
EDITORIAL POSTLUDE

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Disciplined Conduct of Interdisciplinary Research

Many years ago, an article in a respected marketing journal reviewed then-recent deceptive advertising cases that engendered a new type of consumer remedy in Federal Trade Commission orders. Unfortunately, the article also stated that the commission's authority to impose this type of requirement on advertisers had been upheld by the Supreme Court, citing the court's denial of *certiorari* in one case. Anyone with the slightest knowledge of U.S. legal procedures knows that a party who wants the nation's highest court to review a decision of a federal or state court files for a writ of *certiorari* in the Supreme Court, which it grants at its discretion. Denial of *certiorari* is reported in the case lists, but it only means that the court refused to hear the case. Absent the extremely rare comment on the refusal, the reasons for denial are not known. In legal terms, since the Supreme Court had not heard any appeals on those orders, the Federal Trade Commission's power remained in doubt beyond the single appellate jurisdiction that generated the attempted final appeal.

Seeing the citation as marring an otherwise informative detailed descriptive study of regulatory activity, a young assistant professor who spent some semesters in law school before his doctorate contacted the journal editor about publishing a correction or at least a comment on the law. The editor consulted with other marketing experts who, along with the editor, erroneously concluded that a correction was not needed because they believed denial of *certiorari* means the Supreme Court endorses the appellate court decision. Later that year, another article in the same journal discussed how the Federal Trade Commission could do more to "punish" deceivers, not realizing that the commission cannot use punitive remedies or what the term punishment means to lawyers. Later still, under a different editor, an article referenced marketing journals in analysis of advertising regulation and the First Amendment to the U.S. Constitution, with the

authors exhibiting a misunderstanding of the constitutional issues such that their analysis involved several legal errors.

This problem works both ways. News coverage of articles in prestigious medical journals frustrates experts on consumer psychology when the article is social science, not medical. Even if the study applies a technically correct method, relevant theories are ignored as the results are presented as a basis for wildly inappropriate conclusions that the news media are only too happy to report. Articles in law journals will sometimes go beyond the authors' expertise in legal analysis to assert invalid presumptions about existing social science theories or research. As a result, experts in consumer decision making know that publications in law reviews might contradict the material found in basic psychology, business or mass communications undergraduate textbooks. It is lawyers who still state a concern about advertisers' use of subliminal advertising messages, as if there existed a valid reason to think it was in use at all or that it would impact consumer decision making.

These oversights are easy to understand in the context of who makes the editorial decisions for different publications. The journals dealing primarily with persuasion and consumer behavior concerns might not use lawyers for their double-blind referees since the focus of the journals is on research and theory development wherein the legal concerns could be merely a side issue of the studies. Law journals publish articles based on the expertise of members of the law review; medical journal editorial boards are staffed with medical experts. (For greater discussion on this related to public policy research, see Rotfeld and Stafford 2007.)

This is not to denigrate individual authors, publications, or journals. Nor is this being raised as an excuse to repeat the simple but often-ignored fact that publication in a journal does not certify all aspects of the research as "correct." Also, this is not to assert that the lawyers are dumb as posts when dealing with mass communications and persuasion. Nonlawyers are capable of understanding the basic concerns of legal regulatory interests.

But an empirical study of issues raised by government regulations should not be sloppy in its statement of those basic legal issues, just as a legal study that references consumer research should not ignore basic consumer psychology theories. A person wishing to learn the law should not rely on communications or business journals for a thorough analysis of legal concerns, any more than a person wishing to learn attitude theory should depend upon law reviews or the *Journal of the American Medical Association*.

The wide array of authors and department affiliations published in *Journal of Consumer Affairs* is testimony to the variety of perspectives that can be applied to the issues of the consumers' interests. For many

manuscripts, multiple co-authors can be found who are in seemingly unrelated department areas. It presents a special problem for the editor, as reviewers are contacted with expertise on various parts of the paper, the topic, the research method, or the analysis. While the journal is not dedicated to one type of research, many different types of experts are represented on the editorial board and among the ad hoc reviewers. In commentaries in this and recent issues, we have published warnings and caveats on uses and abuses of various studies or areas where authors must be careful to not claim greater findings than the data allow (e.g., see Carlson 2008; Richards 2009; Royne 2008).

Just because a work is interdisciplinary does not mean it should lack discipline.

REFERENCES

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