

Legal Education Review

Volume 22

Issue 2 *The Research-Teaching Nexus in Law:
Opportunities and Challenges*

Article 1

1-1-2012

Foreword

Lynden Griggs
University of Tasmania

Follow this and additional works at: <https://epublications.bond.edu.au/ler>

 Part of the [Legal Education Commons](#)

Recommended Citation

Griggs, Lynden (2012) "Foreword," *Legal Education Review*: Vol. 22 : Iss. 2 , Article 1.
Available at: <https://epublications.bond.edu.au/ler/vol22/iss2/1>

This Foreword is brought to you by the Faculty of Law at ePublications@bond. It has been accepted for inclusion in *Legal Education Review* by an authorized administrator of ePublications@bond. For more information, please contact [Bond University's Repository Coordinator](#).

Foreword — Special Issue on the Research/Teaching Nexus

The hypothesis that the university academic must have both a research and a teaching component to their work is under attack. At one stage it would have been said that every academic is by definition a researcher – that a research component is fundamental to the ethos of a tertiary institution and, specifically, the development of the teaching criteria for assessment and the setting of levels within that assessment. After all, how could one be comfortable that the grade for a particular piece of work was set at the appropriate level unless the assessor was knowledgeable in the research area? How could a marker confidently conclude that a student has applied the law correctly to a problem based scenario if they were not an active researcher in the relevant area of law? Universities were not to be seen as a college of teaching experts, but as experts teaching and disseminating the fruits of their research labour. It was the research component that allowed an institution to be its own benchmark and standard setter.

Today we observe, at times with concern, moves by senior university management to create teaching intensive and research intensive positions, the establishment of research-only centres, and a bifurcation that good teaching and good research don't always need to be seen as the hand that fits within the glove. One can even imagine that, with the billion dollar expense of the higher education sector under political examination, both major parties might seriously consider a more formal division between teaching and research – perhaps going so far as to create teaching only universities (a notion that would be an oxymoron for some).

The three articles featured in this special issue bring new and diverse perspectives to the relationship between teaching and research, an issue that has been articulated and challenged for many decades. With a title that expresses the simple difficulty of connection, Nehme, in 'The Nexus between Teaching and Research: Easier said than Done', endorses the positive message that through the adoption of certain strategies, a University is able to achieve the nexus. Broadly speaking, the author sees this as occurring in either of two ways: deliberate changes to the curriculum to integrate research into teaching, or – perhaps more nebulous and difficult – the development of a culture that supports and values the scholarship of teaching (which to this writer is research by another name). The author argues cogently that what is critical to achieving this nexus

is an expanded view and understanding of what is encompassed in the definitions of teaching and research. It is a point with which I agree and which represents an ongoing argument for the academy of law: how do we convince the senior management teams in our university and their political masters that legal research is much more than a collection of peer reviewed material, competitive income, or supervision of higher degree students? It is a battle we have to date failed to win, and if we do not win it soon, the academe of law will be split along the lines of teachers and researchers. When that occurs, the teachers may well seek a more formal separation, lest they come to be seen as the undervalued cousins of their more highly regarded brethren.

In 'An Experiential International Law Field School in the Sky: Learning Human Rights and Development in the Himalayas', Saul and Baghoomians describe how teaching and research, specifically in the social justice arena, can be integrated within a unit for Sydney law students delivered in the Himalayas. In highlighting how learning can happen through interaction and onsite understanding of how a legal system applies to the people within it, the authors demonstrate how experiential methods, subject content, peer to peer learning, and personal critical reflection can be used to enable students to see firsthand the value of research not just for research's sake but for its practical application in the field. The research component of learning can in that way be perceived by students as more relevant and authentic.

Ailwood, Esteal, Sainsbury, and Bartels in 'Connecting Research and Teaching: A Case Study from the School Of Law, University of Canberra' describe how a legal institution, in an environment where 100+ years of research culture or Go8 status does not exist, can embrace a research led education. They describe how the University of Canberra and its respective schools have sought to develop a structure and process to engage in this. Agree with research-led education or not, the examples highlighted show how the School of Law can positively embrace a change which for some would undoubtedly be challenging. The authors point out that it should not be assumed that all students will embrace a research led education. For those who are not motivated by learning for learning's sake, but who are instead driven by external factors, research led learning can be disengaging. By contrast, for those who are intrinsically motivated, a sharing of the faculty research can be highly engaging. This recognition highlights the need for a multi-faceted approach to encouraging the emergence of a research culture, as well as practical strategies involving collaboration and the formalised peer review of teaching.

The teaching-research nexus is indisputably important, but despite the affirmative messages conveyed by the writers of these

articles, my own confidence that this nexus can be sustained is dwindling. The financial pressures upon the higher education sector, and the increasing emphasis upon traditional science based measures of research, make me wonder if the initiatives and actions described in this special issue can be adopted widely. Many of these initiatives are resource intensive and they will be hard to replicate as finances are increasingly squeezed. What this special issue does is highlight the importance of the teaching-research nexus, and if maintaining such a nexus is a battle that we cannot win (and that is a decision we need to make soon), then we need to focus upon finding ways to recognise and reward teaching in a predominantly research focussed higher education environment. The answer might indeed be formal separation.

Lynden Griggs
Faculty of Law, University of Tasmania