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“When Paradigms Are Out of Place”: Embracing Eclecticism in Legal Scholarship by Academic Turns

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Abstract: As with the progress of social sciences in which the notion of turn has gradually taken a central position in academic discourse, we have often seen the blended application of “paradigm shift talk” and “turn talk” to delineate the construction of progress in legal scholarship. Unlike “paradigm shift talk” that is based on the sufficient intellectual accumulation of understanding Kuhn’s paradigm theory, the connotations, as well as implications, of the notion of turn have been radically ignored in legal scholarship. Therefore, questions tackling turn’s underlying teleology, epistemology, methodology, and ethics are especially significant and indispensable. As a response, this article delves into the notion of turn in legal scholarship by mainly embedding it in a general context of the knowledge production of social sciences. It primarily argues that the notion of turn is more compatible with the construction of socio-legal knowledge than that of paradigm due to its interdisciplinary disposition. Accordingly, rather than maintaining the taken-for-granted status quo, legal scholars should pay heed to this compatibility in question and employ the notion of turn consciously and seriously.

Keywords: academic turns; paradigm; social sciences; legal dogmatics; socio-legal studies; eclecticism



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1. Introduction

In recent decades, the notion of “turn” has gradually taken a central position in academic discourse (see, inter alia, [Bachmann-Medick 2016](#)). For instance, in [Klein’s \(2005, p. 37\)](#) depiction, “the second half of the twentieth century was a time of turns—linguistic and rhetorical, hermeneutic and interpretive, sociological and political, historical and cultural, poststructuralist and postmodern”. Accordingly, an “X turn(s)” formula, also referred to as “turn to X”, has been widely disseminated and applied among various academic communities. Given the changeability of X determining the diverse possibilities of the formula in question, it would be a bewildering, if not impossible, task to enumerate how many turns there are. Furthermore, this type of task becomes more difficult as some of these turns are presented implicitly by using notions such as paradigm shift interchangeably, and others are either in bud or withered away. [Nolin \(2007\)](#) clarifies the latter scenario as follows: “[t]he turn can be presented by a single author and it can proceed with very few, even no, followers. At other times it can be launched with a great power, with influential researchers who already have established a network of followers”. However, it is noteworthy that these “launching” and “following” practices under the banner of academic turns have happened mostly in the social sciences (and humanities), although disciplines in “hard” science have also employed the language of turn occasionally (e.g., [Belfer 2014; Witzany 2014](#)).

Law is not exempt from the surge of academic turns, and the notion of turn has already permeated various facets of our legal world, including both practice and scholarship. In this sense, the ascending trend of the number of academic turns in legal science does share some similarities with other disciplines or fields of study. Nevertheless, one of the peculiarities can refer to the reality that the paradigm concept and other concepts such as discourse and episteme still sound melodious in a legal context. Thus, it is essential to

treat the intricate usage of these concepts in law seriously as “the struggle for the “right terminology” is also a struggle for the “right reality”” (Altwickler and Diggelmann 2014, p. 443). In other words, this means that the choice between the concept of paradigm and the concept of turn has certain epistemological and methodological implications for law and legal scholarship (see, e.g., Dore 2007; Teubner 1990). Additionally, these implications can, to a large extent, explain how the “exciting times for legal scholarship” (Vranken 2012) have been formulated through a process of entertaining plural modes of scientific progress such as the normativist, realistic, argumentativist, technological, and critical modes (Vaquero 2013, pp. 61–67). Within these modes, the dichotomy of legal dogmatics and socio-legal studies is often deemed as one of the most enticing areas of scholarly debate in which distinctions have been made especially in terms of the production and dissemination of legal knowledge (see, e.g., von Benda-Beckmann 2008; Dyevre 2014; Siems and Síthigh 2012).

This article delves into the notion of turn in legal scholarship by mainly embedding it in a general context of the knowledge production of social sciences. Given its interdisciplinarity, this article argues, in the course of clearing up the relevant confusions, that the notion of turn is more compatible with the construction of socio-legal knowledge than that of paradigm. Thus, legal scholars should pay heed to this compatibility in question and consciously and seriously employ the notion of turn. To that end, the remainder of this article is organized as follows. Section 2 sketches the rise of “turn talk” in academic discourse and some discordant voices. Section 3 elaborates on the divergence and ambiguity of the notion of turn. Section 4 expounds paradigms in legal dogmatics and turn’s “hullabaloo” in socio-legal studies. Finally, this article is concluded with implications of the notion of turn for eclecticism that has bolstered socio-legal research.

2. The Rise of “Turn Talk” in Academic Discourse with Discordant Voices

Regardless of motivation and/or intention, it is evident that there is an increasing number of academics who have devoted themselves to the enterprise of unraveling various types of turns. Nevertheless, Bachmann-Medick’s reminder, claiming that “today, a systematic engagement with turns exists at best in the rudimentary form” (Bachmann-Medick 2016, p. 2), should be kept in mind at the very outset. On balance, there are two distinct approaches used to investigate the “turn talk” phenomenon in the fields of scientific research. While the vast majority of scholarly efforts have been, in this regard, directed toward making sense of individual turns, the “turn talk” phenomenon examined as a whole has started to emerge gradually (e.g., Gabriel 2014). The existing literature on these individual turns generally indicates X’s priority, i.e., it is precisely these different types of Xs that are playing as protagonists in this academic show. In contrast, the turn side is merely endowed with a peripheral position as an adjunct. Therefore, the questions which have been frequently asked and addressed are, inter alia, the nature, characteristics, and contents of X and its (potential) implications for disciplines and fields of inquiry. In such a case, the notion of turn *itself* is either taken for granted or mentioned briefly. This lopsided propensity has been somewhat rectified in the form of explicit attention paid to the notion of turn in recent years (see, e.g., Bachmann-Medick 2006, 2012; Cook 2012; Nolin 2007; Perl-Rosenthal 2012; Snell-Hornby 2009; Thomas 2012; Vasileva 2015; Wilder 2012; Woolgar and Lezaun 2015). In other words, the center of gravity of scholarly endeavor is shifting from the X to the turn in the “X turn” formula, albeit the speed is slow and the scope is limited.

Moreover, it is also noteworthy that the intellectual landscape of the “turn talk” phenomenon is not symmetrical in terms of its disciplinary and geographical aspects. On the heel of the linguistic turn in philosophy which was articulated by Rorty’s edited collection *The Linguistic Turn* (The Chicago University Press) in 1967 (Rorty 1967), a variety of (sub)disciplines belonging to social sciences and humanities have ensuingly enlisted themselves in the scholarly enterprise of studying academic turns since notably the early 21st century (Snell-Hornby 2009, p. 41). Although the general trend in this regard is upward, differences do exist concerning the stage and incentives of development among

these disciplines and fields of inquiry. The absence of overall statistics is certainly a pity from the scientific point of view, but it is still relatively conspicuous to recognize that some disciplines or interdisciplinary fields are more interested in the notion of turn than others. Furthermore, in a very rudimentary sense, these disciplines that are located close to the intellectual “contact zones” are more inclined to engage in turn making and talking. Translation studies is, undoubtedly, a convincing example hereof (see, in particular, [Snell-Hornby 2006](#)). In comparison, for instance, economics seems less enthusiastic about dealing with the “turn talk” phenomenon. Apart from its disciplinary differences, the geographical dimension is also pertinent in the rise of academic turns. However, the geographic dimension in question should be comprehended in a broader sense and mainly distinguished by languages. Taking account of the existing literature, by contrast with the dominance of English as a language of science, it is the German-speaking scholars, especially scholars from cultural studies, who head up the application of a “turn-based view”. As [Bachmann-Medick \(2016, p. 2\)](#) “surprisingly” states, “it was initially the German theoretical discourses in the *Kulturwissenschaften* that became embedded in an academic landscape of turns. In the United States, by contrast, we have only recently seen cross-disciplinary references to turns”.

In addition to the disciplinary and geographical differences, it is also worth noting the complicated relationship between different turns. In a general sense, their relationality is primarily presented in the form of being “derivative, related or linked” ([Schultz 2015, p. 7](#)), which could create a space for the commensurability of various turns. In effect, the connections or relationships among these turns in question have multifarious contours. The first and foremost contour refers to a hierarchical relationship that primarily reflects upon the dichotomy of, in Schultz’s words, “parents” and “child” turns. The linguistic turn, for example, is one of the most well-known “parents” turns. [Bachmann-Medick \(2016, p. 21\)](#) regards it as a “mega” turn which “not only runs through all the individual turns, but also provided a powerful framework for the additional reorientations and shifting focuses that have built upon it”. Other turns are mere “sub-turns” or “derivative turns” under such circumstances ([Schultz 2015, p. 7](#)). The soul of this hierarchical delimitation is also captured by Bachmann-Medick in her theoretical construction of the cultural *turns*, instead of the cultural *turn*, as an umbrella term for other brisk turns in culture studies. The employment of such an umbrella term, as well as its underlying hierarchical implications, is underlined by [West’s \(2000, p. 1127\)](#) provocative claim concerning the multiplicity of interpretive turn, that is, “there has been . . . not one interpretive turn in legal theory, but several, or at least, several distinct ways in which the interpretive turn has altered the direction of critical legal thought”. Therefore, comparing with the interpretive turns, “the conjoining of the words “interpretation” and “turn” in the phrase “the interpretive turn””, in his mind, “is an unfortunate mistake” ([West 2000, p. 1128](#)). Moreover, unlike the vertical hierarchy between the “parents” and “child” turns, turns in the horizontal sense are often partially overlapped. In this type of relation, different turns are linked by certain common elements qua a floating impact of the cognate system. The non-national element shared by the international, transnational, postcolonial, or global turns is one of the convincing examples ([Schultz 2015, p. 8](#)).

The differences above may be dazzling, but their aggregation is entirely significant for representing the large-scale rise of academic turns. However, every coin has two sides, and so does the “turn talk” in academic discourse. While “turn” has frequently been unquestionably associated with some catchy phrases such as “inflationary” and “mind-boggling number of”, there is a strand of literature rather arguing that “turn-talking/making . . . is a precarious business” ([Vasileva 2015, p. 2](#)). In different ways, they have expressed deep concern over the excessive indulgence in academic turns which could easily confuse us ([Soler et al. 2014, p. 3](#)). The followers of these turns “are like a flock of sheep, being led now one way, not the other”, but actually “[t]here is no easier intellectual sleaze than to pretend that everyone should take up what you want to do” ([Pym 2011, p. 107](#)). More ironically, Bachmann-Medick herself, the person who has inspired a large number of “turn talk”

followers, puts forward a central question concerning “the extent to which inflationary talk and the spread of ever new turns can be countered or stopped” (Bachmann-Medick 2016, p. 16). In this sense, the anti-turn voices sound more convincing so as to be a valuable object for discussion.

Carrigan (2016) explicitly suggests ceasing the application of the notion of turn in scholarly settings by demoting it as an embodiment of turf war within the intellectual attention space. In other words, the essential purpose of capitalizing on a “turn” is to construct an “academic kingdom” (Xu 2009, p. 12). In order to capture potential followers’ attention, it is tempting to make “big, bold and memorable claims, preferably ones that break with what has gone before the position oneself as the start of something new” (Carrigan 2016). However, since the intellectual attention space is limited, Carrigan (2016) further claims that:

“the discipline beset by turns is the discipline which is in chaos. Turn! Turn! Turn! Constantly spinning round and round, called forth in all directions while being vaguely aware of countless others calling for one’s attention if only they could cut through the thickets of busyness and anxiety, the outlines of the knowledge system become ever more foggy”.

Moreover, Anthony and Rosa (2012, p. 14) insist on a “no-turn” commitment, whereby disciplines become more inclusive and have no need to always keep turning. More importantly, such a commitment does imply the emergence of the emotion of “turn fatigue” among academic communities. Precisely speaking, it is an emotion that is tired of “describing every new development in the humanities and social sciences as a turn” (Grusin 2015, p. ix), the cause of which refers to its associated drawbacks concerning, for instance, its “regrettable effect of foreclosing possibilities and blocking from view the variety of approaches and intellectual trends that were in play at the time” (AHR Forum 2012, p. 698). The contentious plethora of turns actually reminds the academia of a “ubiquity paradox” (Cook 2012, p. 746), that is, if we find turns *everywhere*, then turns are *nowhere*. After all, the overextension or abuse of this notion could result in diluting its substantive contents and making it ultimately hollow. Thus, the ball bounces back to a starting point: what is a turn? To sufficiently avert the hollow tragedy of each turn against the backdrop of the somewhat arbitrary use of the notion of turn, it is crucial to illuminate the weight of the “optics” embedded in each turn that “cast on the intellectual directions of particular subject-matters or disciplines, to offer new perceptions, understandings or interpretations” (Schultz 2015, p. 2).

3. The Notion of Turn Comes under the Spotlight: Divergence and Ambiguity

So, what is a turn? In effect, scholars have reached no consensus on the definition of the notion of turn (Bachmann-Medick 2016, p. 16). The scholarly usage of the word “turn” is considerably divergent and heterogeneous, for which Vasileva (2015, pp. 2–4) regards it as “the turn multiple”. However, critics particularly upgrade such divergence as the starting point initiating the formulation of problems and confusion. When Han (2015) reflects on the “turn talk” phenomenon, for instance, he explicitly attributes the “epistemological chaos” to the absence of a unified definition of “turn”. He further expounds:

“... the biggest problem is that the leading advocates did not rigorously conceptualize the word “turn”, their descriptions were unclear. Mary Snell-Hornby, one of the most influential pioneers of the turn talk, did not define the word “turn” either in her 1990’s paper or her 2006’s monography. Although... elaboration on the cultural turn has a significant impact on translation studies, they did not put forward a definition for the word “turn” ... ” (Han 2015, p. 12. Author’s translation)

However, efforts taken to develop a better understanding of the word “turn” have never come to a halt. Snell-Hornby (2009) engages with this issue by analyzing and comparing the dictionary entries in her “*What’s in a Turn*”. Although it seems like an obsolete style,

dictionaries are still the best place to gain inspiring ingredients for conceptualizing plain terms scientifically (see, e.g., [Lew 2011](#)). By referring to the *Collins Dictionary of the English Language* (CED) and the *Oxford Advanced Learner's Dictionary of Current English* (AID), [Snell-Hornby \(2009, p. 42\)](#), first of all, realizes that “in its primary, basic, non-metaphorical dictionary meaning, *turn* is actually a verb, from which the noun *turn* is a derivative”. By recognizing this essential nature of *turn*, she then stresses that:

“Following this we can filter out the basic concrete components of our abstract academic “turn”: the “bend in the road”, the change of direction. Hence some form of progress or progression in a particular course is presupposed, although in an academic discipline a turn is not “taken” (as in the abstract senses list above) but is only fully recognized in retrospect, that is, after it has occurred and can be viewed at a distance and in perspective”. ([Snell-Hornby 2009, p. 42](#))

In addition, [Vasileva \(2015, p. 2\)](#) relies on the *Oxford English Dictionary* (OED) “to enact its particular making out of what is in turn”. With this device, Vasileva believes that there are four versions of “turn” in the practical utilization, namely, rotation, change of course/direction, change in general, and occasion/opportunity to act (also see [Grusin 2015, pp. xix–xxi](#)). Furthermore, according to Vasileva, each version of *turn* is asserted to have its respective imagination of the world and reality (see [Table 1](#)).

Table 1. Versions of “turn” and the corresponding worlds.

Versions	Turns	Elaborations	Worlds
1	Rotation	The act of moving something in a circular direction, around an axis, point, or center, as in “a turn of the wheel” or “the turn of the Earth on its axis”.	The world is a homogeneous entity with a single center/focal point/axis around which all activity swirls.
2	Change of course/direction	The act or junction of turning another way, veering from one’s hitherto course.	The world is a unique, coherent entity—a vehicle—undertaking a prime, singular shift while traveling a path or trajectory.
3	Change in general	The act(ion) of turning or changing.	A world with the possibility to change by deliberately introducing a new regime, new rules, a new vocabulary, and a new order, which are better than the past and give rise to revolutions.
4	Occasion/opportunity to act	The time at which something happens.	A world without the agonistic dynamic, but an institution to guarantee <i>turn</i> talking (i.e., one’s <i>turn</i> to speak).

Note. This table is adapted from ([Vasileva 2015, pp. 2–4](#)).

Likely, [Surkis \(2012, p. 704\)](#) not only defines “turn” as “a change of course or direction, a turning away at the same time as a turning toward” with the assistance of the OED but also extends the perception at an etymological level. She maintains that “turn” “lies at the Latin root of “conversion”” and “it is linked to the notion of “revolution”—and to “lathe” in ancient Greek”. Last but not least, in [Bachmann-Medick’s](#) words (2016, p. 20), “the use of the word “turn” is quite revealing from a transcultural perspective. The *Oxford English Dictionary* describes its complex semantic field and emphasizes its pragmatic life-world connotations, which continue to resonate in the narrower “research turn” concept”.

Even though scholars have not reached an agreement on defining the word “turn”, a *backstop* that commonly categorizes scholarly usage of *turn* as figurative language, i.e., “turn” as a metaphor, has been put in place. Under such circumstances, “turn” acts as a totality of, or is synonymous with, other terms such as “movement”, “(re)direction”,

“change”, and “transformation”. One of the most salient similarities among these terms refers to a sense of dynamics and motion. However, it is noteworthy that, in accordance with Snell-Hornby’s (1988) argument, the interconvertibility and similarity of “turn” and other abovementioned terms illustrate the looseness and inaccuracy of the English language in academic settings. In her opinion, “problems arise when we try to use the concept of turn in the context of other languages or even try to translate it; here, false friends abound” (Snell-Hornby 2009, p. 43). One of such “false friends” is the German term *Wende*, and she adds that:

“The corresponding German term *Wende* has the final-sounding ring of an epochal transformation or an “era-separating” event . . . This means that *Wende*—much like Martin Heidegger’s concept of *Kehre*, which can also mean “turn” . . .—has a moral and political emphasis. For this reason alone, it makes sense for German scholars to use the English term to describe the research turns in the study of culture, for it gives them a certain critical distance and allows them to join the international debate”. (Bachmann-Medick 2016, p. 20)

In respect of the “slippery” and “fuzzy” nature of metaphor pointed out by Snell-Hornby (2009, p. 43), it is inevitable to attend to the relationship and distinction between “paradigm shift talk” and “turn talk”. However, one important caveat is warranted at this stage. The difference between the notions of paradigm and turn developed in this article radically emphasizes the applicability of these notions in distinct disciplinary and intellectual *contexts*. It should not be reduced to a simplified comparison between the two notions themselves. After all, to a significant extent, the notions of paradigm and turn stand at different levels in terms of their historical formations. The comparison when proceeded in such a garbled fashion makes no sense and leads only to the false superiority of one notion over the other. Therefore, this article correlates the reference to either notion with specific contexts (especially between the natural sciences and social sciences, and between monodisciplinarity and interdisciplinarity) and tries to compare them as such.

In a nutshell, there are two camps of thought (and practice) on their relationship. Some scholars interchangeably use these two words (sometimes the concept of paradigm shift is included), whereas others prefer to treat them as totally different concepts. As to the former camp, examples are actually everywhere in practice. For instance, Endres et al. (2016, p. 1) declare that “about ten years ago, the “mobilities paradigm” or “mobility turn” was officially and prominently declared and announced: issues of movement, of too little movement or too much, or of the wrong sort or at the wrong time, are central to many lives and many organizations”. Weaver-Hightower (2003, p. 472) highlights that “the “turn” to boy is a turn away from, an endgame in, the needed focus on girls, a paradigmatic shift akin to other turns in academia”. Faist (Faist 2013, p. 1637) claims that “a new paradigmatic turn has reached migration studies, the mobility turn”. On the contrary, proponents of the second camp rather examine the relationship in question from the epistemological and methodological perspectives, the primary purpose of which is beyond the words per se but to capture and reflect upon the (potential) implications in the process of scientific progress.

In his seminal book *The Structure of Scientific Revolutions* (The University of Chicago Press 1962), Thomas Kuhn creatively applies the concepts of paradigm and paradigm shift to reconstruct a view of science that is inconsistent with the cumulative and progressive ideas of the dynamics of scientific knowledge (Kuhn 1962). Kuhn describes the paradigm as a common cluster of people and ideas to explain the development of serious research in a discipline. It is some set of “received beliefs” shared by the members of a scientific community (p. 4). This common cluster would work just as long as it could be adjusted or corrected by new ideas to determine the progress of specific science. It is a process of solving “puzzles” to which “normal science” is committed routinely (pp. 10–22). However, if the fundamental structure of the concept does not any longer support the development of the old paradigm, i.e., encountering “anomaly” (pp. 52–65) and ensuingly generating “crisis” due to the “discrepancies” between fact and theory reflected by the old paradigm (p. 69), it has to be replaced by a better explanation, as the break within the concept necessitates

producing a new paradigm (p. 95). The two hypotheses mentioned above guarantee a development of any specific concept of science. If this development breaks off, then the shift requests a new common cluster by a new scientific community. That is why the third aspect of Kuhn's concept is to not only describe the scientific development within an authorized paradigm but also to see that a break-up of an older and dysfunctional explanation is similar to a political change or revolution (p. 104). Thus, you have development and break-up in one term.

This concept of paradigm helps to describe how sciences can change completely, that is, "a noncumulative developmental episode in which an older paradigm is replaced in whole or in part by an incompatible new one" (p. 92). Kuhn's paradigmatic conception of sciences was one of the most inspiring and accepted epistemologies in the second half of the 20th century. Kuhn developed his theory on scientific changes, particularly within the natural sciences, and from there, it was adapted by the humanities and social sciences after 1962 (see more in, e.g., [Devlin and Bokulich 2015](#)). Although it is undeniable that the Kuhnian model has been one of the most influential innovations in the history and philosophy of science since the mid-20th century, there are several alternatives to the paradigm concept, and "turn" is one of them in social sciences and humanities ([Lucas 2017](#), pp. 263–264). Given the incompatibility of Kuhn's notion of paradigm shifts with the cumulative model of scientific progress in social sciences and humanities in which scientific revolution or rupture does not intend to happen, it is plausible to also entertain those alternative concepts. [Frank \(2009, pp. 65–66\)](#) expounds on the notion of "turn" by referring to this incompatibility and demonstrates that:

"If the word 'turn' was ever meant to signify such far-reaching ruptures, it has by now lost much of its original emphasis. Because the humanities and the social sciences of the postmodern era are characterized by methodological pluralism and theoretical syncretism, it is strictly impossible to identify all-comprehensive paradigms or epistemes shared by every 'scientific communities', let alone whole 'cultures'. 'Turns', in this context, are rather to be understood as process of differentiation and specialization, as (gradual) shifts in critical perspective and attention. As such, they are signs of the ongoing reorientation of the disciplines concerned, in the course of which each newly emerging paradigm supplements and coexists with its predecessors rather than entirely superseding and replacing them".

Likewise, [Bachmann-Medick \(2016\)](#) also attends to the Kuhnian paradigm's incompatibility in the form of elucidating why this concept is not a focus of the discussion at the beginning of her monography. In her opinion, Kuhn's model of scientific development seems inappropriate to the interdisciplinary cultural studies *only* because "the transformation of theory in the humanities and the study of culture has occurred across disciplinary boundaries . . . As a result, no individual discipline can continue to claim exclusive representation" ([Bachmann-Medick 2016](#), p. 9). Thus, according to Bachmann-Medick, a specific "worldview" of the study of culture is impossible, as it "is fragmented into various turns" ([Bachmann-Medick 2016](#), p. 11). "Turn", under such circumstances, is "in a much more cautious, experimental and gradual manner that they have led to the breakthrough of new perspectives and approaches" ([Bachmann-Medick 2016](#), p. 10).

Furthermore, the *AHR* Forum on historiographic turns in 2012, which seeks to understand the various "turns" in writing and theorizing history, set up an excellent example of how academic turns can be construed from a historical perspective (see more in [Cook 2012](#); [Perl-Rosenthal 2012](#); [Thomas 2012](#)). In this context, a "turn" is described as a historiographical moment through which a number of assumptions could be narratively contained ([Surkis 2012](#), p. 704). When both "paradigm" and "turn" are used as a historiographic concept, the main differences are summarized as follows:

"Paradigms surely carry a greater connotation of discontinuity than does the turn, but, more significantly perhaps, they also carry the connotation of unity—a whole discipline marching in step from one theoretical position to another. The

idea of turn, especially given its inherent multiplicity as alluded to earlier, speaks more closely of the pluralism in contemporary theoretical perspectives; there is more than one way into the future". (Lucas 2017, p. 264)

Drawing upon the preceding analyses and discussions, they identify that the notion of turn is as mutable as other "traveling concepts" in social sciences and humanities (see, in particular, Bal 2002). Further on, as with the term "translation", "turn" "has not only become a precondition for "traveling concepts" in the humanities and social sciences, but is a "traveling concept" itself" (Bachmann-Medick 2012, p. 24). As a traveling concept, the notion of turn has traveled through and connected disciplinary and intellectual contexts, altering the intended meaning and thus creating discussions in interdisciplinary subjects. In this sense, although it seems challenging, at the current stage at least, to unanimously garner a definition, it is substantially meaningful to trace its traveling footprint to appreciate those changes that have taken place in different academic environments and disciplines. In light of the extant certainties manifested in the literature, a tentative synthesis could be: "turn" is a noun, which is used as a metaphor with latent epistemological and methodological impetus, and performing as an alternative model of the development of scientific knowledge in social sciences and humanities.

4. Paradigms in Legal Dogmatics and Turn's "Hullabaloo" in Socio-Legal Studies

After elaborating on the notion of turn, the remaining sections aim to expound the idea that is premised on the division of dogmatic legal studies and socio-legal studies, and that argues that the former inclines to apply the paradigm concept(s), whereas the notion of turn is more compatible with the latter. As a transition, this section intends to sketch paradigms in legal dogmatics with an underlying purpose of accentuating the taciturnity of the notion of turn. However, it is necessary to keep in mind that the difference under discussion is not absolute and overlaps do occur due to the unconscious alternative use of the two notions in legal scholarship. The following is a cogent example:

"Accordingly, the defeasibility turn in legal theory, with its several strands, may be viewed—in a unifying perspective—as the revolutionary attempt to open the way for a new theoretical paradigm in legal thinking: as an intellectual venture fostering a (supposedly) advanced form of critical, defeasibility-centred, normativism, that should replace what, by present standards, should be regarded, instead, as the naïf normativism dominating such a large part of twentieth century jurisprudence". (Chiassoni 2012, p. 162)

Thus, the contending argument in this article should be conceived in a relatively ideal or sheer situation. In doing so, it is fair and plausible to subsume the use of paradigm concepts into the preference of legal dogmatists. As to this preferential issue, Aarnio (1997, p. 75) makes it explicit by claiming that dogmatic legal studies is "a paradigm-based field of inquiry", and Marcum (2015, p. 228) likewise believes that "legal dogmatics was paradigmatic in nature". As a matter of fact, based on Loving and Cobern's (2000) citation analysis conducted in the Web of Science database, law is the scientific discipline that has invoked Kuhn's paradigm concepts most frequently. In such a tempo, Kuhn's analytic framework for the dynamics of scientific change has already successfully been transplanted to legal scholarship, one product of which we are well acquainted with is the formulation (by means of analogy) and proliferation of the notion of "legal paradigm" (generally, see, e.g., Habermas 1996; Ziegler 1988; Senn 2014).

Within the process, first of all, legal dogmatists are committed to categorizing legal scholarship as a science, just like the natural sciences, albeit opponents are in existence and are inclined to the opine that legal science is a discipline that is more intimate with social sciences (see, e.g., Samuel 2008; Seipel 1977). Although it is clear, especially by carrying out a closer examination, that paradigms in legal science are different from those in the natural sciences in many ways, the concept as such, according to Seipel (1977, p. 181), is "both relevant and of interest in the area of the law". Thus, in line with this disciplinary nature, Kuhn's concepts—disciplinary matrix, normal science, and anomalies, to name but

few—can be incorporated into academic studies of law. It is apparent that Aarnio's four components of the disciplinary matrix of legal dogmatics (Aarnio 1984, p. 28), Peczenik's disciplinary matrix of legal reasoning (Peczenik 1990, p. 287), and de Vries's normal legal research and modern law anomalies (de Vries 2013, pp. 4–19) are excellent examples in this regard. Therefore, to a large extent, legal scholars could conduct legal research by containing "one important systematic standpoint about Kuhn's own conceptual apparatus itself" (Aarnio 1984, p. 26).

However, the paradigm concepts are animated not only at the macro level, i.e., in jurisprudence, legal philosophy, and general legal theory, but also in specific areas of law (see more in Marcum 2015, p. 228). For example, international law has been beset by the concept of paradigm and its accessories. The settled tone of today's international legal academia demonstrates that "one gets nowhere—in appointments, in promotion, in publication—if one cannot lay the claim to have broken a few paradigms" (European Journal of International Law 2009). The trend "towards a change of the "international law paradigm" to use Kuhn's words" (Åkermark 1997, p. 19) is prevalent. In terms of its effects, Glen (2010, pp. 19–20) pragmatically states that "the notion of revolutionary change, or paradigm shifts, itself provides a useful framework to judge the evolution, current state, and potential future" of international law. In addition to the seemingly structural effects, it is purported that the concrete legal issues at the international level could also be analyzed or addressed by resorting to Kuhn's paradigm concepts. Ben-Naftali and Reznik (2015, p. 339), for instance, draw upon Kuhn's analytical framework to argue that the Israeli committee's report on the West Bank is "epistemologically groundless and ethically blemished".

In the meantime, the variability of paradigm concepts in legal science could be identified with specific attention focusing on the practice on the ground. In fact, some usages of the term "paradigm" in legal settings are beyond "Kuhn's sense of a single, fundamental worldview that includes theories and methodology, held by the proponents of a belief system" (Fellmeth 2016, p. 5). Instead, "the notion of paradigm is relatively undermined", and as Altwicker and Diggelmann (2014, p. 436) further stress, "it can refer to a specific mode of association (society/community paradigm), a level of cooperation (coexistence/cooperation paradigms), to specific conceptual ideas (state-centrism/anthropocentrism paradigm), or to specific value conceptions (particularism/universalism paradigms)". Indeed, an increasing number of (academic) lawyers have perceived and used the notion of paradigm in this "colloquial sense of a typical pattern, model, or (non-Platonic) archetype" (Fellmeth 2016, p. 5). Kuhn has been consequently marginalized in this case. Taking Gillroy's (2013) elaboration on an evolutionary paradigm in international law as an example, there is no single reference to Kuhn in the entire monograph.

In a nutshell, Kuhn's model espouses the revolutionary and discontinuous, rather than cumulative and progressive, hallmarks of scientific change. Therefore, the heart of embracing Kuhn for legal dogmatics is to absorb and digest his food of thought on the formation and transformation of scientific knowledge. Against this backdrop, it is evident that "intellectual inspirations and motivations about law are liable to result in the emergence of a new or fresh dogmatic paradigm", which, in turn, "are able to give us fresh answers to pressing genuine juridical problem" (Aarnio 1984, p. 42). Although the inappropriateness of taking account of the evolution of legal scholarship in Kuhnian terms is still a stringent concern, paradigm shifts have indeed become the (primary) engine of legal innovation (Garoupa and Ulen 2008) or legal originality (Siems 2008) through which legal knowledge constantly evolves.

Unlike the proliferation of paradigm concepts in legal dogmatics, the soil of law and society scholarship inclines to host the germination of the notion of turn. This section intends to reveal the epitome of "turn talk" in socio-legal studies. Again, it is imperative to accentuate the difficulty (even needlessness) to ascertain the exact number of academic turns in socio-legal scholarship. After all, the point here is the implications of such a

surge in the use of “turn talk” for socio-legal studies (and legal science in general). If assuming those turns discussed by Bachmann-Medick in her impactful books (2006, 2016) are dominant in current academic discourse, it is not hard to discern the reverberant turns in socio-legal studies. Table 2 shows a few examples.

Table 2. Examples of turn talk in legal scholarship.

Turns in Social Sciences and Humanities	Main Forms in Legal Scholarship	Selected Examples
Linguistic turn	Law and language, legal linguistics, legal discourse	(Dellavalle 2017; Galdia 2014, 2009)
Cultural turn	Cultural studies of law, legal culture, law and culture, legal consciousness and ideology	(Ewick and Silbey 1998; Moran 2012)
Interpretive turn	Legal hermeneutics	(Taylor 2000; West 2000)
Performative turn	Law and performance, legal performance	(Grunwald 2012)
Reflexive/literary turn	Law and literature	(Posner 1988)
Spatial turn	Law and geography, legal geography	(Bennett and Layard 2015; Braverman et al. 2014; Philippopoulos-Mihalopoulos 2010)
Iconic/pictorial turn	Pictorial law, visual law, law and image	(Boehme-Nefler 2011)

Nonetheless, it is worth noting that the preceding turns have not restrained socio-legal scholars. On the contrary, an increasing number of intellectual perspectives have been proclaimed under the banner of academic turn within the law and society community. For instance, the animal turn, which has mainly been advocated by Irus Braverman based on posthumanism, animal geography, and multispecies ethnographies, contends that law and society scholarship “could greatly benefit from moving beyond the rights discourse of animal law and a new subject of inquiry: *more-than-human legalities*” (Braverman 2015, p. 307). Olson (2016), by drawing upon Bachmann-Medick’s work, incorporates affects into law and literature scholarship by arguing for an affective turn. To unfetter the straitjacket of the epistemologically and politically state-centric theories of law, Xifaras (2016) invites socio-legal scholars to pay attention to a global turn in legal theory that reveres a non-state-centric perspective. In addition, a wide variety of scholarly usages of turn have infiltrated different areas of socio-legal studies, such as property (Blumenthal 2010), governance (Van den Berge 2017), human rights (Pruce 2015), and ethics (Norrie 2000, p. 87).

Yet, such a situation in itself does not necessarily guarantee the equal weight of all academic turns. Much more fundamentally, it is difficult to identify a shared conception of academic turn in socio-legal studies, albeit its wide range of application is a tenable reality. Under such circumstances, the notion of turn is also merely taken for granted in law and society literature. However, Schultz’s *Legal History Turns: Topics and Optic* (2015) is an exception and is probably the only one. In the prologue of a Special Issue of the journal *Law in Context* concerning new directions in legal history and its interdisciplinarity, Schultz specifically locates legal history turns “in the wider intellectual landscape of the proliferation of turns in the 20th and 21st centuries” so that “the tension between turns’ diverse topics and optics” could be investigated (Schultz 2015, p. 1). Under the influence of the AHR Forum on historiographical turns, her analytical framework is intensively subject to a conceptual division of turn’s “topic” and “optic” (primarily relying on Wilder 2012):

“[t]he notion of ‘topics’ describes the diverse array of ‘historiographical markers’ defining the timing of new turns, and the increasing assemblage of subject-matters or disciplines that are described as experiencing a ‘turn’. The notion of ‘optics’ describes the illumination and ‘brighter views’ that turns can cast on the intellectual directions of particular subject-matters or disciplines, to offer new perceptions, understandings or interpretations. Yet one significant concern is that this marker of a ‘turn’ is so overused that it is not generating new ‘optics’ and ways of perceiving”. (Schultz 2015, p. 2, emphasis in original)

Based on the interaction (or tension) induced by Schultz's distinction, legal history turns were consequently illuminated with a positive attitude towards the critical value of the notion of turn. Indeed, as with Schultz, the importance of the notion of turn in a legal context is either explicitly or implicitly respected and appropriated in socio-legal literature. For example, to explain a historiographic turn in international law, Kemmerer affirms that:

“[i]t all depends, however, on the *turn* itself, on *conversation*, the very move we make to put past and present in their respective contextual settings, thereby widening the scope of our inquiry. At the core, it is only the *turn* that matters, and in that movement of distance and immersion, history and theory are closely intertwined”. (Kemmerer 2008, p. 84)

In the wake of the emphasis of the notion of turn, “a turn to history, a firm re-consideration and re-confirmation of the history of a profession, of a discipline and a field of law” (84) were upheld. From a more macro point of view, international law's contemporary knowledge production is actually characterized by the concurrence yet rivalrousness of international legal positivism and legal realism (see, e.g., Kammerhofer and d'Aspremont 2014). However, the recent development illustrates the increasing dominant or popular position that legal realism and socio-legal perspectives are taking towards international legal scholarship (Lang 2015; Holtermann and Madsen 2015). Such dominance even creates a momentary illusion that we are all international legal realists now (Cohen 2021). The critical features that underpin this situation are the prevalence of interdisciplinary, empirical, and pragmatist approaches to international law, especially in recent decades (Shaffer 2015). Along with these characteristics, international law academia has witnessed the emergence and proliferation of various turns in international law by which the theoretical and methodological insights of other disciplines are able to obtain access to the procedure of international legal knowledge production (as to the reception of other disciplines in international law, see, e.g., Aalberts and Venzke 2017; Klabbers 2005; Roth-Isigkeit 2017).

As one of the most striking examples, international law scholars are “celebrating the historical turn” in which *histories* with and of international law have occupied the pivotal stage of scholarly scrutiny and discourses (see, e.g., Arvidsson and McKenna 2020; Craven 2016; d'Aspremont 2019, 2020; Koskenniemi 2001). As a matter of fact, the historiographic turn has already become one of the most vital perspectives in contemporary international legal scholarship. Primarily initiated by the leading international lawyer Martti Koskenniemi, this turn has obviously gained more attention than others, and the “the growing number of publications on the history of international law has allowed historiographical studies to increasingly influence the study of international law” (Galindo 2005, p. 541) as a whole (see more in, e.g., Craven 2016; Orford 2017). The dominant status of the historiographic turn in international law is merely an example of, on the one hand, the flourishing of historical perspective (e.g., West 1989, p. 871) and, on the other, the unequal treatment of different turns in socio-legal studies.

As a relatively young discipline or field of inquiry, cultural and spatial turns play significant roles in its intellectual trajectory. To some extent, they are exclusively regarded as the major historiographical makers for law and society scholarship. In Ewick and Sarat's reflection upon the development of socio-legal studies, they claim that “whereas the “cultural turn” epitomized the field in the 1980s and 1990s, this current period might be characterized in terms of a “spatial turn”” (Ewick and Sarat 2015, p. xviii). On a similar occasion of celebrating the 50th anniversary of the Law and Society Association, Alfonso-Sierra (2014, p. 14) simultaneously underscores “the new ideas and paradigms” brought by the cultural turn, as well as the reconsideration of “the geographical organization of the field” and “the foci of the research questions” derived from the spatial turn. Even if putting these concrete examples aside, our contemporary leading socio-legal scholars, such as Patricia Ewick, Austin Sarat, and Susan Silbey, can indicate the tremendous impact of the cultural and spatial turns on this field.

5. Concluding Remarks: Embracing Eclecticism in the Name of Turn

After teasing out the general situation of the “turn talk” in socio-legal studies, it is crucial to better understand the underlying mechanism of knowledge formation and transformation between the paradigm concept in legal dogmatics and the notion of turn in socio-legal studies. Notwithstanding differences between individual turns, one of the significant implications, at least for *real* turns, is epistemologically “beyond paradigms” (Sil and Katzenstein 2010). Unlike legal dogmatics, the mainstream socio-legal scholars refer to their intellectual endeavors as social sciences to which the paradigm model of describing the process of knowledge formation does not apply. In contrast with the scientific revolution caused by competing paradigms, each new generation of socio-legal scholars rather “reads the classics; each publication rehearses the approaches it will amend, reject or debunk; and every 20 years or so we write retrospectives” (Ewick 2007, p. 5). Furthermore, in essence, a so-called dominant or “agreed-upon” paradigm, as the Kuhnian model suggests, cannot exist in socio-legal studies in light of its most recognizable disciplinary features (Sarat 2004). For example, Philippopoulos-Mihalopoulos attributes the absence of an agreed-upon paradigm—a socio-legal metatheory in his terminology—to:

“the way socio-legal research theory and method have developed. This is probably a strategic and possibly polemical omission: socio-legal research prides itself on its groundedness, social contextualization and transformative potential. this, combined with a widespread skepticism towards theory, makes it hard or even undesirable for socio-legal research to think of a metatheory, namely to *observe itself as theory*”. (Philippopoulos-Mihalopoulos 2016, p. 246)

Due to the absence of “a common core of theoretical assumptions and methods”, and together with other disciplinary characteristics, namely, the soft boundary and fragmentation, law and society scholarship “appears to some as eclectic and non-cumulative” (Ewick and Sarat 2015, p. xiv). Concerning this epistemological hallmark in socio-legal studies, Ewick (2007, pp. 11–16) elaborately contends the compatibility and virtue of a principled intellectual eclecticism that shuns both dilettantism and orthodoxy. Briefly speaking, eclecticism, as an epistemological foundation, is a concomitant of the age of interdisciplinarity. It rejects the disciplinary ways of knowing by engaging with the “critical selection from a variety of existing systems of thought to produce . . . a truth that is “adequate” to the task at hand” (Ewick 2007, p. 11). In this respect, one of the core values of adopting eclecticism in socio-legal studies refers to cross-disciplinary borrowings. In effect, it is consistent with the fundamental nature or structure of this field of inquiry, as it has already encompassed various types of disciplines, theoretical perspectives, and scientific methods since the very moment of the marriage between legal realists and sociologists. In the context of cross-disciplinary borrowings, socio-legal knowledge “emerges in fits and starts as scholars explore the empty spaces between disciplinary frontiers, appropriating and recontextualizing what has been “borrowed”” (Ewick and Sarat 2015, p. xv). Within its expansion and accretion process, the market for “law-and” is full of energy and diversity (Ellickson 1997). In other words, the “law-and” enterprise is one of the primary forms of eclectically developing law and society scholarship.

This is an entry point where the notion of turn sheds its peculiar light on the scientific advancement of socio-legal knowledge. Accordingly, it is argued that academic turn is an indispensable yet currently underestimated conduit in the process of “expansion, diversification and accretion” of law and society scholarship (Ewick and Sarat 2015, p. xiv). Ideally speaking, the anticipated cross-fertilization of ideas could occur through individual turns. Academic turns epistemologically encourage the production of eclectic knowledge that “strives to think of the various dimensions of the studies phenomena in their ensemble, relatively indifferent to the disciplinary origin and the disciplinary coherence of the theoretical tools which are mobilized” (Xifaras 2016, p. 238). In so doing, the *others* of the “law-and” enterprise could be informed by the established analytical categories, such as culture, space, power, history, and narrative, in a transdisciplinary environment. Furthermore, it is of significance to notice that these analytical categories not only add new objects of study but

also become “a tool and medium” of socio-legal knowledge itself (Bachmann-Medick 2016, p. 16).

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