placed the Impact Factors, as we had highlighted earlier in respect of Surveys 1 and 2, arrived at by scoring law-rich contexts in which actors claimed to be engaged with legal academics (i.e. teaching, a range of research contexts etc.). These data were cross-linked so as to arrive at an 'Interactional Power' score, one that combined all the forms of interactional data that we had sought from survey respondents. In practice, what this revealed, was that 'never' was a stable factor. Nevertheless, amongst the populations that self-reported 'occasionally' or even 'frequently' interacting with a number of legal academics (i.e. between 3 and 7 legal academics on this sample), 7 survey respondents mixed with legal academics exclusively in contexts that fell outside of law-rich contexts (e.g. social, friendship, committee meetings, interview panels etc.). Moreover, there was considerable variation in how survey respondents interpreted the 'occasional' category in terms of the number of legal academics they reported to know, and the range of rich-contexts in which they engaged. As such, the 'Interactional Power' measure constituted a way of organising groups in a way that took account of self-reported frequency of engagements with legal academics, the numbers of legal academics they mixed with (so, the extent to which they were exposed to different voices within the legal academic community), as well as data relating to law-rich contexts (legal conferences, joint teaching, collaborative research and so on). The latter, reported earlier as Interactional Factor, was used as a multiplier, so as to afford weight to more contextually-orientated contexts in which survey participants were operating in, and to distinguish between populations that did, or did not interact in law-rich contexts. Organised on the basis of Interactional Power, three distinct populations emerged, the 'no collaboration group (n=17), the 'mid Collaboration' group (n=7), and the 'high Collaboration' group (n=5).

Clearly for the purposes of evaluating these data we are working with a small sample. Our main aim was to check previous trends and to refine our approach to interaction. Nevertheless, it underpins the presence of a hypothesis that is worth further exploration. We have also introduced into this chart converted data from Survey 1, notably, the minimum, mean and maximum scores for legal academics as well as the same data from the 'vocational' side of law (on teaching and scholarship contracts) to act as the critical baseline. What we can see in **Figure 9** below is a very similar pattern emerging that we identified in Survey 1, but more strongly pronounced. What we find is that those who do not collaborate/interact with legal academics in rich contexts such as in research and/or teaching, occupy a greater span of the Black-letter Law to Socio-Legal spectrum, with the overall mean sitting in black-letter range.

specified contexts e.g. *Collaborative Research (e.g. joint publishing/research projects), Interdisciplinary/Multidisciplinary Events that are law-specific (law-based workshops, law conferences or network events, with law as primary focus)* and to distinguish from more generalised events (e.g. *Events largely aimed at academics in any field/discipline (research groups, workshops, conferences)*).

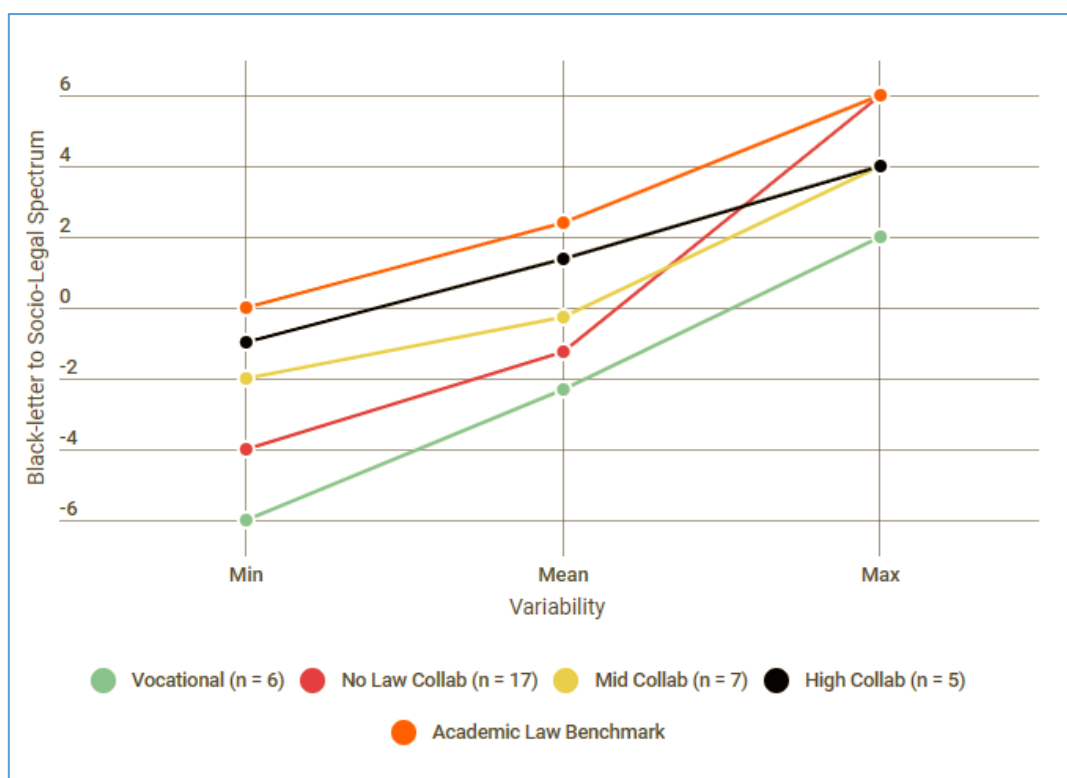


Figure 9 – Interactional Power: Research Approaches to Law (Survey 2)

In contrast, those interacting with legal academics move further towards viewing legal academia as occupying more neutral territory and towards the legal academic baseline - the overall mean highlights a representation of legal academia that is neither strongly black-letter law or socio-legal but 'mixed'. Those who report a larger number of collaborations with legal academics (teaching, and research) are less elastic than the other non-legal academic groups and the results most closely resemble those reported by the academic lawyers. We also evaluated the group that self-identified as interactional on self-reported data, as well as knowing between 2 and 7 legal academics, but highlighted no rich contexts to support any collaborative work in real terms. The pattern of this group highlighted means that very closely resembled the 'No Law Collaboration' group, with a minimum sitting at -3, a mean sitting at -0.14 and a maximum at +6. Interestingly, those who had no collaboration with lawyers in research and teaching, tended to evaluate the approaches to research in a way that most closely resembles the responses of vocational lawyers approaches to *scholarship* (with a low overall mean and at the minimum end).

Again, while experimental in exploring how to accommodate a range of data that introduces subtly different ways of measuring 'interaction', our focus has been strongly driven by the *context* in which people are interacting. Across the surveys we have undertaken at Cardiff University, this appears to be the more stable of data pivots, and is preferred to self-reported frequency of interaction with legal academics and the number of legal academics known. Our subsequent analysis of the latter two aspects highlights that in the absence of *context*, self-reported frequency of interaction can mean anything, and that the numbers of legal academics known, also constitutes an unreliable measure when disaggregated from context. Our centralisation of context also closely traces the theoretical approach of the Studies of Expertise and Experience, where the acquisition of 'tacit knowledge' can only be achieved through interaction within the domain of experts. In that sense, 'tacit knowledge' is the property of the social domain of expertise, rather than located in single individuals. As such, where individuals are attending law-specific/focused conferences, workshops, conducting joint teaching and undertaking collaborative research with legal academics, we would expect non-legal academics to develop a far stronger insight into some of the internal norms of legal academia, than those that do not enjoy these kinds of rich interactions. While we are working with small numbers here, we

have indications from the above data that contextual interaction might make a difference to the extent that non-legal academics possess insight (based on using legal academics' own representations of their work, as the representative baseline). Again, given the small sample size, we approach these results as supporting a stronger hypothesis for future exploration, rather than presenting findings of note.

While the extent to which interaction with legal academics has an impact on the non-legal academic community needs far greater analysis than can be presented on the back of first pilot study, what our findings comfortably demonstrate is that “outsiders” are not a homogenous group. This is apparent even from the different population groups that can be categorised by reference to the differential ways that they interact with legal academics. Moreover, what we also find is that even if a small proportion of the non-legal academic group anticipate a vocational, descriptive or ‘black-letter law’ orientation, remarkably few anticipated this - our findings suggest an expectation – and perhaps on the part of those in the more interactive groups, knowledge – of a field that is diverse in the approaches deployed, so that it can ably be described as “mixed”. There is, of course, very strong potential here for guesswork and speculation on the part of non-legal academics – however, even if all the responses were the product of speculation and reveal more attitudinal information, they remain interesting. It is clear from this exercise that non-legal academics have different expectations about (and perhaps insight into), the range of research approaches and subject-matter that occupy the legal researcher. That not all “outsiders” are likely to have the same views of legal academia simply makes sense. What we could see on the basis of the raw data around interaction was a very diverse population with some that reported drawing on legal scholarship, interacting with legal academics in different settings (research, teaching, supervision, workshops, conferences etc.) so as to reveal a wide variety of interactive groups. As such our survey highlighted a variety of sub-populations comprising those enjoying fairly extensive engagements with legal academics through to those who highlighted that they didn’t know any legal academics at all. It would be surprising if those collaborating frequently with legal academics did not get at least *some* sense of the field, and indeed, perhaps developed a more nuanced view of the field overall. Yet, even if one were tempted to clump together what in fact is a diverse group into the category of “outsiders”, to the extent that our survey can be said to elicit the honest views of non-legal academics, this nevertheless *still* militates strongly against a kind of ‘folklore’ imaginary passed down about how “outsiders” will regard the terrain of legal academia and the scholarship we produce.

X COLLABORATING WITH LEGAL ACADEMICS

A dominant theme in the meta-legal scholarship and broader interdisciplinary literature around law is that while it is common for legal scholars to turn to other disciplines for inspiration, this pattern is not reversed in the favour of legal academia.¹³⁷ This concern is expressed in a variety of ways, but it points to a discipline that is comparatively isolated within the higher academy and a group of scholars who perhaps are less likely to appear on the collaborative radars of other disciplines. These kinds of concerns are certainly strongly highlighted in the earlier legal scholarly literature,¹³⁸ as well as intimated in Becher’s study where his participants pointed to law as a ‘distant’, ‘alien’ discipline, an ‘appendage to the academic world’.¹³⁹ Nevertheless, given the far stronger emphasis on cross-disciplinarity within the modern academy one might hope, if not expect, to see some significant changes. While the results of our study as detailed above have highlighted the presence of interactional groups who claim to be engaging with legal academics in a range of ways, it is useful to try to draw a broader picture as to the extent that others claim that they turn to law, and in turn the extent to which the legal academy is really

¹³⁷ Anders (n 55); Feldman (n 55); Genn, Partington and Wheeler (n 7); Little (n 15).

¹³⁸ Phillip Areeda, ‘Always a Borrower: Law and Other Disciplines’ (1988) 1988 *Duke Law Journal* 1029 (‘Always a Borrower’); Paddy Hillyard, ‘Invoking Indignation: Reflections on Future Directions of Socio-Legal Studies’ [2002] *Journal of Law and Society* 645.

¹³⁹ Becher (n 58).

as isolated as these earlier legal scholarly portrayals suggest. By virtue of the larger sample achieved in Survey 1, this constitutes our focus.

We asked all non-legal academic survey participants to highlight, in a separate question block the different ways that they engaged with legal research and scholarship. Only 10.8% of non-legal academics highlighted that they sought advice from legal academics in respect of their work, and a smaller percentage, 7.8% highlighted that they collaborated with legal academics in the production of their research and collaborative teaching. Nevertheless, while over 60% highlighted that they did not use any legal scholarship for their teaching or research, 32.4% highlighted that they did. We return to this shortly. These responses sit alongside a broader enquiry our survey posed in terms of how respondents regarded themselves in terms of 'interdisciplinary' attitude in more general terms. Around 46% of respondents regarded their research and scholarship as 'inherently interdisciplinary' and requiring collaboration with other scholars, over 50% reported attending interdisciplinary workshops and conferences, and over 60% reported drawing upon work from other disciplines for the production of their research and scholarship. A small proportion, 8.8% highlighted that they would not describe themselves as interdisciplinary, preferring to stick to their own discipline.

In terms of general interdisciplinary disposition, the responses of legal academics do not look so dissimilar. A smaller proportion reported seeing their research and scholarship as inherently interdisciplinary and requiring cross-disciplinary collaboration (37%), with 53.9% reporting that they attend interdisciplinary workshops and conferences, and a higher proportion highlighting that they draw upon the work of other disciplines for the production of research and scholarship in law (70.4%). A slightly larger proportion of legal academics highlighted that they would not describe themselves as interdisciplinary and preferred to stick to their own discipline (11.1%). Despite 11.1% of legal academics describing themselves as not very interdisciplinary, all of the legal academics highlighted that they access and read the work of non-legal scholars for their research and teaching.

Nevertheless, it is important to contextualise these results. Taken in isolation, the reports of non-legal academics can be read to suggest that a very low proportion collaborate with legal academics despite many holding a highly interdisciplinary disposition in general. Nevertheless, two issues in particular should highlight that this would be an overly simplistic picture. The first relates to the sample of non-legal academics which is small and potentially not necessarily representative on the questions asked. Even if a low proportion of non-legal academics within our Survey 1 demonstrate an appetite for collaborating with or seeking advice from legal academics in respect of their own research and scholarship, the responses of legal academics nevertheless point towards the presence of a wider non-legal academic population with whom they are engaged in collaborative work or engage with. 63% of legal academics highlighted that they seek advice from those outside of legal academia in respect of their work, with 44.4% highlighting that they collaborate with scholars from other fields in the production of research and collaborative teaching.

The second concern relates to the sense that we make of these particular survey questions. Insofar as these simply speak to very narrow instances of the turn to legal academics in specific instances, they cannot tell us about 'collaboration' in a more general sense. The same criticism can be posed of bibliometric measures which while providing a fairly consistent measure of the production of co-authored journal articles, books and co-investigator grants that crosses disciplines, institutions and countries, nevertheless, captures only a small part of the collaborative eco-systems in which we are embedded (and which often constitute critical precursors for the kind of concrete 'outputs' that bibliometrics picks up). As Lewis et al ¹⁴⁰ highlight collaboration as an activity admits of a far wider range of forms than is often appreciated. For this reason they highlight a distinction between '(capital C) *Collaboration* and (small c) collaboration)', with the former involving researchers working together on

¹⁴⁰ 'The How and Why of Academic Collaboration: Disciplinary Differences and Policy Implications | SpringerLink' (2012) 64 *Higher Education* 693.

a research project, designing it and/or undertaking the project together, and publishing on its results together'.¹⁴¹ In contrast, small *c collaboration* is far more diffuse in nature, consisting of often less visible elements which are harder to measure, including the discussion of research and ideas, feedback and commentary on research work and broader kinds of networking. In this respect, our wider contextual measures, designed to elicit a broader range of instances where non-legal academics were engaged with legal academics in 'law rich contexts' highlights that while a significant proportion of non-legal academics in Survey 1 do not interact with legal academics in law-rich contexts (55%), the remainder do – and with 18% engaged to a very significant degree across a range of contexts whether research groups, law workshops and conferences, joint teaching, cross-disciplinary supervision, and so on. As such, while evaluated on the basis of a small population, what we find nevertheless, is a far stronger level of engagement with the legal academic community, and one that seems to sit at odds with the idea of the legal academy as 'distant', 'alien' and an 'appendage to the academic world'.

XI CONCLUSION

The present study comes with a set of obvious limitations, ranging from the single location of the study, the small sample size, the method deployed in seeking information around perceptions and insight and the experimental approach we adopted to inform further iterations of our survey design and analysis. Notwithstanding these concerns, the engagement by non-legal and legal academics in completing a survey that was substantial and as such, demanding in terms of time and concentration, was impressive. As a result, we have a wide range of data about the interplay between a range of non-legal academics and legal academics at Cardiff that we had no insight into prior to this study. In making sense of this data, while we point at particular trends, our aim has not been to highlight how legal academics at large are regarded by actors from other fields or disciplines, nor indeed to use the responses of our legal academics in the benchmarking survey to highlight how the discipline of law 'is' in terms of what is typical in terms of approaches to legal research or attitudes towards their own discipline. Rather than constructing fresh disciplinary classifications that will prove 'to be as false and illusory as western constructions of indigenous 'tribes' based on misunderstandings and mistranslations of disciplinary social structure, conceptual geography and history',¹⁴² our aim has been more focused on disassembling, troubling, and raising questions about disciplinary classifications and divisions that have been strongly advanced within the prior literature.

As we discussed at the outset of this paper, our pilot at Cardiff University was a scoping study, and we set out to start addressing what struck us as a substantial gap in the literature in respect of legal interdisciplinary studies in particular. As we have highlighted here and elsewhere,¹⁴³ there is little evidence of any sustained evaluation - either within or outside of the legal academy - as to how other academics perceive the discipline of law, or the extent to which they understand what legal academics do. With the exception of Becher's empirical work from the 1980s,¹⁴⁴ the only other available work that touches on such themes lies within the legal academic community itself. In terms of trying to assess how "others" regard the field of law the breadth of work available to us suffers from a range of key weaknesses. In respect of Becher's path-breaking study, his focus was on a far wider range of disciplines, rather than producing a sustained analysis of legal academia, and as such we have little insight into attitudes about the legal discipline at all (nor indeed, an idea about how generalizable they were, even at that time). Moreover, many decades have elapsed since his original study, which was even apparent by the turn of the millennia so that aspects of his original data about the discipline of law are quite dated. In the context of very significant shifts in the higher education landscape, and

¹⁴¹ Ibid 696.

¹⁴² Manathunga and Brew (n 85) 49.

¹⁴³ Prialux et al (n 8).

¹⁴⁴ Becher (n 58); Becher (n 1).

potentially in the attitudes of academics in a more 'interdisciplinary' and 'collaborative' era, we should expect to see some transformations in the perceptions, attitudes of our academic peers – and *perhaps* more in the way of insight into what we do.

Despite these conjoined considerations, the kind of 'cruel and hostile' perspectives of Becher's interviewees from the 1980s appear to have continued force in the mind of the legal academic when imagining how "others" might regard the field of law, and indeed, its constituents. The expectation is that "others" will conflate the legal academic with their practising counterpart, and envision a field that is largely vocational, practitioner orientated, non-academic, non-methodological and insular. Moreover, in terms of legal academics in terms of personality and disposition, the few who move into this tricky territory also summon up an imagined perception of legal academics that strongly resonates with the 'cruel and hostile' gallery of legal academic stereotypes emerging from Becher's work. In the face of a literature largely driven by conjecture or age-old stereotypes about how "others" see the field, where "others" are conceptualised largely as a homogenous clump of like-minded (and fairly hostile) non-legal academics with a beef about the field of legal academia, we have been presented with fairly low-hanging fruit.

What our study provides then, from literature review through to some interesting findings, is a foundation for playing quite some havoc with the assumptions that have appeared in what we called 'the literary view' of how "others" think about legal academia. While we cannot show how all non-legal academics do think about legal academics, what we can nevertheless show is that the assumption that non-legal academics think negatively about legal academia or its constituents in the way that the literary view has highlighted, is not supported by our study; that is despite providing survey participants with multiple opportunities for expressing views to that effect. When viewed overall, our study suggests that most of our non-legal academic survey respondents envision a field that they regarded as mixed in approach (rather than black-letter law), and in terms of their typification of the field as a whole, frequently mirrored how legal academics regarded their own field, as interesting, academic, theoretical and indeed, reliant on documents. None of this is to say that there will not be any non-legal academics who come to think about legal academia in the negative ways described by legal scholars and Becher's participants - as non-academic, lacking in rigour, non-methodological and largely vocational – but simply that few of our non-legal academic survey respondents were willing to characterise legal academia in that way. Instead, we found that these kinds of pejorative assessments overwhelmingly came from *legal academics* when asked to imagine how others might characterise them. Indeed it is hard to avoid the conclusion, that the view that "others" do regard legal academia in a dim light, might have greater vitality in the imaginations of legal scholars, given the paucity of evidence to suggest "others" do in fact think this way.

The second concern which we play havoc with, and perhaps we can be more definitive about, is the assumption that *all* non-legal academics will think in the same way. Here too, this is low-hanging fruit. As we noted, the legal scholarly literature tends to imagine that all "outsiders" will think about legal academia in largely the same way – a kind of claim that looks immediately suspicious when articulated. Nevertheless, the point is a far more important one for broader reasons. While we demonstrated diversity of view amongst the non-legal academic population in terms of how actors conceptualise the nature of and approaches of legal research, as well as different ideas about prestige markers in the context of legal research our central interest here was on identifying the extent to which 'interaction' with legal academics in a range of settings might make a difference to their responses. While our work as presented here has an experimental angle to it, in varying our analytical approach in identifying which kinds of 'interaction' are likely to be more powerful in assisting individuals to gain 'insight' into the legal academic world, what we have been able to show is that at least among the higher interactional groups surveyed at Cardiff, attitudes towards legal academics and the legal academic field appeared even more favourable. In turn, with the same group, insight into legal norms also appeared to more strongly mirror

the self-reporting of legal academics in respect of prestige norms, and approaches to legal research. While broader research is needed to evaluate the extent to which interaction with legal academics plays a role, and how this operates – what we can safely highlight, is the presence of diverse groups within the “outsider body”. Mirroring the kinds of shifts that we would expect to see in the contemporary higher education landscape, we can also see amongst even the small sample of non-legal academics, a significant proportion who are engaged in more collaborative activities with legal academics. Not all of this population are necessarily engaged in the co-production of scholarly work with legal academics, but many are reporting working with legal academics in a diverse range of ‘rich’ contexts. Moreover, we can see the presence of a sub-group that is collaborating with legal academics at a level of intensity and frequency that evidences extensive engagement in the field of law. While it stands as a hypothesis, it would be surprising if individuals engaged at that level did not gain more in the way of an insight into the kinds of legal academic markers we presented for evaluation; in practice, while we can identify that increasing interactional ‘power’ appears to also result in a greater mirroring of the legal academics self-evaluations of their discipline, this presents an interesting though perhaps emboldened hypothesis for further evaluation.

None of this, of course, is to say that the non-legal academics responding to our survey necessarily possessed strong insight into the discipline – and this went beyond the terms of our survey. We did not set out to gain depth of insight into or invite open narratives which, might well tell a different story. Nevertheless, in a range of ways our survey opens up the possibility of a new and far more promising narrative that can be told about legal academia – and one that strongly breaks with the negative ‘outsider folklore’ that has been passed down within the legal scholarly community. For us, this points to the importance of a dual strategy for the legal academy. The first is that there is a pressing need to complicate the concept of the “outsider”, and in particular, to empirically assess how differently positioned (plural) *outsiders* do in fact think about the field. While our evaluation of the literature, and our survey with legal academics at Cardiff University highlights a persistently bleak and homogenous imaginary of how most non-legal academics are likely to regard the discipline, there is no consideration of how different populations might come to regard the terrain of legal academia differently, depending on different levels of insight, collaboration and interaction with legal academics. That all “outsiders” might regard the field in the same way seems fairly implausible. For the present authors, analysis of differently situated populations and the extent to which “outsiders” interact with legal academics have been critical and central factors. While a small-scale study conducted at one UK University, many of the assumptions about how “outsiders” think about legal academia can be disrupted so as to present a strikingly different “outsider(s)” narrative – our finding that non-legal academics have a far more favourable view of the discipline than we have typically anticipated.

The second point concerns how we ‘talk’ about the field of legal academia as a whole and our assumptions about what work is being carried out in what is now a diverse field. Insofar as capturing a field as a whole is a tall order for any of us, some authors – often with a fairly critical take on the state of legal scholarship, have attempted meta-disciplinary level analyses. These may now require closer investigation as to the ways these present the field and the extent to which they adequately capture our own sense of what is useful, important and valuable about contemporary legal studies. In this respect, our survey reveals quite different discursive flows about the legal community emerging from *within* the legal scholarly community which stand at odds with these portrayals – and it is these more positive narratives that we may now need to grasp hold of tightly. Furthermore, where that is orientated towards the external world, as our study might suggest, there is the potential that such communications might well fall upon willing ears. There are many that call for increasing cross-disciplinary interactions noting the importance for legal scholars and the benefits that will accrue to other disciplines through legal researchers’ engagement; and our work here is strongly directed towards this end. The insights from our study provide a foundation for broader research around these themes which we regard as critical for the fostering and initiation of genuinely integrative collaborative

work between legal academics and other fields. Nevertheless, a more immediate take home emerges from this of value: the presence of a potentially far more promising terrain for communicating to a range of publics, within and outside the academy, what we do, why our academic research matters and signalling the variety of ways we can collaboratively contribute to a wide range of cross-disciplinary projects. Irrespective of how the world at large views the field of legal academia and the work of legal academics, there is really little to be lost and so much to be gained, in being far more vocal than we are about why we value working in the field of legal academia. From the pleasure of working in a field that is populated by diverse and often innovative inquiry, that is methodologically pluralist and implicates a wide range of orientations from the philosophical, doctrinal, empirical, interdisciplinary, collaborative, action-orientated, and activist, a field that continually invites us to contemplate some of the most intimate and crucial concerns relating to human social life – and a field that so often compels us to care – in all of these instances, and more, we should find it easy to locate our voice. And in doing so, in presenting our own account about why legal academia matters to us, we correspondingly provide an account as to the value of our field and our endeavours for the outside world to tightly grasp hold of.

XII APPENDICES

Appendix 1 – Survey Questions (Phases One and Two)

Table 1

Phase One Survey – Non-Legal Academics at Cardiff University (Main Survey)

No.	Statement/Questions	Response choices
1	<p><i>Interactional Assessment – Intensity</i> Please select the frequency that you meet/talk/work with legal academics</p>	<ul style="list-style-type: none"> • Never • Rarely • Occasionally • Frequently
2	<p><i>Interactional Assessment – Contexts</i> In which contexts, if any, have you met/interacted with legal academics (you may select all those that apply)?</p>	<ul style="list-style-type: none"> • Research (research groups, workshops, conferences, reading groups, research projects) • Private (social friendship) • Citizenship (advisory boards, multidisciplinary ethics committees etc) • Teaching (joint supervision, joint teaching) • Administrative (e.g. University committee meetings etc) • Other (please state)
3	<p><i>Interactional Assessment – Quantifying</i> Please make a rough assessment of how many legal academics you know in a teaching or research context (e.g. joint supervision/teaching, interaction in research groups, reading groups etc.).</p>	<ul style="list-style-type: none"> • None • 1 or 2 • 3-5 • 6-9 • 10+
4	<p><i>Interactional Assessment – Engagement with Research and Legal Scholarship</i> Please select statements below that best represent you (you may select all those that apply)</p>	<ul style="list-style-type: none"> • I do not use any legal scholarship for my research/teaching • I access and read work of legal scholars for my research/teaching • I collaborate with legal scholars in the production of research/collaborative teaching • I seek advice from legal academics in respect of my work • Other

5	<p>Beliefs and knowledge about legal academia as a discipline</p> <p>Please indicate, by clicking on the appropriate radio buttons, which attributes you believe best describe law as an academic discipline (you may choose as many as you wish).</p>	<p>Practical, Scientific, Creative, Innovative, Academic, Boring, Fragmented, Modern, Methodological, Vocational, Coherent, Interesting, Unapplied, Unscientific, Reliant on Documents, Empirical, Arcane, Dealing in pure ideas, theoretical, applied, uncreative.</p>
6	<p>Describing Personality Traits of Legal Academics</p> <p>13 Personality factors are listed below, each is subdivided into 4 primary personality traits and individual qualities. Please select only 1 primary personality trait per factor that you believe best describes legal academics (this may be on the basis of generalising about the legal academics you know, or in the absence of this, what kinds of personality traits you believe legal academics generally possess).</p>	<p><i>Warmth, Reserved, Attentive to Others, Caring, Impersonal; Reasoning, Concrete, Deliberative, Abstract, Quick-thinking; Emotional Stability, Reactive, Co-operative, Assertive, Aggressive; Liveliness, Enthusiastic, Serious, Spontaneous, Careful; Social Boldness, Timid, Thick-Skinned, Socially bold, Threat-sensitive; Vigilance, Suspicious, Trusting, Unsuspecting, Skeptical; Abstractedness, Abstracted, Imaginative, Practical, Down-to-earth; Privatness, Genuine, Discrete, Private, Forthright; Openness to Change, Experimenting, Conservative, Attached to Familiar, Open to Change; Self-Reliance, Individualistic, Group-orientated, Affiliative, Solitary; Perfectionism, Perfectionistic, Tolerates disorder, Organised, Flexible; Rule-Consciousness, Non-conforming, Expedient, Rule Conscious, Dutiful.</i></p>
7	<p>Prestige Markers in Legal Academia</p> <p>Please rate the extent to which you think that the following items constitute research prestige markers (for career, promotion) for legal academics.</p>	<p>[Slider bar – between 0 [low prestige] and 100 [high prestige]</p> <ul style="list-style-type: none"> ● <i>Peer-reviewed Journal Articles</i> ● <i>Student Texts</i> ● <i>Journal articles in practitioner journals</i> ● <i>Case notes (on legal judgment)</i> ● <i>Impact on legal practice (e.g. citation in judgments, ideas influencing legal reform)</i> ● <i>Acquisition of grant funding</i> ● <i>Monograph</i> ● <i>Short letters announcing findings</i> ● <i>Citations</i>
8	<p>Nature of and Approach to Legal Research</p> <p>Please highlight on sliding scale how much you think these subjects and approaches best describe the research and research approaches of legal academics.</p>	<ul style="list-style-type: none"> ● <i>Collaborative cross-disciplinary work</i> ● <i>Descriptive, concerned with legal judgments, statutory provisions, and other legal instruments</i> ● <i>Individual – lone scholarship</i> ● <i>Investigation of social phenomena</i> ● <i>Theoretical and critical approaches, including social, economic, feminist, historical and political</i> ● <i>Normative/Philosophical/Analytical approaches</i> ● <i>Armchair/library based approach</i>

		<ul style="list-style-type: none"> • <i>Adopt vocational approach with strong focus on legal education and legal profession</i> • <i>Investigative/empirical approaches</i>
9	<p>Sources of Belief/Understanding Please indicate how you have acquired your understanding of legal academia and legal academics (you may select all those that apply)</p>	<ul style="list-style-type: none"> • <i>Professional contact with legal academics (collaborations, committees, conferences, workshops etc.)</i> • <i>Films and TV Dramas etc.</i> • <i>Academic literature</i> • <i>Private Contact with Legal Academics (twitter, Facebook, friendships etc.)</i> • <i>Popular literature and print media</i> • <i>Other</i>
10	<p>General Interdisciplinary Attitudes How would you describe your approach to research in interdisciplinary terms? (You may select all those that apply)</p>	<ul style="list-style-type: none"> • <i>I wouldn't describe myself as very interdisciplinary – I prefer to stick to my own discipline</i> • <i>I like to draw upon the work of other disciplines for my research</i> • <i>I attend workshops/conferences which are interdisciplinary in nature</i> • <i>The research problems I work on are inherently interdisciplinary and require collaboration with scholars from other fields</i> • <i>Other</i>

Across the surveys, we also posed a series of demographic questions in respect of age, gender, level of education, job title, contract type, employment status, length of time in higher education, College/School. We also included an open text box at the end of the surveys allowing individuals the opportunity to provide comments/suggestions.

Table 2

Phase One Survey – Legal Academics at Cardiff University (Benchmarking Survey)

No.	Statement/Questions	Response choices
1	<p>Interactional Assessment – Intensity Please select the frequency that you meet/talk/work with academics from other disciplines (i.e. non-legal academics)</p>	<ul style="list-style-type: none"> • Never • Rarely • Occasionally • Frequently
2	<p>Interactional Assessment – Contexts In which contexts, if any, have you met/interacted with non-legal academics (you may select all those that apply)?</p>	<ul style="list-style-type: none"> • Research (research groups, workshops, conferences, reading groups, research projects) • Private (social friendship)

		<ul style="list-style-type: none"> • Citizenship (advisory boards, multidisciplinary ethics committees etc.) • Teaching (joint supervision, joint teaching) • Administrative (e.g. University committee meetings etc.) • Other (please state)
3	<p><i>Interactional Assessment – Quantifying</i></p> <p>Please make a rough assessment of how many non-legal academics you know in a teaching or research context (e.g. joint supervision/teaching, interaction in research groups, reading groups etc.).</p>	<ul style="list-style-type: none"> • None • 1 or 2 • 3-5 • 6-9 • 10+
4	<p><i>Interactional Assessment – Qualifying your Response</i></p> <p>If you wish you can expand on the above in the text box below. We are interested in learning more about your interactions with non-legal academics (e.g. are these at Cardiff? Do you collaborate on funded/unfunded projects? How (if at all) does these interactions impact upon your research and teaching? We are also interested in learning about those that collaborate with others outside of academic (e.g. business, external bodies, third sector, government, professional societies, etc.).</p>	<ul style="list-style-type: none"> • Open text box.
5	<p><i>Interactional Assessment – Engagement with Non-Legal Research and Scholarship</i></p> <p>This question seeks to identify whether you use scholarship from disciplines other than law in your research/teaching. Please select statements that best represent you (you may select all those that apply).</p>	<ul style="list-style-type: none"> • I do not use any non-legal scholarship for my research/teaching • I access and read work of non-legal scholars for my research/teaching • I collaborate with scholars from other disciplines in the production of research/collaborative teaching • I seek advice from non-legal academics in respect of my work • Other
6	<p><i>Your Beliefs and Knowledge about Legal Academia as a Discipline</i></p> <p>How would you describe <i>law as an academic discipline</i> to a non-legal academic interested in what kinds of research, scholarship and enquiries populate the discipline as a whole? (This is a hard question but we'd value any response you can offer).</p>	<ul style="list-style-type: none"> • Open text box.

7	<p>Your Beliefs and knowledge about legal academia as a discipline</p> <p>Please indicate, by clicking on the appropriate radio buttons, which of the following pre-attributes you believe best describe law as an academic discipline (you may choose as many as you wish).</p>	<p>Practical, Scientific, Creative, Innovative, Academic, Boring, Fragmented, Modern, Methodological, Vocational, Coherent, Interesting, Unapplied, Unscientific, Reliant on Documents, Empirical, Arcane, Dealing in pure ideas, theoretical, applied, uncreative.</p>
8	<p>Others' Beliefs and knowledge about legal academia as a discipline</p> <p>The following list of attributes has been given to non-legal academics in order to ascertain how they typify legal academia. Please indicate, by clicking on the appropriate radio buttons, which attributes you think academics from other disciplines would select when asked to describe law as an academic discipline (you may choose up to five attributes).</p>	<p>Practical, Scientific, Creative, Innovative, Academic, Boring, Fragmented, Modern, Methodological, Vocational, Coherent, Interesting, Unapplied, Unscientific, Reliant on Documents, Empirical, Arcane, Dealing in pure ideas, theoretical, applied, uncreative.</p>
9	<p>Describing Personality Traits of Legal Academics</p> <p>13 Personality factors are listed below, each is subdivided into 4 primary personality traits and individual qualities. Please select only 1 primary personality trait per factor that you believe best describes you (You might experience difficulties completing this question, but it has been included for comparative purposes by virtue of an earlier study on academics undertaken in the early 1980s).</p>	<p><i>Warmth, Reserved, Attentive to Others, Caring, Impersonal; Reasoning, Concrete, Deliberative, Abstract, Quick-thinking; Emotional Stability, Reactive, Co-operative, Assertive, Aggressive; Liveliness, Enthusiastic, Serious, Spontaneous, Careful; Social Boldness, Timid, Thick-Skinned, Socially bold, Threat-sensitive; Vigilance, Suspicious, Trusting, Unsuspecting, Skeptical; Abstractedness, Abstracted, Imaginative, Practical, Down-to-earth; Privatness, Genuine, Discrete, Private, Forthright; Openness to Change, Experimenting, Conservative, Attached to Familiar, Open to Change; Self-Reliance, Individualistic, Group-orientated, Affiliative, Solitary; Perfectionism, Perfectionistic, Tolerates disorder, Organised, Flexible; Rule-Consciousness, Non-conforming, Expedient, Rule Conscious, Dutiful.</i></p>
10	<p>Prestige Markers in Legal Academia</p> <p>Please rate the extent to which you think that the following items constitute research prestige markers (for career, promotion) for legal academics.</p>	<p>[Slider bar – between 0 [low prestige] and 100 [high prestige]</p> <ul style="list-style-type: none"> • Peer-reviewed Journal Articles • Student Texts • Journal articles in practitioner journals • Case notes (on legal judgment) • Impact on legal practice (e.g. citation in judgments, ideas influencing legal reform) • Acquisition of grant funding • Monograph • Short letters announcing findings • Citations

11	<p><i>Nature of and Approach to Legal Research - YOU</i> Please highlight on sliding scale how much you think these subjects and approaches best describe your research and scholarship.</p>	<p><i>[Slider bar, including 'not applicable' box]</i></p> <ul style="list-style-type: none"> • Collaborative cross-disciplinary work • Descriptive, concerned with legal judgments, statutory provisions, and other legal instruments • Individual – lone scholarship • Investigation of social phenomena • Theoretical and critical approaches, including social, economic, feminist, historical and political • Normative/Philosophical/Analytical approaches • Armchair/library based approach • Adopt vocational approach with strong focus on legal education and legal profession • Investigative/empirical approaches
12	<p><i>Nature of and Approach to Legal Research – Beliefs of Non-Legal Academics</i> Please highlight on sliding scale how you think academics from other disciplines would be likely to typify legal research.</p>	<p><i>[Slider bar, including 'not applicable' box]</i></p> <ul style="list-style-type: none"> • Collaborative cross-disciplinary work • Descriptive, concerned with legal judgments, statutory provisions, and other legal instruments • Individual – lone scholarship • Investigation of social phenomena • Theoretical and critical approaches, including social, economic, feminist, historical and political • Normative/Philosophical/Analytical approaches • Armchair/library based approach • Adopt vocational approach with strong focus on legal education and legal profession • Investigative/empirical approaches
13	<p><i>General Interdisciplinary Attitudes</i> How would you describe your approach to research in interdisciplinary terms? (You may select all those that apply)</p>	<ul style="list-style-type: none"> • I wouldn't describe myself as very interdisciplinary – I prefer to stick to my own discipline • I like to draw upon the work of other disciplines for my research • I attend workshops/conferences which are interdisciplinary in nature • The research problems I work on are inherently interdisciplinary and require collaboration with scholars from other fields • Other

Across the surveys, we also posed a series of demographic questions in respect of age, gender, level of education, job title, contract type, employment status, length of time in higher education, College/School. We also included an open text box at the end of the surveys allowing individuals the opportunity to provide comments/suggestions.

Table 3

Phase Two Survey – Non-Legal Academics at Cardiff University (Main Survey)

No.	Statement/Questions	Response choices
1	<i>Interactional Assessment – Intensity</i> Please select the frequency that you meet/talk/work with legal academics	<ul style="list-style-type: none"> • Never • Rarely • Occasionally • Frequently
2	<i>Interactional Assessment – Contexts</i> In which contexts, if any, have you met/interacted with legal academics (you may select all those that apply)?	<ul style="list-style-type: none"> • Teaching (Joint supervision, joint teaching) • Broader citizenship and external engagement activities (advisory boards, Government, Third sector activities etc.) • Events largely aimed at academics in my field/discipline (research groups, workshops, conferences) • Administrative (e.g. committee meetings, Senate meetings, interview panels, general training) • Collaborative Research (e.g. joint publishing, research projects) • Multidisciplinary Events aimed at no discipline in particular (e.g. Cardiff Futures, interdisciplinary workshops etc.). • Interdisciplinary/Multidisciplinary Events that are law-specific (law-based workshops, law conferences or network events, with law as a primary focus etc.). • Other (please state below).
3	<i>Interactional Assessment – Quantifying</i> Please make a rough assessment of how many legal academics you know in any of the above contexts.	<ul style="list-style-type: none"> • Box for individuals to provide number of their choice.
4	<i>Interactional Assessment – Engagement with Legal Research and Scholarship</i> Please select which of the statements that apply (you may select all those that apply).	<ul style="list-style-type: none"> • I do not use any legal scholarship for my research/teaching • I access and read work of legal scholars for my research/teaching • I collaborate with legal scholars in the production of research/collaborative teaching • I seek advice from legal academics in respect of my work • Other [open box]

<p>5</p>	<p><i>Prestige Markers in Legal Academia</i></p> <p>What kinds of publications, markers and activities do you think are likely to be most highly regarded in research prestige terms, for the career and promotion prospects of a legal academic?</p> <p>Here we give you a set of 10 items to select from. Please take these items from the list and rank them relative to each other in the 'Prestige' box. '1' being the highest item in prestige, and 10 the lowest.</p>	<ul style="list-style-type: none"> • <i>Peer-reviewed Journal Articles</i> • <i>Student Texts</i> • <i>Publications for legal practitioners</i> • <i>Case notes (on legal judgment)</i> • <i>Impact on legal practice (e.g. citation in judgments, ideas influencing legal reform)</i> • <i>Grant funding</i> • <i>Monograph</i> • <i>Publication in Conference Proceedings</i> • <i>Successful litigation of a Case</i> • <i>Short notes/letters/case study</i> • <i>Citations</i>
<p>6</p>	<p><i>Prestige Markers in Your Own Field/Discipline</i></p> <p>What kinds of publications, markers and activities are most highly regarded in research prestige terms, for your career and promotion prospects in your field?</p> <p>Here we give you a set of 9 items to select from. Please take these items from the list and rank them relative to each other in the 'Prestige' box. '1' being the highest item in prestige, and 10 the lowest.</p> <p>We also want to learn about your discipline too. If you can think of one other item relating to your own field/discipline, we give you the option to fill in the 'other' text box.</p>	<ul style="list-style-type: none"> • <i>Peer-reviewed Journal Articles</i> • <i>Student Texts</i> • <i>Publications for practitioners</i> • <i>Case notes (on legal judgment)</i> • <i>Impact</i> • <i>Grant funding</i> • <i>Monograph</i> • <i>Publication in Conference Proceedings</i> • <i>Short notes/letters/case study</i> • <i>Citations</i> • <i>Other [open text box]</i>
<p>7</p>	<p><i>Nature of and Approach to Legal Research</i></p> <p>We want to know what kinds of subjects and approaches you believe are likely to describe the research/research approaches of legal academics, and those that you believe would be poor descriptors. Please choose four or more items from the list below and place into the relevant groups.</p>	<p><i>[Slider bar, including 'not applicable' box]</i></p> <ul style="list-style-type: none"> • <i>Collaborative work</i> • <i>Descriptive, concerned with legal judgments, statutory provisions, and other legal instruments</i> • <i>Interdisciplinary approach</i> • <i>Individual (lone scholarship)</i> • <i>Investigation of social phenomena</i> • <i>Theoretical and critical approaches, including social, economic, feminist, historical and political</i> • <i>Normative/Philosophical/Analytical approaches</i>

- *Armchair (library based approach)*
- *Vocational approach: strong focus on legal education and legal profession*
- *Investigative/empirical approaches*

8 **Sources of Understanding and Belief**

We have already asked you about a variety of interactive contexts where you might meet/mix with legal academics. We are keen to identify other sources of understanding/knowledge of legal academia and legal academics (you may select all those that apply)

- *Newspapers/print media (please give examples if you can) [open text box]*
- *Films and TV Dramas etc. please give examples if you can) [open text box]*
- *Popular literature please give examples if you can) [open text box]*
- *Documentaries please give examples if you can) [open text box]*
- *Other [Open Text box]*

9 **Your Own Research/Scholarship and Interdisciplinarity**

Which statements best describe you (You may select all those that apply)?

- *I wouldn't describe myself as very interdisciplinary – I prefer to stick to my own discipline*
- *I like to draw upon the work of other disciplines for my research/scholarship*
- *I attend workshops/conferences which are interdisciplinary in nature*
- *The research problems I work on are inherently interdisciplinary and require collaboration with scholars from other fields*
- *Other*

Across the surveys, we also posed a series of demographic questions in respect of age, gender, level of education, job title, contract type, employment status, length of time in higher education, College/School. We also included an open text box at the end of the surveys allowing individuals the opportunity to provide comments/suggestions.

Table 4

Phase Two Survey – Legal Academics at Cardiff University (Benchmarking Survey)

No.	Statement/Questions	Response choices
1	<p><i>Prestige Markers in Legal Academia</i></p> <p>What kinds of research markers, outputs and activities do you think are most highly regarded in research prestige terms, for the career and promotional prospects of a legal academic (on a teaching and research, or research only contract)?</p> <p>Here we give you a set of 10 items to select from. Please take these items from the list and rank them relative to each other in the 'Prestige' box. '1' being the highest item in prestige, and 10 the lowest.</p>	<ul style="list-style-type: none"> • <i>Peer-reviewed Journal Articles</i> • <i>Student Texts</i> • <i>Publications for legal practitioners</i> • <i>Case notes (on legal judgment)</i> • <i>Impact on legal practice (e.g. citation in judgments, ideas influencing legal reform)</i> • <i>Grant funding</i> • <i>Monograph</i> • <i>Publication in Conference Proceedings</i> • <i>Successful litigation of a Case</i> • <i>Short notes/letters/case study</i> • <i>Citations</i>
2	<p><i>Prestige Markers</i></p> <p>Are there any items on this list that you think do not belong here at all (please leave comments if you wish)?</p>	<ul style="list-style-type: none"> • Open Text Box.

Across the surveys, we also posed a series of demographic questions in respect of age, gender, level of education, job title, contract type, employment status, length of time in higher education, College/School. We also included an open text box at the end of the surveys allowing individuals the opportunity to provide comments/suggestions.

Appendix 2 – Demographics

Phase One Surveys - Demographics

College/School (Non-Legal Academics)

Arts, Humanities and Social Sciences	44	Biomedical and Life Sciences	42	Physical Sciences and Engineering	16
<i>Business</i>	4	<i>Biosciences</i>	7	<i>Architecture</i>	2
<i>English, communication and philosophy</i>	4	<i>Healthcare sciences</i>	14	<i>Chemistry</i>	1
<i>History, archaeology and religion</i>	9	<i>Medicine</i>	14	<i>Engineering</i>	8
<i>Politics[†]</i>	7	<i>Optometry and Vision Sciences</i>	3	<i>Mathematics</i>	2
<i>Modern Languages</i>	1	<i>Pharmacy and Pharmaceutical sciences</i>	1	<i>Physics and Astronomy</i>	3
<i>Planning and Geography</i>	4	<i>Psychology</i>	3		
<i>Social Sciences</i>	15				

Legal Academics

Law Department	26
<i>Centre for Professional Legal Studies</i>	6
<i>School of Law</i>	20

[†] Politics is a department which is part of the School of Law and Politics (following a merger in 2014).

All - Participation by Age

	Non-Legal Academics	Legal Academics
Under 25	1	1
25-34	16	7
35-44	28	6
45-54	39	9
55-64	14	3
65-74	4	-

All – Job Title

	Non-legal Academics	Legal Academics
Lecturer	30	9
Senior Lecturer	18	6
Reader	9	3
Professor	20	3
Research	2	-
Research Fellow	16	-
Research Fellow	4	-
Other	3	5

All - Length of time working in the University

	Non-legal Academics	Legal Academics
Less than 5 years	19	7
5-10 years	21	4
10-15 years	14	7
15-20 years	22	4
20+ years	26	4

Phase Two Surveys - Demographics

College/School (Non-Legal Academics)

Arts, Humanities and Social Sciences	12	Biomedical and Life Sciences	8	Physical Sciences and Engineering	9
<i>Business</i>	2	<i>Biosciences</i>	1	<i>Computer Science</i>	6
<i>English, communication and philosophy</i>	3	<i>Healthcare sciences</i>	3	<i>Earth and Ocean Science</i>	3
<i>Music</i>	2	<i>Medicine</i>	1		
<i>Politics[†]</i>	1	<i>Psychology</i>	1		
<i>Journalism Media and Cultural Studies</i>	3	<i>Dentistry</i>	2		
<i>Social Sciences</i>	2				

Legal Academics

Law Department	19
<i>Centre for Professional Legal Studies</i>	1
<i>School of Law</i>	18

All – Gender

	Non-legal Academics	Legal Academics
<i>Female</i>	7	11
<i>Male</i>	19	6
<i>Other</i>	3	1

[†] Politics is a department which is part of the School of Law and Politics (following a merger in 2014).

