

## INTRODUCTION

by

David Kennedy\*

This volume brings together work which originally formed the basis for discussion among young international law scholars at The Hague at a Workshop on New Scholarship in International Public and Private Law held on 22-23 July 2000, during the summer sessions of the Hague Academy of International Law. Jointly organized by the Association of Attenders and Alumni of the Hague Academy of International Law and the European Law Research Centre of Harvard Law School, the Workshop was intended to engage participants in active debate with some of the most innovative younger scholars now working in these fields of research. It was a very lively two days, filled with the enthusiasm, scepticism and energy new work often generates, and I am grateful to all those who assisted in the organization of the event — and to the Yearbook for publishing the texts which resulted from those discussions.

The past two decades have seen a dramatic increase in the scholarly work which aims to rethink the foundations of international law and to respond to recent trends in political, social and legal theory. Much of this work is by younger scholars who are often isolated in their own institutional or national milieu. Partially as a consequence of the recent social and political changes in the international order, these young scholars are now more broadly recognized and encouraged. They continue to need the opportunity to meet with one another and share their ideas, react to one another's criticism, and develop their thinking, if the various international legal disciplines are to meet the challenges posed by a fast changing world order. The July 2000 workshop provided one start to what I hope will be a continuing conversation — the publication of these texts provides another.

The work of these young scholars often does not fit easily into conventional academic disciplines. Some of these papers were written by scholars nominally in "public" or "private" international law, others by scholars associated more directly with comparative law or international economic law. All are also working in some way across the boundaries of their discipline. Perhaps more importantly, all are seeking to reframe the questions their discipline customarily asks, often in ways which go beyond more conventional "interdisciplinary" efforts.

At the Workshop, student participants were encouraged to engage with scholars presenting their work, and to offer their sharpest points of disagreement, challenge, engagement. I am particularly pleased that several student participants

reduced their thoughts to writing, even though they could not be included in this volume as well.

Let me thank Mr Olivier Ribbelink and Mr Thomas Skouteris of the AAA for their enthusiasm and co-operation in organizing this event. If the professional disciplines which offer their services to meet the challenges of international governance are to do so successfully, it is my strong sense that they will need to change their ways of thinking about our global society — I am encouraged that these papers provide us some useful starting points for that rethinking.