Symposium on Early Career International Law Academia: Gender Disparity in Academic Citations: Tips for Rectifying the Gender Gap among Early Career International Law Academics and Practitioners

By:

Aphiwan Natasha King

April 26, 2022

Introduction

The impetus for this blog post was the excellent book Invisible Women by Caroline Criado-Perez. Among other things, the book highlights evidence for the existence of a gender gap in the frequency of citations: plainly, women are cited much less than men in academic works. I would argue that this gender

gap is likely to be equally pervasive in the context of international legal scholarship, and particularly prejudicial to junior women practitioners and early career researchers ("ECRs"). With this phenomenon in mind, this piece proceeds in three parts. First, it reviews the more general evidence for the existence of a gender gap in academic citations and legal scholarship. Second, it provides a personal perspective by reviewing gender equality in my own citation practice. Finally, it concludes by recommending best practices to minimize the gender gap, with an emphasis on the role of ECRs.

The Gender Gap, Academic Citations, and International Law

In *Invisible Women*, Criado-Perez highlights the many ways in which women are systemically discounted and discriminated against in the labour market, including across all aspects of academia. Criado-Perez refers to numerous studies, which have found that women students and academics are statistically less likely compared to male candidates to receive funding, be granted meetings with professors, be offered mentoring, secure job offers, and have papers accepted for publication. These difficulties are compounded by a gender bias in citations, which are often treated as a key metric for assessing research impact. Criado-Perez highlights several studies, including in fields such as international relations, which suggest that women authors are systemically cited less often than their male counterparts. Moreover, as men on average self-cite 70% more that women, and women tend to cite other women more than men do, these citation patterns create a vicious circle - women systematically falling behind men in terms of citation rates, and thus career progression, and thus citation rates, and so on (p. 96).

To date, there has been limited research on this trend in the context of legal scholarship. One 2018 paper I found reviewed citations in 19,257 articles published in American law reviews between 1990 and 2010. It found that women comprised only a quarter of named authors, but that those papers authored by women actually received a higher number of citations than those authored by men. The study's authors speculated that this might be attributable to high rates of team authorship among women academics as well as a small class of particularly impactful women professors. However, as noted by Criado-Perez, in fields where joint papers are the norm, men tend to receive the same level of credit for both solo and joint point papers, whereas women

tend to receive less credit for co-authored papers (p. 97). Higher citations of papers co-authored by women may therefore obscure a broader attribution gap in which those women receive less credit for those papers than their male counterparts.

There is a real need for robust research on this issue in international legal scholarship, which would be beyond the scope of this blog post. However, I would speculate that the gender gap in citations is likely to be as pervasive in international legal scholarship as it is in other academic fields, given the vast evidence of underrepresentation of women in both international law scholarship and practice. This citation gap is likely to be particularly prejudicial to junior women academics and ECRs, as the quantity and quality of citations is often viewed as a proxy for expertise. It may thus impact not only their prospects of success in academia, including achieving tenure, but also across a broader range of professional opportunities and appointments.

Critical Review: A Sample Paper in International Economic Law

In the spirit of critical reflection and data collection, I decided to review a paper I had previously written in my primary field of research (international economic law) as a sample of how this gender gap in citations can manifest in practice. I organized citations in the paper by source and gender of the author (if relevant). Where there were two or more authors, I recorded each author separately. I also omitted repeat citations to the same source, as well other types of citations (i.e. to treaties, cases, awards, reports by organizations, press articles etc.). The results were dispiriting:

	Men	**Women**	**Total**
Book & Book Chapters	22	9	31
Jouranal Articles & Blog Posts	25	18	43

Figure 1: Sample Citations in International Economic Law Paper

Of the academic works cited in my paper, 64% of authors were men whereas only 36% were women. I suspect that this pattern would probably repeat in other international economic law works, and indeed international law

scholarship in general. (I informally asked a male colleague to do the same exercise for a short paper, with similar results – around 60% men to 40% women. I would encourage any readers who have the time or inclination to conduct the same exercise).

My broader reading on this topic, as well as my review of my own past work, have left me with a difficult question. What is my individual responsibility – as a junior practitioner and researcher – to ensure gender equality across my own academic citations? Arguably, these issues should fall primarily to institutions and organizations rather than to an individual scholar attempting to produce a balanced and comprehensive piece of academic writing. Ultimately however, I believe it is incumbent on women ECRs and practitioners in international law to drive change on this issue, both through critically reviewing our own work and proposing best practices which may be adopted by others.

To that end, this post draws on previous best practices recommended in other academic fields to suggest some key steps that international legal scholars (and particularly women ECRs and practitioners) can take to remedy the gender citation gap.

Best Practices for Gender Equality in International Legal Citations

1. Prioritize Plurality in Research

In producing a piece of international legal scholarship, academics and practitioners should prioritize pluralism in their research. In particular, literature reviews and bibliographies should be reviewed for their diversity and gender equality. This may involve a more critical review of the field in question, as some international law specialisms may be more dominated than others by men as compared to women academics. For example, a list of professors working in international trade law featured on WorldTradeLaw.net records a shocking ratio of 40 women (23%) to 130 men (76%). As such, on certain issues, it may be necessary to spend extra time and diligence seeking out literature by women authors.

2. Consider Gender and Geographical Diversity in Citations

International law researchers should aim to review the diversity of their citations in any academic piece of writing before publication. As a matter of best practice, authors should strive for their academic writing to have a relatively equal split of cited women and men authors. Other key criteria to consider could include the following:

(i) Gender (or Gender Identity) of Author

(ii) Seniority of Author (e.g. Professor, Assistant Professor, Postdoctoral Fellow, Senior Practitioner, Junior Practitioner etc.)

(iii) Nationality of Institution

(iv) Nationality/Background of Author

Checking for diversity in the gender, seniority and background of cited authors will naturally add extra time and effort to the review process. However, citation software such as Zotero, Mendeley and EndNote can aid in increasing efficiency generally. There are also online tools such as Jane Lawrence Sumner's Gender Balance Assessment Tool which can provide approximate estimates of the gender diversity of a syllabus or bibliography, although the tool cautions that it is less accurate in providing data on racial diversity.

Junior researchers and ECRs could also promote and encourage university faculties, academic publishers, and journal editors to adopt these processes as a matter of course. For instance, journals and other publishers of international law scholarship should be encouraged to mandate the importance of equality and diversity in their submission guidelines, and routinely undertake reviews of diversity across citations as part of their editorial checks.

3. Emphasize Diverse Scholars (Particularly ECRs)

International law researchers should make a particular effort to amplify diverse voices through their academic writing, particularly those of junior and/or women academics whose work they find particularly clear, helpful, or comprehensive. In such cases, extra effort should be made to include multiple citations to those works, in lieu of repeatedly citing to established papers by senior and/or male academics. In future articles, blog posts, and books, I intend

to make sure that works by women academics and ECRs are featured more prominently and frequently, both in the body of the text and in citations. I would encourage others to do the same.

4. Encourage Self-Citation among Women Academics

Whether self-citation as a practice should be encouraged or discouraged in legal academia is a much broader and complicated question. Unfortunately, the existing data suggests that at present, men are much more comfortable than women at citing to their own papers, book chapters, and other academic work. Even when they are aware of the importance of self-citations, many women (particularly junior practitioners and ECRs) still struggle with a sense of illegitimacy in citing to their own work. Despite any discomfort, women researchers and ECRs should be encouraged to do so as a matter of course. In turn, male academics should interrogate whether repeated self-citations may be to the detriment of highlighting work by other authors, including their junior and/or women colleagues.

5. Consider the Impact of Citation Styles

It is important for authors and practitioners to interrogate the impact that citation styles may have on gender bias. In particular, the gender gap in citations may be influenced in part by implicit biases upon the apprehension of male- or female- coded first names. Conversely, even where gender neutral citation styles are used, readers may continue to have implicit preferences towards known authors because of their gender, or to fall prey to so-called "male-default" thinking in which unknown authors are automatically assumed to be male.

In international legal scholarship, the dominant trend remains for the full names of authors to be used in citations. Style guides including the Oxford University Standard for Citation of Legal Authorities (OSCOLA) and United States Bluebook require the author's full name to be used for journal articles, book chapters, and books. These citation guides are employed by many international law journals (see e.g. the Yale Journal of International Law and Journal of International Dispute Settlement). Those journals which publish their own style guides often similarly mandate that the full names of authors be used (see e.g. submission guidelines for the American Journal of International Law and

European Journal of International Law). This can be contrasted with citation styles preferred in other academic disciplines, such as the APA Style Guide, which uses an author's initials rather than first (and/or middle) name(s).

Ultimately, it is difficult to say whether adopting gender-neutral citations would be efficacious in remedying implicit biases towards male authors in the specific context of international legal scholarship. There may nonetheless be other methods through which academic journals and publishers can adjust their style guidelines to minimize gender bias. The APA Style Guide provides a good example, by publishing broader style guidelines on Bias-Free Language and gender inclusivity in academic texts.

Conclusion

Ultimately, there are few silver bullets when it comes to achieving gender equality in international legal scholarship. This post does not purport to solve those issues through a mere review of the practice of academic citations. However, I hope I have succeeded in shedding some light on how even the supposedly neutral and routine process of citing academic work may be more insidiously gendered than it appears and in proposing some ways in which that disparity may be mitigated.'

Aphiwan Natasha King is a future pupil barrister at 4 Pump Court and Editorial Assistant for *Opinio Juris*. She previously worked at the World Trade Organization and has published several articles on issues of international trade and investment law.

The use of the terms "men"/"women" and "male"/"female" in this article do not intend to deny the existence of diverse manifestations of sex and gender identity.

View online: Symposium on Early Career International Law Academia: Gender Disparity in Academic Citations: Tips for Rectifying the Gender Gap among Early Career International Law Academics and Practitioners

Provided by Afronomicslaw