

## Editorial

### Editorial: In This Issue; In This Issue – Reviews; It’s a Scam: Third-party Services Promising (Smoother) Publication in EJIL

#### In This Issue

This issue opens with a symposium in our occasional series on *The European Tradition in International Law*. This instalment focuses on the work of Italian jurist Antonio (‘Nino’) Cassese (1937–2011), a founding Editor of EJIL. Convened by Megan Donaldson, Neha Jain and Sarah Nouwen, the symposium consists of a framing article by *Megan Donaldson* and three contributions. Donaldson sets out the symposium’s aims: rather than providing an exhaustive account of Cassese’s contributions, the articles examine his trajectory through the lenses of tradition and innovation, using his work as a foundation for broader reflections on biography and the history of international law.

In the first contribution, *Kirsten Sellars* examines the 1977 conversation between Cassese and Dutch jurist BVA Röling. Cassese’s interview with Röling culminated in the 1993 publication of a book on the Tokyo Trial. Sellars argues that this book reveals significant insights into the legal thought of two central figures in the history of international criminal law, who, despite their differences, shared a European outlook. In the next article, *Lorenzo Gradoni* presents an intellectual biography of Cassese, employing archival materials and early writings. Gradoni explores the intersection of Cassese’s approach to legal expertise and his reformist or progressive mindset, shedding light on the innovative potential of his professional engagements. Finally, *Adil Hasan Khan* turns to Cassese’s influence on the European tradition of international law, focusing on his writing. Cassese’s redescription of the work of earlier Euro-American international lawyers, Khan argues, illustrates how international lawyers can innovate while preserving and actualizing received traditions.

In our Articles section, *Dilek Kurban* analyses the relationship between the European Court of Human Rights and Turkey as a case study to examine how authoritarian regimes resist oversight by international human rights courts. Through a mixed-methods approach, including interviews with diverse actors in Turkey, Kurban argues that authoritarian regimes aim to reduce the scrutiny of international courts without necessarily undermining their authority, and that courts can sometimes be complicit in this resistance.

The second article, by *Niccolò Zugliani*, addresses the relationship between the customary law of neutrality and the *ius ad bellum* amidst the ongoing international armed conflict in Ukraine. Zugliani argues that states not participating in the conflict have disregarded norms including the prohibition to supply weapons to belligerents. He proposes that the Russian-Ukrainian conflict constitutes a crucial instance of state practice on the applicability of the law of neutrality when the conflict is initiated by an act of aggression.

Closing the Articles section, *Ming-Sung Kuo* explores the limits of constitutional analogy in international law by examining responses by constitutional and international lawyers to the dangers of authoritarian co-optation. Kuo contends that international lawyers, unlike their constitutional colleagues, have shown limited interest in militant democracy. The absence of militant democracy on the international plane, Kuo argues, underscores the non-democratic yet representative nature of the international legal order.

In *Roaming Charges*, we feature a photograph entitled Love and Care.

This issue's *Critical Review of Governance* section presents a debate. In his article, *Christian Riffel* argues that New Zealand's free trade agreements (FTAs) with the European Union and the United Kingdom are groundbreaking for incorporating participation rights of Māori in government decision-making. Riffel contends that these inclusions have intensified New Zealand's 'indigenization' of its FTAs, with democratic implications. In her reply, *Claire Charters* counters that Riffel misconstrues Māori rights under domestic and international law. Charters explains that under *te Tiriti o Waitangi*, New Zealand's founding constitutional document, Indigenous peoples have rights to exercise public and governance power alongside a state, which cannot be conflated with minority rights.

*The Last Page* in this issue is dedicated to *Miners*, by English poet and soldier Wilfred Owen. 'All a poet can do today is warn', Owen declared in a draft preface to his poems, not long before he was killed in action in the Great War.

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## In This Issue – Reviews

This issue abounds with reviews and marks a first of sorts.

It features one review essay and three regular reviews. *Thomas Bustamante* asks us to 'tak[e] Dworkin's legal monism seriously' in his essay reviewing Cormac S. Mac Amhlaigh's *New Constitutional Horizons: Towards a Pluralist Constitutional Theory* and considers the relationship between domestic, regional and international legal systems. *Daniel Joyce* begins the collection of short reviews, thinking about the 'prospects of international law as it grapples with our own contemporary mix of truth, lies, and violence' in his review of Carolyn N. Biloft's *A Violent Peace: Media, Truth, and Power at the League of Nations*. *Shai Dothan* reflects on the 'vague' meaning of the 'European public order' and offers an account of institutional strategy in his review of Kanstantsin Dzehtsiarou's *Can the European Court of Human Rights Shape European Public Order?* Finally, *Maria Aristodemou* reviews *The Sentimental Life of International Law: Literature, Language, and Longing in World Politics* by Gerry Simpson amidst the events in Gaza, Ukraine and Sudan and queries why it is often the case that 'law and war' appear to 'belong to entirely parallel universes'.

In addition to reviews of books recently published, this issue sees the first outputs of a project launched last year, with a call for contributions on ‘The Hague Academy: A Centenary of Scholarship’. This issue contains reviews by *Yusra Suedi*, *Zaki S. Shubber*, *Aliki Semertzi* and *Outi Penttilä*. Over the coming issues of the journal, we aim to publish a significant number of short reflections on the Hague Academy’s role and record: these will be diverse in style and approach, eventually depicting one of international law’s central institutions in the form of a mosaic. We say a little more about our aims in a short introductory note to the symposium.

*GCL and CJT*

## It’s a Scam: Third-party Services Promising (Smoother) Publication in EJIL

An author recently contacted us to ask:

- a) Whether EJIL collaborates with external service providers for manuscript submissions;
- b) Whether there is an official process through which third parties can facilitate submissions or communications with the journal;
- c) Whether we could verify the authenticity of the ‘certificate of acceptance’ that he had received (a certificate with the logos of Oxford University Press and Scopus).

The author had engaged the services of an online company that, in his words, ‘claimed to facilitate manuscript submissions’ to EJIL and that ‘asserted [to] have direct communication with one of [the EJIL] editors’. The author had paid a ‘substantial fee’ for their services and had then received a certificate of acceptance, signed by the chief editor of the company that he had paid, stating that his paper had ‘Received Official Endorsement of Acceptance from the journal of European Journal of International Law ..., affiliated with Oxford University Press and indexed on Scopus ... for the publication and visibility under [sic] journal’s latest issue and volume’.

In fact, while the article had indeed been submitted to EJIL through EJIL’s regular submission page, and in the author’s name at that, it had been rejected after screening.

To prevent more people falling victim to this scam, we thought it best to answer the author’s questions publicly.

- a) EJIL does not collaborate with any external service providers for manuscript submissions. The only way in which manuscripts can be submitted is through ScholarOne: <https://mc.manuscriptcentral.com/ejil>.
- b) There is no process for third parties to facilitate submissions or communications with the journal.
- c) The certificate was not issued by EJIL or OUP and contains a false statement, namely that EJIL endorsed and accepted the article.

Authors interested in publishing in EJIL are advised to consult our manuscript submission instructions at [www.ejil.org/about/manuscripts.php](http://www.ejil.org/about/manuscripts.php).

*SMHN and JHHW*

