

Evaluation of Legal Research in Norway

Report from the
Evaluation Committee



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Summary

The situation for legal research in Norway is good. The research environment is capable of producing research that can be deemed to hold a high international standard. The research produced supports educational programmes at all levels in a positive way and has high societal impact. The knowledge produced by the legal research environment in Norway is much sought after by many stakeholders in Norwegian society and is a relevant contribution to meeting many of the challenges facing society today.

While the JUREVAL assessment overall is very positive, it is also the task of the JUREVAL Assessment Committee to identify research performance where there is room for improvement. The Committee has therefore tried to diagnose general structural and/or organisational features across the participating institutions where it sees room for improvement.

The first such area is funding. The Committee finds that the funding situation for legal research across the participating institutions is very unequal; there are large differences in the funding available, and therefore differences in the ability to perform research at the highest international level across all the sub-disciplines in legal research. This inequality makes it very difficult for the smallest institutions in Norway to perform research at the highest international level, and impacts their ability to attract external funding.

Another aspect of funding noted by the Committee is the level of EU funding achieved by the participating institutions. Despite Norway's participation in EU research programmes (presently Horizon Europe), the level of EU funding is quite low; and in fact, in most institutions, it is non-existent.

Regarding institutional organisation, the Committee noted variations in how research was organised. The Committee finds higher priority could be given to collaborative research environments organised around centres or groups whose areas of research are neither too narrow nor too broad. The Committee gave examples of research groups/centres which it considered to have found the right balance in this regard.

As far as internationalisation is concerned, the Committee found that Norwegian legal research had more to contribute internationally than what it actually has in the period covered by the JUREVAL assessment. While Norwegian legal research is visible in the international research environment, most of it is published in Norwegian only. The Committee found that around 30% of publications could be considered genuinely international publications. The Committee is aware that much research targets a Norwegian audience, given that it focuses on Norwegian law. The Committee is also aware of the important role of the participating institutions in the production of publications (textbooks, commentaries, etc.) that are in high demand by practitioners. Still, the Committee found that more could be done to make Norwegian legal research available to an international audience and thereby make Norwegian law and legal research more visible internationally. The Committee finds that some of the research available in the Norwegian language would only be of interest to researchers outside Norway if it were published in English by an international publisher.

Concerning the societal value of the legal research undertaken by the institutions, the Committee found that this was both outstanding and excellently documented via the many elaborate impact cases provided to the Committee. The Committee encourages the participating institution to continue with this kind of highly positive documentation of the role and impact of legal research and thereby contribute to sustaining the already high standing of legal research in Norwegian society.

Sammendrag

Det står bra til med den rettsvitenskapelige forskningen i Norge. Forskningsmiljøene produserer forskning som kan sies å være av høy internasjonal kvalitet. Forskningen som produseres, bygger opp under studieprogrammene på alle nivåer og har stor samfunnsmessig verdi. Kunnskapen som produseres av det rettsvitenskapelige forskningsmiljøet i Norge, er svært etterspurt blant mange interessenter i det norske samfunnet, og er relevant i arbeidet med å løse mange av utfordringene som samfunnet står overfor i dag.

Selv om JUREVAL samlet sett tegner et svært positivt bilde av det rettsvitenskapelige forskningsmiljøet i Norge, er det en del av evalueringskomiteens mandat å skulle trekke frem områder med forbedringspotensial. Komiteen har forsøkt å påpeke strukturelle og/eller organisatoriske trekk på tvers av de deltakende institusjonene hvor det er rom for forbedring.

Et av disse områdene er finansiering. Finansieringen av den rettsvitenskapelige forskningen er svært ulik blant de deltakende institusjonene. Det er store forskjeller når det gjelder hvilke midler som er tilgjengelig. Dette fører til at institusjonene har ulik kapasitet når det gjelder å produsere forskning på et høyt internasjonalt nivå på tvers av alle underdisipliner innen rettsvitenskapelig forskning. Denne ubalansen gjør det svært vanskelig for de minste institusjonene å produsere forskning på et høyt internasjonalt nivå, og påvirker muligheten til å få ekstern finansiering.

Komiteen har også merket seg nivået på EU-finansiering blant de evaluerte institusjonene. Selv om Norge er med i EUs forskningsprogrammer (for tiden Horisont Europa), er nivået på EU-finansiering ganske lavt, og faktisk ikke-eksisterende hos de fleste institusjonene.

Komiteen har merket seg at det er en del variasjoner i hvordan forskningen er organisert. Komiteen mener at samarbeidsbaserte forskningsmiljøer som er organisert rundt sentre eller grupper og hvor forskningsområdene verken er for smale eller for brede, bør prioriteres. Komiteen har gitt eksempler på forskningsgrupper/-sentre som har funnet en slik balanse.

Når det gjelder internasjonalisering, mener komiteen at norsk rettsvitenskapelig forskning har mer å bidra med enn det som har vært tilfelle i evalueringsperioden. Selv om norsk rettsvitenskapelig forskning er synlig i det internasjonale forskningsmiljøet, publiseres det i hovedsak på norsk. Omtrent 30 prosent av publikasjonene kan anses som internasjonale. Komiteen er klar over at mye av den rettsvitenskapelige forskningen i Norge vektlegger norsk rett, og dermed retter seg mot et norsk publikum. Komiteen er også klar over den viktige rollen de deltakende institusjonene har når det gjelder å produsere publikasjoner (lærebøker, kommentarutgaver osv.) som etterspørres av de praktiserende innenfor fagfeltet. Likevel mener komiteen at det er rom for å gjøre norsk rettsvitenskapelig forskning mer tilgjengelig for et internasjonalt publikum, og med det gjøre norsk lovgivning og juridisk forskning mer synlig internasjonalt. Komiteen mener at en del av forskningen som kun er tilgjengelig på norsk, ville vært av interesse for forskere utenfor Norge dersom den ble publisert på engelsk hos en internasjonal forlegger.

Komiteen mener at den samfunnsmessige betydningen av den rettsvitenskapelige forskningen er fremragende og særdeles godt dokumentert gjennom «impact casene» som ble sendt inn til evalueringen. Komiteen oppfordrer de evaluerte institusjonene til å fortsette å dokumentere den rettsvitenskapelige forskningens samfunnsmessige rolle og betydning. Dette vil kunne bidra til å opprettholde den rettsvitenskapelige forskningens høye anseelse i det norske samfunnet.

1 The scope and terms of reference of the evaluation

A key task of the Research Council of Norway (abbreviated RCN) is to conduct evaluations of Norwegian research. Evaluations are reviews of how research fields, scientific disciplines and academic institutions are performing in the national and international context.

The overall aim of the evaluation of legal research (abbreviated JUREVAL) was to review the scientific quality and societal relevance of legal research conducted at Norwegian higher education institutions. This included the research's relevance to educational tasks. The aim of the assessment is to contribute to ensuring and further developing knowledge about scientific quality and societal relevance at each of the institutions evaluated, and at the national level. The target group for the evaluation comprises the academic institutions, bodies that fund and manage public research, the government and its ministries, and governmental agencies and society at large.

Each institution has a responsibility to follow up the evaluation's recommendations. The RCN aims to use the outcomes of the evaluation as a knowledge base for further discussions with the institutions on issues such as general plans and national measures relating to legal research. The RCN will use the evaluation in its development of funding instruments and in the advice, it gives to the ministries.

1.1 Terms of reference

The terms of reference and assessment criteria were adapted to the institutions' own strategies and objectives. To facilitate the institutional self-assessment, the JUREVAL units played an active part in planning and specifying the assessment criteria, and selecting relevant data, documentation and information for the evaluation (cf. 1.6). In addition to the general principles that apply to the assessment, each unit specified its own terms of reference. They included assessment criteria adjusted to their own strategic goals and organisation. The institutions' terms of reference contained specific information about the research unit that the evaluation committee was to consider in its assessment (see Appendix A). By emphasising the individual institutions' scope and ambitions, and by reviewing research's importance to education, the RCN wished to explore a new model for evaluations. In this sense, JUREVAL will serve as a pilot and a guide to developing an alternative model for future evaluations.

1.2 The JUREVAL units

The RCN invited eleven institutions to take part in JUREVAL. Nine institutions responded positively, out of which six were evaluated. Table 1-1 shows the six institutions and their evaluation units.

Table 1-1: The six institutions selected in JUREVAL.

Institutions	Evaluation unit
University of Oslo (UiO)	Faculty of Law*
University of Bergen (UiB)	Faculty of Law
UiT The Arctic University of Norway (UiT)	Faculty of Law
University of Agder (UiA)	Department of Law
University of South-Eastern Norway (USN)	Department of Business, Marketing and Law
BI Norwegian Business School (BI)	Department of Law and Governance

Notes to the table: *At the Faculty of Law, UiO, all departments and centres are included in JUREVAL except for the Department of Criminology and Sociology of Law. However, five researchers working on legal research are included; The five were nominated by the faculty.

1.3 The evaluation committee

The RCN created the evaluation protocol, decided the assessment criteria (see Appendix B) and planned the review process. It also appointed an evaluation committee to review, conclude and make recommendations to each of the institutions, and to national authorities.

The committee's members were selected on the basis of input from the units taking part in JUREVAL and from candidates identified by the RCN. The members have expertise in the main areas of law and different aspects of the organisation and management of research and educational institutions. The committee consists of seven members engaged in legal research and affiliated to institutions abroad:

- Henrik Palmer Olsen, University of Copenhagen, Denmark (chair)
- Hanne Søndergaard Birkmose, University of Aarhus, Denmark; from 1 August 2021, The University of Southern Denmark,
- Sten Bønsing, University of Aalborg, Denmark
- Malgosia Fitzmaurice, Queen Mary University of London, United Kingdom
- Anna-Sara Lind, University of Uppsala, Sweden
- Jens Scherpe, University of Cambridge, United Kingdom
- Karsten Åstrøm, University of Lund, Sweden

The work of the assessment committee was assisted by a scientific secretariat composed of research professor Vera Schwach (head of the secretariat), senior adviser Lisa Scordato. The secretariat's duties included coordinating the institutions' data collection and processing and analysing the collected material.

1.4 Criteria for the assessment

The evaluation committee based its work on a set of criteria against which it reported its findings. These criteria were used to assess the six institutions individually. The six research institutions were asked to judge their performance based on the assessment criteria listed below (a–d). In addition, they were asked to review their research as a whole and in relation to the units' strategic targets.

The criteria used were as follows:

a) Research production and quality

- The evaluation should assess the profile and quality of the unit's research and the contribution that the research makes to the body of scholarly knowledge. It should also assess the scale of the unit's research results (scholarly publications, research infrastructure developed by the unit, and other contributions to the field).

b) Relevance to education

- *Study programmes*: the evaluation considers the relevance of the research to the study programmes at the institution, the resources used on educational activities and the teaching load of tenured staff. The results of recent evaluations of study programmes (within the last 5 years) should be presented to the committee when available.
- *PhD programmes*: the evaluation considers the capacity and quality of PhD training. Relevant topics include the institutional context of the PhD programmes, the programme content and structure, supervision and guidance of PhD candidates in relation to the job market, duration, success rate, exit numbers, and career prospects.

c) Relevance to society

- The evaluation should assess the quality, scale and relevance of contributions aimed at specific economic, social or cultural target groups, of advisory reports on policy, of contributions to public debates etc. The point is to assess contributions in areas that the research unit has itself designated as target areas.

d) Diversity and integrity of research¹

- The diversity of the research unit and its policy for research integrity. This includes how the unit deals with research data, data management and integrity, and the extent to which independent and critical pursuit of research is possible within the unit.

The assessments were presented in six institutional reports. In addition, the assessment committee was asked to provide an assessment of Norwegian legal research at the national level in a separate report focusing on:

- Strengths and weaknesses of the discipline in the international context
- The general resource situation as regards funding, personnel and infrastructure
- PhD-training, recruitment, mobility and diversity
- Research cooperation nationally and internationally
- Alignment of research capacity and educational activities
- Societal impact and the functions of the disciplines in society.

¹ The committee did not have sufficient data to carry out an assessment of these dimensions. This criterion is thus not treated separately in the assessment, but integrated with societal relevance and the institutions' overall strategy. While some data on diversity (such as gender, age and employment category) are included in Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: *Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5*. issues related to integrity were not part of the self-assessment.

The content and topics included in the self-assessment reports are presented in Appendix C.

Moreover, the external assessment concerned:

- a) research that the research institution has conducted in the previous 10–15 years, and
- b) the research strategy that the research institution intends to pursue in future.

1.5 The evaluation process

1.5.1 Preparations and reference group

The initial phase was devoted to specifying the terms of reference for the evaluation for each institution. This phase lasted from December 2019 to August 2020. Several meetings were held from April to August 2020 between the RCN, the scientific secretariat and the reference group with the aim of agreeing on and defining the indicators to be included in the self-assessment reports. The table of indicators provided by the RCN. The evaluation protocol with its table of indicators (cf. Appendix B, p. 11) was used as a starting point for the discussions.

The secretariat outlined the structure and content of the institutional reports, and of the national synthesis report. Self-assessment forms were distributed to the institutions in mid- September 2020. By the end of October 2020, the secretariat had received the terms of reference specified by each of the six institutions.

1.5.2 The Committee's work process

The committee's work was carried out in five phases.

First phase: September 2020–January 2021

- Initial preparation and first committee meeting.
- 15 September, the scientific secretariat distributed self-assessment forms to all JUREVAL-institutions; the deadline for the self-assessment reports was first set to 15 December 2020, but was later prolonged until 8 January 2021.
- First Committee meeting, 23 September 2020,
- A slightly revised self-assessment form was sent to all JUREVAL-institutions.
- The institutions were asked to check the data on personnel from the Norwegian R&D-statistics as listed in *NIFU Working paper 2020:5*.

Second phase: January–March 2021

- The self-assessment reports were sent to the secretariat, which compiled, organised and distributed the reports to the committee, organised by institution and topic. Data from the R&D-statistics were double-checked.
- The scientific secretariat set up a document-sharing platform (Microsoft Teams), and all background material, as well as other data files and documents, was stored there. The committee shared files and work in progress in Teams.
- Division of work tasks between the committee members. In late-January, an internal committee meeting was held and the tasks of evaluating the scientific publications were divided between the Committee's members.
- The Committee agreed to use Research Excellence Framework (REF) criteria.
- Second Committee meeting, 16 February

- Discussion on data and self-assessments, and agreed on the interview process.

Third phase: March–May 2021

- Invitations to interviews
- Third Committee meeting, 17 March 2021
- The Committee members conducted interviews with representatives of the seven research units. The secretariat was responsible for setting up the interviews.
- Fourth meeting, 16 April 2021.

Fourth phase: May/June –September 2021

- Fifth Committee meeting, 20 June 2021
- The Committee members wrote their assessments and conclusions of the evaluation reports for each of the seven institutions. The assessment Committee divided the assessment and writing work between its members.
- Sixth Committee meeting, 20 August 2021
- The scientific secretariat sent draft reports for factual checking to the institutions involved in JUREVAL.
- The secretariat drafted Chapters 1 and 2 of the evaluation report.

Fifth phase: October –November 2021

- Seventh Committee meeting 11 October 2021
- The Committee discussed comments from the RCN and the JUREVAL units on the drafts for the six institutional evaluation reports and the national report, and in an overall context.
- The Committee revised the drafts.
- Eight Committee meeting 25 October 2021, summing up work and results.

All eight Committee meetings were held on the Teams platform. The RCN participated as observers at all Committee meetings, except the meeting on 11 October, at which the Committee discussed the comments from the RCN on the drafts of the six institutional evaluation reports and the national report.

1.6 Data and background material

The evaluation draws on a comprehensive set of quantitative and qualitative data. The Committee's evaluation is based on the following data and documentation.

The institutions' self-assessment reports

Reports were submitted by all the research-performing units. They included quantitative and qualitative information at the institutional level and at the level of the disciplines/research areas (Appendix C).

- Time spent on teaching, research, administration and other activities
- A list of 10–20 academic publications/research contributions, with motivations
- A list of indicators of academic recognition received (prizes, centres, honorary professorships etc.)
- Distribution of PhD students and post-docs by thematic field/discipline
- A list of PhD dissertations published by a publishing house
- A list containing 10–20 examples of important dissemination and communication activities, with motivations
- Information from the public register of secondary jobs and ownership interests (sidegjøremålsregisteret)
- Additional information on selected topics based on the institutions' terms of reference

See Appendix C for information on timeframes for the assessments.

The institutions were responsible for collecting the data that was used to assess the locally defined assessment criteria. In a few cases, the secretariat contacted the institutions for clarification and details on behalf of the Committee.

Societal impact cases

The institutions were asked to provide case studies documenting the broader non-academic, societal impact of their research. The total number of cases requested was adjusted to the size of each institution (see Appendix D for the template used for the societal impact cases).

Report on personnel, publications and societal interaction

The RCN commissioned an analysis of resources, personnel and publications within legal research in Norway for the evaluation. The analysis was conducted by NIFU and published in the following report: Gunnar Sivertsen, Hebe Gunnes, Frøydis S. Steine and Lone Wanderås Fossum, *Resources, scholarly publishing, and societal interaction of legal research in Norway, NIFU Working Paper 2020:5*.

The report consists of three parts, the first focusing on resources allocated to legal research, the second on scholarly publishing and the third on societal interaction based on mapping broader written communication with society. The purpose was to contribute to the knowledge base about legal research in Norway by showing the development in the use of resources, and the results of legal research, as well as to put this research into a wider context.

Data on students and master's degrees

The RCN asked NOKUT (The Norwegian agency for Quality Assurance in Education) to provide data on enrolled students:

- a national overview of students, 2010–2019, ECTS, the student-teacher ratio (UiO, UiB and UiT), candidates and student survey (in Norwegian).
- master's degrees including the number of credits for the master's thesis, total numbers and by credits, 30 and 60 credits, 2017–2019 (in Norwegian).

Project data

The RCN provided data on project funding:

- The project data bank includes an overview of national and international participation in research programmes under or outside the auspices of the RCN and funded by the EU, 2011–2019 (in Norwegian)
- The RCN also provided data on how well the institutions perform with regard to RCN funding and how their success rate compares to other participating institutions. The data were used as background information in the national report.

Interviews

The assessment committee carried out interviews with the six institutions. An interview protocol was developed in cooperation with the secretariat at NIFU. The secretariat was responsible for planning and setting up the interviews.

2 Legal Research in Norway and JUREVAL

This chapter presents a national overview of legal research in Norway and provides detailed information about the six units included in the evaluation of legal research. Section 2.1 presents research and education in law in general and at the six units. It describes research personnel, the institutions, funding, and recruitment to legal research and higher education. Section 2.2 reports facts on higher education in law, while section 2.3 deals with the scholarly output and section 2.4 with societal interaction. The evaluation concentrates on the years 2010 to 2019, but it also follows up the evaluation of law in Norway carried out in 2009. Section 2.5 summarises the main conclusions from the previous evaluation.

2.1 Research personnel with a higher degree in law

Researchers with a higher degree in law (in total 476 in 2019) are primarily employed as academic staff at higher education institutions, but also as research personnel at research institutes and health trusts. The number of research personnel has increased moderately since 2010 (Sivertsen et al., 2021: 20).² Positions were distributed using the categories in Figure 2-1.

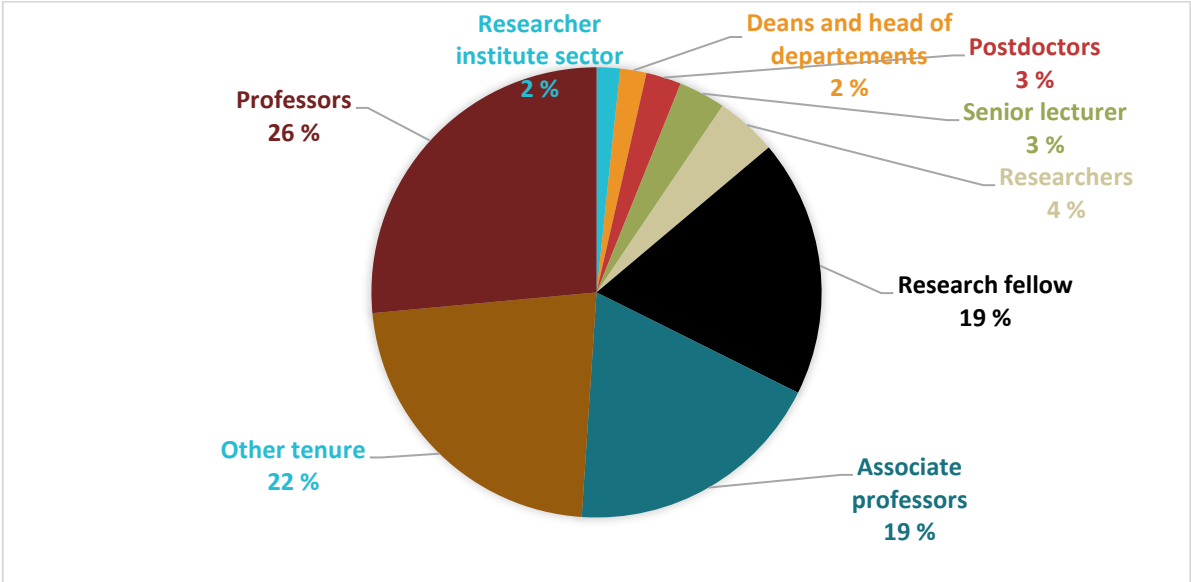


Figure 2-1 Academic staff with a higher degree in law in the Norwegian research system by position in 2019, per cent.

Source: NIFU, Register of Research Personnel

During the years 2010 –2019, the share of female academic staff increased for all positions, with the highest increase being among research fellows. However, despite having reached an approximate gender balance in recruitment positions and in the associate professors’ group, a gender gap in disfavour of women still exists for top positions, see Figure 2-2 for a national overview (Sivertsen et al. 2021: 35-36). The situation we see in legal research is not exceptional, but typical for the social sciences.

² Gunnar Sivertsen, Hebe Gunnes, Frøydis S. Steine and Lone Wanderås Fossum, *Resources, scholarly publishing, and societal interaction of legal research in Norway*, NIFU Working Paper 2020:5.

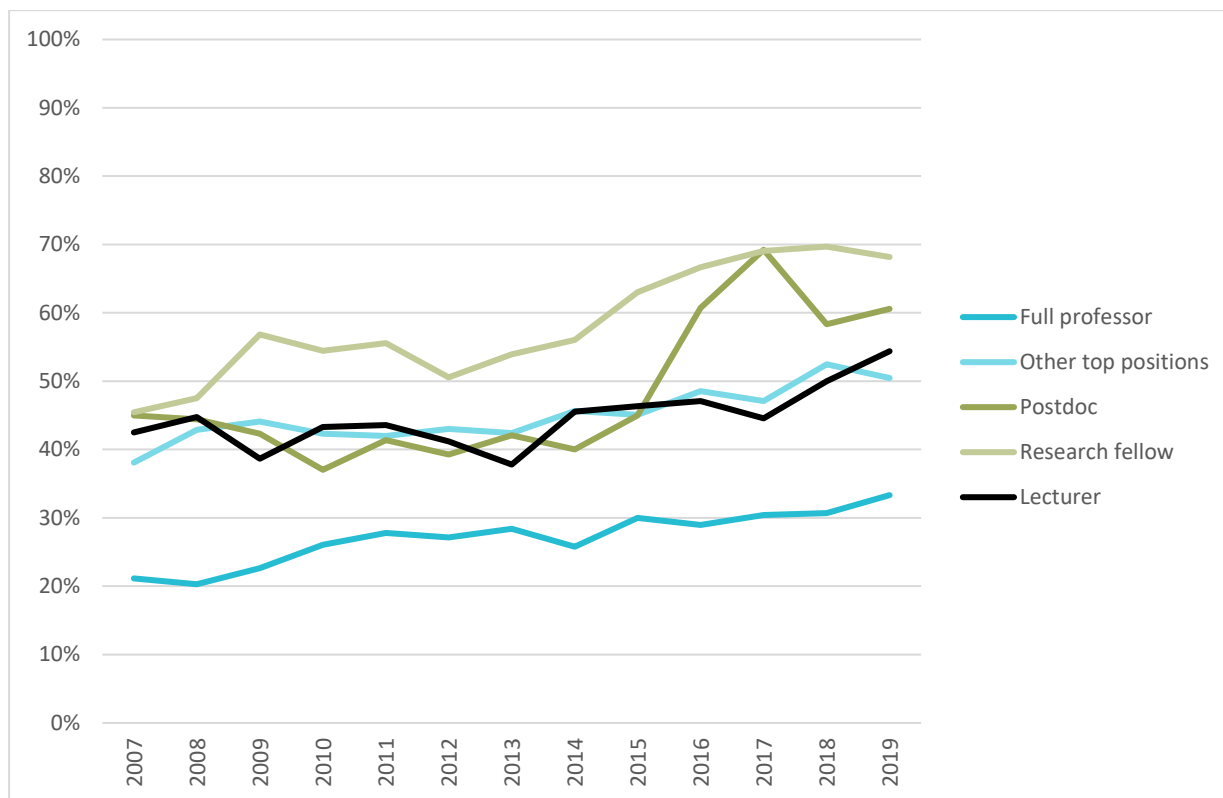


Figure 2-2 Share of female academic staff with a higher degree in law at Norwegian higher education institutions in selected positions, 2007-2019, per cent.

Source: NIFU, Register of Research Personnel

2.2 The six JUREVAL units

Of the 51 Norwegian institutions conducting legal research in the years 2010 to 2019, the JUREVAL units represent about 64 per cent of legal research personnel overall (academic staff) (Sivertsen et al. 2020: 32).

Based on the number of publications in legal research, other significant institutions in 2019 are the Norwegian Police University College, Fridtjof Nansen Institute, Oslo Metropolitan University, Christian Michelsen's Institute, the University of Stavanger and VID Specialized University (Sivertsen et al. 2020: 48).

Within JUREVAL, the three law faculties dominate, with 85 per cent of the academic staff (257 out of 303). The Faculty of Law at the University of Oslo stands out with 44 per cent, followed by the Faculty of Law at the University of Bergen with 22 per cent, and the Faculty of Law at the Arctic University of Norway with 19 per cent, see Table 2-1.³

³ The numbers are based on Sivertsen et al. 2020: 32, Table 2.2.

Table 2-1 Academic staff¹ at the JUREVAL units, number of staff with a higher degree in law, and with a PhD, by institution, in numbers and per cent, 2019.

Institution	Staff with degree in law	Share of total staff	Staff with PhD	Share with PhD ²	Total staff
University of Oslo	132	90%	105	98%	147
University of Bergen	68	94%	50	100%	72
University of Tromsø	57	97%	33	80%	59
University of South-Eastern Norway	11	20%	20	44%	56
BI Norwegian Business School	22	55%	24	65%	40
University of Agder	13	100%	5	42%	13
Total JUREVAL units	303	75%	237	78%	387

¹ Research assistants and personnel with less than 25 per cent employment at the units are excluded.

² Research fellows are not included in the calculation.

Source: NIFU, Register of Research Personnel.

2.2.1 Academic staff

The JUREVAL units fall into two groups. The first and largest group measured by the number of academic staff and students comprises the Faculties of Law at the Universities of Oslo (UiO), Bergen (UiB) and Tromsø (UiT). Around 80–90 per cent of legal research at the three universities is carried out at the law faculties. They are specialised in legal research, and their study programmes concentrate on law. More than 90 per cent of the academic staff held a higher degree in law in 2019.

In the three units in the second group, comprising the Department of Law and Governance at BI Norwegian Business School (BI), the Department of Law at the University of Agder (UiA) and the Department of Business, Marketing and Law at the University of South-Eastern Norway (USN), the departments/sections and academic staff are part of a multidisciplinary unit. Legal academic staff typically make up a small share, varying from 20 to 45 per cent. They typically perform research in selected fields of law and the units offer study programmes that include law, but do not aim to cover all areas of law and the legal system.

Legal research at BI and UiA focuses on business and management research, whereas research at USN focuses on psychology, social medicine, philosophy and education (Sivertsen, et al., 2020: 49).

2.2.2 Organisational changes since 2009

While the three Faculties of Law have maintained the same organisational set up, the three smaller units have undergone considerable changes since 2009, when the previous evaluation took place. The main changes are as follows:

BI, Norwegian Business School, Department of Law and Governance

- 2007–14: Institutt for regnskap, revisjon og jus
- 2015–16: Institutt for rettsvitenskap
- 2017–19: Institutt for rettsvitenskap og styring

University of South-East Norway, Department of Business, Marketing and Law

- 2011: Avdeling for økonomi og samfunnsvitenskap, Høgskolen i Buskerud
- 2012–13: Fakultet for økonomi og samfunnsvitenskap, Høgskolen i Buskerud
- 2014–15: Institutt for strategi og økonomi, Høgskolen i Buskerud og Vestfold
- 2016: Institutt for strategi og økonomi, Høgskolen i Sørøst-Norge
- 2017: Institutt for økonomi, markedsføring og jus, Høgskolen i Sørøst-Norge
- 2018–19: Institutt for økonomi, markedsføring og jus, Universitetet i Sørøst-Norge

University of Agder, Department of Law, School of Business and Law

- 2011–13: Institutt for økonomi, Fakultet for økonomi og samfunnsvitenskap
- 2014–19: Institutt for rettsvitenskap, Handelshøgskolen ved UiA

2.3 Expenditure and funding

In 2019, expenditure on legal research in Norway amounted to NOK 466 million in current prices. The funding grew steadily from the late 1990s to 2017 before stagnating from 2017 to 2019, in fixed prices.⁴

The funding sources for legal research can be divided into five categories, where the three major sources are 1) basic governmental funds for the universities, 2) project funding from ministries and other public sources, 3) funding from the Research Council of Norway (RCN). Basic funding was the most important source of funding throughout the period (1997–2019). The share of external funding has fluctuated between approximately 23 and 48 per cent; project funding from ministries and other public sources dominated. The RCN was the third largest funding source (Sivertsen et al. 2021;41-43). See Figure 2-3.

⁴2017: NOK 433 mill.; 2019: NOK 420 mill.

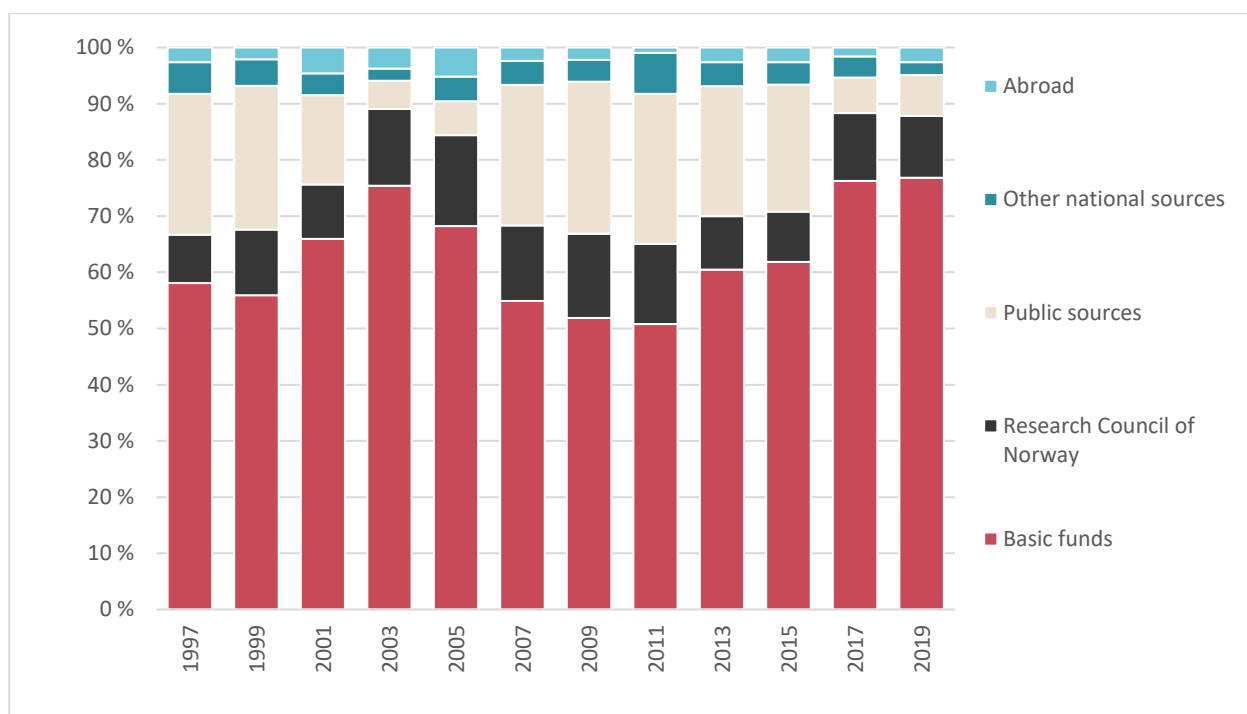


Figure 2-3 R&D expenditure on legal research by source of funds, 1997–2019, per cent.

Source: NIFU, Register of Research Personnel

Table 2-2 provides an overview of applications for research projects. The table shows rejections and grants and projects granted funding as a share of total applications. Moreover, it compares applications in the field of law with other social sciences.

Table 2-2 Research Council of Norway, applications for research projects, faculties of law and social sciences, rejections, grants, total amount granted as a percentage of the total number of applications, 2010–2019.

Research projects	Rejection	Funding	Sum	Share granted
UIB				
Faculty of Law				
Open Arena (FRIPRO)	15	2	17	12%
Programmes	9	2	11	18%
Faculty of Social Sciences				
Open Arena (FRIPRO)	74	17	91	19%
Programmes	64	10	74	14%
UIO				
Faculty of Law				
Open Arena (FRIPRO)	42	5	47	11%
Programmes	36	9	45	20%
Faculty of Social Sciences				
Open Arena (FRIPRO)	117	10	127	8%
Programmes	82	45	127	35%
UIT				
Faculty of Law				

Open Arena (FRIPRO)	2		2	0%
Programmes	5	5	10	50%
Faculty of Humanities, Social Sciences and Education				
Open Arena (FRIPRO)	96	14	110	13%
Programmes	56	14	70	20%

Source: RCN, Project database.

2.4 Recruitment – doctorates

The three universities award doctoral degrees in law, mostly PhD degrees. A few completed another doctoral degree, typically a *dr.juris*.⁵ From 2010 to 2019, a total of 203 doctoral degrees in law were awarded at the universities, see Table 2-3. An average of 20 doctoral degrees have been awarded each year.

Table 2-3 Doctoral degrees in law awarded in Norway, in total and by institution, 2010–2019.

	UiB	UiO	UiT	Total 2010–2019
2010	7	15	4	26
2011	8	6	1	15
2012	6	9	1	16
2013	3	11	3	17
2014	4	9	4	17
2015	5	16	4	25
2016	6	10	2	18
2017	5	15	3	23
2018	2	14	3	19
2019	5	16	6	27
	51	121	31	203

Source: NIFU, Doctoral Degree Register.

In 2019, a PhD graduate in law was 39 years old on average, for both women and men, the same as in 2007 and in social sciences overall (Sivertsen et al. 2020: 27).

Since 2007, about 30 per cent of the doctorates awarded in law were awarded to persons with non-Norwegian citizenship at the time of the dissertation, see Figure 2-7. The share with non-Norwegian citizenship is the same as in social sciences overall.⁶

⁵ NIFU, Doctoral Degree Register.

⁶ NIFU, Doctoral Degree Register.

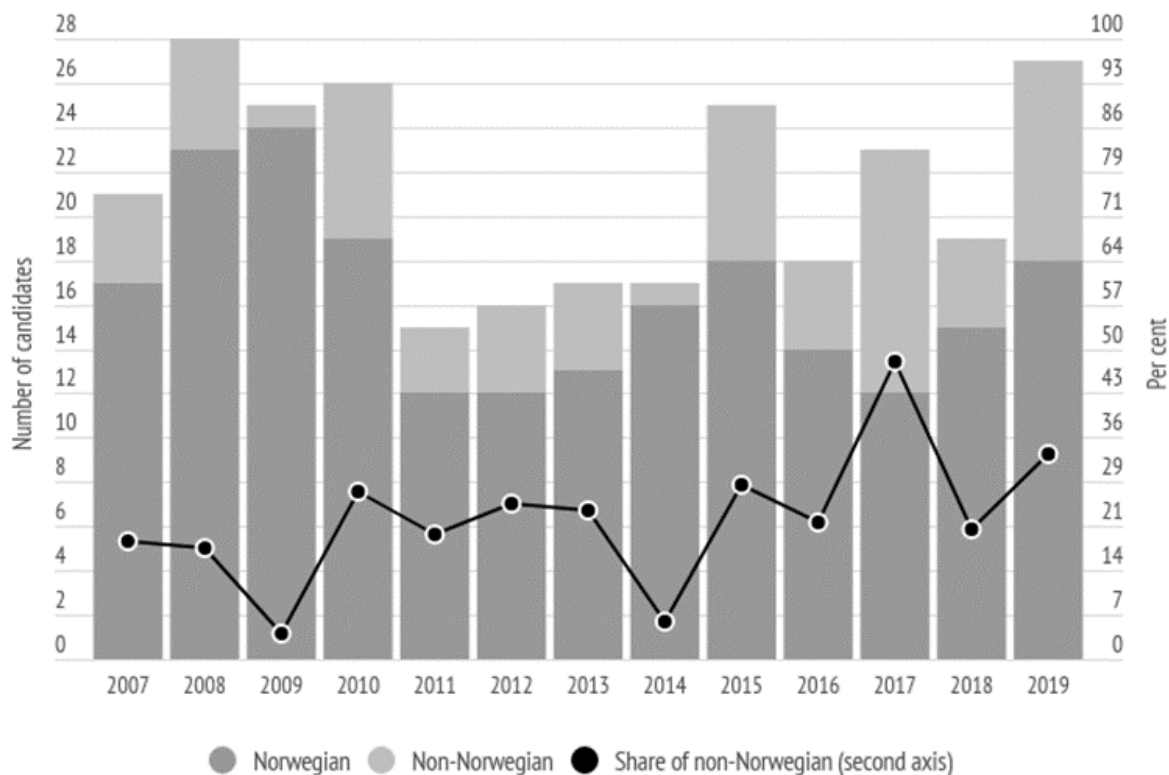


Figure 2-4 Doctorates in law in Norway by citizenship, 2007–2019.

Source: NIFU, Doctoral Degree Register

2.5 Education

In Norway, higher education in law consists of either a five-year integrated master's programme or a three-year bachelor's degree and a two-year master's degree (3+2). The most popular study programme is the integrated master's programme. The number of law students increased slightly from 2010 to 2019, mainly due to a larger number of students being enrolled in bachelor's programmes. Most law students are registered in a master's programme, where the number varied between 6,100 and 6,800 students. See Figure 2-6 below. During the period, about 60 per cent of the students in law at both the bachelor's and master's level have been female (Sivertsen et al. 2021: 29-30).

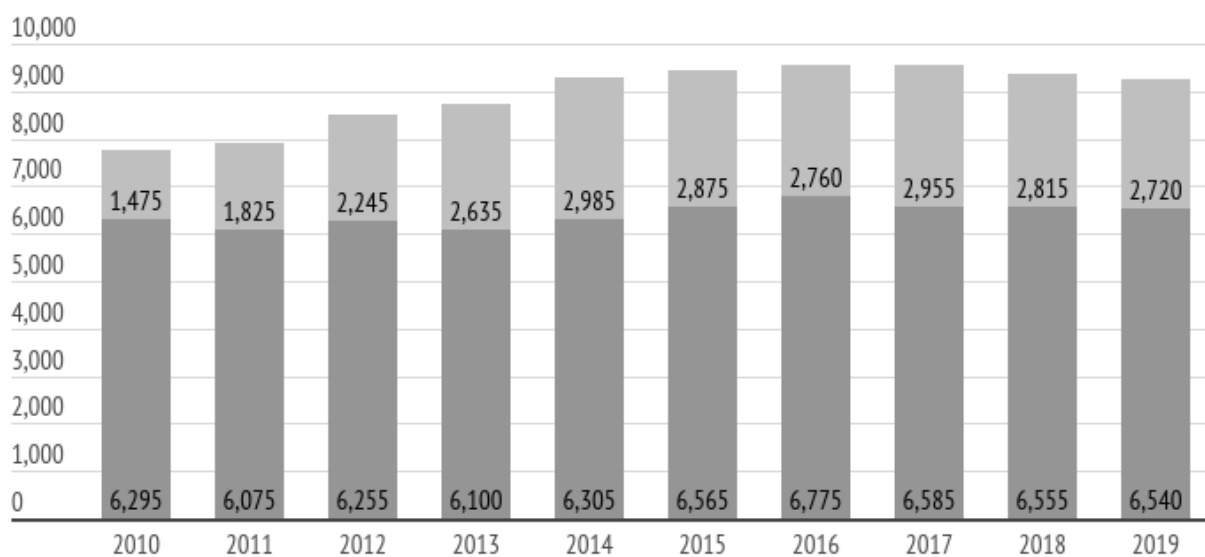


Figure 2-5 Students in law, 2010–2019.

Source: Norwegian Centre for Research Data, (NSD); Database for Statistics on Higher Education (DBH).

The number of graduates with a master’s degree rose from 2010 to 2016 but fell slightly from 2016 to 2019. The number of graduates in law on ISCED levels 6 and 7 per year has been about 1,000 yearly. ISCED levels 6 and 7 correspond to the bachelor’s and master’s degrees, respectively. See Table 2-4 below (Sivertsen et al. 2021: 30).

Table 2-4 Number of graduates in Law on ISCED 7 level by institution, 2007–2019.

	2007–2010	2011–2014	2015–2018	2019
University of Bergen	1 049	1 231	1 346	380
University of Oslo	2 161	2 368	2 483	425
University of Tromsø	277	315	411	145
Sum	3 487	3 914	4 240	950

Source: DBH.

2.6 Scholarly output

Scientific publications are a hallmark of knowledge production and dissemination within the national and international community of legal researchers. In 2019, 4,060 publications categorised as legal research were published in Norway.⁷ Legal research was conducted at 54 institutions, but largely concentrated at a few institutions. The three universities, UiO, UiB and UiT, had a share of 72 per cent of all scientific publishing (2,913 of 4,060). This share includes both law faculties and other units at the universities. The other 51 institutions had a combined share of 28 per cent.

The publication analysis confirms the results from the personnel analysis in terms of concentration: legal academic staff at the universities are for the most part employed at the faculties of law. At other institutions (for example BI, UiA and USN), legal academic staff are part of multidisciplinary departments (cf. 2.2.1).

2.6.1 The six JUREVAL units

In 2019, 65 per cent (2620 of the 4060) of all publications in law in Norway came from the six JUREVAL units. Hence, JUREVAL covers an important part of overall legal research in Norway (Sivertsen et al. 2021: 48, Table 3.1.).

The three faculties of law at UiO, UiB and UiT dominate with 93 per cent of all publications by the JUREVAL units (2,461 out of 2,620). UiO accounts for 55 per cent of all publications, followed by UiB with 25 per cent and UiT with 13 per cent. See Table 2–5 (Sivertsen et al. 2021:49, Table 3.2).

Table 2-5 The number of publications in legal research from the JUREVAL units, 2011–2019.

JUREVAL unit	Publications in legal research
UiO	1,466
UiB	655
UiT	340
BI	143
UiA	12
USN	4
Total	2,620

Source: *The Norwegian Science Index (NSI)*.

⁷ The analysis is based on the Current Research Information System in Norway (abbreviated CRISTin). CRISTin data are complete from 2011 (Sivertsen et al. 2021: 45–47).

2.6.2 Publication patterns

Overall, legal researchers at the JUREVAL units favour journal articles and book chapters over monographs. Journal articles accounted for 45 per cent and book chapters 49 per cent, while only 6 per cent of scholarly output was presented in monographies, see Table 2-6.

Table 2-6 The distribution of publications in legal research by publication type, 2011–2019, in per cent.

Unit	Publications	Journal articles	Book chapters	Books	Total
UiO	1,459	45%	49%	6%	100%
UiB	654	42%	52%	6%	100%
UiT	339	47%	46%	7%	100%
BI	142	41%	53%	6%	100%
UiA	12	50%	33%	17%	100%
USN	4	75%	0%	25%	100%
Total	2610 ¹	45%	49%	6%	100%

¹ The publication type is unknown for 10 items.

Source: NSI

The distribution across publication types differs somewhat, but UiO, UiB, UiT and BI largely reflect the general picture. While the total numbers for UiA and USN are low.

The Norwegian language was used in 49 per cent of the publications and English in 48 per cent. Only 3 per cent were publications in other languages than Norwegian and English. About 8 per cent of publications are co-authored with peers abroad. The share of international co-authored publications differs across the units as follows: UiT:14%; UiO 9%; UiB 4%; and BI 1%. As stated above, 49 per cent of the publications are in books. They have been published by 103 different publishers, most of them with only one book each (Sivertsen et al. 2021: 53–54).

The publication points have remained relatively stable during the period but have been rising since 2016. See Table 2-7.

Table 2-7 Annual publication points per person-year, 2011–2019.¹

	2011	2012	2013	2014	2015	2016	2017	2018	2019
BI	0.72	0.67	N/A	0.47	0.48	2.24	0.88	1.13	1.09
UiB	1.09	0.91	1.35	1.43	1.44	1.48	1.09	1.18	1.31
UiO	1.89	1.62	1.86	1.62	1.86	1.93	1.81	1.93	2.23
UiT	1.11	0.9	1.02	1.02	0.99	1.39	1.2	1.24	1.04

¹As published in NSD's Database for statistikk om høgere utdanning.

Source: NSD, DBH

2.7 Societal interaction

Interaction with society occurs in numerous communication channels, such as teaching, practical training, policy and planning, industrial applications and technological innovation. In the social sciences and humanities, researchers' written communications targeting a wider audience is important in societal interaction. This is also the case for legal research, with formalised genres for written contributions to society.

Legal academic staff in Norway contribute significantly to society at large, for example by serving on committees, boards etc. and sharing their expertise in legal practice, as illustrated in Table 2-8 (Sivertsen et al. 2021:63–64).⁸

Table 2-8 Contributions to sources of law in the most frequent categories in Lovdata, 2011–2019.

Categories in Lovdata	Sub-categories	Number of matched author names
Commissions and committees, etc.	<i>The Consumer Disputes Commission</i>	2,694
	<i>The Norwegian Financial Services Complaints Board</i>	2,631
	<i>The Patients' Injury Compensation Board</i>	1,052
	<i>The Tax Disputes Commission</i>	1,006
	<i>The Norwegian Complaints Board for Public Procurement</i>	588
	<i>The Norwegian Anti-Discrimination Tribunal</i>	415
Judgments	<i>The Courts of Appeal</i>	2,317
	<i>The District Courts</i>	686
	<i>The Supreme Court</i>	450
Parliamentary papers	<i>Official Norwegian Reports, NOU</i>	213
	<i>Draft Resolutions and Bills, St. prop.</i>	134
	<i>Recommendations from Standing Committees</i>	121

Source: Lovdata.

2.8 The evaluation of 2009

The overall goal of the previous evaluation was to provide an aggregated assessment of the quality of legal research in Norway and of the national academic environments.⁹ The review devoted particular attention to the performance of research groups. The evaluation aimed to identify measures that could contribute to quality, provide a knowledge base for the research units, the Research Council of Norway and for relevant ministries and contribute to developing legal research in Norway. The quality assessment was based on an international standard, taking account of national circumstances and needs, and the resources available to the individual research environments (RCN, *Legal research in Norway. An evaluation* (RCN), Oslo 2009). The panel concluded that several of the research groups and research areas could be characterised as strong in the Norwegian, Nordic, and international context. None of the evaluated research areas were considered to be weak in terms of the quantity and quality of research output. However, it was observed that some research environments were found to be too small and thus vulnerable because of the numbers of research personnel and financial resources available.

- 1) Research quality and relevance.** The committee concluded that legal research in Norway was generally of good quality and on a par with the quality of corresponding legal research environments in other Nordic countries. It found that the research and the legal researchers'

⁸ For a detailed account of sources and methods, see Sivertsen et al. 2021: 58-64.

⁹ The evaluation comprised five units: the three faculties of law at University of Oslo, University of Bergen, University of Tromsø, the Department of Accountancy, Auditing and Law at the Norwegian Business School (BI) and the Fridtjof Nansen Institute (FNI).

dissemination of research had considerable influence on and relevance to society, businesses and working life in Norway, and had a strong position in the Nordic research community. Moreover, the committee concluded that Nordic legal research in general, and legal research in Norway in particular, had a high societal impact/relevance compared with the impact of legal research internationally.

- 2) Organisation, cooperation and PhD education.** While the day-to-day organisation of the institutions was based on formal organisation structures, much of the research activity was organised in interdisciplinary research groups. Interdisciplinary cooperation took place across units within the same faculty (UiO) and/or across research groups from different faculties (UiO, UiB, UiT). The evaluated research environments were of different sizes, ranging from a few to larger groups with 25–30 researchers. The committee recommended all research groups to focus on attracting and including PhD fellows and junior academic staff in their research communities, and to devote attention to achieving gender balance among PhD fellows.
- 3) Publication and dissemination.** The committee observed that the publication channels for legal research were mostly of Norwegian or Nordic origin. It was also noted that the publications were largely written in Norwegian. The national orientation of Norwegian legal research publications was seen as normal given that legal research is primarily a nationally oriented discipline. At the same time, the panel found that all research groups published in international journals and in foreign languages (typically English), but that the quantity of international publications varied and was not always compatible with the discipline's international orientation.
- 4) Resources and funding.** The committee concluded that research had a high level of external funding, although this varied between the research units/groups. The high dependence on external funding was seen as a weakness, as it hampered the research groups/projects' possibilities of developing long-term plans and strategies, and thereby ensuring continuity in their research work and knowledge development in traditional core disciplines, and in new ones.

3 Introduction

The six participating JUREVAL institutions – UIO, UIB, UIT, UiA, USN and BI¹⁰ – all provided the Committee with self-assessment reports, including numerous appendices with detailed information about the institutions and examples of their most distinguished research. Moreover, institution managements and selected researchers participated in interviews with Committee members, and occasionally provided further detailed information when requested by the Committee to do so.

All participating institutions made great efforts in preparing their self-assessment reports, which in turn provided a sound basis for the Committee's review. The Committee is generally very satisfied with the comprehensiveness and representativeness of the material provided by the institutions. The same applies to the interviews conducted with departments and researchers. Moreover, the Committee would like to commend the RCN for tasking NIFU with the role of providing administrative support to the Committee. The Committee had a very good working relationship with NIFU, and the support it provided to the Committee proved invaluable. On the whole, the Committee is also very satisfied with the RCN's approach to the assessment. Both NIFU and RCN responded positively to the Committee's request for clarification on data during the assessment and responded swiftly and comprehensively to the Committee's various queries.

The assessment was conducted during the Covid-19 lockdown. This meant that the Committee neither met the members of the participating institutions in person nor visited their physical premises. All the Committee's meetings and interviews with managements, professors, postdocs and PhD students were conducted digitally using Microsoft Teams. This inevitably had some bearing on the Committee's impression of the institutions. The flow of communication in digital meetings is often perceived by participants as inflexible or formal. Digital meetings may reduce the speed of interaction and make it more difficult to reach a truly shared understanding of what is being communicated. Not being able to visit premises prevented the Committee from getting a sense of the atmosphere in the workplace and from having informal talks with staff and management. Despite these obstacles, the Committee is satisfied that the assessment has been true, fair and impartial.

3.1 General resource situation regarding funding, personnel and infrastructure

The impression of the Committee is that the overall resource situation for legal research in Norway is satisfactory. By international standards, Norwegian government funding appears to support a good basis for developing research of high quality. The resource situation for the individual institutions varies significantly, however. The three larger research environments – UiO, UiB and UiT – are all organised as separate faculties and with enough staff to cover a broad range of legal topics. This provides these institutions with more funding and considerably more autonomy than institutions where legal research is organised in groups or departments within a faculty hosting several departments.

The situation is not the same for the smaller research environments included in the review, i.e., USN, UiA and BI. These are relatively small research environments organised in groups/departments with less autonomy and more dependence on priorities set by faculties hosting numerous departments.

¹⁰ Initially INN, UiS and NMBU were also part of JUREVAL, but these institutions subsequently withdrew and are therefore not part of the assessment.

The Committee found that these research environments were generally fragile and in need of more resources if they are to succeed in building research environments that go beyond the status quo.

During the review process, the Committee was confronted with the question of whether the requirements for offering a full masters' degree in law should be less restrictive to enable universities which host smaller research environments to offer not only bachelor programmes in law, but also a master's degree in law.

The Committee's impression from the interviews is that the smaller universities see this as an opportunity to grow. By being allowed to offer fully qualifying law programmes at master level, these universities believe they will be able to attract more students to more study programmes (by adding the master programme on top of the existing bachelor programme). They also believe they will simultaneously gain more autonomy in determining how such law programmes should be structured. Today the smaller universities have to mimic the bachelor programmes at the larger universities in order for students with bachelor's degrees from one of the smaller universities to be able to enrol in the master programmes offered in Oslo, Bergen or Tromsø.

However, the Committee does not consider this issue to fall under the mandate of JUREVAL. In the Committee's view, the decision should reflect the overall need for educating more lawyers with different competency profiles in Norway and/or the need to geographically spread educational institutions or to increase diversity in the way in which legal education is offered. Nevertheless, the Committee would point out that at present the smaller universities participating in this assessment already have very scarce resources available for legal research. Moreover, in some fields of law, recruitment of scholars who are capable of producing research at a high international standard and of simultaneously teaching Norwegian law in a way that is sufficiently specific and technical to meet the needs of the legal profession may prove very challenging. Getting more students, and thereby more funding, may not in itself lead to an improvement in research quality, and may even be counterproductive. However, the Committee notes that the smaller institutions would be better able to profile their law programmes at both bachelor and master level according to the institutional conditions that prevail in each academic environment. By not being obliged to imitate the profile demanded by the existing, bigger institutions, they would be able to create their own profiles in both research and teaching aimed at professional activities within, for example, business and/or government.

Another resource-related issue that transpired during a number of interviews was the frustration among legal researchers over the conditions for attracting external funding from RCN. Several researchers expressed feeling that their research applications were not properly understood by reviewers and therefore were not fully appreciated. They attribute this to the broadly composed review panels. Applications for legal research projects are often reviewed by researchers with no special expertise in the relevant field of legal research. According to the interviewed researchers, this meant that the reviewers often did not fully understand or grasp the research problems described in the applications, and that this in turn led to applications being rejected.

In response to this, the Committee asked the RCN to provide data on application activity for the period 2010–2019 and the success rates for the participating institutions.¹¹ In the Committee's opinion, these data show no signs to suggest that applications from law faculties are not granted

¹¹ The Committee received an Excel file and a Word file providing an overview of applications to RCN. These files provide information about the RCN grant instruments *Fri Prosjektstøtte* and *Programmer*. The files show the distribution of applications from and grants to law and social science respectively across the JUREVAL institutions in the period 2010–2019. See table 2-2.

funding to the same extent as applications from other social science faculties. The overall acceptance/rejection rates are the same for law as for social science disciplines in general.

One law faculty in particular, namely UiO, has a far higher level of application activity than the two other faculties, and therefore also a much higher intake of funding.¹² To illustrate with a concrete example: while UiB had an intake of NOK 25 million during the period, with the latest grant awarded in 2012, UiO had an intake of nearly NOK 112million in the same period; almost five times as much. However, UiO also submitted many more applications and had many more applications rejected: 78 in total over the period, whereas UiB had only 24 applications rejected. Investing resources in application activity and building research profiles and experience within the specific competitive environment created by RCN funding thus seems to pay off. However, in order to achieve this, resources are needed to begin with. UiO, by far the largest of the institutions, seems to have an advantage here because it can – and does – invest more resources in preparing and submitting more applications than other institutions.

Then there is the difference between institutions in terms of how much they invest in writing applications to RCN, a difference that mirrors the size of the institutions and, indirectly, their ability to free up the resources needed to write good applications.

Despite the abovementioned differences between the JUREVAL institutions, the Committee finds that funding of the legal discipline in Norway as a whole provides a sufficient basis for producing legal research of high quality. It is noteworthy, however, that the resources are distributed very unequally across the participating institutions.

The distribution of both funding and the number of researchers employed at each institution vary enormously. Smaller institutions have a smaller number of employees to cover research. This has an impact on the research performed in the smallest institutions because researchers often have to cover broader areas of teaching, thereby consuming more of their time and spreading their efforts across a broader range of topics.

The Committee also felt that researchers at the smaller institutions sometimes had to spend more time preparing for their teaching than was formally allocated to them. Smaller institutions also have less room to manoeuvre when recruiting personnel and therefore are often unable to develop more specialised research expertise. While the Committee is convinced that all individuals – researchers and managers – are doing their very best under the circumstances, the Committee does find that the very unequal distribution of resources leaves the smaller institutions in the difficult situation of trying to perform research at a high international level while simultaneously having to cover a very broad range of teaching tasks that are not always aligned with the research output.

The Committee also notes that while the discipline as a whole is well funded via university and RCN funding, it has attracted very little EU funding. The Committee finds that there are good opportunities for improvement if the participating institutions decided to develop more applications to EU-financed research programmes. This would require an investment of resources, but in the Committee's view, one that would be well worth the effort (see also the Committee's further remarks on this issue below).

¹² This is based on data provided by RCN in the abovementioned file. See appendix.

3.2 Research production and quality: strengths and weaknesses of the discipline in an international context

Research production and quality were documented in the assessment process based on a selection of publications considered by the participating institutions to be representative of their best work in the assessment period. Each of the submitted publications was supplemented by a motivational text describing why that particular publication was selected. Since these publications had to be read by the Committee in order to directly assess their academic quality, some limitations were introduced. Hence the number of publications which each institution could submit was limited (this was done in such a way that the larger institutions could submit more publications than the smaller ones), and each publication had to be limited in length. This was done to avoid overburdening the Committee, given the long tradition in legal scholarship of publishing quite lengthy monographs (in some cases more than 1,000 pages of text).

The Committee therefore mandated that monographs, if they were deemed important for the institutions, should be represented by a selected chapter and, if possible, accompanied by a chapter or section from the book which set out the theory and methodology used. In addition, the Committee was provided with various bibliometric data showing the overall publication output by the participating institutions. These data also showed the publication output in relation to the number of researchers and the distribution of output across different types of publications. The Committee also was provided with information about which journals were used as outlet channels for publications and how many publications were published in each journal over the period under assessment. Similarly, the Committee saw a list of publishers showing where books were published and which book publisher were preferred.

3.2.1 Research quality: choice of publication channel and publication profile

One observation concerns a list produced by NIFU showing the preferred journals for publication output (articles) listed by the number of articles published by the various journals. The list shows that not only the top 10, but also the top 20, is dominated by Norwegian journals, which exclusively or predominantly publish articles in Norwegian. Out of a total of 1,159 articles, 686 articles (approximately 60%) were published in one of the top 20 journals. Overall, published articles were distributed among 220 different journals. This means that the remaining 473 articles (approximately 40%) were published in one of the other 200 journals. Of these publication outlets, there were still several Norwegian/Scandinavian journals that ranked high on this list, leaving the number of truly international English-language journal articles at around the 30% mark.

Thus, the data show that there is a clear priority among researchers to write and publish in Norwegian. The data also show that the preference for Norwegian-language over English-language publications in the overall data set (all publications) is stronger than the preference for Norwegian-language publications in the set of articles selected by the institutions as examples of their best work. In the data set of selected publications, the Committee found that 23 out of the 50 publications submitted by the three biggest institutions (UIO, UIB and UIT), were written in Norwegian and published in a Norwegian (or Scandinavian) journal. These amount to 46%. The remaining 54% were written in English. So while some 30% publications overall are published in English, 54% of the publications selected by the institutions to represent their best work are written in English and published in journals with a more international profile than the Norwegian journals. While perhaps not highly significant in and of itself, this may indicate that the institutions find relatively more

examples of research which they themselves consider to be of the highest quality among the international journal publications mentioned above than they do in the Norwegian journals.

The 2009 report addressed the same issue and concluded as follows:

De benyttede publiseringskanaler er primært norske eller nordiske, og publikasjonene er overveiende skrevet på norsk. Dette finner panelet ganske naturlig i lys av de momenter som allerede er anført om rettsvitenskapen som et primært nasjonalt profesjonsfag, og det sier i seg selv intet om kvaliteten på hverken publiseringskanalene eller publikasjonene. Enkelte publikasjoner og publiseringskanaler (f.eks. Magma) har dog mere formidlings enn forskningskarakter. Alle fagmiljøene publiserer samtidig internasjonalt og på utenlandsk (typisk engelsk), men omfanget av den internasjonale publiseringen er noe varierende og ikke alltid sammenfallende med fagenes internasjonale karakter. (p. 115).

The Committee generally concurs with the previous Committee's view that the language of a publication does not, in and of itself, say anything about its research quality. A publication can be of high or low quality irrespective of which language it is written in. In principle, the same applies to the location and type of publication outlet, and to whether or not the publication was peer-reviewed before publication. Research quality must ultimately be judged on the content of the publication. Language, outlet and other such aspects can, at best, be proxies for quality.

The Committee nevertheless finds that there are differences between publication channels and that these channels may themselves be indicative of quality, and indeed often are taken as signs of academic quality. Even though this is not always justified, and must never be taken for more than a rule of thumb, the Committee finds that some publication outlets are held in higher esteem in the international research community than others. This difference in esteem can sometimes be seen to translate into a proxy for research quality. Among the factors that appear to be taken as proxies for research quality are:

- A journal's popularity in terms of potential authors and potential readers.
All else being equal, it will usually require more effort to have an article accepted in a journal which has more authors competing to have their article accepted than is required to get an article published in a journal where there is less competition. This is sometimes expressed as the rejection rate; the higher the rejection rate, the more prestigious the journal. Potential readers could also be seen as a proxy for quality. The more a journal is read or cited, the better.
- A journal's breadth of profile.
Journals with a very narrow profile mostly will attract a smaller audience than a journal with a more general profile. The research output of such journals may be of very high quality, but will be relevant only to a very limited field. Journals that publish articles dealing with more fundamental or basic aspects of law may apply to more areas of research and therefore be perceived as having higher quality. The more specialised the journal, the narrower its relevance and the more limited the academic impact of its articles, irrespective of the academic quality of the content as such.
- A journal's peer review system.
A truly anonymous peer review system is more likely to promote research quality than a non-anonymous system or no peer review at all. Knowing the identity of the author may result in bias when assessing the research quality of the submitted manuscript. Anonymous peer review carried out by researchers who know the field well is more likely to lead to better selection. Anonymous expert reviewers thus are more likely to guarantee the quality of a journal's articles.

- A journal's target audience.

Journals that are more oriented specifically towards researchers than towards legal professionals more generally are likely to focus more specifically on research quality. While all journals naturally seek to maintain a sustainable income and reader base, journals that target the general legal profession will usually prioritise the relevance of the research to their audience. However, societal/professional relevance and research quality do not always overlap. Journals that mainly target researchers are more likely to promote research quality (originality and comprehensiveness) over immediate relevance.

While these indicators are sometimes used as proxies for quality, they cannot of course replace qualitative assessment of the publications themselves. Hence the Committee has read and evaluated all the submitted research independent of these considerations. In assessing research quality at a collective national level, however, where the unit of analysis is a whole country, it might be helpful to consider such general criteria in relation to the overall publication profile; for example, in the distribution of articles across different journals. As an addition to the qualitative assessment of the individually submitted publications and the motivational texts submitted with them, this could provide further information about the profile of Norwegian legal research at an aggregated level of analysis.

The Committee has not engaged in a systematic analysis of the overall publication profile of Norwegian research, but has relied on the general knowledge of the Committee members about journal and publisher profiles in combination with a qualitative assessment of the submitted articles. The Committee hopes that further discussions of what defines and documents research quality will unfold in the Norwegian legal academia following publication of the present report (see also the discussion on reflection below).

In relation to this, it should be noted that the issue of quality standards in legal research is also discussed in research publications.¹³ A combination of the proxy indicators listed above and the more substantive criteria discussed in the literature would be a good starting point for further considering how research quality in legal scholarship is best maintained and improved in Norway.

Finally, the Committee would like to mention that decisions on whether or not to publish internationally have wider-ranging consequences that go beyond the individual publications. Publishing internationally (i.e., in English, in a reputable/well-known journal or publisher) will provide broader access to the research, and thereby potentially more international attention and credit recognition; it may also increase the presence and standing of Norwegian research at international level, and increase the international relevance and reputation of Norwegian law schools as a whole. This eventually will provide better opportunities for international recruitment of excellent researchers and for obtaining research grants from the EU or other international funding bodies. In the Committee's view, some of the best research publications written in Norwegian would enrich the international research community if made available in English-language publications, and would thereby contribute to more visibility and recognition of Norwegian legal research.

¹³ For a recent and informative overview of the discussion in regards to research in the traditional legal (doctrinal) area of research, see Marnix Snell, "Making the implicit quality standards and performance expectations for traditional legal scholarship explicit", (2019) 20 *German Law Journal* 1–20.

3.2.2 Research quality in the submitted publications

The overall impression of the submitted articles is that there is wide variety in quality across the 80 publications (UIO: 20; UIB: 15; UIT: 15; BI: 10; UIA: 10; USN: 10) reviewed by the Committee for the purpose of the present assessment.

Some articles were mainly descriptive and seemed to have the rather narrow aim of simply stating what the law is on some specific point or perhaps of showing some inconsistencies in legislative or judicial approaches to a given regulatory issue. Such publications are undoubtedly valuable for the legal profession and do have a role to play in updating knowledge in the very specific legal issues dealt with in those publications. However, they do not contribute much to the broader understanding of the field of law inspected, nor can they be considered very original or of wide-ranging significance.

At the other end of the scale, the Committee reviewed publications that were of outstanding quality, demonstrating either empirical or analytical depth and with reflections on the wider significance of the findings. Furthermore, the ability to place one's findings in a broader theoretical, methodological and empirical research landscape was present in some of these articles, which was highly appreciated by the Committee.

Between these two extremes, the Committee found much solid work that could be seen to offer interesting reflections on research problems that were both contemporary and important. Well structured, knowledgeable and solid are some of the key words the Committee finds suitable to characterise the quality of these publications.

3.2.3 Ability to identify new scientific challenges and to develop interdisciplinary perspectives

While the research reviewed is generally solid and of very high quality, it is often oriented towards more standard or basic issues/topics. The Committee found that the submitted publications predominantly addressed research problems that fell within well-known legal disciplines such as administrative law, tort law, contract law, human rights law, company law, tax law, etc. and did not always display innovative approaches.

Some publications dealt with issues that are presently exerting a transformative impact on society, such as the rise and spread of digital technologies, the transition to platform economy in the field of labour, consumerism and services, the increased focus on sustainability requirements across industries and transportation, the backlash against international law, etc. These and other topics are contemporary and relevant, but relatively few of the submitted publications fell within these areas compared with the dominant number of publications in more traditional and established fields of legal research.

Similarly, the Committee found the research publications to be almost exclusively monodisciplinary and in many cases written by single authors. Interdisciplinarity was exhibited mostly as 'interdisciplinarity inside law' often seen as incorporation of EU or international law perspectives on some issue in Norwegian law. More rarely, there were attempts to move beyond classic legal disciplines in order to analyse problems or phenomena in a broader political or economic perspective. In the Committee's view, a better balance between solidity and innovation could be struck by focusing more on identifying cutting-edge research topics.

It is also the Committee's view that it is particularly the smaller institutions situated in cross-disciplinary environments to only a limited degree that have taken advantage of working more

closely with researchers from neighbouring disciplines. The Committee's advice is to aim for a research profile in law that more clearly mirrors the overall ambition laid out in the strategy documents of the host faculties/universities.

3.2.4 Overall assessment of publication quality and identification of potential improvements

Overall, the Committee finds the quality level of legal research in Norway to be good/high, with some individual research contributions showing outstanding/excellent quality. The Committee finds that Norway generally has a healthy and productive research environment and is capable of producing research that is highly recognised internationally. The Committee also finds that there is some potential for improvement. The Committee would like to highlight three structural issues in this regard:

First, there is a very noticeable difference in size and resource availability across the participating institutions. As a simple illustration of this¹⁴, 652 of the 1,159 journal articles published in the evaluation period were produced by UIO. UiB, the second most productive unit, produced 274, which is less than half of UiO's output. UIT, the third-largest institution, produced 156, which is less than a quarter of UIO's output. The three remaining institutions – BI, UIA and USN – are all significantly smaller than UIT and have no proper research groups assembled around common research themes. Their research output can mainly be attributed to the achievements of individuals pursuing their own research interests (within what is often limited research time available). This is no criticism of the individual researchers, who often perform remarkably well under difficult conditions, but rather an observation of the structural conditions for collective research achievements. The Committee is of the view that internationally recognised, high-quality research is often achieved in research communities where some level of specialisation is achieved and where there are therefore groups of researchers that collaborate on driving research quality to the highest possible level. Examples of such groups are the PluriCourts group at UIO, BECCLE at UiB and the Norwegian Centre for Law of the Sea at UIT.

International research excellence is found at UIO, UIB and UIT, but not consistently across all legal research areas within law. There seems to be a tendency for research quality at the highest international level to be more likely to develop around thematic research groups of a certain size and with an ability to continuously attract external funding for new research projects. What is also often characteristic of such groups is that they have established extended international collaboration with scholars from other high-quality research environments. Frequently co-authoring with other well-reputed researchers, hosting international visitors, collaborating on edited volumes, hosting international conferences, etc. are all signs of well-functioning and dynamic research environments. The legal research environment in Norway could benefit from considering how more groups like these could be established.

In this regard, the Committee takes the view that research organisations are likely to work best if the various constituent research units are conceived in fairly broad thematic terms. In the opinion of the Committee, this is likely to provide a sufficient level of stability while still allowing for the dynamic development of research projects within a supportive organisational umbrella. It should be possible to maintain a structure of active research units based around a number of core issues/domains topics, inside of which research projects could unfold and applications for external funding could be prepared and developed (and ultimately hosted). The Committee sees it as a task of university

¹⁴ The following figures were provided to the Committee by NIFU.

management to structure the faculty and department in a way that best enhances research productivity and quality; such organisations cannot, in the Committee’s view, be expected to develop on their own.

This is not to say that individual researchers cannot produce research of very high quality. Indeed the Committee found examples of such high performance in a number of legal research fields. To mention some (that do not seem to be immediately included in the abovementioned centres): family law, data protection law, criminal law/criminology (to the extent it is part of the assessment), and welfare law are examples of research fields which in the Committee’s view have potential to be further developed and strengthened if organised like the abovementioned research centres/units.

Second, while the legal research environment in Norway has been successful in attracting research funding from RCN and from other public and private sources, the Committee notes that EU funding is scarce. The Committee believes that participation in the competition for these grants could help advance more cutting-edge research projects and enhance international research collaboration. ERC grants and Marie Curie postdoc grants both fall under the EU’s excellence programme, and aiming for funding from these programmes – even if they are very competitive – could be a way of focusing more on developing research at the international forefront. Another interesting option would be participation in the EU’s Horizon Europe Global Challenges programme. Aiming for participation in these joint programmes, which seek to find solutions to societal challenges, would be a way of advancing more interdisciplinary research, which is another way of developing more specialised legal competencies in fields like technology, health, security, etc. Generally, the Committee finds that legal research in Norway could benefit from more participation in these EU programmes, even if it is well known that they are highly competitive and that to do so would require a significant investment of resources and time to become familiar with them.

Third, because of the noted variation in quality in the submitted publications, the Committee found that the legal research environment in Norway could benefit from a more explicit reflection on how to perceive and describe research quality. The Committee had the impression that despite the existence of some excellent research publications, the research environment as a whole does not share a common understanding of what qualifies as a high international research standard, as documented by the analysis of publication outputs and the publications submitted to the Committee. The Committee found that several of the submitted publications were predominantly descriptive in their approach and discussed issues that were very technical, giving the impression that they were aimed more at giving advice or instructions to practitioners than at engaging in developing new knowledge and pushing the state of the art in legal research.

The Committee would therefore encourage the legal research community in Norway to consider ways of discussing and reflecting on criteria for scientific quality that may lead to a reconsideration of the role and importance that seem to be attached to descriptive legal writing. This is not to diminish descriptive legal writing, which indeed may have very high relevance for the legal profession, but only to say that such texts may be more valuable as dissemination to practitioners than as contributions to the state of the art in legal research.

Furthermore, the Committee would again stress that this does not imply that the selection of publications did not include excellent pieces; quite the contrary. As mentioned previously, the Committee assessed many of the submitted publications as representing very high academic standards and as highlighted above, the Committee generally is of the view that the quality of legal research in Norway is high by international standards.

The Committee understands that many of the routine publication outputs – even of internationally leading law schools – will consist of scholarship of the kind described above (publications with a predominantly descriptive focus). Actively interacting with the legal community and catering to students by producing introductory texts do inevitably result in the continuous publication of standard textbooks and handbooks. This is to be expected, and the Committee wishes to emphasise that high-quality textbooks and handbooks are of high value for the purposes of good legal education and for promoting high-quality interaction with the surrounding legal professional community. Still, excellent research must move beyond this by exhibiting originality and innovation in methodological or theoretical approaches or by researching new areas of law and/or developing new theories and methods through interdisciplinary collaboration or otherwise. In the Committee's view, this requires a joint focus from all institutions participating in the discipline on building a solid foundation of publications at the very highest level, and on continuously articulating not only that such research is important and acknowledged, but also why this is so, and what is needed to advance such outputs.

It is also the Committee's view that some fields of research seem to be in need of resources to achieve the highest standing in the international community: law and sustainability; health and pharmaceutical law; labour law and private law more broadly (torts, contract, property, etc.). The Committee is aware that it can be very difficult and challenging to recruit researchers in this field and even more so to build a strong international standing. There simply seems to be a very high demand for legal expertise in legal practice in these fields, and the universities therefore often struggle to recruit researchers. In order to meet this challenge, the Committee recommends collaboration between universities and RCN with a view to generating interest for and supporting recruitment to research in these fields.¹⁵

3.2.5 Diversity and collaboration

All participating universities seem to be mindful of the importance of gender diversity, but there is some variety in the way and the extent to which gender diversity is pursued as an explicit aim in its own right. It is the Committee's view that the overall heightened attention to gender diversity in society as a whole has been absorbed by the participating institutions. Other forms of diversity are less clearly adopted, however. Most institutions have seen increased diversity in national backgrounds. However, this seems to some extent to have come about through international recruitment driven by external funding (which usually affords more influence to grant holders in the recruitment process) rather than through a deliberate recruitment policy on behalf of management. Other forms of diversity such as socio-economic background or ethnicity seem to be wholly absent.

All institutions perform well in terms of national and international research collaboration. However, the Committee notes that collaboration seems to a large extent to depend on the networks of individual researchers. The Committee would therefore suggest that some form of 'institutionalisation' of these collaborative efforts be initiated (i.e., that such collaboration could be formally embedded in centres or research groups). This could ensure a broader sharing of contacts, continuity, and over time perhaps even a deepening of such collaboration. Finally, the Committee has noted that the nature of some existing institutional partnerships is one of formal management collaboration more than research collaboration. While such forms of collaboration may be useful for sharing information, for the purposes of management development and of keeping up to date with

¹⁵ The Committee understands that *Forskerlinjen* is a pilot project under RCN which among other things focuses on legal science and which so far has resulted in collaboration between RCN and UiB. See the section on recommendations to RCN below.

what is happening at other law schools, the Committee finds that such collaboration rarely ‘touches’ any concrete research projects.

3.3 PhD training and postdocs (recruitment, mobility and diversity)

PhD training is an important component of university activity because it is the entry point to academic research. Recruitment of young researchers most often takes place via PhD students, and it is therefore crucial that PhD programmes hold a high quality, enable mobility and promote diversity. Postdoc positions represent another important avenue of recruitment. Often associated with externally funded projects, postdoc positions are often used to recruit very talented international researchers.

While the Committee held interviews with each of the participating institutions, those interviews were limited to management and permanently employed researchers, mostly full professors. To get a view of how the institutions perform regarding training of younger researchers, the Committee held two interviews with national participants across the institutions: one interview with PhD students and another interview with postdocs.

3.3.1 PhD students

PhD programmes in legal science in Norway are offered at three universities: UiO, UiB and UiT. The Committee found that these programmes are generally well structured and provide a good introduction to legal academia, both nationally and internationally. The interviewed PhD students themselves also seemed satisfied with the structure and content of the programmes. Some PhD students expressed concern about the quality and relevance of certain courses, but overall the Committee estimated that PhD students were well to highly satisfied with the structure and content of the programmes.

While there is some variation in the supervision offered to PhD students, there are many similarities across institutions. In most cases, PhD students have both a main and a secondary/supporting supervisor. This is not always the case in other countries, and the Committee applauds this allocation of resources to support PhD students. Supervision was said to take place at regular intervals and to give PhD students opportunities to discuss the overall project, its direction, difficult issues, etc., as well as to get feedback on submitted thesis texts. The impression of the Committee was that supervisors generally were generous in offering supervision time to PhD students and that the quality of the supervision was high.

When it comes to inclusion of PhD students in the broader research environment at institutions, the impression was a little unclear. It transpired from the interview that there were some differences in the opportunities offered, which seemed to come down to the fact that not all research fields were equally active or inclusive. Some research environments were mentioned as stimulating and lively – these were mostly the larger and most internationalised research groups/environments at UiO, UiB and UiT. In other research fields there were far fewer active researchers, making it difficult to provide PhD students with an active research environment.

The Committee would like to flag this point for further attention, as it might lead to a long-term decline in research quality if some research groups/environments become too isolated or dependent

on a few individual researchers. This should also be seen in light of the difficulties the universities encounter in recruiting researchers to some legal research fields (see above). In the Committee's opinion, research quality within an academic (sub)field cannot be maintained by individual researchers acting alone, even if those individuals are delivering good research publications and are good supervisors. An active environment of frequently interacting researchers with a network that reaches beyond Norway is important. Faculty management should, in the Committee's opinion, ensure that research be organised in a such a way that research environments are genuinely collective and dynamic (see above).

The funding opportunities for PhD students are generally good. PhD students told the Committee that they have good access to funding that allows them to participate in relevant conferences and research training courses. Indeed, at the interview, the Committee got the impression that PhD students were generally encouraged to participate in national, Nordic and international conferences. The interviewed PhD students also mentioned that collaborative networks exist between universities, and that these also allowed for productive input which could advance contact with a broader research environment. This stimulates mobility and diversity and thereby advances the ability of PhD students to understand and navigate the broader research environment and prevent them from focusing too narrowly on their own institution.

The smaller JUREVAL institutions do not have PhD programmes, but BI offers special opportunities for non-doctoral teachers to receive continued salary and access to departmental resources during their doctoral studies if admitted to a PhD programme at another university. The Committee sees this as an excellent way to build competencies and to strengthen research in the long run, both quantitatively and qualitatively.

The Committee also found that the PhD programmes in Norway generally support publication of research articles during enrolment and that PhD students would sometimes publish articles co-authored with their supervisor. The practice of publishing during enrolment can help PhD students to get an early start in building a publication record and is a useful 'hands-on' way of getting to learn about publication practice in legal academia. The Committee generally supports this practice as long as supervisors and PhD students are mindful that the time spent on publications does not detract from the overall quality of the thesis work performed by the PhD students. Moreover, it is important to attribute full credit to PhD students for their work. This could be done by establishing declarations of co-authorship that accurately describe the respective contributions of the PhD student and the supervisor.

With regard to career options for PhD students, the Committee found that the situation was a little less clear. While all PhD students expressed concern about future employment, only some PhD students had the impression that their career prospects were mostly positive. Others had the impression that competition had increased and were experiencing pressure to submit more publications and participate in applications for external funding to provide the financial means for a postdoc position. That said, the Committee does not consider the situation for PhD students in Norway to be in any way worse than in other countries.

Further concerns were that if a university career were not a possibility, then the time spent in the PhD programme might be seen as a wasted effort because the learning outcomes do not necessarily translate into competencies that are in demand outside of academia. In light of this, the Committee recommends that management consider how the quality of legal research training offered through university PhD programmes can be made more visible and relevant to stakeholders outside the university. In this regard, the Committee considers that much inspiration can be gathered from the

impact cases presented in this assessment (see below). Those cases show great potential for enhanced interaction between universities and stakeholders – an interaction that can also benefit PhD students.

3.3.2 Postdocs

As mentioned above, the Committee also conducted a national interview with postdocs. This interview aimed at getting an impression from junior researchers on the procedures for ensuring and enhancing research quality in publication output after PhD level.

Overall, the Committee found that the participating institutions did not have extensive internal procedures for explicitly addressing and/or examining the quality of research produced. The interviews gave the Committee the impression that information about the national bibliometric system of journal ranking (level 1 and level 2) was disseminated in most institutions, but was not necessarily considered as a relevant or sufficient parameter for measuring the quality of publications. However, there seemed to be some institutional mechanisms in place for supporting publication in the higher-level journals, such as departmental bonuses and active encouragement to publish in such journals.

Some interviewees pointed to research seminars where research projects were discussed by researchers, but such seminars were neither systematic nor explicitly supported by management. Some research groups do however hold frequent internal research seminars where younger scholars present their research. The Committee sees this as a very good practice that should be supported.

The performance of postdocs is also reviewed annually. This takes place in the context of compulsory staff development interviews, but no goals seem to be set for what counts as satisfactory performance for postdocs in terms of research quality. To some extent the postdocs seem to be caught between a well-structured PhD programme (which they are not part of) and permanent employment (which they have not yet achieved) without receiving much guidance on how to assess their individual performance.

That said, postdocs generally seem to be well funded in Norway, with access to budgets for conference participation, proofreading and access to all the necessary research materials. Conference participation and interaction with other research environments outside Norway also seem to be encouraged generally, thereby further supporting mobility and international collaboration.

The biggest issue regarding postdocs seems to be that Norwegian law has created a kind of ‘up or out’ system. From what the Committee understands, postdocs are prevented from having their employment continued at the same institution under a subsequent contract unless they are employed in a tenure position.¹⁶

This means that universities are prevented from holding on to even very talented and high-performing postdocs unless they offer them a tenured position (permanent employment). This not only creates heightened uncertainty in the postdoc group about future employment, but also

¹⁶ The Committee understands that this is what follows from *Forskrift om ansettelsesvilkår for stillinger som postdoktor, stipendiat, vitenskapelig assistent og spesialistkandidat*, 2006, kapittel 2, § 2-1, (1): ‘Ingen kan ansettes i mer enn en åremålsperiode i samme stillingskategori ved samme institusjon’ The Committee refers to: <https://lovdata.no/dokument/SF/forskrift/2006-01-31-102?q=forskrift%20postdoktor>

reduces flexibility for universities to create diversified career tracks for various researcher profiles. While Norwegian legal scholars employed as postdocs might not find it too difficult to find employment outside of the university, the situation may well differ for postdocs who are recruited from abroad and who are not (yet) fully familiar with the Norwegian language and with Norwegian law. For these individuals, the cost in terms of insecurity about future employment possibilities that comes with this 'up or out' system therefore seems to be higher, thereby making internationalisation more difficult to achieve. Learning the Norwegian language and Norwegian law at a sufficiently high level may take longer than the time allocated to one postdoc position, which is usually two to three years.

3.4 Alignment of research capacity and educational activities

Law schools have always had a much stronger focus on education than almost any other academic discipline, since it is a vocational subject. At the same time, that focus has been to provide competencies relevant to positions in the legal profession outside of academia. This also true for law schools in Norway.

Figure 2.8 in NIFU's background report (p. 25) shows graduates on ISCED 7 level in Norway from 2004–2018 in selected disciplines within social sciences who were employed at a higher education institution, research institute or health trust in 2019, by type of position. On page 24 of the report, the following observation is made:

Sociology, anthropology and psychology had the largest share of graduates in research and research administration, while law and business administration had the smallest share. Business administration had the highest number of graduates in the period (34,300), followed by law and education (13,700).

What this shows is that law schools in Norway have many students, but that only a very small percentage of these students pursue a career in academia after they graduate (Figure 2.8 indicates that only around 1% of graduates subsequently take up jobs as researchers and 1% take up jobs in university administration). Consequently, legal education must focus primarily on building competencies for students that are relevant for performing legal work outside of academia. This is quite a contrast to – for example – sociology where, according to Figure 2.8, 12–13% of graduates find jobs as researchers and 6–7% find jobs in university administration.

In light of this, knowledge of academic research practice in the broader sense is only marginally relevant to law students. What is much more important is in-depth knowledge of the legal disciplines that are used in professional practice. This is reflected in the study programmes offered by the participating institutions and in the way the institutions are organised into departments, centres, and groups. For the same reason, legal research often reflects, or even mirrors, legal practice. Thus, legal research, legal education and legal practice are all closely interconnected.

Much of the research carried out by the participating institutions is, as mentioned above, published in Norwegian/Scandinavian journals. This is most likely a consequence of this close interaction between research and (national) legal practice. Since legal education primarily is oriented towards private or public employment in legal practice in Norway, much of this research will be relevant to legal education. This is also evident in many of the publications that were submitted to the

Committee. Publications often deal with important and practically relevant issues in labour law, procedure (evidence), contract law, administrative law, etc.

In many ways, the strong orientation towards the legal profession and legal education represents a strength of legal research institutions. This could be illustrated in a number of ways, for example: high employment among graduates; high societal impact of research; clear goals for what has to be learned in the study programmes; participation in a professional community which has a high standing in society, etc. This creates a strong bond between researchers, students and practising lawyers, but may also create some problems. Non-lawyers may find legal language obscure and impenetrable, lawyers may find it difficult to communicate their knowledge to non-lawyers, etc. This could be a problem for legal researchers in that it may be difficult for them to engage in cross-disciplinary/interdisciplinary research.

Being able to communicate law in a non-technical way to all members of society is generally important. Furthermore, to explain the theoretical and methodological foundations of legal research in a language that is understood by a broader (social) scientific community is important for research collaboration across law and other established research disciplines. It is also important for efforts to attract external funding, where applications for funding of legal research often compete with applications from other social sciences and where assessments are therefore not isolated to law or performed (solely) by legal researchers. The Committee would therefore like to express its appreciation of the Oslo-based project for advancing plain language in law.

Still, the Committee would like to draw attention to how the relationship between close collaboration with the legal profession (societal impact) and the demands for international research excellence (academic impact) may sometimes create a dilemma for legal research institutions.

On the one hand, law faculties are – and are expected to be – closely connected to and oriented towards the legal profession. This connection is made especially strong via the role of education because education must focus on competencies relevant to the job market for lawyers, which is characterised by specialised legal skills relevant to the daily running of societal institutions in business and public administration.

On the other hand, the same institutions are part of a university structure which often pursues a general academic strategy to which everyone is expected to contribute. All academic units within the university are expected to aim for international research excellence and to seek and obtain external funding in competition. Research proposals in law compete with research proposals in other disciplines.

Sometimes these two divergent expectations lead to conflicting ambitions. Research that is internationally highly acknowledged and read by the international research community is often neglected by legal professionals. Conversely, research that deals with a technical issue in Norwegian law and published in the Norwegian language may be considered very useful by legal practitioners, but will receive little or no scholarly attention internationally. Legal textbooks are often highly appreciated by students, teachers and practitioners alike because they form the backbone of legal education and simultaneously function as handbooks, but they are far from always considered original research contributions because they mostly ‘maintain’ a corpus of legal knowledge rather than ‘innovate’. Likewise, legal methodology is mostly static; the sources of law and the established ‘canons’ of interpretation do not change much over time because they form the basis for the rule of law and the foundation for legal certainty. Methodological originality is therefore often considered almost a contradiction in terms by the profession. On the other hand, legal scholarship that engages in new and creative forms of inquiry may be neglected by practitioners or be categorised as

‘interesting’ but may not have any practical impact because it is not sufficiently embedded in traditional practice.

The Committee considers it important that these dilemmas be addressed and communicated by management in all the participating institutions, and that RCN and other research funders become aware of this. They are dilemmas which are not easily overcome and which often give rise to difficult questions about how institutions should strategise and prioritise resources. If not addressed, they may lead to researchers feeling a lack of recognition or to confusion among younger researchers about how best to contribute to the organisation. At worst, they may lead to a sense of disorientation and lack of purpose among researchers if they are incapable of sensing what is important to the institution. The Committee would also like to point out that the development of more diverse and nuanced understandings of legal methodology can be a way of not only bridging this dilemma, but also enhancing an interdisciplinary understanding between jurisprudence and other disciplines. Finding some way of aligning and making sense of how research quality is appraised internationally while teaching law to students who predominantly will take jobs in the legal profession in Norway is a very important task for law school managers.

3.5 Societal impact and functions of the disciplines in society

Legal scholarship has a long tradition of being closely interconnected with the legal profession and legal practice. Legal scholars often address the same kinds of topics/subjects as legal professionals, but do so in a way that aims at more comprehensive, analytical and methodologically rigorous ways than do legal professionals. The latter mostly engage in law with a more practical purpose in mind: representing a client, deciding a case, determining whether some proposed legislative provision is unconstitutional or in breach of human rights, ensuring compliance, etc. Legal scholarship is often more general, and sometimes introduces interdisciplinary perspectives to better understand and analyse legal problems and/or legal institutions and their role in society.

The Committee is in no doubt that Norwegian legal research and the dissemination of research insights by researchers to the broader public as well as to professionals deservedly enjoys a reputation for seriousness and high quality. This view is supported by the findings in the NIFU background report. In section 4.5. of the report, NIFU establishes the following:

Author names affiliated with the JUREVAL units, and thereby their institutions, could be matched to 23,693 documents with references in the Lovdata database. (p. 63)

This indicates that researchers from the participating institutions are generally well recognised and participate broadly in important societal institutions in Norway. Bringing legal research to the legal profession and taking it into consideration when preparing new legislation or when deciding on difficult issues in judicial practice is undoubtedly very valuable for society.

The Committee was impressed by the societal impact cases prepared by the participating institutions. They represented a multitude of ways in which legal research had inspired positive developments across many different societal areas. In fact, the Committee sees this format as an inspiring new way for the participating institutions to communicate about and document their impact and engagement with society. What the Committee found particularly impressive – when assessed across all institutions – was the broad variety in societal engagement. This was evident both in terms of the legal areas covered (business law, children’s right, health and medical law, finance,

data protection, indigenous peoples' rights, maritime and Arctic issues, etc.) and in terms of the forms of interaction (engagement with industry organisations, the police, municipal authorities, participation in legislative processes, hearings, etc.).

The documentation made available to the Committee gave a picture of the dedicated commitment of the involved researchers to engage with societal stakeholders to try and find solutions to the problems at hand. It was obvious that a lot of effort had gone into writing and documenting the individual impact cases.

Moreover, it was clear that much research produced by the participating institutions was highly relevant to topics flagged in the various documents provided to the Committee as part of the assessment (list from the Ministry of Justice and Public Security, UN SDGs, etc.).¹⁷ The Committee found that the societal relevance of the research produced is high, not only in general, but also when measured against the accumulated list of topics contained in these documents. This is true not only of the specific research output that forms the basis of the many impressive impact cases written up by the institutions, but also of a lot of other research produced by the institutions.

¹⁷ See appendix to self-assessment template provided by RCN.

4 Conclusion and recommendations

While the Committee has found that Norwegian legal research is generally of good/high academic quality and capable of producing research of internationally recognised and outstanding/excellent quality, the Committee was also asked to offer its recommendations to the discipline as a whole. The following recommendations should be read and understood in the context of the overall assessment conducted by the Committee. Since the recommendations are general and are meant to apply across all research environments, the Committee would like to emphasise that each institution should adapt and implement these recommendations in a way that suits their specific context and conditions.

Recommendations to institutions participating in JUREVAL

- Institutions should ensure that their research is organised in collective units (research groups, research streams, research centres or whatever name the institution prefers) with a view to advancing productive and creative research environments capable of creating and presenting a distinct research profile. Such groups should meet certain minimum criteria in terms of the number of researchers and annual research productivity.
- All such research units should engage in national, Nordic and international collaboration with a view to strengthening visibility and quality of research.
- All such research units should publish both nationally and internationally and should strive to combine international dissemination and recognition with national engagement with stakeholders.
- All such research units should pay special attention to attracting PhD students and postdocs, and to including them in their network, publication and dissemination activities while fully respecting the special conditions and time pressures imposed on PhD students and postdocs due to their temporary employment contracts.
- Universities or faculties with smaller research environments in law should create a strategy for these research environments. Such a strategy should set out what resources the university wishes to contribute to legal research and how legal research should contribute to the university. Furthermore, those in charge of these smaller research environments in law should take more advantage of the opportunities that come from being more closely organised together with other disciplines. They should do so by focusing legal research on the specific subject areas that will best lead to high-quality interdisciplinary knowledge relevant to that university's or faculty's overall profile.
- Large institutions which already have experience in attracting research funding from RCN should build administrative competencies that may help researchers apply for research funding from the EU. Institutions should build long-term strategic plans for accessing such funding.
- Smaller institutions should strengthen administrative support for applications to RCN and/or should seek collaboration with other institutions in order to collaborate on joint applications.

- All institutions should engage in reflective consideration of how to define and advance research quality. They should articulate what characterises research quality at different levels and in different forms, and identify what they consider the best conditions for producing research of the highest international quality.
- All institutions should reflect on how best to engage in interdisciplinary research that brings law in contact with neighbouring disciplines such as politics and economy as well as with disciplines such as health science, computer science, food science, climate science, etc. for the purpose of developing research beyond the more established disciplines in law.

Recommendations to RCN

- RCN should engage in continuous dialogue with the institutions about how best to qualify their research proposals when applying for RCN funding.
- RCN should consider whether it is sufficiently attentive to explicitly flagging regulatory dimensions of the thematic programmes when it issues calls.
- In light of the very unequal distribution of resources across the participating institutions, RCN should consider whether it should focus some of its calls on national collaboration in order to enhance more focused research collaboration on specific topics in law which would otherwise be unable to develop.
- RCN should consider offering seed money to researchers who are preparing to engage in applications for EU funding.
- RCN should continue and consider further advancing their pilot programme *forskerlinjen*. Recruitment of lawyers to legal research is very difficult, especially in some core areas that are vital to the discipline. It is therefore urgent to continuously support promotion of research interest in these areas.
- RCN should consider launching interdisciplinary calls that focus on regulatory innovation in fields where there is a need to meet societal challenges. There is often much focus on providing technological solutions to such challenges, but regulation often plays a big role in determining whether or not challenges can be successfully challenged.

Recommendations to the government

- The government should consider introducing more flexibility to universities regarding the 'up or out' system for postdocs that is presently in force. The Committee recognises the interest in limiting the use of fixed-term contracts, but considers the current regime to be too rigid. The Committee is aware that others have also proposed calls for regulatory changes.¹⁸

¹⁸ <https://www.forskerforbundet.no/var-politikk/vare-politikkdokumenter/politikk-postdoktorer/>

- The government should consider funding practice-oriented research collaboration through its various ministries and with a special focus on contemporary regulatory challenges. Both legal research and government could benefit from such programmes, which could be designed to focus on regulatory innovation in, for example, green transition, cyber security, international conflict management, immigration and integration management, Arctic governance, etc.

Tables and figures

Tables

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Appendices

Appendix A: Terms of Reference

See individual terms of references in the institutional reports.

Appendix B: Protocol and assessment criteria



The Research Council
of Norway

Evaluation of Legal Research in Norway 2019

JUREVAL protocol version 1.0

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1 Introduction

1.1 Aims and target groups

Research assessments based on the JUREVAL serve different aims and target groups. The primary aim of JUREVAL is to reveal and confirm the quality and the relevance of research performed at Norwegian Higher Education Institutions. Assessments should serve a formative purpose in contributing to the development of research quality and relevance within these institutions and at the national level.

1.1.1 Target groups

- Researchers and research group leaders
- Institutional management and boards
- Research funders
- Government
- Society at large

1.2 JUREVAL: Basic principles

The basic principles of the JUREVAL are as follows.

1. The evaluation serves to guarantee, reveal and confirm the quality and relevance of academic research. The assessment concerns the scientific, organisational and societal aspects of the research.
2. The boards of the faculties (or other relevant level decided by the institution), take responsibility for tailoring the assessment to their specific needs and following up on them within their own institutions.
3. The research unit's own strategy and targets are guiding principles when designing the assessment process. This includes the specification of the Terms of Reference and the substance of the self-assessment.
4. The Research council of Norway will take responsibility for following up assessments and recommendations at the national level

1.3 JUREVAL in a nutshell

The external assessment concerns

- a) research that the research unit has conducted in the previous 10-15 years and
- b) the research strategy that the unit¹ intends to pursue going forward.

The relevant board must specify the Terms of Reference for each assessment. It determines the aggregate level of assessment and selects an appropriate benchmark, in consultation with the research units.

¹ The units of evaluation are defined by the institutions. It may be a research group, a programme or a department.

The Research council appoints an assessment committee. The committee should be impartial and international. The committee must be capable, as a body, to pass a judgement regarding all assessment criteria.

The responsibility of the assessments and possible recommendations in the report is solely the responsibility of the assessment committee. The Research Council may decide to let a professional secretariat outside of its own organisation support the assessment committee in its work.

The research units subject to assessment provides information on the research that it has conducted and its strategy going forward. It does this by carrying out a self-assessment and by providing additional documents.

The assessment committee reaches a judgement regarding the research based on the self-assessment, the additional documents, and interviews with representatives of the research unit. The additional documents will include a standardised analysis of research personnel and publications provided by the Research Council of Norway.

The committee takes into account international trends and developments in science and society as it forms its judgement. In judging the quality and relevance of the research, the committee bears in mind the targets that the unit has set for itself.

The committee will assess the performance of the institution within the following criteria:

- Research production and quality
- Relevance for education
- Societal relevance
- Diversity and integrity of research

For the three first criteria, data on the research units should be collected and presented to the committee within the following categories (See appendix B for relevant indicators):

- Strategy, resources and organisation
- Output
- Use of output
- Marks of recognition

The criteria Diversity and integrity is evaluated based on a self-assessment provided by the unit of evaluation. Finally, the assessment committee passes a judgement on the research unit as a whole in qualitative terms.

The research unit under evaluations should be consulted for a checking of factual information before the report is delivered to the board of the institution. The relevant board receives the assessment report and acquaints itself with the research unit's comments. It then determines its own position on the assessment outcomes. In its position document, it states what consequences it attaches to the assessment. The assessment report and the board's position document are then published.

2 Assessment criteria

The assessment committee assesses the research unit on the four assessment criteria. It is important for the committee to relate these criteria to the research unit's strategic targets. The four criteria are applied with a view to international standards.

2.1 Research production and quality

The committee assesses the profile and quality of the unit's research and the contribution that research makes to the body of scholarly knowledge. The committee also assesses the scale of the unit's research results (scholarly publications, research infrastructure developed by the unit, and other contributions to the field).

2.2 Relevance for education

Study-programmes

The assessment committee considers the relevance of the research for the study-programmes at the institution, the resources used on educational activities and the teaching load of tenured staff. Results of recent study-programme evaluations (within last 5 years) should be presented to the committee when available.

PhD programmes

The assessment committee considers the capacity and quality of PhD-training. The relevant subjects include the institutional context of the PhD programmes, the programme content and structure, supervision and guidance of PhD candidates to the job market, duration, success rate, exit numbers, and career prospects.

2.3 Relevance to society

The committee assesses the quality, scale and relevance of contributions targeting specific economic, social or cultural target groups, of advisory reports for policy, of contributions to public debates, and so on. The point is to assess contributions in areas that the research unit has itself designated as target areas.

2.4 Diversity and integrity of research

The assessment committee considers the diversity of the research unit. It is precisely the presence of mutual differences that can act as a powerful incentive for creativity and talent development in a diverse research unit. Diversity is not an end in itself in that regard, but a tool for bringing together different perspectives and opinions.

The assessment committee considers the research unit's policy on research integrity and the way in which violations of such integrity are prevented. It is interested in how the unit deals with research data, data management and integrity, and in the extent to which an independent and critical pursuit of research is made possible within the unit.

3 The research units

This section discusses the aggregate level of the research units that are assessed.

3.1 Aggregate level of assessment within an institution

The relevant board decides which research units will be assessed. For example, a board may decide that the assessment will concern a research group, a research institute, a research cluster or the research carried out within a faculty. The following conditions apply:

1. The research unit must have its own clearly defined strategy and be sufficiently large in size, i.e. at least five persons with research obligations including staff with tenure-track positions and not including PhD candidates and post-docs. This merely indicates the minimum number, however; larger units are preferable.
2. The research unit subject to assessment should have been established at least three years previously. If groups of a more recent date are to be assessed, their self-assessment should indicate their stage of development.
3. The research unit should be known as such both within and outside the institution and should be capable of proposing a suitable benchmark in its self-assessment. The benchmark would preferably be an international one.

The board determines whether the research unit has met the above conditions.

4 Scheduling and managing an assessment

4.1 Terms of Reference, ToR

The Research Council provides a template for the ToR specifying criteria and indicators that should be used for all institutions.

The board of each institution specifies the Terms of Reference (ToR) by including evaluation criteria that are relevant for its strategic goals and the organisation of its research.

The Terms of Reference contain specific information about the research unit to be assessed and/or about elements that the assessment committee must consider. This information may be related to a) strategic questions or b) a research unit's specific tasks.

The assessment committee is asked to make strategic recommendations to each institution and for the entire discipline at the national level

4.2 Composition of the assessment committee

The procedure and conditions below apply when composing an assessment committee.

Procedure for assembling an assessment committee

The Research Council is responsible for setting up the procedure to assemble the assessment committee. Institutions taking part in the evaluation should be invited to nominate

candidates for the committee. The Research Council ensures that the assessment committee's overall profile matches the research profile of the institutions under evaluation.

Conditions for the composition of an assessment committee

A number of conditions must be met in the composition of the committee, listed below in points. The point is to ensure that the committee as a whole satisfies all the conditions, so that it can arrive at a satisfactory assessment of the various aspects of the ToR. It is therefore not necessary (and also not possible) for each individual committee member to satisfy all conditions.

An international assessment committee:

- a. should be familiar with recent trends and developments in the relevant research fields and be capable of assessing the research in its current international context;
- b. should be capable of assessing the applicability of the research unit's research and its relevance to society;
- c. should have a strategic understanding of the relevant research field;
- d. should be capable of assessing the research unit's management;
- e. should have a good knowledge of and experience working with the Norwegian research system, including the funding mechanisms;
- f. should be impartial and maintain confidentiality.

Appendix A

Terms of References (ToR)

Amended version 200828

The board of [faculty] mandates the assessment committee appointed by the Research Council of Norway (RCN) chaired by Professor Henrik Palmer Olsen (Copenhagen University) to assess [research unit] based on the following Terms of Reference.

Assessment

You are being asked to assess the quality of research and its relevance for education and wider society of the research conducted by [research unit] as well as its strategic targets and the extent to which it is equipped to achieve them. You should do so by judging the unit's performance on three assessment criteria (a. to c.) below. Be sure to take into account current international trends and developments in science and society in your analysis.

- a. research production and quality;
- b. relevance for education;
- c. societal relevance;

For a description of these criteria, see Section 2 of the JUREVAL protocol. Please provide a written assessment on each of the three criteria. Please also provide recommendations for improvement. We ask you to pay special attention to the following [n] aspects below in your assessment:

1. ...
2. ...
- ...

[To be completed by the board: specific aspects that the assessment committee should focus on – these may be related to a) strategic issues or b) a research unit's specific tasks.]

In addition, we would like your report to provide a qualitative assessment of [research unit] as a whole in relation to its strategic targets. The committee assesses the strategy that the research unit intends to pursue in the years ahead and the extent to which it will be capable of meeting its targets in research and society during this period based on available resources and competencies. The committee is also invited to make recommendations concerning these two subjects. Finally, the committee is asked to make a reflection on matters of research integrity and diversity as defined in section 2 of the JUREVAL protocol.

Documentation

The necessary documentation will be made available by the JUREVAL secretariat chaired by Research professor Vera Schwach (vera.schwach@nifu.no) at the Nordic Institute for Studies in Innovation, Research and Education (NIFU)

The documents will include at least the following:

- report with standardised analysis and indicators commissioned by RCN
- self-assessment based on a template provided by the JUREVAL secretariat at NIFU
- [to be completed by board]

Interviews with representatives from the evaluated units

Interviews with the [research unit] will be organised by the evaluation secretariat at NIFU. Such interviews may be organised as a site visit, in another specified location in Norway or as a video conference

Statement of impartiality and confidence

The assessment should be performed in accordance with the *Regulations on Impartiality and Confidence in the Research Council of Norway*. A statement of the impartiality of the committee members has been recorded by RCN as a part of the appointment process. The impartiality and confidence of committee members should be confirmed when evaluation data from [the research unit] is made available to the committee and before any assessments are being made based on these data. RCN should be notified if questions of impartiality and confidence are raised by committee members during the evaluation process.

Assessment report

We ask you to report your findings in an assessment report drawn up in accordance with a format specified in the attached template. The committee may suggest adjustments to this format at its first meeting 23 September 2020. A draft report should be sent to the [research unit] and RCN within 15 September 2021. [Research unit] will check the report for factual inaccuracies; if such inaccuracies are detected, they will be reported to the committee and to RCN no later than two weeks after reception of the draft report. After you have made the amendments judged necessary, a corrected version of the assessment report should be sent to the board [of the faculty] and the RCN no later than two weeks after all feedback on inaccuracies are received from [research unit].

Finally, the assessment committee is asked to provide an assessment of Norwegian legal research at the national level in a separate report paying specific attention to:

- Strengths and weaknesses of the discipline in an international context;
- General resource situation regarding funding, personnel and infrastructure;
- PhD-training, recruitment, mobility and diversity;
- Research cooperation nationally and internationally;
- Alignment of research capacity and educational activities
- Societal impact and the functions of the disciplines in society.

This national level assessment should be presented to the evaluated units and RCN within 15 October 2021.

Appendix B

Table of indicators

The table lists indicators that are expected to be used in the assessment of all research units. Other indicators may be added by the board responsible for the research unit.

Data & indicators National standard Self-reported	Research production and quality	Relevance for education	Societal relevance
Strategy, resources and organisation	R&D budget R&D Full time equivalents (FTE) Personnel per category/gender Researcher mobility Recruitment (PhD/p.doc/tenure) Strategic goals	Students per FTE PhDs per FTE Teaching hours by tenured personnel Study programmes PhD-programmes Strategic goals	Research capacity and contributions related to: - UN SDGs - Norwegian LTP - The legal sectors Engagement with non-academic partners Strategic goals
Outputs	Publications per FTE Publication profiles/types Cooperation across disciplines, institutions and countries	Students per study-programme ECTS per student Examined students Examined PhDs	Policy evidence/reports Non-academic publications
Use of outputs	Scientific impact (cases) Use of infrastructure & datasets Placement of PhD candidates	Students knowledge of research methods and involvement in research (Studiebarometeret) Use of research methods in education Students participation in research	References to research in national policy-making (NOUs etc) Societal impact (cases) Projects with societal partners Contract research Social innovation Policy-advice
Marks of recognition	Research grants and success rates (RCN & EU) Prizes Research grants other than RCN & EU Participation in scholarly or editorial boards	Prizes Participation in advisory bodies in education Periodic evaluation of study-programmes (if relevant) ³	Prizes Participation in public advisory committies - national & international

³ [Forskrift om kvalitetssikring og kvalitetsutvikling i høvere utdanning og fagskoleutdanning](#) §2.1-2

Appendix C: Template for self-assessment

JUREVAL-Evaluation of Legal Research in Norway 2020–2021: self-assessment form

Maksimum 20 pages (attachements excluded)

1.1.1 Instructions: data sources and colour codes for column “Data, documentation and methods”

Black: national data, see attachments no. 2–5 to the self-assessment template:

Blue: answers mainly based on a description, summary and assessment

Orange: data and documentation from the institution, if available: Please refer to relevant documents/ web pages/attach relevant files;

4.1.1 Content	4.1.2 Topics	4.1.3 Data, documentation and methods 4.1.4
<p>1</p> <p>Introduction and framing</p>	<p><i>1.1 Presentation and strategy:</i></p> <ul style="list-style-type: none"> institutional, professional and framework conditions, and central aspects/(strategies) initiatives promoting social diversity, such as gender, ethnical and age balance. 	<p>Attachment no 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5.</i></p> <p>Historical and other relevant literature, the webpage of the institution, strategy and other planning</p> <p>Strategy-/planning documents</p>
	<p><i>1.2 Education: purpose and arrangements:</i></p> <ul style="list-style-type: none"> for legal research at bachelor-/master level purpose and arrangement of legal research as part of other education areas distribution of time spent on teaching, research, administration and other activities by type of academic position cooperation with other departments at the same institution cooperation with other institutions/cooperation agreements 	<p>Attachment no 2, NOKUT, National overview, students for 2010–2019, ECTS, candidates, student-teacher-ratio (in Norwegian)</p> <p>Hours/percentage of employment dedicated to teaching, personnel by type of position</p> <p>Attachment 1: templates, Table 1</p> <p>Eventually describe resources used on teaching activities</p>

<p>Financial framework for research and education</p>	<p><i>1.3 What is the size and importance of external funding (research grants and assignments for public authorities) for research and education at the institution?</i></p> <ul style="list-style-type: none"> • national and international participation in research programmes, under or outside the auspices of the RCN and funded by the EU • other types of assignments and funding bodies • private gift schemes/ other funding sources 	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Attachment no. 5, The Research Council of Norway, project data bank, national and international participation in research programmes, under or outside the auspices of the RCN and funded by the EU, (2004–2019 (in Norwegian))</p> <p>Does the institution have an overview of projects/programmes and funding sources?</p> <p>The institution's own documentation and data</p>
<p>2.</p> <p>Productivity and research quality, resources, organisation and strategy</p> <p>2009/2010–2019</p>	<p><i>2.1 Development, objectives and priorities the last ten years:</i></p> <ul style="list-style-type: none"> • if relevant: follow up of the evaluation of legal research from 2009, at the institutional level or at the level of research groups. • disciplinary development and achieved results at a general level • prioritised/selected disciplines • if possible, formal /informal research groups and their implication for the discipline • the institution's cooperation with national, Nordic and other international research groups /scientific communities • the institutions opinion about its disciplinary contribution and implication for legal research at the national, Nordic and international levels. 	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Research Council of Norway, Legal research in Norway. An evaluation. (Research Council of Norway), Oslo 2009, https://www.forskningradet.no/siteassets/publikasjoner/1253953293406.pdf</p> <p>Annual reports, strategies and other relevant documentation from the institution from the period 2010–2019</p> <p>2.1.a Examples of academic publications, 2010–2019.</p> <p>Please select publications you consider to be representative /the best of the work undertaken at your institution.</p> <p>For each publication write in short (not more than 500 words) why it was selected/ why it is representative.</p> <p>Please <u>select</u>, <u>motivate</u> and <u>send electronic copies</u> / files of the publications to the secretariat, vera.schwach@nifu.no</p>

		<p>If relevant, the examples may refer to the impact case studies (societal impact):</p> <p>For articles and book chapters: Please select publications, or parts thereof, that are no longer than 12.000 words including footnotes.</p> <p>For monographs: Please select 1 or 2 chapters, or parts thereof, that are both representative of the overall quality of the book and which also cover the theory and methodology used in the book. Chapters should be accompanied by the list of contents of the monograph. Please select chapters that are no longer than 12.000 words including footnotes each. Each chapter will count as a publication towards the maximum amount of publications allowed for submission to the committee.</p> <ul style="list-style-type: none"> • higher education institutions with up to 50 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 10 examples of academic publications/research contributions within prioritised/selected areas, motivation for the selection of the examples should be included/attached to the template, • higher education institutions with up to 100 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 15 examples of academic publications/research contributions within prioritised/selected areas, a list with motivation for the selection of the examples should be included/attached to the template, • higher education institutions with above 100 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 20 examples of academic
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		<p>publications/research contributions within prioritised/selected areas,</p> <ul style="list-style-type: none"> • a list with motivation for the selection of the examples should be included/attached to the template <p>Attachment 1: templates, table 2 (for 2.1.a)</p>
2010–2019	<ul style="list-style-type: none"> • marks of recognition: prizes, centres for excellent research (senter/(re) for fremragende forskning) • editor/ editorial work for academic journals, books etc., peer review for academic publications and teaching material • professorship of honour etc. 	<p>2.1.b, A list of prizes, centres, participation in editorial boards, academic appointments, peer review for academic publications and teaching material professorships of honour, etc. (2010-2019)</p> <p>Attachment 1: templates , table 3 (for 2.1.b)</p>
2020–2030	<p><i>2.2 The institution's areas of strengths and priorities in a future perspective up to 2030:</i></p> <ul style="list-style-type: none"> • If available, formal/informal research groups role for disciplinary areas of strengths and specialisation • initiatives to implement the strategies: recruitment • partners/ internal and external institutional cooperation • benchmarking: which national/Nordic/ international institution represents a model of reference in terms when it comes to setting a disciplinary standard and ambition level for the institution? 	<p>Strategies-/planning documents</p> <p>cooperation agreements? other relevant documents</p> <p>Please explain the choice of model of reference. (no specific data sources/documentation is required).</p>
Recruitment, PhD Programme(s)	<p><i>2.3 Thematic/ disciplinary distribution:</i></p> <ul style="list-style-type: none"> • PhD students and post docs by thematic area/discipline/-disciplinary group/possibly also fellows/post docs with interdisciplinary projects, numbers in total and by gender • Do PhD students have access to relevant academic environments? 	<p>If possible, provide an overview of the thematic distribution 2010 –2019, by total numbers. by gender, (if relevant mark interdisciplinary projects/programmes with an*. Definition of Interdisciplinary research: combining methods, theories and/or knowledge from other disciplines/fields of studies with legal research</p> <p>Attachment 1: templates , table 4</p> <p>Published dissertations by publisher</p> <p>Attachment 1: templates , table 5</p> <p>Description and assessment</p>

	<p>2.4 If available, labour market:</p> <ul style="list-style-type: none"> Where do PhD fellows find employment? Categories: 1) academia, 2) public sector outside academia, 3) private sector/industry, 4) independent worker, 5) other, 6) on leave/unemployed 	<p>Data/documentation if available</p> <p>Description/analysis based on impressions and own judgement</p>
<p>3.</p> <p>Relevance of research on education</p> <p>Resources, strategy, organisation and academic environment</p>	<p>3.1 Discipline, legal research and education: learning principles, methods and legal reasoning:</p> <ul style="list-style-type: none"> research (and development) for building and /or developing study programmes/ courses, relevant themes for disciplines, practice and professional practice 	<p>Description and analyses of research and education. The assessment form for societal impact can be used to also document the role of research in education (se societal relevance below) on possible description of thematic choices, and training/ /guidance in methodological and legal thinking.</p>
	<p>3.2 Absorbing and adopting law and legal research methods</p> <ul style="list-style-type: none"> feedback from students on how they perceive learn research methods student learning of academic working methods and research/ methods of legal research students' participation in research/academic activities at the institution and /or in close connection to the study programme completed master's degrees (with 60 credits) with title of the master thesis 	<p>Attachment no. 2, NOKUT, National overview, students for 2010–2019, ECTS, candidates, student-teacher-ratio, the student survey (in Norwegian)</p> <p>Attachment no.3, NOKUT, overview of master's degrees with size of the obtained credits for the master thesis, total numbers and by credits, 30 and 60 credits, 2017–2019.</p> <p>Local data/documentation</p> <p>With comments if relevant</p>
<p>4.</p> <p>Dissemination, communication and societal relevance</p> <p>Suggested categories: public experts, politicians, public administration, civil society</p>	<p>4.1. Societal relevance of law, for public and private legal contexts: what type of outward oriented activities does the institution/the academic staff engage in?</p> <ul style="list-style-type: none"> engagement of the academic staff in boards and in other types of appointments in private organisations and businesses the institution's and researchers' outward activities in national public and private sectors <ul style="list-style-type: none"> media public commissions, committees, boards, etc. 	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Information from the public register on sideline jobs and owner interests (sidegjøremålsregisteret), https://www.uio.no/om/regelverk/personal/felles/sidegjoremal.html, especially point 10, retrieve data/documentation from the register</p>

	<ul style="list-style-type: none"> • other, Norwegian, Nordic or internationally oriented organisations 	<p>Strategy documents, documentation</p> <p>Describe dissemination and communication strategies, organised connection and other types of dialogue with the public experts, public administration, politicians and civil society, 2010–2019, The selected examples may be linked to the societal impact cases, if relevant.</p> <ul style="list-style-type: none"> • Higher education institutions with up to 50 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 10 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society • a list with explanations for the selected examples to be attached. • Higher education institutions with up to 100 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 15 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society • a list with explanations for the selected examples to be attached • Higher education institutions with above 100 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 20 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society • a list with explanations for the selected examples to be attached <p>Impact cases</p> <p>Attachment no 6: Template for The societal impact of the research – impact cases</p> <p>The institution is invited to document examples (cases) of the impact of their research beyond</p>
	<p><i>4.2 Contribution to the achievement of societal goals:</i></p> <p>(See appendices below)</p> <ul style="list-style-type: none"> • list from the Ministry of Justice and Public Security * • contribution to other ministries/central and local government • the Government’s Long-term plan for research and higher education 2019–2028** • the UN Sustainable Development Goals*** 	

		<p>academia, according to the definition in attachment no. 7</p> <p>The research underpinning the impact cases should be anchored within the research institution.</p> <p>Both the research and the impact should have been produced within the last 10 – 15 years. Priority should be given to more recent examples. Special circumstances may allow for extending the given time interval when necessary to explain longer research traditions relevant to the reported impact. In such cases, great importance should be attached to documenting tangible impacts within the time frame provided.</p> <ul style="list-style-type: none"> • Higher education institutions with up to 50 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to five impact cases. • higher education institutions with up to 100 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to seven impact cases. • higher education institutions with above 100 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to 10 impact cases.
5. Mandate for each institution	<i>5.1 Topic 1</i>	
	<ul style="list-style-type: none"> • Sub-topic 1 	local data / local documentation
	<ul style="list-style-type: none"> • Sub-topic 2 	local data / local documentation
	<i>5.2 If available, Topic 2</i>	local data / local documentation
6. Conclusion	Summary and conclusion, including arguments about the framework conditions for legal research and higher education: strengths, problems and potential	4.1.1.1.1 Qualitative summary and conclusion

Attachment number 1 to the self-assessment form

Table 1. Time spent on teaching, research, administration and other activities hours/percentage by type of position, cf. 1.2

Position	Activities				Hours per week	<i>OR</i> percentage of employment
	Teaching	Research	Administration	Other		
Full Professor						
Associate Professor						
Senior lecturer						
University/college lecturer						
Post-doc						
Researchers						
Research fellow						
Research (student assistants)						
Other						

Table 2. Examples of representative/ best academic publications, cf.2.1a

Number	Complete Reference	Motivation for the selection	Published as open access (yes/no)	Used as impact case (yes/no)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Add rows as necessary				
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Table 3. List of academic marks of recognitions received, 2010–2019. cf. 2.1b

Categories	Description*
Prizes	
Awards	
Centres of Excellence	
Participation in editorial boards (journals, books)	
Peer review for academic publications and teaching material/books	
Academic appointments	
Professorships of honour	
Other	

*Please provide a comprehensive list as far as possible

Table 4. Distribution of PhD students and post-docs by thematic field/discipline, 2010–2019. cf. 2.3

Thematic areas	Description* Interdisciplinary**	Number of PhD students		
		total	m	f
<i>Thematic area x</i>				
<i>Thematic area y</i>				
<i>Thematic area z</i>				
Add rows as necessary				
Thematic area		Number of Post-docs		
		total	m	f

<i>Thematic area x</i>				
<i>Thematic area y</i>				
<i>Thematic area y</i>				
Add rows as necessary				

*Please provide a comprehensive list as far as possible

**Definition of Interdisciplinary dissertations: combining methods, theories and/or knowledge from other disciplines/fields of studies with Legal Research.

Table 5. Ph.D.-dissertations published by a publishing house

Thematic areas	Numbers
<i>Thematic area x</i>	
<i>Thematic area y</i>	
<i>Thematic area z</i>	
Add rows as necessary	

Table 6. Selected examples of societal communication and activities by target groups, 2010–2019. cf. 4.2.

Target group	Examples	Description of the selected examples contributions
<i>Public expert groups (such as NOU-er etc., committees and commissions)</i>		
<i>Political organisations (such as the Storting, political parties)</i>		
<i>Public administration (such as ministries, public agencies, regional and local municipalities)</i>		
<i>Public and private enterprises and business organisations (including professional- and trade unions)</i>		

<i>Civil society (such as NGOs, think-tanks,)</i>		
<i>Media</i>		
<i>Other</i>		

Appendices

1.1 *Summary of the priority list from the Ministry of Justice and Public Security

1.1 Public security and emergency preparedness

Here under: civil protection and protection of critical infrastructure, ICT security, preventing and acting against terrorism, risks and protection, CBRNE ([Chemical substances \(C\)](#), [biological agents \(B\)](#), [radioactive substances \(R\)](#), [nuclear material \(N\)](#) and [explosives \(E\)](#)), steering, organisation, culture and leadership for good public security and emergency preparedness, cooperation with emergency services and fire safety

Immigration

Hereunder: why asylum seekers choose Norway, family migration, identity, irregular migration, return, including also knowledge about immigrants who choose to stay in Norway instead of returning to their home country, integration, regional solutions and connection the connection between aid and development policy, comparative European perspectives, consequences of immigration and mobility on the sustainability of the welfare state.

Penalty, criminal proceedings and crime prevention (straffesaksjeden”)

Hereunder: violence in close relationships and sexual assaults, economic crime, globalisation and international crime, radicalisation and violent extremism, the police as social institution, court research, including, consequences of court decisions, the use of experts, conciliation boards, free legal aid and side expenses in criminal cases, correctional services, long term research of penalty, criminal proceedings and crime prevention (straffesaksjeden), contexts and bottlenecks, impact of initiatives to fight and prevent crime, the actors in the (criminal proceedings and crime prevention) straffesaksjeden, how to ensure rule of law, legal research on the penal code, criminal procedure, with weight on issues related to a complete and functional rule of law.

Regulations and legal research

Hereunder: research on the consequences of law making, research and evaluation connected to large reforms and development of regulations in the field of justice and emergency preparedness, research on agreements in the field of justice and domestic affairs with the EU and research on the specific added value the agreements bring to Norway and if they are exploited well enough.

Source: adapted list retrieved from:

****Objectives and long-term priorities**

Thematic objectives and priorities:

ocean, climate,
environment and environmentally friendly energy,
enabling and industrial technologies,
public security and cohesion in a globalised world.

Horizontal objectives and priorities:

Enhanced competitiveness and innovative capacity
meeting grand societal challenges
development of academic environments and excellent research

Source: Meld. St. 4 (2018-2019), Long-term plan for research and higher education 2019—2028: 8

***** United Nation's Sustainable Development Goals**



Source: United Nations, <https://www.un.org/sustainabledevelopment/>

Appendix D: Template for impact cases

JUREVAL, Evaluation of Legal Research in Norway 2020-2021.

Attachment 6 to the self-assessment form

The societal impact of the research – impact cases

The Research Council of Norway, September 2020

Societal impact

The institution is invited to submit impact cases documenting societal impact according to the definition below:

Definition of Societal impact: an effect on, change or benefit to the economy, society, culture, public policy or services, health, the environment or quality of life, beyond academia.

Impact includes the reduction or prevention of harm, risk, cost or other negative effects.

Academic impacts on research or the advancement of academic knowledge are excluded. Impacts on students, teaching or other activities both within and/or beyond the submitting institution are included.

Impact includes, but is not limited to, an effect on, change or benefit to:

- the activity, attitude, awareness, behaviour, capacity, opportunity, performance, policy, practice, process or understanding
- of an audience, beneficiary, community, constituency, organisation or individuals
- in any geographic location whether locally, regionally, nationally or internationally.

How to report impact-cases?

Use the template on the next page to report the impact. Please copy the form for the submission of more than one impact case, so that only one case is reported per form. Each completed case study template will be limited to **five pages** in length. Each case-study should be clearly named (name of institution, name of case), and submitted as a Word document.

Each case study should include sufficiently clear and detailed information to enable the committee to make judgements exclusively based on the information in the template. References to other sources of information will be used for verification purposes only, not as a means for the committee to gather further information to inform judgements.

The impact cases will be published in the form they are submitted to the evaluation by the participating institutions, with two exceptions: 1) Supporting materials of a private character, such as the inclusion of personal statements, will be omitted. 2) Names and contact information for external references will be left out.

Template for Impact case

Institution:		
Name of unit of assessment:		
Title of case:		
Period when the underpinning research was undertaken:		
Details of staff conducting the underpinning research from the submitting unit		
Name(s):	Role(s) (e.g. job title):	Period(s) employed by submitting institution:
Period when the impact occurred:		
<p>1. Summary of the impact (indicative maximum 100 words) This section should briefly state what specific impact is being described in the case study</p>		
<p>2. Underpinning research (indicative maximum 500 words) This section should outline the key scientific insights or findings that underpinned the impact, and provide details of what research was undertaken, when, and by whom. This research may be a body of work produced over a number of years or may be the output(s) of a particular project. References to specific research outputs that embody the research described in this section, and evidence of its quality, should be provided in the next section (section 3).</p> <p>Details of the following should be provided in this section:</p> <ul style="list-style-type: none"> • The nature of the scientific insights or findings which relate to the impact in the case. • An outline of what the underpinning research produced by the submitted unit was (this may relate to one or more research outputs, projects or programmes). • Any relevant key contextual information about this area of research. 		
<p>3. References to the research (indicative maximum of six references) This section should provide references to key outputs from the research described in the previous section, and evidence about the quality of the research. Underpinning research outputs may include publications that are reported, or could have been reported, as scientific publication according to the definition in the Norwegian Publication Indicator (CRISTin).</p> <p>Include the following details for each cited output:</p> <ul style="list-style-type: none"> • author(s) • title • year of publication • type of output and other relevant details required to identify the output (for example, DOI, journal title and issue) 		
<p>4. Details of the impact (indicative maximum 750 words). This section should provide a narrative, with supporting evidence, to explain:</p> <ul style="list-style-type: none"> • how the research underpinned (made a distinct and material contribution to) the impact; 		

- the nature and extent of the impact.

The following should be provided:

- An explanation of the process or means through which the research led to, underpinned or made a contribution to the impact (for example, how it was disseminated, how it came to influence users or beneficiaries, or how it came to be exploited, taken up or applied).
- Where the submitted unit's research was part of a wider body of research that contributed to the impact (for example, where there has been research collaboration with other institutions), the case study should specify the particular contribution of the submitted unit's research and acknowledge other key research contributions.
- Details of the beneficiaries – who or what community, constituency or organisation, civil society, has benefitted, been affected or impacted on.
- Details of the nature of the impact – how they have benefitted, been affected or impacted on.
- Evidence or indicators of the extent of the impact described, as appropriate to the case being made.
- Timespan of when these impacts occurred.

5. Sources to corroborate the impact (indicative maximum of ten references)

This section should list sources that could corroborate key claims made about the impact of the unit's research (reports, reviews, web links or other documented sources of information in the public domain, users/beneficiaries who could be contacted to corroborate claims, etc.)

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