

PIOTR STEC<sup>1</sup>

# Bibliometric Analysis of Top-Ranked European Law Schools' Research Outputs: an East–West Comparison<sup>2</sup>

Submitted 6.11.2022. Accepted 3.12.2022

## Abstract

The paper deals with a bibliometric analysis of a sample of the top law schools included in the *Times Higher Education* World University Rankings 2022. An equal number of Western European and Central and Eastern European law schools have been analysed. The results show that both groups follow similar publication patterns. There is a clear tendency to publish in journals controlled by the authors' universities. Citation rates in the sample are very low, and in line with what has already been found for humanities. There is a clear division between the multi-disciplinary and transnational legal journals that are more international and less internationally recognised law reviews focusing on domestic issues. Law clearly follows its own publication pattern, and the East–West division is in this respect negligible: both groups perform equally well (or equally poorly) as far as the metrics indicate.

**Keywords:** research assessment, metrics, law school rankings.

---

<sup>1</sup> Piotr Stec, PhD – Opole University (Poland); e-mail: [piotr.stec@wp.pl](mailto:piotr.stec@wp.pl); ORCID: 0000-0003-3797-1321.

<sup>2</sup> Funding information: Publication co-financed from the state budget under the programme of the Ministry of Education and Science called 'Science for Society', project No. NdS/529966/2021/2021; subsidy amount: 885.60 PLN; total project value: 276 920.00 PLN.

PIOTR STEC

# Analiza bibliometryczna wyników badań naukowych na najlepszych europejskich uczelniach prawniczych – porównanie Zachodu ze Wschodem<sup>3</sup>

## Streszczenie

Przedmiotem artykułu jest analiza bibliometryczna wybranych najlepszych europejskich wydziałów prawa ujętych w rankingu *Times Higher Education* 2022. Badano równą liczbę uczelni z Europy Zachodniej oraz Środkowej i Wschodniej. Obie grupy mają podobne praktyki publikacyjne. Zauważono wyraźną tendencję do publikowania w czasopismach wydawanych przez macierzyste uczelnie publikujących w nich autorów. Wskaźniki cytowań w próbcie są bardzo niskie i odpowiadają znanym już przeciętnym dla humanistyki. Daje się zauważyć różnica między czasopismami multidyscyplinarnymi i prawniczymi o tematyce ponadnarodowej a mniej rozpoznawalnymi międzynarodowo czasopismami skupiającymi się na sprawach krajowych. Nauki prawne mają wyraźnie własne praktyki publikacyjne, a różnice pomiędzy Wschodem i Zachodem są w tym wymiarze pomijalne: obie grupy radzą sobie, jeśli chodzi o wskaźniki bibliometryczne, równie dobrze (albo równie źle).

**Słowa kluczowe:** ocena badań, wskaźniki bibliometryczne, rankingi szkół prawniczych.

---

<sup>3</sup> Publikacja współfinansowana z budżetu państwa w ramach programu Ministerstwa Edukacji i Nauki „Nauka dla społeczeństwa”, projekt nr NdS/529966/2021/2021; kwota dotacji: 885,60 zł; całkowita wartość projektu: 276 920,00 zł.

## Introduction

Nowadays, academia is undergoing deep changes, with words such as 'metrics', 'accountability' and 'impact' being seen by governments as the best thing since sliced bread. For STEM (science, technology, engineering and medicine) disciplines, publishing in the same outlets and being able to show easily that their research is used by the external world, it is business as usual. For the HSS (humanities and social sciences), it means adjusting to the 'brave new world' that created such concepts and struggling with unfriendly metrics. And even lawyers, although slowly and reluctantly, embrace the new normal forced upon them by their governments.<sup>4</sup> However, with the tendency towards publishing books and book chapters in national languages, a lot of HSS (especially legal) research goes under the radar.<sup>5</sup> Therefore, it is easy for the government to adopt anti-liberal-arts stances and expect the HSS community to perform just like the STEM community.<sup>6</sup> If they do not, it is proof that what they do is simply bad research. This is particularly harmful to academic lawyers from Eastern and Central Europe, who are often castigated for not following the high international publishing standards and are urged to follow Western law faculties' publishing patterns.

The purpose of this paper is to analyse publication patterns of a sample of top European law schools as ranked by the *Times Higher Education (THE) World University Rankings 2022*. Additionally, citation numbers will be analysed. An equal number of Western and Central and Eastern European law schools will be used

<sup>4</sup> W. Dajczak, *Czasopismo prawnicze 2.0: racjonalna ewolucja czy wymuszona rewolucja?*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 2001, 2, pp. 123–139; G. Wierczyński, *Problemy oceny parametrycznej polskich czasopism z dziedziny nauk prawnych*, "Państwo i Prawo" 2022, 9, pp. 3–22; idem, *Polskie wykazy czasopism naukowych – podsumowanie dotychczasowych doświadczeń z perspektywy czasopism prawniczych*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 2001, 2, pp. 141–164.

<sup>5</sup> E. Kulczycki, T.C.E. Engels, J. Pölönen et al., *Publication patterns in the social sciences and humanities: evidence from eight European countries*, "Scientometrics" 2018, 116, pp. 463–486.

<sup>6</sup> J. Drozdowicz, *Post-edukacja i antyintelektualizm jako zjawiska kulturowe*, "Studia Edukacyjne" 2019, 54, pp. 71–81.

On international dimension of anti-intellectualism, see e.g.: J.N. Neem, *Anti-intellectualism and Education Reform*, "Phi Delta Kappan" 2020, 7, pp. 10–16; or the classical R. Hofstadter: *Anti-intellectualism in American Life*, New York 1963; A.K. Wróblewski, *Pozycja nauki polskiej w międzynarodowych rankingach*, "Nauka" 2013, 4, pp. 33–49; V. Frunzaru, E.–M. Vătămănescu, P. Gazzola, E. Bolisani, *Challenges to higher education in the knowledge economy: Anti-intellectualism, Materialism and Employability*, "Knowledge Management Research & Practice" 2018, 3, pp. 388–401.

for this purpose to allow an East-West comparison. As a result, we will get the answer to two important questions:

1. Are publishing patterns in law schools similar regardless of their geographical location?
2. Is there a significant difference between Western and Central and Eastern European law schools as far as publication practices are concerned? If yes, does it mean that Central and Eastern European lawyers really lag behind the rest of Europe and do bad science?

## Methods and Research Sample

This study is based on the 2022 *THE* Ranking for law outcomes. The author chose this ranking from the following set: the *THE* Ranking, the Academic Ranking of World Universities, the QS ranking, SCIMAGO, and the CWTS Leyden ranking. The choice of ranking was made, using the following considerations:

- 1) The QS<sup>7</sup> disciplinary ranking for law is based mainly on the opinions of representatives of academic and business communities, which makes it unsuitable for setting a standard for a metrics-based Polish ranking;
- 2) SCIMAGO<sup>8</sup> is Scopus-based, and its Institutions Ranking covers a vast number of Polish and foreign universities, making it an ideal tool for large-scale comparisons. Unfortunately, this ranking does not provide access to the list of publications used while calculating scores. That, again, makes it unsuitable for this particular purpose;
- 3) ARWU<sup>9</sup> and CWTS<sup>10</sup> are based on Clarivate's Web of Science covering a relatively small cohort of law reviews, and it is not possible to analyse the structure of the publications included in the ranking;
- 4) The *THE* World University Rankings<sup>11</sup> is based on data from Scopus and SciVal covering a relatively wide range of journals (currently over 900) and it is possible to analyse the publication record of participating law schools with the help of SciVal;

---

<sup>7</sup> [www.topuniversities.com](http://www.topuniversities.com) (access: 28.12.2022).

<sup>8</sup> [www.scimagojr.com](http://www.scimagojr.com) (access: 28.12.2022).

<sup>9</sup> [www.shanghairanking.com/](http://www.shanghairanking.com/) (access: 28.12.2022).

<sup>10</sup> [www.leidenranking.com/](http://www.leidenranking.com/) (access: 28.12.2022).

<sup>11</sup> <https://www.timeshighereducation.com/world-university-rankings/by-subject> (access: 28.12.2022).

- 5) The *THE* ranking is the only ranking with a relatively wide coverage of Central and East European (CEE) law schools, so the data from it can be used to identify any potential differences between CEE and Western European law schools.

The sample contains all CEE law schools listed in the 2022 *THE* rankings. Most CEE countries have two law schools in the rankings, one in the first and one in the second half of the rankings. The countries in this group are Czechia, Russia and Slovenia. Croatia and Poland have one law school in the lower half of the rankings each and none in the upper half. Out of five CEE countries listed in the rankings, two, i.e. Poland and Russia, are large jurisdictions with a relatively large number of law schools and professional lawyers. The other three countries are small jurisdictions, with higher education evaluation systems focused on metrics and strongly encouraging publishing in Scopus. It was not possible to find exact counterparts of these countries in the West, so I decided to focus on the five largest European jurisdictions: the UK, Germany, France, Italy and Spain. These jurisdictions frequently serve as standard points of reference for comparative legal studies. Four of these countries have law schools both in the upper and lower halves of the rankings. The fifth country, Germany, has all universities in the first half of the rankings. As a consequence, the numbers of universities in the top and bottom halves of the rankings were identical. While all of the Western universities have more than two universities in the *THE* rankings, two law schools (one with the best results and one with the worst results in the 'research' ranking category) were identified and used for this purpose. The selected universities are listed in the Table 1.

The bibliometric data obtained via SciVal for the years 2016–2021 were then used to present the publication structure of each of the universities. In order to classify the relative quality and prestige of the journals, I decided to use the Polish classification of journals.<sup>12</sup>

The journals are ranked according to their metrics (a mix of metrics, from Impact Factor, through SNIP, to CiteScore was used for this purpose) and peer review by government-appointed experts. Each journal was assigned 20, 40, 70, 100, 140 or 200 points (hereinafter referred to as EVPs), representing the quality and prestige of journals as shown in major bibliometric databases.<sup>13</sup> Having an independent classification of journals will also help in the use of the data from

<sup>12</sup> Regulation of the Minister of Science and Higher Education of 7 November 2018 on the compilation of lists of publications of scientific monographs and scientific journals and peer-reviewed materials of international conferences, *Journal of Laws* of 2018, item 2152 (Dz.U. 2018, poz. 2152).

<sup>13</sup> For the English resume of the process, see: J. Krzeski, K. Szadkowski, E. Kulczycki, *Creating Evaluative Homogeneity: Experience of Constructing a National Journal Ranking*, "Research Evaluation" 2022, 3, pp. 410–422.

this study in comparison with the data on research output based on other sources. Furthermore, subject to the availability of information on the research output of Polish law schools in the recent research evaluation exercise,<sup>14</sup> the data from this study will be used in the future to compare the output of Polish law schools to their international competitors.

**Table 1.** List of the universities included in the sample

University	THE rank	Country
Charles University	201+	Czechia
HSE University	85	Russia
Humboldt University of Berlin	26	Germany
Kazan Federal University	201+	Russia
Masaryk University	88	Czechia
Paris 1 (Panthéon-Sorbonne) University	48	France
University Paris Nanterre	201+	France
Sapienza University of Rome	57	Italy
University of Cambridge	2	United Kingdom
University of Hamburg	101–125	Germany
University of Leicester	201+	United Kingdom
University of Ljubljana	69	Slovenia
University of Maribor	201+	Slovenia
University of Navarra	44	Spain
University of Turin	201+	Italy
University of Warsaw	201+	Poland
University of Zaragoza	201+	Spain
University of Zagreb	201+	Croatia

Source: The author's own research is based on the THE World University Rankings 2022.

The results for the *THE* rankings are based on Scopus and the AJSC classification of journals. It is not identical to the Polish journals list; it is more a subset thereof. It does not include the Emerging Sources Citation Index and other Web

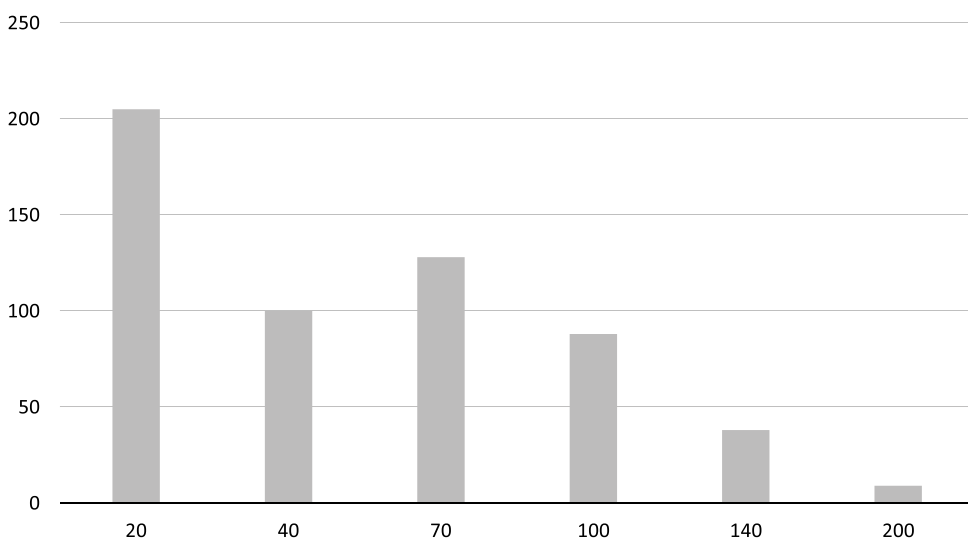
<sup>14</sup> As of today, we do not have official data from the Polish Ministry of Education and Science on the detailed research outputs of Polish law schools.

of Science-indexed journals that are not concurrently indexed in Scopus. This is not a major problem, because the number of law reviews listed on the WoS/SCI and not listed in Scopus is negligible for the purpose of this study. Moreover, we have a sufficiently high number of journals covered (569) to have a reliable sample.

## Distribution of Texts

Let us start by looking at the journals where authors from top European law schools publish their papers. Over 200 of them are low-ranked, with 20 EVP reviews. The top journals are in the minority. This distribution corresponds with the predicted distribution for history used in the study of the Polish Publication List by Szadkowski et al.<sup>15</sup> This means that the points distribution for law is reliable and has not been tampered with, e.g. by the Ministry of Science inflating the journals' EVPs.

**Figure 1.** Number of journals in the 20, 40, 70, 100, 140, and 200 EVP groups

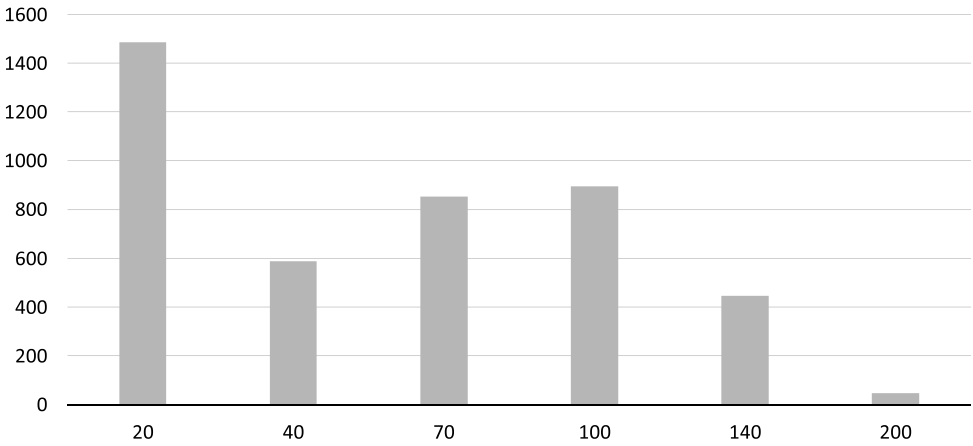


Source: The author's own calculations are based on SCiVal data.

Now let us look at the number of texts published in each journal category. This will tell us if the number of texts published corresponds with the number of journals in each category.

<sup>15</sup> J. Krzeski, K. Szadkowski, E. Kulczycki, op. cit., p. 414.

**Figure 2.** Number of texts published in 20, 40, 70, 100, 140, and 200 EVP groups

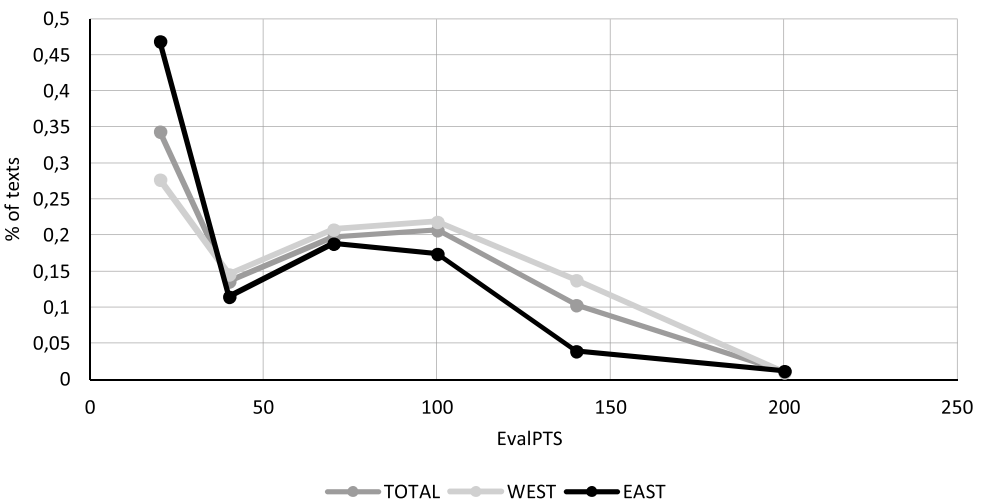


Source: The author’s own calculations are based on SciVal data.

The distributions of both the journal/points and the number of texts follow a similar pattern. There is a small but visible difference at the level of 70–100 points.

And now let us see if there is a visible East-West divide, i.e. if the results and publication structure of Western European law schools is different from those of Central and Eastern European ones.

**Figure 3.** Publication frequency as a percentage of papers belonging to each journal category



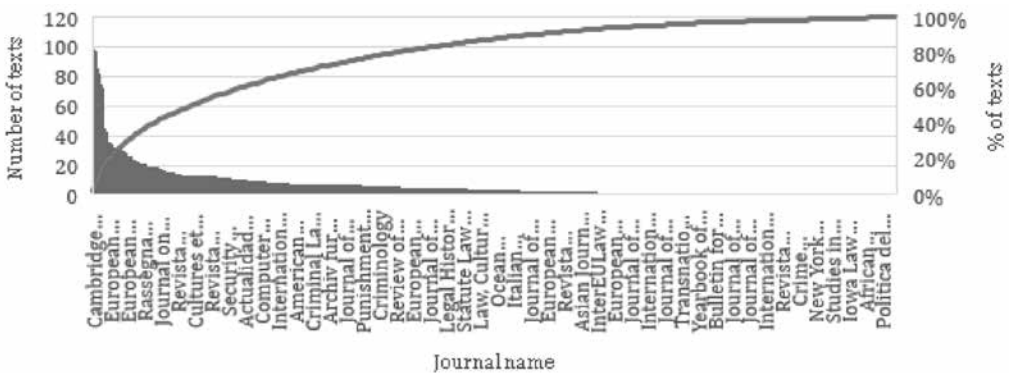
Source: The author’s own calculations are based on SciVal data.



As one can see, Eastern universities have more papers published in the 20-EVP journals; the numbers of texts in the 40-EVP and 70-EVP journals are similar; and then there is a visible Western advantage as far as publications in 100-EVP and 140-EVP journals are concerned. The number of texts printed in 200-EVP journals is identical.

The next step is to visualise how often lawyers publish in particular journals.

**Figure 4.** Publication frequency by journal: a Pareto diagram



Source: The author's own calculations are based on SciVal data.

The above Pareto diagram shows that some journals are chosen by the authors more often than others, so authors clearly have their favourites. This is true both for the population as a whole and for each of the universities in the sample. If one has a look at the journals where 20% of the texts from the sample were published, we will see that they represent almost all countries from the sample. The outliers are a Canadian law review hosting only Russian authors and the "Journal of Business Ethics". No German journal made the list, coming short of a threshold of a minimum of 40 texts published by faculty members of the universities included in the sample.

If one looks at the publishers of these journals and the affiliation structure of the texts, we will see a surprising regularity: most authors tend to publish at home. Traditionally, 'inbred publishing' in local law reviews is a slur used to denigrate authors from peripheral jurisdictions. It is very visible in the Polish debate on publication channels, with proponents of the extensive use of bibliometrics claiming that the whole world publishes internationally and in the same outlets. Publishing 'at home', i.e. in national law reviews, especially those published by the authors' own universities, has always been presented not only as a major no-no but also as evidence of bad research training and publishing 'parallel' or pseudo-science. The

same goes for publishing in national languages, but this particular issue has not been addressed in this research.

The following table shows ‘top’ journals ranked by the number of papers published. For each of the journals, I identified its publisher’s registered seat (‘nationality’), using the SCIMAGO Journal Rank classification.<sup>16</sup> Then I identified the universities and countries in the sample that published most papers in each of the journals. Finally, I identified the share these publications have in a general pool of publications from the sample.

**Table 2.** Most popular journals in the sample

Journal Title	Publisher	Top country affiliations	% of texts from the ‘top’ country	Top affiliation	% of texts from one university
“Cambridge Law Journal”	UK	UK	99.10%	Cambridge	99.10%
“Časopis pro Právní Vědu a Praxi”	CZ	CZ	100.00%	Masaryk	86.67%
“Concurrences”	FR	FR	96.97%	Paris 1	51.52%
“Czech Yearbook of Public and Private International Law”	CZ	CZ	98.98%	Charles	91.84%
“Droit et Société”	FR	FR	97.83%	Nanterre	65.22%
“International Journal of Criminology and Sociology”	CAN	RU	100.00%	Kazan	100.00%
“Ius Canonicum”	ES	ES	97.67%	Navarra	95.35%
“Journal of Business Ethics”	NL	ES	31.25%	Navarra	31.25%
“Lawyer Quarterly”	CZ	CZ	100.00%	Charles	74.39%
“Lex Localis”	SLO	SLO	58.90%	Ljubliana	31.51%
„Revija za Kriminalistiko in Kriminologijo”	SLO	SLO	100.00%	Maribor	69.81%

Source: The author’s own analysis is based on SCiVal data.

There are several conclusions that we can draw from these data. The first is that 20% of the texts (19.94%, to be exact) were published in just 11 journals, with

<sup>16</sup> It should be noted that SCIMAGO ascribes the journal to the publisher’s siege, so it can be misleading since many journals are published by publishers outside their owners’ and editors’ domicile. In the case of the journal in question, an individual inspection of the publisher, editors, owner, and composition of the editorial board was concluded to check if the publisher’s ‘national affiliation’ is real.

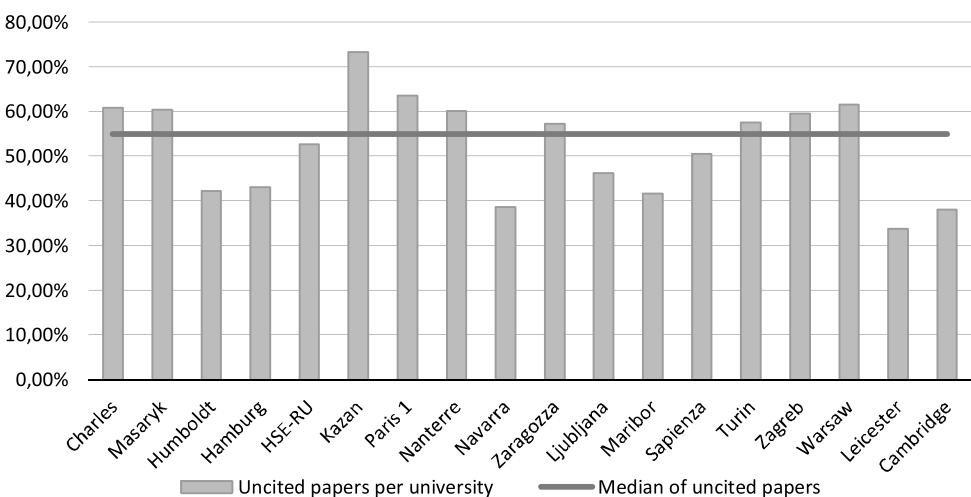
the dataset comprising 569 law reviews. So, 1.93% of journals accounted for almost 20% of all publications.

As one can see, from Russia to the UK, lawyers seem to have a tendency to publish in their 'home' journals or journals their university exercises some control over. The two outliers will be discussed later. Although no Croatian, Polish, Italian or German law reviews made it to the top 20%, this predilection to publishing at home was also visible there. In any case, this result seems to be a little surprising given the fact that even academics from top-ranked universities like Cambridge tend to prefer to publish in 'inbred' outlets.

## Citation Rates

Let us now look at citation rates to see if there are any differences between the top and bottom halves of the ranking and between jurisdictions, and if there is a serious East-West divide suggesting that in terms of citations, Eastern and Central European research gets less recognition. The data from the *THE* ranking sample are surprisingly coherent – there is a relatively large percentage of uncited papers ranging from 30-something percent for UK universities to over 60% for representatives of lesser jurisdictions. More than half of the papers get three citations or less. The upper-level citation numbers are rather rare, and the average citation rate is not very impressive.

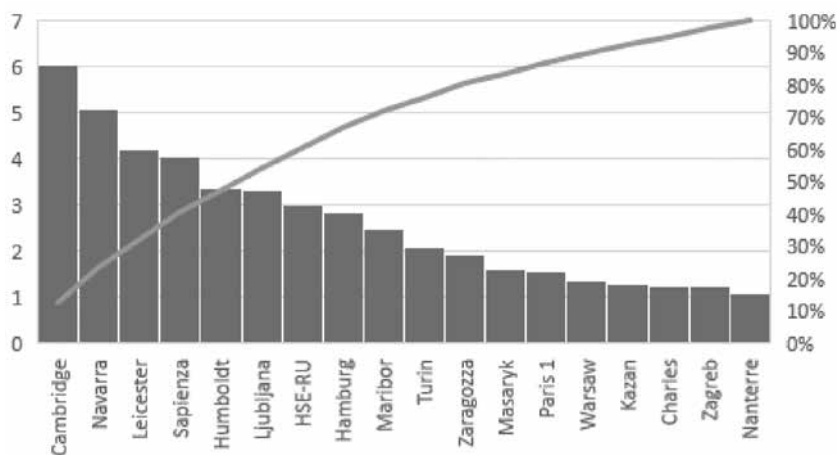
**Figure 5.** Percentage of uncited papers from each university



Source: The author's own calculations are based on SCiVal data.

As one can see, in half of the cases, more than 50% of papers in the pool have never been cited. The other half has the not-being-cited rate close to 40 per cent, with Leicester (33% of uncited papers) being rather an exception. Also, average citation rates are not something these universities can be very proud of. Eight of them had on average fewer than two citations per paper, five had more than two but fewer than four citations per paper, and only four of them had on average between four and six citations per paper. If we look at the Pareto diagram, we will see that the average number of citations per law school is three or fewer for over half of the populace. Furthermore, there is no visible East-West difference. French, Polish, Italian and Croatian universities are more or less on par. If anything, it is clear that English universities tend to produce the most cited texts, followed by the Germans, the Spanish University of Navarra and two Slovenian universities. So, there is no discernible pattern: large and small jurisdictions get similar results.

**Figure 6.** Average number of citations per paper



**Source:** The author's own calculations are based on SciVal data.

The most interesting outcome is the average number of citations. One should expect that papers written by scholars from top European universities reach a very wide audience and will be often cited. The above data show that this is not necessarily the case. For someone who believes that citation metrics are a good proxy of research quality, the metrics for these papers that were actually cited will also be disappointing. The median number of citations for 11 universities in the sample is zero. For seven of them, the median number of citations is one. For the third quartile, the number of citations is one for eight universities, two for two universities, 3.0–3.5 for five universities, four for one university, and five for two universities.

The papers with the top number of citations (top being anything between two and six) constitute 25% of the sample. Most of these 'highly cited', for the given value of this term, papers were published in interdisciplinary and law-related (e.g. criminal justice, forensic science etc.) journals.

## A Common Core of Law Journals?

If one assumes that law follows the paths followed by all other research disciplines, we must agree on the existence of a common core of law reviews: an international pool of journals where everybody who is anybody publishes his or her research. If one checks whether in the journal pool there are journals where lawyers from most jurisdictions publish, it will lead to somewhat confusing findings: ca. 60% of journals in the sample have published texts from only one, or a maximum of two, jurisdictions (with almost an equal distribution of 32%:28%). About 28% of the journals have published texts from three or four jurisdictions. Only 8.42% of journals can boast internationality by publishing texts from five or six of the jurisdictions included in the sample. Less than 3% of the journals seem to be truly international, with more than six jurisdictions represented, and only one publishes papers from all jurisdictions in the sample.

The absolute leader (10 out of 10) is the "Journal of Business Ethics", followed by the "Computer Law and Security Review" (8/10) and "Crime and Delinquency" (8/10). The larger, although not surprisingly large, group (7/10) is composed of the following: "Common Market Law Review", "European Constitutional Law Review", "European Journal of Law and Economics", "European Journal of Risk Regulation", "European Public Law", "European Procurement and Public Private Partnership Law Review", "IIC International Review of Intellectual Property and Competition Law", "International Review of Law and Economics", "Intertax", "Law and Practice of International Courts and Tribunals", and "Social Justice Research".

It would be possible to expand this list further and make this text even more boring than expected from a law review paper, but even this cursory look at the top 3% of most international journals from the sample is enough to draw conclusions. It is clear that most international journals can be divided into two groups: those that publish interdisciplinary research, with law being one of the subsidiary disciplines, and those that focus on supranational aspects of academic legal research. Law and economics journals are somewhat in between, but technically they represent a subdiscipline where mostly economists have their say.

A similar pattern is visible also in less international journals however, with a growing number of local journals in the lower tiers: the more international or

interdisciplinary the title of the journal, the higher the chances that it will be publishing texts from more jurisdictions.

**Table 4.** Most international journals in the sample

Multidisciplinary journals	Law-focused journals
"Crime and Delinquency"	"Computer Law and Security Review"
"European Journal of Risk Regulation"	"Common Market Law Review"
"Journal of Business Ethics"	"European Constitutional Law Review"
"European Journal of Law & Economics"	"European Procurement and Public Private Partnership Law Review"
"International Review of Law & Economics"	"European Public Law"
"Social Justice Research"	"IIC International Review of Intellectual Property & Competition Law"
	"Law and Practice of International Courts and Tribunals"
	"Intertax"

Source: The author's own work based on SciVal data.

## Discussion

One of the problems connected with using bibliometric data from Scopus/SciVal for assessing the research output of law faculties is that the data we have access to tells us only that people affiliated with this or that university published a paper in a law journal. It is quite possible that in the case of single-subject law reviews, these data will include only contributions of members of the law faculty. If, however, one deals with a journal that publishes texts from cognate disciplines (business, forensics, socio-legal studies, criminal justice etc.) or a multidisciplinary journal (business, computer-science-related reviews and medical journals that are also found in the category 'law and legal studies' are a good example), it is unknown whether the contribution comes from a member of the law faculty or another faculty at this university. Cross-checking with detailed affiliations provided by the author would be required, and this is something that can be done only by hand. Furthermore, some authors provide university affiliation only, which makes cross-checking even more difficult. This was visible in, for instance, the case of the "Journal of Business Ethics", where contributions came mostly from the business school faculty. For the purpose of this study, bibliometric data were used as pro-

vided by SciVal without additional cleansing and in the form used commonly both for the purpose of the *THE* rankings and for bibliometric research. These publications by outsiders do not distort the big picture, but they may be responsible for the unusually high citation rates of some papers. Without them, the median citation rate for the sample would be probably close to zero.

Another problem connected with this dataset was that it does not include texts written by law faculty but published in a journal from another discipline or classed as multidisciplinary. There is no way to assess the number of such contributions. One may assume that they do not constitute a significant number of texts, so this group is negligible.

Apart from that, data on all the law schools covered by this study have exactly the same flaws, which makes them comparable. However, while interpreting the data we have to remember that we get a slightly distorted picture of academic reality.

The distribution of law journals by EVP produces no surprises – it is what should be expected and conforms with other findings for humanities. The distribution of texts published respectively in 20, 40, 70, 100, 140 and 200-EVP journals reflects mostly the former distribution with a slight shift towards 100-EVP outlets. This is not surprising and confirms that lawyers and scholars doing other law-related research publish in a variety of outlets and do not focus on top-tier journals.

Much to my surprise, there is no visible East–West divide and no evidence that Central and Eastern European Countries publish predominantly in lower-tier journals or produce lower-quality science. The similarities are striking. All universities seem to have similar publication strategies and tend to publish in outlets connected with their home jurisdictions. The fact that Central and Eastern European Countries are relatively new to the game of metrics explains the higher number of texts published in the lowest-ranked journals. The number of texts published in 40-EVP and 70-EVP journals is almost identical for East and West, although there is a visible, but not extremely high, discrepancy in 100 and 140-EVP outlets, with the West scoring higher. The number of 200-EVP texts is almost identical for both groups. These differences can be explained by the East being a market entrant, but this assumption will be tested in the course of further research.

Practically all countries and universities in the sample follow the extreme version of the 80:20 Pareto rule. Each university seems to have a handful of its favourite journals publishing the majority of texts from this university. Some 20% of these texts were published in less than 2% of the journals covered by the sample. This group shows yet another tendency: lawyers mostly publish at home. Publishing in national law reviews or even in reviews edited by your own university seems to be a common tendency from Cambridge to Zagreb.

This can be explained either by the fact that law is jurisdiction-specific, so ‘home’ journals are a natural choice.<sup>17</sup> Having a narrow research specialism can also be an incentive for ‘inbred publishing’. This is the case of the University of Navarra and its university law review “*Ius Canonicum*”. There are not many journals devoted to canon and ecclesiastical law, and Navarra has a critical mass of experts. Another outlier also favoured by Navarra, the “*Journal of Business Ethics*”, is a different case: it is a business journal with some legal components. And most of Navarra’s affiliations in this journal come from its business school. Thus, this one is most probably an artefact. The final outlier is a Canadian journal much favoured by a Russian university. This is most probably the result of an attempt to game the system. The Russians published in a low-ranked, newly accepted Scopus open access journal. Its publisher has been accused of being predatory.<sup>18</sup> So, this can be an attempt to get ranked with a ‘we pay, you publish, no questions asked’ scheme.

The citation data seem to be a little confusing, although not surprising. High numbers of uncited papers have been identified in previous studies on publication practices in the humanities and social sciences.<sup>19</sup> The most intuitive explanation would be that the research done by a large proportion of legal scholars is so uninteresting or of such low quality that nobody bothers to read and quote it. This statement seems to be a little bit too bold if we consider the fact that the data in the sample come from the best European universities. It is hardly imaginable that the universities of Cambridge, Berlin, Paris, etc. house dozens of professors publishing rubbish. At least three other explanations can be provided. One is based on the assumption that unlike other disciplines, academic lawyers tend to focus on narrow problems, often existing in one jurisdiction only. And with a limited number of experts in these areas, the number of citations will be significantly lower. For

<sup>17</sup> P. Stec, *Best of the Best of the Best? How International Are Top International Law Journals Really?*, “*Teka Prawnicza PAN*” 2021, 1, pp. 429–440, there is also some evidence that editors tend to favour ‘homeboys’ (and girls) giving preference to inbred authors at the expense of quality of the texts. Cf.: A.H. Yoon, *Editorial Bias in Legal Academia*, “*Journal of Legal Analysis*” 2013, 2, pp. 309–338.

<sup>18</sup> Lifescience Global was included in the original Beal’s list of predatory publishers, <https://beallslist.net/> (access: 28.12.2022).

<sup>19</sup> The first paper suggesting that over 90% of papers in humanities and over 74% papers in social sciences get uncited was published in 1991. Cf. D.P. Hamilton, *Research Papers: Who’s Uncited Now*, “*Science*” 1991, 251(4989), p. 25; Corrections to these calculations made by D.A. Pendlebury et al. lowered the number of uncited social sciences papers to ca. 45; Cf. J.A. Tainer, A.H. Abt, L. Lowell, D.M. Hargens, F.W. Bott, J.H. Lancaster, E.B. Pannell, C.L. Nuhfer, W.A. McGehee, D.A. Pendlebury, *Science, Citation, and Funding*, “*Science*” 1991, 5000, pp. 1408–1411.

Newer studies show, that the number for humanities is closer to 82% and 32% for social sciences. Cf. D. Rehmer, *Are 90% of academic papers really never cited? Searching citations about academic citations reveals the good, the bad and the ugly*, Impact of Social Sciences Blog, <https://blogs.lse.ac.uk/impactofsocialsciences/2014/04/23/academic-papers-citation-rates-rehmer/> (access: 13.09.2022). The quotas for law are somewhere between those for humanities and social sciences in general, most probably because the research methods in law are closer to those used in the humanities than in social sciences.



instance, there are many physicists researching the Higgs Boson particle and a significantly lower number of legal academics focusing, say, on self-settled spendthrift trusts. Another explanation is that Scopus coverage is limited and does not cover a lot of law journals and books where these papers were cited. The third possibility is that constant changes in the legal system and long publication processes make a large portion of papers outdated soon after their publication date. These are just suppositions requiring further analysis. The data we have so far suggests, however, that basing the quality of a paper or of a journal on citation-related metrics may not be the best idea, at least in the case of academic legal research. Further research on this problem is needed.<sup>20</sup>

This study shows that both Western universities and Central and Eastern European universities publish both in lower-tier and upper-tier journals. There are visible, although not shocking, differences between East and West that can be explained either by Central and Eastern European universities just starting to have their law reviews indexed by Scopus or by lesser interest from the academic world in what is going on in post-dependency countries. Anyway, even the worst university on the list is still included in the world's best law schools ranking.

This research shows that there seems to be a division between the international and more jurisdiction-focused journals. The former focus either on law-related research (criminal justice, business ethics etc.) or supranational issues of interest to lawyers hailing from many different jurisdictions. These results are not surprising as legal academics have always identified disciplines with a national and an international outlook, but given the pressure on publishing in international outlets it may lead to dividing academic law into two large branches, one focusing on internationally publishable research and using non-traditional research methods, and the other, more practical if not vocational in nature, focusing on analysing national and international law as it is used in legal practice and modified by the government.

## Conclusions

This study shows that the publication structure of top international universities is more or less similar regardless of the country of origin and shows certain common

---

<sup>20</sup> It should also be noted, that there is some evidence that authors coming from certain countries are per definition less cited than those hailing from most developed countries. R. Meneghini, A.L. Packer, L. Nassi-Calò, *Articles by Latin American Authors in Prestigious Journals Have Fewer Citations*, „PLOS ONE” 2008, 3, e3804. This has been noted also in respect of student-edited US law reviews, which tend not to cite outside their own circle. Cf. O. Perez, J. Bar-Ilan, R. Cohen, N. Schreiber, *The Network of Law Reviews: Citation Cartels, Scientific Communities, and Journal Rankings*, „Modern Law Review” 2019, 2, pp. 240–268.

patterns. Publishing in a low-tier journal is a standard even for the best university law schools. So is publishing 'at home', in national or even 'inbred' (published by your own university) law reviews. Much of the research goes uncited for this reason or another, even at world-class universities. Furthermore, a division between international, academically oriented, and national, focusing on traditional black-letter law analysis for the purpose of legal reform and practical use by courts, emerges.

This suggests, that academic legal research follows its own, distinctive pattern, differing from those existing in hard sciences or some social sciences such as psychology or political science. In consequence, basing research evaluation of academic legal research on citation-based metrics may lead to flawed outcomes. Further research on this phenomenon is needed.

## Bibliography

- Dajczak W., *Czasopismo prawnicze 2.0: racjonalna ewolucja czy wymuszona rewolucja?*, „Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2001, 2, pp. 123–139.
- Drozdowicz J., *Post-edukacja i antyintelektualizm jako zjawiska kulturowe*, „Studia Edukacyjne” 2019, 54, p. 71–81.
- Frunzaru V., Vătămănescu E.–M., Gazzola P., Bolisani E., *Challenges to Higher Education in the Knowledge Economy: Anti-intellectualism, Materialism and Employability*, „Knowledge Management Research & Practice” 2018, 3, pp. 388–401.
- Hamilton D.P., *Research Papers: Who's Uncited Now*, „Science” 1991, 251(4989).
- Hofstadter R., *Anti-intellectualism in American Life*, New York 1963.
- Krzeski J., Szadkowski K., Kulczycki E., *Creating Evaluative Homogeneity: Experience of Constructing a National Journal Ranking*, „Research Evaluation” 2022, 3, pp. 410–422.
- Kulczycki E., Engels T.C.E., Pölönen J. et al., *Publication Patterns in the Social Sciences and Humanities: Evidence from Eight European Countries*, „Scientometrics” 2018, 116, pp. 463–486.
- Neem J.N., *Anti-intellectualism and Education Reform*, „Phi Delta Kappan” 2020, 7, pp. 10–16.
- Meneghini R., Packer A.L., Nassi-Calò L., *Articles by Latin American Authors in Prestigious Journals Have Fewer Citations*, „PLOS ONE” 2008, 3, e3804.
- Perez O., Bar-Ilan J., Cohen R., Schreiber N., *The Network of Law Reviews: Citation Cartels, Scientific Communities, and Journal Rankings*, „Modern Law Review” 2019, 2, pp. 240–268.
- Rehmer D., *Are 90% of academic papers really never cited? Searching citations about academic citations reveals the good, the bad and the ugly*, Impact of Social Sciences Blog, <https://blogs.lse.ac.uk/impactofsocialsciences/2014/04/23/academic-papers-citation-rates-rehmer/> (access: 13.09.2022).
- Stec P., *Best of the Best of the Best? How International Are Top International Law Journals Really?*, „Teka Prawnicza PAN” 2021, 1, pp. 429–444.

- Tainer J.A., Abt A.H., Lowell L., Hargens D.M., Bott F.W., Lancaster J.H., Pannell E.B., Nuffer C.L., McGehee W.A., Pendlebury D.A, *Science, Citation, and Funding*, „Science” 1991, 5000, pp. 1408–1411.
- Wierczyński G., *Problemy oceny parametrycznej polskich czasopism z dziedziny nauk prawnych*, „Państwo i Prawo” 2022, 9, pp. 3–22.
- Wierczyński G., *Polskie wykazy czasopism naukowych – podsumowanie dotychczasowych doświadczeń z perspektywy czasopism prawniczych*, „Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2021, 2, pp. 141–164.
- Wróblewski A.K., *Pozycja nauki polskiej w międzynarodowych rankingach*, „Nauka” 2013, 4, pp. 33–49.
- Yoon A.H., *Editorial Bias in Legal Academia*, „Journal of Legal Analysis” 2013, 2, pp. 309–338.