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Criminology's Marginalization of Law: Combatting Epistemic Boundary Maintenance to Advance the Transdisciplinary Study of Crime

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ABSTRACT AND ARTICLE INFORMATION

This essay examines the systematic marginalization of legal scholarship within criminology and criminal justice (CCJ) and argues that the phenomenon is structural. Although CCJ presents itself as an interdisciplinary field, its evaluative architecture, including tenure and promotion standards that rely on journal impact factors and citation metrics derived from selective databases, privileges certain publication models while disadvantaging doctrinal, interdisciplinary, and translational legal scholarship. Drawing on analyses of faculty composition in leading doctoral programs, citation patterns across multiple databases, and institutional governance policies, the essay explicates how journal-level metrics and individual citation counts systematically undercount legal scholarship. The problem is compounded by the exclusion of most law reviews and judicial citations from widely used indexing systems such as Scopus. By tracing the transformation of bibliometrics from descriptive tools into instruments of institutional governance, the essay conceptualizes this process as a form of "metric governance" that embeds epistemic hierarchy into routine evaluation practices. The analysis further addresses the counter-argument that criminology is properly a social science distinct from law, demonstrating that the institutional separation of law and criminology in the United States is contingent rather than epistemically necessary. The essay concludes with concrete policy recommendations designed to recalibrate evaluative standards, broaden evidentiary definitions of scholarly impact, and foster genuinely transdisciplinary engagement between legal scholars and criminologists.

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Criminology and criminal justice (CCJ) are often described as interdisciplinary enterprises (see Maddan & Hartley, 2011; Payne, 2016). Their subject matter sits at the intersection of law, philosophy, political science, psychology, public policy and administration, sociology, and other related fields (Binder, 1987; Jeffery, 1978; Steinmetz et al., 2014; Tewksbury et al., 2005).[1] Yet the institutional architecture of evaluation within many CCJ programs tells a more complicated story that reflects a stratified order in which law is persistently undervalued.

Public commentary among academics reflects enduring skepticism about the epistemic status of legal scholarship. Critics frequently point to its normative orientation (Schlag, 1990; West, 2016; West & Citron, 2014)[2] or its methodological distinctiveness relative to other fields (Madison, 2006; Posner, 2008; Schuck, 1989). At the margins, skepticism takes more explicit form, including widely circulated online discussions questioning whether law professors are "real" scholars (Political Science Rumors, 2016). Although such rhetoric is often hyperbolic, the critiques transcend the nature of scholarship, often manifesting outright hostility toward the legal scholars themselves (Political Science Rumors, 2016).[3] The enmity occasionally surfaces in unusually blunt form, as illustrated by this comment on a blog post entitled "law professors are the worst":

> F**k law professors. Seriously, they got the cushiest gig in academia: one/two classes per semester, where all they have to do is troll their students endlessly for 90 minutes, only one exam to grade and they get to publish in non-peer reviewed journals? s**t, Imma be a lawyer now. (Judith, 2016)

Similar, albeit less explicit, sentiments surface in institutionalized settings, often in ways that influence hiring decisions, doctoral training, and the evaluation of scholarship as part of tenure and promotion standards (Fradella, 2025).

In this essay, I give the benefit of the doubt to skeptics of legal scholarship by assuming—for the sake of argument—that their critiques are not primarily the product of overt disciplinary hostility. Some of their skepticism is undoubtedly rooted in different methodological approaches. But the devaluation of legal scholarship in the social sciences, and CCJ in particular, also emerges from purportedly neutral metrics (such as journal impact factors and individual scholars' citation counts or indices) that converge to generate a form of evaluative asymmetry in which legal scholarship—particularly work aimed at courts, legislators, and practitioners—appears less impactful when measured through prevailing bibliometric standards. Moreover, these interacting factors coalesce into a pattern of institutionalized *epistemic boundary maintenance*—the processes through which academic communities define what counts as legitimate knowledge and who is authorized to produce it (see Gieryn, 1983, 1999; Knorr, 1999). Often embedded in norms and practices from methodological preferences to formal evaluation standards, this process reinforces disciplinary boundaries by privileging certain forms of scholarship while discounting others. This essay explores the ways that CCJ engages in epistemic boundary maintenance to systematically marginalize law.

At the outset, I do not maintain that empirical social-scientific scholarship should be displaced or diminished. Nor do I claim that all citation metrics are inherently illegitimate or useless. Rather, I contend that when bibliometric indicators are converted from descriptive tools into governance instruments that are misaligned with the publication ecology of legal scholarship, they produce an epistemic hierarchy that becomes embedded in routine evaluation of scholarship and, by extension, of scholars themselves. If CCJ is to remain genuinely interdisciplinary, its evaluative standards must reflect the full range of knowledge production necessary to understand and reform criminal justice systems.

I. Epistemological Tensions Between Legal and Social Scientific Knowledge

The marginalization of legal scholarship within CCJ cannot be explained solely by differences in journal format or different methodologies. Rather, it reflects competing epistemological commitments about what counts as legitimate knowledge. Legal scholarship and social-scientific research operate within distinct, though overlapping, traditions of inquiry. When one tradition becomes dominant within evaluative regimes, the other risks being recast as inferior rather than simply different.

To be sure, there is much to criticize about legal scholarship (see Posner, 2008; Schlag, 1990, 2009; West & Citron, 2014). But criticisms can be levied against scholarship in many fields, including empirical research in the natural and social sciences. Consider "groundbreaking" findings such as Jung and colleagues' (2014) finding about the more severe intensity of hurricanes with female names; Witcombe and Meyer's (2006) revelation that sword swallowing is dangerous; and research demonstrating that, surprise, the darknet is used for illicit purposes (Moore & Rid, 2016). In each case, the prominence of the

finding was shaped less by its inherent epistemic strength than by the publication venues, disciplinary citation practices, and amplification mechanisms through which it circulated.

Normative and Doctrinal Knowledge Versus Empirical Generalization

Legal scholarship has historically served multiple functions: interpreting constitutional doctrine, analyzing statutory design, critiquing institutional practices, and proposing reforms grounded in normative commitments about justice and governance. Because much of this work is doctrinal, normative, and analytical, rather than empirical, it is sometimes criticized as insufficiently "scientific" or overly argumentative (Madison, 2006; Posner, 2008). Yet, as West and Citron (2014) observe, the normative dimension of legal scholarship is not incidental; it is central to its institutional purpose. Legal scholars frequently write with courts, legislators, and policymakers as intended audiences.

By contrast, CCJ scholarship increasingly emphasizes empirical generalization, theory testing, and methodological sophistication (Steinmetz et al., 2014; Tewksbury et al., 2005). The prestige hierarchy within CCJ tends to reward publications employing advanced quantitative methods in peer-reviewed journals indexed in major citation databases. Normative analysis, doctrinal synthesis, and translational writing directed at legal actors often receive less recognition within these evaluative frameworks (Rowe et al., 2017, 2018).

Importantly, these epistemic differences do not map neatly onto rigor. Empirical work is not immune from methodological error, replication failure, or interpretive overreach. Studies in multiple disciplines have documented limitations in peer review, including low inter-reviewer reliability (Bornmann et al., 2010; Guthrie et al., 2018; Nicolai et al., 2015) and failures to detect significant methodological flaws (Schroter et al., 2008; Smith, 2006). Replication crises in social sciences further complicate assumptions that peer-reviewed quantitative research is inherently more reliable (Open Science Collaboration, 2015; Schumm et al., 2025). CCJ itself has not been immune from concerns about problematic findings or undetected methodological weaknesses (Chin et al., 2021; Pickett, 2020; Schumm et al., 2025).

Conversely, doctrinal and normative scholarship can be rigorous within its own epistemic framework. Legal analysis demands close reading of precedent, precise citation practices, logical consistency, careful synthesis of statutory and constitutional text, and institutional awareness. It often requires grappling with competing interpretive frameworks, reconciling doctrinal tensions, and anticipating the practical consequences of legal change. The fact that legal scholarship frequently engages normative questions reflects the nature of law itself—an enterprise concerned with how authority should be structured and exercised, not a deficiency in methodological discipline. Indeed, doctrinal scholarship can exhibit analytical precision and theoretical sophistication comparable to that found in empirical research, albeit through different tools and evaluative criteria. Additionally, the culture surrounding the research and writing of law review articles often involves extensive pre-publication vetting through conferences, faculty workshops, and extensive peer commentary through open reviews (Austin, 1989; Tietz & Price, 2020). Although this process differs from double-blind peer review, it nonetheless subjects manuscripts to sustained critique from peers prior to publication.

The epistemological divide thus appears to reflect different conceptions of audience, impact, and knowledge production. When CCJ evaluative systems treat scholarship published in social science journals as the default and *de facto* benchmark of quality, they position doctrinal and normative work as methodologically deficient rather than differently situated.

The Peer Review Debate as Boundary Work

One of the most persistent critiques of legal scholarship concerns the student-edited nature of most U.S. law reviews. Critics argue that the absence of double-blind peer review undermines quality control (Leiter, 2010; Madison, 2006). Online academic forums and intradepartmental commentary often invoke this distinction to question whether law review publications should "count" in tenure and promotion decisions within social-science departments (Fradella, 2025; Political Science Rumors, 2016).

Yet empirical examinations of peer review suggest that the process is neither uniformly reliable nor protective against error. As previously mentioned, reviewer agreement rates are often low (Bornmann et al., 2010; Guthrie et al., 2018; Nicolai et al., 2015), and major methodological flaws routinely go undetected (Chin et al., 2021; Pickett, 2020; Schroter et al., 2008; Smith, 2006). Indeed, empirical examinations of peer review, including experimental tests of reviewer performance, demonstrate persistent limitations in review systems (Baxt et al., 1998; Godlee, 2002; Schroter et al., 2008). Moreover, instances of retracted research across disciplines demonstrate that peer review does not guarantee validity (Zheng et al., 2023).

Although a handful of law journals are peer reviewed, most are not.[4] Legal scholars have long

defended the law review model on alternative grounds. The intensive citation checking performed by student editors, the competitive simultaneous-submission process, and the robust workshop culture surrounding drafts all function as quality control mechanisms distinct from but not necessarily inferior to traditional peer review (Barton, 2009; Friedman, 2018; Tietz & Price, 2020). Indeed, because open or identifiable review processes may reduce certain forms of bias that can occur in anonymous peer review (Godlee, 2002), the pre-submission open review process to which most law journal articles are subjected operates as a different form of peer review than the double-blind model, but one that may yield stronger products.

The peer review critique thus operates as a form of epistemic boundary work. By defining double-blind peer review as the sole legitimate marker of scholarly rigor, evaluative systems can systematically exclude alternative publication models. When tenure guidelines or departmental norms treat student-edited journals as categorically inferior, the distinction becomes institutionalized. What might begin as a methodological preference becomes an epistemic hierarchy.

Professional Socialization and the Experience of Marginalization

Epistemic hierarchies are not abstract. They are experienced in graduate training, faculty evaluation, and everyday scholarly interaction. Scholars holding both law degrees and PhDs report recurring themes about their colleagues in CCJ programs advising them not to publish in law journals because such publications would not "count" toward tenure and promotion (Fradella, 2025; Hemmens, 2015). These accounts align with prior research documenting the marginalization of legal scholarship within CCJ journals. For instance, Tewksbury and colleagues (2005) and Rowe and colleagues (2017) found that legal analyses comprised only a small fraction of articles published in leading CCJ outlets, and that several prominent journals published no legal analyses whatsoever over extended periods (see also Nolasco et al., 2015). When publication outlets privilege empirically oriented research, and when citation metrics are drawn primarily from those outlets, structural incentives reinforce the epistemic center of the field.

Table 1: Disciplinary Representation on the Tenure Track at Leading PhD-Granting CCJ Programs in Mid-2024

Rank	PhD-Granting Program	Number of Faculty	PhDs in CCJ/SOC	PhDs in Related Fields	Faculty with Law Degrees
1	University of Maryland	18	13 (72.2%)	5 (27.8%)	0 (0.0%)
2	Arizona State University	30	23 (76.7%)	7 (23.3%)	2 (6.7%)
2	University of California–Irvine	25	11 (44.0%)	14 (56.0%)	6 (24.0%)
4	University of Cincinnati	19	16 (84.2%)	3 (15.8%)	0 (0.0%)
5	Pennsylvania State University–College Park	12	12 (100.0%)	0 (0.0%)	0 (0.0%)
5	University at Albany	12	8 (66.7%)	4 (33.3%)	1 (8.3%)
7	Florida State University	23	23 (100.0%)	0 (0.0%)	1 (4.3%)
7	Rutgers University	24	20 (83.3%)	4 (16.7%)	2 (8.3%)
9	Michigan State University	28	22 (78.6%)	6 (21.4%)	3 (10.7%)
10	George Mason University	17	13 (76.5%)	4 (23.5%)	1 (5.9%)
11	University of Missouri–St. Louis	9	8 (88.9%)	1 (11.1%)	0 (0.0%)
12	Northeastern University	20	16 (80.0%)	4 (20.0%)	2 (10.5%)
13	University of Nebraska–Omaha	19	16 (84.2%)	3 (15.8%)	0 (0.0%)
14	Temple University*	20	12 (60.0%)	6 (30.0%)	3 (15.0%)
15	Sam Houston State University	35	28 (80.0%)	7 (20.0%)	2 (8.6%)
15	University of Florida	8	6 (75.0%)	2 (25.0%)	2 (25.0%)
	Totals:	319	247 (77.4%)	70 (21.9%)	25 (7.8%)

Source: Fradella, 2025.

* Note: The numbers of faculty with PhDs in CCJ and related fields in Table 1 equal the total number of faculty for all institutions listed other than Temple University because the CCJ program at that institution had two tenured/tenure-track faculty with law degrees, but not PhDs. For all of the other institutions, the final column represents the number of PhDs who also held law degrees.

The consequences extend to doctoral education. As Table 1 reveals, data on faculty composition in leading CCJ programs indicate that only a small proportion of tenure-track faculty hold law degrees, and several highly ranked programs employ no law-trained faculty at all. In such environments, graduate students may receive limited exposure to constitutional frameworks, doctrinal analysis, and the institutional logics of courts and legislatures (Fradella, 2025; Hemmens, 2015). When evaluative metrics further privilege empirically indexed publications, students receive clear signals about which forms of scholarship are rewarded.

Taken together, these patterns suggest that the devaluation of legal scholarship is not reducible to interpersonal hostility. Rather, it is embedded in professional socialization, journal gatekeeping, and metric-based governance structures. The next section examines how those structural dynamics are further entrenched through curricular design and the routinization of epistemic hierarchy within leading CCJ doctoral programs.

II. Structural Underrepresentation

Despite the purported interdisciplinary nature of CCJ, interdisciplinarity is not self-executing. It depends on institutional structures—faculty composition, curricular requirements, and evaluative criteria—that determine which epistemologies are central and which are peripheral. When those structures are examined together, a consistent pattern emerges: legal training and legal scholarship occupy a marginal institutional position in many leading CCJ programs. That marginality, in turn, helps explain how metric-based evaluative regimes can be adopted with little resistance from those most affected by them.

Faculty Composition Across Leading Doctoral Programs

An examination of tenure-track and tenured faculty across the top-16 ranked PhD-granting CCJ programs reveals pronounced disciplinary concentration (Fradella, 2025). Of 319 faculty members identified on websites of these institutions during August of 2024, 247 (77.4%) held doctorates in criminology, criminal justice, or sociology. The remaining 72 faculty members (22.6%) were distributed across related disciplines, including psychology (n = 27; 8.5%), political science or government (n = 12; 3.8%), social and public policy and administration (n = 11; 3.5%), and geography. All other disciplines were represented by only one or two individuals each across the leading doctoral programs in CCJ, including anthropology, economics, ethnic studies, geography, history, biology, computer science, and others.

Law-trained scholars were comparatively rare. Only 25 of the 319 faculty members (7.8%) held law degrees in addition to doctoral training (a quarter of whom were employed by University of California, Irvine). Notably, five of the 16 programs (31.3%) lacked a single tenure-stream faculty member with a law degree.

When more than three-quarters of tenure-track faculty share closely aligned disciplinary training, departmental epistemic norms are likely to reflect that majority. Under such conditions, legal epistemologies are not absent but are structurally peripheral. Even where law-trained faculty are present, they typically constitute small minorities within their departments.

This distribution matters for governance because most scholars might be more inclined to adopt evaluative criteria aligned with their publication practices. Thus, when law-trained faculty are few, there are fewer institutional advocates positioned to challenge the adequacy of standards adopted for hiring and career advancement, especially when those standards involve metrics that are ill-suited to capturing the impact of legal scholarship.

Curricular Design and the Symbolic Status of Law

Faculty composition intersects directly with doctoral training. Among the 16 leading programs listed in Table 1, only four require doctoral students to complete even one law-centered course (Fradella, 2025).

Prior scholarship has underscored the importance of legal competence within CCJ education. Nolasco and colleagues (2015) argue that insufficient grounding in legal frameworks limits the discipline's ability to engage comprehensively with criminal justice institutions. Hemmens (2015) similarly contends that legal literacy is indispensable for understanding how criminal justice actors operate within statutory and constitutional constraints. Yet, in most leading CCJ programs, constitutional criminal

procedure, statutory interpretation, and doctrinal analysis are neither required nor structurally embedded within core curricula.

This pattern is notable given that criminal justice institutions are constituted through law. Crime definitions arise from statutes; both police authority and correctional policies and practices are structured by constitutional doctrines; and sentencing regimes are shaped by legislative and judicial interpretation. Yet doctoral programs frequently treat law and legal analysis as being so peripheral as to warrant omission from core curricula.

Required coursework signals disciplinary identity. Students internalize a hierarchy of knowledge forms such that competence in constitutional doctrine becomes specialized rather than foundational knowledge.

The curricular marginalization of law reinforces faculty-level underrepresentation. When law is neither structurally central in hiring patterns nor foundational in doctoral training, its epistemic authority within the discipline weakens. Under such conditions, evaluative systems built around certain publication metrics can emerge and solidify with limited internal resistance.

III. Institutional Governance, Impact Factors, and Citation Metrics

The structural implications of faculty composition and curricular design become clearest when evaluative preferences are codified in governance documents. Tenure and promotion policies that rely on citation-based standards—journal impact factors, citation counts, or associated measures such as the *h*-index or i-10-index—transform descriptive indicators into decision rules. When embedded in institutional policy, these metrics institutionalize epistemic hierarchy. Such policies rest on two core assumptions: (1) that journal impact factors provide a valid proxy for scholarly quality, and (2) that citation counts derived from selected databases adequately capture scholarly influence. Both assumptions are contestable.

Journal Impact Factors as Proxies for Quality

A substantial body of research-metrics scholarship demonstrates that journal impact factors are frequently treated as proxies for quality in hiring, promotion, and funding decisions (Aksnes et al., 2019; Callaway, 2016; Holden et al., 2005). Yet, the San Francisco Declaration on Research Assessment (2012) explicitly warns that journal-based metrics should not be used "as a surrogate measure of the quality of individual research articles, to assess an individual scientist's contributions, or in hiring, promotion, or funding decisions" (para. 6). Likewise, the Leiden Manifesto emphasizes that impact factors were designed to facilitate information retrieval, not to evaluate researchers or determine scholarly merit (Hicks et al., 2015).

Empirical studies further explain why such reliance is problematic. Impact factors measure average citation rates at the journal level and are highly skewed by a small number of highly cited articles (Seglen, 1997). They do not measure methodological rigor, theoretical contribution, or translational influence. Moreover, citation practices vary dramatically across disciplines; cross-field comparisons using impact factors are analytically unsound because different publication cultures generate different citation rates (Larivière & Gingras, 2010). The United Kingdom's *Metric Tide* report similarly concluded that metrics are not sufficiently robust to be used as a primary means of assessing the quality of research outputs (Wilsdon et al., 2015).

Even if impact factors provide some limited information on scholarly impact, tenure and promotion policies must avoid proverbially comparing apples to oranges. Interdisciplinary programs span fields with radically different publication ecologies. As Wallace and Lutkenhaus (2022) note, different fields' publication practices "result in different citation rates" (p. 174; see also Wilsdon et al., 2015). A uniform impact-factor floor therefore embeds structural bias into evaluation.

The implications are concrete. Consider, as Table 2 illustrates, that none of the five leading specialty journals in criminal law and procedure (out of 47) have five-year impact factors exceeding 1.6, and four of the top five fall below 0.70. The effect is structural exclusion: leading criminal law and procedure journals—where published scholarship is most likely to influence courts, prosecutors, defense attorneys, and legislators—are rendered ineligible under impact-factor thresholds calibrated to social-science publication norms.

During internal discussions about the (in)appropriateness of impact factor cut-offs in tenure and promotion decision, interdisciplinary legal scholars employed in leading CCJ programs reported that their social science colleagues countered that rather than publishing in the venues listed in Table 2, legal scholars could simply publish in elite general law reviews, with the *Harvard Law Review* (*HLR*) most frequently signaled out to satisfy key metrics (see Fradella, 2025). That unhelpful advice fails on both practical and empirical grounds.

First, "the *HLR* not only has one of the highest incidences of publishing its own faculty, but also, in a phenomenon that has been dubbed 'letterhead bias,' it has the single highest rate of publishing law faculty

from similarly highly ranked institutions" (Fradella, 2025, p. 987; see also Thomson, 2019).[6]

Table 2: Impact Factors of Leading Journals in Criminal Law and Procedure[5]

Journal	Combined Score	5-Year Impact Factor	5-Year Case Citation Count
Journal of Criminal Law & Criminology	25.68	1.57	13
American Criminal Law Review	17.44	0.65	17
American Journal of Criminal Law	12.08	0.81	4
Ohio State Journal of Criminal Law	10.95	0.57	3
Berkeley Journal of Criminal Law	5.23	0.38	7

Second, the *HLR* receives upwards of 2,500 submissions annually while publishing roughly nine to 10 feature articles per year, yielding a feature-article acceptance rate on the order of approximately 0.36 to 0.40% (Fradella, 2025). By contrast, *Criminology*, the flagship peer-reviewed journal for its field, publishes six to 10 articles in each of its four annual issues and its website reports an acceptance rate of 10 to 12%—a rate 25 to 33 times higher than the *HLR*.

Moreover, *Criminology*, *Justice Quarterly*, and similarly prestigious CCJ journals are specialty journals devoted to issues of crime and justice. By contrast, the *HLR* is a general law review that publishes across a broad range of legal subfields. It heavily favors constitutional law and jurisprudential theory, typically publishing only one or two articles relevant to criminal justice across an entire year's volume, if any (see Fradella, 2025).

The difference in editorial capacity and acceptance probability is not marginal; it is an order-of-magnitude disparity. Telling scholars who focus on legal aspects of criminal justice to publish in *HLR* effectively instructs them to compete for one of a handful of slots with sub-0.5% acceptance odds, rather than to publish in field-specific outlets designed to sustain regular scholarly production. It, therefore, cannot function as a structural substitute for specialty journals devoted to doctrinal and translational scholarship relevant to criminal law, procedure, evidence, and justice. Such "advice" merely substitutes a hyper-selective generalist venue for a sustainable disciplinary publication ecology. Imagine if traditional CCJ scholars were told that to satisfy tenure metrics, they needed to publish in an exclusive set of ultra-selective general science journals like *Science* or *Nature*, or even general social science journals where they competed with cultural anthropology, economics, geography, political science, psychology, sociology, and other social science disciplines. Rather than intellectual merit deciding which pieces of scholarship were published, CCJ scholars would also have to deal with editorial scarcity and topical breadth for their work to "count" under such a system.

In short, tenure and promotion policies with a seemingly neutral numeric threshold and citation preference can convert a descriptive bibliometric indicator into a normative gate. And by using cut-offs or targets based on CCJ norms, programs institutionalize a structural disadvantage for doctrinal and translational legal scholarship relevant to CCJ.

Individual Citation Metrics, Indexing Architecture, and Epistemic Visibility

A parallel asymmetry emerges at the level of individual citation counts. Scopus and Web of Science prioritize peer-reviewed journals that meet specific editorial and citation criteria. Most law reviews are excluded. Judicial opinions, appellate briefs, and treatises—central sites of legal influence—are not indexed (Rossmo, 2018). As a result, doctrinal and translational legal scholarship that circulates within courts and law reviews is largely invisible within these systems, distorting citation metrics in a manner that systematically underrepresents the influence of legal scholarship (Fradella, 2025). The distortions are visible in both canonical and contemporary cases.

Herbert Packer profoundly shaped criminal justice theory. Yet Scopus indexed only one of Packer's works (an article in a political science journal) and reported 10 citations to it. By contrast, Scopus did not include either of Packer's two groundbreaking works: *Two Models of the Criminal Process* and *The Limits of the Criminal Sanction*. (The former was published in a law review, and the second built on that article to form a full-length monograph published by Stanford University Press.) Google Scholar reports thousands of citations to these two

foundational works (Fradella, 2025), but a personnel committee relying on Scopus might well decide that Packer lacked sufficient scholarly impact for tenure or promotion.

Herbert Wechsler, architect of the Model Penal Code, provides a similar example. Scopus indexed only one of his articles, reporting six citations to it. By contrast, Google Scholar reports thousands of citations to his key works on criminal law reform (Fradella, 2025). He, too, might appear unworthy of academic job security and promotion under Scopus-based evaluation, despite arguably unmatched influence on law and public policy relevant to the modern criminal legal system in the United States.

The structural risks of metric governance are not confined to historically canonical figures. The distortions evident in citation databases extend to contemporary criminal law and criminal procedure scholars whose work is widely recognized as influential within both legal and interdisciplinary communities. Among 42 leading contemporary criminal law and procedure scholars identified by Leiter (2021), Scopus reported dramatically lower citation counts than Hein Online (a leading citation database for legal scholarship) for 35 (83.3%) of them. In many cases, Scopus captured less than one-third—and usually less than 10%—of citations reported in Google Scholar and Hein Online (Fradella, 2025). Scopus reported, for example, only 741 citations for Akhil Reed Amar, whereas Google Scholar reported 22,254—meaning Scopus captured a mere 3.3% of citations for this leading scholar. Similar patterns of significant underreporting existed for dozens of eminent scholars of criminal law and procedure. Scopus captured only 838 (3.8%) of Erwin Chemerinsky's 22,131 citations as reported by Google Scholar. This pattern repeats across many leading scholars of criminal law and procedure, including Richard Delgado: 621 vs. 51,525, 1.2%; Joshua Dressler: 190 vs. 6,409, 3.0%; Orin Kerr: 1,428 vs. 15,330, 9.3%; and Michael Tonry: 2,118 vs. 22,844, 9.3%, just to name a few (see Fradella, 2025).[7] These discrepancies are not attributable to marginal scholarly influence; the scholars listed are central figures in constitutional criminal procedure, criminal theory, race and criminal justice, and law-and-society scholarship. The undercounting reflects database coverage decisions rather than intellectual insignificance.

Such dramatic disparities between reported citation counts between Scopus and Google Scholar raise an empirical question: Might the Scopus results be more valid because Google Scholar dramatically inflates citation counts? An empirical analysis of a 50-article sample concludes that is not the case (Fradella, 2025). As of August 2024, Google Scholar reported a total of 1,631 citations to the 50 articles in that study. Of those, as Table 3 shows, 170 citations (11.0%) were invalid because they were duplicates or erroneous entries, meaning that there were a total of 1,547 legitimate citations to the articles in the research sample.

Table 3: Mismeasurement by Citation Databases

Citator	Reported Citations			Missing Citations		
	Total Citations	*Unique Citations*	*Duplicates and Errors*	Law Reviews	Books & Peer-Reviewed Journals	Other Sources
Google Scholar	1,631 (105.4%)	820 (53.0%)	170 (11.0%)	82 (5.3%)	13 (0.8%)	91 (5.9%)
Westlaw Key Cite	401 (25.9%)	108 (7.0%)	3 (0.2%)	147 (9.5%)	735 (47.5%)	364 (23.5%)
Hein Online	324 (20.9%)	19 (1.2%)	4 (0.3%)	131 (8.5%)	735 (47.5%)	462 (29.9%)
Scopus	372 (24.0%)	15 (1.0%)	1 (0.1%)	455 (29.4%)	372 (24.0%)	477 (30.8%)

Source: Fradella, 2025.

Scopus, Westlaw Key Cite, and Hein Online all had a much lower incidence of invalid citations than Google Scholar. But Scopus, Westlaw Key Cite, and Hein Online all missed between 1,246 and 1,328 legitimate citations, whereas Google Scholar missed only 186 legitimate citations, capturing 820 valid citations that were missed by *all* of the other citation services.[8]

Perhaps surprisingly, Google Scholar yielded the highest rate of accuracy for valid citations in law journals, missing 82 (5.3%) of such citations, compared to rates nearly double that for Westlaw Key Cite and Hein Online. Scopus, by comparison, failed to report 455 valid citations in law journals, missing nearly 30% of the valid citations in the research sample. This significant undercounting of valid

scholarly citations is a direct consequence of Scopus simply not indexing most scholarly legal journals. But there are other reasons too, some of which explain why Westlaw Key Cite and Hein Online also missed some valid citations to articles in the study that appeared in law journals. For instance, many citation databases rely heavily on publisher metadata, digital object identifiers (DOIs), and standardized citation formats. But many law journals lack such data, particularly for older volumes (see Fradella, 2025). Additionally, because legal scholarship uses *Bluebook* citation conventions, the optical character recognition databases use to scan articles and then match citations using volume numbers, journal title abbreviations, and initial page numbers results in many missed citation captures (Wallace et al., 2022; Watson, 2022).

Such reasons, however, do not explain why Scopus failed to capture 372 (24%) of the scholarly citations that appeared in books and peer-reviewed journals for the sample (Fradella, 2025). Some of this could be a function of author name variants (e.g., the inclusion or omission of middle initials); inconsistent institutional affiliations can also fragment citation counts across multiple Scopus author profiles.[9] But most of this undercounting is a function of Scopus indexing journals unevenly.

> For example, it includes the *ACLR* [*American Criminal Law Review*] but not the *AJCL* [*American Journal of Criminal Law*]; it includes the University of Arizona's *Arizona Law Review* but not Arizona State *University's Arizona State Law Journal*; the open-access *Romanian Journal of Applied Psychology* is included, but the open-access, U.S.-based journal *Applied Psychology in Criminal Justice* is not. (Fradella, 2025, p. 965)

The same idiosyncratic pattern holds true for the indexing books. Consider two criminal-justice-related books published by NYU Press: Judah Schept's (2015) book, *Progressive Punishment: Job Loss, Jail Growth, and the Neoliberal Logic of Carceral Expansion* was included in Scopus coverage, while *Stop and Frisk: The Use and Abuse of a Controversial Police Tactic* (White & Fradella, 2016) was not. Similarly, Scopus indexed Kimberly Sue's 2019 University of California Press book, *Getting Wrecked: Women, Incarceration, and the American Opioid Crisis*, while omitting another book published in the same year by the same publisher, *Punishing Poverty: How Bail and Pretrial Detention Fuel Inequalities in the Criminal Justice System* (Scott-Hayward & Fradella, 2019).

Taken together, these features produce venue-dependent and document-type-dependent distortions. The mismeasurement is not random; it disproportionately affects scholarship circulating within law-review ecosystems and judicial networks.

From Descriptive Tools to Governance Instruments

Under evaluative regimes that privilege databases like Scopus, the distortion of actual citations is not theoretical. It shapes hiring, promotion, and professional signaling.

Citation indexes were originally designed to map scholarly communication—to trace how ideas circulated across journals and disciplines. Their purpose was analytic rather than normative (Hicks et al., 2015). Over time, however, citation counts and impact factors migrated from informational tools to evaluative criteria. Impact factors became shorthand for prestige; citation counts became proxies for quality; database inclusion became a marker of legitimacy.

This shift reflects what may be termed *metric governance*: the use of quantitative indicators to regulate professional advancement (see Hicks et al., 2015; cf. Espeland & Sauder, 2007, 2016; Muller, 2018; Wilsdon et al., 2015). Once embedded in tenure and promotion policies, metrics cease to describe influence and instead define it.

The appeal of such metrics is obvious. They appear objective. They provide numerical clarity in domains characterized by qualitative judgment. They promise insulation from accusations of favoritism. And they rest on the assumption that higher citation counts reflect higher-quality research. Cohn and Farrington (1994) suggested that this assumption may be more defensible in CCJ than in some other fields because citations in CCJ tend to be neutral or positive rather than critical. However, their analysis examined the most "influential" criminologists of that era, which introduces selection bias. Evaluating citation patterns among disciplinary "giants" tells us little about how citations function across the broader scholarly landscape. Moreover, it remains unclear whether the proportion of negative citations in CCJ scholarship has shifted meaningfully since that time. Even when scholars cite flawed work in order to correct or critique it, they nonetheless contribute to its citation count (for example, see Fradella, 2024; Valcore et al., 2021). The presence of a citation, therefore, does not necessarily signal endorsement, methodological rigor, or substantive contribution.

Even setting aside the issue of negative citations, the broader assumption that citation counts indicate quality is highly contestable. Citation metrics can be artificially inflated through excessive self-citation, peer reviewers, journal editorial practices, or

coordinated "citation rings," "cartels," or "clubbing" behaviors, phenomena that have been documented across multiple disciplines, including law and CCJ (see Bik, 2022; Catanzaro, 2024; Docampo, 2024; Fister et al., 2016; Fong et al., 2023; Perez et al., 2019; Rock, 2005). The controversy surrounding the rapid rise of the *Journal of Criminal Justice* impact factor illustrates this problem. A published analysis reported that nearly half of the journal's citations in a given year were self-citations and that a substantial portion came from editorials authored by the journal's editor; when self-citations were excluded, the journal's ranking dropped significantly (Baker, 2015; Borrell, 2015).

Beyond overt gaming, even legitimate citations are not reliable indicators of quality. Research across disciplines concluded that citation counts are a poor proxy for advancing the state of the art (Seglen, 1997) and are of limited utility in evaluating scholars and the quality of their research (Aroeira & Castanho, 2020; Dougherty & Horne, 2022; Koltun & Hafner, 2021).

In fields with relatively uniform publication cultures, bibliometrics may approximate scholarly communication patterns. In interdisciplinary fields with divergent publication models, such as CCJ's intersection with related fields, the same metrics generate systematic asymmetries. With regard to the legal aspects of CCJ, in particular, those structural distortions fail to capture influence in courts, legislative reform, practitioner training, or the legal academy.

When metrics become rules, though, the question is no longer whether they are imperfect; we know they are. The question is whether their imperfections are systematically distributed. When one epistemic domain, legal scholarship, is so significantly underindexed by the systems that define excellence, metric governance produces predictable hierarchy. And because leading CCJ programs often privilege the more restrictive databases like Scopus and Web of Science, presumably because they are seen as curated, their use as evaluative instruments becomes epistemically consequential.

IV. Institutionalization of Epistemic Hierarchy

Part II showed how faculty composition and curricular design situate law at the margins of many CCJ doctoral programs. Part III conceptualized metric governance as the transformation of bibliometrics into instruments of professional regulation. It also demonstrated that citation-based metrics systematically undercount legal scholarship in ways that are neither random nor trivial.

The interaction between faculty underrepresentation and metric governance produces a self-reinforcing cycle. First, limited representation of law-trained faculty reduces internal resistance to evaluative criteria that disadvantage legal scholarship. Second, the adoption of impact-factor thresholds and citation-database reliance further marginalizes legal venues. Third, doctoral training socializes students into publishing strategies aligned with indexed peer-reviewed outlets. Over time, the discipline's epistemic center becomes increasingly aligned with the metrics used to evaluate it.

This dynamic exemplifies epistemic boundary maintenance. No explicit exclusion of legal scholarship is required. Importantly, this process does not require animus toward law or legal scholars. It operates through institutional inertia and administrative convenience. Citation metrics appear objective, scalable, and administratively efficient. Yet their partial coverage, when embedded in policy, produces systematic asymmetry. The boundary is maintained through routinized evaluative practices that privilege certain publication models and render others less visible.

The Interdisciplinary Paradox

CCJ's self-description as interdisciplinary sits uneasily alongside its evaluative architecture. Interdisciplinarity presupposes plural epistemologies—empirical, doctrinal, normative, and translational. However, when impact is defined primarily through citation counts in selected databases and publication in journals exceeding specific impact-factor thresholds, epistemic pluralism narrows.

The paradox is structural rather than rhetorical. A discipline may affirm interdisciplinarity while operationalizing evaluation criteria that privilege only a subset of its constituent traditions. When the instruments of governance are misaligned with the field's stated intellectual commitments, marginalization becomes embedded in routine practice.

Disciplinary Boundaries and the False Divide Between Law and Criminology

The arguments previously presented reveal a structural misalignment between CCJ's interdisciplinary aspirations and its evaluative architecture. A predictable counter-argument arises: Criminology is a social science grounded in peer-reviewed empirical methods, whereas law is doctrinal and professionally oriented. After all, law schools are administratively separate institutions whose mission includes training lawyers, not primarily producing peer-reviewed social science. On this view, privileging peer-reviewed, indexed journal publications is not marginalization but appropriate

disciplinary differentiation. That argument deserves serious engagement.

The Evaluation Paradox

CCJ purports to be interdisciplinary (Steinmetz et al., 2014; Tewksbury et al., 2005), yet its evaluative mechanisms privilege a particular model of knowledge production: peer-reviewed journal publication indexed in curated databases like Scopus and validated through citation counts within those networks. That model aligns naturally with quantitative, theory-driven social-scientific research. By contrast, qualitative research is often relegated to second-class status in CCJ, which explains the overwhelming dominance of quantitative scholarship in leading CCJ journals (Buckler, 2008; Copes et al., 2011; Tewksbury et al., 2010). And most importantly for the purposes of this essay, the dominant paradigm aligns even less well with doctrinal, normative, and translational legal scholarship that circulates primarily through student-edited law reviews, treatises, and judicial opinions (Barton, 2009; Friedman, 2018; Tietz & Price, 2020).

When evaluative rules define "top-tier" scholarship through impact-factor thresholds and treat Scopus citation counts as primary evidence of influence, they privilege forms of publication fully captured by those systems (Hicks et al., 2015). Scholarship that circulates in venues unindexed or underindexed by those systems appears less impactful regardless of its substantive reach.

This asymmetry is compounded by disciplinary representation. As shown earlier, law-trained faculty constitute a small minority within many doctoral CCJ programs. Where institutional decision-making bodies are dominated by empirically trained scholars, there are fewer institutional advocates positioned to question the adequacy of bibliometric proxies for evaluating doctrinal work. The evaluative regime therefore stabilizes around the epistemic norms of the disciplinary majority.

Venue Ecology and Knowledge Transmission

The misalignment between metrics and legal scholarship reflects differences in venue ecology rather than differences in intellectual merit. In CCJ and other social sciences, peer-reviewed journals serve as the dominant channel of scholarly transmission. Citation practices occur primarily within indexed journal networks. Impact factors and database counts therefore capture a substantial share of disciplinary influence.

In law, however, law reviews remain the primary publication vehicle. Doctrinal arguments circulate through law reviews, appellate briefs, judicial opinions, and treatises, many of which are incompletely indexed or excluded entirely from Web of Science and Scopus (Fradella, 2025) despite facts such as judicial citation functioning as one of several important indicators of influence for pure or interdisciplinary legal scholarship.

But journal impact factors measure citation frequency within indexed journal networks; they do not measure influence in courtrooms, legislative drafting, agency rulemaking, or practitioner education. And citation counts in databases like Scopus do not capture citations in such outlets. As the Leiden Manifesto cautions, bibliometric indicators were designed to assist expert judgment, not replace it, and are sensitive to field-specific publication practices (Hicks et al., 2015). When those metrics are elevated into binding evaluative rules, the forms of influence they fail to capture are treated as professionally marginal.

To be clear, this is not an argument against peer review or empirical research; it is an argument about alignment. If evaluation criteria privilege only those forms of impact visible within a particular indexing architecture, interdisciplinary claims become hollow.

The Institutional Separation of Law and Criminology Is Contingent, Not Inevitable

A possible counter-argument to my thesis sometimes rests on institutional separation: Law schools and CCJ schools or departments tend to be distinct entities in the United States. Yet, institutional structure does not dictate epistemic necessity.

In many other countries, CCJ is housed within faculties of law. In the United Kingdom, for example, criminology historically developed within law schools and remains institutionally embedded in law faculties at numerous universities (Garland, 2002). Many Canadian, Australian, and European universities likewise often situate CCJ programs within legal or socio-legal faculties rather than separating them administratively (Loader & Sparks, 2011).

The United States model, where law schools are professional schools largely independent of social science departments, is historically contingent. It reflects U.S higher-education organization, not a necessary epistemic divide between law and criminology. As noted earlier, crime is defined by statute; policing authority derives from constitutional doctrine; sentencing regimes are structured by legislative and judicial interpretation. It is difficult to identify a central criminological question that does not intersect with law. Institutional separation therefore cannot justify epistemic exclusion.

Professional Education Does Not Negate Scholarly Value

The claim that law schools are "professional schools" and therefore epistemically distinct also warrants scrutiny. Of course, law schools do train lawyers. Yet, they are also research institutions producing theoretical, empirical, historical, and interdisciplinary scholarship (West & Citron, 2014). The professional dimension of legal education does not render legal scholarship inherently less rigorous or less relevant.

Conversely, CCJ itself is not purely theoretical. Many CCJ programs train practitioners, policy analysts, and administrators. Applied research, evidence-based policy recommendations, and institutional reform proposals are central to the field. If professional orientation disqualified scholarship from disciplinary recognition, much applied CCJ would face similar marginalization.

The more accurate distinction is not between "professional" and "scientific" knowledge but between different modes of knowledge production: empirical generalization and doctrinal interpretation; theory testing and normative institutional design. Both are necessary for understanding and reforming criminal justice systems.

Incentives and Disciplinary Trajectories

Metric governance shapes behavior (Hicks et al., 2015; Moed, 2005). Junior scholars make strategic decisions about where to publish based on what counts for tenure. Doctoral students observe which venues are rewarded and tailor research agendas accordingly. Schools and departments hire candidates whose publication portfolios align with existing evaluative standards.

This dynamic does not require explicit hostility toward legal scholarship. It operates through routinized incentives. Specialty journals in criminal law and procedure become less attractive to junior scholars seeking tenure security when their work is evaluated under tenure and promotion policies that use impact factor cut-offs or targets as measures of excellent work. Translational work aimed at courts becomes professionally riskier than work aimed at indexed journal audiences. As these incentives accumulate, epistemic diversity narrows. The result is subtle but consequential: CCJ remains formally interdisciplinary, but its evaluative core privileges one epistemic model over others.

Reframing the Question of Impact

The true transdisciplinary study of crime requires integration rather than segmentation. Law without criminology risks doctrinal abstraction detached from empirical realities. Criminology without law risks empirical analysis untethered from the legal frameworks that define and constrain state power. If CCJ is serious about interdisciplinarity, its evaluative architecture must reflect the full range of knowledge production required to understand and reform criminal legal systems.

IV. Recommendations

To advance justice, CCJ programs should embrace the full scope of knowledge production that interdisciplinarity purports to value. Here are some suggestions for doing so.[10]

Broaden the Evidentiary Definition of Scholarly Impact

Citation counts in select databases should not be privileged as primary indicators of impact. The most immediate reform is, therefore, evidentiary recalibration. If candidates' citation counts (or *h*- or i10-indices) are to be considered, then personnel policies must also explicitly recognize the value of citations in judicial opinions, appellate briefs, legislative reports, and major legal treatises. Notably these forms of influence are verifiable (e.g., Westlaw Key Cite, Hein Online, and Google Scholar) and are central to legal scholarship's translational function.

Importantly, citations of this nature ought not be viewed as the equivalent to those in scholarly journals. Putting aside the issue of negative and self-citations, dozens or even hundreds of citations to a piece of scholarship appearing in journal articles and books written by other scholars likely demonstrates influence within academic discourse. But citations that reflect actual reliance by courts or that trace the adoption of statutory language, regulatory frameworks, or policy reforms to identifiable scholarship represent a qualitatively different form of impact. Judicial citation signals that a court has treated a scholar's work as sufficiently authoritative to inform constitutional interpretation, statutory construction, or doctrinal development. Legislative or regulatory incorporation of scholarly analysis indicates that research has shaped institutional design and public policy outcomes. These forms of translational influence do not merely contribute to academic conversation; they alter legal rules, redistribute authority, and affect lived realities. To treat them as equivalent to, or interchangeable with, journal-based citation counts is to collapse fundamentally distinct modes of influence into a single quantitative metric. If CCJ purports to value real-world engagement and policy relevance, then its evaluative standards must distinguish between internal academic visibility and external institutional impact. This approach is consistent with the Leiden Manifesto's admonition that metrics should support—

not replace—expert judgment and must account for field-specific publication practices (Hicks et al., 2015).

Decouple "Top-Tier" Status from Rigid Impact-Factor Cutoffs

Impact factors vary dramatically across disciplines (Hicks et al., 2015). A fixed numeric cut-off or even target imposes cross-disciplinary comparability where none exists because numeric floors treat disciplinary citation ecologies as interchangeable when they are not. Rather than fixed impact factor thresholds, CCJ programs should evaluate venue quality contextually within subfield norms, consider editorial rigor and reputational standing, assess documented influence on courts and policymakers, and solicit informed external letters from scholars in the relevant subfield.

Explicitly Recognize Law as a Related Field

Personnel policies should explicitly recognize that interdisciplinary scholars in CCJ likely publish their work in the journals of related fields, including anthropology, economics, geography, political science, psychology, public administration, sociology, and even computer science and statistics. Some universities do so, but omit law (see Fradella, 2025). That omission is more than symbolic. It shapes how publication venues are interpreted in personnel deliberations.

Law should be explicitly recognized as a related discipline for CCJ scholarship. Crime is defined by law; policing authority is constitutionally bounded; sentencing is legislatively structured. The omission of law from enumerated related fields is analytically inconsistent with the substantive scope of CCJ.

Hire Faculty with Law Degrees

CCJ programs offering the PhD should actively recruit at least one or two faculty members holding both an earned social science doctorate and a law degree (JD, LLM, MLS, or equivalent). This recommendation is not merely representational; it addresses the documented that nearly one-third of top-ranked CCJ PhD programs lack a single tenure-track faculty member with a law degree (see Table 1).

The presence of JD/PhD faculty members signals to doctoral students that law–criminology integration is legitimate and it reduces intellectual isolation for interdisciplinary scholars. Moreover, it improves doctoral training by preventing basic doctrinal misunderstandings relevant to substantive criminal law, constitutional criminal procedure, and evidentiary frameworks (see Fradella, 2025; Hemmens, 2015). This, in turn, strengthens doctoral students' analytical capacity and reduces errors in their research designs and policy recommendations.

Encourage Law Faculty Participation in CCJ Conferences

The silos between CCJ and law are also evident in scholarly society membership and conference participation. Interdisciplinary venues such as the Law and Society Association and the American Psychology–Law Society routinely draw cross-disciplinary attendance, but the American Society of Criminology (ASC) attracts relatively few legal scholars and lacks a formal division welcoming those who study legal issues.

To address this lack of integration, CCJ should actively invite law faculty to present at ASC conferences. More structurally, ASC should create formal space for scholars who work at the intersection of criminology, law, and public policy—modeled on what the Academy of Criminal Justice Sciences accomplished through its own division and official journal. Such a division would increase the visibility of doctrinal issues in CCJ forums, facilitate cross-disciplinary dialogue, and reduce epistemic segmentation.

Research and Publish Together

Traditional CCJ scholars should collaborate more with legal scholars (e.g., White & Fradella, 2016). Interdisciplinary research is not merely additive; it produces cross-cutting theoretical and empirical approaches (Ruhl et al., 2020). Law schools have increasingly embraced interdisciplinary hiring and research, including law and economics, law and psychology, law and society, and law and neuroscience scholarship. The asymmetry is that CCJ has not reciprocated to the same degree. Joint authorship between doctrinal scholars and empirically trained criminologists would improve methodological rigor in legal scholarship, ground empirical research in accurate doctrinal understanding, and expand networks across disciplines.

Include Top Legal Journals in Tenure and Promotion Criteria

Tenure and promotion standards in CCJ should recognize leading specialty journals in criminal law and procedure as valid, high-quality outlets. The journals listed in Table 2 represent the primary and most respected scholarly forums for doctrinal, interdisciplinary, and translational legal scholarship relevant to CCJ. Evaluative standards should explicitly

state that these venues are highly valued, even if their impact factors fall below CCJ disciplinary thresholds.

Either Abandon Citation Counts or Broaden Their Sources

When citation metrics are used as evaluative rules rather than contextual indicators, distortions become institutionalized. Given the flaws with citation metrics, they should be abandoned as a primary indicator of scholarly impact.

If, however, such metrics are retained as secondary or tertiary measures of scholarly impact, then the sources of such data must be broadened to include appropriate cross-disciplinary databases, such as Google Scholar. Moreover, citation metrics must be contextualized within disciplinary norms and relevant subfields. For legal scholarship in particular, judicial and legislative citations should be recognized as meaningful indicators of impact.

VI. Conclusion: Transdisciplinarity as Institutional Design

For at least two decades, law schools have signaled respect for interdisciplinarity by hiring faculty with PhDs in related fields and embracing empirical legal scholarship. The same cannot be said consistently of CCJ, despite the field's purported interdisciplinary nature.

The evidence presented in this article demonstrates that:

- Legal scholars are underrepresented in many leading CCJ programs,
- Legal scholarship is omitted from leading CCJ journals,
- Legal scholarship is undercounted in favored citation databases,
- Tenure standards institutionalize narrow definitions of "what matters."

These problems signify institutional misalignment—a correctable design failure, not an epistemic inevitability. If CCJ wishes to bridge the gap between legal scholars and criminologists, it must align its evaluative architecture with the full range of knowledge required to understand crime and criminal justice systems. Metrics should measure influence, not artificially narrow it.

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Endnotes

1 The fields are alphabetized, rather than presented in any order that might suggest importance.

2 Much of this skepticism is rooted in critiques of purely doctrinal legal scholarship. West (2016) eloquently explained why such critiques of normative legal scholarship are largely misplaced. I would add that many such critiques of legal scholarship ignore the immense volume of interdisciplinary approaches that are now commonplace in law journals, especially translational legal scholarship that aims to improve the law by educating judges and lawyers about empirical research from the natural and social sciences, situating that body of knowledge within legal contexts that make changes in law actionable.

3 As Robin West (2016) explained, complaints about legal scholars and their work "are rarely stated in print," but manifest in myriad ways, such as in peer reviews of a book under review that argued against the value of publishing the manuscript because "it was written by law professors with no expertise in empirical methods" (p. 7, n. 4).

4 Some law reviews—such the *Journal of Legal Analysis*, the *Journal of Empirical Legal Studies*, the *Sydney Law Review*, and *Modern Law Review*—are formally peer-reviewed. But such examples are rare. That said, there are some law journals, such as the *Harvard Law Review* and the *Yale Law Journal*, that employ a modified form of peer review. These journals are student-edited, and they use multi-stage, primarily internal editorial review. Submissions are screened and anonymized for student editors, considered by student-staffed selection committees, and may receive faculty or targeted, brief external review in particular cases. The occasional external reviews that select student-edited law journals might solicit are not systematic; input is *ad hoc*, limited in scope, and supplementary to the primary editorial judgments made by the student board. By contrast, for social science journals, peer review is a routine, structured process in which submissions are anonymously sent to multiple independent experts who evaluate methodology, theoretical contribution, and evidence before the editor makes a decision.

5 These data were taken from Washington and Lee School of Law (n.d.)'s *Law Journal Rankings* for the five-years between 2019 through 2023, inclusive of those years. Note that the order of journal appearance in the table are based on "combined score," which is a weighted and normalized measure of impact factor and citation counts in journals and cases.

6 Letterhead bias even extends to a closed citation pattern cited in elite law reviews that is "not driven merely by epistemic considerations" (Perez et al., 2019, p. 261).

7 Note that these examples are all men; none of the women on the list of most cited scholars in criminal law and procedure—like Rachel Barkow, Catharine MacKinnon, Sonja Starr, and Carol Steiker—had Google Scholar profiles in August 2024 that would have allowed for comparison of their work. But the under-representation of women on such lists raises concerns about citation inequality. Gender disparities in citation patterns have been documented (Cotropia & Petherbridge, 2018; Kotkin, 2010). Citation disparities along gender lines further complicate the assumption that citation counts neutrally reflect intellectual merit, a concern that serves to reinforce the need for contextualized evaluation of venues and citation practices, rather than relying on so-called "neutral" or "objective' metrics.

8 Scopus reported slightly more total citations than Hein Online in this sample. This is a function of the fact that Hein Online does not index books or social science journals.

9 Although Scopus employs author identifiers, imperfect disambiguation can further depress apparent totals.

10 Some of these recommendations are shortened from longer explications in Fradella (2025).