*Rethinking the Law School*. By CAREL STOLKER. [Cambridge: Cambridge University Press: 2014. xv+464pp. Hardback £75. ISBN 978-1-107-07389-0.]

Stolker claims Law Schools are changing in all their dimensions. The Law School is situated within universities that are diversifying their research and their education, are engaging with a wide range of societal users of research and are part of a global world of science. The Law School is also closely related to legal professions whose activities transcend national boundaries, and it is preparing very many students to engage in that kind of professional world. The place of a national Law School in such an internationalised and globalised environment is challenging, particularly if it is located in a smaller European jurisdiction. Much of the writing on the future of Law Schools comes from the common law world (especially Australia, the US and the UK), so it is refreshing that this book offers a different perspective. The content of the book demonstrates that the issues facing contemporary universities are influenced more by shared approaches among governments in OECD countries than by national legal traditions, so there is much for the common lawyers to reflect upon.The ambition to rethink the ethos and role of the Law School is laudable. If Stolker does not fully develop his vision, he offers us several important steps towards creating an appropriate vision for our Law Schools.

Stolker recognises that Law Schools are very varied these days. He estimates (p.5) that there are 3.5 million law students world-wide, over a third of whom study in China and India. Their experiences are varied. All the same, there are a number of common issues which he seeks to address.

In relation to teaching, Stolker believes it is necessary to move away from the continental model of mass lectures supported by a few seminars and a few standard textbooks. Relying on published pedagogical research, his own conversations with a number of Law Deans, and his personal experience of curriculum reform in Leiden, he argues for staff to be more engaged in thinking about education and to pay greater attention to motivating students. Now much of this brings together established work on legal education. Although he emphasises the importance of new technologies in supporting student learning, Stolker does not develop his own views on how students learn, nor does he debate with those who have studied the learning process in relation to law. He presents potential for change mainly from his own experience of running a law school (pp. 177-183). His analysis of Law Schools is that ambitions in teaching do not match those in relation to research (p. 386), and yet his own prescriptions are less developed in this area.

In relation to research, the book brings out many ideas that are well-known about how legal research is conducted, evaluated and valued. He is most preoccupied with defending law as an academic discipline (p.97-100). Like many in the Netherlands and Flanders, he favours the differentiation of types of research into “academic”, “professional” and “popular”. Stolker considers all three are valuable and belong to the portfolio of the legal scholar within the university. But professional works (for a student or practitioner market) are not, in his view, outputs for primary research. They are essentially translating research into a usable form. Equally, popular works for non-academic and non-professional audiences are important parts of academic activity in which the lawyer operates as a public intellectual. Such a classification might seem to drive a wedge between the academy and the legal professions, but Stolker wishes to avoid the kind of division that many perceive in the USA. Drawing on Birks, Stolker argues for the centrality of legal practice (especially the decisions of the courts) as an *object* of research. Professionals in law (legislators, judges, practitioners and students as potential practitioners) are seen as the primary addressees of the law and their world is the object of legal scholarship. Legal scholarship is not simply the use of economic or sociological theories applied to legal institutions. Legal scholarship has distinctive methods and ambitions. There is an important place for the academic in systematising doctrinally the mess left by the interventions of courts and legislators. But legal research not only describes what is done in the professional world (especially the rules that are applied), it is a normative science about justice - about what ought to be done to ensure fairness and the protection of fundamental rights in the way in which society operates. If you like, the role of the academy is to be the house of thought for the legal profession.

The normative ambition of legal research is not understood by many social and natural scientists for whom hypotheses describing the social or natural worlds are the product of their study without normative ambitions. Nor is the ambition of legal scholarship understood by the interpretative humanities such as history or literature. Law is aligned with philosophy and theology in being normative. As Gadamer points out, law shares with theology a sense of normativity based around specific texts. But law can also imagine a vision of justice which transcends the positive law of a particular jurisdiction, and so it rejoins more abstract philosophy. Stolker discusses these broader issues about the place of legal scholarship within the academy, but he is pre-occupied by the desire to avoid law being colonised by the empirical social sciences. He does not develop his ideas on the distinctive place of legal scholarship in the normative debate about justice. It would seem to follow from what he does say that law is about the ethics of justice in an institutionalised setting. Unlike theology, law is not confined to a set of sacred texts or revelation. Unlike philosophy, norms are not idealised, but institutionalised – what is right in specific social settings and taking account of specific points of reference such as legislation or a constitution. The importance of the specific institutionalised setting can make sense of the tensions between both the local or regional and the international or transnational dimensions of legal scholarship and publication.

Whilst Stolker presents an interesting discussion on the nature of legal research, he does not spend much time in locating it within the literature on the developing character of academic research. For example, Ron Barnett, *Realizing the University in an age of supercomplexity* (London 2000), ch .11 argued that contemporary research has to cope with uncertainty and the complexity of society. The university is not the only place where knowledge is created. It would have been helpful to locate the place of academic scholars among the range of reflective members of the legal community, be they practitioners, lawmakers, law reformers or, increasingly, NGOs and think tanks. A good example would be the work of Richard Susskind, *Tomorrow’s Lawyers* (Oxford 2013) which analyses trends leading to a different kind of legal practice. Instead, the prescriptions in chapter 6 are more focused on the practicalities of legal research. I doubt that many British scholars would agree that “scholarly books should not be published by the youngest of our scholars but by our senior researchers and our emeritus professors” (p. 249).

Stolker’s strength as a former university rector is in discussing the wider mission of universities and in running a law school. He tries to locate the law school within the ambition of universities to bring together science, society and industry (p. 59) and to have a global reach. He has chapters on social and economic impact (chapter 8) and the university as a working environment (chapter 9). He is keen to stress the importance of universities for their local region, but this is less focused on the specific contribution of Law Schools to their cities and regions (which was a theme of many inaugural lectures in British civic universities at the beginning of the twentieth century). In chapter 9, he has much advice for academics and managers in engaging in a world characterised by student consumerism and academic entrepreneurship. Both chapter 10 and chapter 11 are designed for the Law Dean. He sees the role of academic leadership to be to facilitate, to support, to encourage and to inspire (pp. 333-4), rather than to manage. Creativity among colleagues is to be encouraged. The Dean has to “create order with room for chaos” (p. 345). Perhaps the strongest recommendation is that the Dean should simply be there with colleagues. Chapter 11 provides many useful ideas for being a Dean, which is a role which varies from institution to institution, but he rightly claims that there are some common issues.

Stolker’s conclusion looks to the common elements of law schools. In a world which is described as increasingly internationalised, he finds it strange that, in law, publishing for a world-wide audience is rare (p. 387). Even if there is ambition for international excellence in research, this is not always matched by ambitions in teaching. He hopes that his work will encourage debate and action in this area, as well as in relation to internationalisation.

Stolker’s book aims to provide a big picture of the law school in contemporary western society and it is a building block towards an agenda for the future law school. It needs a deeper debate about the place of the institutionalised law school and legal academics in generating knowledge about law and in evaluating critically what is special about the legal scholarship within the range of disciplines. He is right that there is no magic bullet to resolve the tensions he identifies – they are part of the human predicament. But he is right to identify that more work needs to be done particularly on the roles of pedagogy, scholarly communication and internationalisation.

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