

## EDITORIAL

# From the Editors

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The close of 2025 marks the end of our second year at the helm of *Law & Society Review* (LSR). As we begin our third and final year as editors, we wanted to take the opportunity to highlight some of the new policies that we have initiated in the previous 2 years, celebrate some of our proudest accomplishments, and share some of the insights we have gleaned from our tenure so far.

## Exciting new policies and changes

As editors, we have taken it upon ourselves to introduce several new policies and changes that we believe move the journal forward and better support our authors and the law and society field. In particular, we have introduced two policies that we see as particularly author-friendly: First, we have updated our manuscript submission policies so that references are not counted toward the word limit. We have updated the word limit to between 7,000 and 12,500 words excluding references, appendices, figures, and tables. In making this change, we want to encourage authors to cite the relevant literature and not be penalized for doing so. Second, we have removed the requirement that authors relocate their tables and figures to the end of the manuscript for submission; instead, they can leave them in their natural location embedded within the manuscript to ease the submission process for authors and the reading process for reviewers.

Next, we have two rather major policy changes that, although also author friendly, are especially important for the field, too. First, we have updated the journal's description, which can be found on the Cambridge website for the journal, the Law and Society Association (LSA) webpage for the journal, and digital and hard copies of *LSR*.<sup>1</sup> In doing so, we have updated the description of the type of research we publish, including its theoretical and topical content, empirical methods, and types of articles. We have made our international commitment explicit and we removed inaccurate and misleading content from the old description. Finally, we included book reviews in the description, which were historically omitted from the journal's description, but are an equally important part of the journal. We hope this new description will give authors and members of the field generally a more accurate understanding of the journal.

Our second major policy change is to offer new language options for authors writing about countries or populations whose primary language is not English. As an easy to implement option, authors of these papers are welcome to submit as part of their manuscripts abstracts that translate their required English abstract into another language relevant to the context of the study. Henceforth, articles can be published with two or more abstracts. Additionally, once a paper is accepted for publication, authors can submit translated versions of their articles, again, using a language that is relevant to the study context. In this issue, we feature two fully translated versions of published articles, one now available in Portuguese and another in Spanish, and a brand-new article with a second abstract in Spanish, with more such articles on the way.

We are particularly pleased with this policy for so many reasons. Most importantly, it opens up law and society research to be more accessible to members of the groups and countries who may not be able to read easily or even find the English-language versions of *LSR* articles. By making translated abstracts and articles available, we are making it easier for *LSR* research to reach policymakers, students and researchers, journalists, and ordinary citizens from other countries, especially those under study, who can most directly benefit from this research. While this outcome is a matter of epistemic justice and access to knowledge, it also has a number of practical advantages for *LSR* authors and the field of law and society: more readers of *LSR* means more future *LSR* authors, members of the law and society community, and engagement with (and citations of) *LSR* articles. We hope that a long-term effect of this policy is to see more law and society research generated from people and places for whom/which English is not the primary language. Finally, and most importantly, we also see this policy as an important signal to our global community of scholars: LSA is an international and indeed global organization; by encouraging authors to include translations of their work in the journal, we are hoping to signal that we take all of our members seriously, not only those for whom English is their first or only language.

Before moving on, we wish to highlight a few features of this new translation policy. First, articles must be translated with the author's (or authors') consent; we will not publish translated articles without it. Second, translations must be conducted by someone proficient in the language; in many cases, this will be an author who can translate the work on their own. If the author cannot translate the work on their own, they can hire a translator who would then receive coauthorship credit and the translated article will include a note about their role as translator. We encourage scholars looking for translators to consider the many wonderful law and society graduate students who are multilingual who could both earn money and gain coauthorship credit for their translation work. Third, our article translation policy is open to all eligible published articles, including articles that have already been accepted and published; interested authors of previously published work can simply submit their translated work through the journal's online submission system. Notably, all published translations will be available online, assigned to a future issue's table of contents, and provided a digital object identifier number, signaling that it is a distinct publication. Cambridge University Press will also help us to curate a collection of translated articles online and we hope to eventually have language-specific collections once we receive enough articles in a given language.

## We have done what we set out to do

We are very excited about these new policies that we believe will be helpful for our authors and the field generally. We also wish to highlight that we have made significant progress toward many of the goals we set out for ourselves in our first From the Editors note. First off, we have published our first “theory article”: Brayne et al. (2023) offer the concept of “surveillance deputies” based on their wonderful analysis of the secondary literature, drawing on multiple distinct empirical contexts where the same theoretical process is taking place. As a reminder, while all *LSR* articles make theoretical contributions, most are theoretically motivated empirical projects, but we have formalized the policy of accepting high-quality articles that make a strong theoretical intervention without an original empirical component.

Moreover, we are proud that the articles we have published during our tenure each make clear contributions to the law and society literature, moving beyond their sub-fields to core concerns within law and society. This was a key goal of our approach as editors: to produce issues that an LSA member could read cover to cover because every article is framed in such a way that should be of broad interest to our community. While we have received some manuscripts that already did this upon first submission, we have also worked closely with authors to provide a path forward when they did not already frame their work for a broad law and society audience. We were not alone in this process. We have also benefited from incredibly high-quality reviews provided by our peer reviewers, who have offered generous suggestions and feedback to our authors, helping them to make their manuscripts even better.

Many of these reviewers are also members of our editorial board. When we began, we selected a wonderful editorial board whose members signal the types of research (topics, disciplines, and methods) that we hope to see in the journal and who have the expertise to review manuscripts on those topics. We gratefully acknowledge their support over these first 2 years.

Next, we successfully held our calls for special issues and commissioned three such issues: one on the relationship between law and society and empirical critical race theory, one on law and climate change, and one on legal mobilization by rightwing actors. These special issues are currently wrapping up and are expected to come out this year; indeed, the current issue contains our first special issue on climate change. As our editorship is rapidly coming to an end, we will invite no more special issues; those interested in suggesting special issues should wait for the next editor(s) to be announced and to hear whether they will have special issues and, if so, whether they will issue a call or welcome unsolicited proposals.

Finally, as editors, we have stuck to our plans to try to approach our editorship pedagogically. For example, we have been hosting panels at the annual LSA meetings in which we and editors from other sociolegal journals discuss our advice for prospective authors and answer audience questions. Likewise, we have been holding our office hours, both virtually throughout the academic year and in-person at LSA. These office hours have no set agenda but are prospective authors' chance to ask us any questions they want in the hope of making the submission process as useful as possible: for example, one can inquire about the process, workshop a given project, or get our advice about framing or other challenges they may be facing. In these and other ways, we try to be transparent in our editorial approach and to provide useful information to

prospective authors in the hopes of receiving and publishing the highest quality law and society research possible. Along those lines, we included our best advice to date in our first From the Editor's note and, below, we provide more advice based on our experience since then.

One goal that we have only partially realized is to offer formal trainings to large groups. One special issue's guest editors took us up on the offer to talk to the group of authors at a workshop for the special issue. We continue to be willing to give virtual talks to departments, centers, or LSA collaborative research networks to provide our advice and help answer questions to groups of potential authors.

### What we are seeing and our advice to authors

With 2 years' experience, we are in a position to describe general themes in what authors are submitting, including both content as well as recurring but fixable problems, and to offer some additional advice we hope authors will consider before submitting to *LSR* to ensure the smoothest and most successful peer review experience possible.

First, we regretfully report that there are some disciplines, topics, and methods that continue to be underrepresented both in our submissions and especially in our published issues. We wish to emphasize that when the journal does not publish on a given discipline, topic, or method, this is generally more a function of our submissions than our preference as editors. For example, we continue to receive few submissions from anthropology, economics, history, and public law scholarship. Some of these areas are published in other journals (e.g., law and anthropology in *Political and Legal Anthropology Review*, law and economics in the *Journal of Law and Economics* or other economics journals, legal history in *Law & History Review* and *Law & Social Inquiry*). However, the decline in public law (and political science) submissions generally seems to reflect that area's contraction at the field level over the last few decades, which we see as a major problem for the law and society field given that area's substantial contributions since the field's beginning. In contrast, we also receive many criminology submissions, but often these manuscripts are focused on topics and discussions primarily of interest to criminology without a clear connection to the law and society literature; as a result, we publish proportionately fewer criminology articles than manuscripts received.

Topically, we receive many studies on immigration, which is an important and timely topic, but we continue to receive very few manuscripts on other important issues of health and disability, the environment, colonization and Indigeneity, technology, business-related topics, or industries not commonly studied by law and society scholars. We strongly encourage prospective authors to look to topics that are not typically published in *LSR* and connect them to established questions, debates, and theories in the field and thereby think about what law and society has to offer for understanding these essential areas. This is a useful way to grow the field, connect it to other fields, and generally to keep the field fresh, relevant, and lively. Ultimately, we want (and need) authors to push the bounds of what is covered in *LSR* and introduce new topics to the field.

We typically receive few manuscripts using quantitative methods and we publish even fewer. The largest problem facing the quantitative manuscripts we do receive is

often a failure to engage theory: that is, often these manuscripts are not motivated by theory, but only by prior empirical findings, and/or they fail to make a theoretical contribution. As written, most of these manuscripts would be better placed in the *Journal of Empirical Legal Studies*, since LSR only publishes empirical articles that are theoretically motivated and make a theoretical contribution to the law and society literature. However, we would like to see more quantitative work published, but authors need to turn to the law and society literature and utilize some of the many rich theoretical frameworks to motivate their quantitative empirical study. For authors using previous empirical findings from the literature to motivate their study, a simple strategy to follow is to look for articles that offer an account of why a given variable is correlated with some outcome of interest. Are there competing interpretations in the literature (whether extant quantitative or qualitative studies) about the role of that variable? Note we said “role” not “effect” as we want the story about what work that variable is doing, how and why it may be impacting or correlated with the outcome, not just by what magnitude or in what direction. Another way of asking this question is why do we think a given variable is significant in light of the law and society literature? Reading that literature, what are some accounts that may shine light on the work a given variable is doing? What are the theorized mechanisms for one variable to affect the outcome? Answering these questions carefully adds needed theoretical engagement to otherwise atheoretical analyses and strongly increases the chances of a successful peer review at LSR.

We receive an abundance of manuscripts utilizing the legal consciousness framework. Most of these manuscripts are rejected, but the high frequency of published articles in our issues illustrates the magnitude of the submissions. Many of the rejected manuscripts share some common features. Foremost, they tend not to engage the legal consciousness literature, citing instead a limited selection of only the most well-known studies before moving on: most often, Ewick and Silbey (1998), followed by reviews by Silbey (2005) and Chua and Engel (2019). The legal consciousness literature is large and growing, which makes it intimidating for one new to the field; however, it is imperative that authors writing manuscripts using legal consciousness fully review the literature to avoid reinventing the wheel. Many rejected studies often present findings that they claim are novel, but are not novel, having already been covered in the literature (e.g., the realization that people can hold multiple competing/conflicting legal consciousnesses as noted by Ewick and Silbey).

We welcome legal consciousness manuscripts, but we wish to see manuscripts that do more than apply the Ewick and Silbey framework of above the law, with the law, and against the law to a new empirical context. If one chooses that approach, they need to make clear what we learn from such a project beyond empirical detail: what are the portable, generalizable findings that such a study reveals that we did not know before? For authors taking a different approach, we need to see something more than an enumeration of a group's views of the law with limited analysis or theoretical payout. Sadly, we find Silbey's (2005) critique to be accurate still: many such studies stop at describing legal consciousnesses and then omit the underlying causes of different legal consciousness orientations or their subsequent consequences. We would love to see studies that tie legal consciousness to outcomes of interest to law and society scholars, such as legal compliance or resistance, system avoidance, and legal mobilization (as some of our recently published legal consciousness articles have done). But for

a study to pass peer review, it must do more than simply enumerate different legal consciousnesses; it must articulate a substantive theoretical contribution.

Likewise, we receive a fair number of studies using some combination of legal cynicism, legal estrangement, and system avoidance, sometimes also connected to legal consciousness. Often scholars address only legal cynicism or legal estrangement; however, our advice is often to address both, since the concepts are very closely linked conceptually and often empirically – in some cases, an author seems to be actually describing one phenomenon but using the terminology of the other. We also see significant room for theory development that connects these distinct topics with one another, but also with related theories like legal mobilization and legal socialization, among others. Moreover, we see legal cynicism and legal estrangement used primarily in policing or immigration contexts, but rarely in other empirical contexts, creating a topic-based partition in the literature such that certain theories seem to be more common in certain topical subfields.

Scholars can substantially move the law and society literature forward by breaking down those partitions not only by exploring these theories and concepts in other empirical contexts but also by putting similar concepts and theories in conversation. For example, what are the differences between legal consciousness and legal cynicism, as both entail perceptions about the law? How do legal cynicism and legal estrangement fit together? How does legal socialization change our understanding of the mechanisms shaping one's legal cynicism or legal estrangement? How do the theorized mechanisms of legal cynicism and legal estrangement complement or complicate our theorized mechanisms of legal socialization? How does legal cynicism or estrangement shape one's willingness to mobilize the law and the legal mobilization strategies they use? Some of our recently published works are answering these very questions, but there is so much more that can be done. Importantly, engaging these sorts of questions elevates a study from simply applying a concept in a new empirical context to one that makes a stronger theoretical contribution by connecting related concepts that should be in conversation given their similarities. Ultimately, scholars may one day be able to construct a coherent theory that mobilizes these concepts in a general theory of legal conceptualization.

Beyond areas for improvement, there are some recurring problems in submissions that do not make it successfully through peer review – but these are fixable problems and we hope our advice will prevent authors from repeating these mistakes, helping them reach publication in *LSR*. First, many articles that get rejected are often rejected because the author is not familiar with *LSR* and its conventions – either because they are used to norms common in other countries or other fields and they simply do not read *LSR* (or they only read *LSR* articles in their topical area). We strongly encourage prospective authors to read a variety of *LSR* articles before they submit to *LSR*; in particular, we suggest they read not just articles related to their topic of interest or subfield, but broadly. Our goal, as we articulated in our first From the Editors note, is for all of the articles we publish to be broadly interesting to law and society scholars. We do not want an article to only be relevant to those with an interest in the empirical context or topic; instead, we want articles that make a contribution to the field of law and society generally. This means making contributions beyond their topical subfield. As such, all of our articles should be relevant to potential *LSR* authors and provide useful models to emulate. However, as we recognize that one can read many articles and still miss the

underlying norms, our first From the Editors note made explicit recommendations about how to outline an article, how to frame it, and what all needs to be included. Thus, we recommend reading our first From the Editors note in combination with a variety of *LSR* articles to gain familiarity with the journal.

Second, as part of this lack of familiarity with *LSR*, we often see authors struggle with framing their manuscript for a broad law and society audience. We strove to provide guidance on this front in our first From the Editors note, but we continue to see authors struggling to connect their work beyond their empirical topic or context for that broader audience. We repeat our advice that authors should imagine someone who is not an expert in their topic and think about what aspect of law and society theory would connect their study to that person's topical interests. To use a common example, why should a law and society scholar who doesn't study criminal justice read a policing study? If the study engages some recognizable theoretical framework or problem,<sup>2</sup> then a reader may see the connection between their work and the article; they are more likely to read, apply, and even cite it. Authors who use a theoretical framework not typically used in their topical area (for example, using legal cynicism in a context other than policing and immigration) can especially reach a greater readership by putting that topical area and its common theories in conversation with a theoretical framework and its common topical areas.

Engaging in this exercise – that is, framing one's work for the journal's audience, not just to a narrow band of subfield readers – is not just about ensuring a robust readership and increasing the chances of possible citation, it is also about clarifying what the larger theoretical contribution is to the law and society field. We wish to emphasize that scholars need not turn to the most popular frameworks or “bow down” to the classics, paying homage to well-worn concepts and theories. But they do need to demonstrate some strong connection beyond their subfield or topic area, bumping up the level of abstraction from their empirical context or topic to a broader theoretical discussion that can be instantiated in multiple empirical contexts and topics. We often tell authors to build a bridge between us (or some imagined generalist reader) and them: with each plank they lay down, they give us a pathway to figure out how to close the gap between what we know and what they are studying. In this way, they do the work to bring us along – they make the connections explicit for us so we want to come along with them, so that we can see the payoff coming as we do the hard work of learning something new and unfamiliar. In doing so, they can expand the field of law and society into new topics, new methods, and new theories (as we would like authors to do).

We acknowledge that, in insisting on making a connection to a broader law and society audience, there is sometimes disagreement about what that means. *LSR* is the official journal of the LSA and as editors, we understand law and society as the body of research most associated with that tradition. We also recognize, importantly, that that tradition is changing. Our law and society began with legal realism, evolved and became formalized in the LSA, which then expanded to become an international and global organization. As the organization expands and evolves, what law and society means even to LSA members expands and changes in ways that lack consensus. As a field, we have much work to do to think about what this expansion means, what law and society looks like or should look like in the twenty-first century. LSA has long prided itself as a big tent, meaning we want to include everyone; but we also have a long



tradition about what it means to do law and society research and we do not always do our job in socializing new scholars into the field and helping them to succeed. As editors, we have sought to help convey our vision of law and society to potential authors and our expectations for how to frame and style that work to be published – socializing authors into the norms if they are not familiar with them – so that we can be more inclusive. However, our approach is not the only one, nor necessarily even the “right” one.

LSA is currently in the process of selecting the next editor or editorial team (to take over in 2026). The next editor(s) will have many decisions to make about their tenure, but most importantly they will need to decide whether *LSR* is simply a clearinghouse for any social science (or even humanistic) scholarship related to law and legal phenomena or specifically for work that contributes to existing conversations familiar to law and society scholars – a conversation that can be expanded but still abides by certain norms and conventions. For our part, we believe there is no one right way to be an editor, nor do we expect the next editor(s) to adopt our approach to framing or what work to encourage. To learn their approach, stay tuned for the next editors’ note.

## Notes

1. “Founded in 1966 as the official journal of the Law and Society Association, *Law & Society Review* is regarded by sociolegal scholars worldwide as a leading journal in the field. *LSR* is a peer-reviewed journal that publishes sociolegal scholarship on the relationship between society and the law, laws, legal institutions, and legal processes. Such scholarship includes theoretically motivated empirical articles (whether using qualitative, quantitative, or mixed methods), purely theoretical essays (drawing on secondary literature) that contribute to important debates within the field of law and society, and reviews of books published by law and society scholars. Reflecting LSA’s community of interdisciplinary and international law and society scholars, *LSR* welcomes law and society-style studies of any jurisdiction informed by any of the multiple disciplines that constitute LSA membership” (this issue, p. f2).
2. Some examples include the gap between law on the books and law in action, the distributive effects of legal processes, law’s capacity to produce social change, the role of frontline workers shaping the interpretation of the law in practice, the role of legal ambiguity making implementation difficult, the power of legal endogeneity, the role of legal consciousness and rights consciousness, the impact of autocratic legalism, how differences in the legal profession translate to different legal outcomes, variations in people’s access to justice, the determinants of legal mobilization either at the micro-scale of disputing or at the macro-scale of social movements, etc.

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