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INTRODUCTION
MULTI- AND INTERDISCIPLINARITY: MERE THEORY OR JUST PRACTICE?

'As lawyers we cannot simply accept the conclusions of others; we must make them our own, and to do this we need to step out of the legal culture and into that of the other one. In doing this we are not picking up "findings" but 'learning a language', wrote James Boyd White in 1990 in his book *Justice as Translation*.

This third issue of *Erasmus Law Review* addresses multi- and interdisciplinarity in law from the perspective of legal methodology. Was Richard Posner right when as early as 1987 he foresaw the decline of law as an autonomous discipline? The explosion of 'Law and…' movements seems to suggest that he was. Nevertheless, methodological and epistemological questions of intellectual integration within interdisciplinary movements all too often remain underexposed. What then is the similarity – and that at a fundamental level – between the two disciplines connected by the word 'and'? And is the perceived connection between two disciplines in itself also an idea that should be elaborated? Or is interdisciplinarity only the importation of a technique or methodology from one field to another, for the sole purpose of solving a specific problem, the solution of which cannot be found in the original field itself?

As far back as ten years ago, Jack Balkin suggested that the 'and…' discipline might be an invader, or a coloniser, as the case of *Law and Economics* in several of its forms would seem to suggest. The success of the invader is often explained on the basis of the dominant consensus within the field of economics on the subject of methodology, whereas law, especially in the common-law tradition, is an easy prey for domestication, given its casuistic approach when it comes to the acquisition of 'knowledge'. In this respect – now that the word 'law' still figures prominently in the name of interdisciplinary fields – interdisciplinary scholarship seems to be the result of an incomplete or failed takeover. More attention therefore needs to be paid to the question of whether a truly common, epistemological ground is to be found when disciplines form alliances of the 'Law and ...' kind. And if so, what does this mean for the concept of legal doctrine that we espouse? All too often the categorisation of knowledge in law starts from the premise that

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law is a domain of rules, and rules only; however, that is a simplification that runs the risk of marginalisation of the 'Law and...' based on it, now that in both common-law and civil-law systems we have progressed beyond the formalist hermeneutics of more or less self-applying rules, and look upon law's boundaries with notions derived from a contextual approach to law. Connected to all this is the problem of how to draw the boundaries when it comes to the difference between multidisciplinary and interdisciplinary perspectives in law, on the premise that this is not simply a semantic issue.

The authors in this issue offer a wide range of responses to these and related questions in the field of interdisciplinary movements. In 'Forms of Thought and Language', James Boyd White starts with what he calls the obvious point that law does not, and could not, exist in an intellectual or linguistic vacuum. He claims that no one believes that the law is or should be impervious to other languages, to other bodies of knowledge; in this regard, to him the argument about the 'autonomy' of law is an empty one. In 'Facing the Interface: Forensic Psychiatry and the Law', Hjalmar van Marle addresses the issue of how the concept of mental illness needed explanation to fit into the framework of the criminal justice system. With the emancipation of empirical psychology and the progress made with respect to the examination of the brains of patients, using modern imaging techniques, a separation developed between a naturalistic view on criminal offences and empiricism with its claim that only those facts are true that can be measured in reproducible tests. To van Marle, it is absolutely necessary for judges and lawyers to be educated in the use of empirical data. Barbara Pozzo's article, '*A Suitable Boy*: The Abolition of Feudalism in India', focuses on Law and Literature as a tool in teaching comparative law courses. She points to the importance of literature as a key in understanding the social impact of particular legal institutions. For Pozzo, this is particularly true in those cases, as in India, where the legal system consists of different layers: the traditional, the religious, and that of the colonial period. Finally, by referring to Vikram Seth's novel, *A Suitable Boy*, her article examines a concrete example of the debate that concerned peasants' property in the form of land as well as the abolition of the *zamindar*. In 'Eclecticism in Law and Economics', Alessandra Arcuri claims that the troubles begin when it comes to defining Law and Economics. Should the field be defined in relation to its subject matter or in relation to the methodology used? Because legal-economic scholars have analysed almost all fields of law, it is difficult to define Law and Economics in relation to its subject matter. Arcuri's essay takes a critical stand and demonstrates that the narrow focus on efficiency and rational choice theory pays a disservice to what could be a fruitful and truly interdisciplinary study of the legal phenomenon.

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