

## COMMENTS BY THE DEAN

From time to time the Gargoyle has focused on rather discrete segments of the numerous activities we collectively call the Law School. An issue about our students a couple of years ago met with great interest among readers. Similarly, another issue focusing on teaching in the basic curriculum was favorably received.

In this issue we feature one important segment of our research activities, namely, interdisciplinary legal research. Prepared initially for the annual meeting of the Law and Society Association held in Madison last June, the materials on interdisciplinary legal research at Wisconsin seemed to us to be of sufficient general interest to warrant publication in the Gargoyle. I am confident you will agree.

Professor David Trubek, who for the past two years has served as Associate Dean for Research, deserves most of the credit for developing the materials in this issue. As he points out, the story is not about the Law School alone. By its very nature, interdisciplinary legal research involves in-

teraction with other departments in the University. Nevertheless, the principal focus of the activities is in the Law School, and at least a dozen of our professors are more or less consistently active in this area.

We take great pride in their achievements--achievements which have brought distinction to the school. The achievements perhaps have not been completely cost free from the standpoint of our instructional program, but I believe they have been substantially so. Funding for this research has come almost entirely from what we call outside funding, that is, funds other than state appropriations. In the early years, private foundations were the main source of support; in recent years, various federal agencies have played an increasingly important role. Modest sums from alumni funds have been important in helping to fund preparation of project proposals. Thus, if there is an adverse impact on the instructional program, it does not result from any diversion of funds from instruction to research but rather

from the fact that professors go on research leave from time to time, thereby making themselves temporarily unavailable as teachers. On the other hand, those professors presumably will be better equipped to teach when they do return to teaching after the research leave is over. Moreover, we attempt to compensate for the impact of research leaves by hiring more faculty than we would in the absence of a strong research program, the assumption being that a certain number of faculty members will be on leave in any given year.

Interdisciplinary legal research of course is not the only type of research which goes on at our Law School. Probably no more than one-third of our faculty have participated in this type of research; the others engage in the more traditional research and public service activities in addition to their teaching. Nevertheless, as Professor Trubek points out, the Wisconsin interdisciplinary legal studies community constitutes one of the oldest and largest such groups in the nation.

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## Interdisciplinary Legal Studies

### BACKGROUND

The legal studies community at the University of Wisconsin has its origin in the "Wisconsin idea" — that the university should contribute to the well-being of the people of the state. Building upon this tradition and upon the legal-economics groundwork laid by John R. Commons and Richard T. Ely, Lloyd Garrison, who was Dean of the Law School from 1932 to 1942, took the lead in emphasizing research about the interaction of law and society. Scholars with multi-disciplinary interests, such as Nathan Feinsinger and Jacob Buescher, joined the faculty. A graduate program in law, leading to an S.J.D. degree, was started, and a course in Law and Society (later called Legal Process) was established as a regular part of the Law School's curriculum.

Important pioneering efforts took place during the early years. Jacob Buescher, in his work with applied property and water rights laws, was one of the first to study law in action. Nathan Feinsinger was involved in developing the new field of labor law. Willard Hurst's seminal work focused on understanding the historic role of law in the American economy and the economy's influence on the evolution of law. The first of what were to become many interdisciplinary faculty seminars took place, with participants from the Law School and the Economics Department.