

Editorial: The European Journal of Law Reform has Found a New Publisher

The idea for the European Journal of Law Reform was born in 1997, when I noticed in my research on courts and court reform that there was no journal in Europe dedicated to law reform. Current developments in different fields of law are usually dealt with by the respective journals of those fields. However, law reform, by definition, deals with issues and concerns beyond what is already going on. Indeed, it is a discipline in and of itself. First, there are myriad ways of drafting legislation, reforming the legal framework in a given area, developing the courts and the administration to meet the needs of globalizing markets and societies, and so on. Some will inevitably achieve their goals better than others. Scientific analysis of methodology contributes to reform taking place with the greatest possible level of foresight and fluency. Secondly, it is often useful to have a forum for discussion of areas of law in need of reform, even before such a need is acknowledged by those who have been working in the respective field, and to conduct such a discussion in an interdisciplinary manner, rather than just amongst those who may no longer see the forest for all the trees anymore. Last but not least, the European Journal of Law Reform seeks to be a forum for international debate, where comparative discussion and analysis takes place naturally and between lawyers who would not otherwise consider themselves comparativists.

With these plans in mind, I requested a meeting with Alan Stephens, which took place in August 1997. Alan was director of publishing at Kluwer Law International at the time and, it can be argued, one of the most highly qualified and respected publishers of international and comparative law. The meeting was scheduled to take one hour. It took only about five minutes to persuade Alan of the usefulness of a European journal on law reform. This allowed for another 55 minutes of dreaming about all the interesting things we would be doing with this new journal.

Preparations for the launching of the European Journal of Law Reform took about a year and the inaugural issue came out in the second half of 1998. In the meantime, editorial support had been enlisted from a number of colleagues both at the University of Basel and the Institute of Advanced Legal Studies of the University of London, and the financing of the editorial work was secured thanks to generous grants from the Swiss Academy of Humanities and Social Sciences and the University of Basel itself.

Since 1999, the European Journal of Law Reform has been published on a quarterly schedule with some 500–600 pages per year. In the four years of operation, we have put together a collection of articles covering a broad range of topics more or less closely related to law reform. We have also published a number of topical issues dedicated to problems such as the future of the legal profession, ongoing reforms in family law in a variety of countries, legal issues related to the financing of terrorism, international economic crime, international commercial contracts, the future of international civil procedure law, and refugee law. On this basis, I believe I can claim that the European Journal of Law Reform has established its place amongst the publications that any reputable law library, whether in Europe, North America, or elsewhere, would subscribe to.

It is not for me to tell you about the quality of the individual issues of the European Journal of Law Reform. The long list of internationally-known and highly-respected specialists from Europe, the USA, and other parts of the world that have contributed to various issues, and my precious colleagues on the editorial board and on the board of advisors, should give some indication. Ultimately it is for you, dear reader, to judge our work.

In 2002, Kluwer Law International was integrated into the Aspen Publishing Group. Since then, Aspen has imposed strict financial discipline at Kluwer and insists that publications that are not profitable must be discontinued as soon as possible. Therefore, Kluwer Law International informed the editors of the European Journal of Law Reform of its intention to discontinue this journal at the end of the publishing year 2002.

Since we were by no means the only casualty at Kluwer Law International, and since the market for journals has been difficult for years, with shrinking library budgets and more and more publications at higher and higher prices, the editors had to think carefully about the best strategy for securing the future of the European Journal of Law Reform for the long-term. The market for such a journal is as much in Europe itself as in North America and other parts of the world, as we never wanted to be the Journal of *European Law Reform*, but rather the *European Journal of Law Reform*. Therefore, we had to look for a new structure that would reduce the production costs while retaining a strong market presence both in Europe and North America.

The ideal solution for our problem presented itself when I was offered a tenured chair in law, combined with the position of the director of the new Center for International and Comparative Law at Indiana University School of Law in Indianapolis. That law school is already publishing several prestigious law journals, including the *Indiana International and Comparative Law Review*, and was rather keen on adding the European Journal of Law Reform to its activities. Since Indianapolis did not require any changes otherwise, we will retain our structures with the editors based in London, Basel, and now Indianapolis, and the journal being professionally edited and peer reviewed, rather than student edited. At the same time, we will bring in supporting student staff and operate the journal out of the law school offices in Indianapolis. This new structure will not only allow us to

continue our operations without increasing subscription fees but it will also enable us to market the European Journal of Law Reform more effectively in the important North American market while retaining our already good penetration of the European markets.

At this time I want to thank you for your support in the first four years, the start-up phase, which is always the most critical time for a new journal. Thank you to our readers and subscribers who have given us this opportunity and who have frequently been in dialogue with us. Thank you to all our authors who have entrusted us with the fruits of their labours. Thank you to our advisors and supporters who have provided ideas and stimulation in many ways. Thank you to our reviewers who have assessed the value and quality of countless solicited and unsolicited manuscripts. Thank you also to those who have supported us financially. And, last, but not least, thank you to my colleagues on the editorial board and on the board of scientific advisors who have spent endless hours with me in strategy meetings and even more time on all the correspondence that it takes to run a journal, especially one with a large number of guest editors and authors from literally all over the world. I very much hope that we can count on your continued support as we move into our new offices and as we consolidate the structures for many years to come.

The warm welcome the European Journal of Law Reform has received in academic and professional circles has proven that Alan Stephens and I were not just dreaming when we saw a need and a market for a European journal on law reform. In return, we promise that we will continue to do our very best in order to fulfil the mission of this journal, as expressed in our Statement of Aims and Scope:

“The EUROPEAN JOURNAL OF LAW REFORM will

- provide a platform for interdisciplinary debate on proposals for law reform in Europe;
- seek creative contributions to theory and practice of law that challenge established paradigms and offer fresh approaches to both long-standing and new issues;
- publish high-quality, authoritative opinion on law reform that often originates in lesser known languages in Europe; and
- highlight particularly significant law reform initiatives in Europe and elsewhere.

Drawing on contributions from recognized authorities and younger experts in law and related disciplines, the EUROPEAN JOURNAL OF LAW REFORM will focus on

- reform of national law in Western industrialized States, mainly but not only in Europe, including the challenge of science, technology and socio-cultural change to established methods of creation, legislation, interpretation and adjudication of law,
- reform of the legal and regulatory environment in Central and Eastern Europe,
- reform of the legal system of the European Union,

- reform and development of European private international law and international procedural law, and
- challenges in public international law and the international protection of human rights.

To cover these areas, the EUROPEAN JOURNAL OF LAW REFORM seeks input, both along and off the known and tried paths, from a large variety of sources in Europe. It especially welcomes high quality contributions from Central and Eastern Europe. It is also receptive to challenging opinions from other parts of the world.”

Yours truly,

Prof. Dr. Frank Emmert, LL.M.
Managing Editor
femmert@iupui.edu