I. Introduction

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The Making of iCourts

iCourts: The Making of a New Agenda for Legal research

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Introduction – iCourts as an international research hub

"No man is an island entire of itself; every man is a piece of the continent, a part of the main" - John Donne (1572-1631)[1]

Introduction

iCourts is a research center for international courts and international law with a physical location at the Faculty of Law in Copenhagen[2]. It is founded on a large Center of Excellence (CoE) grant from The Danish National Research Foundation (DNRF)[3] - the first ever DNRF CoE grant to a faculty of law. The purpose of this book is to show how the establishment, operation and ambitions of a research center - exemplified by icourts - can impact a whole field of research. We seek to achieve this by documenting how *iCourts* has become an internationally leading research environment. Since its establishment in 2012, iCourts, under the leadership of Professor in European law and integration, Mikael Rask Madsen has brought a whole new approach to the study of international law and international courts: More empirical, more data oriented, more interdisciplinary, and more comprehensive than previous research centers in the field, thereby reinvigorating and expanding the field.

In this introduction we will outline the story of how iCourts was conceived and how it was made operationable as a unified center structure which has managed to expand throughout the decade it has existed so far.

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1 Poem by John Donne, later famously quoted by Ernest Hemingway in the novel "For Whom the Bell Tolls" (1940).

2 "iCourts – The Danish National Research Foundation's Centre of Excellence for International Courts", https://jura.ku.dk/icourts/.

3 The Center of Excellence (CoE) is a specific funding instrument founded by the Danish National Research Foundation (DNRF). See more at www.dg.dk.

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We will further provide an impression of the mark iCourts has made in the field over this decade by republishing a selection of articles, which display both the broadness and depth of what iCourt is about. We do so, however, in what is perhaps an unusual way: rather than choosing articles written by iCourts staff we have chosen to focus on articles written predominantly by researchers who, over the years, have visited iCourts in Copenhagen. To illustrate the geographical reach of iCourts, we have selected contributions by researchers coming from all over the world. To further convey how this research connects to iCourts (even if authored by researchers who have only been visiting), we have asked each of the authors to write a short introduction entitled "My iCourts experience" in which they each explain their encounter with the Center.

The Landscape is Changing

Our motivation behind this book is not only that we wish to celebrate iCourts, but also that we wish to share the learning points harvested over the years since the establishment of the Center ten years ago. We believe that there is still a lot to be learned about research management and how to build a healthy working environment in research. We are of course fully aware that there are limits to what can be learned from a case study of only one research center, but we believe that the challenge of building up and sustaining a strong research environment is one that many researchers and research managers will be familiar with. We therefore assume that the overarching theme will resonate well with anyone tasked with organizing independent, public and curiosity-driven discovery in the setting of a university or a similar institution.

The main audiences of this book, then, we think, are researchers, especially senior researchers and research managers, Principal Investigators on external funded projects, heads of small or larger groups of researchers, and research managers at different levels, who are looking for inspiration on how "the next new" constellation in their research field could be undertaken.

When research institutions are more exposed to competing for resources (public and private), when such institutions are under demand for demonstrating impact, and when, at the same time a smaller number of top researchers gradually gain a bigger part of the available funding, then the increased importance of the function and role as Principal Investigator (PI) becomes more prevalent. We find that this development is a megatrend

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in contemporary research, which cuts across different countries as well as different research areas.

This development is not unfamiliar to researchers working in natural science, medicine, engineering etc., who for many decades is used to working in smaller or larger working collectives in investigating natural phenomena and working on shared experiments in labs. It is a rather new experience for many researchers in humanities, the social sciences, theology, and legal studies (generally referred to as Social Science and Humanities - SSH). The tradition in SSH research is more that of single author publications and often with a preference for attributing high esteem to monographs. SSH has also traditionally been organized in flat non-hierarchical research units and often with no particular focus on attracting funding from sources outside their own institution. Over the last couple of decades there has perhaps been a tendency to move a little away from this "one man alone" approach in order to promote more collective research efforts, but generally not to the extent of organizing research around commitment to a common research plan. Neither is a more formalized organization around a work hierarchy, with a PI responsible for ensuring execution on the agreed research plan, a widespread form of organization in SSH. Generally speaking SSH research disciplines are therefore more challenged regarding the behavioral and cultural aspects of the PI-model, which is increasingly being promoted by research funders. This puts pressure on SSH in general and calls for leadership in SSH faculties to find ways of responding to this new situation where they must find creative ways of aligning their organizations to the funders demands without mechanically mimicking the Natural Science model. For some disciplines this is a defining moment.

Research funding increasingly goes to collective projects led by a PI. This creates a need for research organization and management and thereby a demand for knowledge about how to effectively organize and manage research in a collective project that is guided by an overarching research plan. The ability to perform as a research center or research group now becomes the key element. This still depends, of course, on individual excellence, but individual excellence is no longer enough. What were recently factors that would be considered administrative and thereby external to research (funding, communication, impact, relevance, leadership) has today - for better or worse - become *de facto* research-internal factors and evaluation criteria for selection of which research projects to support. Not having answers to those challenges is not a viable option any longer.

So the landscape of SSH research is changing and SSH institutions need to adapt. How? This introduction and the various testimonies from

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iCourts visitors that preface the articles should be read as an attempt to provide inspiration for an answer to that question. By providing both a view from the inside (in this introduction) and from the outside: partners who know and have been visiting iCourts, we hope to convey the image of iCourts has managed to inspire new research and tom extend pushing the boundaries of what - in the field of international law and international courts - can be studied and how it can be studied.

So if what is stated and explained in this introduction is a partial story involving our self-understanding, our narrative of ourselves (as told by the two editors), the accompanying "my iCourts experience" introductions to each of the published articles represent the broader diversity of voices - it is, in some sense, the perspective of "the other": a slightly more distanced "sociological" look at the center. And rather than drawing any conclusions, we have decided to leave that implicit conversation between the many views to the hermeneutics of the reader of this book. We hope others will be inspired to seek their own answers to how the changing research landscape can be navigated.

The Blue Sky: Basic Research with a bottom up agenda

The *iCourts* team at the time of the application consisted of a small group of researchers employed at the Faculty of Law. When the Center was inaugurated in 2012 it accommodated around 12 researchers. Today, ten years later, this has increased to 50+ employed researchers from all continents and approximately 20 different nationalities.[4] *iCourts* today also has a worldwide outreach. Among the contributors to this book are visitors and former staff members that pursue their career in many different locations on the planet (see the various short "my *iCourts* experience" introductions inserted before each of the research articles).

One thing is that iCourts has an international identity. Another is that it has - in line with the requirement of all DNRF centers - a distinct focus on basic "blue sky" research. This was an important agenda for the Center right from the get-go. The research plan for *iCourts*, both for the original application (covering 2012-2018) and the extension (DNRF requires an assessment by a panel of international experts after the first 4 years as a basis for deciding whether to fund the final 4 years of the original envisioned 10 year DNRF funding period) was marked by an ambition to undertake

4 See Appendix IV.

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groundbreaking new research, which would uncover new basic knowledge of international courts as a legal, political and societal phenomenon. The agenda was to explore these courts in ways that had never been done before. Therefore, the exploration was necessarily risky: There was a risk that the research plan could not be executed as originally envisioned or that it would not produce the desired results.

The "high risk - high gain" approach to research was rooted in the Center from the very beginning and is in many ways what characterizes Blue Sky research. But there was also a preparedness to make adjustments to the research plan if some elements should turn out not to work. One example of a change that was implemented was the move away from the original design of three distinct areas of research and research groups: Institutionalisation, Autonomisation, and Legitimisation (see further below). One year after the foundation of the center this research design (outlined in the original application) was changed to the benefit of a more flexible collaboration across research topics - a change, which after a couple of years led to a better integration of researchers and more co-authored articles among staff members. The center structure changed roughly speaking from three fixed research groups with their own staff to a more polycentric cluster formation defined by those researchers, who actually work together across research projects and topics. That more dynamic model resulted in: 1) greater visibility of young and entrepreneurial researchers with multiple collaborations internally at the center and 2) a closer relation of the PI to several staff members across the entire center. This has enhanced both internal collaboration and coordination resulting in a stronger collective identity of the Center.

Another important element, shaping the center, has been the strategic decision at the very foundation of iCourts to focus on recruitment of younger scholars. Instead of playing safe and hiring already established research names, with their own pre-existing projects, a bottom up approach was chosen. In that way a high level of commitment to the center and the research agenda was established. Roughly speaking the center identity and common will to pull together was in that sense effectively established almost at the same time at the center. Once established, the support for the center has had strong traction: like a kind of path dependency, new researchers have adapted to the shared collective culture through the various center activities.

The next natural step in the development is of course a gradual transition of this first generation of researchers to more independence, not least through funding of their own research and beginning experience as Principal Investigators. This transition phase has been one of searching

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for the best balance between the PIs ambitions on behalf of the specific center project (pursuing the iCourts research agenda) and understanding that the already built up center structure represents a critical resource for implementing the very same new additional PI-projects. This requires a flexible, pragmatic and open-ended definition of center identity. In that sense it is crucial to understand that the center is neither something neat and done to adapt to or just a house of multiple projects. It is a negotiated halfway house between two, where new PI's lean towards the center and the center adapts flexibly to the new incoming research projects.

Embracing visitors

In a research environment where achievement of the unit - the Center - is what really counts, collaboration between researchers is the main resource for driving things forward. But collaboration is not only a matter of collaborating with cohabitants. Most authors in this book have been guest researchers from other institutions under the *iCourts* visiting programme[5], a programme, where all researchers in the area of International Law can apply for a 1-3 month stay at the center - independently of their career stage. Each applicant is evaluated by an informal evaluation process with two residing researchers as evaluators. During their stay, visitors give a presentation at the weekly one hour lunch seminars, and are encouraged to deliver an *iCourts* working paper.[6] The guest researcher is a part of the daily interaction, hosted by one of the staff members, and shares an office with other guest researchers located at the very physical core of the *iCourts*, so that they easily meet and interact with everybody right from the beginning. The secret behind being an international hub for research is to have several access points beyond proper academic positions, such as a visiting programme, an annual Ph.D. Summer School[7], and frequently occurring co-organized events like book launches, seminars and conferences.

Perhap the most productive point of access to visit *iCourts* has been the Marie Curie funding scheme (under the EU Frameworks programmes), since 2012 seven professors and postdocs has been employed in general for a two years period at the center doing research on an individually

5 Full List of visitors 2012-2021: See Appendix V. See also: "Visiting programme", https://jura.ku.dk/icourts/visiting-programme/.
6 See Appendix VI.
7 See: "iCourts Summer School", https://jura.ku.dk/icourts/education/summer-school/.

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chosen project related to the landscape of International Courts. This kind of funding has represented - and still represents - a luxurious opportunity for a center to expand beyond the ordinary internal staffing schedule and to get new innovative input from other research institutions: new research ideas and new perspectives on how to do things.

These encounters also raise the awareness of the importance of being a welcoming and integrating host. Moreover, in a long term perspective, a good relationship with visitors increases career opportunities for individual researchers (both to their and the center's benefit), and sometimes leads to a closer institutional cooperation between the home-institutions of the involved researchers. It opens up doors in other ways and can lead to co-funding of international conferences, collaboration on research funding applications and the like. Visitors to iCourts have in many ways shaped iCourts and contributed to making it what it is today.

The pre-history of iCourts:

At the University of Copenhagen, the Law department was established as a Faculty in its own right in the early 1990s. At that time, the Faculty was what could probably be described as a traditional law faculty/department. Teaching was organized around well known areas of law: tort, contract, administrative, constitutional, international, family, EU, procedural, etc. law. Research, similarly, was mostly organized around these classic areas of law. Newer areas had begun to emerge: health law; energy law; IT law, but did not disturb the overall image of a faculty with a traditional organization and outlook. Research, moreover, was predominantly national in both content and form: mostly focused on Danish law, written in Danish and published in Danish or Nordic journals. Participation in international and/or interdisciplinary research did not enjoy high esteem and neither did the ability to generate external funding or to get notice and recognition in the broader scientific community. Instead, being well connected to the Danish legal profession was seen as prestigious. To capture this state of affairs, one could say that the old faculty was characterized by a culture of seeking recognition from legal practitioners and legal institutions more than from academia and scientific institutions. To some extent it still is, but today there is a better balance: general criteria for scientific recognition: publication in internationally well reputed journals, and ability to attract and successfully lead externally funded research projects, plays a much bigger role in achieving recognition in the faculty than it did before. The key to this transformation has been organizational change.

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In 2006 a new dean, prof. Henrik Dam took office. He immediately launched a restructuring of the Faculty, abandoning the established and traditional departments and replacing them with smaller dynamic units labeled as research centers. This organizing structure for research at the faculty still exists in the Faculty today. The key to understanding this structure is that research centers are formed in a bottom-up process where researchers group together around a shared research agenda and apply for approval to be established as a research center. Faculty guidelines for research centers require that applicants must put forward a plan for a high quality research project, which includes internationally recognised research publications, applications for external funding, contribution to development of the Faculty's study program and a plan for societal dissemination and impact.

This transformative process resulted in the formation of six new research centers that was established as the new organizing structure for research in 2008. Today, in 2021, this structure is still in place and the law faculty has a total of 10 research centers, and it seems clear that the new organization provides more room for entrepreneurial and talented researchers, thereby injecting new dynamic energy into the Faculty.

One of the research centers established as part of this process was the Center for Studies in Legal Culture (CSLC). Originally initiated by professor of legal history Ditlev Tamm, who reached out to the then newly appointed professor of jurisprudence Henrik Palmer Olsen and (also, then, newly appointed) associate professor Mikael Rask Madsen (Mikael became a professor of European Law and Integration in early 2010), this new center rapidly established itself as one of the faculty's largest research centers, covering both interdisciplinary research and areas in law and innovation. After some years, however, it became clear that the center's range was too broad and the interest of its members too heterogeneous.

From Idea to Project: The First contours of iCourts

The Team

At this point the close collaboration between Mikael Rask Madsen and Henrik Palmer Olsen in both teaching, research and PhD training (Mikael as formal head of CSLC and Henrik as Head of the Faculty's PhD school and part of the CSLC management team) led to the idea of applying for funding for a new, more focused and intellectually ambitious research endeavor. Soon the aim was set and it was set high: A Center of Excellence

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grant from the Danish National Research Foundation. Mikaels doctoral work – performed in France (Mikael obtained a *Docteur en sociologie politique* from *l'École des Hautes Études en Sciences Sociales*, in Paris in 2005) and focusing on the establishment of the field of Human Rights in Europe - was a source of inspiration, but a center of human rights would obviously not fit the bill: it would not have been sufficiently original or distinct to match the methodological ambitions of the founders.. Over time the idea of a research center with a focus on international courts more broadly was formed.

International human rights courts were of course a large part of the picture and Mikaels deep knowledge of European Human Right politics could immediately be drawn upon as an inspiration for broadening out the agenda. Other international courts in other legal areas are also institutions with a political history, an active jurisprudence and a need to build legitimacy around its judicial practice.

The idea gradually took form and the next step was to build a team of researchers who would constitute the original core researchers. Some members of the previously mentioned CSLC had a profile that fitted quite well the idea of a new interdisciplinary research agenda. Joanna Jemielniak, who was researching international economic law and arbitration and who also had a keen interest in legal theory and "law and language", accepted to join. So did Anne Lise Kjær who was experienced in discourse analysis applied to law, and who had for some years been researching the role of linguistic diversity in EU law.

But there was also a wish to expand beyond staff that was already employed at the law faculty. Mikael reached out to Prof. Karen Alter, whom he had met at a conference in 2007. Karen had, already in 2003 published *Establishing the Supremacy of European Law: The Making of an International Rule of Law in Europe* and was still researching the political power of the CJEU. Their shared interest in the history of European legal integration - Mikael coming from European Human Rights law and Karen from EU law - led them to collaborate more closely and Mikael invited Karen to join the iCourts application.

Henrik had previously collaborated with prof. Marlene Wind in regards to his research on judicial review. Marlene was a well known politics scholar in Denmark and had been researching EU law and politics for some time. She was interested in doing some further work on the role of the CJEU in regards to domestic law. This core team of researchers, three of which had a background education in law (Mikael, Henrik and Joanna), two in political science (Karen and Marlene) and one in language studies

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(Anne Lise Kjær), were the platform from which the original iCourts would later evolve.

Object and Agenda

Finding the right field to focus on, when aiming to establish a new research endeavor is crucial. Especially when the objective is to establish a basic science research center which can attract funding. The inspirations that brought the focus on iCourts to life were numerous:

1) The overarching megatrend of internationalization in both economy, culture and technology was one operating factor. The post cold war era was injecting a lot of optimism in international organizations - including international courts - as vehicles for collaboration, peace and progress.
2) Another was the need to focus on a tangible research object: International law would be far too broad and abstract, but international courts have a much more concrete existence and makes for an object that can be clearly delimited.
3) Focusing on international courts as a whole was furthermore original. Research had previously been done on specific aspects of individual courts, but so far, no one had brought together a team to comprehensively research international courts as one overarching phenomena.

On this background, *iCourts* would research "all international courts" and the aim of the research was defined as that of exploring how international courts increasingly integrate into a broader structure – a transnational rule of law – which gradually takes shape as a feature of contemporary global governance. This aim also revealed that iCourts, although embedded in a law faculty, would become the host of a wide reaching interdisciplinary research endeavor: International courts were right from the beginning conceptualized as institutions that were legally recognizable, but simultaneously with an emerging political role.

The evolution of International Courts as hubs of international governance had to be researched across the boundaries of law and politics. New forms of judicialized international law were emerging out of the fast growing jurisprudence of international courts and the growing activity of these courts was setting its marks on international and domestic politics in ways that had not yet been understood. iCourts were setting out to explore this new knowledge frontier.

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Organization and Approach

But it's not enough to have a research agenda. A workable research agenda is in need of institutional organization. Figuring out how to reflect the interdisciplinary character of the research endeavor and the most important research questions in a, not only workable, but excellent, organizational set-up is part and parcel of DNRFs criteria for excellence.

The solution was to have three partly overlapping dimensions of inquiry: Institutionalisation; Autonomisation and Legitimisation (see further below) and the team of researchers distributed over these three dimensions with the Principal Investigator located at the center of the proposed Center. This was to become an important point about iCourts: The PI's role is not envisaged in a hierarchical structure, but in a collaborative structure. The PI is not at the top of the organization, but in the middle. This created momentum also for the rest of the organization - horizontal oriented, collaboration and self-initiation became key.

The three overlapping dimensions of inquiry would ensure a systematic analysis of the institutional evolution of ICs across legal subject areas that would go well beyond existing research at the time. One of the points made in the application was that existing research had a tendency to use findings from a small sample of ICs to draw conclusions about ICs in general. The iCourts endeavor was intended to broaden the institutions and actors studied, and to put forward a comprehensive program that was deeper embedded in empirical findings than what had hitherto been the case.

The Institutionalization leg would provide an analysis of the historical origins, organizational developments and institutional character (including relations to member state stakeholders etc) of individual international courts with a view to proposing a generalizable analysis of how ICs evolve in and respond to developments in law, politics and society.

The Autonomisation leg was intended to bring to fruition a systematic analysis of the emergence of judicialized international law in terms of an 'international legal knowledge' as the outcome of a dual process of how 1) international courts devise new concepts and practices in order to respond to new socio-political and legal problems, and 2) how they apply and reformulate existing, legal concepts, cognitive schemata and institutional and professional practices.

Finally, the legitimization leg was aimed at providing a systematic analysis of the crucial legitimacy issues of international courts understood as an actual and on-going process of legitimization in which these courts'

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legal and institutional development reflects the legal, political and democratic challenges they continuously face.

As mentioned above, a deeper commitment to empirical grounding of the research was part and parcel of iCourts from the get-go. So too was interdisciplinarity. Mikael drew inspiration from his time with Pierre Bourdieu in the late 1990's to lay out the framework that would allow this interdisciplinary and empirical approach to take shape in the form of a proper and focused research endeavor. Adapting Bourdieu's well known concept of "field" as an analytical framework, allowed us to construct a notion of international courts as institutions which various agents would struggle to influence, shape, use, engage or in other ways interact with. These activities can be seen as structured in a social space ("field") where a struggle between different agents over influence takes place continuously. Within this field, different legal and political agents (e.g. government officials, diplomats, lawyers, legal scholars, judges) contest over how law should be understood and applied. Agents bring to this ideationally contested space different economic, cultural, social and symbolic capital, and to some extent also draw on their personal trajectories, in an effort to shape understandings of law and of the role of international courts as international institutions. By deliberately abandoning more established approaches such as doctrinal formalism and Principal-agent theories, etc. and instead introducing this more dynamic Bourdieusian approach, the center and its individual researchers were inspired to be more creative.

Data, data, data

One important dimension of this approach was the introduction of the iCourts database of decisions from international courts. Spurred on by the drive towards a more empirical approach, the attempt was made to add a new and innovative dimension to the study of doctrinal law. Whereas doctrinal research was traditionally an exercise in ad hoc information search and building interpretations from previous textbooks and other publications in the field, there was a sense that doctrinal studies was somewhat out of touch with the jurisprudential reality: The European Court of Human Rights and the Court of Justice of the European union were both churning out many more decisions than could be picked up by doctrinal legal scholarship, and doctrinal scholarship was notoriously silent on how it would select and/or deselect the cases included for analysis. Building a comprehensive database of case law text and including metadata from these courts was a first step in being able to get closer to a more comprehensive view of how case law evolved over time. The

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ability to build such a database at all was a basic strategic choice right from the beginning: Early on a data specialist, Ioannis Panagis, was hired in as an in-house capacity at the center, a couple of years later, another data specialist, Nicolai Nyströmer, joined the center. In that way researchers at iCourts had direct access to high-level technical competences.

Next step was to expand activities through new grants to exploit this database. A grant from Independent Research Fund Denmark to pursue a project entitled "From dogma to data" set out to computationally model doctrinal develop through the use of citation analysis and building from the fact that both ECtHR and CJEU cite their own prior case law quite extensively when they make new decisions. This project soon spilled over into other initiatives and computational approaches to analysis is today a well-integrated part of iCourts research.

As was mentioned above – the organizational structure of iCourts was a topic that was addressed already in the application. Importantly, this was not forgotten or neglected (as it sometimes is) after the grant was activated and iCourts started operating. All the different academic meeting formats for exchange of comments, views and suggestions have been focused on communication in the whole research group: Not only is everyone welcome - everyone is also expected to contribute. That is at least one of the secrets of a vibrant collegial environment. Some elements, such as seminars, conferences and a PhD summer school are well known events that are widely used in academia. Such forms of academic exchange have been used extensively in iCourts, ensuring a continuous collective spirit of giving and receiving feedback from colleagues at almost all stages in the research process. One important part of this has been to emphasize that academic interaction is most meaningful during the actual research process. Presenting work in progress has therefore been prioritized. The insight is that the author of a working paper can absorb input and comments and can thereby improve the paper, rendering the final article better. Presenting a finalized paper often leads to a more defensive attitude in the author, since, at this stage, nothing in the paper can be changed.

iCourts also added an additional layer in the way center interaction was structured. This layer could be seen as a kind visualization of the center's intellectual infrastructure. By initiating a process for keeping track of Research Progress and mapping the relationships between researchers in regards to their collaborative efforts, the trajectory of the research program was systematically chartered and tested against input from researchers on how their research contributed to the overall research agenda and its three overlapping dimensions (see above). Both at the level of center administration and the individual researchers, this has facilitated a continuous

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survey of Center's progress and challenges and has made it possible to constantly focus and adjust the use of resources. This process has helped to improve each participant's understanding of the project as a whole, and has promoted lateral modes of thinking going beyond the individual dimensions of the project.

Visitors and Socializing

Furthermore a systematic opening up of iCourts to the outside world via an ambitious visitors program has ensured that the iCourts agenda has been shared and disseminated widely and has become well known throughout the global environment of international law and politics scholars. Both long and short term visitors, as well as the so-called "permanent visitors" (researchers with a special and long term relationship to iCourts build on continuous visits) has been closely integrated to the Center's daily life and has made it possible to build a large and strong network to the benefit of all involved. This network has been crucial in building a presence and visibility of iCourts as an internationally renowned research center.

Last but not least, should be mentioned the very important role of social interaction and collegiality in the Center. A combination of collective commitment to research excellence and social events has been an important ingredient in making the center what it is today. Creating an open and egalitarian environment in which there is room for everyone to be taken seriously, while simultaneously keeping respect for the fact that scientific progress is often driven by critique and that therefore it is important to both give and receive critique, has been an implicit ethos in daily research practice. But the center has also built social events around achievements. Book launches, grants, important articles, the PhD summer school, conferences and other major events have all been occasions for adding social events to celebrate the hard work behind these achievements. Furthermore, the annual iCourts retreat – an event where all iCourts researchers meet up for a 1-2 day combined academic seminar and social gathering – has been a useful way of both taking stock of the previous years development and launching new initiatives and bringing renewed attention to the overall agenda of the center.

Second Round adjustments

A part of DNRF's CoE-model is a midterm evaluation conducted by an international independent panel of estimated experts in the field. An important task of the PI is to provide a new research plan for the second

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half of the ten year funding period. The main shift in research focus that followed from this was a turn towards an emphasis on the power and impact of international courts beyond their mere jurisprudence. The ambition is to investigate and understand the variations in the power and impact of IC in our contemporary world, and to study these judicial institutions within the larger regimes of political, legal and social spaces in which they operate. This amounts to a further broadening of the Horizon: and to include contextual factors beyond what was not part of the original research plan. *iCourts* would now look beyond the international courts themselves to see how they interacted with other institutions and what impact that interrelationship would have on those other institutions.

In addition to a changed research focus with a new emphasis on the power of international courts, the center also launched a push for a broader and more societal oriented communication of its research. The most recent initiative in the area of communication of research to a broader audience is the so-called *iCourts Insights*[8], which are one-page presentations of new research findings by one of the center's researchers. The format is similar to a press release. The structure is to answer three questions: What we knew before? What do we know now? and the Implications of new knowledge? As it is the case with most of the format and the infrastructures at the center in general it has two interrelated components: on the one hand it has the character of an inside-out research outreach to people interested in the particular research area - as a part of making iCourts more visible - one the other hand it is at the same time an entrance and access point for researchers interested in visiting iCourts or just getting to know about the center and its activities.

Sometimes one can notice a rather direct causality between different parts of the infrastructure. Outreach turns into input when for example a researcher's attention is caught by a specific working paper, attending the Summer School etc., and then, one or two years later leads to a stay as a visitor or even an employment; or, as in other cases, a returning visiting researcher organizes a collaboration or conference between his or her home institution and iCourts; or a postdoc leaving the Center for another research institution, but continuing working with single members of iCourts in their capacity as Global Research Fellows.[9] In all this diversity of interaction in the element of the infrastructure one probably finds some of the most interesting and unplanned long-term impacts of the Center.

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8 See: "iCourts insights", https://jura.ku.dk/icourts/insights/.
9 See: "Staff", https://jura.ku.dk/icourts/staff/.

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Operations – a look into the machine room

All the research plans, methods and ambitions mentioned in the previous section are carried out in daily operation and practice; internally in the interaction among staff members and externally with cooperation partners. The following is a brief look into the everyday life of the center: iCourts as a workshop of research activities, consisting of well-known components and ingredients in any research process, but still in a concrete combination and specific accentuation of different parts of the socio-cognitive processes and a specific research culture. All this together could be called the non-material research infrastructure, which makes up the center's valves and pistons - the proverbial *iLab*.

Because the starting up of iCourts was not simply a prolongation of an already existing research milieu, the very foundation of the center was an opportunity to design the different parts of the organization according to contemporary needs, standards and expectations. Ideas and suggestions from younger employees for example concerning homepage and use of Twitter have probably had a more direct influence than it would have had if *iCourts* had been just the continuation of a pre-existing and well established research collaboration.

In building up the center, and it's daily operations there have equally been a focus on keeping a "young approach" to decision-making: focusing on continuous interaction among the staff members, striving for the least possible level of formalization in decision making, making sure that meeting are kept short and always build around a written research agenda, to ensure a continuous "eye on the ball" approach. In line with this, the backbone of the center is the weekly occuring one-hour lunch seminar on Wednesdays at noon, build around half an hour research presentation of research in progress (the center, as a principle, almost never meet around published research) and half an hour with questions and comments from the group. The presenters are often researchers from outside the center, guest researchers, collaboration partners etc.

To promote internal transparency and transparency among researchers, there is a monthly staff meeting with a short and concise research presentation by one or two staff members, and research related briefings, for example staff (particularly junior staff), reporting back on a specific task, for example update of the iCourts homepage, coordination of events at the center, involvement in planning of conferences, issuing of monthly newsletter etc. Every researcher at *iCourts* has some delegated task to be responsible for, also for the overall and edifying reason not to start a

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research career with a misconception of a false contradiction between intellectual and practical work: it's never enough that your research resides in your head - you must bring it out into the world, and that requires involvement and understanding also with the necessary administrative procedures required for that purpose. Each single member of the group is thereby both consigner and recipient. In that way it is ensured that the whole center is on the same page. Having a fixed and regular meeting is sometimes also helpful to catch unforeseen challenges and approaches from outside.

iCourts has also experimented with formats over the years: Science lab: Presentation of very early drafts and ideas, that is not open for participation from outside the research group, to create the opportunity for outspoken criticism; Roundtables: an opportunity for Ph.D. students to get informal feed-back on the draft for their research plan; Mock defense: preparation for the actual defense of the Ph.D. thesis prior to submission; Book launches: Both celebration of published books from iCourts staff (more a social event celebrating the achievement than an occasion to develop research), but in recent years also book launches by visitors or earlier employees at the center.

Sometimes new formats are invented with new projects. An example of this is the Breakfast briefings (one hour morning sessions) that was invented in relation to the project International Law & Military Operations (InterMil) in which both researchers and practitioners in the field share their experience.

Other more major formats for framing research and research training is also an integrated part of the center's operation. An annual retreat which takes place outside the regular premises of iCourts, often at a conference hotel in the countryside, is now a well established tradition. The format is a full day of intensive discussion of research papers in progress with 15 minutes for each paper, two discussants for each paper that present and comment on the paper and afterwards an open discussion with input from the whole group. The whole point is that the author doesn't present his/hers own paper, but receives intense comments and recommendations for further development of the paper. This also stimulates broader involvement with the on-going research in the center - often leading to co-authored papers.

The iCourts PhD summer school

The Ph.D. Summer School, established in 2013 by Henrik Palmer Olsen and since 2014 managed by associate professor Anne Lise Kjær, is a one-

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week long event with participation of 25 international Ph.D. students from around the globe, with a focus on lectures in how to research International Courts and International Law and smaller group seminars where PhD students work on assignments that are supposed to support their research performance. In line with the active involvement of guest researchers. Senior visiting professors such as Karen Alter, Laurence R. Helfer and Cesare Romano have over the years provided additional academic capacity to the summer school, thereby making it a truly interdisciplinary and international experience.

The blend of research activities: giving feed-back on the individual projects, providing focused methods-workshops (discussing for example qualitative methods, network-analysis, semi-structured interviews, comparative studies, and case selection methods) with perspectives from experienced researchers from around the world have been much appreciated by the participating phd students. Getting to hear accomplished and well respected researchers share their experiences, mistakes, and advice often provides valuable insights to younger scholars. To round off the summer school, and to lift the experience further, there is a final public talk, often by leading practitioners in the field, (over the years, the summer school has hosted talks by Sir Charles Michael Dennis Byron, former President of the Caribbean Court of Justice, professor Gunther Teubner, Luis José Diez-Canseco Núñez, former President of the Court of Justice of the Andean Community, and Sir Michael Wood, Member of the International Law Commission, and others.

The Summer School also has a strong social dimension taken care of by Ph.D. students and postdocs at iCourts. This gives the center's younger scholars a role in the organization of the summer school and provides them with an entry to a larger network, since they will naturally liaise with not only the participating Ph.D. students, but also the more senior visitors. This can be useful in the longer run. Moreover, very often participants in the summer school later on return to iCourts through the visiting programme, and thereby strengthening and further building the relations between iCourts and scholars around the world who share the research interest in international courts and international law.

Concerning development of the Ph.D. training programme at iCourts, two Ph.D. students at the center managed to achieve a dual degree, one as

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a dual degree in political science and law from Northwestern University[10] and University of Copenhagen, and another one as a dual degree in Law between Université Paris 1 Panthéon, Sorbonne, and University of Copenhagen.

The PI-model and the University

iCourts is by nature and definition founded as a Principal Investigator organization with one responsible PI for a whole research group, that together implement a common research plan. Since one of the objectives and expectations from the beginning has been to obtain additional funding for research projects, the PI-model has multiplied internally at the center over the years.[11] External funding and research management are deeply connected in this kind of collective PI-projects. Each component enters into a dynamic unity: What is word and sentences in the research plan is numbers and job positions in the budget. What is risk taking in the research plan is prioritization of economic resources in the budget. What is a major deliverable in the plan equates employment of researchers in the organization. All this involves decision making and looking for the best possible balance in the implementation of the research vision.

Being in a position as PI makes it possible to act more independently and to choose and employ your own staff and co-workers, make major decisions on research plans or taking calculated risks, fund your own conferences and fields trips, and therefore be in more financial control of the research activities than in the normally more static research organization where each researcher is just another employee out of many others in a department. This autonomy comes with a price: scientific and budgetary reporting at set intervals, some degree of red tape and a number of management related tasks. This requires more transparency than in individual research. Reaching a high level of autonomy as a PI on a collective project is hard work built on continuous active judgment about best to achieve research ends within a given budget limit and the pressure of external accountability to the funders and the host of the project.

At the end of 2021 iCourts have a total of eight larger projects with separate independent PI's. To become a PI is a major change from being "only" a researcher with no specific responsibilities other than to teach

10 See: "Doctoral Programme – Dual degree with Northwestern University", https://jura.ku.dk/icourts/education/doctoral-programme/#dual-degree-northwestern-university.

11 More about the specific PI-projects of iCourts later in this introduction.

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and produce one's individual research, to becoming responsible for hiring, budgeting, managing etc.: Everything that the PI-role involves. Skills like being able to "read" an organization and to exercise self-reflection in regards to leadership suddenly becomes not only nice-to-have, but need-to-have. This is visible, for example, in the need to balance ambition on behalf of the specific project being funded, against attention to the pre-existing organizational structure (center, institute, faculty). The project is important and must follow its own logic. But the pre-existing organization is a critical resource for implementing the activities of that very same project. This dialectic is reproduced at every level in the organization (University/faculty, Faculty/institute/center, Center/PI-project). The irony and mental challenge is of course that what you at one level of the organizational hierarchy want others to understand, is exactly what you yourself is expected to understand at another level of the same hierarchy. The same self-reflection and flexibility is of course also required by any prudent host institution. Since the PI-funding schemes are an important part of contemporary research funding, not least in basic research, the institutional competition has changed to not only educate tomorrow´s researchers, but also nourish tomorrow's research leaders and principal investigators. The best institutions will be those who are capable of both supporting new strong, independent PI-led externally funded projects and integrating those same projects by developing the institution in such a way that there can be a productive fusion of and mutual adaptation between projects and host organization.

The point is that research activities can not and should not be wholly isolated from tasks related to logistics, communication, budgeting etc. around the research. To make both dimensions - the end and the means to the end - work flawlessly together is an important factor in the ambition of making a research center an international leading hub in a given discipline, since only this way can funding, research and organization support each other.

Two examples of iCourts in the role as an international hub based on a previous build up global network and subsequent capacity to fund, organize and handle the logistics around major events. The two internal very different events in the history of iCourts that both required quite a deal of planning and accuracy in the logistics was:

1. The Brandeis Institute for International Judges (BIIJ) in 2016 under the title "The Authority of International Courts and Tribunals: Challenges and prospects" organized closely together with director Leigh Swigart and director Daniel Terris from Brandeis University. In the BIIJ 2016

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participated 15 highly renowned and international judges, mainly a closed meeting between iCourts researchers and based on Chatham rules of confidentiality.[12]

2. The ICON-S (The International Society of Public Law) conference in 2017 "Courts, Power and Public Law" with close to 1000 participants with keynote speakers not only scholars, but also judges, NGO-leaders and other practitioners (Hyperlink). The organizational skills and muscles to be able to host this kind of small or big high-level events, demonstrates the need of supporting functions to redeem research objectives and being able to be a local and temporary host for a traveling meeting conference format.[13]

In retrospect it was probably not a coincidence that both events took place at the time where iCourts after respectively four and five years in operation as a Center of Excellence really had to demonstrate major outcome and international collaboration triggered by the investment made by the DNRF. As it is often the case, causality runs two ways. The events that manifest an already status as a hub for research also cemented and enlarged exactly that very same position. A lot of contacts, collaborations and output relates back to the ICONS-S conference, and probably for many years onwards.

Center Director - a short portrait

The best way to get a view of Mikael Rask Madsen as a center leader and PI is to read the short "my iCourts story" published alongside the articles in this collection. Many of these speak not only about iCourts, the center, but also about Mikael, the center leader. Still we have decided to add a little extra to this, and we will do so through a short retelling of a situation that occurred in one of the many conferences Mikael has participated in.

Although anecdotal evidence doesn't count in genuine research, a short story might be informative regarding the personality and temperament of the center director. At a conference with attendance of a high-ranking and internationally experienced diplomat, a participant among the audience towards the end asked a question to the panel in a long winded and less comprehensible English. As time goes by, the embarrassment spreads among the audience, nobody really understands the question, even with

12 See: Brandeis Institute for International Judges, "The Authority of International Courts and Tribunals: Challenges and Prospects", https://www.brandeis.edu/ethics/publications/international-justice-pubs/pdf/biij-2016.pdf.

13 See: "ICON-S 2017 Programme", https://icon-society.org/wp-content/uploads/2017/07/170630-ICON-S-Conference-2017-Programme-1.pdf.

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the utmost mobilization of goodwill, so how should the panelist respond? The co-panelist is a little puzzled and looks inquiring at professor Madsen, who silently puts his hand on the arm with a gesture signaling: "I take care of it". When the conference participant finishes, Mikael answers: "I´ve got that question many times all over the world…" and continues with an account of something relevant for the actual event. Everybody is relieved by the diplomacy, including the respect for the participant, and feeling reassured by the well-judged handling of the situation. Such an awkward situation has no given outcome beforehand, neither good nor bad, but it seems to be receptive for discretion and good judgment - supported by a portion of boldness to act in the situation. Experience, professionalism and courtesy are characteristic for Mikael - alongside his hard work and dedication to excellent research of course.

But that is not all. Any organization and any human interaction needs, in order to be both rational, functional and efficient, an explicit hierarchy and a clear chain of command; a division of roles and responsibilities. But a leader of a research organization should also be prudent enough to realize that it is not possible to know ahead of time where the best and next good research ideas will come from. Mikael has revealed his insight on this in an interview conducted in a Danish book that contains 25 interviews with leading researchers published by DNRF in collaboration with The Royal Danish Academy of Science and Letters. A knowledge-based organization exposed to competition in a contemporary globalized world - "the global marketplace for knowledge" - with an open-minded and egalitarian approach will at any time defeat a more traditional minded organization: "knowledge has no hierarchy". In other words: Hierarchical seniority cannot be translated to valid currency in the knowledge economy: Being in touch with the cutting edge of research requires active participation, position is not enough. Mikael also reflects on this in the same interview:

> "Another fundamental principle is that the money is allocated to where things happen, the hierarchy is uninteresting in that context. If you want to be a part of it, things have to happen. That might sound cynical, but that is in reality the condition for elite research today. My time should be used to supervise where there are activities with possibility for new ideas and breakthroughs".[14]

14 The Scientific Frontier: Conversations with 25 Contemporary Researchers in Denmark, 2020, Chapter 3, p. 38, published by the Danish National Research Foundation and the Royal Danish Academy of Science and Letters.

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This insight is surely also what drives a more egalitarian approach to organizing the research center than seen in many other places. Seniority, of course, should not be deleted, and there is a social hierarchy that exists between full professors on the one hand and postdocs on limited term contracts. But Mikael always insists that in the proverbial lab, in academic discussion, etc. communicative equality and the better argument always prevails.

There is no fixed recipe for skilled research leaders, each one presumably has a rather unique combination of skills. In the case at hand, even though a highly competitive temperament and by nature a high achieving personality, other abilities are mixed into Mikaels habitus. The distinct no-nonsense attitude and often looking for ways to tease, for example in meetings with the faculty management, scheduled to an hour, shaking his head signaling that it can't possibly take more than half an hour to sort out the issue on the agenda, is combined with a non-hierarchical approach, empathy and respects towards especially younger scholars.

Mikael is obviously very fond of Pierre Bourdieu. Among many anecdotes he has told about Bourdieu, the following is also telling of Mikael himself. Back in 1968, where one of the researchers on Bourdeiu's team was eager to participate in the student demonstrations in the streets of Paris, Bourdieu allegedly hold him back, to keep focus on collecting data to a common research project, which, by the way, was a part of preparing Bourdieu's famous academic work on the Parisian *Banlieues* (suburbs). What at that moment in history, back in 1968, seen from the perspective of the researcher in Bourdieu's team, could be perceived as a contradiction between political engagement and research, was in fact a prudent long term preparation for a more informed and evidence based public discussion of one of the most important topics in contemporary society. Insisting on the independence and separation of research and politics is not an apolitical act, on the contrary it shows a sense of the importance of creating a not too direct and activist link between the relatively autonomous spheres of research and society. Today the ability to retain a sufficiently clear distinction between research and activism is perhaps more important than ever.

That way of thinking and acting as a researcher of course also refers even further back in time to the founders modern sociology, particularly Max Weber, that in his renowned lecture "Wissenschaft als Beruf", stresses that research don't tell us how to live or what choices to make in life, but require an effort of each researcher to distinguish between fact and opinions, and not least being able to recognize, what Weber calls "inconvenient facts". The key approach in the auditorium is "intellectual integrity",

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politics as such, should have no place in the lecture room - least of all not when the topic is politics.[15] Mikael is very much a bearer of this tradition in his leadership. Societal and even University politics are very rarely on the agenda in iCourts. Excellent research is always at the top of the agenda.

The big picture: Global research policy

Our account of the vision, design and daily operation of iCourts is *one example* of an answer on how to deal with the changing framework conditions around the university sector the last couple of decades. There are without a doubt many other possible avenues to follow and other good answers to this new situation. Which makes it even more important to share examples of experience with different organizational set-up across universities and higher education concerning how to develop answers. Many voices raise with good reason concerns about the increasing demand for immediate societal impact, increased competition over funding, the increasing vulnerability of researchers on short-term contracts, etc. not to mention goal collision between different demands from the state and private funders.

Our aim here is not to provide a general appraisal of the development of the national or global research policy, but instead to share an experience from a specific point of view. One large scale observation might however be appropriate to add in this context. Recent years have witnessed an increasing perception of the higher education system as an integrated part of the overall societal transformation towards a knowledge-based economy. Competitive knowledge institutions have become a *sine qua non* in the national and global economy. The state is no longer beyond competition and needs spearheads in the knowledge production. The historical irony is that if the vision broadly speaking in the 1960s among many porgressive researchers was a university intervening in amore activist way in the surrounding social reality, the university sector has now got even more than they asked for, in respect of expectations for social involvement. It could be argued that one of the tasks for a modern university is to explain and increase the sense of the importance of general appreciation of research as a public good beyond the economic dimension.[16]

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15 *Max Weber Gesamtausgabe*, Abteilung I: Schriften und Reden, band 17, Wolfgang J. Mommsen (Hrsg.), Tübingen 1992, p. 96.

16 "The Humanities as a Public Good and the Need for Developing Accountability Strategies", Henrik Stampe Lund, *Humanities* 2015, 4, 98-108, https://doi.org/10.3390/h4010098. An example of the very close link between research and employ-

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This also goes for basic research. Basic research is not genuine research without a large degree of autonomy, but autonomous research is not in itself an isolated activity. There is no necessary contradiction between independent research and a high level of accountability to the surrounding society. On the contrary: accountability is the key to secure the autonomy of research under the new historical and political conditions and the current research policy. The key words for academic freedom and autonomy is accountability and transparency, the ability to report back to funders and the public about the work and outcome of the research. An exercise that, by the way, supplies the environment itself with tools and awareness about choices, options, consequences, risk, use of resources, and thereby a management instrument. Writing your history is also a reflection useful for future choices. And having the luxury of independence also makes one aware about being exposed to one's own failures and lack of excuses when things go wrong. The PI also gets a specific role in this regard, for more often than not, success *and* failure can be attributed to the PI as grant holder. The ability to organize and drive a research agenda and keep a good relationship to the host institution is absolutely key in this regard.

Predictions of the future or estimate of possible scenarios is often imagined under the assumption that the future can be seen as a linear extension of the present situation. It is tempting to forecast that it is likely that research policy in the future will focus even more on expectations for impact and "social return". This might very well be true for the near future, but with the accumulating experiences any downsides of that approach will become visible and will lead to other approaches being seen as equally or more attractive ways of managing the research landscape. Any given historical development contains its own discrepancy and internal potential reflectivity. A future scenario that takes both dimensions into account, on the one hand some degree of conformity to existing forceful research policy agendas and on the other hand reactions on the limits of the rationality of the very same policy, is more likely to hit the mark.

The specific balance on the many parameters in play in contemporary research (basic vs applied research; research vs. education; competitive based vs. basic funding; scientific vs. societal impact; etc etc) is of course hard to predict, but we find it almost certain that Research management is looking into a more complex picture where the rather fixed, homogeneous

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ment policy: "Supporting growth and Jobs – An agenda for the modernization of Europe´s higher education system", European Commission COM(2011)*567* final: Supporting growth and jobs. Publications Office of the EU (europa.eu).

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and stable hierarchy, behind national borders, is gradually substituted by a more fluent and differentiated international system with much more opportunities for entrepreneurial and mobile researchers - but also a much more unequal distribution of research means and a polarized labor market for researchers.

But one thing might be certain in this overall change: No matter where or at which level a researcher or a research institution is placed in this development, the difference between being on the agenda-setting or the simply agenda-implementing side of the fence is bigger than ever. The choice for Research administrators today, Rectors, Deans, Head of Departments etc. is the following: Do you create an institution and environment that is running after objectives and agendas set by others or do you design a somewhat autonomous organization that is capable of participating in setting objectives and an agenda for contemporary research? The latter is obviously more difficult and risky, but also that much more rewarding when it succeeds. It is the classic theme of "high risk - high gain vs. low risk low gain" that plays out here. To be a successful leader in the contemporary complex research landscape that is showing up ahead of us, you need to work out which "risk profile" provides the best competitive advantage for your institution - whether that is a small group, a larger center, a department, a faculty or a university.

Selection of articles

Although we wish to acknowledge the important role and hard work of the iCourts PI, we also wish to emphasize that the center is very much a collective achievement. It is the result of an active participation by all iCourts staff and thereby of the resolve by all to actively join and support, not only the overall research project and its academic ethos, but also the collective organizational ambition which calls upon every single member to play their role and commit to carrying their part of the work, that being Ph.D. Summer School, newsletter, organizing seminar series, working paper series, assessing applications to the visitors program and engaging in the role of host for visitors, participating in funding applications, organizing conferences, taking charge of iCourts Twitter account etc. etc.

It is important for us as editors, to emphasize this, because it is key to explaining the criteria we selected for which articles to include in this book: Since it is a tribute to iCourts as a whole, we have deliberately chosen to NOT include articles authored by present iCourts members of staff. Instead we have chosen to show the impact of iCourts through articles published by iCourts associated visitors and past members of staff:

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Researchers who have collaborated with and stayed at the iCourts center - mostly over longer periods of time. Some of these researchers even have accrued status as "permanent visitors", thereby highlighting their frequent and close collaboration with the center.

The choice not to include publications from permanent iCourts staff has not been easy. iCourts staff is our closest colleagues and we know that they would all have been excited to contribute. Moreover, we also know that their research is of outstanding quality and would have been highly appreciated by the readers of this book. However, we have decided to honor iCourts as a whole and a international hub, and we have found it to be true to the original iCourts spirit that we do this by letting guests and former staff tell their iCourts story and to let their research contribution stand as a representation of the innovative and multi-facetted breadth of original research from Courts.

Our aim has been to highlight how iCourts have been an international hub for a new generation of research on international courts and international law.This approach has also allowed us to introduce a little editorial twist: We have asked each of the authors to provide their personal "iCourts experience" as an introduction to their article. In this way we hope to provide a view of iCourts as seen from the outside.

This approach to the book is an important point in itself. iCourts have always sought to achieve more than international recognition for its own research. It has actively sought to set an agenda for the research field itself and has tried to achieve this by an active engagement with researchers and research environments across the globe who are committed to bring forth new knowledge about international courts and their role in international society. Focusing on this achievement, by displaying some of the innovative research that has been produced by iCourts visitors and by offering their iCourts experience as evidence of what iCourts have achieved is therefore, for us, the best way to honor and pay tribute to iCourts as a whole as well as personally to the Center leader.

Choosing which publications to include in this book has not been easy. We have opted for a composition of articles that show the diversity and consistent high quality across legal fields and geographies and in respect to both theoretical development and more empirical work as well as legal history.

Influencing the very delimitation on which the center's research efforts were based, Cesare Romano's article "A Taxonomy of International Rule of Law'' has in many ways been important for iCourts right from the beginning. Romano was one of the earliest visitors to iCourts and has entertained numerous times at the iCourts PhD summer school on the art

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and role of definition in legal scholarship. Although not published in the iCourts era (the article is from 2011) it has played an important role in the life of iCourts and Romano and is therefore included in the book as the first article.

A defining feature of iCourts is its ambition to cover international courts as a whole - rather than simply studying one or a few enumerated courts. In our selection of articles we have tried to show how this has been operationalised. First of all, we have wanted to show the breadth of studies in terms of geographical plurality. We have therefore included articles that contribute new research on international courts with regional jurisdiction in both Europe (Cali, Mayoral, McAuliffe, Odermat, Palmer Olsen, Vauchez, Yildiz), Africa (Daly, Ebobrah) and Asia (Sperfeldt) as well as international courts with global jurisdiction (Giannini, Alter, Helfer, Levi, Romano). Secondly we have included articles that precisely transgress research that focus on individual courts, by theorizing the role of some institution in international law across several courts and jurisdictions (Levi, Ebobrah, Yildiz) or international courts more broadly (Alter, Helfer, Romano, Yildiz)

Another example of breadth is the ambition to study international courts across the various established disciplines of law. iCourts has not been constrained by being limited to study only, say, human rights law or criminal law. Instead, iCourts research have been conducted in almost all fields of law dealt with by international courts: human rights (Cali, Daly, Ebobrah, Yildiz), criminal law (Giannini, Levi), international law (Alter, Helfer, Romano, McAuliffe).

Whether European, American or other geographies and whether human rights law, criminal law or other legal fields, iCourts has also been pioneering new interdisciplinary approaches to law - something that we have also sought to illustrate by our selection of publications. While mostly avoiding engagement with the well known legalistic approaches characteristic of much doctrinal legal research being produced in legal faculties, the ambition of iCourts has been to be at the forefront of new innovative approaches to legal studies. Adopting and adapting contemporary approaches from various other disciplines has led to studies of international courts that have brought new light on how these courts operate - both internally and in relation to other actors. Examples are research that connects law to the study of institutional authority, thereby revealing the factors that determine the scope and impact of international courts (Alter, Helfer, Ebobrah, Giannini); research that connect law's development to historical institutionalism (Levi, Vauchez), studies that relate law to the role of trust (Mayoral); and so on. Studies that employ data science and network analysis have

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contributed to the establishment of a whole new field of computational legal studies (Palmer Olsen); Linguistic approaches have been used to reveal new insights on the method of reasoning employed by international courts (McAuliffe). Altogether, these articles we have selected, and the institutional context we have described constitute precisely what we are aiming to capture with this book, the role of iCourts in contributing to the development of New Interdisciplinary Legal Research.

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