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In Support of Transdisciplinary CCJLS Scholarship: A Preface to the Inaugural Issue

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On behalf of my co-editors, welcome to the inaugural issue of *Criminology, Criminal Justice, Law & Society* (*CCJLS*)! At the outset, I want to draw attention to the fact that this is not Volume 1, Issue 1 of the journal. Rather, to emphasize the continuity of *CCJLS* and its predecessor, *Western Criminology Review* (*WCR*), this is the second issue of Volume 15 of the Western Society of Criminology's official journal.

I write this preface with three purposes:

1. to reflect on (and pay homage to) the historical development of the journal from its origin as *WCR*;

2. to explain why we are using Scholastica to host *CCJLS* and how the WSC is financing our use of this platform through the generous support of three institutional sponsors—California State University, Long Beach; Simon Fraser University; and San Diego State University (additional sponsors are always welcome, folks); and

3. most of all, to explain why we opted to name the journal as we did.

To accomplish these goals, this feature is really two different pieces combined into one: a traditional preface and an essay on both (a) the development of scholarship relevant to the disciplines of criminology, criminal justice, law, and "law and society," and (b) our goal of transdisciplinarity across these fields.

Western Criminology Review

WCR was created in 1997 and first published in June of 1998 under the leadership of founding editor Dr. Patrick Jackson of Sonoma State University. In his preface to the first issue, Dr. Jackson said,

> This is a proud moment for the WSC. After a quarter century of work toward creating a more equitable and just society, we have finally seized the moment to charter a new course by publishing a free, peer-reviewed electronic journal. It is sure to enliven and broaden our perspectives in profound ways over the years to come. (Jackson, 1998, para. 4)

Dr. Jackson's vision came to fruition. At a time when few in academe had even heard the term "open access journal," he pioneered such a venue for our discipline. Moreover he (and his institution) continued to support *WCR* for the past 17 years, hosting the journal on the Sonoma State University servers and handling all sorts of technical issues.

In the years since Dr. Jackson first created *WCR*, other editors have ably stewarded *WCR*, including Gisela Bichler and Stephen Tibbetts from California State University, San Bernardino; André Rosay and Sharon Chamard from the University of Alaska, Anchorage; Leana A. Bouffard and Jeffrey A. Bouffard from Sam Houston State University; and, most recently, Stuart Henry, Christine Curtis, and Nicole Bracy from San Diego State University (SDSU). Although all of these dedicated scholars contributed to the success of the WSC's official journal, the team from SDSU deserves special recognition. They increased the journal's submission rate; decreased the processing time from the date of manuscript submission to date of editorial decision; reliably produced three on-time issues of the journal each year; and improved the overall quality of both the reviews and the finish product. The WSC is

indebted to Drs. Henry, Curtis, and Bracy. They leave a legacy of having achieved a level of excellence which my co-editors and I hope to parallel.

For the moment, all past issues of *WCR* can be found online at http://wcr.sonoma.edu/. Because it is unclear whether Sonoma State will be able to host the *WCR* on its servers indefinitely, back issues of *WCR* are also archived on the WSC's website at http://www.westerncriminology.org/Western_Criminology_Review.htm. Moving forward, *CCJLS* is the official journal of the WSC. I devote the remainder of this commentary to explaining the reasons why we renamed the journal and what our vision is for its future.

A Reimagined Journal

Given the success of *WCR*, some may question why the WSC elected to reimagine its official journal. To be frank, both the co-editors of *CCJLS* and the members of the Executive Board of the WSC were not completely sure that rebranding was necessary. Nonetheless, we collectively opted for a new name for a number of reasons—some of which are quite practical and others of which are more philosophical.

Internationalization

Under the talented leadership of prior *WCR* editors, the journal expanded beyond its regional origins. Indeed, not only did *WCR* receive submissions from all parts of the United States, but also, more than 20% of manuscript submissions came from other countries. Because discourse about crime, criminality, and justice policy transcends regional and even national boundaries, *CCJLS* omits any regional designation in its title.

The Editorial Board for *CCJLS* reflects our intention of an expanded geographical presence. The Board is currently comprised of scholars from across the United States with strong representation from the western region. In addition, we are thrilled that scholars from Australia, Canada, and the United Kingdom agreed to serve as Editorial Board members. My co-editors and I are indebted to all of the distinguished scholars who graciously agreed to serve on our Editorial Board, many of whom have already reviewed manuscripts submitted to *CCJLS*.

Branding

The WSC's Executive Board wondered if the name *Western Criminology Review* might have caused potential contributors to misunderstand the nature of the journal. The inclusion of the word "review" in the journal's name may have contributed to the erroneous belief that the journal was a law review. Additionally, the word "criminology"—without more—may have led some to believe that the journal focused on the development of criminological theory and/or empirical tests of such theories, rather than the actual broad scope of inquiry to which the journal was devoted.

The new name of the journal, albeit a longer moniker, accurately represents the WSC's vision of bringing together scholarly discourse on theoretical, practical, and legal aspects of crime, criminality, and responses to each in theory, practice, and pedagogy.

Seeking and Rejecting New Publishing Models

Since its inception, all aspects of publishing *WCR* were overseen by the editorial team. As is the case with most other journals, this meant that the *WCR* editors conducted an initial, internal review of manuscripts; selected peer reviewers; and made publication decisions. But, unlike most other journals, it also meant that the editors actually produced each issue by manually tracking manuscript submissions and peer reviews, copy-editing, and even typesetting. It should go without saying that this took an inordinate amount of time and energy.

The WSC Executive Board considered moving the journal to a commercial press that would manage the technical aspects of the journal's production. But, in the end, there was no financially-viable path forward for partnering with a publisher without the Society needing to take one of several actions that we found unpalatable:

1. charging authors upwards of $300 to $400 for submitting manuscripts;

2. moving from open access to a library-based subscription model; or

3. dramatically increasing WSC membership dues from $45 per year to amounts between the $75 the Academy of Criminal Justice Sciences charges and the $95 the American Society of Criminology charges.

Author Pays. Although the first option has become commonplace in some disciplines, it is not the norm in criminology and criminal justice (CCJ). Additionally, the author-pays model can lead to some questioning the integrity of a journal as one that engages in vanity publishing, rather than bona-fide, peer-reviewed scholarly inquiry. Indeed, the author-pays model has been termed "the dark side of open access" (Kolata, 2013, para. 5) because it can allow almost anyone who pays to get their scholarship in print in some questionable journals. Not only can this

result in the padding of *curricula vitae*, but it also can make it quite difficult for end-users to distinguish "credible research from junk" (Kolata, 2013, para. 8; see also Bauerlein, Gad-el-Hak, Grody, McKelvey, & Trimble, 2014). And most of all, because the WSC strives to keep its journal as an accessible venue in which graduate students and new scholars (in addition to established ones) can publish their research, the Board unanimously rejected the notion that researchers and commentators (most of whom are woefully underpaid) should have to bear the cost of publication.

Library Subscriptions. Admittedly, the second option—a library-pays model—held some appeal for the Board, especially since this approach could generate royalties for the WSC. But ultimately, we rejected this approach for two reasons. First, the Board would have had to surrender nearly all control of the journal, including its copyrights, to a commercial publisher. Second, and more importantly, this approach would have made the scholarship we publish inaccessible to far too many people. Here's why:

According to the Association of Research Libraries (Kyrillidou, Morris, & Roebuck, 2013), academic libraries routinely spend approximately two-thirds of their materials budget on journals. Subscriptions to a single journal can cost thousands of dollars. Some journals can only be accessed when libraries purchase "bundles" that are exorbitantly priced in the tens of thousands of dollars. Subscription prices routinely increase four to ten times the consumer price index, while publisher's profit margins approach 40%. With library budgets having been particularly hard hit during the economic downturn that started in 2008, academic libraries—even those at institutions with large endowments—cannot continue to do business as usual. In fact, in 2012, the Harvard University Faculty Advisory Council sent a memorandum to the university faculty saying,

> ***major periodical subscriptions, especially to electronic journals published by historically key providers, cannot be sustained: continuing these subscriptions on their current footing is financially untenable*** (para. 4).

Numerous news sources reported on this memorandum writing headlines like this one: "The wealthiest university on Earth can't afford its academic journal subscriptions" (Gonzalez, 2012).

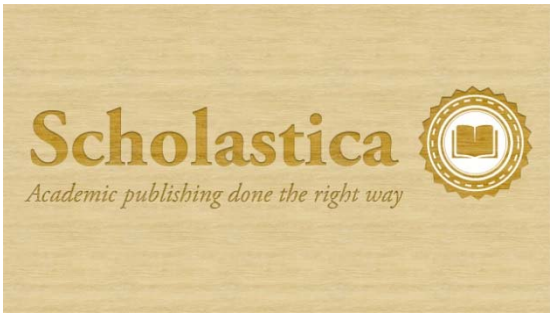
Most of us have had the frustrating experience of finding a source in an abstracting service that looks, based on the article's title or abstract, to be relevant to constructing a literature review on which we were working, only to find that our libraries did not subscribe to the journal in which the article was published. Perhaps you then turned to the Internet, looking for a version of the paper linked from Google Scholar or on SSRN. More likely than not, you were able to find the article posted on the website of the commercial publisher that produced the journal issue in question, only to see that it would cost you $30 or $40 to access that single article! Sure, one could complete an inter-library loan request and return to working on the literature review after the article arrives. But perhaps you, like me, simply decided that the lack of availability of that source simply meant that you would proceed without including that particular source. Of course, such a course of action deprives the author(s) of that piece of scholarship of a citation and the exposure that goes along with being cited by other scholars. But such an omission can also come back to haunt one if reviewers criticize the literature review for missing relevant research. For all of these reasons, the WSC Executive Board ultimately thought it important to remain true to Dr. Pat Jackson's vision of having scholarship freely-accessible via an open-access platform.

Increased Membership Dues. The third option was never seriously considered. The WSC prides itself on being a society that is accessible to students, practitioners, and scholars at all levels of their professional careers. High membership dues impede broad engagement in the Society and, therefore, do not serve our members' best interests.

Software-Assisted, Open-Access Publishing

Given that all three of the options we considered proved to be untenable, the WSC's Publications Committee investigated other alternatives that would facilitate a hybrid approach to journal production—one in which the editors still did most of the work as part of their service to our profession, but were aided by technology in ways that would reduce the burden on the editorial staff, thereby allowing us to focus more on the scholarly content of the WSC's journal, rather than its technical production.

We considered Open Journal Systems, a free open-source software package made available by the Public Knowledge Project. Although impressive, the technical aspects of installing and maintaining the software on the WSC's servers, as well as some concerns about the software not being particularly user-friendly, led us to decide on Scholastica.



Scholastica is a particularly use-friendly, cloud-based software service created by a team of graduate students at the University of Chicago. The software allows authors to submit their manuscripts electronically through the journal's interface: https://scholasticahq.com/criminology-criminal-justice-law-society/for_authors. The editors are immediately notified via email of a new submission. We can conduct an initial editorial review of the journal completely online. We can solicit external reviewers through an intuitive interface. We can make editorial decisions; communicate with authors, reviewers, and co-editors; manage different versions of manuscripts; and ultimately publish the journal in a professional, open-access format. The issue of *CCJLS* that you are reading right now is the first edition of the journal published through Scholastica. So far, my co-editors and I are very pleased with the service and expect to continue using it for the duration of our tenure as editors.

Scholastica Fees. Alas, Scholastica is not free. The WSC pays Scholastica $10 for each manuscript submitted to *CCJLS*. The Society covers these expenses using a portion of the annual membership dues paid by our members. Depending upon what Scholastica does with its prices in the future, there may come a time when the WSC will need to find another way to cover these costs. For example, the Society may need to increase membership dues by a small amount, such as $5 or $10. Alternatively, membership dues may remain constant and dues-paying members of the WSC will be able to submit manuscripts free of charge, while non-members will need to pay the cost of manuscript processing when submitting a manuscript. Or perhaps the Society's membership will continue to grow (as it has for the past five years) and a financially-strong Society will remain able to cover the full cost of Scholastica's fees. Whatever the case may be, we will provide updates in the WSC's newsletter, *The Western Criminologist*, as well as in future editorial comments in *CCJLS*.

Other Production Costs. One of the most significant changes in the way the WSC's journal is now produced concerns sponsorships from supporting universities. In the past, the institution with which the editors were affiliated provided indirect financial support to the WSC by covering the cost of buying-out an editor from one or more of his or her courses (sometimes referred to as "reassigned time" or "release time"). Just as Sonoma State, CSU-San Bernardino, the University of Alaska at Anchorage, Sam Houston State, and SDSU did for *WCR*, CSU Long Beach is generously providing $10,000 of support each year (for three years) to support reduced teaching loads for Dr. Aili Malm and Dr. Christine Scott-Hayward to serve as the co-editors of *CCJLS*. The editorial team and the WSC Executive Board want to express our sincere gratitude to Dr. Ken Millar, Dean of the College of Health and Human Services at CSULB, for agreeing to support Drs. Malm and Scott-Hayward in their roles as *CCJLS* co-editors.



Two other universities have also provided generous financial support as official co-sponsors of *CCJLS*. Both San Diego State University and Simon Fraser University have pledged $2,500 for this year to cover the cost of professional copy-editing and other production-related expenses. We certainly hope that all of our sponsors are pleased with their investment and opt to continue their support of *CCJLS* in the years to come.





On behalf of the entire WSC Executive Board, especially my co-editors, I want to thank Dr. Neil Boyd, Director of the School of Criminology at SFU, and Dr. Stuart Henry, Director of the School of Public Affairs at SDSU, for their generous support of *CCJLS*.

In Search of "-Disciplinarities"

One reason, above all others, stands out for changing of our journal's name to *CCJLS*: the imperative of transdisciplinary scholarly inquiry concerning crime, criminality, law, and justice.

Disciplinary research is primarily concerned with the epistemologies, knowledge, skills, and methods within the boundary of a discipline. For example, the disciplines of psychology, sociology, philosophy, political science, law, medicine, economics, history, and even literature each have long histories of examining issues related to crime, criminality, and societal responses to them (Owen, Fradella, Burke, & Joplin, 2014). But they have traditionally done so from within a monodisciplinary lens. For instance, Freudian psychoanalytic theory explains criminal behavior as a result of the abnormal development of the psyche during the first seven years of life. This psychological theory approaches criminality from a very different perspective than social disorganization theory, which is rooted in sociology and approaches criminality from a more community-based ecological perspective.

The Evolution of CCJ

Criminology. The study of "criminology" dates back to at least the 1700s, albeit at that time grounded largely in medicine and philosophy. From the early political philosophers of the Enlightenment's Classical School, to the moral philosophers and cartographers of the early 1800s, to the medical/psychological approaches in the mid- to late 19th century, to the domination by sociology in the 20th century, criminology has largely been a niche element of many different disciplines, both emerging and established. Cressey (1978) argued that no "academic discipline has a monopoly on criminology" (p. 174). Due to the cross-disciplinary character of criminology, "persons can become criminologists . . . simply by declaring that their work is somehow related to crime" (p. 174). Arguably, criminology came to be an academic discipline in its own right, but it did so as a multidisciplinary area of inquiry that draws on the knowledge and understanding of a variety of the aforementioned disciplines.

Criminal Justice. Starting in the 1960s and emerging strongly in the 1970s, "criminal justice" began to emerge as its own discipline, apart from classical or even sociological criminology. It developed to provide higher education opportunities for personnel working in justice systems, such as police and corrections officers, and in degree programs that were intended to enhance competence, professionalism, and accountability of both personnel and the provision of justice services (Clear, 2001; Langworthy & Latessa, 1989; Morn, 1995; Wimshurst, 2011).

Like criminology, criminal justice was largely a multidisciplinary venture, albeit with very different approaches to the study of crime.

> Programs in the two areas were often taught in different academic departments, and even different institutions, with differently qualified staff. Criminology was seen as a theory-based academic discipline fitting graduates for careers in teaching and research. Criminal justice degrees were vocational, valued more for gaining employment and furthering careers in the justice system. (Wimshurst, 2011, p. 301)

Given their focus on the practical over the theoretical and empirical, most criminal justice programs came to be viewed as awarding academically-suspect, second-class degrees. Moreover, criminal justice departments were largely dismissed "as nothing more than police training, too practitioner-oriented, not academic enough, co-opted by government agencies with grant monies, and a refuge for low-achieving students" (Hemmens, 2008, p. 28).

Convergence. By the 1990s, however, the division between criminology and criminal justice began to erode as a function of the convergence of the disciplines: "'Second generation' criminal justice matured into a scholarly and research-based discipline, and criminology came to focus increasingly on the practical application of its own advanced research and theorizing" (Wimshurst, 2011, p. 302). Part of this maturation of criminal justice and its convergence with criminology was undoubtedly due to both fields of study embracing interdisciplinary inquiry, using the epistemologies and methods of one discipline within another.

> [W]hile multidisciplinary refers to work that remains grounded in the framework of one discipline, interdisciplinary concerns the transfer of methods from one discipline to another either for (a) new applications, (b) new analyses, or (c) the generation of entire new disciplines. . . . When solving problems from the interdisciplinary approach, the people involved offer parallel analyses of parts of a problem. A new synergy emerges from the transfer of knowledge between disciplines. (McGregor, 2004, p. 12)

Unsurprisingly, as such interdisciplinarity gained acceptance, a number of the leading institutions of higher learning with academic units devoted to the social scientific study of crime and societal responses to it have named these units "Criminology and Criminal Justice" (Triplett & Turner, 2010). Regardless of the name of a program, department, or school, by the 1990s,

> criminal justice and criminology Ph.D. programs were well established across the country, and the discipline was gaining respect from its academic brethren and sistern, as it became obvious that the study of crime and criminal justice was much more than "just" a training ground for future law-enforcement officers (Hermmens, 2008, p. 20, citing Clear, 2001; Finckenauer, 2005).

Rather, curricula in CCJ, especially at the graduate level, stress social science research methods, statistics, and criminological theory (much of which is taught in most CCJ programs through the lens of sociology).

The Chasm between CCJ and Law

The study of crime and systemic responses to it remains largely separate from the study of law—at least in the United States. In contrast, law and criminology are routinely taught side-by-side (often by the "Faculty of Law") in many European universities. To be sure, social and behavioral scientists are trained quite differently than most lawyers. They speak different languages, using vocabularies that are native to their respective disciplines. They hold vastly different epistemologies and, as a function of this, theorize quite differently about human behavior. Indeed, they often ask fundamentally different questions and employ vastly dissimilar methods to answer those questions.

> Law determines fact by relevant evidence admissible under the rules of evidence. Credibility is often key to determining whether proffered evidence will be accepted by the trier of fact. In sharp contrast, behavioral scientific methods for determining the existence of a fact are quite different; they depend on experimentation, systematic observation, and the replicability of reliable and valid conclusions. Moreover, in seeking to answer questions of fact, each discipline employs fundamentally different methods of acquiring knowledge. Law is doctrinal and grounded in logic, whereas the behavioral sciences are concerned with contributions to scientific theory via the application of scientific methods. Statistical probabilities and their corresponding uncertainties are inherent to empirical methodologies. The law, however, does not concern itself with statistical probability but rather with levels of proof that are not only often arrived at in very nonscientific ways but also significantly beyond the limits of empirical design. (Schug & Fradella, 2014, pp. 11-12)

These differences, among others, may help to explain—at least in part—why criminology and criminal justice remain largely separate from law. But just as criminology and criminal justice have evolved as disciplines, so has the law.

Legal Education and Interdisciplinary Legal Studies

Legal education in the United States has historically been doctrinal. Contrary to the assumptions of many social and behavioral scientists, this approach does not stress legal skills. Quite the opposite, in the model of legal education that has dominated U.S. law schools for well over a century, "lawyering" skills are supposed to be acquired after law school through the practice of the profession. Rather, law school students

> learn legal theory and reasoning via the case method, a method that combines "conceptions of legal reasoning and legal doctrine with a pedagogical technique" (Feinman, 1998, p. 476). Students are taught how to decipher the rule of law by extrapolating it from a published judicial opinion using logic and inductive, deductive, and analogical reasoning skills. Then students are asked to apply the rule of law to hypothetical fact patterns, both orally during in-class Socratic dialogues and in writing on exams. Historically, this approach to the study of law was devoid of the study of legal processes and their relationship to law's impact on society via the lenses of the humanities and social sciences; at best, such disciplines were mentioned peripherally. The goal of such a legal education, whether undertaken in the past or currently, is to make students learn to think like a lawyer—to acquire knowledge of specialized legal vocabulary; to understand the operation of differing sets of legal rules; to learn how to read various

> sources of law, such as cases, constitutions, statutes, and administrative regulations; and to apply the law in a persuasive form of appropriate argumentation. (Schug & Fradella, 2014, p. 11)

Unlike Ph.D. programs in CCJ, traditional legal education does not include the study of criminological theory, social science research methods, or statistics. But this has begun to change. In the wake of the U.S. Supreme Court's decision in *Daubert v. Merrell Dow Pharmaceuticals* (1993) and cases in its progeny that require judges to assess the reliability and validity of the methods used by experts who testify in civil and criminal cases alike, law schools increasingly have been offering courses in research methods and statistics to provide law students with the tools necessary to litigate cases that required expert testimony (Merlino, Richardson, Chamberlain, & Springer, 2008). In other words, although the study of law continues, in large part, to be doctrinal today, broader perspectives have been gaining acceptance since the 1990s (Merlino et al., 2008; Sonsteng, Ward, Bruce, & Petersen, 2007; Ulen, 2009).

Part of the shift from a purely doctrinal approach to law school (and towards a broader study of "law and society") is a function of law schools having embraced the hiring of interdisciplinarily-trained faculty who approach law through the lenses of the social and behavioral sciences, as well as the humanities (e.g., "law and economics," "law and psychology," "law and literature," "sociology of law," "philosophy of law"). By 2006, professors holding a Ph.D. comprised between 10% and 30% the full-time faculty at many leading U.S. law schools (George, 2006). Today, those figures have risen to between 25% and 50% at leading U.S. law schools (Northwestern Law, n.d.) and upwards of 80% of law faculties at select international law schools (Wish, 2012). Not only do these faculty members teach courses from perspectives that transcend the traditional, doctrinal approach to the study of law, but they also publish empirical legal scholarship in which they use the theories and methods of science to address legal issues (see Chambliss, 2008). This scholarship appears in both traditional law reviews and in specialized, peer-reviewed venues such as *Law and Society Review*, the *Journal for Empirical Legal Studies*, and the *Journal of Legal Analysis* (Chambliss, 2008; Ellickson, 2000; Heise, 2011). Such scholarship is revolutionizing legal theory in the direction of "evidence-based law" (see Rachlinski, 2011) in much the same way that evaluation research in CCJ has produced evidence-based best practices in policing and corrections.

Although the expansion of legal studies into broader social contexts has accelerated in the past two decades as part of the empirical legal studies movement, interdisciplinary legal studies is not a new area of inquiry. The "law and society" movement in the United States has engaged in the social scientific study of law for at least 130 years (e.g., Ehrlich, 1913/2002; Holmes, 1881). It gained traction when Roscoe Pound, one of pioneers of "sociological jurisprudence," became dean of the Harvard Law School in 1916 (see Pound, 1921). The movement hastened with the rise of the social sciences in the post-World War II era. In particular, sociologists, political scientists, psychologists, and anthropologists began applying the methods of science to law in disciplinarily-specific ways, much as philosophers, historians, and literary scholars had applied humanistic perspectives to law since at least the time of Plato.

In contrast to the primarily normative orientation of most traditional legal scholarship, law and society posited that "law, legal practices, and legal institutions can be understood only by seeing and explaining them within social contexts (Silbey, 2002, p. 860). This movement was advanced significant by the Law and Society Association, formed in 1964. (Happy "Golden Anniversary" to our sister organization!) Over the past 50 years, the law and society movement endeavored to develop a body of knowledge concerning not only how the law works in reality, but also where is does not work or where it is absent. Law and society also elucidated how legal actors and institutions operate, especially when the people through whom law operates exercise discretion. But this body of knowledge "flourished most conspicuously outside the law schools" in the humanities and social science programs of colleges and universities (Silbey, 2002, p., 862). In contrast, the law and society movement "never really caught on in the American law schools" such that law school faculty members who engaged in such research remained largely on the fringe of legal scholarship (Duxbury, 1995, p. 445; see also Silbey, 2002). Unsurprisingly, law and society correspondingly remained largely at the margins of legal education until law school faculty began to embrace interdisciplinary legal studies, however, tentatively.

Admittedly, the (relatively) recent shift in legal scholarship toward being more interdisciplinary and social scientific has been slow, and the change in legal education has been even slower. Moreover, these changes have not been without their critics. Some law and society scholars "worry about the politics of the movement and its subservience to law" (Chambliss, 2008, p. 23). Others question whether empirical legal studies is just a new name for the

sociology of law. And still others see the movement as being "more menacingly, law and economics in sociologists' clothing . . . [or] more cynically, the legal professoriate in the emperor's new clothing" (Chambliss, 2008, p. 23, internal quotations and citations omitted).

There is also still criticism of empirical legal studies from traditional legal scholars. At the dawn of the 21st century, many law faculty members frowned upon such work. As a one law professor who does empirical legal scholarship noted in 2003, "[i]t would only be a modest exaggeration to say that most law professors regard empirical work as a form of drudgery not worthy of first-class minds" (Landes, 2003, p. 180). But nearly 15 years into the new millennium, there can be no doubt that legal scholarship has changed rather dramatically over the course of a few decades, with much of that change happening since the 1990s. This, in turn, has even sparked a bit of a counter-revolution in some legal circles. "[T]here is now too much empirical work being done simply because it looks 'empirical' . . . . Too much of the work is driven by the existence of a data set, rather than an intellectual or analytical point" (Leiter, 2010, paras. 1-2). And whether this research has actual impact on law and public policy remains a dubious proposition. Judges, in particular, have grown increasingly hostile to empirical, social scientific research on law since the 1980s (see Fradella, 2004). Perhaps this is most frustratingly exemplified by *McCleskey v. Kemp* (1987), in which the U.S. Supreme Court simply dismissed what should have been highly persuasive social scientific evidence on the racially-discriminatory ways in which capital punishment is imposed in the United States.

Nonetheless, the movement toward empirical legal studies and peer-review of interdisciplinary legal scholarship is now firmly established in U.S. law schools (Eisenberg, 2011; Heise, 2011). Indeed, this movement has become so entrenched that some rankings of law schools actually include metrics based on the number of faculty holding Ph.D.s and the number of peer-reviewed, empirical journal articles published by law faculty (e.g., George, 2006). This has led most top law schools "to view empirical scholars as essential . . . critical to a fully successful law faculty" (Rachlinski, 2011, pp. 906-907). But I question whether these changes have been noticed by those in CCJ and, even if so, whether they have changed the minds of social scientists about those who engage in the more contemporary form of legal scholarship. Sadly, I fear these questions likely have answers in the negative.

Does CCJ Look Down on Law?

When I was a doctoral student, I took a public policy course from a well-respected political scientist who specialized in criminal justice policy. She required her students to write a 50-page paper on any aspect of justice policy. I wrote my paper critiquing the hate speech policies adopted by many colleges and universities. My professor required her students to submit a first draft. One of her comments to me was that I relied too heavily on law review articles. She wanted me to integrate (and this is an exact quote from her hand-written notes on the paper I still possess) "more scholarly books and more peer-reviewed articles from scholarly (non-law) journals." I was immediately struck by the juxtaposition of legal journals and "scholarly journals," as if law reviews did not publish scholarship. But another notation she made utterly confounded me.

She had highlighted one of the sources in my references section as an example of the type of scholarly work I needed to add to my final paper. That favorably-viewed source was the book *Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment* (Matsuda, Lawrence, Delgado, & Williams-Crenshaw, 1993). My professor was dumbfounded when I informed her that the book was a republication of a series of law review articles that had been written by four law professors who specialized in critical legal studies/critical race theory. Apparently, my professor just could not fathom how people with law degrees who taught at law schools could possibly have written scholarship she viewed so highly that she wanted to see more sources like it integrated into my paper. My "take away" from this conversation with my professor in 1995 was that Ph.D.s in the social sciences had such little respect for their colleagues on the faculty of law schools that they readily dismissed their scholarship as inferior.

Even at that early stage of my own academic training as a social scientist, I knew that I could not generalize from an "*n* of 1." The anecdotal evidence from this discussion with my public policy professor did not provide sufficient support for the inference I had drawn. So, I asked other faculty in my doctoral program how they felt about legal scholarship. Almost all of them echoed my public policy professor's views. The only one who did not had earned both a J.D. and the Ph.D. He told me that when he went up for tenure, his concern was not just whether his law review articles would "count," but whether they would actually "count against him"! He explained to me that social science researchers looked down on law reviews for several reasons, not least of which was that the traditional legal

scholarship published in law journals was rarely empirical. Two other reasons likely contributed to this view. First, most law reviews usually are not peer-reviewed, but rather are reviewed and edited by high-achieving law students in only their second and third years of study in the discipline. Second, law review manuscripts may be simultaneously submitted to multiple legal journals. As a result, student editors may rush to accept manuscripts without the benefit of careful deliberation.

Still, these were the views of the faculty in one program at a single university. Perhaps people felt differently at other institutions? In the more than 20 years since then, I venture to say that this perception remains pervasive among social scientists. Consider this commentary:

> [O]utside the law schools, pretty much everyone in the academy knows that what law professors do can't really be called "scholarship" because there are no quality standards, and (aside from a few quirky journals) there is no peer review, and that means that most everything that shows up in legal journals is badly-researched, badly-written, and badly-argued. (Madison, 2006, p. 909)

Another source of evidence for the proposition that Ph.D.s look down on J.D.s concerns hiring in CCJ programs. Unlike the two-decade-long trend of law schools hiring more faculty holding Ph.D.s, the converse is rarely true for leading programs in CCJ employing full-time faculty who hold law degrees (in the absence of a Ph.D. or other research degree). Rather, those holding the J.D. are often relegated to adjunct faculty status in spite of the high-quality teaching and research that some interdisciplinarily-trained lawyers routinely produce. When programs in CCJ do hire full-time faculty members who hold a J.D. "only," it is most often in a nontenure-track appointment (e.g., instructor or lecturer).

In 2005, the Academy of Criminal Justice Sciences (ACJS) enacted standards requiring programs seeking ACJS certification to have at least two-thirds of their tenure-track faculty holding their Ph.D. in criminal justice or a related field (ACJS, 2014a). That requirement increases to 90% for programs seeking ACJS certification of a master's degree program (ACJS, 2014b). The 2005 standards specifically excluded the J.D. as being a terminal degree that will be accepted as the equivalent of a Ph.D.[1] Enriquez (2007) criticized this mandate, arguing that each candidate for a tenure-track position should be reviewed on his or her own merits—especially since some high-achieving law students publish law review articles that are akin to dissertations. Hemmens (2008) countered by arguing law review articles and doctoral dissertations are not equivalents. Moreover, the qualitative differences in the academic training one receives in J.D. programs is so far removed from what one receives in a Ph.D. program that the two degrees should not be deemed equivalent for hiring purposes.

With all due respect to my colleagues, I think both arguments miss the mark. The issue should not be about how similar or dissimilar the two courses of study are. After all, as previously explained, the fields of study have been converging as law schools have embraced a more empirical approach to the field. But even if the divide between CCJ and law remained today as wide as it once was, that ought to be irrelevant. Even traditional legal scholarship "can contribute to both the study of law and the social sciences" and vice-versa (Monsma, 2006, p. 218). In other words, both CCJ and law have valuable contributions to make to the study of crime, criminality, and societal responses to each of these two vexing social problems. Moreover, approaches that are not mutually exclusive have the potential to deepen understanding of crime and justice across disciplinary boundaries. And that is the true inspiration behind *CCJLS*.

Toward Transdisciplinarity

Transdisciplinary research focuses on an issue such as crime, pollution, AIDS, poverty, or hunger both within and beyond discipline boundaries with the possibility of new perspectives.

> Indeed, transdisciplinary research is being conceptualized as both: (a) a specific kind of interdisciplinary research involving scientific and non-scientific sources or practice; and, more excitingly, (b) a new form of learning and problem solving involving cooperation among different parts of society, including academia, in order to meet the complex challenges of society. Through mutual learning, the knowledge of all participants is enhanced and this new learning is used to collectively devise solutions to intricate societal problems that are interwoven. Out of the dialogue between academia and other parts of society, new results and new interactions are produced, offering a new vision of nature and reality. (McGregor, 2004, p. 2)

Table 1 presents three ways of conceptualizing the ways in which disciplinary boundaries may be traversed using language, math, and food metaphors.

Table 1: Traversing Disciplinary Boundaries

	Multi-disciplinary	Inter-disciplinary	Trans-disciplinary
Keyword	Additive	Synergistic	Holistic
Math Example	2 + 2 = 4	2 + 2 > 4	2 + 2 = gamma
Food Example	Salad	Fondue in a melting pot	Cake

Adapted from: Kanary et al. (2012).

Our vision for *CCJLS*, to carry the food metaphor forward, is to bake cake—something in which the ingredients are no longer distinguishable, but the finished product is something greater than then the sum of its individual parts. *CCJLS* exists to facilitate transdisciplinary interactions between theorists, empirical researchers, justice practitioners, social activists, and concerned citizens. Our goal is not to build bridges over the spaces between the disciplines, but rather to dismantle the disciplinary silos that prevent us from working together in ways that produce valuable social change.

To the knowledge of those on the WSC Executive Board, no journal is devoted to social science research on the intersection of criminology, criminal justice, law, and society. *Law and Society Review* (*LSR*), the *Journal of Empirical Legal Studies* (*JELS*), and *Law and Social Inquiry* (*LSI*) have much broader scopes covering all areas of socio-legal scholarship. For example, the mission statement for the *JELS* states that it "publishes high-quality, empirically-oriented articles of interest to scholars in a diverse range of law and law-related fields, including civil justice, corporate law, criminal justice, domestic relations, economics, finance, health care, political science, psychology, public policy, securities regulation, and sociology." *LSR* and *LSI* both have similarly broad missions. None of these law and society journals specialize in issues that are of primary interest to those who study criminology, criminal justice, or their interaction with law.

The WSC believes that *CCJLS* will fill a niche in transdisciplinary scholarship relevant to crime, criminality, and responses to these phenomena by providing a venue for criminologists, criminal justicians, and law and society scholars to publish relevant research and commentary. To our knowledge, the only journal that comes close to such a hybrid focus is the *Journal of Criminal Law and Criminology* (*JCLC*). But that journal devotes one-half of each issue to student-edited, doctrinal law review articles dealing with criminal law, criminal procedure, and criminal evidence, and one-half of each issue to peer-reviewed articles in criminology, albeit in legal citation format. Moreover, unlike *JCLC*, *CCJLS* is not a law review published at a law school and edited by students. It is a peer-reviewed and peer-edited journal that blends social-scientific scholarship on criminal law and society with scholarship from a wide array of other related fields relevant to criminology and criminal justice.

Conclusion

It is now clear that criminology and criminal justice have matured into interdisciplinary fields. And so has law and society. Yet, specialists in each of these areas do not always talk with each other. They attend different academic conferences. They tend to publish their research in discrete venues which may or may not be journals read by those in the other "camps," so to speak. But crime and criminality are social problems that will not be solved without transdisciplinary collaboration and understanding. Consider, for example, the increasing importance of behavioral genetics and clinical neuroscience in understanding the causes of criminal behavior (see Farahany, 2009; Raine, 2014). But these topics are often given only passing coverage in many criminology textbooks and are similarly underrepresented in most CCJ journals, just as are legal issues related to criminology and criminal justice. We hope that *CCJLS* will provide a venue for readers to gain a wide variety of perspectives on matters relating crime, criminality, and responses to them in law, policy, or otherwise.

In closing, my co-editors and I believe it is essential for criminology and criminal justice to embrace the methods and knowledge of many disciplinary frameworks in order to better address the social problems of crime and criminality. We invite you to "make cake" with us by publishing your research in *CCJLS*.

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Endnote

[1] The 2014 amendments to the ACJS Certification Standards are silent about what constitutes the equivalent of a Ph.D.