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In Defense of Scholarship

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In Defense of Scholarship



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Why produce scholarship? It is our responsibility as educators to participate in a larger conversation, evolve our minds, and continually question our status quo for the benefit of our students. So often I have heard members of the academy lament about how they “have” to publish, how they “have” get tenure, or how they “have” to check one more thing off their “list.” This attitude is disheartening to me because writing is an opportunity for personal growth and contribution to the academic community; it can even be fun. Additionally, ideas generated by the scholarship process can be carried into the classroom to challenge students in novel ways. After all, if we are going to teach legal writing, shouldn’t we be engaged in writing ourselves?

Sure, writing can be difficult; if it were easy, everyone would be doing it. Let’s think about the reasons we joined academia at all. For most of us, we possess some passion for teaching, learning, and connecting with students as they become lawyers. Engaging in research and scholarship makes us better teachers and learners, and it also gives us innovative ways to connect with students. Because by participating in a larger scholarly conversation, we enrich our own understanding of the academic world around us. Additionally, once we begin understanding it, we can contribute to that conversation in a meaningful way. As a field, legal writing is not always recognized by the larger academic community as a significant participant and player. Therefore, to the extent legal writing professors produce scholarship, we can work to change this perception of legal writing as just a skill. Of course, changing this perception also translates into increased credibility among faculty and students at our own institutions.

In addition, scholarly research and writing contributes to a healthy evolution of the mind. Professors who do not challenge themselves through research and writing

may find that their abilities in the classroom stagnate. A teacher who never updates a text or syllabus will not be as engaged in the classroom as a professor who continually researches and incorporates the research into classroom materials. Further, scholarship is part of the tenure requirement at most academic institutions because scholarship tends to promote the evolution of ideas among the faculty. When faculty members are actively engaged in exploring ideas and concepts, students will naturally benefit from the type of classroom conversation that will inevitably occur. As a whole, then, individual scholarly endeavors function to promote a healthy academic environment at educational institutions.

The evolution of ideas inevitably leads to a questioning of the status quo, and this type of questioning serves to legitimize the very existence of educational institutions. Critically assessing the foundation of ideas leads not only to a better understanding of those ideas, but can also lead to new discoveries and ways of understanding them. Moreover, part of becoming a lawyer is learning how to engage in a professional and respectful pattern of questioning and investigation. Lawyers must critically assess evidence and witness statements, they must thoroughly consider and resolve weaknesses in their cases, and they must question the premises for their arguments to ensure they are invulnerable to attack. When a professor engages in the scholarly process, the professor performs similar activities. Scholars critically assess the law and related theories, they consider and resolve weaknesses in the law and theories, and they question the law and theories to ensure their assessments meaningfully contribute to the discourse. So, for a professor who engages in the scholarly process, these skills can be translated into a teaching tool in the classroom.

As a final note, students will be positively encouraged about the legal profession when they see professors who are passionate about their writing. To be sure, scholars may sometimes struggle to identify a topic that is personally meaningful or about which they can maintain passion. Additionally, the impostor syndrome stands ready to undermine the writer’s confidence in the article or ideas, which is why the hope of tenure cannot meaningfully sustain a desire to write; there has to be something more substantial supporting it.

In closing, I would like to share a recent experience as I finished my latest article. On one of my editing days, I spent two hours working on one paragraph, but I did not feel the time at all. I distinctly recall seeing the clock at 1:18 p.m., and at 3:23 I peered back up and felt shocked that an entire two hours had passed by. The writing and thinking process held me in such a trance that time ceased to matter; I became one with the words on my page. A few days later, once I finished the final edits, I felt exhausted in that enormously proud way that you do when you have accomplished something truly meaningful. Even though my husband and children could not really understand why I was so happy to be working hard, I could not imagine doing anything but finishing that article. Studying it, contemplating it, and writing it brought me alive. And

in the course of writing and answering one question, I developed a long list of many more questions I now wish to study and explore. Every time I write an article, I make a list of so many others that I have inside to write.

For me, I write because my mind needs to express the ideas it contains. Of course, it is a plus that my ideas can contribute to a larger discourse community and (hopefully) add value to the existing ideas. The goal of achieving tenure is an added bonus, but I would still write even if I could not get tenure. Researching, thinking, and writing help to create an enduring legacy, and I want to absorb the imprint of the world as I leave my own mark. ■



LWI Writers Workshop participants and facilitators at Lake Lawn Resort in Delavan, WI.