

Book reviewing and academic freedom

I have served as book review editor for [Discourse and Society](#) for ten years and recently resigned from my roles as book review editor for [Discourse Studies](#) and [Discourse and Communication](#) because the workload had become too much for one person. In all those years I have thoroughly enjoyed my role as book review editor because it has forced me to keep up to date with publications in my field and it allowed me to interact with scholars – as authors and reviewers – from around the world. It's a labor of love – not a salaried position as some correspondents who complain when I do not respond immediately seem to think – and I do it in the spirit of community service. So, when I read that the book review editor of the [European International Journal of Law](#) is being sued for libel because a negative book review was published under his editorship it ran shivers down my spine!

The whole dreary story is documented in an [editorial](#) in issue 20(4) of the journal: Dr Karin Calvo-Goller, the author of *The Trial Proceedings of the International Criminal Court. ICTY and ICTR Precedents*, found that her book was negatively reviewed. The review in question can be found [here](#). Consequently, she asked the reviews editor, Professor Joseph Weiler, to remove it from the website and when he refused – the whole correspondence is set out in the editorial – she sued him for libel. The libel case will be before a French court later this year.

I know nothing about international law and so can't comment on the merits of the book nor of the review. However, I've seen enough book reviews to say that if the negative things said in that review are "libelous" than that's the end of book reviewing and book review editing! I've seen much more strongly worded negative book reviews; I've actually had much more negative reviews published under my editorship; similarly negative things have been said about my own books, and – dare I confess it? – I've said less pleasant things about the work of others myself in published reviews.

In his editorial, Professor Weiler includes a beautiful response letter he wrote to Dr Calvo-Goller in response to her initial request to take down the review. It says it all about the issues of academic freedom involved, the way book review editing works, and the damage that Dr Calvo-Goller is doing to her own reputation with this frontal assault on academic freedom.

I have no doubt that the French court will be wise enough to throw out the case and the assault on academic freedom it constitutes. But even so, the damage has been done. I'd hate to find myself in Professor Weiler's shoes and to have to stand trial for publishing an average negative review. Luckily, discourse analysts and linguists are on the whole less litigiously inclined than jurists!

The editorial ends with an appeal for assistance and includes suggestions on how anyone concerned can help and I'm copying and pasting those suggestions here:

- a. You may send an indication of indignation/support by email attachment to the following email address EJIL.academicfreedom@Gmail.com Kindly write, if possible, on a letterhead indicating your affiliation and attach such letters to the email. Such letters may be printed and presented eventually to the Court. Please

do not write directly to Dr Calvo-Goller, or otherwise harass or interfere in any way whatsoever with her right to seek remedies available to her under French law.

b. It would be particularly helpful to have letters from other Editors and Book Review Editors of legal and non-legal academic Journals concerned by these events. Kindly pass on this Editorial to any such Editor with whom you are familiar and encourage him or her to communicate their reaction to the same email address. It would be especially helpful to receive such letters from Editors of French academic journals and from French academic authors, scholars and intellectuals.

c. Finally, it will be helpful if you can send us scanned or digital copies of book reviews (make sure to include a precise bibliographical reference) which are as critical or more so than the book review written by Professor Weigend – so as to illustrate that his review is mainstream and unexceptional. You may use the same email address EJIL.academicfreedom@Gmail.co

If anyone reading this ever had their book negatively reviewed, here is your chance to redeem yourself and to turn your humiliation into triumph over adversity! Send in that negative book review and tell the judges that while you were disappointed, hurt, upset, outraged or whatever, never for a second did it occur to you that that negative review constituted libel! It was part of a normal academic dialogue and argument and you either ignored it, responded to it in the “response to review” genre or actually learnt from it and challenged your own thinking.

Good luck to Professor Weiler and wisdom to the court that will be hearing the case!



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