Book Review: Juris Types, Learning Law Through Self-Understanding

Richard E. Redding

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Book Review


Reviewed by Richard E. Redding

*Juris Types: Learning Law Through Self-Understanding*, five published law review articles, and an increasing number of law school educators and deans propose that legal pedagogy be guided in part by Carl Jung’s Psychological Type Theory and the Myers Briggs Type Indicator (MBTI), which is probably the most widely used personality test in the world today. But Jungian theory has been discredited, and academic psychologists eschew the MBTI as an invalid test. Law schools would be wise not to adopt these pseudoscientific variants of the newspaper horoscope, but for reasons well understood by psychologists, their appeal is difficult to resist.

*Juris Types* promises to “guide students through a process of self-discovery that will help them adapt successfully to the culture of law school and the legal profession” (1). The book is designed to identify students’ styles of perceiving, learning, and interacting with others so that students can recognize their preferred styles and adapt their study habits and lawyering skills accordingly. No type is superior to any other, but each carries with it strengths and weaknesses, which the authors delineate with respect to law study generally, study habits, use of study groups, ways of organizing information, essay and multiple-choice exam taking, and differential motivation and career goals. In addition, the book is marketed to law professors as a useful tool for structuring course content and individualizing instruction (4-6).

The book’s approach is based explicitly on Carl Jung’s theory of “psychological types,” as assessed primarily by using the Myers-Briggs Type Indicator (12-13),

Richard E. Redding is professor of law at Chapman University Law School.

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Reference to *Juris Types* will appear as parentheticals in the text.

1. “These courses address basic tasks involved in gathering information and facilitating decision making that are influenced by the core mental processes described by type theory and measured by the MBTI instrument…. Different material often energizes one group while not engaging another. We believe that psychological type preferences often influence these reactions and that type theory provides strategies to more effectively teach to a variety of students’ interests” (4.6).
a longstanding test used to identify personality type. It includes worksheets (also included on the CD-ROM) to help students identify their psychological type and the most effective learning and study strategies for their type. Based on MBTI data collected at the University of Florida College of Law, the book purports to tell us the percentage of each psychological type likely to be found among law students.

*Juris Types* has been adopted or endorsed by several law schools. Elon Law School Dean Leary Davis recently mailed a letter, along with a copy of *Juris Types*, to law school deans. Dean Davis said that Elon, which “aspire[s] to create a national model for engaged learning in legal education, ha[s] made *Juris Types* a key component of its orientation and executive coaching programs, and we urge other law schools and law firms to consider doing the same.” He considers *Juris Types* to be a “much-needed guide to professional development for law students and lawyers.” The Associate Dean at Florida A&M Law School opines that *Juris Types* “has the potential to change the lives of bewildered and frustrated law students. The book should be required reading for all law students and any faculty member or administrator who works with law students” (back cover). Other legal educators—mainly clinical and legal writing professors—similarly endorse the book, calling it a “landmark contribution to the field of legal education” and a “must-have resource for law students” (back cover).

Five law review articles, two by the book’s authors (one entitled “*Forever Jung...*”) have also advocated using Psychological Type Theory (PTT) and the MBTI in legal education, applying them to enhance the performance of first-year law students, clinical education, and the teaching and learning of interviewing and negotiation skills. Professor Gilchrist reported that she began her courses by having students complete the MBTI and a goals questionnaire. Students were grouped according to their personality type. “A very dramatic exercise is one in which the class is asked to align themselves on

2. Letter of Leary Davis, Dean and Professor of Law at Elon University School of Law, June 28, 2007.
a continuum, the left side being those who must work first and then play, the right side being those who play and then work…. Often, the persons at the polar points cannot understand how the persons at the opposite end can function the way they do.” She notes that students in the “extrovert-sensing” group “immediately started talking to each other and fairly quickly made their decisions,” whereas those in the “introvert-sensing” group “sat very quietly reading the written instructions...before any one of them spoke to the rest of the group.” Students were counseled about the strengths and weaknesses of their type, and how they could draw on their strengths and improve their weak areas to achieve their goals. Gilchrist also used knowledge of her own psychological type to adapt her teaching style to her students’ differing types, and used MBTI test results to individualize instruction. Introverted students, for example were encouraged to rely less on written communication and engage in more verbal discussion of cases, whereas extroverted students were encouraged to reflect first on matters before discussing them with the supervisor.9

Several studies have examined the effects of using PTT and the MBTI with law students, but with inconclusive results. Randall administered the MBTI to 154 entering first-year law students and compared their end-of-the-year GPAs across personality types. The differences between the groups were miniscule and statistically non-significant. Yet, these non-findings did not prevent Randall from concluding that the “legal educators could use the MBTI to help students maximize the learning experience.”10 Peters and Peters conducted a pilot study to examine the relationship between students’ type, as measured by the MBTI, and their client interviewing skills. They collected data from twenty-three interviews in divorce cases conducted by twenty-three students in their legal clinic, measuring students’ formulation of questions and responses. They found differences between psychological types in the number of questions asked per interview, open inquiry versus leading question asked, responses that reflected back feelings, and so forth. But the number of students in each comparison group was so small that the results did not permit reliable statistical analysis, and as the authors acknowledge, “[t]he small sample size of the pilot study may limit the value of any conclusions that can be drawn from it.”11

**Psychological Type Theory and the MBTI**

Psychological Type Theory was developed in 1921 by the Swiss psychiatrist and psychoanalyst Carl Jung, who theorized that human personality is organized according to the “attitude” of introversion versus extroversion and the primary mental “functions” of sensing versus intuiting and thinking versus feeling.12 The theory has been popularized and applied almost exclusively by

11. Peters and Peters, Maybe That’s Why I Do That, supra note 6, at 174, 179-80, 188-95.
way of the MBTI, so the extant scholarship focuses on the MBTI and its applications in various contexts. The MBTI “is unusual among personality assessment devices…it is widely used to explain individuals’ personality characteristics not only to professionals but also to the individuals themselves and to their friends, families, and co-workers.”

It also addresses cognitive or learning styles to a greater extent than most personality tests. The MBTI contains four scales, each having two mutually exclusive polarities that gauge how individuals orient their life (Introverts vs. Extroverts), perceive and gather information (Sensors vs. Intuiters), makes decisions (Thinkers vs. Feelers), and interact with the world (Judgers vs. Perceivers).

The scales are combined to classify individuals as belonging to one of sixteen personality types. Thus, one may be an “ISTJ” (Introvert-Sensor-Thinker-Judger) type or an “ENFP” (Extrovert-Intuiter-Feeler-Perceiver) type, and so forth. Proportionately associated with each type are characteristic career interests and patterns of relating to the world and others.

The MBTI is widely used, and the test’s history is instructive for appreciating its dubious origins but current popularity. The MBTI was developed in 1943,

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16. Introverts prefer “the inner world of concepts and ideas;” extroverts prefer the “outer world of actions, objects, and persons.” Sensors perceive directly through their senses and prefer “immediate, real, practical facts of experience and life;” intuiters make greater use of intuition to grasp the “possibilities, relationships, and meanings of experience.” Thinkers prefer to make decisions “objectively, impersonally, considering causes of events and where decisions may lead;” feelers decide “subjectively and personally, weighing values of choices and how they matter to others.” Judgers like to get closure on decisions and tasks and prefer to live in a “decisive, planned, and orderly way, aiming to regulate and control events;” perceivers may be prone to procrastination and live in a “spontaneous, flexible way, aiming to understand life and adapt to it.” Id. at 298.
17. For ease of reference, the sixteen types are often grouped under four broader categories: sensing-judger, sensing-perceiver, intuitive-feeler, intuitive-thinker. See David Keirsey and Marilyn Bates, Please Understand Me: Character and Temperament Types 27-65 (Del Mar, Cal., 1978).
18. For example, the personality and behavioral descriptors for the ISFJ type include: “[q]uiet, friendly, responsible, and conscientious. Work devotedly to meet their obligations and serve their friends and school. Thorough, painstaking, accurate. May need time to master technical subjects, as their interests are usually not technical…. Loyal, considerate, concerned with how people feel.” McCaulley, Jung’s Theory of Psychological Types, supra note 15, at 306
19. For a fascinating historical account of the MBTI and its development, see Anne Murphy Paul, How Personality Tests Are Leading Us to Miseducate Our Children, Mismanage Our Companies, and Misunderstand Ourselves 105-38 (New York, 2004).
not by psychologists or professional test developers, but by a housewife (Katherine Briggs) and her daughter (Isabel Myers) at their kitchen table in Swarthmore, Pennsylvania. Neither had any background or training in psychology or education, though Myers did graduate first in her class from Swarthmore College. Briggs wanted to “figure out” her daughter’s new boyfriend (perhaps she was an overly protective mother), so she went to her local public library to read books on personality. Already armed with her layperson’s intuition that there are different “types” of people, she was drawn to Jung’s *Psychological Types*. Briggs was enamored with the theory, finding that it explained her family members and daughter’s boyfriend (whom she classified as an “introvert-sensor”) perfectly. Jung’s book became her “Bible,” as she put it, for understanding self and others. Her daughter felt the same way. Myers set out to develop a test to assess personality type. After several years of library research and question drafting, Myers had developed “the Indicator,” which she “tested” on her son’s classmates at Swarthmore High School and several other college and university samples of convenience.

Myers was anything if not grandiose about the test’s potential to save mankind by giving people a greater understanding of self and others. The test apparently also held great potential for understanding international relations and world history. She opined, for example, that President Woodrow Wilson’s ineffective negotiations at Versailles were due to his failure to recognize his own introversion. Had he done so, World War II might have been prevented(!). National characters could similarly be explained by psychological type. According to Myers, “[i]n the early days of colonial America, the appeal of the New World’s possibilities were probably felt so much more strongly by intuitives than by sensing types that it introduced a potent factor of selection.” There was little about human behavior, it seemed, that could not be explained by PTT and the MBTI.

But the MBTI got a rather chilly reception from the professional, and particularly the academic, community. Jung himself was decidedly less than enthusiastic. Among psychologists, the notion that there are different psychological types of people had fallen into disfavor. The Educational Testing Service (ETS), renowned for the development of psychoeducational tests such as the SAT, evaluated the MBTI for possible distribution and “derided it as unscientific rubbish,” noting that “Mrs. Myers has dedicated her life and that of her family to the concept of type; she believes it to be a profound and extremely important social discovery.”

Yet, for reasons that are not entirely clear, the MBTI gradually attracted a following, initially among career counselors. Although the MBTI and PTT

20. *Id.* at 106-12.
21. *Id.* at 116.
22. *Id.* at 114-15, 118, 119.
23. *Id.* at 120.
never were accepted by the academic community, there was one notable exception—Professor Mary McCaulley, a psychologist at the University of Florida. In 1972, McCaulley and Myers founded the Center for Applications of Psychological Type (publisher of *Juris Types*) and later the Association for Psychological Type (publisher of the *Journal of Psychological Type*). In 1985 came the best-selling book *Please Understand Me: Character and Temperament Types*, a popularization of the MBTI, followed in 1988 by *Type Talk: The 16 Personality Types That Determine How We Live, Love, and Work*. In 1999, the non-profit Myers & Briggs Foundation was established to “extend[] the benefits of psychological type throughout the world.”

Indeed, the MBTI has now become probably the most widely used personality test on the planet. Translated into sixteen languages, it is used by organizations of all stripes and most Fortune 500 companies. The MBTI became wildly popular in the 1980s and 1990s among amateur organizational psychologists—corporate trainers and management gurus—who rode the entertainer circuit pushing this easily administered and scored pseudoscientific test in every organizational setting imaginable. (It was not uncommon to walk into an office setting and find that workers had posted their Myers-Briggs type under their name plate so that colleagues would know how best approach them when they entered their cubicles.) The test is used by counselors, management consultants, and human resource professionals as a tool for career counseling, personnel selection and management (including the selection of work teams), understanding learning and leadership styles, and improving interpersonal relationships and communication skills.

### The (In)Validity of the MBTI

Peters and Peters assert that “[t]he MBTI instrument has been extensively validated and now is generally acknowledged as the most frequently used measuring device employed with normal, psychologically healthy individuals”

24. *Juris Types* co-author Martha Peters received her Ph.D. in educational psychology from the University of Florida and she considers McCaulley to be one of her mentors (xvii, 274).


26. Paul notes that “[p]sychological type has built a private world around itself, an intimate universe that has no need for external validation...and has its own network outside of psychological science’s usual checks and balances.” Id. at 135-36.

27. Id. at 122.


30. Id.

31. Id.

But that is not the consensus among academic psychologists, as distinguished from the “Dr. Phil” types so responsible for its popularization. *Science and Pseudoscience in Clinical Psychology*, edited by leading psychologists and devoted “to distinguishing scientifically unsupported from scientifically supported practices in modern clinical psychology,” includes a chapter entitled *Controversial and Questionable Assessment Techniques*. There are hundreds of psychological tests currently in use, but the authors selected the MBTI as one of the five leading examples of popular but highly suspect tests.

Their conclusion echoes those of previous academic reviews. Reviewing data on the validity of the MBTI in 1995, Boyle said that practitioners should “be cautious in undertaking personality assessments with this instrument. The current enthusiasm for the MBTI is certainly not warranted on psychometric grounds.” In 1991, the prestigious National Academy of Sciences/National Research Council concluded that “the popularity of this instrument in the absence of proven scientific worth is troublesome…[m]uch of the current evidence is based on inadequate methodologies.” (Indeed, many of the studies that appear to validate PTT and the MBTI are methodologically flawed and of relatively low quality, and have been published in low-prestige forums such as the *Journal of Psychological Type*, a journal wholly unknown to most psychologists.) The most recent review of research on the use of the MBTI in education was published by Professor David Pittenger in 1993, who determined that:

Although the test does appear to measure several common personality traits, the patterns of data do not suggest that there is reason to believe that there are 16 unique types of personality. Furthermore, there is no convincing evidence to justify that knowledge of type is a reliable or valid predictor of important


35. See id. at 63-65 (stating that “questions about the reliability and validity of the 16 personality types and evidence of the limited correspondence between the MBTI and other global measures of personality and vocational interests render the test suspect as an assessment tool. . .psychologists are advised to rely on personality and vocational interest tests that have a sounder empirical basis.”)

36. Boyle, Myers-Briggs Type Indicator, supra note 14 at 74.


38. See id. at 98-99.

39. Paul, How Personality Tests are Leading Us, supra note 19, at 133; National Research Council, In the Mind’s Eye, supra note 37, at 99 (noting that “few studies appear in mainstream journals”).
behavioral conditions. Taken as a whole, the MBTI makes few unique practical or theoretical contributions to the understanding of behavior.\textsuperscript{40}

As Isabel’s son, Peter Myers, recently complained, “the supreme thing that has not yet happened is the acceptance of Jungian psychology and the MBTI by the academic community.” Jungian theory has been largely discredited.\textsuperscript{41} A phone booth could hold the number of academic psychologists or psychiatrists who consider themselves to be Jungians in any significant sense (though the theory still finds a home in some independent psychoanalytic training institutes). The MBTI is eschewed by psychologists as an invalid and perhaps somewhat unreliable test that flies in the face of modern psychological theory and research.\textsuperscript{42} Personality research does not support the notion that there are distinct psychological types, much less sixteen types,\textsuperscript{43} and studies have found a poor fit between MBTI test data and the sixteen putative types.\textsuperscript{44}

\textsuperscript{40} David J. Pittenger, The Utility of the Myers-Briggs Type Indicator, 63 Rev. of Educational Res. 467, 483 (1993).

\textsuperscript{41} Paul, How Personality Tests are Leading Us, supra note 19, at 132.

\textsuperscript{42} See generally Don McGowan, What is Wrong with Jung (Amherst, NY, 1994). As a leading personality textbook indicates, “the bulk of Jung’s theory was not received enthusiastically by psychologists.” Duane P. Schultz and Sydney Ellen Schultz, Theories of Personality 120 (New York, 2005).

\textsuperscript{43} In psychometric theory, “validity” refers to the degree to which a test truly reflects what it is supposed to be measuring—in this case, personality functioning. “Reliability” refers to the extent to which a test provides a consistent measurement.

\textsuperscript{44} See Paul E. Meehl, Factors and Taxa, Traits and Types, Differences of Degree and Differences in Kind, 60 J. Personality 117 (1992); John E. Barbuto, A Critique of the Myers-Briggs Type Indicator and Its Operationalization of Carl Jung’s Psychological Types, 80 Psychological Rpts. 611, 617-21 (1997); Anna-Marie Garden, Unresolved Issues with the Myers-Briggs Type Indicator, 22 J. of Psychological Type 3, 8-9 (1991). For example, McCrae and Costa, Reinterpreting the Myers Briggs Type Indicator, supra note 13, at 32, found in their study of the MBTI that “[c]onsistent with much previous research, the study found no support for the typological theory the instrument is intended to embody. There was no evidence that preferences formed true dichotomies; the 16 types did not appear to be qualitatively distinct” (internal citation omitted).

“Psychometricians are troubled by the conception of psychological types and the limited evidence that the MBTI measures anything other than quasi-normally distributed personality traits.… The authors of the MBTI, however, have adopted the interpretation that types are mutually exclusive groups of people, and that the cutting point between them is not arbitrary, but a true zero point. The most persuasive evidence for this would be a clear bimodal distribution of preference scores. None of the MBTI indices show bimodality.” McCrae and Costa, Reinterpreting the Myers Briggs Type Indicator, supra note 13, at 20.

\textsuperscript{45} Hunsley et al., Controversial and Questionable Assessment Techniques, supra note 34, at 63 (citing studies). See e.g., Maurice Lorr, An Empirical Evaluation of the MBTI Typology, 15 Personality & Individual Differences 1141, 1144 (1993) (finding that “[t]he results establish that few of the MBTI types appear when cluster analytic techniques are applied to MBTI score profiles”).

Many of the limited number of research studies that appear to validate the MBTI are methodologically flawed. See Boyle, The Myers-Briggs Type Indicator, supra note 14, at 72 (discussing methodological flaws in studies). For example, researchers often use MBTI data
While the MBTI dichotomizes people as being either introverts or extroverts, thinkers or feelers, and so on, modern psychology conceptualizes personality differently. Complex personality traits exist along a continuum, and the side of the continuum on which one falls often varies across time and situations. Moreover, since the MBTI relies on cutoff scores to determine type, a one-point difference can determine whether one is classified as being of one type versus another, and transient changes in a test taker’s mood can significantly alter the results. Finally, most studies show that the MBTI does a poor job of predicting or improving academic or job performance,

46. In the MBTI, “the person is either an extrovert or an introvert...there is no recognition that a person may be partially extroverted and introverted. It is believed that, while behaviors will certainly contradict preference from time to time, the preference a person has for one type over another will not vary across situations and time.” Barbuto, A Critique of the Myers-Briggs Type Indicator, supra note 44, at 614. The MBTI’s bipolar dichotomization of personality traits is apparently even somewhat inconsistent with Jung’s theory, which assumed that people also behave in ways opposed to their preferences and that not everyone was a type. Barbuto, A Critique of the Myers-Briggs Type Indicator, supra note 44, at 614-15; Garden, Unresolved Issues, supra note 44, at 7. For example, extroverts also have some characteristics of introverts and behave as introverts in many circumstances. Coe, The MBTI: Potential Uses and Misuses, supra note 32, at 512-13.

To their credit, Peters and Peters readily acknowledge that classifying people according to type involves only a generalization about the individual’s personality, that people do not always behave according to their type, and that even people of the same type may differ.

47. One of the most widely accepted models of personality is the so-called “5-Factor Model of Personality,” which was derived from a sizeable body of empirical research suggesting that there are five key personality traits, each of which exists along a continuum: extroversion, neuroticism, openness to experience, agreeableness, and conscientiousness. See generally The Five-Factor Model of Personality: Theoretical Perspectives (John S. Wiggins ed., New York, 1996); Robert R. McCrae and Paul T. Costa, Nature Over Nurture: Temperament, Personality, and Life-Span Development, 78 J. Personality & Soc. Psychol. 173 (2000).

The MBTI may assess about 30 percent of personality functioning, but with less specificity than other personality tests. See Boyle, Myers-Briggs Type Indicator, supra note 14, at 71; McCrae and Costa, Reinterpreting the Myers Briggs Type Indicator, supra note 13, at 36. One aspect of PTT and the MBTI is entirely consistent with modern personality theory—the introversion-extroversion dimension (though other personality and vocational tests assess this trait better), and the other dimensions of the MBTI may overlap some with the NEO Personality Inventory, a much more refined and accurate personality measure based on the Five-Factor Model of personality. See McCrae and Costa, Reinterpreting the Myers Briggs Type Indicator, supra note 13, at 32-36.

48. See Lorr, An Empirical Evaluation, supra note 45, at 1144 (noting that “scores are quite sensitive to the unreliability of subject response. A subject’s change on a single marker item can alter his/her preference score which in turn will alter the person’s categorization from Extravert or Introvert, or from Practical to Theoretical. It implies that the subject changed in personality on the basis of a single response (!).”)

49. See Boyle, Myers-Briggs Type Indicator, supra note 14, at 72; Paul, How Personality Tests are Leading Us, supra note 19, at 133.
teamwork, or managerial effectiveness. The studies that do yield positive findings in this regard generally report rather modest effects.50

The Appeal of the MBTI and Juris Types

But if the MBTI has been rejected by academic psychologists, what accounts for its popularity?51 Unlike most personality tests, its orientation is entirely positive.52 The sixteen personality types are said to be equally desirable—“gifts differing” as Myers put it. Human behavior is enormously complex and often situationally specific, and so even the best personality tests account for only a modest portion of the variability in behavior. But the MBTI promises a relatively simple, appealing approach for understanding self and others,53 providing the illusion that one understands self and others, and can therefore predict the behavior of both. (Moreover, once people accept the notion that they are a particular type, they will tend to credit confirming evidence and ignore disconfirming evidence).54 As Paul explains:

Peter Myers explains that his mother “called it the ‘aha’ reaction, an expression of delight that so often came with a person’s recognition of some aspect of their personality identified by the Indicator”…. No longer complicated and mysterious, friends, family, and acquaintances are now easily understood with reference to their types…. The test taker is no longer an ambivalent, uncertain individual, struggling along in a confusing and sometimes unfriendly world. With the help of the Myers-Briggs, she’s become a person with a firmly fixed identity, occupying a snug niche in an orderly universe full of people just like her.”55

Indeed, those who take the test often come away feeling that it describes them well.56 But as psychologists know, this has little bearing on its validity, because people cannot always introspect on their own personality with great

50. See Pittenger, The Utility of the Myers Briggs Type Indicator, supra note 40, at 476-78 (reviewing studies); Boyle, supra note 14, at 134 (citing studies); Hunsley, et al., Controversial and Questionable Assessment Techniques, supra note 34, at 63 (accord).
51. As Paul observes, “[t]he warnings of academic psychology seem to have dissuaded few admirers of the Myers-Briggs…. Those who love type have been seduced by an image of their own ideal self, have fallen for a rosy vision of their own potential.” Paul, How Personality Tests Are Leading Us, supra note 19, at 135.
52. Id. at 128-31; National Research Council, In the Mind’s Eyes, supra note 37, at 100.
54. Id. at 130-34.
55. Numerous studies demonstrate that people have confirmatory biases, whereby people tend to evaluate new information and evidence so as to make it fit with their prior conceptions, often by over-emphasizing confirming evidence and discounting contrary evidence. See generally Raymond S. Nickerson, Confirmation Bias: A Ubiquitous Phenomenon in Many Guises, 2 Rev. Gen. Psychol. 175 (1998).
56. Paul, How Personality Tests Are Leading Us, supra note 19, at 130-32.
57. Id. at 130.
accuracy and also because of the horoscope-like quality of insights provided by the MBTI. As McCaulley explained, “Myers blocked out a broad territory...a theory and an instrument that attempt to deal with perception, with decision making, and with individual’s inner and outer worlds touch on every major concern of psychology.”58 Therein lies the problem. The MBTI types are so broad as to have little explanatory or predictive value. For example, INTJ types are said to be characterized by their “depth of concentration, grasp of possibilities, logic and analysis, and organization,” while their polar opposite, ESFP types, are characterized by their “breadth of interests, reliance on facts, warmth and sympathy, and adaptability.”59 As the National Research Council explained, such descriptions “are sufficiently vague to apply to a large number of people in a wide variety of situations.”60 The same is true of many of the insights provided by Juris Types. For example, we are told the following with respect to ISTJ types:

**Strengths in law study:** ISTJs prefer to to deal with the practical applications rather than the abstract theoretical discussions.... They do not like environments where the rules change constantly, so law with its tradition, order, and practical application feels right. **Challenges:** ISTJs gather and hold a great deal of information...that sorting through and finding the main concepts can provide a challenge, particularly as the semester progresses.... Policy arguments tend to challenge ISTJs. **Studying:** [T]hey may tend to accept the rationale and analysis of the court as presumptive authority and not seek arguments for the “other side.” They also may risk locking into a predominantly factual learning process. **Study groups:** ISTJs find study groups are extremely useful, particularly if members have different type preferences.... They may become impatient if others do not approach the work seriously and meet their responsibilities to the group. **Organizing information:** [T]hey may become so captivated by an attempt to include in their outline everything to which they have been introduced that they do not have time to pull out the main concepts. For this reason, it is sometimes helpful to start from a framework and to add and distill from that basis. **On exams:** They must look for ambiguities in fact scenarios that lead to alternative arguments and not be satisfied with one way out.... The more tired ISTJs become in an exam or through the exam period, the harder they must work to alert themselves to consider alternative analyses. **Motivation:** They want to learn the pragmatic information and procedures that lawyers need to know. Most ISTJs are motivated to become practicing attorneys. **Career goals:** They find themselves in a variety of legal positions. They want to learn to become effective members of a time-honored profession and are willing to work hard and apply themselves to this end (183-87).

Their approach to legal education has not been tested empirically, but Peters and Peters insist that their students “consistently reported that the

59. Id. at 305.
60. National Research Council, In the Mind’s Eye, supra note 37, at 100.
insights gained from working with psychological type concepts helped them understand and improve their study and exam-taking skills” (xvii).

Peoples’ reactions to insights provided by the MBTI and *Juris Types* are perhaps best explained by what psychologists call, based on Professor Forer’s famous experiment, the “Barnum effect.” Forer gave college students a purported “personality test.” But unbeknownst to them, each of the students received exactly the same test results, which Forer had taken from a horoscope (e.g., “You prefer a certain amount of change and variety and become dissatisfied when hemmed in by restrictions and limitations”). When asked to judge the degree to which they thought the results accurately described their personalities, most said they described them very accurately, and 40 percent said they described them *perfectly* accurately. Other research shows that people are particularly likely to believe psychological test results that paint a positive picture, just as the MBTI does with its sixteen types.

Peters falls deep into the Barnum effect trap. Responding to criticisms of the MBTI, he asserts that “[t]he ultimate determination about a MBTI's reliability rests with the individual's assessment of its accuracy. Many students commented about how accurately their MBTI profile fit them. Sample comments included: … I was amazed how accurately [the MBTI] depicted what I knew was typical behavior for me.” Peters and Peters acknowledge that their approach “is vulnerable to an argument dismissing its values by analogizing to astrology,” noting that some have found that “lawyers and judges frequently draw this analogy when initially presented with MBTI theory and explanatory material.” Indeed.

**Conclusion**

To be sure, *Juris Types* is full of useful study tips for law students. But many of these would be useful to anyone, regardless of their psychological type. For instance, when evaluating their answers on practice examinations, students are advised: “Check off facts in the problem each time you use them in your answer. See if there are important facts you might have overlooked. Highlight the facts in one color and the legal analysis in another. If your colors exist in separate chunks you may not be correctly applying law


63. Id. at 155.

64. See Peters, Forever Jung, supra note 3, at 21 n. 87; Peters and Peters, Maybe That’s Why I Do That, supra note 6, at 182-83; (providing a limited response to several criticisms of the MBTI and PTT).

65. Peters, Forever Jung, supra note 3, at 22 n. 88.

66. Peters and Peters, Maybe That’s Why I Do That, supra note 6, at 182 & n. 47.
to facts.” But “sensor-intuiters” are particularly advised to make sure that they have not misunderstood the directions, made premature assumptions, ignored key facts, made leaps of logic, or focused on tangential facts (177). It would, of course, be quite worthwhile to consider such factors whether or not one is a “sensor-intuiter.”

Yet, using the MBTI and PTT as proffered by *Juris Types* entails real risks and opportunity costs. It may produce what psychologists call “iatrogenic effects,” which is when an intervention actually hurts more than it helps. It unavoidably will pigeonhole and stereotype students—to themselves and their professors—as being of a certain type. As Pittenger observes:

>The concern here is the degree to which [the MBTI] predisposes individuals to make misattributions about their own and others’ behavior…. The research on self-fulfilling prophecies suggests that people will develop expectations when they are given basic descriptive information about another person. These expectations can dramatically alter the nature of the interaction between the individuals, and they may be self-perpetuating because people will selectively remember and interpret the behavior of another using the stereotype as a heuristic filter.67

To make matters worse, given the invalidity of the MBTI and PTT, they likely will erroneously pigeonhole students into particular types, either incorrectly identifying their strengths and weaknesses68 or identifying them correctly but in such a global fashion (like a horoscope) as to be of little use. Consider also the time required to take the MBTI and work through the various detailed exercises offered in the book.

>Without question, *Juris Types* is an ambitious and substantial work conceived with the very best of intentions. But law schools would be wise not to adopt its approach of using Psychological Type Theory and the Myers-Briggs Type Indicator test – pseudoscientific variants of the newspaper horoscope—to improve teaching and learning. Being “forever Jung” is appealing, but not a smart strategy for mature law schools and their students. This is a sophisticated parlor game. One might call it *Juris (Mis)Types.*


68. See e.g., McCrae and Costa, Reinterpreting the Myers Briggs Type Indicator, *supra* note 13, at 35 (noting that “most individuals will probably accept at face value whatever description is provided. This system errs in two ways: by misclassifying many of the individuals who are near the cutting point, and by failing to note the large differences that may be found within type between those with strong and weak preferences.”)