

CODE OF CONDUCT AND GUIDELINES FOR THE PUBLICATIONS OF THE SERIES

Un'anima per il diritto: andare più in alto

Art. 1

(Scope, contents and purpose of the Series)

1. This Code of Conduct regulates the procedures for the admission and the review of works that are intended to be published in open access in the Series *Un'anima per il diritto: andare più in alto* by Stem Mucchi Editore Srl (www.mucchieditore.it).

2. The Series includes monographs and miscellanies (e.g. proceedings of conferences and study seminars) on juridical issues in conformity with its peculiar interdisciplinary vocation and in accordance with the constitutionally guaranteed freedom of scientific research. Collections of essays and articles which are accompanied by a qualified critical introduction and critical editions of texts and sources which are accompanied by an introductory study can also be published in the Series.

3. The purpose of the Series is to promote the publication and the dissemination of the results of scientific researches that are developed by Italian or foreign law scholars and that stand out for scientificity and originality, thus giving a relevant contribution to the evolution of legal science and national and/or international scientific debate.

4. All of the parties that are involved in the processes of admission, review and publication (Author, Editorial Board, Scientific Board, Editorial Office, Publisher) are required to know and agree on the provisions of this Code in order to guarantee good practices of scientific publication.

Art. 2

(Bodies of the Series, their tasks and responsibilities)

1. The bodies of the Series *Un'anima per il diritto: andare più in alto* are the following: Editorial Board, Scientific Board, Editorial Office.

2. The Editorial Board has the task to provide for the implementation of the editorial plan that is defined by the Scientific Board, to guarantee the ordinary functioning of the Series, to maintain relations with the Publisher and to assess the publishing proposals that are submitted by the Authors. Moreover, the Editorial Board chairs the meeting of the Scientific Board and guarantees the independence of the review process, even in the case of a work by a member of the Editorial Board, the Scientific Board or the Editorial Office of the Series is to be published.

3. The Scientific Board, the members of which represent the disciplinary fields of the Series, meets upon convocation by the Editorial Board, also via electronic means. The Scientific Board is responsible for the decisions regarding the publication of the submitted works, according to the editorial policies of the Series and in compliance with current legal provisions, by availing of the assistance of at least two external Reviewers. Moreover, the Scientific Board defines the editorial plan of the Series, takes ordinary and extraordinary decisions and guarantees the compliance with this Code.

4. The Editorial Office carries out the following tasks: it receives the works that are admitted to the publishing by the Editorial Board and assesses their conformity with the editorial rules of the Series; upon recommendation of the Editorial Board, it keeps contact with the external Reviewers and sends them the assessment form that they have to fill and sign; it maintains relations with the Author, to whom it communicates the results of the Reviewers' assessments, whose anonymity is guaranteed; it stores the assessment forms in a proper archive; it receives the definitive version of the work by the Author, which is then to be transmitted to the Publisher in order to publish it.

5. . In case one or more members of the Editorial Board, the Scientific Board or the Editorial Office of the Series find out or are informed about a relevant problem regarding mistakes, inaccuracies, conflicts of interest, authorship disputes, cases of misconduct such as text recycling or redundant/duplicate publication which involve one or more Authors, they have to promptly inform the Editor, the Author and the Publisher, in order to take whatever action is needed to clarify the matter, by conducting investigations and allowing the people concerned to defend themselves. Depending on the circumstances and according to the guidelines developed by

the Committee on Publication Ethics (<https://publicationethics.org/guidance/Guidelines>), the Editorial Board may decide to reject the work or, in case it has already been published, to publish a correction or a retraction. In case the Editorial Board deems it necessary to inform the readers about investigations or other actions ongoing, the results of which may influence the reliability of the contents of the Series, the measures taken can be preceded by the publishing of an ‘expression of concern’.

Art. 3

(Author’s consent and duties)

1. By presenting his editorial project or his complete work to the Editorial Board of the Series, the Author provides his consent to submit the text to the assessment of scholars who are expert in the scientific and academic reference field or in similar fields, who are external to the bodies of the Series and who are appointed by the Editorial Board in compliance with the peer-review principle.

2. The Author must guarantee that his work is completely original and, in case other Authors’ works and/or words are used, that they are adequately rephrased or reproduced literally in the text along with precise references in the footnotes. The Author has a duty to quote the works that are relevant for the purposes of the writing of the essay. Works that are based on original researches must include a detailed report of the investigations carried out, as well as a proper argumentation of the scientific result pursued.

3. Works already published as copyrighted material by other Publishers cannot be submitted to the Editor. Editorial projects and works currently under review cannot be submitted to other Series nor to other Publishers for the purposes of publishing.

4. After submitting the editorial project or the definitive version of the work, the Author (or the Authors) agrees that, in case of publishing, the work will be available in open access on the official website of the Series, in compliance with editorial rules.

5. When the editorial project or the work is submitted, the Author must specify if there exists an economic conflict or a conflict of interest

of other nature that may influence the results or the interpretation of the work. Sources of financial support have to be explicitly specified.

6. The authorship of the work is limited to those who: a) gave a significant contribution in conceiving, designing, analyzing and interpreting the work; b) drafted the work or revised it critically for important intellectual contents; c) approved the final version to be published. It is necessary to list everyone who gave a significant contribution as a co-Author and to indicate the specific contribution given to the study and to the publishing by each one of them, according to the order they decided. If appointed as responsible for the overall quality of the work, one or more co-Authors must guarantee that the name of every co-Author is included in it, that each one of them has examined and approved its final version and that each one of them has agreed on submitting it for publishing in the Series. Other people who gave a contribution to the work but who are not Authors should be mentioned in the 'Thank you' section.

7. In case one of the Authors realizes that the published work contains inaccuracies or significant errors, even if committed in good faith, he must inform promptly the Editorial Office of the Series and the Publisher, cooperating in order to correct or retract it.

8. The Author must conform to the editorial rules of the Series, which are sent to the Author after the work is accepted for the publication in order to draw up the definitive version of the text, that is to be transmitted to the Publisher.

Art. 4
(Inclusion in the Series)

1. Those who are interested have to send a proposal of publishing in the Series to the Editorial Board, attaching a detailed editorial project or the complete text of the work in digital format – in two versions: an identifiable one and an anonymous one –.

2. The Editorial Board examines the proposal of publishing in the Series that is submitted by the Author and assesses whether the work is publishable. The Editorial Board can reject editorial projects and works that clearly lack the necessary requirements of scientificity, originality and pertinence, without discrimination based on the Authors' race, ethnic origins,

citizenship and religious, political or scientific opinions. Therefore, even before submitting the work to the review process, the Editorial Board verifies its pertinence to the scientific fields that are relevant to the Series, and (in case it is pertinent to other scientific fields) whether its subject could still be of interest to the scholars of the reference fields of the Series.

3. In case the preliminary judgement has a positive result, the Editorial Office starts the review process according to this Code. The Editorial Office submits an anonymized version of the Author's work to two Reviewers, who are at least his peers, specifying the deadline for the delivery of the assessment form, which has to be duly filled and signed.

4. The Authors of the works that are published in the Series have to be mostly scholars in permanent positions from Italian or foreign Universities or research centers, or members of the research personnel of such institutions, or scholars of recognized scientific standing in the international community. The Authors also manifest openness and pluralism in reason of the variety of their cultural and academic origin.

Art. 5

(Procedures and purposes of the review process)

1. The Series *Un'anima per il diritto: andare più in alto* adopts a double-blind peer review process: the Author does not know who the Reviewers are and the Reviewers do not know who the Author is.

2. Review procedures are formalized in order to guarantee the integrity and ethics of scientific publishing, transparency, independence of the Reviewers and, more generally, the absence of any conflict of interest.

Art. 6

(Works submitted to the review process and exceptions)

1. Works that have been considered publishable by the Editorial Board of the Series undergo the review process. In case the review process confirms that the work is publishable, it will normally include a footnote that says "Le opere pubblicate nella Collana sono sottoposte alla procedura di revisione *double-blind peer review*" ("Published works undergo a double-blind peer review process").

2. In exceptional cases and upon a positive opinion of a majority of the Scientific Board, the Editorial Board can directly assume the responsibility of a publication: if so, such circumstances and motivations are specified in the work. Namely, essays by Italian or foreign Authors of recognized scientific standing or who hold positions of political-institutional relevance in national, European and international organizations may not be submitted to the review process (such works normally include a note that says “Il presente volume non è stato sottoposto alla procedura di revisione *double-blind peer review* per il comprovato prestigio scientifico dell'autore riconosciuto dal Comitato scientifico della Collana” [“This volume was not submitted to the double-blind peer review process because of the well-known scientific standing of the Author, as recognized by the Scientific Board of the Series”]). Moreover, the Editorial Board may decide not to submit the following works to the review process: a) essays that were already published in other Journals or miscellanies, the publishing of which requires the authorization of the Author and of the Publisher (such contents normally include a note that says “Contributo accettato dalla Direzione scientifica della Collana e pubblicato per cortesia dell'Autore e dell'Editore” [“The work was accepted by the Editorial Board of the Series and published by courtesy of the Publisher”] and that specifies the details of the Journal or of the miscellany in which the essay was published, eventually indicating whether it had already been reviewed: “già sottoposto a valutazione” [“the work had already undergone a review process”]); b) essays for which the Editorial Board deems unnecessary to start a review process (e.g. bibliographic records, forewords, afterwords, etc.).

Art. 7

(Appointment of Reviewers)

1. The Reviewers are selected by the Editorial Board among Italian and foreign scholars, tenured or untenured, who are competent in the reference fields of the Series, who are willing to examine the work in a short time and who explicitly accept the criteria and the procedures set for the fulfillment of their task.

2. The Reviewers hold their position until they renounce or the task is revoked.

3. The review of single works cannot be assigned to members of the Editorial Board, of the Scientific Board or of the Editorial office.

4. In case the work that is to undergo the review process is a miscellany, the Editorial Board can appoint as many Reviewers as the number of essays that are intended to be published, or of groups of them. However, it is the miscellaneous work as a whole that normally undergoes the review process.

5. While still ensuring that the Author and the Reviewers remain anonymous, the Editorial Board also guarantees that the review of works won't be assigned to Reviewers who have or might have a conflict of interest. In any case, those who are related to the Author because of kinship or affinity, up to the fourth degree included, or because they have reviewed his work or supervised it, cannot be Reviewers.

6. The list of the names of the Reviewers is stored in the archives that are managed by the Editorial Board and the Editorial Office, which guarantee the principle of anonymity.

Art. 8

(Criteria for the review of works)

1. For the purposes of the review, it is necessary that the works that are deemed scientific according to the peculiarities of each discipline manifest originality, width of the research, methodological accuracy and critical analysis, abundance of sources and bibliographic information, as well as the capability of entering in a dialogue with the national and/or international debate (when relevant for the discipline).

2. The Reviewers' assessment cannot be based on the Author's personal opinions or on his theoretical approach or affiliation to a school of thought. It only concerns the following aspects: a) originality of the methodology and of the results; b) accuracy; c) abundant critical knowledge of scientific literature and case law; d) inner formal (among title, index and abstract) and substantial (in regard to the Author's theoretical position) coherence; e) clarity of the exposition.

Art. 9

(Reviewers' duties)

1. Experts who are appointed as Reviewers commit to the following responsibilities: a) they have to scrupulously follow the criteria mentioned in art. 8; b) they have to treat the text under review as confidential until

it is published and they have to destroy every electronic and hard copy of the work that are still in draft form as well as their own reports once the Editorial Office confirms they were received; c) they are forbidden to disclose to other people which works they have assessed; d) they are forbidden to disclose such works, even partially, and they are forbidden to use information and ideas acquired through the review process for scientific or personal purposes; e) they have to assign a score for each one of the six parameters that are mentioned in the assessment form provided by the Editorial Office for its exclusive and private use and send it back, once duly filled and signed, within the term of two months; f) they have to express a brief judgement about the work, that must follow the criteria mentioned in art. 8 and be explained with clarity and justified with objectivity, prudence and respect, in order to help the Author – if needed – to improve the quality and scientific value of his work. Every statement, remark or argumentation should preferably be accompanied by a corresponding quote; g) they have to inform the Editorial Board or the Editorial Office about elements that emerged after the assessment, in case they affect the judgement previously expressed.

2. In case the person appointed as a Reviewer considers himself lacking the necessary expertise to assess the manuscript that was assigned to him or in case he expects to be unable to fulfill his function in the required time, he must inform the Editorial Board promptly and renounce to take part in the review process or send a request for a time extension.

3. In case the Reviewers identify the authorship of the work and find themselves in a conflict of interest because of a previous competitive or cooperative relationship or any other connection with the Authors and the institution they belong or adhere to, they have to resign from the assignment and inform the Editorial Board promptly.

4. In case the Reviewers finds out a substantial similarity or a significant overlap between the work that has been assigned to them and any other published document they are personally aware of, they must inform the Editor.

Art. 10

(Results of the review process)

1. The external Reviewers assess the utility, the structure (its clarity, logic, completeness, non-superfluity), the reasoning, the documentation,

the language and the overall quality of the work, and therefore express one of the following scores: “non sufficiente” (not sufficient), “sufficiente” (sufficient), “discreto” (discreet), “buono” (good), “molto buono” (very good), “ottimo” (excellent).

2. In their final judgement, the Reviewers must specify whether the work is publishable or not publishable and express a concise opinion in which they can comment the work and give advices to the Author, especially in case the publication of the work is contingent upon the implementation of changes and/or additions that one or both the Reviewers consider necessary and that are therefore specified in the assessment form. The judgement about the publication of the work is assumed to be positive in case the overall quality of the monograph is at least “discreet” according to the list that is included in the assessment form.

3. The Editorial Office of the Series transmits the results of the review process to the Author in compliance with the Reviewers’ anonymity.

4. The Reviewers have to indicate bibliographic references that are relevant for the work that was submitted to the review process and that were not adequately considered by the Author.

5. In case one or both Reviewers consider it necessary that the Author applies changes and/or additions to the work that was submitted to the review process, they must be willing to assess the work a second time, in order to evaluate whether the new version submitted by the Author can be considered suitable for publication. In such cases, the Author must specify how he has implemented the external Reviewers’ instructions.

6. In case the Reviewers’ judgements are discordant, the Editorial Board submits the work to a third Reviewer. In case the third Reviewer also expresses a negative judgement, the work cannot be published. In case the first two Reviewers express a positive judgement or, in case of a disagreement, the third Reviewer also expresses a positive judgement, the final decision about the publishing is up to the Scientific Board of the Series.

7. According to the results of the assessment forms and to the concise judgement of the Reviewers and once the compliance with the criteria referred to in art. 8 about the review and in art. 9 about the Reviewers’ duties is confirmed, the Editorial Board submits the publication proposal of the work that has been considered publishable to the Scientific Board. The

members of the Scientific Board, who receive proper communication and the work attached in electronic form, must express their opinion within the term of a month from the receipt of the same communication. In case of no response, the opinion on the publishing of the work is assumed as positive. The work is published unless a majority of members of the Scientific Board expresses and justifies its opposition.

Art. 11
(*Duty of confidentiality*)

1. Reviewers and members of the Editorial Board, of the Scientific board and of the Editorial Office of the Series are committed to scrupulously ensuring the confidentiality of the content of the assessment form and of the judgement, which is also guaranteed after the review process is completed and in case the work is published.

2. The members of the Editorial Board, of the Scientific Board and of the Editorial Office of the Series are forbidden to disclose any information about the submitted text except for the Authors, the Publisher, people who could be or have already been appointed as Reviewers and members of the bodies of the Series, depending on the circumstances.

3. Unpublished material included in the submitted work and not yet published is to be treated as a confidential document. Without the Author's consent, it cannot be used for the purposes of their research by members of the Editorial Board, of the Scientific Board and of the Editorial Office, or by people who could be or have already been appointed as Reviewers.

4. Documents regarding the works that were submitted to the review process and then published and documents concerning the texts that were rejected because of a decision taken by the Editorial Board or by a majority of the Scientific Board and those that were rejected after the review process are stored in the archives of the Editorial Office, which guarantees the confidentiality of such content.

Art. 12
(*Publication costs*)

1. The costs for publishing the work in open access (ebook in .pdf version) are borne by the Author, as well as the costs for the compulsory publishing of fifty paper copies of the work.

2. Upon agreement with the Publisher, the Author can ask for the publishing of other paper copies of the work at his own expense (print on demand).

Art. 13

(Accessibility and modifiability of the Code)

1. This Code for the publications of the Series *Un'anima per il diritto: andare più in alto* is freely available on the official website of the Series, which is run by the Publisher.

2. Upon a proposal by the Editorial Board, the Code can be modified by a majority of the Scientific Board.

Modena, October 1st, 2020

Review of a scientific work for publication purposes

Series *Un'anima per il diritto: andare più in alto*

a. Title:.....

b. Assessment form

(mark the box corresponding to the chosen judgement)

	Not sufficient	Sufficient	Discreet	Good	Very good	Excellent
Utility						
Structure (clarity, logic, completeness, non-superfluity)						
Reasoning						
Documentation						
Language						
Overall quality						

c. Result of the assessment (*The judgement about the publication of the work is expected to be positive in case its overall quality is at least “discreet” according to the above assessment form*)

- publishable
- publishable upon some changes/additions, to be specified in detail
- not publishable unless revised, explaining properly in which regard
- not publishable

d. Feedbacks and recommendations (*to be filled*)

Insert text here

Surname and forename of the Reviewer:

.....

(Reviewer’s signature)

.....

Date (day/month/year):