

# THE WORLD OF INTERNATIONAL & COMPARATIVE LAW JOURNALS

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## I. INTRODUCTION

Nearly 600 academic journals across the globe are dedicated to the publication of international and comparative law scholarship. But what is known about them, and about their management? This Essay provides a first glimpse into the world of international and comparative law journals, their features, and trends surrounding their rise and their publishing practices. Drawing from an original data set, the Essay begins to answer some long-standing questions about how the opaque world of law review publishing operates.

There are more international law journals than any other type of specialty law journal.<sup>1</sup> They have proliferated throughout the twentieth century and into the twenty-first. Many are published by major publishing houses such as Cambridge University Press (CUP) and Oxford University Press (OUP). The map of international law journals is so vast that it seems nearly impossible to measure or understand, and to account for the diversity in type, language, and geographic home. The landscape is finite, however, and it has contours that can be identified, as this Essay shows.

This Essay assembles what we believe to be the most complete database of information regarding international law and comparative law journals from around the world. Drawing from library and electronic database indexes,<sup>2</sup> lists compiled by international societies,<sup>3</sup> and other personal sources, we have identified a collection of 594 journals and, more importantly, information about how they operate. We have begun to address previously unanswered questions: How many international and comparative law journals are there? What kinds of articles do they publish, and by whom? What outlets publish them? Who are the gatekeepers to publication in these journals, and what do we know about those actors? What kinds of funding or other institutional support do they receive? How do they rank in impact as compared to other journals? Getting at these questions requires first determining what counts as an “international law” or “comparative

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<sup>1</sup> See *W&L Law Journal Rankings*, WASH. & LEE SCHOOL OF LAW, <https://managementtools4.wlu.edu/LawJournals/> (last visited Jan. 8, 2024).

<sup>2</sup> See, e.g., WEB OF SCIENCE, <https://www.webofscience.com> (last visited Jan. 8, 2024).

<sup>3</sup> See, e.g., *International Law Journals*, EUR. SOC’Y OF INT’L L., <https://esil-sedi.eu/international-law-journals/> (last visited Jan. 8, 2024).

law” journal, as we explain below. These data then prompt additional analytical and explanatory research exploring why there are so many specialized journals in the field, whether and where specialization matters, and likewise, whether and how these journals’ respective operating structures are important.

This review of the landscape of international law journals prompts a set of striking findings. In the parts that follow, the Essay lays out the who, what, where, when, and why concerning the international and comparative law journal universe. It begins in Part II by disaggregating details about the development of these journals along with some notes about methodology. Part III turns to cartography. It reviews where to find these international law and comparative law journals physically, or virtually as the case may be, and charts their rise. Part IV considers the demographics: the publishing house, the editors, and their publishing processes. Finally, Part V turns to the journals’ ranks and interactions. This Essay then concludes by elaborating implications for the way scholars do international law and comparative law scholarship.

## II. THE RISE OF INTERNATIONAL LAW JOURNALS

This Part aims to provide a bird’s eye view of international law journals since the earliest days: the nineteenth century through the present. Not all international law journals are equal—in many respects. Some have long-standing histories, among them those that derive their pedigrees from particular schools of thought. Others are new and may live entirely online.

Ignacio de la Rasilla began this catalog with his 2018 article in the *European Journal of International Law* (EJIL): “A Short History of International Law Journals.”<sup>4</sup> Harlan Cohen has likewise elaborated on student-edited journals in his contribution to this symposium.<sup>5</sup> As Cohen notes there, it was in the 1960s that student-edited international law journals began to multiply.<sup>6</sup> That proliferation is not unique to student-edited journals, however. Among the 594 journals that we reviewed, only 17 existed before 1940 that continue to be operational today. The post-World War II moment led to a big first jump—five journals were created in 1948 alone. Another 13 would emerge in the 1950s, with consistent growth ever since. Perhaps surprisingly, the 1990s, 2000s, and early 2010s were the period of greatest growth in the number of international law and comparative law journals.<sup>7</sup> Figure One shows the number of new international law journals that have been established each year since 1950.

*Figure One: Number of Journals Created Each Year from 1950 through 2023*

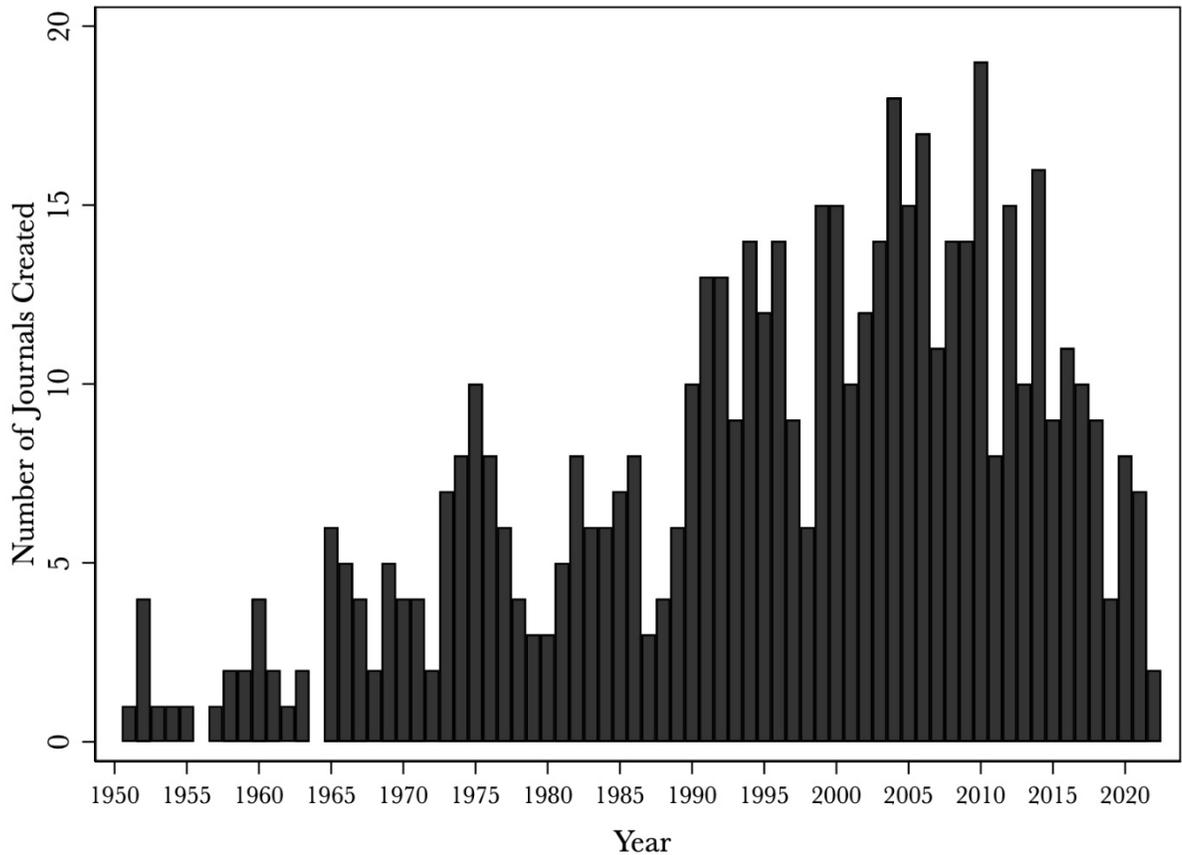
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<sup>4</sup> Ignacio de la Rasilla, *A Very Short History of International Law Journals (1869-2018)*, 29 EUR. J. INT’L L. 137 (2018).

<sup>5</sup> Harlan Cohen, *A Short History of the Early History of American Student-Edited International Law Journals*, 64 VA. J. INT’L L. 361 (2024).

<sup>6</sup> *Id.* at 7.

<sup>7</sup> I do not differentiate between the two for reasons explained further below.



Our research indicates that about 21% of the 594 journals have ceased publication. Identifying precisely when a journal closed its operations is challenging, especially for those journals that are not readily indexed by commercial services. As a result, I cannot identify an average age of journals at the moment of their closure, but those that have closed as of the time of writing opened as early as 1869 and as late as 2020. No distinctive qualities stand out about those that have ceased publication.

One methodological challenge in identifying the universe of international and comparative law journals is that it is sometimes difficult to identify, on the basis of name alone, what journals consider themselves to specialize in “international law” or “comparative law.” Some journals use “international law” in their titles and those are easily counted. Other names are less obvious. Consider the *German Law Journal* or the *Tilburg Law Review* as examples. A brief review of the content of these journals, or a conversation with their editorial team, can confirm their international law specialization, but that is possible for every journal, especially those with non-English titles. In other cases, journals touch on matters of transnational or supranational law, such as the *Ocean and Coastal Law Journal*, or may cover more disciplines than just law, such as the *World Trade Review*. In our data set, we included interdisciplinary journals that appeared to address international law in considerable respect.<sup>8</sup>

<sup>8</sup> We collected lists of journals from many databases and commercial services, including HeinOnline, Web of Science, Ulrich’s, the Peace Palace Library, WorldCat, and Scholastica, some of which did not distinguish among “international law” journals and others so we reviewed both journal titles and, where possible, journal websites. We also consulted the blog International Law Reporter, and we sent inquiries to colleagues in parts of the world that we expected were

In some instances, it was difficult to decide what counts as a “journal.” Think of, for example, yearbooks or academic magazines. We elected to include yearbooks, which often follow refereed journal practices, but we discounted academic magazines. The presence of a scholarly board and some form of academic editorial review were important qualities in our review, though formalities differ in various parts of the world. Most, but not all, of the publications that we included have an International Standard Serial Number (ISSN).<sup>9</sup> Colleagues who provided information for this Essay highlighted that in some countries, such as China, obtaining an ISSN number is difficult due to censorship rules. We chose to include some publications without ISSNs based on our review of their content and publishing process.

Certain commercial and academic sources provide lists of journals that can be sorted for “international” and “comparative” and sometimes other related categories. Washington and Lee University (W&L)’s Law Journal Rankings website assesses 164 international law journals and 38 comparative law journals, counting both those based in the United States and those based abroad.<sup>10</sup> W&L also has separate categories for European law and international trade.<sup>11</sup> Other researchers have reviewed more limited sets of law journals, including international law journals among them, such as only U.S.-based journals or only student-edited journals.<sup>12</sup>

Among this Essay’s data set of 594 journals, slightly less than half (285) concentrate on more specific areas of international or comparative law. I will refer to these as “doubly specialized” as they specialize in an area more specific than international law, such as international business, or international human rights, for example, or on a single continent or region. The vast majority of these doubly specialized journals (94%) are peer-reviewed, rather than student-edited. Among all student-edited international law journals, only 29% are doubly specialized. These findings make sense when one considers that law schools are more likely to support a generalist international law journal than one that may be even more specialized. By contrast, among peers, specialization is needed for deep expertise on diverse sub-topics.

The topics of doubly specialized journals vary but we coded for 13 such topics that can be seen in Figure Two. “Human rights” is somewhat of a special case for reasons beyond that of its prevalence. Some databases distinguish between “human rights” and other international or comparative law, although they do so often without explanation. While there are interdisciplinary journals throughout the collection, we found human rights and economic journals to be more often interdisciplinary than the remainder. The “other” category covers journals specializing in topics that were represented only by one, two,

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underrepresented in those databases and services. From the latter exercise, we added approximately 50 journals that were not mentioned elsewhere.

<sup>9</sup> An ISSN is an International Standard Serial Number. It is an eight-digit code used to identify periodicals, but it also includes newspapers and magazines, and some blogs. The U.S. Library of Congress describes an ISSN as a Social Security Number for serials. It distinguishes one periodical from another with which it might be confused and it helps libraries identify titles. See *ISSN Uplink Fast FAQs*, LIBRARY OF CONGRESS, <https://www.loc.gov/issn/faq/> (last visited Jan. 8, 2024).

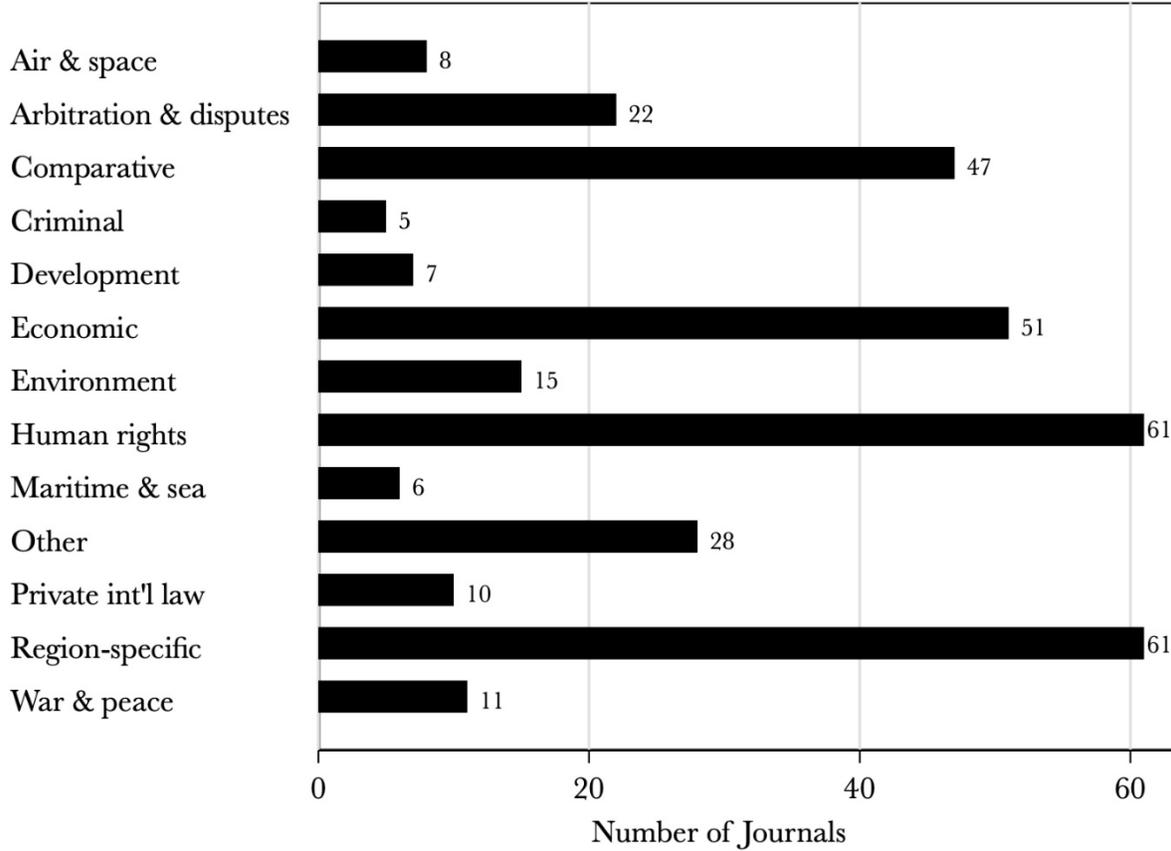
<sup>10</sup> *W&L Law Journal Rankings*, *supra* note 1. Some of these, like the *Duke Journal of Comparative and International Law*, appear both on the list of international law journals and on that of comparative law journals, so there is some double-counting.

<sup>11</sup> Among these, there is some overlap with the principal categories of “international law” and “comparative law” but not all those journals categorized under W&L’s two specialized international law topics appear on the list of “international law” journals.

<sup>12</sup> See, e.g., Tracey E. George & Chris Guthrie, *An Empirical Evaluation of Specialized Law Reviews*, 26 FLA. ST. U. L. REV. 813, 824 (2017). By their count, nearly half of all U.S. law schools (81) publish an international law review.

three, or four journals. These include journals concerning cultural property, disaster law, history, international copyright law, refugee law, and family law, among others. Not many journals title themselves in such a way that suggests they are dedicated to works of a particular methodology, ideology, or approach.

*Figure Two: Specialized International Law Journals*



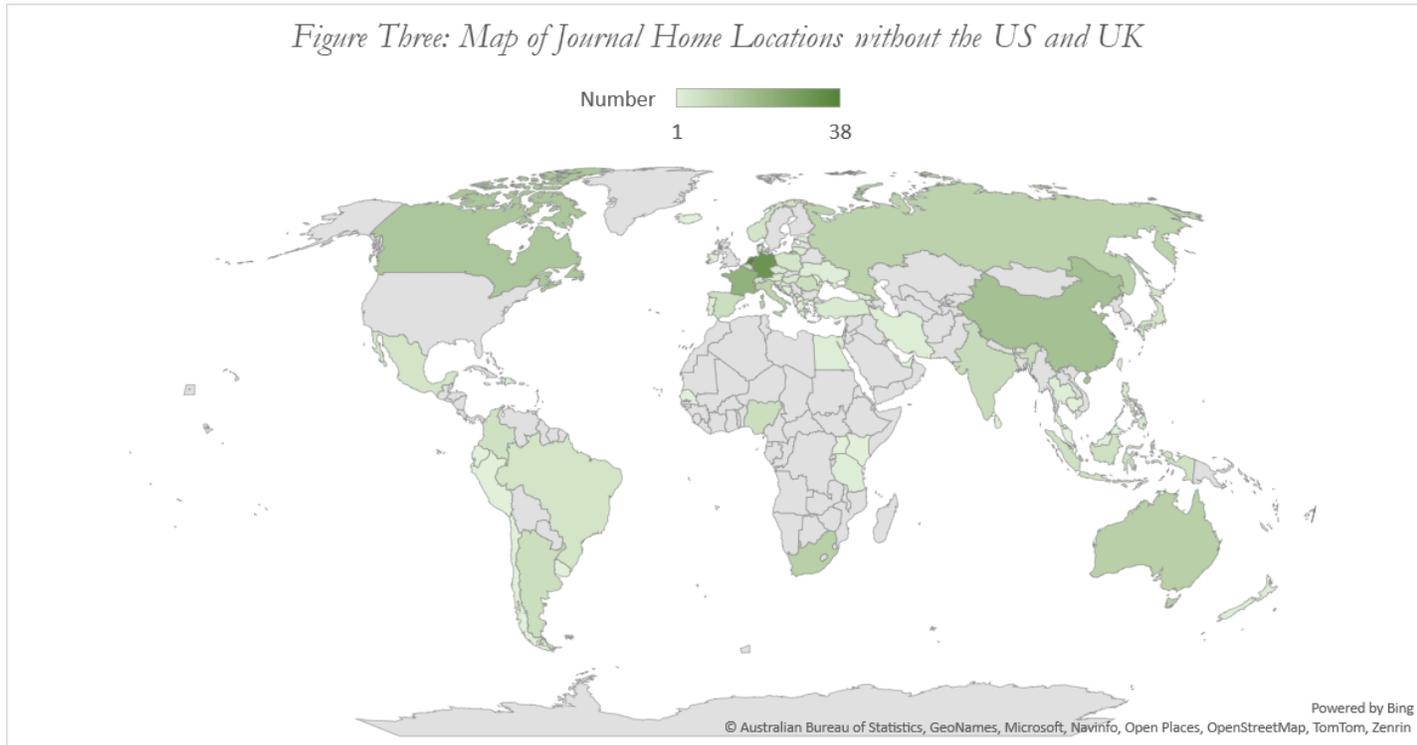
### III. WHERE TO FIND INTERNATIONAL LAW JOURNALS

Most international law journals are based in the United States,<sup>13</sup> which is unsurprising given the growth among U.S. law school-based student journals in the latter half of the twentieth century. The United States stands out with 177 journals in our data set, including both student-edited and peer-reviewed. Next is the United Kingdom, which is or has been home to 71 international and comparative law journals. The Netherlands and Germany follow with 38 and 32 respectively. Figure Three provides a map of journal density, removing the United States and United Kingdom. The darker coloring reflects the presence of more international law journals. Table One offers more granular information.

One question we approached while doing this work was whether all countries or cultures have a tradition of legal publishing, and if so, do all jurisdictions have international

<sup>13</sup> To determine home base, we considered a combination of factors. Some journals have a physical base of operations, but most do not. For those that do not, we considered whether their editorial staff are geographically concentrated, and ultimately, we considered the publisher's location, where known. These counts include journals that have closed; they cover the entirety of the data set.

law journals at all. We hypothesized that in some countries, there may not be any legal journals apart from a single law journal or collection of law journals either due to size or due to the community's understanding of international law as central to their conception of law generally. We could only skim the surface of this question, largely through interviews, but we found that many countries do not have any international law journals, although very few countries have just a single international law journal.<sup>14</sup>



*Table One: Number of International Law Journals by Country Home*

Country	Number	Country	Number	Country	Number
USA	177	Norway	5	Ukraine	2
UK	71	Poland	5	Cambodia	1
Netherlands	38	Switzerland	5	Chile	1
Germany	32	Austria	4	Cyprus	1
France	22	Hungary	4	Dominican Republic	1
China	17	Croatia	3	Ecuador	1
Canada	15	Czech Republic	3	Iceland	1
Australia	12	Estonia	3	Ireland	1
South Africa	12	Georgia	3	Israel	1
Italy	11	Lithuania	3	Jamaica	1
Russia	11	Philippines	3	Kenya	1

<sup>14</sup> One important caveat here is of course the limitations on our research. We have likely missed some journals, especially those published in languages other than English, despite best efforts and international outreach.

Korea	9	Taiwan	3	Luxembourg	1
India	8	Turkey	3	Macedonia	1
Argentina	7	Bosnia	2	Malaysia	1
Nigeria	7	Denmark	2	Moldova	1
Romania	7	Egypt	2	Monaco	1
Spain	7	Greece	2	Peru	1
Belgium	6	Hong Kong	2	Portugal	1
Colombia	6	Iran	2	Senegal	1
Indonesia	6	New Zealand	2	Slovenia	1
Singapore	6	Sri Lanka	2	Uganda	1
Brazil	5	Tanzania	2	Uruguay	1
Japan	5	Thailand	2		
Mexico	5	UAE	2		

Regardless of their home base, access to these journals depends on more than just geography. One layer to the access question has to do with each journal's submission process. If you wish to submit an article to an international law journal, the leading platform for law review manuscript mass submission is Scholastica, a website through which an author may choose to submit to many journals at once.<sup>15</sup> Scholastica is a U.S.-based platform, but its reach extends far beyond.<sup>16</sup> Ninety-three journals have asked Scholastica to categorize them as “international/comparative” reviews—from the *Baku State University Law Review* to the *National Yang Ming Chiao Tung University School of Law Journal* in Hsinchu, Taiwan to the *Yale Journal of International Law*.

A further layer to access is that, as many readers will know, submission through Scholastica requires that authors pay a fee—paid per journal per submission.<sup>17</sup> These financial burdens may deter journals from using the platform. Although some journals that use Scholastica also note that submissions may be emailed to them, the conventional wisdom is that nearly all published articles are submitted via Scholastica.<sup>18</sup>

Few journals on Scholastica are peer-reviewed. Many peer-reviewed journals receive manuscripts through other platforms instead, such as ScholarOne which is operated by Clarivate, a U.K. company.<sup>19</sup> Like in other disciplines, submission of a manuscript to a peer-reviewed journal is often exclusive to that journal until that journal has completed its

<sup>15</sup> SCHOLASTICA, <https://scholasticahq.com/> (last visited Jan. 8, 2024). New platforms are now emerging, such as Claudius Scholar, that use artificial intelligence to process law review submissions. CLAUDIUS SCHOLAR <https://scholar.claudius.ai/> (last visited Jan. 8, 2024).

<sup>16</sup> Email from Danielle Padula, Scholastica Head of Marketing & Community Development, Jan. 30, 2024 (“Scholastica is owned by Scholastica Inc., headquartered in Chicago, and operated under the direction of its three original founders (Brian Cody, Cory Schires, and Robert Walsh). The three co-founders started Scholastica in 2012.”).

<sup>17</sup> *Pricing*, SCHOLASTICA, <https://scholasticahq.com/pricing/> (last visited Jan. 8, 2024).

<sup>18</sup> A SAILS project now underway is surveying journals and scholars to get more precise data on some of these matters.

<sup>19</sup> *ScholarOne*, CLARIVATE, <https://clarivate.com/products/scientific-and-academic-research/research-publishing-solutions/scholarone/> (last visited Jan. 8, 2024).

review.<sup>20</sup> Authors are on their honor to submit only to that journal until such time as that journal has completed its review.

Scholastica, ScholarOne, and other bespoke platforms primarily facilitate anonymity and author-journal communications, but they also collect large amounts of data as to submissions, most of which are not available to the public but which are often shared with journal leadership and boards of editors.<sup>21</sup> Anecdotally, journals of all types discussed in this Essay appear to receive a diverse range of submissions from around the globe. These electronic platforms, especially those that do not charge for submissions, regularly enable authors across the world to submit their scholarship for consideration. The data known to the SAILS contributors bear out this diverse assortment at least among the journals with which they regularly work.

A second layer of access has to do with the availability of the articles published by these journals. Nearly every journal in our data set has a website or some sort of web presence, which may be as small as an acknowledgment by the publisher as to the journal's existence.<sup>22</sup> Some journals have elaborate websites of their own. Regardless of the expanse of its web presence, each journal varies with respect to how many articles can be downloaded or read on its website. Some journals are entirely online and print no paper copies.<sup>23</sup> Among the nearly 600 journals in this data set, we estimate that about one third are online only.<sup>24</sup> As the cost of printing has increased, and print subscriptions have declined, we expect this number to continue to grow. One estimate shared with us about the cost of printing a single issue of a fairly conventional journal was between USD 5,000 and 10,000.<sup>25</sup> Many journals began as print journals—we assume that those established before 2000 began online—but more recently established journals have been online for their entire lifetimes. We did not find any correlation between online-only journals and other characteristics about the journal, such as topic or language.

A third layer to access is the cost to accessing the articles of the journal. In recent years, many schools, authors, and journals have encouraged open-access publications through which articles are accessible directly via the Internet and not behind a paywall or subscription. Based on those journals for which we were able to confirm their open-access status, we estimate that about 20% of international law journals are completely open access. The Directory of Open Access Journals counts 131 indexed journals as open access without fees under the subject of “international law.”<sup>26</sup>

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<sup>20</sup> See, e.g., *Information for Authors*, J. INT'L ECON. L., [https://academic.oup.com/jiel/pages/General\\_Instructions](https://academic.oup.com/jiel/pages/General_Instructions) (last visited Jan. 8, 2024).

<sup>21</sup> Scholastica publishes general information and allows each journal to have access to its own data. See *Pricing*, *supra* note 17; *What Legal Scholars Are Writing About*, SCHOLASTICA (Nov. 30, 2023), <https://blog.scholasticahq.com/post/legal-scholars-writing-about-2023/>.

<sup>22</sup> No doubt one limitation on our study has been our reliance on the internet as the means through which to identify journals. There may be journals with no web presence that count themselves as international law journals that we have yet to identify.

<sup>23</sup> See, e.g., *About the journal*, LONDON REV. INT'L L., <https://academic.oup.com/lril/pages/About> (last visited Feb. 22, 2024) (being moved online in 2018).

<sup>24</sup> We base this estimate on the proportion of fully online journals we were able to confirm at the time of this Essay's publication.

<sup>25</sup> This amount covers the costs of services from pre-press through press (like creating page proofs and processing edits), mailing, and paper. The cost of paper is going up each year as there are fewer paper mills.

<sup>26</sup> List of Journals Without Fees under the Subject of International Law, DIRECTORY OF OPEN ACCESS JOURNALS, <https://doaj.org/> (follow “Journals without fees” hyperlink; then search

## IV. JOURNAL DEMOGRAPHICS

Journal “demographics” as the term is used here refers to the people behind the practices of these 594 international and comparative law journals. Many different actors apart from the author support a manuscript from submission to publication—often a submission team, editor-in-chief, professional staff, a printer, and a publisher, among others. Some journals also use translators because they accept submissions in multiple languages with an intent to publish in English. Together, these many actors form a publishing community that this Part examines, beginning first with the languages of these journals.

From the nearly 600 journals in our data set, more than three quarters (454) publish articles in English only. Others—a total of 31—publish in English and one other language, although we noticed that often the journal highly prioritizes one language over the other, sometimes English and sometimes the other language. Another 14 state that they publish in three or more languages, or at least indicate that they could publish in other languages. French, unsurprisingly, is the second most common publication language after English. Among the group of 86 journals publishing only in languages that are not English, 60% were established before 2000. Table Two shows all language figures for the journals in our data set.<sup>27</sup>

Certain findings surprised us with respect to language. For instance, we came across more journals than we expected that have English journal titles, but that publish in another language. Some countries where English is not a widely spoken language are home only to English journals. Although most journals use fairly straightforward names like “journal of international law,” we learned that some journals seek to use catchy titles or Latin titles. That may make them attractive to certain audiences, but in our research that made them more difficult to understand or categorize.

*Table Two: Journal Publication Languages*

<b>Language</b>	<b>Frequency</b>	<b>Percent</b>
English	454	76.43
Bilingual	31	5.22
French	25	4.21
Spanish	23	3.87
Multilingual	14	2.36
German	12	2.02
Russian	9	1.52
Chinese	5	0.84
Bosnian	2	0.34
Georgian	2	0.34
Italian	2	0.34
Japanese	2	0.34
Korean	2	0.34
Portuguese	2	0.34
Romanian	2	0.34
Scandinavian		
n	2	0.34

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subjects field for “international law”). Not all of these 131 journals qualify under our criteria as “international law” as that is not their primary subject area.

<sup>27</sup> “Scandinavian” is the way that two journals list(ed) their language. They publish(ed) in Norwegian, Swedish, and Danish.

Thai	2	0.34
Indonesian	1	0.17
Slovenian	1	0.17
Turkish	1	0.17
Total	594	100

As is clear from the prior Part and as is well known, law journals typically are either peer-reviewed or they are student-edited.<sup>28</sup> The lines have blurred to a certain degree as some student-edited journals seek ad hoc input from faculty (peers of authors) as part of their consideration of a manuscript, but that is the exception and far from the rule. Other journals, such as many outside the United States that are affiliated with a university, are student-edited, but they are overseen by faculty editors and require peer-review. We count those as “mixed” in our data set. Within the collection, 453, or 76%, are peer-reviewed, and 131, or 22%, are student-edited, while the remaining few are mixed. By comparison, W&L lists 75 student-edited international law journals in the United States, and 14 student-edited comparative law journals in 2022.<sup>29</sup>

The publisher community is both small and large, depending on how one counts. Many of the student-edited journals are published by their law schools.<sup>30</sup> They do not engage with a professional publishing house, not even those that may be “in-house” for some universities. Rather, the students do most of the administrative work. The students then send the manuscript to a printer that formats the article and prints it.<sup>31</sup> By our count, 43% of international law journals are published by universities. It appears that in some jurisdictions, law faculties had a history of publishing the papers of the faculty as a journal; that trend appears to have diminished. Another 20% are published by one of four publishers: Brill, Cambridge University Press, Oxford University Press, and Kluwer. About 10% of journals in the data set list an association or society or similar entity as their publisher. The remaining 28% of journals either use another commercial publisher or we could not discern what type of publisher the journal used. From speaking with colleagues, we learned that in some countries, the government sponsors or publishes law journals, including international law journals. Figure six shows this distribution.

*Figure Six: Publishers of Journals by Type or Name*

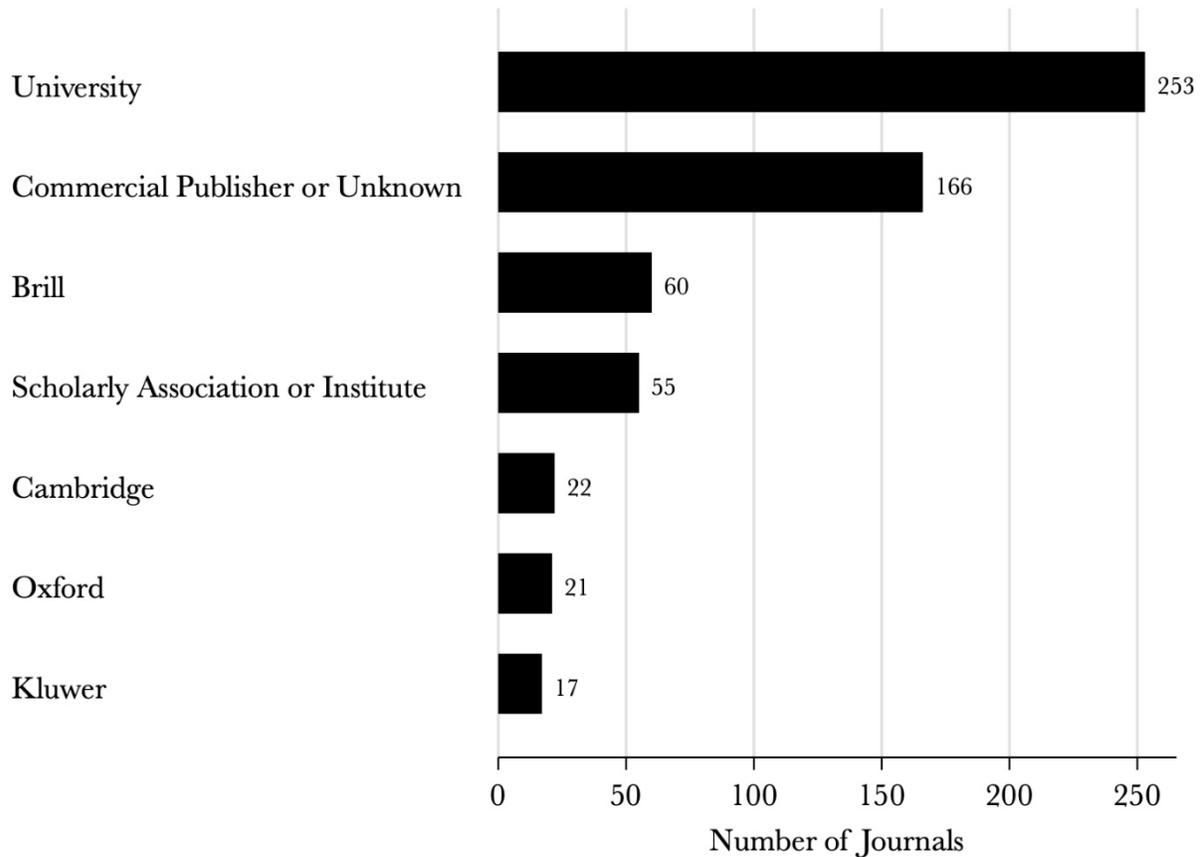
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<sup>28</sup> Where law students carry out the review and the editing; we list those as “student-edited.” We use “peer-reviewed” to capture those journals with faculty editorial boards that are refereed. Journals that did not describe their methodologies were assumed to be peer-reviewed.

<sup>29</sup> *W&L Law Journal Rankings*, *supra* note 1.

<sup>30</sup> Some schools created separate corporations for their journals, but that experiment appears to be waning. See Darby Dickerson, *The Business of Law Reviews*, in *THE SCRIBES MANUAL FOR LAW REVIEW EDITORS* 29, 32–33 (Darby Dickerson & Brook J. Bowman eds., 2022).

<sup>31</sup> A popular printer since its establishment in 1933 has been Joe Christensen, Inc., recently sold to a larger company. *CJK Group Acquires Select Business Assets of Joe Christensen Inc.*, *PRINTING IMPRESSIONS* (Sept. 20, 2023), <https://www.piworld.com/article/cjk-group-acquires-select-business-assets-of-joe-christensen>.



Our team also reviewed information about the editors-in-chief and boards of these 594 journals, where they were available. Boards range in size, and in composition. One relatively clear data point is that, from among the editors-in-chief that we could identify, 21% are women. More work is needed to understand how international law journal editors are selected, how their roles differ from one journal to the next, and how long they serve, among other features. They are, after all, gatekeepers to publication within the field. Additional research would also be useful with respect to the universe of peer reviewers for these journals—information that most journals have on file.

We also lack information about how journal practices change from one editor to the next, and in what ways that might matter to international law scholars and practitioners. In some instances, those changes may only affect issues such as the color of the journal cover page, but in other instances, editors make major choices that can influence the direction of the journals, or they may have slightly different preferences that result in publication decisions that are distinct from their predecessors.

Much of the international law landscape is also affected by funding. Few journals make information publicly available regarding their funding sources, but they are known to vary considerably among journals. Some faculty editors are paid for their service to the journal, and others are not. Journals published by major publishing houses often employ publishing staff or are assigned a publishing liaison from the publisher to assist with major institutional matters. Subscriptions cover some, but typically not all, costs. Student-edited journals and some peer-reviewed journals are largely subsidized by law schools. The *EJIL*, for example, indicates that it receives funding from New York University and the European

University Institute, and that the latter is funded in part by the EU.<sup>32</sup> Future research, perhaps through surveys of authors, journal staff, and publishers, is required to fully understand this aspect of the journal landscape.

#### V. RANKS & RELATIONSHIPS

Most international law scholars, like other law faculty, have a basic sense of the publishing world, if only by necessity. The old saying “publish or perish” emphasizes the importance of publishing, particularly in academic journals, for promotion and tenure, and for softer rewards, whether of prestigious reputation or notoriety. Some law schools provide financial incentives for their faculty to publish, and some provide greater rewards for higher ranked journals. Particularly outside the United States, law faculties sometimes provide a point system for articles based on the impact factor or the h-index of the journal in which the article appears. The challenges and pitfalls surrounding these types of advancement norms are well-known and they need not be rehashed here. A common notion is that international law journals typically are not highly scored in such systems, with just a few noteworthy exceptions among those considered the “flagship” in the field.<sup>33</sup>

One of the most important qualities in evaluating academic journals for these and other purposes is a journal’s impact factor—a way of measuring its citation counts by other academic articles.<sup>34</sup> A journal’s impact factor is determined for a given two-year period. It is calculated by dividing the number of times articles in the journal were cited by the number of articles that are citable.<sup>35</sup> Clarivate calculates these numbers only for journals that it indexes, so not all journals have an impact factor.<sup>36</sup> Clarivate calculates impact factors for just a handful of international law journals. It also ranks those journals among the 154 law journals that it indexes and, in some instances, also among international relations journals (96 of which it indexes).<sup>37</sup> The highest impact factor for an international law journal in 2022 is the *Transnational Environmental Law Journal*, followed by the *American Journal of International Law* (AJIL), and the *Journal of International Economic Law*—all of which have impact factors greater than 3.0.

In addition to impact factors, many journals and authors take note of a journal’s “h-index.” The h-index is based on the highest number of papers published by the journal that have had at least the same number of citations.<sup>38</sup> A journal with an h-index of 100, for example, has published 100 papers that have each been cited by at least 100 articles. The same journals tend to fare well with the h-index as with the impact factor, although the EJIL and *International and Comparative Law Quarterly* figure more prominently among international law journals with respect to the h-index measure.

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<sup>32</sup> Inside Cover, 34 EUR. J. INT’L L. (2023).

<sup>33</sup> *The American Journal of International Law*, for example, ranks sixth among 154 law journals evaluated by Clarivate, for example. *American Journal of International Law*, CAMBRIDGE U. PRESS, <https://www.cambridge.org/core/journals/american-journal-of-international-law> (last visited Jan. 26, 2024).

<sup>34</sup> Measuring impact on practice is more difficult but work is ongoing among the SAILS team to try to do so.

<sup>35</sup> Eugene Garfield, *Impact Factor*, CLARIVATE (June 20, 1994), <https://clarivate.com/webofsciencegroup/essays/impact-factor/>.

<sup>36</sup> *Id.*

<sup>37</sup> Clarivate, Social Sciences, Law, <https://jcr.clarivate.com/jcr/browse-category-list>.

<sup>38</sup> Knowledge, *Web of Science: H-index information*, CLARIVATE (June 9, 2022), [https://support.clarivate.com/ScientificandAcademicResearch/s/article/Web-of-Science-h-index-information?language=en\\_US](https://support.clarivate.com/ScientificandAcademicResearch/s/article/Web-of-Science-h-index-information?language=en_US).

Another form of journal rank measurement relies on author prominence among the authors published by the journal.<sup>39</sup> “Author prominence” in this context refers to a judgment as to the prestige of the authors who publish articles in the reviews.<sup>40</sup> In 1999, Tracey George and Chris Guthrie applied this method to identify the top 100 specialized law reviews in the United States using their author-prominence scale. Only seven international law journals appear among the top 50.<sup>41</sup> Looking at that top half, it would appear that U.S.-based international law journals are not, by the George-Guthrie metrics, publishing articles by authors who are especially prominent as compared to other specialized journals. If that were true, it could be attributable to the high numbers of international law journals, such that authors spread themselves too thinly. More important is that the George-Guthrie data do not help inform any distinction as to whether international law authors are less prominent—as defined by the George-Guthrie study—among authors in the academy or whether the most prominent international law scholars are publishing their work elsewhere, such as in non-specialized journals. Analyses from other contributors to this symposium suggest it may be the latter.<sup>42</sup> Some of the most well-known international law articles appear in mainline journals. But looking at the entire list of top 100 journals ranked by George and Guthrie, 24 international law journals are represented, which is consistent with the overall representation of international law journals in their collection, so it could be that international law journals fare on par with their peers.

Some commercial services have developed alternative journal standing calculations like the SCImago Journal Rank Indicator which looks at weighted citations and averages over years, unlike the prior two tools.<sup>43</sup> Another is the Eigenfactor score developed at the University of Washington.<sup>44</sup> George and Guthrie surveyed still other methodologies, mostly developed by other law scholars, in their 1999 study.<sup>45</sup>

Apart from rankings, the relationships between and among international law journals also provide some clues as to the operation of the field. As noted above, editorial boards make up a relatively small subsection of the international law community. The author base expands that universe considerably. But still more noteworthy is the way the international law community is in communication with one another, as well as the discourse that scholars have created across journals. With appropriate analytics, one can look at what journals are being cited among the top articles and what journals are citing other journals to get a better sense of how these journals interact with one another, and therefore, which journals are really influencing the fields of international and comparative law.

Consider the *Harvard International Law Journal* (HILJ). According to our analysis, the journals that cite the HILJ the most are nearly all international law or international relations journals, with just a few small exceptions: the *American Business*

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<sup>39</sup> See Robert M. Jarvis & Phyllis G. Coleman, *Ranking Law Reviews: An Empirical Analysis Based on Author Prominence*, 39 ARIZ. L. REV. 15 (1997) (explaining the author prominence system).

<sup>40</sup> *Id.* at 19–22.

<sup>41</sup> George & Guthrie, *supra* note 12, at 831–33.

<sup>42</sup> See Oona Hathaway & John Bowers, *International Legal Scholarship: An Empirical Study*, 49 YALE J. INT’L L. \_; Bianca Anderson and Kathleen Claussen, *International Law Publishing Trends: What Journals Print*, 55 GEO. J. INT’L L. \_ (2024).

<sup>43</sup> *Journal Rankings*, SCIMAGO J. & COUNTRY RANK, <https://www.scimagojr.com/journalrank.php> (last visited Jan. 8, 2024).

<sup>44</sup> *About the Eigenfactor Project*, EIGENFACTOR, <http://www.eigenfactor.org/about.php>.

<sup>45</sup> George & Guthrie, *supra* note 12, at 824–26.

*Law Journal* and the *Michigan* and *Vanderbilt Law Review* also make the top dozen. But the counts are small, between six and 25 citations per journal in the designated period.

Even within this small universe, however, the story is somewhat different when considering the journals which articles in the HILJ cite. These include the AJIL (second most) and EJIL (seventh most) among the top slots, but the journal cited the most by HILJ articles is the *Yale Law Journal*, and third is the *Harvard Law Review*. Certainly, it is difficult to draw conclusions about the practices of the journal, considering that it is the authors of the articles in the journal doing the citing, not the journal itself. However, these data nevertheless provide some indication about how journals, their authors, and their readers, are in conversation with one another.

Now consider the citation practices for the AJIL, a prominent peer-reviewed journal. More than any other journal among those studied for this project, AJIL articles most frequently cite other AJIL articles, either from its print journal or its online companion, *AJIL Unbound*. Further, all the top 20 journals citing AJIL are international law journals.

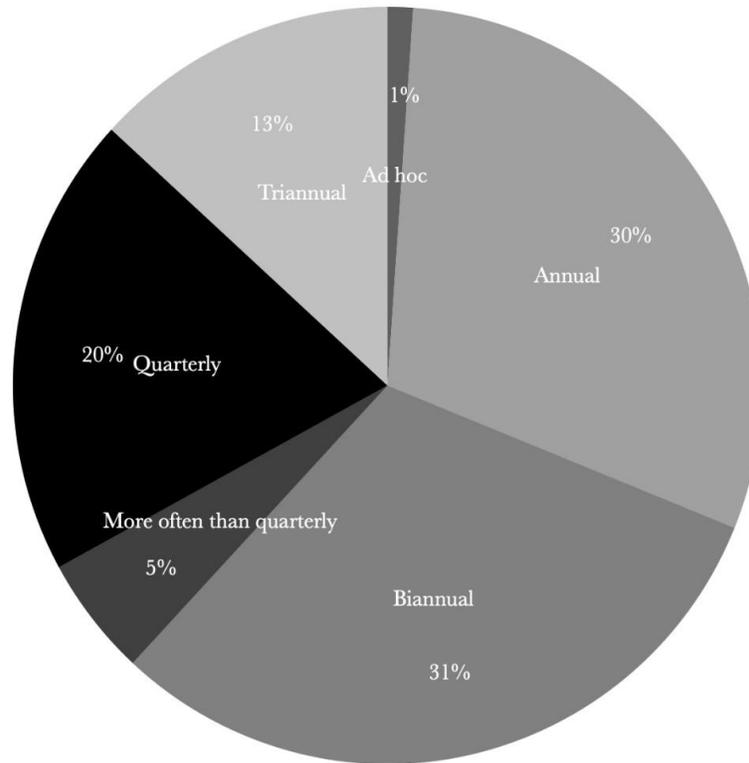
We can also examine the practices of specialized journals such as the *World Trade Review*. Articles in the *World Trade Review* most frequently cite articles in other international economic law journals and journals focused on economics. Similarly, the journals that cite the *World Trade Review* the most are likewise other international economic law journals, followed by generalist international law journals. These data suggest that international law scholars often talk to one another within their areas of specialization. We doubt that this is an attribute unique to international law scholars. It is, however, more pronounced in some of the data as a result of the large number of specialty international law journals.

We also looked at frequency of publication as a measure of journal activity level, although no doubt the number of articles published in each issue varies from one journal to the next. At least 164 journals publish once per year,<sup>46</sup> and a nearly equal number (168) publish twice per year. Seventy-two publish three times per year; and 108 publish four times per year. Remarkably, 28 journals publish more often than quarterly—either five times, six times, ten times or 12 times per year. Figure Seven illustrates these results as percentages of the total number of journals for which we have frequency information.

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<sup>46</sup> We were unable to determine the frequency of publication for 48 journals.

*Figure Seven: Frequency of Journal Publication as a Percentage of All Journals*



## VI. CONCLUSION

Reflecting on this review of the international law landscape, a few findings are worth emphasizing. Among the unsurprising takeaways, most international law journals print articles in English and are based in the United Kingdom or in the United States. One question this Essay has not fully answered is why these countries have so many international law journals as compared to other areas of law. Or perhaps more interestingly: how have they all survived? What are they printing and with what funding? Like most empirical research, these data have created additional research streams and answering these questions remains a work in progress.

Relatedly, among the more surprising takeaways is that many journals were established in just the last thirty years. What was driving that growth, and will it continue? So far, the data suggest that the number of new international and comparative law journals has peaked, but it may be too early to say. Perhaps there is general growth in academia that has created a need for further outlets for publication, but there may be other exogenous factors contributing to this increase. Almost all of them are peer-reviewed specialized international law journals. And nearly all are based outside the United States. Whether we should interpret this upsurge as a sign of support for international law as a discipline also remains to be fully understood.

The issue of funding and institutional support is among the hardest to study. In the preparation of this essay, our team learned of vast differences in funding among journals that cannot be publicly shared. Making more information available to the scholarly community is important to understanding how funding may affect what is published, by whom, and in some respects, whether an article can be published at all. Funding affects the

field in many ways, and this project only skims the surface of what could be gleaned among conversations with colleagues.

Compiling the database of journal information for this project has highlighted additional challenges facing international and comparative law journals, including for the students and academic personnel that administer them. For instance, it appears anecdotally that some journal editors are contending with manuscript submissions produced by bots. This is again likely true across all types of academic publications, but it raises questions about how to measure inputs and outputs in research such as this, and about how journals can manage new technologies.

The trends identified here in turn have implications for how we conduct international law and comparative law scholarship, the visibility of that work, and its accessibility. As the other work in this symposium likewise confirms, international law journals have continued to grow in number and in their web presence, with many institutions pushing for open access across the academy. These developments may mean greater dissemination of international law principles and ideas. The next step is measuring impact beyond scholarship, as future SAILS projects intend to do.