

*Full Length Research Paper*

# Open access journals in the field of law: A global perspective

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**Open access journals are at a fledgling stage in the field of law. Only a small percentage of countries are engaged in open access publishing of law across the globe in the present digital age. The age in which we moving towards less paper society and not [paperless] society. And majority of these journals are published in monolingual language only.**

**Key words:** Open access, sources-law, law journals.

## INTRODUCTION

Law is a system of rules, enforced through a set of institutions, used as an instrument to underpin civil obedience, politics, economics and society. Law serves as the foremost social mediator in relations between people. As quoted by Mark in the Rule of Law (2014) he says that Aristotle said more than two thousand years ago, "The rule of law is better than that of any individual."

Law consists of a wide variety of separate disciplines. Scholars investigate the nature of law through many perspectives, including legal history and philosophy, or social sciences such as economics and sociology. The study of law raises important and complex issues concerning equality, fairness, liberty and justice. The central institutions for interpreting and creating law are the three main branches of government, namely an impartial judiciary, a democratic legislature and an accountable executive. According to Wikipedia, the free encyclopedia to implement and enforce the law and provide services to the public, a government's bureaucracy, the military and police are vital. While all these organs of the state are creatures created and bound by law. An independent legal information system is necessary in order to inform and support their progress.

Access to information is a fundamental right of a democratic citizenry. For Democracy to thrive, the general public, lawmakers, law practitioners, and law scholars alike must have access to the legal information that describes, explains, critiques, and comprises our laws, systems of justice, and legal rights.

As the price of scholarly journal subscriptions has increased, and the costs of mass dissemination have shrunk, scholars and libraries have proposed alternatives to traditional journal publishing. The citizens of the 21st century, have not only witnessed the emergence of information created in digital formats, but have also seen popular and widespread adoption and dissemination of information via electronic channel which gave birth to the open access culture.

Today the phrase "open access publishing" has come to describe disseminating material, usually over the Internet; both free of charge and free of conventional copyright restrictions on further dissemination. The most common flavors of open access publishing today are open access journals, which make their contents available for free over the Internet, and open access archives, which maintain free electronic copies of

scholarship published in both conventional and electronic journals. Carroll ( 2006 ) provides four reasons for the use of open access “ (1) Impact - research in other scholarly disciplines has shown that articles available on the public Internet are cited more often than articles not so available; (2) Serving the underserved - many legal researchers, including prosecutors and attorneys in small firms, cannot afford to subscribe to legal periodicals or the commercial databases that aggregate them; (3) Improving interdisciplinary dialogue - legal scholarship is becoming more interdisciplinary and therefore of greater interest to scholars in other fields, who don't always have access to Lexis or Westlaw; and (4) Improving international impact and dialogue - globalization has increased foreign interest in U.S. legal scholarship, yet scholars in other countries typically lack access to Lexis and Westlaw.

Nevertheless, the movement for open access has grown far more slowly in law than in other disciplines. According to Litman (2006), In comparison with science and medicine, open access legal publishing has grown more slowly.

## SCOPE

The scope of the present study is limited to Open Access journals in the field of law. The scope is confined to the journals included in DOAJ. However, Study can not be considered exhaustive because the titles that are not included in DOAJ are not taken into consideration

## LITERATURE REVIEW

Litman(2006) shows that the open access scholarly publishing in law has developed an alternative model. Law journal publishing is one of the easiest cases for open access publishing and open access have shown viability of the open access business model in a way that its publishing seems unlikely to have significant impact on the cost of generating and disseminating research. Arewa( 2006) shows the important role played by the information in the field of law. He points towards the dominant players such as Lexis and Westlaw, and the ways in which information dissemination has changed with the advent of open access legal information service.

Miller( 2006 ) argues that the open access movement in legal scholarship fails to address the real problem facing law libraries today. He suggests that one solution to this problem is for law schools to redirect some of the resources- intellectual capital, reputation, and student labor-to publishing legal information for practitioners rather than legal scholars. Carroll (2006) demonstrates the current situation is unsatisfactory and argues the society should further embrace the movement for open access law and allow for the free distribution of legal

materials over the internet. He concludes that time is ripe for legal scholars and scholarly legal periodicals to fully join the movement for open access to law. Kelly( 2005) has shown there is less push for open access to legal scholarship than there is for the open access to other disciplines scholarly output. Hunter ( 2006) made an attempt to explain how the changes in the modality of publication affect legal scholarship and economics of open access to legal materials, and its connection to future where there is infinite content.

## METHODOLOGY

DOAJ(Directory of Open Access Journals) identified a total of 64 journals as on 10-09-2008. The complete detail (starting year, country etc.) about all the journals were recorded. The complete data is analyzed and presented in various tables and charts.

## RESULT AND DISCUSSION

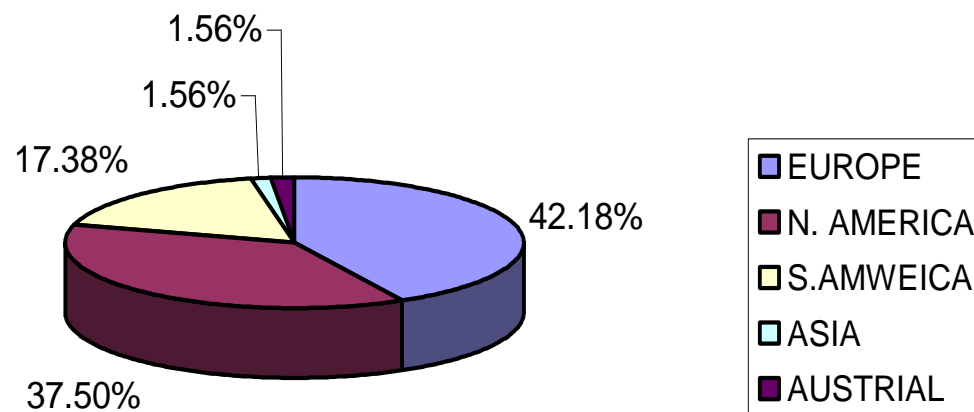
### GEOGRAPHICAL DISTRIBUTION

**Continent-Wise Distribution:** Among all the continents of the world, the continent Europe covers 42.18% open access journal distribution, next comes North America with 37.50% followed by South America with 17.38 %. Content Asia and Australia shares the lowest spot of 1.56% each. Figure 1

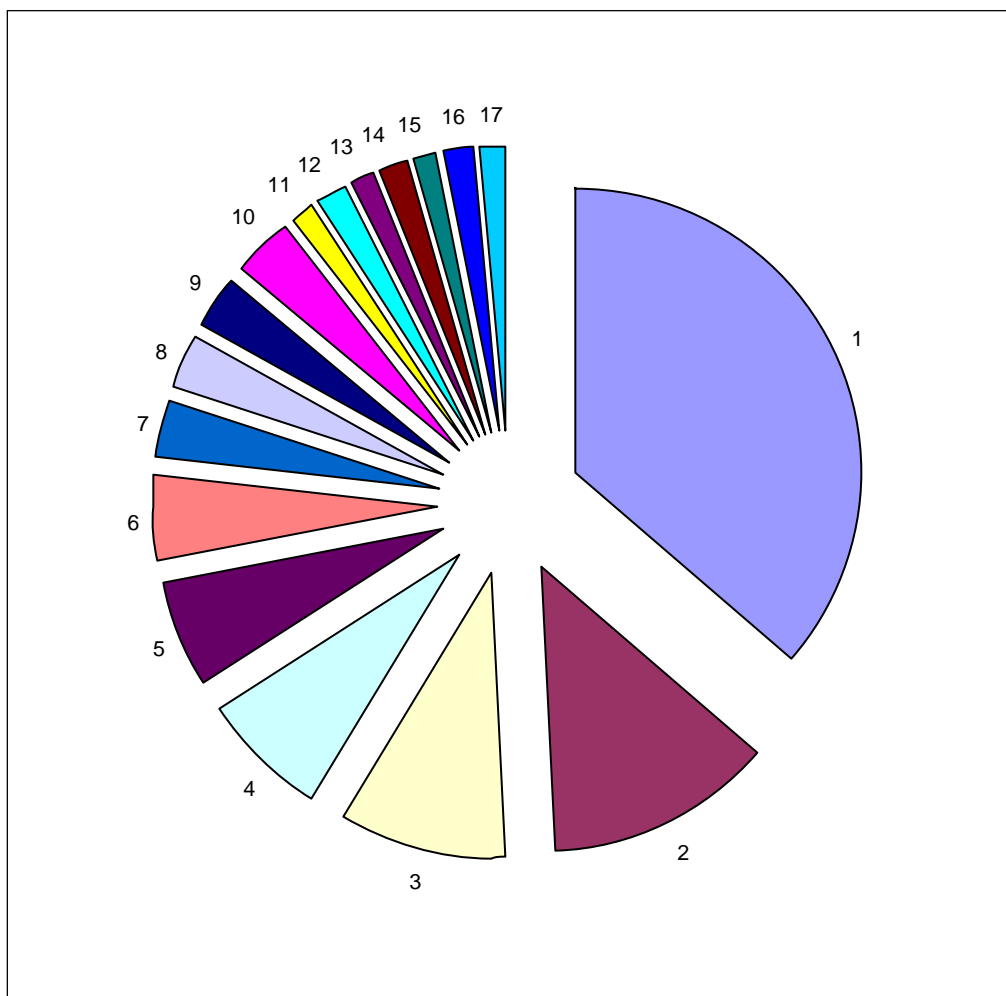
**Country-wise Distribution:** The Figure 2 shows the country wise distribution of open access journals. The highest percentage of 39.5% open access journals belong to USA, next comes the United Kingdom with 12.5 %, followed by Chile 9.3% then Germany 7.1%, Italy 6.2%, Spain 4.6%, Neither land, Venezuela, Mexico Estonia each possess 3.1%. The lowest percentage of 1.5% is possessed by Australia, Switzerland, India, Romania, Canada, Denmark, and Peru.

**Subject-Wise Distribution:** In terms of subject analysis the Figure 3 shows that the maximum percentage of 78.87% of open access journals belong to General law while the percentage of about 21.12% belong to Special law e.g (sports law) law associated with other fields.

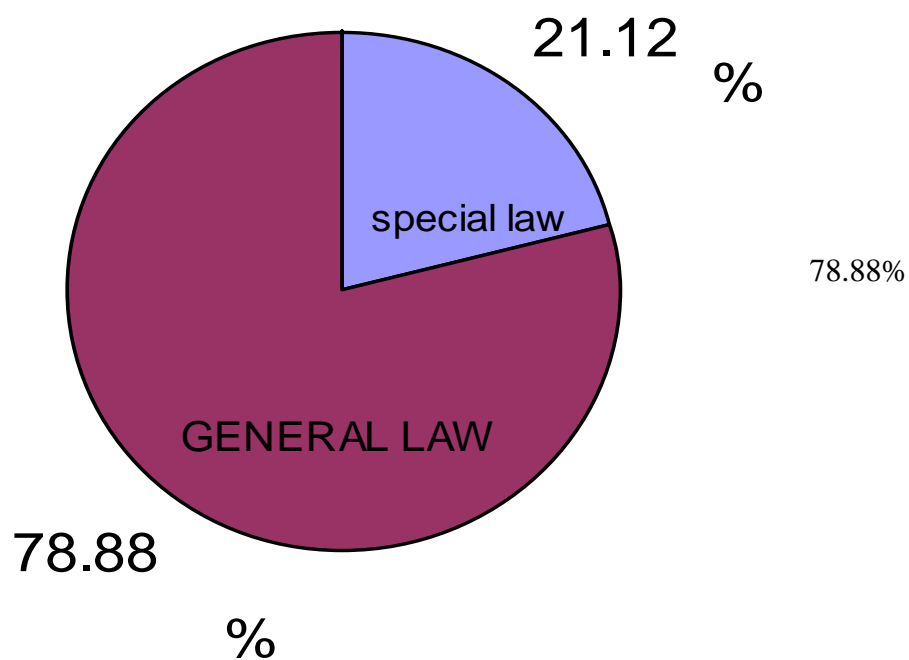
**Language Wise Distribution:** Open access journals are being published from each and every corner of the world therefore using different languages to publish them is natural. So in order to identify different languages used by OA law journals was conducted. It was found that English is used by 52.12%, followed by Spanish which forms 10.93 % and German language forms 2.87%. Figure 4



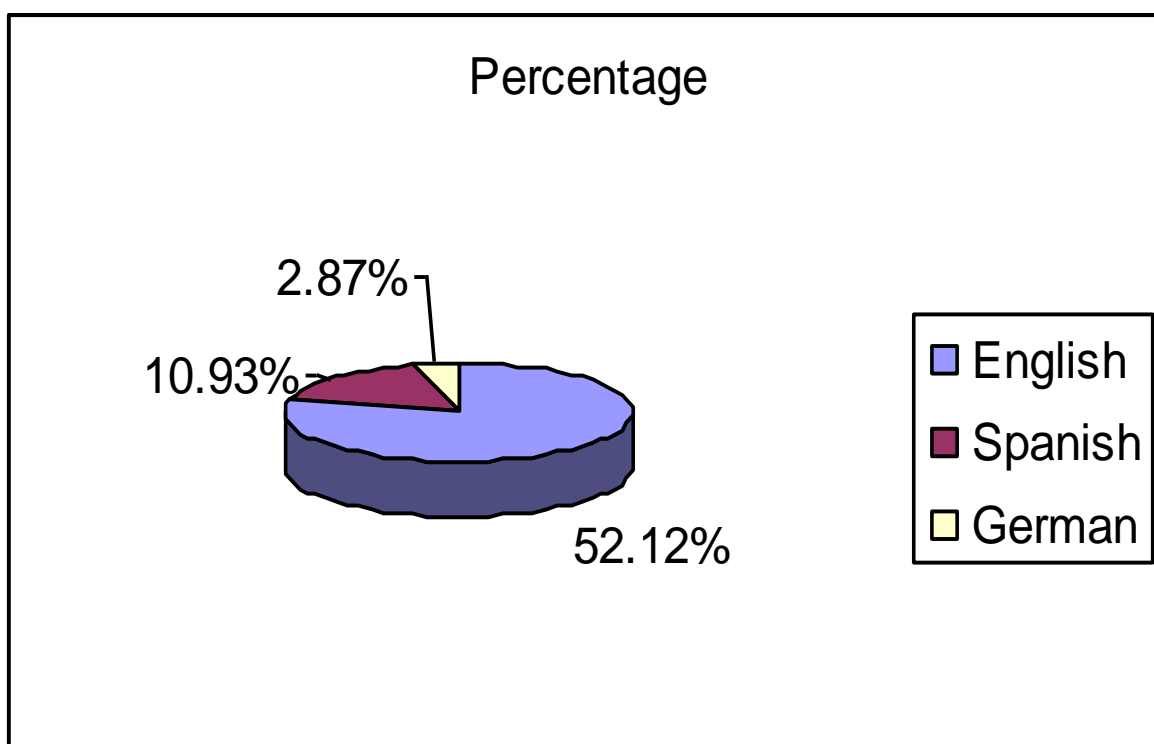
**Figure 1.** Continent wise distribution of open access journals.



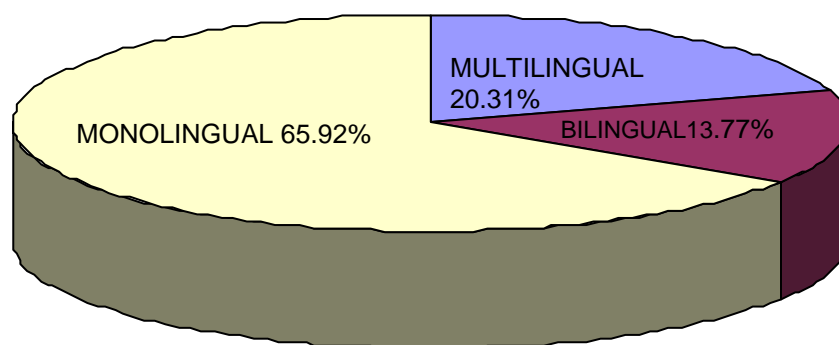
**Figure 2.** Country wise distribution of open access journals.



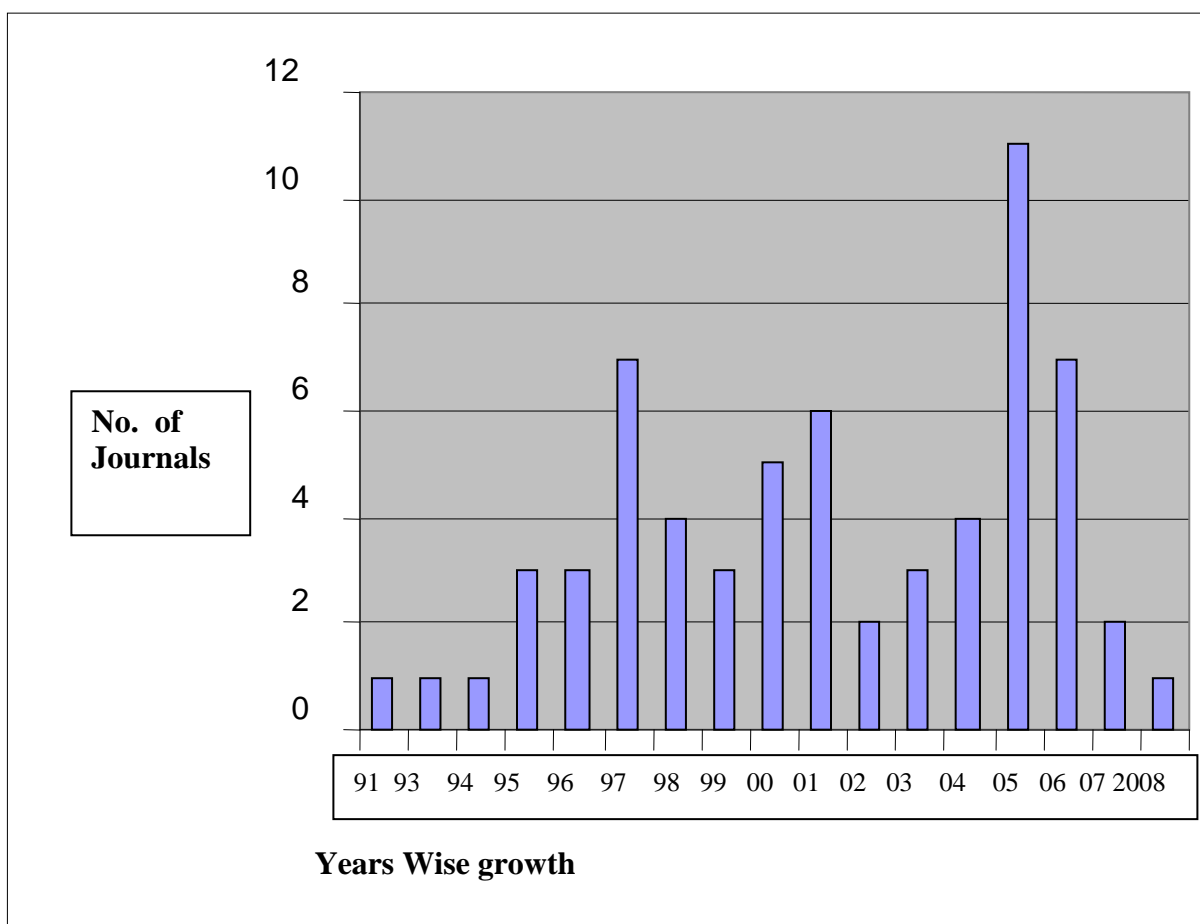
**Figure 3.** Subject-Wise distribution of open access journals



**Figure 4.** Language Wise distribution of open access journals.



**Figure 5.** Language Usage distribution of open access journals.



**Figure 6.** Graph showing the growth of open access journals in the field of law.

**Language Usage:** The open access journals are being published in monolingual, bilingual and multilingual languages. The monolingual language forms 65.92%, whereas bilingual forms 20.13 % and multilingual forms 13.77 %. Figure 5 and Table 1.

#### **Growth of open Access Journals**

The first open access journal in the field of law was

published in 1991 (Duke environmental law and policy) in USA and the latest open access journal has been published in 2008(open forensic science journal) from USA, within a span of 17 years the number of open access journals in the field of law reached to 64. The highest number OA journals were published in the year 2005. The year wise growth of open access of law journals is shown in Figure 6.

**Table 1.** Open access journals published in Monolingual, Bilingual and Multilingual Languages.

S.No.	Country	No	Subject		Language			Continent	Starting year
			General law	Special law	Monolingual	Bilingual	Multilingual		
1.	USA	23	17					N.AMERICA	1991
2.	UK	8	6	6	22	1		EUROPE	1995
3.	CHILE	6	6	2	7		1	EUROPE	1997
4.	GERMANY	5	5		5	1		EUROPE	2000
5.	ITALY	4	3		2		3	EUROPE	1999
6.	SPAIN	3	2	1	1		3	EUROPE	2000
7.	NEITHER LAND	2	2	1		2	1	EUROPE	1997
8.	VENEZULLA	2	1		1		1	S.AMERICA	2001
9.	MEXICO	2	2	1	2		2	S.AMERICA	2001
10.	ESTONIA	2	1			1	1	EUROPE	1996
11.	AUSTRALIA	1	1	1				AUSTRALIA	1993
12.	SWIZERLAND	1	1		1	1		EUROPE	2006
13.	INDIA	1	1			1		ASIA	2005
14.	ROMANIA	1	1			1		EUROPE	2006
15.	CANADA	1	1			1		N.AMERICA	2003
16.	DENMARK	1		1	1			EUROPE	2006
17.	PERU	1		1			1	S.AMERICA	1998
	Total	64	50	14 50+14=64	Eng 34 Spanish 7 German 1 Total 42	9	13  42+9+13=64	EU 27 N.A 24 S.A 11 ASIA 1 AUST 1	

1. USA 39.5%  
 2. U.K 12.5%  
 3. CHILE 9.3%  
 4. GERMANY 7.1%  
 5. ITALY 6.2%

6. SPAIN 4.6%  
 7. N. LAND 3.1%  
 8. VENEZULLA  
 9. MEXICO 3.1%  
 10. ESTONIA 3.1%

3.1%

11.AUSTRILA 1.55% 16. DENMARK 1.5%  
 12.SWIZERLAND 1.5% 17. PERU 1.5%  
 13. INDIA 1.5%  
 14. ROMANIA 1.5%  
 15. CANADA 1.5%

**CONCLUSION**

Today among 195 countries of the world only 17

countries are publishing open access law journals which shows far less publishing rate of open access journals in legal system.

It has been found that Open access journals publish information mostly on general law than that of special law. Most of the open access

journals are published in monolingual language and more than half of these journals are in English language. The continent Asia and Australia are far away in the publishing race of open access journals in the field of law. During the last seventeen years of open access journal publication, so far only 64 are OA journals are published in the field of law which shows a slow rate of publication as compared with other disciplines who started their open access publication during the same period. It has been found that the highest numbers of journals were published in the year 2005.

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