

**THE RUSSIAN LAW JOURNAL AS A CHALLENGE FOR RUSSIA'S  
LEGAL ACADEMIA – A FEW REMARKS BY THE CHIEF EDITOR  
ON THE 5<sup>TH</sup> ANNIVERSARY OF THE JOURNAL**

DMITRY MALESHIN,

Lomonosov Moscow State University (Moscow, Russia)

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The year 2018 marks an important anniversary for the *Russian Law Journal*. Five years ago, the journal was launched as an important project of Russia's legal academia to create a platform where legal scholars could discuss the many different aspects of Russian law. The scope of the project was and remains designed to encourage research especially in Russian law and the legal systems of the countries of Eurasia. The journal covers recent legal developments in this region, but also those on an international and comparative level. It is a platform for all scholars – it does not matter what university or country a scholar is from. The journal's main interest is a comparative approach towards Russian legal developments.

The *Russian Law Journal* is an independent, all-Russian inter-university platform initiated privately without support from governmental authorities. It was launched by a group of scholars from leading Russian universities: Moscow State Lomonosov University, Saint Petersburg State University, Moscow State Law University and the Higher School of Economics. Its International Editorial Council is composed of distinguished international scholars focused on comparative law. The idea was to create an English-language journal that would be a main source on Russian law abroad. This idea is not new. It has been put into practice in many countries where English is not the native language. Examples include the *German Law Journal*, *Israel Law Journal*, *Italian Law Journal*, *Mexican Law Journal* and *China Law Review*. All of these journals share the same idea – to represent their national law in a globalized world. In November 2013,

during the launching period, we organized a round table on the pivotal topic “Russian Law Journal: Discovering Russian Law” to discuss different strategies for the journal.

Several journals now work in the field of Russian law: the *Review of Central and East European Law*, the *Journal of Eurasian Law* and *Russian Politics and Law*. The *Review of Socialist Law* was the leading journal in the field during the Soviet period. It is difficult to say which is the leading journal in the field today, but all of our efforts aim at that goal. There are many methods of ranking legal journals: by reputation, prominence of authors, citations, etc. SCImago Journal & Country Rank gives the *Russian Law Journal* the ranking of the number 2 law journal in Eastern Europe in 2018.<sup>1</sup> This is a remarkable result for a journal with only five years of publication history.

The main problem the journal faces is the misunderstanding of the journal’s mission by the majority of Russia’s legal academia. The mission of “Discovering Russian Law” via English is not supported by all Russian scholars. Many of them retain an isolated perspective and do not want to change their mind. For most of Russia’s legal academia, there is simply no need to write and publish in English, and they feel little motivation to do so. But the localization or anti-internationalization of legal science is an unfortunate condition for Russia’s legal academia to favour. I am keenly aware that isolation is a strategy that goes nowhere. For it is a mistaken opinion that legal science is more national than international. Of course, each country has its own national legislation that is unique and which is not replicated exactly elsewhere in the world. But when we speak about law, we do not speak about legislation alone. Legal views, opinions and theories can be critically evaluated only if they face discussion and argument with counterparts on the international level. Otherwise they are doomed to be ineffective. Hence, legislation is national, but law is multinational. The *Russian Law Journal* is a platform for just this kind of international discussion, argument and collaboration. That the majority of Russia’s legal academia does not appreciate this is a serious matter, as revealed by a number of other problems the journal has faced over the course of its first five years in publication.

First, language. Writing and publishing in English is a challenge for any non-English-speaking person. Overcoming this challenge for Russian scholars is an integral part of the mission of the *Russian Law Journal*. Our task is not only to make Russian law accessible to foreign readers, but also to defend Russian law on the international stage. The only language that can be used in this endeavour today is English. There is an earnest discussion in the world concerning the importance given to English as the universal language of law. There are proponents and opponents of the situation, but all recognize one obvious thing: law follows business and governmental activities with cross-border transactions and interests. Therefore, there is no serious argument against using the English language as a tool to protect national interests in the field of law. Otherwise, a country’s – Russia’s – national position will not be heard on the international level. If we want to show the advantages of a domestic legal system and

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<sup>1</sup> Available at <https://www.scimagojr.com/>.

national legal concepts, then we need to promote them in English. Moreover, it would be wrong to argue that the dominance of English in professional matters exclusively expresses a tendency towards Anglo-Americanization, because the need for English extends far beyond dealing with Anglo-Americanization.<sup>2</sup> The English language is used as a tool to access domestic law with comparative interests and defend one's own domestic legal system. Many European countries, China, Japan, Korea and others have re-evaluated their thinking with regard to English as the language of law in connection with the encouragement of domestic academic activities in English. In fact, legal English is the indisputable reality for the legal professions; it is the most frequently used common language in professional matters where peoples from different countries, on the European continent and across the globe, come together for discussions.<sup>3</sup>

One issue is that the number of Russian legal scholars who are suitably proficient in *writing* in English and have experience in publishing abroad is quite small. Publishing scholarly works in English is not the same as doing so in Russian. Many style aspects are different too: the structure of the article, citations and references, the format of the academic discussion, etc. In support of its mission the journal strives to enlarge the number of Russian legal academic papers written in the manner familiar to the international legal academia. Five years ago, most of our Russian authors were scholars who had different international experiences, for example study abroad activities or academic collaborations. Now we have many scholars who attempt the shared experience of writing for an international audience in English, and the journal's team supports them with information and advice. All articles that appear in the journal are subject to professional editing by native English-speaking legal scholars. For it is important that authors follow the journal's style guide requirements concerning the quality of English and the international format of legal writing, because the journal's content is designed primarily for the international legal community.

Second, the topics of the articles. The challenge here is for Russian scholars, and this applies to all authors, to find topics that are interesting, not only for a domestic readership, but also for readerships abroad; thus the need for research and examination of international and foreign literature and legislation, etc. The journal's niche is indeed Russian law in a comparative context, but the authors are not solely from Russia, they come from many other countries too. Approximately 40 states are represented in the list of the journal's authors. Articles in international co-authorship are very welcome, because they are comparative and the real result of international legal academic cooperation. The journal also acts as a platform for scholars from other countries of the former USSR to discuss the comparative aspects of their legal systems. There are many submissions from these countries, and that is why the editorial board

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<sup>2</sup> Nedim P. Vogt, *Anglo-Internationalisation of Law and Language: English as the Language of Law?*, 29(1) *International Legal Practitioner* 13 (2004).

<sup>3</sup> Jens Drolshammer & Nedim P. Vogt, *English as the Language of Law?: An Essay on the Legal Lingua Franca of a Shrinking World* 34 (Zürich: Schulthess, 2003).

has decided to approve special issues on the legal systems of Belarus, Ukraine and Kazakhstan. Moreover, the journal spotlights international events that concern Russia. For example, Syria and the conflict in Ukraine are important topics for attention. Hence the niche and specialization of the journal are precise and recognizable.

An issue of concern here is not to be found in the journal's niche, but in the ideas behind finding and narrowing down the topics. One of the frequent reasons for rejecting a submission is the tiresome nature of the topic. Authors frequently do not think carefully enough about the interests of the readers. The careless choice of an uninteresting topic is not the only issue many contemporary journals encounter. Before submitting an article, it is necessary to read carefully all the instructions for the authors and the information about the journal. Articles about local, domestic matters of little significance are not suitably interesting for the readers of the *Russian Law Journal*. The source of this issue is the isolated nature of Russia's contemporary legal academia. At the beginning of the 20<sup>th</sup> century there were several famous Russian legal scholars who were widely known abroad and had respected publications in Europe and America: for example, Nikolai Korkunov<sup>4</sup> and Paul Vinogradoff,<sup>5</sup> among others. Their works were interesting and readable, thus foreign students studied them.<sup>6</sup> Unfortunately, we do not have similar famous names in Russia's contemporary legal academia who are well known not only in Russia but also abroad. The reason for this is not the quality of the research, which quite often is original, but isolation. The titles of articles have a domestic orientation; the content of the articles is quite naturally also domestic, and only Russian references are cited. In the contemporary era, this is a disadvantage rather than an advantage. Articles should be interesting for the worldwide legal academia, accessible and written in accordance with universal style standards of discourse.

All these matters are challenges for Russia's legal academia. There are no more than five to seven universities where Russian scholars are doing legal investigations in English and acting successfully as bilingual researchers. Most of them could be easily counted, and the total number would amount to no more than 30 names. This state of affairs is a disaster for a country profoundly rich in academic traditions. Russia must change this approach towards international academic collaboration. Legal publications in English are essential today and can be considered to be a means by which to promote and defend Russian law from the point of view of the function of law as an element of the competitiveness of a nation.

The *Russian Law Journal* stands on the front line in this worldwide legal competition; it has the mission via the English language of "Discovering Russian Law" and the names and thoughts of the scholars of Russia's contemporary legal academia.

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<sup>4</sup> Nikolai Korkunov, *General Theory of Law* (Boston: Boston Book Co., 1909).

<sup>5</sup> Paul Vinogradoff, *Outlines of Historical Jurisprudence* (London: Oxford University Press, 1920).

<sup>6</sup> Dmitry Maleshin, *The Crisis of Russian Legal Education in Comparative Perspective*, 66(2) *Journal of Legal Education* 289, 302 (2017).