

DEPARTMENT

PROGRAMS IN LAW AND SOCIAL SCIENCE

By way of introducing this column, I should like to sketch briefly a picture of the major current programs which have developed under the aegis of the Russell Sage Foundation. These impressions are based on a review of grant applications and annual reports on file with the Russell Sage Foundation, on my own experiences working at Berkeley and at Denver, and on visits by my New York University colleagues to the Sage-sponsored centers at Wisconsin and Northwestern.

The decision of the Russell Sage Foundation in 1959 to support formal centers of interdisciplinary cooperation between law and social science with the expenditure of over a million dollars by 1963, has substantially formed the institutional structure of the law and social science movement. In this statement I do not wish to minimize the considerable precedents of the movement both within law and in the various social sciences. The latter-day followers of the legal realist tradition in the law schools, for example, and large numbers of sociologists working in the specialty of criminology, were very much aware of the "opposite" disciplines. The Sage program, however, has been responsible for transforming much of this interest into familiarity and knowledge. Likewise, there is considerable work properly classified as interdisciplinary which currently goes on outside the Sage centers, for example, that of the law schools like Chicago, Columbia, and Michigan, or in social science departments at Indiana, Tufts, or New York University. However, the Sage program—amplified in all cases by funds from such sources as the Ford Foundation, the Walter E. Meyer Research Institute of Law, and the Rockefeller Foundation—has given form to the movement, bringing together numbers of law professors and social scientists previously working separately, strengthening pre-existing efforts at collaboration, establishing new sources of communication, and providing necessary administrative facilities. In terms of numbers of published research papers, of cross-trained students, and amount of formal communication between professors of law and those of the social sciences, the Sage program appears strikingly successful.

Each of the Centers has grown out of pre-existing interdisciplinary commitments of faculty, and out of smaller research programs. In all

cases these basic resources have been expanded by the Sage grants through allocations to support general administrative and secretarial personnel and funds for student training via research apprenticeships. In other respects the various Centers differ, in their aims as well as their funding.

The first grant in the current Sage program established the Center for the Study of Law and Society at the University of California, Berkeley, in 1960. The Berkeley Center from the beginning attracted a strong faculty in the social sciences, particularly sociology, reflecting the strengths of these departments in the University as a whole. In a contrast to the Centers that followed it, Berkeley never developed a specific and substantive training program, but it has served as a locus of social science research concerning legal institutions. It has provided research aid ranging from secretarial assistance to full salaried support, to a large number of scholars, and its output of research has been very impressive, both quantitatively and qualitatively: twenty-two books and monographs have been issued from the Center in the past five years, and Center-sponsored studies have won two of the three recent C. Wright Mills awards. Also of note at Berkeley is its library, which sets a standard for collection in the special field of law and social science.

The second Sage grant was to the University of Wisconsin, in 1962, which emphasizes the cross-disciplinary training of mature scholars in law and the social sciences. This objective has been implemented through the device of grants to secure released time for faculty members to study in the "opposite" disciplines. Those with released time participate in required seminars and enroll in a tutorial program where they meet individually with a partner from "across the campus." In addition, regular courses are taken, and an interdisciplinary research project is designed and implemented. The Law School is more strongly involved in the Wisconsin program than at Berkeley. Cross-training of students is formalized, where social scientists enroll for a "minor" in law, and law students take a master's degree in social science. Also notable in the Wisconsin program is sponsorship of a law-and-society section in the *Law Review* which, as compared with this journal, retains a strong flavor of legal scholarship.

In 1964, programs were funded at Northwestern University and the University of Denver. The program at Northwestern seems similar to that at Berkeley, though smaller. Perhaps the most significant difference is that Northwestern seems to emphasize more strongly the training of graduate students, whereas Berkeley focuses on the involvement of

mature scholars. Also, the influence of political science and anthropology is felt more in the Northwestern program than at Berkeley. It may be noted that a great deal of the work on this journal has been done at Northwestern.

The University of Denver was the first program to be located organizationally within a law school, in this case a school that enjoys intimate relations with state and local bench and bar. Funds were granted to appoint social scientists directly to the Law School faculty, and their teaching assignments include substantive law courses (*e.g.*, Criminal Law) which are rarely allocated to non-lawyers elsewhere, as well as more typical interstitial courses such as Sociology of Law and Negotiation. In its few years of existence, the Denver program has initiated several experimental projects in legal education involving social scientists. Of particular note have been a "Head Start" program for minority-group graduates of provincial colleges, and a summer institute in social science methodology for law teachers. Both of these programs are to be repeated this summer.

The most recent grants to establish Centers (and according to Sage personnel, perhaps the final ones) have been at Pennsylvania, Harvard and Yale. The program at the University of Pennsylvania is called the Center for Studies on Criminology and Criminal Law, and it is the only one of the Centers that is restricted to a single field of substantive law. It is a small, research-oriented program, unique in that a large part of its budget is allocated to annual week-long conferences of outside consultants. The Harvard and Yale programs are just getting started, and it is too early to tell how they will evolve. So far, both have—like Denver—appointed professionally established social scientists (in all cases sociologists) to the law school faculty. This is an important precedent which will doubtless be followed elsewhere.

Considerable progress is being made among the older Centers toward local funding of their administrative expenses, and what was experiment a mere eight years ago is quickly becoming established. The number and scope of interdisciplinary research projects is growing and the need for more formal communication among concerned scholars is being felt.

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