

Publishing and Peer Review Statement

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ABSTRACT

Contemporary academic publishing is disordered at five points — circulation, production, integrity, verification, and accumulation — and the disorders share one structure: means usurp the end, so that metrics displace questions, speed overrides verification, and status obscures argument. The Journal argues that whoever holds the power of selection owes an account of its exercise, and that rules must be written where they can be seen and submitted to the scrutiny of authors and readers. On that premise it adopts open access without an article processing charge, continuous publication, selection by real question, real argument, and real record alone, double-anonymous review with appeal and recusal, and correction and retraction in place of silence, and it fixes an eight-stage process from submission to publication. The claim is normative: a charge is justified only by the labour it remunerates, and review only by its testing of the argument itself.

Acta Juris Criminalis now begins publication. Its aims and its vision are set out separately, in the inaugural address. The present statement first records the Journal's assessment of the condition of academic publishing today; it then sets out, in three sections, the Journal's publication rules, its peer review rules, and its article handling process; and it closes with the limits the Journal imposes on itself, so that the boundary of what it has undertaken is marked.

Criminal law touches liberty, reputation, and life; writing in criminal law therefore carries an unusual weight. A journal that makes criminal law its business accepts a corresponding severity — severity towards its own prose, towards its procedures, and towards those who run it. In selecting manuscripts and in organising review, an editorial office works much as an adjudicator does: both exercise power through institutions designed to constrain it. Whoever holds the power of selection owes an account of how it is used. That is the premise of every rule that follows.

1. The Condition of Academic Publishing

The Journal takes the purpose of academic publishing to be the production, testing, and dissemination of knowledge; publication, citation, the impact factor, the review cycle, page allocations, and book numbers were all, in origin, means to that end. The means have since become the object of management. The activity of measuring knowledge has acquired its own metrics and its own industry, and the metrics in turn define what counts as knowledge. This is the self-reference of evaluative norms. A purposive approach requires that the original purpose of

an institution be kept in view; once means detach themselves from the end and reproduce on their own account, they warrant suspicion. A rising volume of publication is not, of itself, scholarly flourishing: a normative judgment stands between the two. The Journal's observations follow, in five stages — circulation, production, integrity, verification, and accumulation.

Disorder in circulation is concentrated in the distortion of open access. The open access movement began as an attempt to break down the barriers around knowledge and to return publicly funded research to the public. Under the commercial publishing conglomerates, however, the model has evolved into author-pays, reader-free: article processing charges run to several thousand euros, in some cases past ten thousand, and the cost has been shifted from libraries to researchers, so that those least able to pay are least able to speak, and scholars in developing countries are pushed to the margin. Publishers, meanwhile, take high profits from subscription fees or processing charges on the strength of labour that scholars supply without payment — writing, reviewing, and editing — and have been criticised for researching with public money and then charging the public for the result. In the Journal's view, whether a charge is justified turns on its relation to labour: a charge that does not return to those who supply the scholarly labour cannot claim justification. Knowledge is a public good; yet at every link in circulation it now passes a toll gate. What is called open is monopoly collecting rent in another form. An enterprise begun to break down barriers has produced a new barrier: the deepest paradox of contemporary publishing.

Distortion in production is concentrated in the

utilitarianism and the involution of evaluative systems. Under the rule of publication counts and the impact factor, publish or perish has become the law of survival, and academic publishing has turned from the pursuit of real questions to the pursuit of metrics. Scholars are driven to spend their energies on terminological inflation and fashionable topics in order to meet a prescribed number, while original inquiry that carries risk attracts no attention. Studies indicate that although annual output continues to climb, the proportion of disruptive findings is falling: the academy is submerged in a vast quantity of homogeneous, compliant product, and matters have reached a pass in which everyone wishes to publish and few wish to read. When the first intended reader of a text is an assessment form, the text is no longer the production of knowledge. Involution follows: the more everyone invests, the less knowledge each unit of output contains, and no one dares be the first to stop. Here the means have taken over the end entirely.

The crisis of integrity is concentrated in the proliferation of paper mills and the emergence of new forms of misconduct. Some journals charge page fees on the promise of rapid publication while conducting no genuine peer review; the spread of such predatory journals damages the standing of the authors who publish in them and admits large quantities of low-quality and even fabricated papers into scholarly databases. Paper mills have themselves evolved: from ghostwriting and submission agency to the bribery of editors, the placement of associates on editorial boards, and the mass production of papers through fabricated special issues — practices that have struck at the foundations of scholarship. The spread of generative artificial intelligence has brought further difficulty, since fabricated references and ghostwritten papers cannot be reliably detected by the tools now available. What makes failures of integrity grave is their negative externality: each successful act of opportunism reduces the relative return to those who keep the rules, and erodes readers' basic trust in the literature itself. The capacity of the databases grows; the credit of the literature shrinks. The two move in opposite directions.

The failure of verification is concentrated in the overload and the bias of peer review. Peer review is the gatekeeper of scholarly quality, and it is now generally overloaded. Faced with an abundance of submissions, reviewers cannot cope; review cycles lengthen and standards slacken accordingly. Some journals, in pursuit of speed, compress first-round review into a few days, and peer review becomes a formality. Established teams and senior scholars find it easier to win the favour of leading journals, while younger scholars and independent researchers

are commonly at a disadvantage; interdisciplinary work is often misunderstood and rejected because it passes beyond the reviewer's field of knowledge. When review in fact takes the author for its object, it abandons the ground of its own legitimacy, which is the testing of the argument itself. A gatekeeper who judges by dress leaves the gate standing and unguarded.

The difficulty in accumulation is concentrated in the pressure on early-career scholars. Academic resources cluster around titled talent, senior professors, and leading universities; many journals maintain an unspoken threshold of status, and junior faculty and graduate students at ordinary institutions face difficult submission, long review cycles, and little useful feedback. Squeezed between tenure probation and short-cycle assessment, early-career scholars are driven towards quick, small projects; they can hardly settle to the long-simmering work on which foundations are built, and they face both the temptation and the risk of misconduct. A discipline that can accommodate only results produced in haste has no depth in which knowledge may accumulate. This holds with particular force in criminal law, where the maturity of a system requires the relay of several generations.

These phenomena have diverse and complex causes, and the Journal neither intends nor is able to treat them under a single heading. They share, however, one structure: means usurp the end, metrics displace questions, speed overrides verification, and status obscures argument. Publishers manage pages, scholars manage metrics, journals manage review cycles; each party responds rationally to the incentives before it, and knowledge itself bears the cost. For this reason the Journal will not name and criticise any particular journal or institution: the rational choice of an individual actor is precisely the evidence of a structural distortion. The only place to begin is with ourselves.

2. Publication Rules

Article 1. The Journal is open access. At present it levies no article processing charge, no page fee, and no subscription fee on readers; its running costs are met by the Society and the editorial office. Authors retain copyright, and their work is published under the Creative Commons Attribution 4.0 International licence, which permits any use subject to attribution. As to any article processing charge in the future, the Journal makes its commitment in advance. The cost of academic publishing is, at bottom, the cost of academic labour, and the labour of reviewers, long given without payment, is the least deserving of neglect. The Journal undertakes that, should it later levy an article processing charge, it

will act on the labour theory of value: the primary purpose of the charge will be to respect scholarly labour and to see reviewers remunerated, and their remuneration will be met from the sums collected; the level of the charge will be limited to the actual consideration for that labour, and the Journal will never levy a high article processing charge; and it will establish several forms of waiver and reduction, granted according to authors' funding circumstances, the detailed arrangements to be published together with the charging policy. This commitment has the same source as the Journal's criticism of the current commercial model: if a charge is to be justified at all, its justification can come only from labour.

Article 2. The Journal publishes continuously. A manuscript that completes review enters the publication stream at once and is assigned to a volume in the order in which it is finalised; publication is not deferred to an issue. Each article receives a stable identifier beginning with *ajc* and a permanent link. An ISSN application is pending; a DOI will be activated once the Journal joins a registration agency, and the existing identifiers will map directly onto it. Posting a preprint before or after submission does not affect review or publication, since the Journal regards the preprint as a normal form of scholarly communication. Submissions are made through the Journal's submission and review system at submit.lawsc.org; the whole process is recorded, the dates on which each stage is received and completed are disclosed to authors, and authors may consult at any time the stage their manuscript has reached and the start and end dates of each stage.

Article 3. The Journal applies three criteria of selection and no others: a real question, a real argument, a real record. A real question is one that arises from a scholarly lineage or from legal practice, and that must be answered. A real argument is one in which premise, reasoning, and conclusion form a natural chain, and in which the conclusion withstands examination. A real record is one whose statutes, cases, data, and literature are genuine and open to verification. Subject matter, method, and school are of no account: doctrinal, theoretical, comparative, empirical, and interdisciplinary submissions are all welcome. Length is governed by what the argument requires; the Journal sets no hard limit on words. An author's institution, rank, titles, grants, and previous publications play no part in selection; review answers for the quality of the article alone.

Article 4. The Journal accepts submissions in Chinese and in English. This statement is itself published in both languages in parallel, and the two texts have equal force. Should they diverge, the Journal will correct both texts together and state in

the correction notice where the divergence lay. No clause gives precedence to either text.

3. Peer Review Rules

Article 5. The Journal operates double-anonymous review. Neither the manuscript nor the copy sent to reviewers may contain names, institutions, acknowledgments, or any other identifying information; author details are collected separately by the system and are visible to the editorial office alone. The system checks anonymisation automatically at submission and an editor inspects a sample by hand; any disclosure is returned for correction. Every manuscript that passes the editorial office's initial assessment is sent to at least two external reviewers in the relevant field. The initial assessment examines form and scope only; scholarly selection rests on the anonymous external reports. The review period is thirty days, and the system issues a reminder before it expires. Where a reviewer needs more time, the Journal understands entirely, asking only to be told in advance; where the period expires with neither a report nor notice, the editorial office will thank the reviewer for the time already given and invite another.

Article 6. A report must address the argument, the materials, and the method, and must give reasons. A report that states conclusions without reasoning is returned for completion; a perfunctory report will not be invited again. Editorial decisions are of three kinds: accept, revise and resubmit for review, and reject. Where revision and further review are required, the author must answer each point of the reports, and the response is sent back for review together with the manuscript. Where a manuscript is rejected, the Journal states the principal grounds of the decision. Silent rejection fails in the elementary duty owed to an author, and the Journal does not practise it.

Article 7. An author who does not accept a decision may appeal to the editorial office within thirty days of receiving it. The appeal is reconsidered by an editor who took no part in the original decision, with a third reviewer invited where necessary, and the outcome and its reasons are given to the author in writing. Anonymous review protects the argument; recusal and disclosure bind both sides of the exchange. A reviewer accepts an invitation only on undertaking that no relation of supervision, collaboration, competition, or other interest exists between reviewer and author, and declines where a substantial interest is present. An author may also request the recusal of a particular reviewer, stating reasons without any burden of proof, and the editorial office will respect the request so far as it can. The Journal would rather invite one reviewer too many

than leave a lasting dispute arising from a defect of procedure.

Article 8. Fabricated references, falsified data, ghostwriting, submission agency, simultaneous submission, and duplicate publication are all misconduct. Once established, they are dealt with at once: a manuscript under review is rejected, and a published article is corrected or retracted according to the circumstances. Correction and retraction are distinct. Where an error of opinion or of citation can be cured by correction, the Journal publishes a correction notice and preserves the original together with the correction; where fabrication of data or the like undermines the foundations of the paper, the Journal publishes a retraction, preserving the original under a prominent mark, so that the scholarly record is kept. Special issues, invited pieces, and thematic collections follow exactly the same procedure as unsolicited submissions; the Journal provides no route that bypasses anonymous review. The Journal requires authors to disclose the use of generative artificial intelligence. Where such tools have been used substantially in choosing a topic, in gathering materials, in argument, in drafting, or in translation, the tools, the stages, and the extent of their use must be stated at the end of the article. Artificial intelligence may not be listed as an author; responsibility for the text rests with the author, including the authenticity of every citation.

Article 9. The Journal gives particular support to publication by early-career scholars. They carry the future of the discipline, yet their manuscripts are the most easily obstructed by unspoken thresholds of status; the Journal therefore makes that support an express item of policy, with three elements. First, judge the paper by its quality. Selection turns on the quality of the argument alone, and the Journal firmly opposes deciding by an author's titles, institution, or project funding; double-anonymous review exists for this purpose. Second, take double pains over feedback. For every submission by an early-career author, accepted or not, the Journal seeks to give specific and workable comments, and to communicate more fully during revision, so that the author gains something even from a rejection. Third, lean towards opportunity. The Journal's special issues and its book reviews will reserve a substantial share for early-career scholars.

Article 10. The Journal gives dedicated support to scholarly monographs. Under quantitative assessment, monographs — which require long accumulation — are the most easily marginalised, yet the monograph is precisely the vehicle through which the system of a discipline matures. The Journal maintains a book review section that devotes substantial space to recent monographs, so that writing

of long accumulation receives the discussion it deserves; it also maintains a long-form section for work of large scale, and does not trim an argument to the conventions of journal length.

Article 11. The Journal conducts its business in a manner open to verification. Each year it publishes the previous year's number of submissions, its acceptance rate, and the median review period, for authors and readers to check against. The address of the editorial office, ajc@lawsc.org, is public, and every letter receives a reply.

4. The Article Handling Process

The handling process is how the rules are honoured. From submission to publication a manuscript passes through eight stages: submission and registration; technical check; initial editorial assessment; anonymous external review; editorial decision; acceptance and editorial preparation; author proof-reading; and formal publication. After publication there is a further procedure for correction and retraction.

An author submits through the submission and review system, which registers the manuscript at once and sends an acknowledgment of receipt to the corresponding author; the time of receipt is fixed at that moment. A technical check follows, in which the editorial office examines matters of form — anonymisation, length and style, citation practice, the declaration of originality, disclosure of the use of artificial intelligence, and the licence — and returns deficient manuscripts for completion. No scholarly evaluation is made at this stage. A manuscript that passes the technical check proceeds to initial editorial assessment, in which an editor judges scope and basic quality: a manuscript plainly outside the Journal's scope or below its basic standard is rejected outright, with reasons given; the rest are sent for anonymous external review.

Manuscripts are sent to at least two external reviewers in the relevant field and reviewed anonymously under the rules of Section 3, within a review period of thirty days. When the reports are complete, the editorial office decides on the basis of them, in one of three forms — accept, revise and resubmit for review, or reject — and notifies the author by a written decision letter stating the reasons. Where revision and further review are required, the author answers each point and the response accompanies the manuscript back to review, after which the editorial office decides again. An author who does not accept the decision appeals under Article 7.

Once a manuscript is accepted, the editorial office confirms the licence with the author and begins editorial preparation: the polishing of prose, the standardisation of style, and the verification of cita-

tions and facts, with the author's consent obtained for any change of substance. Preparation is followed by author proofreading; on the author's approval of the final proof the article is published formally, in continuous publication, with its identifier and permanent link taking effect at once and the full text open access under the Creative Commons Attribution 4.0 International licence. Should error be discovered after publication, it is dealt with under Article 8 by correction or retraction, the notice being preserved alongside the original, so that the scholarly record is kept.

5. Self-Imposed Limits

The binding force of the rules extends also to what the Journal expressly will not do. The Journal maintains no paid fast track, and at present levies no article processing charge; should it levy one hereafter, it will keep the commitments of Article 1 on the remuneration of labour, on modest charges, and on waiver. It will not advertise itself by impact factor or by citation counts, and takes no part in any form of metrics management. It will not pursue the limit of speed in review: the thirty-day period rests on the premise that reviewers actually read the manuscript, and the Journal would rather be somewhat slower than perfunctory. It will not select by an author's status, institution, or connections, nor slight a manuscript because its author is unknown, and it firmly opposes deciding by titles, institution, or project funding. It accepts no request that would bypass the anonymous procedure; submissions from members of the editorial office are in every case refused and handled by external members of the editorial board. Most of these undertakings are easy

to keep and a few require persistence over years; the Journal knows well that rules are easy to announce and hard to execute, and it is precisely because of that difficulty that they are written on the first page of the Journal's life — so that readers may hold it to them, and so that it may examine itself hereafter.

6. Conclusion

An adjudicator must attend to the circumstances of the particular person and must also guard against the arrogance of power; must possess the craft of interpretation and also the virtue of restraint. So too with editing. The editorial office holds the power of selection: behind a rejection lie years of a scholar's labour, and behind an acceptance lies the trust that a text will be cited again and again. The Journal would hold itself to the discipline familiar to criminal lawyers — answerable to fact, accountable to norm, suspicious of all unconstrained power, and considerate of each particular person. Behind the code letters of the review record stands a particular scholar; anonymity protects the argument, and a person is still owed the consideration that is their due.

The rules are set out here. By them the Journal proves itself, and by them it binds itself. Where they are breached, readers are invited to write directly to the editorial office; where there is dispute, the Journal is answerable for an explanation. At the outset of publication there are a thousand loose ends, and the one thing the Journal can be certain of is this: to write its rules where they may be seen, to put its choices where they may be tested, and to treat authors and readers as persons to whom an account is owed. Such is this statement.