iCourts as a workshop – an impressionistic hand sketch

Henrik Stampe Lund

"Was heute nicht geschieht, ist morgen nicht getan", from Faust by Johann Wolfgang von Goethe

In daily life, many things might seem random and even confusing. Although seen from a distance and over time, patterns in the many experiences in life emerges clearer. When I today look back on ten years of work at iCourts it strikes me, how much it mirrors my very first school experiences. In my role as administrator and responsible for the organizational activities in the daily operation of the center – I realized, how much all those tasks with building different frameworks for a collective research project, not least driven by young scholars, reflected my first school experiences as a boy at a left-wing, progressive school experiment in the early 1970's. It was a public school based on so-called reform pedagogy and democratic reforms in general back from the 1960's: Project-driven and less focused on direct conformity with the skills required by the surrounding society.

The defining features of iCourts has been the collective aspect, a group of researchers implementing a common research plan, among them many young and imaginative researchers from all over the world, many different meeting formats targeted toward feed-back from colleagues and exchange of knowledge in general; in short a learning organization with a pronounced egalitarian and merit oriented culture.

The building of the iCourts research center was not a customization to and conformation with an already existing organization, but an occupation in the interface to the unknown and the yet untried, where one needs all the energy, motivation and wealth of ideas a collective can mobilize. Competitive spirit among staff members combined with team spirit simply makes the cake bigger. If the iCourts story shows anything, it is that collective collaboration in an international context is everything else than a zero sum game.

In was in that spirit that Mikael and I in the first years meet at our weekly Monday management meetings at noon to make status and discuss big and small issues in an informal atmosphere. Sitting with our notes

https://doi.org/10.5771/9783748927884-41 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY-NC-ND

and papers and at the same time eating our homemade lunch. The same packed lunches, as we had made for our own children the very same morning, before bringing them to kindergarten or school. Mikael with an open sandwich with liver pate, and supplemented by a cucumber or a carrot. The whole situation was a mixture of a machine room for decisions and a literal workshop – sometimes spiced up by Mikael with educational anecdotes, from his stay in Pierre Bourdieu's research group in Paris.

I have always perceived Mikael as a center director who wanted to hear your sincere opinion, liked to be challenged, and at the same time oriented towards consensus – and as *a leader for whom the power of the argument actually counts*. I have never experienced Mikael play the card of higher rank or mere institutional authority to promote a point of view or specific case. My best guess is that he would see this as a defeat – for both, if it should end there.

Perhaps it is not only at a personal level, that my early school childhood experiences, mirrors a project-oriented, egalitarian, and open-ended approach to a center building, but also a manifestation of a historical causality at a deeper level: That a democratic culture simply is superior in relation to producing new insights. The German author Botho Strauss states in the novel *The Young Man* (1985): "there is a wide range of recent discoveries in the field of micro-physics and molecular-genetics, which would not have been found and articulated without a deeper *democratic intuition*; that a human mind embossed by hierarchical ideals never would have discovered". Elsewhere he talks about the "multiple connected will step in place of the recognition of hierarchy". Judging from the iCourts approach with the least possible formalized hierarchy, where all voices are heard, and insights and contributions can originate from all parts of the organization, there is a core of truth, that a democratic spirit can catch more possibilities in its thinking than more traditional and old-fashioned ways of interaction between people. It's simply a question about practical rationality.

This is, in my opinion, deeper than something purely cognitive and intellectual. It is also about personality and temperament. During the years I have noticed that Mikael with joy and warmth in his voice talks about earlier employees at the center, that have done well afterwards in other research organizations. His competitive spirit doesn´t stand in opposition to caring for each single person. Psychologically it is easy to be only one or the other, but to incarnate both dimensions is the recipe of true leadership.

Even – or exactly – in situations under pressure the work environment there is a surplus of humor, always an anecdote, or a teasing remark. In situations where Mikael accentuates the importance of being effective,

https://doi.org/10.5771/9783748927884-41 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY-NC-ND

I sometimes play along and to refer to Max Weber's account for the protestant view of wasting time as a sin, and he simulates an apparently guilty body language – and we move on to our respectively tasks. Mikael creates generous rooms for self-management; a space, you have no doubt, is expected to be filled with full responsibility.

Throughout the lifetime of iCourts one specific parallelism has struck me. While we on one side as a research center has been following a moving object in the shape of International Courts, the institutionalization and historical development of International Courts, we worked on the other side on the institutionalization and construction of our own center. Also a kind of moving object. You could get that strange thought, that we by investigating ourselves, using ourselves as empirical evidence, could get a better understanding of the courts' struggle for reaching legitimacy. A judge employed at iCourts once summarized his own first experiences as an International Judge really in a very plain remark: "They put you in an office with a chair, a table and a telephone – and you just try to do your best". It's that simple – and it's that complicated. It could count as a credo in all open-ended processes: You try to do your best at each step in the building process, and you need all the qualified input, you can get.

All those small iCourts stories and impressions during the years are by definition biased and not impartial at all, but hopefully they also convey concrete experiences with building a contemporary organization, and hopefully are able to catch today's opportunities and offer up-to-date answers. The real test of that is of course the ability of iCourts to catch the opportunities of tomorrow in the field of International Courts, and Global Legal Governance in general, that are more needed than ever – both the International Courts and the interdisciplinary and empirical oriented legal research in the field.

Henrik Stampe Lund, administrator, senior executive consultant at iCourts. Holds a Master of Arts and Ph.D. in literature.

https://doi.org/10.5771/9783748927884-41 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY-NC-ND

https://doi.org/10.5771/9783748927884-41 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY-NC-ND