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EDITORIAL

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Barnes, Honkala and Wheeler, "Women and Equality in Publishing: A Study of Five Leading UK Law Journals" makes for sobering reading, at least for the editors of this Journal. The authors consider the articles published in five UK-based generalist law journals – the *Cambridge Law Journal* (C.L.J.), the *Journal of Law and Society*, *Legal Studies*, the *Modern Law Review* and the *Oxford Journal of Legal Studies* – between 2016 and 2020. Their survey reveals that 40 per cent of articles published in these journals during that period were written by women. But this headline percentage conceals considerable variation across the journals selected for the study. Whereas the *Journal of Law and Society* achieved rough gender parity – around half the articles it published during the period under review were written by women – only 23 per cent of the authors whose work was published in the C.L.J. were women. The *Oxford Journal of Legal Studies* is comparable: here, the percentage of articles by women published during the period in question was 32 per cent. These percentages are still more striking when considered against the background fact – reported by Barnes et al. – that in 2018–19 women comprised 57 per cent of academic staff employed within the legal academy in the UK, although only 36 per cent of law professors were women. Moreover, a rough survey of the issues of the C.L.J. published since the conclusion of the survey period is not encouraging. Although 2021 – the Journal's centenary year – approached gender parity, in 2020, 2022, 2023 and 2025 the percentage of articles written by women authors fell below 20 per cent. Clearly, we have a problem.

What is to be done? In Section VI of their article, Barnes et al. offer a number of constructive suggestions. An obvious first step is to institutionalise the informal gender monitoring that we already do. Keeping records of the gender of the members of our editorial board, reviewers and the authors of the books we review, as well as the gender of published authors, may reveal under-representation of women in these roles also. Given the link between visible female role models and female achievement, addressing such under-representation – if indeed it is found

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to exist – could help to close the gender gap in authorship. In any event, it is important to know where we stand.

Second, the data produced by Barnes et al. seems to show that journals with a broader and more inclusive mission statement publish more female-authored scholarship. They suggest that this is because women are less likely to publish doctrinal legal scholarship and more likely to engage in empirical and interdisciplinary research. To the extent that the C.L.J. specialises in doctrinal private and public law, appearing less interested in work with a clear gender dimension or work that focuses on health, family and education, they suggest that this might be a factor that contributes to the low proportion of women it publishes. Clear messaging about our remit – "the *Cambridge Law Journal* publishes articles on all aspects of law" – is therefore critical. In fact, recent issues of the C.L.J. disclose a wide range of subject areas and methodologies: for example, in addition to tort and contract, the legal fields engaged with in this issue include data protection, civil liberties and legal publishing, while the methodologies employed extend beyond doctrinal and policy analysis to legal theory, legal history and empirical research. While our focus is on the legal systems of the UK, we welcome comparative scholarship and scholarship with an international dimension. In this respect also, our remit is a broad one.

A further strategy for increasing women's participation as C.L.J. authors may be to emphasise our developmental approach to peer review, both to authors and to reviewers themselves. The primary purpose of double-blind peer review is of course the evaluation of scholarship. The rigour of this process and the amount of time and effort devoted to it by legal academics is something we can all be proud of. But this evaluative function does not exclude the possibility that peer reviewers play also a constructive, indeed collaborative, role, remaining open to unfamiliar methods and subject areas, and working with authors to improve their submissions, even if they do not ultimately progress to publication. To the extent that female authors tend to be more junior, the C.L.J.'s developmental approach to peer review may serve to move more submissions by female authors through to publication. Greater awareness of this approach on the part of female academics may also encourage them to send us their work.

Finally, Barnes et al. identify a correlation between the number of articles a journal publishes and the proportion of women authors it publishes: the greater the number of articles, the higher the proportion of female-authored articles. An obvious fix, then, might be to increase the overall number of articles we publish (at present the C.L.J. publishes between five and eight articles per issue, producing the lowest number of articles per year of the five journals studied). There are, of course, costs associated with this suggestion. While the Journal continues to appear in

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print, more issues per year entail more expenditure; setting aside printing costs, publishing additional articles entails more editorial work (for the Journal's staff) and more peer reviewing (for the entire legal community). Nevertheless, we will certainly be exploring this possibility.

We are very grateful to Barnes et al. for offering these constructive suggestions. But undoubtedly the most valuable aspect of their work is the simple fact of their having called attention to the under-representation of female authors in our Journal. As they themselves acknowledge, more research is needed into the reasons for this phenomenon, but identifying it is a crucial first step to addressing it. We are proud to publish their research and we look forward to many future conversations on this topic.

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This Issue features an article by Professor Conor Gearty on "The Suffragette Movement and Civil Liberties". Shortly before the article went to press, we received news of Conor's sudden death. Although at that time he was a Professor of Human Rights Law at the London School of Economics, Conor had started his academic career in the Cambridge Law Faculty, where he had studied and been a doctoral student in the early 1980s, before joining the fellowship of Emmanuel College. While in Cambridge he contributed a number of case notes to the Journal on criminal law and tort, each of which bear witness to his characteristically incisive mind and wonderful sense of humour: [1985] C.L.J. 371, [1986] C.L.J. 367, [1987] C.L.J. 203. His article, "The Place of Nuisance in the Modern Law of Torts" [1989] C.L.J. 21, is a reference point in that field. We are delighted to be able to publish this beautifully written article on the legal responses to the suffragette movement. Of course, we convey our condolences to Conor's wife, Professor Aoife Nolan, and his four children, Eliza, Owen, Éile and Fiadh.

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