

# **Samfunnsbidrag («impact») som mål på kvalitet i juridisk forskning**

Gunnar Sivertsen i samtale med  
Ingrid Birce Müftüoglu

UNIVERSITETET I BERGEN



# Hva er JUREVAL

## Evaluering av

- Forskningens kvalitet
- Forskningens relevans for utdanning
- Forskningens relevans for samfunnet

## På grunnlag av

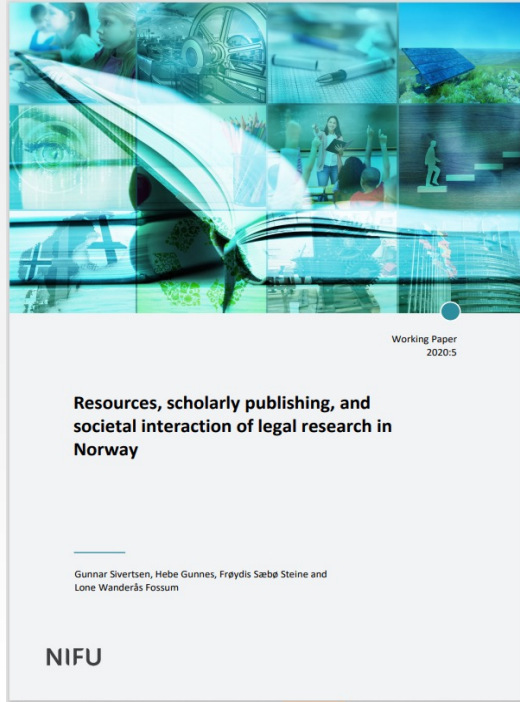
- Institusjonenes mandat
- Institusjonenes egevalueringsrapport
- Nasjonale data og NIFU-rapport om ressurser og publisering
- Intervjuer med ledere og utvalgte forskere



# **1. De juridiske forskningsinstitusjonene er en del av samfunnets rettssystem**



## Chapter 4: *Societal Interaction*



Written communication for wider audiences is important for societal interaction in the social sciences and humanities.

This is most prominently the case in legal research, there are even formalized genres and a formal language for written contributions to society that constitute publicly acknowledged sources of law.



# Samfunnsbidrag: Formidlingspublikasjoner, Gjennomslagskraft i *Lovdata*

**Table 4.1** The distribution of 167 scholarly books in NSI compared to 127 books covered in *Bokbasen*, but not in NSI. 2011–2019.

	Books in NSI	Share of 167	Only in <i>Bokbasen</i>	Share of 127
BI	9	5 %	11	9 %
INN	3	2 %	4	3 %
NMBU	1	1 %	2	2 %
UIA	2	1 %		
UIB	42	25 %		
UIO	85	51 %		
UIT	24	14 %		
USN	1	1 %		
Total	167	100 %		

Source: *Bokbasen*, Norwegian Publishers Association

**Table 4.2** Distributions among the JUREVAL units of journal articles in four categories, of which category A is found only as scholarly articles in legal research in NSI and categories B-D are found only in *Norart* as non-scholarly articles. 2011–2019.

	A	Shares	B	Shares	C	Shares	D	Shares
BI	58	4,8 %	23	5,2 %	9	9,8 %	40	19,5 %
INN	23	1,9 %	5	1,1 %	0	0,0 %	0	0,0 %
NMBU	12	1,0 %	5	1,1 %				
UIA	6	0,5 %	3	0,7 %				
UIB	273	22,8 %	111	25,1 %				
UIO	663	55,3 %	258	58,4 %				
UIT	161	13,4 %	34	7,7 %				
USN	3	0,3 %	3	0,7 %				
Total	1199	100 %	442	100 %				

Source: *Norart*, National Library of Norway

**Table 4.4** Distribution of scholarly NSI-publications compared to distribution of influences on documents in *Lovdata* in four categories<sup>1</sup>. Shares marked in yellow are higher than the general shares for all units. Time pe-riod covered: 2011–2019.

	Publications	Share	UTV	Shares	LIT	Shares	DOM	Shares	STD	Shares
BI	142	5,4 %	3004	27,8 %	307	4,4 %	359	8,8 %	69	6,1 %
INN	24	0,9 %	2	0,0 %	38	0,5 %	30	0,7 %	7	0,6 %
NMBU	13	0,5 %	1	0,0 %	16	0,2 %	59	1,4 %	5	0,4 %
UIA	12	0,5 %	4	0,0 %	10	0,1 %	6	0,1 %	7	0,6 %
UIB	654	24,7 %	2441	22,5 %	1982	28,2 %	1234	30,2 %	323	28,3 %
UIO	1459	55,1 %	4590	42,4 %	4285	61,1 %	1922	47,1 %	648	56,8 %
UIT	339	12,8 %	783	7,2 %	375	5,3 %	461	11,3 %	75	6,6 %
USN	4	0,2 %	0	0,0 %	5	0,1 %	14	0,3 %	6	0,5 %
Total	2647	100,0 %	10825	100,0 %	7018	100,0 %	4085	100,0 %	1140	100,0 %

## **2. Samfunnsbidrag som et organisatorisk ansvar**

**(Bør uttrykket 'formidle kunnskap' revideres i Lov om universiteter og høyskoler?)**



# Understanding and evaluating societal impact

- Societal impact of research is **normal** and part of society
- Normal impact is found in **disciplinary-specific relations** between organizations that need to create, exchange and make use of knowledge **according to their purposes**
- Normal impact is about daily activities and **how well they are organized**, not about individual incidents of particularly interesting or impressive impact
- Normal interactions with society can be evaluated as such at the **organizational** level, taking **all inter-actors** into consideration
- Such evaluations can be **formative**, something to learn and improve from



Normal versus extraordinary impact:  
How to understand, evaluate and improve research activities in their  
relations to society

Gunnar Sivertsen\* and Ingeborg Meijer\*\*

\*[g.sivertsen@niflu.no](mailto:g.sivertsen@niflu.no)  
Nordic Institute for Studies in Innovation, Research and Education (NIFU),  
P.O. Box 2815 Tøyen, N-0608 Oslo, Norway.

\*\*[i.meijer@cwts.leidenuniv.nl](mailto:i.meijer@cwts.leidenuniv.nl)  
Centre for Science and Technology Studies (CWTS), Leiden University,  
P.O. Box 905, 2300 AX Leiden, The Netherlands

#### Funding

This work was supported by the Research Council of Norway, grant number 256223.

#### Abstract

Societal impact of research does not occur primarily as unexpected extraordinary incidents of particularly useful breakthroughs in science. It is more often a result of normal everyday interactions between organizations that need to create, exchange and make use of new knowledge to further their goals. We use the distinction between normal and extraordinary impact to discuss the limitations of evidence-based case studies in evaluations of societal impact. Our aim is to show how science-society relations can better be understood, evaluated and improved by focusing on the organizations that typically interact in a specific domain of research.

#### Introduction

Societal impact has gained a central focus in research policy and evaluation. Research is increasingly expected to meet societal challenges and to interact responsibly with society.

# 3. Eksempler på samfunnsbidrag





## **The introduction of a capacity-based model in the Mental Health Care, Bjørn Henning Østenstad**

Having focused his doctoral dissertation on the issue of lack of decision-making capacity as a prerequisite for the use of coercion (a capacity-based model), Østenstad was appointed member of the law committee revising the Mental Health Care Act (NOU 2011: 9). He also authored a report for the committee, which was added as an appendix in the committee report.

Østenstad's analyses and arguments advocating for a capacity-based model were supported in the committee's report and draft bill. In 2016, the government proposed a bill based on the committee's





## **The implementation of the Cape Town convention in Norwegian law, Berte-Elen Konow**

In August 2009, I was requested to provide a report informing the decision whether Norway should join the UNIDROIT convention from 2001 concerning international security interests in mobile equipment (2001 Cape Town Convention) and the appurtenant protocol on mortgage rights to aircraft equipment (International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment). The request was based on my book *Løsøre pant over landegrenser* (2006), which among other things addresses mortgages on aircrafts.



## **Norwegian legal thinking in mediation/alternative conflict resolution in German legal processes, Anneken Kari Sperr**

Based on my researcher competence within comparative public law and procedural law in Norway/Germany and my doctoral project on judicial review of decisions by the public administration in Norwegian and German law (2002–2006) – published as a monograph in 2009 – I was invited to participate in a research group at the Max Planck Institute for Comparative and International Private Law in order to produce a comparative report on different national arrangements and regulations for alternative dispute resolution, with particular emphasis on mediation and judicial mediation. The



## **Sustainable Exploration for Mineral Resources in Norway, Ernst Nordtveit**

In 2018, I was hired by the Ministry of Trade, Industry and Fisheries as chairman of a committee to evaluate the Mineral Act and surrounding legislation to identify weaknesses and points for improvement. The report made a thorough analysis based on research in property law, international protection of indigenous peoples, environmental and planning law and economic analysis of law. Based on the report, the Government has decided to propose several changes in the Mineral Act. It has appointed me as chairman of a committee to prepare a proposal for a general revision of the Mineral Act.

# Lovarbeid

**NOU** Norges offentlige utredninger 2022: 8

Ny minerallov

Forslag til helt ny lov:

- Klargjøring av rettighetsforhold
- Modernisering av forholdet til areal- og miljøforvaltning
- Vern av urfolksrettigheter i samsvar med internasjonal rett
- Bærekraftsmål – Dynamiske og funksjonelle miljøkrav – refleksiv rett



## 4. Hva er forholdet mellom kvalitet og relevans?



# Oppfatning av høy kvalitet

- *Spørsmål om oppfatningen av høy kvalitet i rettsvitenskapelig forskning, altså hva du tenker er rådende oppfatning av høy kvalitet i miljøet og blant kolleger og fagfeller. Se på punktene under og tenk gjennom hvilke faktorer som faktisk påvirker hvilken anerkjennelse man får i det feltet du forsker på (på en skala hvor 1=ikke i det hele tatt og 6=i stor grad):*



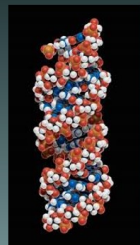
# Oppfatning av kvalitet

	Snitt
Publisering i ledende akademiske tidsskrift	5,5
Lede lovutvalg el.l.	5,2
Anerkjennelse blant fagfeller	5,2
Forfatter av sentrale lærebøker	5,0
Konstitusjon i Høyesterett	4,9
Siteringer i academia	4,8
Siteringer i domstolene	4,7
Bred faglig kompetanse	4,5
Medlem i lovutvalg el.l.	4,5
Internasjonalt kommisjonsarbeid	4,3
Ledelse av større prosjekter	4,2
Priser og utmerkelser	4,0
Publisering i tidsskrift med bred målgruppe	3,9
Samarbeid i disiplin	3,9
Hyppig kontakt med profesjonsutøvere	3,7
Samarbeid på tvers av disiplin	3,3

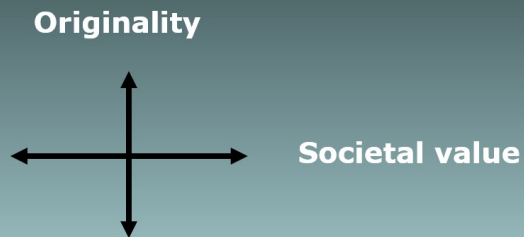




# Research quality is a multidimensional concept



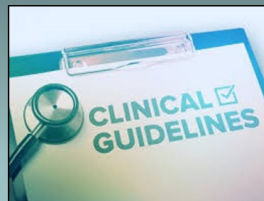
Scientific value



Societal value

Solidity, integrity

Why care about citation impact?  
Increase your Research Impact  
Harzing.com Academic Resources



RESEARCH MISCONDUCT

- FABRICATION
- FALSIFICATION
- PLAGIARISM

R-QUEST  
Centre for Research Quality and Policy Impact Studies

# NIFU

UiB  
FRAM

RAMMEVILKÅR FOR  
Å FREMME KVALITET  
I FORSKNING

RAPPORT 2021 // UNIVERSITETET I BERGEN





---

**[uib.no/jur](http://uib.no/jur)**