



Early Career International Law Academia

Opinio Juris and *Afronomicslaw* Symposium (March-April 2022)

Srinivas Burra, Julia Emtseva, Barrie Sander, and Ntina Tzouvala (eds)

Srinivas Burra, Julia Emtseva,
Barrie Sander & Ntina Tzouvala

Introduction

Eliav Lieblich

*“You Keep on Using that Word” – on Methods in (International)
Legal Scholarship*

- *Part I*

- *Part II*

Srinivas Burra in conversation
with Sundhya Pahuja

Reflections from a Supervisory Role – Interview with Sundhya Pahuja

Immi Tallgren

Examining the (External) Examiners

Frédéric Mégret

How to Be a Foreign Academic

Gabrielle Chlevickaite

*Neither on the Outside, Nor Fully in? Working Within Perceived
Dichotomies of Academia and Practice in International Criminal
Law as a Young Scholar*

Ntina Tzouvala

*Between Expectations and Reality – What (Not) to Worry About
When Entering the International Law Academic Job Market*

Alexander Gilder

On International Legal Academia in the UK

- *Part I – Securing Your First Academic Post*

- *Part II – Navigating the Expectations Placed on ECRs*

Başak Etkin

*Answering a Call for Abstracts – 4 Mistakes I Made So You Don’t
Have To (and 2 Things I Got Right)*

Fleur Johns	<i>Abstracts – Some Concrete Suggestions</i>
Barrie Sander & Rebecca Sutton	<i>The Art of Writing an International Law Book Proposal – Personal Reflections, Tips and Examples</i>
Lucas Lixinski	<i>That Other Half of the Job – Getting Started on Teaching (International) Law</i>
Yvonne McDermott	<i>Securing Research Funding</i>
Raghavi Viswanath & Tejas Rao	<i>Querying #ILTwitter as a Tweetling</i>
Douglas Guilfoyle	<i>Mental Health in Academia: Some Hard Truths</i>
Michael Lane	<i>Am I an Imposter? Overcoming Doubt and Self-disbelief as an Early Career Researcher</i>
Medes Malaihollo	<i>An Indigenous Concept of Time and Its Impact on Time Management: A Personal Reflection in an Early Academic Career</i>
	- Part I
	- Part II
Aoife O'Donoghue	<i>Balancing my Time or Why Watching Ru Paul's Drag Race is a Better Use of your Time</i>
Sophie Rigney	<i>Your One Wild and Precious Life</i>
Radhika Jagtap	<i>Pursuing a PhD in International Law: Some Epistemological and Existential Challenges in the Indian Context</i>
Akhila Basalalli	<i>Difficulties of an Early Female International Lawyers from the Global South</i>
Aphiwan Natasha King	<i>Gender Disparity in Academic Citations: Tips for Rectifying the Gender Gap among Early Career International Law Academics and Practitioners</i>
Anonymous Blackademic	<i>Black in the Ivory: Reflections of Early Career 'Blackademics' in International Law</i>

Symposium on Early Career International Law Academia: Introduction

opiniojuris.org/2022/03/21/symposium-on-early-career-international-law-academia-introduction/

March 21, 2022



[Srinivas Burra is an Associate Professor and Associate Dean at the Faculty of Legal Studies, South Asian University, New Delhi. Julia Emtseva is a Research Fellow/PhD candidate at the Max Planck Institute for Comparative Public and International Law. Barrie Sander is Assistant Professor of International Justice at Leiden University – Faculty of Governance and Global Affairs. Ntina Tzouvala is an Associate Professor at the ANU College of Law.]

Being an early career scholar in international law is a fun and strange journey: most of us made a conscious choice to hop on a train that is made out of international treaties, court decisions, draft and not-draft articles, case studies, and so forth. Yet, before buying the tickets to this ride by enrolling in PhD and research programs, how long did we think about the caveats intrinsic to ‘going on a world tour’ with international law and not staying in our own jurisdictions?

This symposium’s idea was born out of at least four reflections on that question – the experiences of the four editors. While our experiences are unique, we could agree on one thing: there are junior international legal scholars struggling with various challenges that

are inherent to the field. The hierarchies of academic institutions, the political economy of modern universities, geographical location, language, race, gender, and mental health struggles are some of the issues of concern to junior legal researchers, and often even to those advanced in their career. Difficulties emerge not only from structures of oppression and exclusion but also from insufficient familiarity with basic aspects of academic life. All four of us agreed that at the beginning of our careers we had/have little understanding of how to prepare a book proposal, an abstract for an interesting conference, a polite rejection email for an attractive offer, a teaching plan, a justification for chosen methods, and much more.

This symposium is animated by a desire to offer broad reflection and practical advice to junior international law researchers. We remain mindful of the fact that many of the problems we face are structural and cannot be resolved through better advice and adaptation of our personal behavior. Collective problems only admit to collective solutions. At the same time, some of the inequities of academic life manifest themselves as unequal access to useful information: those lucky, savvy, or demographically predetermined to attend prestigious institutions, access helpful mentors, and closely observe successful colleagues, are better placed to acquire a clearer understanding of the ‘unspoken’ parts of the job. The rest are often unaware that these ‘unspoken’ parts even exist. With that in mind, we started thinking about how we could pass on the knowledge that we and our excellent contributors gained with time and experience. That is how this symposium emerged – it took a village to assemble this “road map for early career scholars” and we are incredibly grateful for everyone who took their time to participate in this project. The breadth and depth of responses evidence both the anxieties but also the generosity, patience, and creativity of the ‘invisible college’.

The first half of the symposium, hosted by *Opinio Juris*, opens with a post by Eliav Lieblich who offers a nuanced yet also practical guide to the complex issue of choosing one’s method/ology in international legal scholarship – stay tuned to learn what else you could tell to your thesis committee apart from singing Taylor Swift! This is followed by an interview with Sundhya Pahuja, who, drawing from her long experience as PhD supervisor, explores the challenges and opportunities associated with undertaking a doctorate. Offering a view from the other side of this process, Immi Tallgren discusses the experience of being an external PhD examiner with all its uncertainties, unknown unknowns, and joys.

We continue with Frederic Mégret who shares his experiences of being “a foreign academic.” The field of international law is distinctive, and as mentioned earlier – it is a train that usually brings you overseas, which can present distinct challenges when it comes to teaching a nationally-specific subject, such as law. Gabriele Chlevickaite also focuses on insiders-outsiders by exploring the relationship between academic work and legal practice in the complicated field of international criminal law.

Further, Ntina Tzouvala explores the gap between perception and reality when it comes to the qualifications required for an entry-level job in the UK and in Australia. The topic of the academic job market is then nicely elaborated by Alexander Gilder, who explains how

to secure a first academic post in the United Kingdom (spoiler alert: there will be a nice bonus accompanying this post).

Even after securing a permanent academic post, junior international lawyers may struggle with aspects of the job that a doctoral degree does not effectively prepare us for. We have two great contributions from Başak Etkin and Fleur Johns who share their experiences and skills on how to craft convincing abstracts and pitch your ideas to conference organisers. Mastering abstracts could be of use for many of your projects, including writing a longer-form “abstract” for your manuscript with the aim of securing a publishing contract. Yet, there are some peculiarities to this process: Barrie Sander and Rebecca Sutton share their experiences with writing book proposals in their interview-style contribution (and you will also be able to access their proposals, which will be attached to their post). The next post by Lucas Lixinski offers indispensable insights on how to not only balance research and teaching but on how to make sure that they inform and improve each other. Yvonne McDermott then provides some tips on securing research funding drawing on her recent experience securing an ERC Starting Grant. This part of the symposium concludes with a post by Raghavi Viswanath and Tejas Rao who discuss the complicated issue of social media, and especially Twitter, as professional tools.

The second half of the symposium, hosted by *Afronomicslaw*, begins by focusing on how to look after your mental health while being an international legal scholar. We start with a very important contribution by Douglas Guilfoyle who reflects on dealing with mental health issues triggered by professional, workplace, and personal pressures. Michael Lane then discusses strategies for tackling ‘Imposter Syndrome’ in academia, including how to overcome doubt and self-belief as an early career researcher. We continue with a creative contribution by Medes Malaihollo, who outlines how Indigenous conceptions of time enabled him to manage his own time better. In two frank and joyful posts, Aoife O’Donoghue and Sophie Rigney share their own “best practices” on how to take time off work and still enjoy what our lives offer outside the walls of our office or beyond our working laptop screens.

The last part of our symposium illuminates some structural problems of the field – problems that one cannot easily resolve by mastering new skills. Posts by Radhika Jagtap and Akhila Basalalli open the discussion of challenges related to geography and gender. Radhika and Akhila candidly share their experiences of what it means to be a female international lawyer from the Global South. They focus on challenges specific to scholars in underfunded institutions who are also being pressured for not ‘performing’ traditional female roles. Speaking of gender disparities, Aphiwan Natasha King makes an important intervention by highlighting the problem of gender disparity in academic citations. In her post, she also gives advice for rectifying the gender gap in academic publishing, especially in international law. This part closes with a contribution from an anonymous author who offers a somber account of the challenges faced by early-career ‘Blackademics’ in international law. Drawing from extensive interviews, this post concludes with a call for an honest discussion about race/ism in our field.

We are well aware that the posts that follow only offer a glimpse into the wide variety of challenges experienced by early career researchers. We aimed to bring together a diverse group of early-career scholars with particular attention to those often left out in the mainstream maze. We also included mid-career and senior colleagues with a view to offer practical advice publicly. We consider this symposium a modest, initial effort, and we are looking forward to seeing similar efforts unfold elsewhere.

Symposium on Early Career International Law Academia: “You Keep on Using that Word” – on Methods in (International) Legal Scholarship (Part I)

opiniojuris.org/2022/03/21/symposium-on-early-career-international-law-academia-you-keep-on-using-that-word-on-methods-in-international-legal-scholarship-part-i/

March 21, 2022



[[Eliav Lieblich](#) (@eliavl) is Professor of Law at Buchmann Faculty of Law, Tel Aviv University.]

That girl from sociology in your grad students mixer. The smug guy in your doctoral colloquium. That close-talker near the cookies at the conference break. The just-tenured-prof in your job talk. The-grant-proposal-format-that-was-made-for-sciences-but-for-some-reason-is-the-same-for-everyone. Eventually, someone will ask you about your research methods. Confession: I *dreaded* this question during my doctoral studies, and for a time later. If you, early career researcher, feel the same – know that you're not alone.

In Part I of this piece, I will say a few things about why the M Word is scary to legal scholars. Then, in Part II, I'll try to demystify methods in legal scholarship, by discussing the relations between categories of research questions and methods. I will end with a few words on the politics of methods.

Much of what I say here is relevant for legal studies at large; but these issues might be more prevalent in international law, where scholars come from a wider variety of backgrounds, and common understandings of methods are harder to achieve.

Additionally, what I describe here is characteristic of legal scholarship in universities in the Global North. This is my focus since for better or for worse, these universities remain important gateways to careers in international legal scholarship.

Note, that there is a multitude of ways to think about methods in international legal research. I don't presume to present the "best" or even "correct" way. My aim is much, much more modest: to share ways to think about this, that I have found helpful when teaching and doing research myself.

How Law Learned to Stop Worrying and Love Methods

No wonder talking about methods in legal scholarship is awkward. Pick any foundational piece of legal scholarship. Unlike in the social studies or the sciences, it is unlikely that it would contain an explicit discussion of methods. This is not surprising, considering the trajectory of legal scholarship throughout the 20th century, at least in the West.

Risking some generalization, traditional legal scholarship viewed law as a self-contained world. To do legal scholarship, or to teach law, was to engage in that thing that lawyers "do": to tell people – judges, clients, students – what the law *is*. Within this self-contained world, there were legal sources, and there were professional cues and expectations about what it takes to make a convincing argument on their basis. The legal scholar was basically a lawyer with more time to write long things. In international law scholarship, the hallmark of this tradition is of course the international law treatise.

It is true, that for some time, traditional scholarship insisted on viewing law as a "science." But much of the idea of "legal science" was predicated precisely on the insulation of law from other sciences. The result was that legal scholarship was seldom preoccupied with methods in a manner comparable to that of the social or natural sciences. Of course, legal scholarship always had "methods," but these were usually unspoken of as such, since they were a transparent part of what "doing law" was. Also, in practice, as Tzouvala shows in her recent book, the insistence on the autonomy of law did not prevent some traditional international lawyers from applying extra-legal "scientific" criteria to determine levels of "civilization" and entitlement of peoples to international legal subjectivity.

Nonetheless, the talk about methods in legal scholarship is a product of a relentless attack against this traditional mode of thinking, mainly – but not only – in the US. In the first decades of the 20th century, legal realists began to insist that law was meaningless without social context, and that to understand law was to understand its operation in real-life. To understand "law in action," judges, as well as scholars, needed to observe society including through methods of social sciences. Eventually, this thinking nurtured the mammoths of 20th century legal scholarship: law and society (and the "law and" movement in general) and critical legal studies. Both of these strands, and their numerous offspring, share the position that law must be analyzed from an external point of view, and through extra-legal methods of gathering information and arguing.

Of course, these developments also affected international law. For example, in the US, scholars like Morgenthau applied the legal-realist critique against positivist views of international law; and since the 1960s, the New Haven School of International Law argued that the role of the scholar was to help, through a scientific approach, to craft policies that promote a world order of human dignity. Traces of New Haven can be found across contemporary “policy oriented” US scholarship, although many of its more esoteric intricacies are rarely applied. Critical approaches to international law followed globally (initially called “the new stream”), and applied extra-legal theories to international law – many imported and adapted from the humanities – from historical approaches to linguistics to feminist approaches, from post-colonial studies to Marxism and critical race theory. A great recent volume on the international law and methods can be found here.

Having said that – with the exception of some advanced year electives – most law schools, in most of the world, teach most of their courses in the traditional way. This is especially true in legal cultures where extra-legal thinking among lawyers is still discouraged. For this reason, many graduate students and early career researchers struggle when coming across the M Word, in particular when studying in or applying to universities in which extra-legal analysis of law is encouraged (read – many elite universities in the Global North).

In the next Part, I suggest a way to demystify method-talk.

Symposium on Early Career International Law Academia: “You Keep on Using that Word” – on Methods in (International) Legal Scholarship (Part II)

opiniojuris.org/2022/03/22/symposium-on-early-career-international-law-academia-you-keep-on-using-that-word-on-methods-in-international-legal-scholarship-part-ii/

March 22, 2022



[[Eliav Lieblich](#) (@eliavl) is Professor of Law at Buchmann Faculty of Law, Tel Aviv University.]

Demystifying Methods

As discussed in Part I, methods intimidate legal scholars, and understandably so. To demystify methods, the most helpful thing, is ...

to go back to your research question.

(anti-climactic, I know)

In this context, categorizing research questions to descriptive, normative, and critical questions is a helpful place to start, since these different archetypes correspond with different types of methods, and even different understandings of the term “methods” itself – including of its mere possibility in legal scholarship.

Descriptive questions concern the state of the legal world as it is. Broadly speaking, they can be *socio-legal*, when they look at law's interaction with the real world; or *doctrinal*, when seeking to describe law as it is (the *lex lata*). They can also be *ontological* when they try to describe concepts or ideas (a lot of traditional analytic jurisprudence falls into this category).

Concerning most descriptive questions, “methods” usually means the way we find and arrange the information needed to provide an answer. For example, if our question is socio-legal – say, “does the background of ISDS arbitrators influence their decisions?” – our method would usually be empirical, whether quantitative, or qualitative. Most law school graduates are not proficient in such methods, and early career researchers should be aware of the comparatively high entry costs needed to really do them well. Again, I recommend [this book](#) for specifics about socio-legal methods in international law (see [this](#) and [this](#) also).

Importantly, descriptive doctrinal research also has methods, even if they are rarely discussed as such. If my question is “what is the legal status of the principle of permanent sovereignty over natural resources,” my method might be generally positivist: to apply the sources of international law – i.e., those found in Article 38(1) of the ICJ Statute, and the rules of interpretation – in order to find the answer. At this point, many legal realists and critical legal theorists would object that this “method” is nothing but politics concealed. Answers to legal questions, they would say, are not really determined through deduction from sources but by interests and values; and when doctrinal researchers claim to do descriptive work (finding law), they actually *conceal the fact that their work is normative* (making law). In international law, this criticism is perhaps especially challenging, because of the well-known problems of the discipline such as its much maligned claim to neutral universality and the ambiguity of customary international law. But the important point is that rather than fearing the term, doctrinal researchers should embrace the fact that they do employ methods of some sort, those associated with legal positivism.

A somewhat different understanding of methods is relevant to normative, critical and descriptive-ontological questions. Normative questions ask what *ought* to be the state of the legal world. To make sense of such questions, we need a *theory* of the good in light of which to assess what law “ought” to be (e.g. moral theories such as non-consequentialism, utilitarianism, or as is much more common in legal scholarship, various “policy oriented” considerations). Critical questions, for their part, attempt to expose the inherent relations between law and power, according to the researcher's *theoretical outlook* on which specific type of power relations are most pertinent or interesting (race, gender, class, colonialism, or all of the above). They are descriptive by *exposing* these relations (and here, they might deploy various methods of descriptive research in order to present their factual basis); and although they might not always offer solutions (short of revolution, of course), they are normative by implying that these relations are bad.

In relation to the questions described above, the term “methods” has tight relations with the term “[theory](#).” Recognizing this is key, since many early career researchers that do this type of work struggle with methods precisely because of the dialectical relations

between theories and methods, when it comes to normative, critical or descriptive-ontological questions. As Danish Sheikh put it brilliantly [here](#), “it’s not theory, but it’s not *not* theory.”

Let me try to make it easier. In simplified terms, theory refers to the general intellectual framework through which we think about our question (utilitarianism, critical race theory, and so on). In the context of normative, critical and descriptive-ontological questions “method” usually refers to the manner through which we apply our selected theory to a concrete question – or, in other words, “applied theory.” This is what the “analytic” in analytic philosophy (or jurisprudence) means, and it is in this sense that the terms “critical methods” or “feminist methods” are used. Here, theory breeds the method and vice versa, to such an extent that it’s difficult to distinguish between the two.

Of course, each of these theoretical strands have subgroups with their own methods or techniques of argumentation – i.e., of applying the theory. Developing as a researcher in each of these schools is, to a large extent, specializing in their specific intellectual “moves.” This is not easy, since like traditional doctrinal scholarship, these works rarely discuss their “methods” explicitly. In fact, the complexity and diversity of such practices have led Koskenniemi to object to “methods” talk in legal scholarship to begin with – and to argue that what he really have is a variety of argumentative “styles.”

Returning to doctrinal research, we can now better understand the mystery of its methods: should its “methods” be understood in the former sense – ie, a way of finding and organizing information about law as it is – or in the latter sense, as a series of intellectual moves, an argumentative structure – a *style* – through which law is *made*. Phrased this way, the attack against positivism throughout the 20th century can be understood as a fundamental disagreement about the nature of its methods.

A caveat: The categorization above is admittedly simplified. In reality, there is significant interaction between types of research questions, and the boundaries between them can be unclear. This is especially true in relation to interdisciplinary work, involving law and history, law and literature, and so on. Accordingly, a specific work can have different parts with different methods or “styles.” But hopefully this will be enough to clarify things, at least as a start.

The Politics of Methods

I end with a few words on the politics of methods. In some law schools, using certain methods is a source of cultural capital (and, unfortunately, other methods are equally met with hostility). Note the awe with which some law faculties treat the economic analysis of law (especially involving formulas), or quantitative empirical methods (especially involving experiments). In other faculties deployment of critical methods can get you a long way. The prestige premium attached to certain methods can be partially explained by the fact that law schools still struggle to distinguish themselves from trade schools, and legal scholars struggle to differentiate their intellectual position from that of the judge, lawyer or activist. In such environments, doctrinal study of law might be looked down upon, and

particularly so in international law, in which black-letter law is often thin; doctrinal claims more contentious; and the influence of power politics is accepted enthusiastically even by those that think that domestic law is somehow immune to such disturbances.

The temptation for (especially early career) researchers to strategically adopt “a shopping mall approach to method” in order to gain such capital is clear. While this is understandable, I think it should be resisted, (a) because it is not fun; (b) it is too instrumental; and (c) because it does not usually work even on its own instrumental terms. For example, using quantitative empirical methods because of the scientific cachet, or slinging around “externalities” or “decolonization” opportunistically, is likely to be challenged exactly in the wrong moment by that faculty member with 20 years of experience in such work.

Furthermore, one should be critical of “prestige” in legal methods. Beyond the power-politics of prestige that might favor this or that type of method, a common predicament of legal scholarship is that it suffers from inter-disciplinary lag. Many extra-legal theories and methods develop in other faculties, and when they arrive in the law school with pomp and circumstance, their shortcomings have been already exposed in the “original” faculty. International legal scholarship sometimes suffers a double lag, since in some faculties – but definitely not all! – intra-institutional prestige struggles push international lawyers to follow the “new” methods applied by domestic lawyers. This is not so much an argument against this or that method, but about approaching prestige with a grain of salt.

Beyond intra-institutional politics, recent years are characterized by increasing preoccupation with the relations between methods and identity. Just as an example, when white scholars from the Global North engage in post-colonial critique of international law, they themselves might face the criticism that they are crowding out voices who experience the phenomenon they are criticizing, or missing important points of critique that can be learnt from experience. While I do not think there’s a conclusive answer to this dilemma – and the solution cannot be, of course, that some people are “banned” from doing some methods – the politics of methods call for reflexivity about our use of them.

To sum up: like everything in academia, managing methods is a combination of both getting a handle on the substance and navigating the politics of the profession. And, of course, of learning to elegantly cut short the discussion with that close-talker, in the never-ending dash towards the cookies.

Symposium on Early Career International Law Academia: Reflections from a Supervisory Role – Interview with Sundhya Pahuja

opiniojuris.org/2022/03/22/symposium-on-early-career-international-law-academia-reflections-from-a-supervisory-role-interview-with-sundhya-pahuja/

March 22, 2022



[Srinivas Burra is in conversation with Sundhya Pahuja, ARC Kathleen Fitzpatrick Laureate Professor and Director of the Institute for International Law and the Humanities (IILAH) of Melbourne Law School, the University of Melbourne.]

Srinivas Burra: Professor Pahuja, thank you very much for accepting to share your thoughts in this symposium. As you have a long experience of supervising doctoral students, we would like to gain an insight into some of the challenges involved in pursuing doctoral studies. Your thoughts from your personal experience of supervision as well as from the general experience in the university system would be of particular help to aspiring doctoral scholars and early career researchers.

Sundhya Pahuja: *Thanks Srinivas. I am glad to participate.*

Srinivas Burra: According to you, what should be the main consideration in choosing a university for doctoral studies: supervision, ranking of the university, geographical location or other factors? Relatedly, to what extent can these considerations potentially affect the research outcome?

Sundhya Pahuja: *For me, the main basis upon which to choose an institution for doctoral studies is the supervisor. I know that many practical factors will be important and may be determinative. These will often be about where you can get funding and so on, and that*

is obviously also crucial. But nothing has quite the influence over your experience as much as supervision, for better or worse. If you have funding at an institution, it's a great blessing. But if you have the luxury of choice, and you have to choose between a prestigious institution which is indifferent to you, and a less prestigious institution at which you have found a supervisor interested in you and your project, I would recommend thinking long and hard about what choosing one over the other will mean. I know some people who know in advance, that an institution is hostile to the kind of work they want to do, because it is too critical, for instance. But they go there nonetheless because of prestige. One can make that choice, but it will either reshape you, or make the doctoral experience something quite different to what it could be.

The other thing to say about your supervisor is that you should read their work and choose them on the basis of their approach and orientation rather than subject matter expertise. You will quickly become an expert in your specific topic. But it takes much longer to gain a deep knowledge of a theoretical field. Your supervisor should be able to help you locate your work in the discipline, guide you to the kinds of theoretical approaches you might find productive, help you with the genre of PhD writing, and be willing to offer you an apprenticeship in research and writing. In other words, if you're keen to locate yourself in any particular tradition of thought, you will likely have a better experience with a supervisor who is working within that tradition, or adjacent ones, than someone in the same subject matter area who is working in a very different tradition. So, for example, if you are writing a Marxian or postcolonial thesis (or) about an aspect of trade law, it's probably more useful to be supervised by a Marxian or postcolonial scholar working on some other sub-disciplinary field than a neo-liberal trade lawyer.

Srinivas Burra: What makes a student's application for doctoral admission successful? Past academic record? Quality of research proposal? Reference letters? Other factors? Or a combination of these?

Sundhya Pahuja: *In the institutions I know, selection is a combination of the supervisor's input and the selection committee's ranking of the applications to the school as a whole. My experience is confined to places where full funding is offered, so selection is highly competitive. I imagine if fees are involved, the supervisor may have more influence. When I am asked to consider a proposal, or am approached by a potential candidate, I will be influenced by the research proposal, past research experience, and demonstrated interest and commitment in an area which I think is a good fit with my own interests and expertise. That does not mean that they do the same things as me, but that I adjudge them likely to gain something from thinking together with me, and from joining the scholarly communities in which I move. Letters of reference will be important and relevant too, to make sure the person is motivated, hardworking and institutionally minded. I see myself supervising future colleagues, whether at my institution or elsewhere, so I think hard about whether people have shown that they are collegial, and generous, and interested in other people too. Selection committees will be more influenced by past academic record more than anything, and by the availability of supervisors in their own institution. In other words, if you have a candidate with a fantastic record, but no-one is willing or able to supervise them, the school cannot offer*

admission. On the other hand, if a potential supervisor is very keen to supervise someone, their view will be relevant to the committee in deciding whether or not to offer admission, but there will have to be a basis upon which to rank the student against others to justify the choice.

Srinivas Burra: What considerations should doctoral students keep in mind while choosing a topic for research? Would you like to point out any common mistakes which doctoral students make in this regard?

Sundhya Pahuja: *It's very tricky to advise on this in the abstract. People almost never end up with the topic with which they begin. Usually when people approach me, they have an idea, something they feel very interested in, have done a lot of reading, and present their thinking in a way which is interesting, even if it's unformed. Typically, they will have spoken to people about it, including potential supervisors, and given some thought to how to present it. One of the reasons I wrote the chapter I recently published called 'Practical Methodology' was to help people come up with a research proposal. It's important for students to give some thought to why the thing they are interested in matters. But humility also goes a long way, because an idea for a thesis is more like an opening gambit, if you like, than a concrete plan.*

Srinivas Burra: What challenges do applicants from the Global South face in seeking admission for doctoral studies in universities based in the Global North?

Sundhya Pahuja: *In my experience, applicants from the Global South face two main challenges. The first is financial capital, the second is something like academic capital. Financial capital can only be addressed by finding a place to do your PhD where you can access a full scholarship which covers fees and a stipend, as well as a system which allows you to work for proper wages. Otherwise, it is difficult without family support. In my own Law School at Melbourne, we only take people we can fund, and we offer a pretty generous scholarship in global terms. But that means there are not that many of them, and people still struggle for all kinds of different reasons particular to candidates coming from the Global South. The second difficulty is that candidates who come from universities that are not well known in the western academy will struggle to convince committees that they should be selected. Most of my PhD students from the Global South have done an LLM from a university with an international reputation. Not necessarily located in the North, but almost always from a university where the academic staff have an international reputation. It's not fair, and we try to judge applicants as fairly as we can, but it's noticeable. One path that people from the Global South may take is to apply for government funded LLM's, or Masters in other disciplines in a different country, before they do a PhD. This is a good strategy if you can manage it. I realise not everyone can though.*

Srinivas Burra: What are the major challenges a doctoral scholar should be prepared to face during their doctoral studies?

Sundhya Pahuja: *Every candidate will face two kinds of struggle. First there are the ones particular to them, which usually involve life getting in the way of the doctorate. Four years is a long time, and stuff can happen. Second there are the ones every candidate faces to a greater or lesser degree. These can include loneliness, lack of confidence, periods of lack of motivation, sadness about the world, struggles with money... The two things often merge as well... Understanding that the psychological effects of a long solitary research project will be palpable on some level might be helpful. Having friends will always help in my experience. So, whomsoever the candidate is, I would suggest getting involved with the institution. Find communities of graduate students through reading groups and writing groups, without worrying about whether they are doing the same type of research. If they don't exist, start them. If you can't find a community, create one. If you're in a new city, try to emplace yourself. Visit museums, learn about the city, volunteer in some capacity. Ground yourself in place if you can. A mooring may help when the seas get rough.*

Srinivas Burra: As a supervisor how do you balance the academic freedom of the doctoral scholar and the need for the supervisor to give scholarly orientation to the doctoral research?

Sundhya Pahuja: *I think I would put this question slightly differently, not so much in terms of academic freedom, versus being oriented by the supervisor, but by how being in a doctoral program shapes our work. This is governed by slightly different things than freedom and constraint.*

I understand my role as a supervisor to be to help the student to pursue the project they want to pursue, but also to make sure that they are able to present it within the form of a thesis suitable for public examination, which meets the requirements of the genre, which makes sense on its own terms, and is fully justified, explained and defended, within those constraints. It also has to be something achievable in a fixed timeframe.

I have not had much conflict with my own supervisees, but I think that helping students to reign in their question to something specific, small and precise enough to be completed in three and a half years, and to pass examination can be felt by students as a constraint on freedom. That is because it is a constraint on freedom. But it is a necessary one because of what a PhD is.

I think the other part of this question might be asking how directive I think I should be...? I suspect that I am more directive than some, not in terms of giving students an external agenda about content, so much as telling them what I think the most logical structure for their own work should be. This is mostly about the organisation of the argument rather than its content. I know I am quite directive in that regard....

Srinivas Burra: How significantly does the ideological orientation of the supervisor impact or impede the freedom of the doctoral scholar?

Sundhya Pahuja: *Supervisees are in charge of their own research in terms of what topic they choose, what they read, who they choose to supervise it, and where they study. They should not be surprised that their supervisor will demonstrate the kind of political and intellectual commitments that their work displays. Hopefully the student will have chosen them on that basis, as someone they respect and want to learn from, precisely because of their work. For me, it would have been difficult to have been supervised by someone with very different political commitments than mine. A way of being in the world – a politics, ethics, world view and mode of conduct – is too important, and too connected to my scholarship for it not to be central. I chose my own supervisor, the late Professor Peter Fitzpatrick, because I admired his work and wanted to learn from him. If you're lucky, being the student of a great teacher is to be carefully trained in a form of life. That's a deeply political proposition.*

Srinivas Burra: Do research proposals with critical methodological perspectives receive a similar evaluation as the proposals involving mainstream and doctrinal studies?

Sundhya Pahuja: *Being critical might disadvantage you if it's not a good fit with the institution. If you have a supervisor in mind who is interested in your work, and you have good marks in prior degrees, being critical would not disadvantage you in the selection and scholarship process in the institutions with which I am familiar. But if the institution is known to be conservative, and there is no one there doing critical work, it may be difficult to interest a supervisor in your project. Without a supervisor, there would be no offer. Another reason to choose the supervisor first and the institution second...*

Srinivas Burra: From your experience, do you feel that it is necessary that for doctoral studies, universities should institutionalize flexibility in terms of timelines, funding, and other issues to address the challenges based on gender, geographical origins, class, language, and other structural impediments?

Sundhya Pahuja: *Yes, it's important for institutions to be flexible, particularly when things arise during the candidature that are outside the candidate's control. Many of us continue to be involved in our institutional processes to make sure that selection and support both help us to recognize and support excellent research that cares for PhD students as junior colleagues, and which does not just reproduce prevailing hierarchies. I realise that many people don't experience their institutional life in this way as PhD students or academics, particularly at this moment.*

Srinivas Burra: What role can universities/institutions and supervisors play in helping overcome anxiety and mental health issues which doctoral students may face?

Sundhya Pahuja: *This is a difficult question. I try to understand my students as whole people and help them and support them as much as I can. This can include helping them to access professional support when they need it. Universities should provide some free counselling to all students. I don't know if they all do. Having a person involved in supervision whose role is pastoral rather than intellectual is important. At Melbourne we have several people called 'graduate research coordinators', a role in which an academic will chair the committees of a number of students, not to provide input into the project, but*

to help manage the candidature and care for the student, providing a faculty member to whom the student can turn if there are problems with supervisors, for instance. It also helps if there is someone to whom the students can turn to get help with funding and university rules, as well as available supports.

Srinivas Burra: Is it necessary that early career researchers should be selective about where they publish; like the reputation of the journal, blog, publisher, or editors of books?

Sundhya Pahuja: *I think when we start out, trying to publish is hard enough without worrying too much about the status of the journal. Choosing the outlet based on likelihood of acceptance in the first instance is pretty practical and good for your confidence! The rejections will come, and they will hurt, so I would start off modestly, and build from there. Some people arrive with a bang, but it's probably better to plan for a slow to medium burn. More substantive considerations are interest and integrity too, rather than status. I think we are all involved in creating the hierarchies which govern us. So the more we do things based on status and not on substance, the more we will make a world built on hierarchy and not on meaning.*

Srinivas Burra: Do you see that there is pressure on early career researchers to publish more? Does that affect the focus of the researcher?

Sundhya Pahuja: *Yes, it's true that it's difficult to get a job without publications. It is an additional demand on the student. But it can be very helpful to think of individual chapters as publications too. Not all supervisors agree that this is a good way forward, but I encourage my students to publish as they go in ways that progress the work rather than impede it. I think it's also a good discipline to share work early, and not develop a desire to hang onto things until they are 'perfect'. The old adage is true that perfection is the enemy of completion. Joining the scholarly community with your ideas in print is great, and you don't have to – and won't – think in the same way for your whole career. So you have to publish as you go...*

Srinivas Burra: In what ways, do you think, has COVID-19 pandemic affected doctoral scholars and early career researchers?

Sundhya Pahuja: *Amongst my own students, the most difficulty has been felt by overseas students who are far from home, living in small flats, and watching their families suffer through waves of COVID, particularly when Australia had so few cases. They have felt isolated and helpless, and some have felt very guilty for being away from home when things are so difficult. Also tricky has been the situation of those who have small children. Home schooling for little ones was not possible alongside full -time work and yet that was what we were all meant to be doing. For some, the monastic life of lockdown may have been productive up to a point. But I think that the isolation, and thinking alone, were strongly felt, even with regular virtual contact.*

Srinivas Burra: What is your advice to those who just completed a doctorate and are on their way to building an academic career?

Sundhya Pahuja: *Well, it's hard to say something of general applicability without sounding glib. But I would say be flexible about where you apply. Practice your interview technique and talk to people who have done interviews to get a sense of the questions. Have crisp answers to the main questions and don't waffle. Remember that treating people with generosity is important, so when you rely on your mentors, see what things you can also do for them. If you find a situation you don't like, think about how you can lead. Throw your hat into the ring for lots of things. I have always found that getting involved has taught me lots, introduced me to people and led to opportunity. When opportunity comes your way, share it. When people give you critical feedback, take a step back and take a breath, don't take it personally. Try to learn as much as you can from it.*

Symposium on Early Career International Law Academia: Examining the (External) Examiners

opiniojuris.org/2022/03/23/symposium-on-early-career-international-law-academia-examining-the-external-examiners/

March 23, 2022



[Immi Tallgren is an Adjunct Professor of International Law at the University of Helsinki and a Senior Researcher funded by the KONE Foundation at the Erik Castrén Institute of International Law and Human Rights. She is Visiting Fellow at the Centre for Women, Peace and Security at the London School of Economics.]

I jumped at the occasion to empty my bag on the academic tasks or roles that make me feel youngish again, if that is what being uncertain and hesitating refers to. (I do remember it meant also pleasant things, like literally jumping out of bed in the morning, with no cracking or immediate injuries.) I suspect I might not be alone in wondering how to best supervise or examine a doctoral thesis in international law. For the lack of space, I shall here focus on the role of examiner, although parts of the discussion apply to supervision, as well.

Writing a thesis in international law, presenting and defending it, having it approved, graded and eventually published is a long and arduous process. Examining and grading a doctoral thesis takes a couple of days of reading and reflection, perhaps a day for a viva, and the time of writing a report. Yet it can be hard, or unnerving at least. Why?

Aspiring psychoanalysts have to go through psychoanalysis themselves before they can start the praxis. What do the thesis examiners have to accomplish to become examiners? How to recognize terrible or great examiners? In international law, this is not at all that clear, at least not for me. The examiners must, in general, be 'professors', understood in this context typically as an educational level, a degree, rather than occupying a chair. Adjunct professors are called upon regularly. Having a doctorate, some teaching and supervisory experience, as well as published research in the field of the thesis to be examined seems to suffice.

In international or transnational law, the language of research is most often English or French. Academics in international law are therefore more likely to be invited to carry out these tasks abroad more frequently than their colleagues in domestic tax law or family law, for example. They are given some (limited, yet palpable) authority outside the academic contexts they are most familiar with, i.e., the university where they graduated (x or y years ago, with the rules in force at that time) or the university where they work. What difference does this make?

When I defended my thesis at the University of Helsinki in 2001, the supervisor, the pre-examiners and the opponent were not all Finns or based in Helsinki, but they were teaching there or had done so before. They knew me and each other, at least a little. There was some common understanding of the rules in force, the expectations, and the practices. Not that there was complacency or a lack of critical scrutiny and surprises for me – but I will not dwell more on my memories in the trenches here.

Soon after that time, internationalization of the curricula across legal education started to bring many changes. Not only the names and the length of academic degrees, the expectations of their content, but also the procedures of supervision, examination, academic recruitment and promotion have been subject to major transformations. They are addressed in terms of a regional or an international harmonization, in Europe as European harmonization. Most universities globally now face the expectation to make their processes of granting degrees more transparent and comparable, open to outside scrutiny and quality control. One objective is to disrupt the close circles of collegiality and affiliation locally, in a particular university or a state, depending on the context. As in other recent endeavours towards more transparency and competition, the argument defending these changes tends to promise higher quality and lower cost, in the long run.

In the past ten years, I have been invited to take up supervisory or examiner or mixed roles in academic contexts of diverse legal systems, languages and traditions. What is expected of the examiner, by whom and why has varied enormously. The same goes for the thesis as such, and how it is presented, examined, and graded. The potential problem with the diversity is not a lack of rules available, as such. There are written rules and explanatory guidelines by the faculty or university in question, and national instruments. But to understand them and be familiar with their interpretation in the particular context can be challenging, in the time available before and during the task. There are also many unwritten rules, practices, the notorious 'this-goes-without-saying's'. For an external examiner, those are impossible to know of in advance. One is typically confronted with them when it is too late, discovering a rule that should have been respected.

What is a good enough thesis in international law? What does it take to make that good enough thesis an excellent one? How to recognise a 'bad' thesis, i.e., a thesis that is clearly below sufficient quality? The last kind of thesis is, in most systems, not supposed to go as far as the external examination, because there are various (and again diverse) processes of pre-examination. They are supposed to make sure that the draft is reworked, with the support of the supervisor(s), until it is likely to pass the examination.

I keep on lining up question after question, even though I am aware that there is not much of a common ground for answering them. I am trying to make a point: considering the wealth of subdisciplines of international law, the 'fragmentation' of expertise, research approaches and ideologies in writings presented as 'research of international law', and the national or regional differences in its teaching, the beauty is in the eye of the beholder. There are explicit evaluation criteria such as novelty, clarity and lucidity of arguments, etc., but ultimately much is based on particular academic preferences, values and cultures, represented by the evaluators and their institutions.

In academic everyday lives, there are bound to be unclear situations, where expectations of the parties do not meet in the examination process. At worst, the lack of a common ground may cause unjust consequences, a violation of someone's vital interests. Who is the party most likely to suffer from the unclarity or the injustice? It is not the host university, nor the external examiner, at least not directly, but the doctoral candidate who has invested so much time, energy and resources in doctoral studies. This is why I believe these processes should be discussed more openly. They are a part, amongst others, of the everyday mechanisms that reproduce existing hierarchies in academia while often disguising their way of working.

If the process is 'subjective', should I not first tell what I expect of a decent thesis, to start with? I might. I am, however, increasingly conscious of the fact that any academic traditions and modes of expression are products of their contexts, reflecting their power structures, institutional cultures and languages. In international law, they have been formed and are often still maintained in discriminatory and oppressive constellations. My personal expectations and preferences, or at least their first layers, are based on (not my biological childhood as Freud would have it but) my academic youth, my early experiences dating back to the 1990s and an all-male and white upper middle-class or beyond academic context. (As you see, one can lay down on the divan, also in international law.) As a feminist, anti-racist scholar thriven by social justice, from a working-class/lower middle-class background in a Northern periphery, native in a rare Fenno-Ugrian tongue, I would like to incite discussion on the situatedness of the quality criteria. Do the various expectations and traditions in today's academia yield or resist to eventual changes of power? Do the 'traditional' quality criteria stand in the way of new knowledge and alternative power? Without such criteria, is there a risk that 'anything goes', and international law scholarship is diluted into sheer politics, idiosyncratic affirmations of agendas and identities? I would like to invite comments and thoughts on the following:

- What are the markers, basic criteria, by which to evaluate a doctoral thesis in international law in the 2020s? Please try to give examples, as concrete as possible.
- Should the (external) examiner try to adapt to the particular context of the university where the thesis is presented, seeking to find out and adapt to models of 'good research' the candidate has been provided with by their supervisor(s) or rather concentrate on upholding external, 'universal' criteria?
- What can an external examiner be helpful for? What kind of examination is unhelpful, useless or harmful, why and for whom?

Symposium on Early Career International Law Academia: How to Be a Foreign Academic

opiniojuris.org/2022/03/23/symposium-on-early-career-international-law-academia-how-to-be-a-foreign-academic/

March 23, 2022



[Frédéric Mégret is Professor and co-Director, Centre for Human Rights and Legal Pluralism, Faculty of Law, McGill University.]

With “How to be a Brit,” George Mikes wrote a much-loved tongue-in-cheek guide to Britishness for an imagined foreign audience. The book included indispensable advice such as “Do not call foreign lawyers (...) ‘Doctor’. Everybody knows that the little word ‘doctor’ only means that they are Central Europeans. This is painful enough in itself, you do not need to remind people of it all the time.” Included in later editions was also “How to be an Alien,” as if one did not go without the other. Being a “Brit” and being an “alien,” it turned out, was all about navigating codes. The pun was of course that the unmistakably British deadpan was the product of an... émigré Hungarian, Mikes György as he was born (and the recipient of a doctorate in law).

In this post, I want to focus attention on the fate of the young international law academic starting their career in a new country and in the process of transitioning from one legal culture to another – not quite a “local” yet but no longer entirely a “foreigner” either. There is a distinguished history of international law scholars making careers abroad. Evidently,

many did so in far from easy circumstances, fleeing war and persecution only to encounter diminished circumstances and prospects in the country they ended up in – the professional travails of Kelsen from Vienna to Geneva to California come to mind. Before that, of course, many early international lawyers often seemed to end up writing and teaching far from their base (Alberico Gentili in England, Hugo Grotius in France, or Francis Lieber in the US, etc.).

This sense of alterity has arguably long been part of the very fabric of international law as a discipline that is both weirdly cosmopolitan and national (indeed, sometimes provincial). In the last few decades, the opening-up of some academic markets and an increasingly liberalized international political economy of higher education combined with the ubiquity of English have created renewed opportunities for careers abroad, not just as a late crowning event but often immediately after doctoral studies. Throngs of Greek, Indian, Nigerian, German, Australian and Italian international lawyers (to name but a few particularly well-represented nationalities) have made their way to foreign faculties.

Indeed, in some remote islands, it even seems as if international law is a discipline taught largely by foreigners – perhaps, in fact, a “foreign” discipline. That mobility should not be overstated of course: it is often selective and one-directional and many domestic legal academic systems remain for all intents and purposes closed to foreign recruitment. Still, the phenomenon is qualitatively if not quantitatively significant, perhaps because of the intriguing but higher-than-usual visibility of many “foreign” international law scholars.

To be an early “foreign academic”, both in general and in international law, comes with its own set of opportunities and challenges. First, a word on terminology. Being “foreign” is of course a very relative, fluid and relational notion. One may be more or less foreign depending on previous studies, language competency, taste, identification, not to mention national, racial or religious origin, etc. Foreign-ness is surely in part in the eyes of the beholder (where are you “really” from?) as well as a self-construct. With time one may go fully local or cling stubbornly to one’s alien-ness, but one may also have those identities thrust on oneself. At any rate, to be a “foreign” but “local” academic is to be constantly both from elsewhere and from here. Just as my locally raised Canadian kids will always see through this French émigré’s lame attempts to explain hockey, for example, there are certain areas of “domestic” legal culture that will at times seem tantalizingly close to my grasp yet forever slightly beyond it. But does any of this matter if one is a member in good standing of international law’s own (albeit largely imaginary) *république des lettres*?

Specializing in international law is certainly particularly conducive to being recruited in academia as a foreigner. The discipline is considered in some parts to be a bit of a rarity, making foreign international lawyers a relatively prized commodity. By contrast, all kinds of domestic law expertise is available locally, creating a particularly stiff competition for new comers. This means that one may be able to specialize in international law courses, perhaps even more so than one might have been able to do at home, allowing for a relatively smooth transfer in otherwise academic terra incognita (but clearly not nullius!). I have also found that, for a time at least, one can invoke ignorance of local legal mores or at least a polite foreign neutrality to avoid being drawn into certain domestic controversies.

This, however, does come with its own pitfalls. International lawyers are already prone to being exoticized in law faculties but may be even more so when they are foreign. In turn, it may be tempting to live one's academic life as a remote outpost of the empire of international law, in touch with fellow international lawyers much more than local colleagues and living for the next international junket or the odd intellectual resupply by visiting faculty – but this is surely a bit of a trap. The demands bearing on international law academics – for guidance by students, for solidarity by colleagues or for expertise by institutions – are in many ways quite local. One ignores them at the peril of aloofness and irrelevance. To decide to have an academic career abroad must therefore in many ways be a decision to embrace the challenges of another country, including its legal culture.

This means that for the young academic who was not trained locally, a significant effort into developing local expertise and credibility may well prove necessary sooner or later. Going local may involve being asked to teach a compulsory course as I was soon after settling in in Montreal: lecturing in criminal law at McGill was a tall order but I have absolutely no regrets (I cannot vouch that my students would say the same), and even believe it has enriched my understanding of international law. Beyond that, perhaps the most plausible route is that young (and not so young) international law émigrés can serve as intellectual bridges between traditions of international law, particularly sensitive as they will often be to international law's national (and even nationalist) legacies in an era of “comparative international law.” Not having had to “make it from within,” they may be naturally less susceptible to intellectual cooptation although they will also be expected to “fit in”.

And what of return to the country of one's intellectual roots? Sometimes that country will have been the reason why one left, making for an awkward pilgrimage. But it may still exert a nostalgic fascination for what might have been, not to mention one may find oneself to be more indebted to it intellectually than one assumed. One should not expect too much from such returns. No one is a prophet in one's own land – and certainly not, one might expect, those who have drifted away from its core. Still, the quality of being in-between is precious, and just as one's country of settlement may benefit from one's foreign outlook, one's place of origin may benefit from one's returnee experience. This back-and-forth, at any rate, is also testimony to how international law's narrative is also being woven through emigration-immigration-return migration. Although that process occurs within an international political economy of higher education that constantly foregrounds certain sites at the expense of others (e.g. moves from the Global South to the Global North), it also increasingly includes South-South and indeed some North-South mobility.

George Mike's true genius was that he could understand Britishness like no other precisely because of his status as a semi-outsider/semi-insider. In addition to “How to be an Alien”, “How to be a Brit” included two other of George Mike's works, “How to be Inimitable” and “How to be Decadent.” It seems that the sky is the limit when it comes to the menu of options available to foreign legal academics.

Symposium on Early Career International Law Academia: Neither on the Outside, Nor Fully in? Working Within Perceived Dichotomies of Academia and Practice in International Criminal Law as a Young Scholar

[OJ opiniojuris.org/2022/03/24/symposium-on-early-career-international-law-academia-neither-on-the-outside-nor-fully-in-working-within-perceived-dichotomies-of-academia-and-practice-in-international-criminal-law-as-a-young-scholar/](https://opiniojuris.org/2022/03/24/symposium-on-early-career-international-law-academia-neither-on-the-outside-nor-fully-in-working-within-perceived-dichotomies-of-academia-and-practice-in-international-criminal-law-as-a-young-scholar/)

March 24, 2022



[Gabriele Chlevickaite is Assistant Professor at VU Amsterdam, a Board Member at the Center for International Criminal Justice and a fellow at the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR).]

Tensions between academic independence and practical relevance are long-standing, and increasingly subject to debate, with little guidance to those on either side of the equation. However, the academia-practitioner relationship is no simple matter, especially for freshly-baked academics transitioning from practice. What is the 'right' distance from former employers and colleagues? To what extent should practical concerns orient research questions? And if they should, how to overcome the burdens of gaining trust and institutional buy-in, how to make the conducted research **actually** useful? The answers to these questions largely depend on individually (and institutionally) created and/or perceived boundaries between the worlds of academia and practice, each guarding their own values, culture, and accepted practices. As this post will attempt to show, the academia-practitioner dichotomy in international (criminal) law is not only

unhelpful for the field, but also rather illusory. Importantly, while the observations below stem from the authors' experience with international criminal law, similar tensions pervade legal and other fields as well (see e.g. [Empson \(2012\)](#), [Rynes \(2001\)](#), [Bansal et al \(2012\)](#)). For young scholars, deliberate self-positioning on the spectrum of involvement/detachment is a good place to start.

Is There Really a Clear Cut 'Academia' and 'Practice' of International Criminal Law?

It is no secret that the world of international criminal law (ICL) is founded upon the efforts of scholars, early adopters and observers of this, rather new, legal order (see e.g. [here](#), [here](#) and [here](#)). It is far from unusual for a respected ICL practitioner to have an academic profile and output; ICL journals happily publish practitioner-authored articles, and both summer and regular academic programs regularly feature institutional representatives. Similarly, many ICL scholars are keen observers of legal developments, not only in terms of academic publications, but as participants in court proceedings (admittedly, not always without [controversy](#)), as *amicus curiae*, or as independent experts. As [Mikkel Christensen argues](#), for the 'rather narrow academic field of ICL, practical relevance is prized and may ultimately determine the 'worth' of scholarly contributions', furthering academic engagement with developments in the field.

Thus, while both academia and practice certainly have their own, distinct, professional goals and practices, the two worlds are continuously intertwining, mirroring, developing, and expanding side by side. To put it simply, ICL institutions have an implicit need for researchers to develop, assess, and critique their practices (and, hopefully, they are also interested in the consequences of their work), while ICL scholars need the institutions to keep producing the work that is to be examined, written about, and taught. A better way to describe this relationship, then, would be as interdependent, rather than a dichotomous or oppositional existence.

This is not to say that a dichotomous relationship between academia and practice is a complete illusion: for those (individuals or institutions) who perceive and practice the opposition, it is as real as it could be, a self-perpetuating boundary that exists to the extent that it is observed. A firm adherence to this view will likely inhibit the development of both sides of the equation: depriving practice of scholarly thought and empirically based evaluation of practices, while further detaching scholarly understanding of ICL 'law in practice' and its consequences.

Now, What Can we do to Better Navigate the Two Worlds?

Let's say, as an academic, one decides to take the anti-dichotomy stance, and work towards academically sound, practically-relevant research. This person then has some aspects to consider and decisions to make: i) how to develop research projects as useful to the institutions as they are to scholarly knowledge production (*being useful*); ii) how to convince the institutions of academic trustworthiness (*being trusted*); and iii) the extent to which and how to engage the institutions beyond communications disseminating research findings post-facto (*being used*).

On being useful. Societal relevance is integral to 'responsible' research, and one way of working towards it is by examining the challenges encountered in or related to practice. Involving practitioners in developing research questions is certainly an effective way to proceed; however, this does not mean that scholarly work must answer questions practitioners *already have* but are unable to answer (though there is not much wrong with addressing such questions, if done carefully). More importantly, the task is also to discover the questions that are important, but not currently considered. Here, multi-disciplinarity is a key advantage of academic pursuits: there is more to law than law, and we should not forget the contributions of, for example, psychologists, criminologists, anthropologists, and political scientists to our understanding of the functioning and effects of ICL. From this perspective, as a young scholar, one might think of utility as a way to bring a more complex, systematic, real-world understanding of what ICL does and with what consequences, both within and beyond the courtroom.

On being trustworthy: the importance of ethics and integrity. Deciding to be practice-oriented, or practice-informed, is of course no guarantee that a researcher, especially an early-career one, will gain access to the materials necessary to develop relevant research avenues or examine the materials that would be the most informative. Challenges related to access and gaining trust are complex. Institutions or practitioners might be unaware of the codes of conduct and professional practices that institutionally-affiliated researchers must adhere to (e.g. here and here). In addition, they may also have had a poor experience in the past and be wary of new projects. While I know of no fool-proof remedy, communication about and adherence to the highest ethical standards are vital. The onus of improving trust is on the researcher: academic standards vary, adherence to them might vary as well, and one cannot expect institutions to build trust upon vague notions of confidentiality and professional conduct. As such, consider communicating how anonymity and confidentiality are practically ensured, what the data storage and protection practices are, and how individual accountability of researchers is enforced. Over the years, as ICL scholarship (with any luck) keeps developing into a strong, independent discipline, the trust relationship should improve accordingly.

On being used: stakeholder role. Finally, treating institutions and their activities as 'subjects' is traditionally accepted, but suboptimal. Where a practically- and academically-important question is identified, a more efficient way forward might be to bring the institution on board. By being empowered to ask their own questions, offer avenues of exploration, actively participate in the research itself and the dissemination of its findings, the institutions or practitioners can co-produce and co-own the (academically-led and funded) research process. This is especially relevant where research questions require access to particularly sensitive materials, which the organisations have reason to keep under close watch (e.g. contact details of witnesses, evidence lists, identities of staff). As an example, important work on witnesses at international criminal courts and tribunals was produced in collaboration with the institutions themselves, and to this day serves as an empirical basis for our understanding of victim-witness motivations and experiences of court processes (e.g. here, here and here). Similarly, recent critiques of evidentiary bases and fact-finding processes of the International Criminal Court (ICC) could be better understood if placed in context by conducting, for example, systematic, comparative

examinations of the ICC and other courts (e.g. domestic institutions prosecuting international crimes). While some of that work could be undertaken 'from the outside', there is no denying that access to internal workings would be both more efficient, in terms of finding informative materials, and more effective, in terms of being able to provide complete and relevant answers. Institutional buy-in and a stakeholder role, while relatively uncommon in ICL, could also address some of the trust concerns, as practitioners could be jointly responsible for research process and outputs.

And it is here that I come to the question of whether prior practical experience is an advantage or a hindrance for academic work? For the above, practically-acquired knowledge and experience, alongside personal networks, could be capitalised on. Having a connection to a field of interest would also make it easier to keep abreast of new developments, important challenges that might not reach the public, and stay ahead of the curve in developing future research. As always, there is a balance to be struck between capitalising on prior experience versus maintaining critical distance, which might prove more difficult where work experience and personal networks enter the equation.

To wrap up, the decisions we make as early career academics are best informed not by prior scholarly or professional experience, but by our individual ambitions and understanding of our role in society, responsibilities towards academic values, as well as towards the subjects of our research. There is no one *right* way on how "useful" or "used" academic research should be, and we need both involved and critical perspectives. A careful consideration of the costs and benefits of taking a certain stance towards prior professional experience and/or institutional buy-in can bring a degree of certainty in planning your academic career, developing research plans, and engaging (or disengaging) from the world of practice.

Symposium on Early Career International Law Academia: Between Expectations and Reality – What (Not) to Worry About When Entering the International Law Academic Job Market

opiniojuris.org/2022/03/24/symposium-on-early-career-international-law-academia-between-expectations-and-reality-what-not-to-worry-about-when-entering-the-international-law-academic-job-market/

March 24, 2022



[Ntina Tzouvala is an Associate Professor at the ANU College of Law.]

In the past few months, I have started observing a trend: colleagues somewhat more junior than me appear to have a view of the academic job market in law that differs significantly from mine. In particular, a non-negligible number of people seem to assume that there are fewer jobs than there are and that they need to demonstrate skills and achievements that few hiring committees would be looking for when it comes to entry-level jobs. To be clear: I am not arguing that law schools have enough jobs for everyone who wants one. This is because doctoral programs have expanded (a good thing, on balance) but budget cuts and increased workloads mean that academic jobs have not mapped this trend perfectly. What I am arguing though is that for the time being law schools in many jurisdictions (more on this below) continue to hire regularly.

Oftentimes this divergence of perceptions in regards to the job market is simply because more senior people have failed to take note of the deterioration of the job market. I am hoping that this is not the case: I finished my PhD a little bit over 5 years ago, and I got

my first permanent academic job less than 2 years ago. In practice, this meant that I applied for jobs in the UK and in Australia in the middle of the 2020 lockdown when things were relatively tough (two jobs that I had applied for got cancelled. I had been shortlisted at least for one of the two). I believe, then, that I am not out of touch (even though I do acknowledge that nobody thinks that about themselves).

If I am right, then this disjuncture between expectation and reality is interesting, but it is certainly problematic both on the micro and on the macro levels. On the micro level, inaccurately high expectations can exacerbate feelings of inadequacy, lead to over-work or, even worse, over-work toward the wrong things. On the macro level, thinking that the job market is worse than it actually is increases the power of employers and managers. People who operate under a (false) impression of extreme scarcity are less likely to demand better working conditions and higher pay. Therefore, having a realistic sense of what is needed in order to get an academic job as a junior public international lawyer can be helpful for both individuals and collectives.

Before I proceed, one note of clarification is needed: I will comment on what I have learnt from personal experience and observed about law jobs in particular, and not all academic jobs in general. It is undeniable that the situation in other fields, especially the humanities, is abysmal, and my advice will probably not carry over very well. Secondly, I am familiar with two job markets: the UK and Australia. I suspect that some of my observations apply more widely across English-speaking institutions, but I purport to know nothing beyond that.

Of course, being successful often hinges on things one cannot control, including the specific teaching and research gaps that a department might have. Since this is beyond anyone's control, I will try instead to concentrate on things we can exert some degree of control over. Therefore, my advice for those currently contemplating an academic career in international law is as follows:

1. Gain some teaching experience, preferably beyond international law. International law courses are generally not compulsory and therefore demonstrated ability to teach them is valuable, but not as valuable as being able to teach core courses. That said, any teaching experience is better than none, so take advantage of whatever opportunities your university has to offer. If shortlisted for an interview, express willingness to teach specific core courses and have a story on why they intersect with your existing research and teaching experience. If you are an international criminal lawyer, you should be prepared to teach domestic criminal law. If your research focuses on international law and land grabbing, property law would be the obvious domestic law candidate. I could go on, but you get my point. Importantly, many jurisdictions have introductory law courses that are essential in order to obtain a qualifying law degree (Legal Skills/Foundations of English/Australian/x law). These are hidden gems: they are relatively 'light' in content, but universities always need people to teach them. Being experienced in them or at least expressing willingness to teach them can make a difference. Above all, there is no need to promise a panel that you will teach *any* core course, but it is also essential not to give them the sense that you consider some courses to be 'beneath' you. This is not only smart, but also true: no course is beneath any of us.

2. Try to have a piece published/accepted by the time you apply for your first academic job. Real talk: peer-reviewed articles count much more than book chapters. This is a tricky balance for junior academics who might feel flattered if they receive an invitation to write for an edited volume, especially one edited by someone established in their field. The truth is that if you have to choose between the two, you should prioritise peer-reviewed articles, because this is what academic employers do too. One very obvious candidate for such a publication is the stuff that did not make it into the final draft of their thesis. Most people I know have thousands of words, even full chapters, that they had to cull, which are often publishable subject to minimal additional research. This is where going to conferences can be very useful. Preparing an abstract and presenting it to a new audience can force you to transform these unused chunks of your thesis into an independent piece of work that makes sense outside the context of the PhD. The choice of journal will depend on how much time you have before applying for jobs. Very highly ranked journals are extremely impressive in your CV, but they can sometimes take a very long time to review work and the chances of acceptance are lower. If the editors take 9 months and then they reject your work, do you have enough time to have it re-submitted? Often, the answer will be yes, but you always need to run this calculation. Also do keep in mind, the acceptance can be good enough, so there is no reason to panic if your work is not publicly available yet.

3. Read job applications and CVs and have others read yours. Job applications and CVs are their own genre. I would know, because I am not particularly good at them. As with all other genres of writing, the only way to learn is to read those who are good at it and try to mimic them without losing your own voice. I find that people are generally willing to share their previous applications, so feel free to ask. Try to get someone to read it, especially people with some links to the institutions that you are applying for. If possible, give yourself enough time for comments and re-drafting. It is especially difficult to accept feedback on job applications: this is because they concern ourselves in the most direct way and having our self-image challenged is always confronting. It is OK to have one basic application and tweak it for different positions. That said, it is essential that your application does not read 'generic'. You need to show that you put in the time to learn things about the institution you are applying for and that you are not just excellent in general, but excellent for the advertised position in particular. When it comes to CVs, getting hold of as many examples as you can may be crucial. In my experience, good CVs tend to be tight and communicate the candidate's core achievements within the first 2-3 pages. Finally, one day I will become the person who updates her CV as soon as she does something, instead of trying to recall one's activities months later. The fact though that I have failed on that front does not mean that you should too.

4. Don't be annoying. This is a crucial piece of advice and perhaps the most difficult to implement. My (anecdotal) experience has been the following: in academic job interviews there will almost invariably be one candidate who manages to enrage the room. This is more often than not candidates from the most prestigious universities who (consciously or not) think that they are doing the institution they are interviewing for a favour and very clearly envisage this job as a temporary position before they can return to their alma mater. Of course, one need not say this out loud, there are many subtle ways of

communicating such an outlook. These are typically candidates who enter the interview being ranked first ('good on paper') and exit the interview being ranked last. Somewhat unsurprisingly, people do not enjoy working with those who look down on them. Communicating to people that you will be a good colleague tends to help.

This is not an exhaustive list, of course. However, I have tried to communicate a fundamental truth: entry-level jobs in law typically do not require an extensive list of publications, evidence of having designed courses from scratch, impact, track-record of external funding, engagement with the media etc. Doing the basics (research-teaching), showing willingness to learn and grow, exhibiting humility and common sense can get one a very long way. And, of course, nobody ever got hired for a job they did not apply for, so putting yourself out there is always, invariably, the first step.

Symposium on Early Career International Law Academia: On International Legal Academia in the UK (Part I) – Securing Your First Academic Post

opiniojuris.org/2022/03/25/symposium-on-early-career-international-law-academia-on-international-legal-academia-in-the-uk-part-i-securing-your-first-academic-post/

March 25, 2022



[Alexander Gilder (@DrAlexGilder) is Lecturer in International Law and Security and Deputy Director of Global Law at Reading at the University of Reading.]

The pathways for early career researchers (ECRs) to enter an academic career can look very different depending on the jurisdiction in which you are based. International law academia results in individuals moving to institutions around the world but it can be hard to understand the key differences when you haven't studied or worked in that jurisdiction. What I hope to do in this post is shed some light on what ECRs need to demonstrate for an early career post in the UK and some of the challenges for international law academics in particular. In the first part I discuss some of the key preparatory activities you can undertake to ready yourself for the academic job market. In the second part I explore aspects of what to expect when entering UK academia.

Before delving into specifics, readers may find it useful to know a little more about the UK academic structure. Institutions will use some variation of the following, with differences in title styling or salary grade, usually positioned on the nationally negotiated single pay spine: Lecturer (or Assistant Professor), Senior Lecturer/Reader (or Associate Professor)

and Professor. Some posts may be followed by 'in International Law' or similar to denote a specialism, but do not be discouraged from applying for the more common 'in Law' positions as this does not necessarily mean the institution does not need an international law specialist.

It is normal in the UK for posts at Lecturer level to ask for your PhD to be 'near completion' as one of the criteria, making it commonplace for third and fourth year PhD students to apply for full-time Lectureships and finalise the writing up of their thesis while in their new position. This is in contrast to several other European jurisdictions that may require you to evidence successful defence of your thesis to take up a comparable Assistant or Junior Professorship that may also be more likely to be fixed term as opposed to a permanent position (subject to a probationary period).

Post-doctoral fellowships and similar positions that are research focussed are rarer in the UK than some other jurisdictions. They typically come in two forms in the UK: (1) fixed term roles that an individual has received funding for, such as the British Academy Postdoctoral Fellowships; or (2) fixed term roles that form part of a larger research grant held by a Principal Investigator at the institution.

Laying the Groundwork During the PhD

How then do you go about getting one of these roles? As if completing your PhD in 3-4 years (sometimes more) is not tough enough, institutions ask you to accumulate additional accolades in order to be competitive on the job market. Consider making plans for strands of your research that would be ideal for further development into publications and make yourself aware of the other boxes you will need to tick for academic posts in several years' time. The writing and publishing process for articles can take unforeseen amounts of time and those early in their PhD study should map out a strategy with their supervisors and peers. Many colleagues will happily exchange stories of their publishing experience with particular journals to help you target the outlets appropriate for your work.

It is not always the norm for PhD students in UK legal academia to include supervisors as co-authors unless the supervisor has genuinely co-written the article. It is more common for the PhD student to be supported by their supervisors in securing their first sole-authored peer-reviewed publication at some point during the PhD. It is also common to see PhD students publishing book reviews and blog posts. In recent years The Conversation has become an excellent place for PhD students to showcase their research by linking it to current affairs that are relevant for non-academic audiences. Book reviews, blog posts, and other types of publications can be great to learn about different types of writing and to importantly expand your network.

However, it is full length, peer-reviewed articles which are of vital importance. This is because articles are eligible for the Research Excellence Framework (REF). REF is a periodic exercise where research activity is reviewed within each institution to provide benchmarks for the allocation of research funding nationally. Research outputs, such as books, articles and chapters are scored on a scale of 1-4 with institutions aiming for as much of their submitted material as possible being judged as 3* or 4*. REF is far too

complicated to explain fully in this post but what is important for ECRs to know at the outset is that once you are in a role with responsibility for research you are eligible for submission to REF. Consequently, institutions will often want to see that you are capable of, or have the potential of, producing work with sufficient 'originality, significance and rigour' to achieve a minimum of 3*. Expectations will differ depending on when in the cycle you are applying and also the research intensity of the institution and school. REF has often been subject to criticism, particularly due to the pressures it places on staff.

Another important part of securing an academic post in the UK is ensuring that during your PhD you have undertaken a variety of teaching activities. In some other jurisdictions an international law academic might only teach international law as part of a particular section of the wider School of Law. However, in the UK it would be rare to exclusively teach on say an LLM in International Law. Instead, it is almost always expected that a Lecturer will teach on subjects that form the foundations of legal knowledge as part of the undergraduate law degree. These include Criminal Law, Equity and Trusts, EU Law, Contract Law, Tort Law, Land Law, and Constitutional and Administrative Law. This can be a hurdle for PhD students who did not complete their undergraduate studies in the UK, but there are many academics trained in other jurisdictions teaching on the above subjects. Gaining teaching experience beyond international law, regardless of the jurisdiction in which you are based, can be key experience for strengthening your position on the UK job market as well as showing a willingness to chip in with these subjects!

Another way for PhD students to prepare for a teaching role can be through training offered by their institution. Many UK institutions will offer an introductory module on teaching in higher education that may meet the requirements for you to be awarded Associate Fellowship of the Higher Education Academy (HEA). You may be able to register for further modules to complete a Postgraduate Certificate that results in HEA Fellowship (a common probationary target for Lecturers).

It is not possible in one post to expand on every area in which you will need to develop and gain experience. But ECRs no matter the jurisdiction should consider their 5-year research plan. Ensure that towards the end of your PhD you are considering the next steps in your research and how your plans to publish your PhD and embark on new projects can result in achievable outputs that, in the UK at least, would benefit an institution's REF submission. As I'll explain in part two, once you are in your first academic post the expectations placed on you to achieve results can seem daunting. But with a 5-year research plan and an idea of the expectations you can begin to strategize the pathway you will forge in international law.

Symposium on Early Career International Law Academia: On International Legal Academia in the UK (Part II) – Navigating the Expectations Placed on ECRs

opiniojuris.org/2022/03/25/symposium-on-early-career-international-law-academia-on-international-legal-academia-in-the-uk-part-ii-navigating-the-expectations-placed-on-ecrs/

March 25, 2022



[Alexander Gilder (@DrAlexGilder) is Lecturer in International Law and Security and Deputy Director of Global Law at Reading at the University of Reading.]

In my first post I introduced you to various aspects of academia in the UK, including the types of positions and the Research Excellence Framework, as well as suggestions for how to lay the groundwork to be competitive in the job market. This post will shift the discussion towards the situations you will encounter once you take up a position at a UK institution, and some nuances for international lawyers. I will mainly focus on academic probation, managing workload, and coping with the rejection you will encounter while chasing the targets and pressures placed on you in your new role.

Academic Probation in the UK

When appointed to a Lecturer position you will be set a number of probationary targets to be met in a defined period. The length of probation and exact targets depend on the institution but will normally include a necessary number of publications, the submission of grant applications, satisfactory student or peer evaluations of teaching, and the completion of other collegiate activities. A senior colleague, not necessarily an

international law academic, may be allocated as your probation adviser to help guide you in meeting your probationary targets or you may meet with the Dean or Head of School to monitor progress.

Planning is critical during the probationary period but so is coping with rejection and finding confidence in your work. As you try to publish pieces that have stemmed from your PhD, work on a monograph proposal, and apply for grants, I guarantee you will face rejection. Unfortunately for us, rejection is a necessary corollary of trying to meet the targets set by your institution. One of my articles was particularly difficult to place and was rejected by three journals before finding its home. Another was desk rejected and reworked before being accepted, subject to minor revisions, at another journal. But would you be able to identify which articles faced these hurdles? Likely not!

Not having success in all areas of your research activity also does not mean you are not making progress. I have had many grant applications rejected since beginning my academic career and I am yet to secure a substantial grant from a major funder. But that is okay. Most Heads of School will have realistic expectations and understand it takes time to make it onto the funding ladder, publish a monograph etc. All our paths are different.

The probationary objectives I have encountered have not dictated that I must publish in a specific journal during my probationary period or that I must successfully secure x amount of funding. Instead, in my case they were phrased as requiring a certain number of peer-reviewed articles or equivalent (which may include book chapters or US law review articles not subject to peer-review) and grant applications totalling a specific amount, that *do not* need to be successful.

Not meeting these targets does not necessarily mean you are dismissed from your post as institutions will often have mechanisms in place for extending probation or allowing for flexibility where, for example, a book chapter has not yet appeared due to delays with the editors or publisher. Nevertheless, for some, probation can be difficult due to encountering internal political differences with colleagues. You need to strike a balance in how you approach such issues but just to be safe ensure you protect yourself and document all of your activities, such as article acceptances, invitations to speak etc.

A nuance I have encountered is that some in UK academia will encourage ECRs to publish to generalist law journals, such as the *Modern Law Review* and the *Oxford Journal of Legal Studies*. This may not always be appropriate for international lawyers but highlights the importance of a carefully considered publication strategy to justify the choices you have made for your specialism.

Managing your Workload and Coping with Rejection

A concurrent challenge is that of managing your new workload alongside satisfying your probationary objectives. Institutions vary greatly but many will operate on the expectation that your workload is divided into roughly the following split for those on contracts which

include both research and teaching: Research (40%), Teaching (40%), Administration (20%).

With regards to teaching, such a contract will often result in contact hours of between 100-160 per year depending on the teaching intensity of the institution and reduction received while on probation. Academia is also famous for assigning staff with tasks we are not in fact trained for. For example, you will undoubtedly have many questions when you begin supervising your first PhD student or you are allocated a complex administrative role, such as serving as Exams Officer for your School that necessitates chairing the Exam Board, coordinating the preparation of assessments, liaising with external examiners and much more.

An academic role is a multifaceted beast so don't be surprised if you have less time to immerse yourself in international law than you perhaps first envisaged! You will need to block your calendar with research days and carefully schedule meetings so as not to undermine your efforts to cordon off time for research. During the first term especially, you may find it difficult to take forward research while you are adjusting to institutional practices, an unfamiliar admin role, and of course preparing your teaching activities. It is important to learn that it is acceptable to say no to additional duties when you are overwhelmed and try not to immediately burden yourself with external responsibilities (as I have done before). Take time to adjust during your first year and find the balance that works for you.

What we do not always acknowledge is the impact the PhD and early career struggles have on mental health. Working in a competitive environment where rejection is part of navigating the system can leave you feeling defeated. I have no problem with saying that the PhD process had a detrimental effect on my mental health that impacted my personal life. The effect of the pressures placed on ECRs will be no different for many of you reading this post.

It can be a relief once you find 'your people' in the discipline who will form your wider network and also contribute to guiding you through institutional processes that come hand in hand with a career in academia. Confide in trusted colleagues and peers because many others will be facing similar challenges. Talking through article or grant rejections with your friends in academia can be an excellent way to process the outcome and find ways to tackle the issues and positively take the work forward. The more we recognise how difficult rejection can be in academia the more comfortable colleagues will be to discuss and support others.

A CV of failures is included [here](#) to show that no pathway in early career academia will be completely clean sailing and that we all face rejection.

Symposium on Early Career International Law Academia: Answering a Call For Abstracts – 4 Mistakes I Made So You Don't Have To (and 2 Things I Got Right)

opiniojuris.org/2022/03/28/answering-a-call-for-abstracts-4-mistakes-i-made-so-you-dont-have-to-and-2-things-i-got-right/

March 28, 2022



[Başak Etkin (@EtkinBasak) is a PhD candidate at Université Paris 2 Panthéon-Assas, and the co-host of the philosophy of international law podcast, *Borderline Jurisprudence*.]

“Do as I say, not as I do”, the saying goes in Turkish.

As an early career researcher, answering a call for abstracts for conferences or workshops can be a daunting experience – it certainly was for me at first. Now as a PhD candidate with more than a couple of years of experience (!), I choose the calls I answer much more carefully. This post, full of embarrassing anecdotes, will hopefully provide you with some insights about this process.

The 4 Mistakes I Made

1/ I didn't ask anyone to read my submission before sending.

This oversight goes hand in a hand with a more general point: build a community. Find people with whom you can exchange work. Even if they're not more experienced, a fresh pair of eyes can bring a new perspective to the table. At the time, I didn't think I had a community – but, there's always *someone* you can ask. I first asked a friend in sociology for a sample, which helped with the structure. Still, I felt like a fish out of water. The first person who offered to read my work was a natural scientist. While they couldn't comment on the substance, they were used to sending abstracts, so they gave some pointers and checked whether it was well written. The first time I got an actual colleague to read my abstract (we exchanged abstracts for the same call for contributions) was scary, but also eye-opening. Their remarks made my submission so much better and I learned a lot from reading theirs.

Alas, they got in, and I didn't.

2/ I submitted to a work-in-progress workshop... without a work-in-progress (and got in).

In my defence, I was a beginner and not 100% in on the lingo. I didn't realise until too late that this wasn't a standard "present your research in 15 minutes and then take questions" conference. This was the "send your paper in advance and we will comment on it" *workshop*. The problem was, I didn't have the paper to go with the abstract. I had enough ideas to throw together a presentation, but not enough to write a scholarly paper. When I got accepted I had to sit down and write a paper, and I wrote a bad one. It was one of the weaker papers at the workshop and needed much more work to get published.

This is the part of the story where I beat escalation of commitment. In psychology, escalation of commitment is a behaviour pattern where we persist with something even if the outcomes are negative, just because of prior investment. Have you ever finished a book you didn't enjoy or stayed until the end of a boring film because "you've made it this far"? That's escalation of commitment. In this instance, I beat it by stopping working on that paper then and there, because it wasn't going to be a part of my dissertation and I couldn't "waste" more time on it back then. If like me you want to beat escalation of commitment but feel bad about your work going to waste, here's the trick: I've since then made sure to keep note of papers or books I read that are relevant to that research topic without actively working on it and hope to come back to it someday (bonus advice: never throw anything out).

All this to say, it's best to have a draft already underway, or at least some substantial research done, when applying to work-in-progress workshops or those that want a paper to be submitted at a later stage.

*3/ I studied a whole area of research to answer *one* call for abstracts.*

Here's a time when I couldn't beat escalation of commitment. I saw an intriguing call for abstracts a little (a lot) outside of my research area, and I gave myself a weekend to see if it was useful for my thought process and feasible. I liked what I read, and then gave myself *a whole week* to write the abstract. A week is a lot of time in a researcher's agenda. Booking it for a task whose outcome is this uncertain is unnecessarily risky and

just bad time management. But it was a time when I was frustrated with my research and this new shiny area answered some of my questions. This is not an experience I would repeat. Even if you can learn enough about an area to write a juicy abstract in a week, you might not be able to deliver afterwards. In this particular case, the seminar got cancelled because of Covid-19 but we were still supposed to write a paper for publication. And I did – a better one this time, but very much outside of my comfort zone. And as I didn't know the area well, I was regularly panicking about not understanding the details or missing important literature.

Yes, research should be challenging, but not panic-inducing.

4/ I obsessed over getting an(y) acceptance.

Speaking of panic: stop worrying about it. At one point, this was practically all I could think about. I was looking at colleagues starting to go to conferences and I felt incredibly behind. But now I know it's more important to answer the right calls for you than to spread yourself thin to get in just *anywhere*. Not that there aren't any *bad* calls, but there are some that are *not right for you*. Is it outside of your area? Skip it. Is your research not a good fit for that call? Skip it. Do you have too many deadlines already and don't have the time for another one? Skip it. You will not regret it, because there will always be another call. Otherwise, it's just not efficient.

You should be doing your own research, and looking at whether it would fit this or that call, not the other way around. If all the research you do is to chase conferences, then you might not be producing anything tangible. Focus on your own work and when the right (i.e. relevant to your research in an obvious way) call pops up, it will feel easy and effortless to write an abstract – I cannot stress this enough.

All this and yet, somehow, I didn't get *everything* wrong (unbelievable, I know).

The 2 Things I Got Right

1/ I recycled abstracts.

I can hear you wondering "What is that supposed to mean?" Did I put my unsuccessful abstracts into the paper bin for revenge? No, silly. I wrote one abstract and sent it to *many* places. The work that goes into an abstract is non-negligible, so if by adding or removing ~100 words (which is much less effort than writing something new) you can answer multiple calls – you should do it! Some calls are open, accepting submissions on any topic, which are great for sending in whatever abstract you may have lying around that has yet to find a home. Sometimes there is an important anniversary coming up, of a treaty or an international body. There will likely be more than one conference on its legacy or its future. Late 2018, I rode the "League of Nations' 2019 centenary" wave with not one, not two, but seven abstracts sent. Remember to change the title a little so that even if it's substantially the same thing it looks better (i.e., less suspicious) on your CV if you get multiple acceptances.

This is actually a macro-level piece of advice. One should always recycle (without becoming redundant). That one blog post you published? Make another one out of the parts the editor cut out. That talk you gave at x conference? Make an article out of it. You can thank me later.

2/ I asked for feedback.

Didn't make it? Oh well. That's the way academia goes. First, don't fret (and see mistake #4). And second, send an email to the organiser saying thank you, and explaining that you are an early career researcher and would like feedback to improve. Here are some *real* examples of feedback I received:

"The abstract mixed up aspects that would normally be treated separately [...] we were not so much looking for predictions but rather for abstracts that made credible arguments themselves."

"It is very close to the paper to be presented by one of the invited scholars. Hence the decision to select another abstract to diversify the selection of topic."

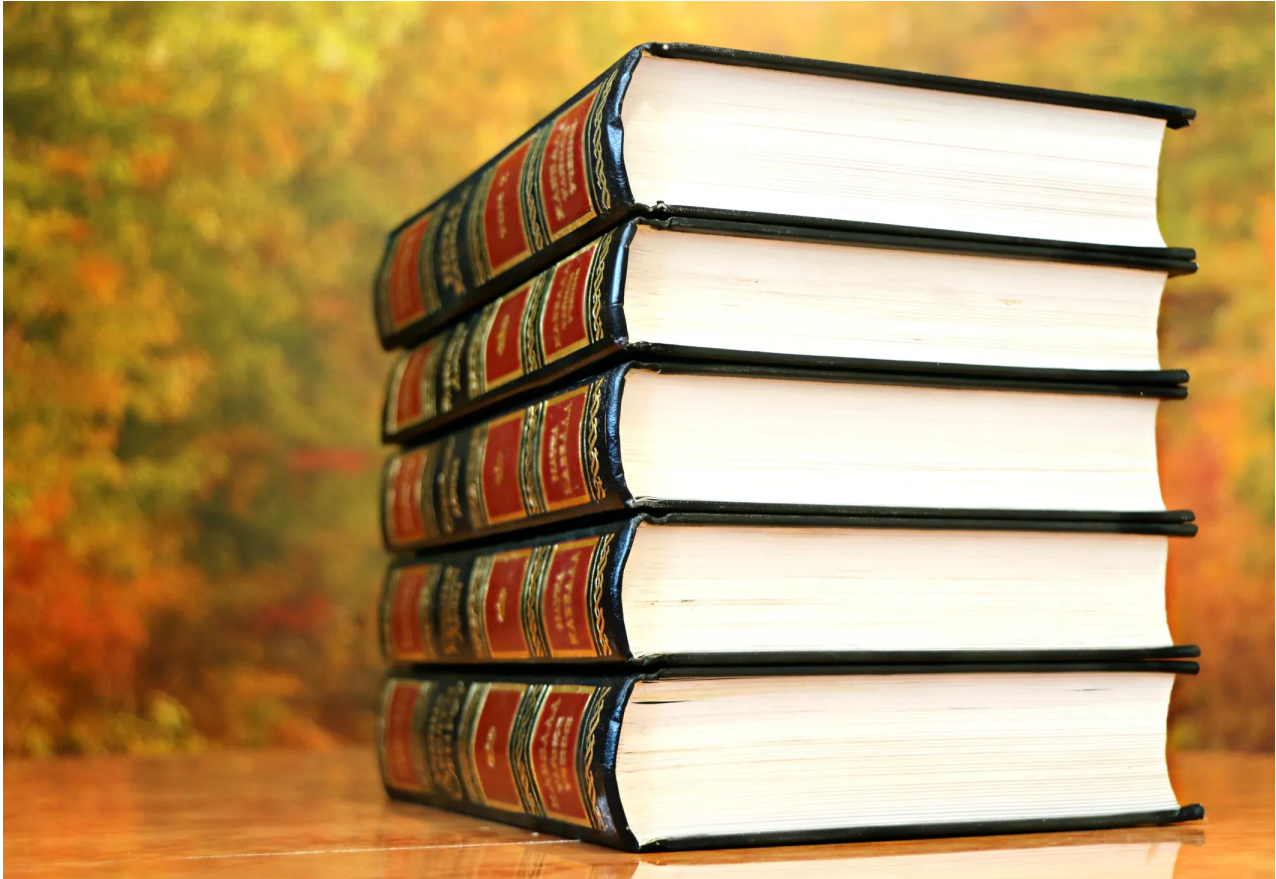
"Our main concern was that the abstract was not immediately addressing the question of the Global South which was central to the CFP."

In my experience, people are kind and sincere 100% of the time if you are the same way. Whether you're asking for feedback from a friend before you submit your abstract or following its rejection, do keep in mind that the process is competitive and therefore, this doesn't mean that your abstract was not good. There can be a variety of reasons yours didn't make the cut, but if you follow the advice here you hopefully won't be too upset so long as you didn't invest too much in that one abstract!

Symposium on Early Career International Law Academia: Abstracts – Some Concrete Suggestions

opiniojuris.org/2022/03/28/symposium-on-early-career-international-law-academia-abstracts-some-concrete-suggestions/

March 28, 2022



[Fleur Johns (@FleurEJ) is Professor in the Faculty of Law & Justice and Australian Research Council Future Fellow at UNSW Sydney.]

Abstracts are often afterthought texts: frequently dashed off while one is pressed against the railing of a deadline. Yet they are gateway texts on which much can hinge. Conference doors can swing open or close on the strength of an abstract. A successful response to a call for papers can put a foot in the door of a collective publishing project to which one might not otherwise have access. They are calling cards; first encounters. As such, they are highly personal. And yet they are also highly generic; they are texts about which early career scholars are often given very detailed, prescriptive advice.

Perhaps all this ambivalence about abstracts is related to the multiple senses of the word. An abstract is a text in which one steps back from the particularities of one's project and writes abridgedly and abstractly. For any scholar, but perhaps especially for scholars who write, as Audre Lorde did, from "a well-stocked arsenal of anger" borne of "oppressions, personal and institutional", this can be uncomfortable.

Discomfort is often generative, though, so should we cherish these texts more, linger over them a little longer? Thinking that perhaps we should, this post ventures some suggestions for the writing of two genres of abstracts: pitching abstracts and sharing abstracts. Pitching abstracts encompass abstracts for conference submissions and responses to calls for papers that are, in legal scholarship, often written before the text abstracted has been finalized. Sharing abstracts are, on the other hand, abstracts written for the purposes of disseminating a completed text – an abstract accompanying a journal article upon publication for example. (Book blurbs comprise a professional writing genre in their own right and are not discussed here.) The writing of pitching abstracts and the writing of sharing abstracts are both exercises in reader seduction, but exercises of distinct kinds.

Pitching Abstracts

For a pitching abstract, one's initial audience is usually knowable so it is important to make good use of this information. The first step in writing such an abstract, therefore, is to identify by whom – and reflect on how – your abstract will be evaluated. If your abstract is responsive to a call for papers, read the call carefully, look at the scholarly work of the editors or convenors, and think about what they are trying to achieve in putting out this call and how you could contribute to that. If you are pitching to present at an annual conference, look at prior programs for that conference, including abstracts of work presented there previously (if available). Think about the kinds of debates and conversations that have been ongoing at the conference and how and where your own intervention might fit among those or carve out some new space in their midst. Identify some of the abstracts from prior years of the conference that you find most arresting and compelling; these may be useful to emulate.

Much of the advice about abstract writing for pitching purposes stresses the importance of identifying a gap in the prior literature and explaining how the work that you aim to present will fill it. (See [here](#), for example.) The formula of “gap-filling” can, however, be a bit restrictive; it is possible to frame the value of your contribution in a range of ways. What is important, nonetheless, is clarity and connection. That is, it is important that an abstract convey – as crisply and lucidly as possible – how the work to be presented relates to prior work in its field and to other work presented in the conference, special issue or edited volume of which it aspires to be part. Some questions that you might ask yourself in order to arrive at a formulation of this message include the following. What problems are you setting out to solve? What confusions do you wish to clarify? What previously unknown or unfortunately neglected story are you planning to tell? How is this paper different from others that might be anticipated at this event and why or to whom might that difference matter? There are some good examples from historians [here](#).

Sharing Abstracts

The writing of a sharing abstract is a different kind of task. These tend to be shorter than pitching abstracts. They are less oriented towards contextualization and more towards seizing attention. Their purpose is to quickly convey to a journal editor and ultimately to an unknown reader why they might want to read your article or essay. A sharing abstract


is something of a sales document (as crass as that may sound) and something of a storytelling text. It can be useful to think about its narrative arc: its beginning, middle, and end. First and last lines are especially important. It can be worthwhile, also, to think about a sharing abstract's online "searchability"; what are the keywords searches that you would like your abstract to be picked up in; do they feature in your abstract?

There is a lot of emphases, in online advice about abstract writing, on the importance of careful editing (see [here](#) for example). Spelling or grammatical errors and writing in excess of specified word limits are avoidable mistakes that can sabotage the fate of the finest abstracts. If writing an abstract outside one's native language, it is always worthwhile having a native speaker of that language cast an eye over it before submission (editor's note: see the [post](#) by Basak Etkin). The same goes for writing outside one's usual scholarly field.

There has been far less emphasis, however, on the value of intriguing, captivating abstracts; my own have, upon reflection, tended to be rather pedestrian. For this purpose, there may be something to be gained from reading into the genre of "flash fiction", micro-essays, or very short stories as a source of inspiration. The [Barthelme Prize](#) is awarded annually for short prose or fiction under 500 words. Reading the work of prior years' winners – and [other writings](#) in this genre – offers an important reminder that one does not need a lot of words to say and do a lot.

Finally, a word about abstract rejection. In academic life, it happens to everyone in some form or other. From one angle, it is a relatively small slight, not as bad as having a long manuscript rejected. From another vantage point, it can be especially frustrating. To have a pitching abstract rejected is to be refused even a chance to have a try, to have a look around. [FOMO](#) may descend. To this, the answer is... there is no single answer. Do what you need to do; talk to friends who can solidarize, commiserate and offer distraction. There is no shortage of writing about academic rejection: read [some of it](#), if it helps to recognize that you are not alone. Add it to your "arsenal of anger" if you will. Above all, write on.

Symposium on Early Career International Law Academia: The Art of Writing an International Law Book Proposal – Personal Reflections, Tips and Examples

 opiniojuris.org/2022/03/29/symposium-on-early-career-international-law-academia-the-art-of-writing-an-international-law-book-proposal-personal-reflections-tips-and-examples/

March 29, 2022



[[Barrie Sander](#) ([@Barrie_Sander](#)) is Assistant Professor of International Justice at Leiden University – Faculty of Governance and Global Affairs.

[[Rebecca Sutton](#) ([@RebeccaAnneLaw](#)) is Senior Lecturer in International Law at the University of Glasgow School of Law. She is the author of [The Humanitarian Civilian](#) (OUP, 2021).]

In international law academia, there are many processes that remain somewhat shrouded in secrecy. Writing a book proposal is a prime example. This is not to say that general advice on writing an academic book proposal is altogether lacking (see, for example, [here](#), [here](#) and [here](#)). Moreover, most publishers provide guidelines that should be followed when submitting such proposals (see, for example, [here](#), [here](#), [here](#) and [here](#)). However, in comparison to, for example, journal articles that junior or aspiring academics can look to for guidance in terms of form, style, and substance, there is a notable absence of book proposals made publicly available by international law academics.

To nurture a wider conversation about what makes a good international law book proposal and to provide some examples for those looking to publish a monograph in the field, we have decided to make our proposals publicly available ([here](#) and [here](#)) and to make the proposal-writing process more transparent. Writing a book proposal is in many ways a personal experience, so we begin with the major caveat that the following represents our personal thoughts and reflections. We thus encourage others to join in the conversation, sharing additional insights and tips.

1. When and how did the idea of converting your thesis into a monograph begin to take shape for you? Did you have any reservations?

Barrie. When I first began my PhD on the construction of historical narratives within international criminal courts, I knew I would like to publish my research in some form, whether as a series of articles or a monograph. However, it was only after receiving feedback from my examiners (Professor Paola Gaeta and Gerry Simpson) and supervisor (Professor Andrea Bianchi) that I fully committed to converting my thesis into a monograph. In particular, it was the encouragement of my external examiner, Gerry Simpson, that proved pivotal in my decision.

Rebecca. Gerry is part of my story too! I was one of those PhD students who envisioned the entire PhD writing process as being tied to the production of a book. More than earning a doctorate, what I wanted was to think deeply about, and write, a book on International Humanitarian Law and humanitarian aid workers. I persisted in this stubborn commitment even through the early days of my doctorate, when influential senior academics declared that books were ‘over’ and peer-reviewed articles were the goal. I was lucky because my supervisors in the Department of Law at the London School of Economics, Professor Gerry Simpson and Associate Professor Devika Hovel, treated the book as a viable endeavour – albeit one that should take place post-PhD. The final push I got was from my examiners (Professors Sarah Nouwen and Mark Drumbl), who advised on how to transform the PhD into a book.

2. How soon after completing your PhD did you begin converting it into a monograph?

Rebecca. The monograph was on my mind as soon as I passed the Viva. Despite the fatigue induced by slogging to the PhD finish line, I was struck by a sense of urgency. Either I write the book now, I thought, or not at all. Fortuitously, my office in the Blavatnik School of Government at the University of Oxford—where I was doing a post-doc—faced the Oxford University Press (OUP) building. This physical co-location made the terrifying jump from PhD to book seem almost somehow inevitable. I was also spurred on by that early-career feeling: I needed to seize the moment because I couldn’t be sure how long my luck in academia would last.

Barrie. After my PhD defence I went for a celebratory coffee with Gerry Simpson, who suggested that I should try to get the book out as quickly as possible; these things so easily get delayed. Yet, while I wanted to get the ball rolling, I still felt I needed some space from the thesis before returning to it – for me the PhD was a long, emotionally

draining, and exhausting process. In the end, I took a month away from the thesis (admittedly, not a particularly lengthy period of time – I guess I also felt some degree of urgency!), before returning to it with fresh eyes and enthusiasm.

3. What advice did you receive from others about how to proceed (e.g. how to approach a publisher and how to draft the proposal)?

Barrie. After reaching out to colleagues in the field who had already published monographs, I managed to receive a fair bit of advice and would encourage any aspiring book writers to reach out to their network for tips. Gerry Simpson put me in contact with the publisher, and I reached out for general advice from two academics I had worked with or met before: Professor Yvonne McDermott Rees and Professor Adam Branch. They both shared their own book proposals with me, and Yvonne explained what to expect from the process. Having samples of successful book proposals was invaluable – I personally think it would be great if more academics would consider making their proposals public.

Rebecca. I was initially clueless about how the book proposal process works. Luckily, I was part of a small London-based writing group of female academics, and they workshopped a draft pitch with me. I also had friends who had written books—especially from my Canadian-based network of Pierre Elliot Trudeau Foundation scholars—who kindly shared their pitches with me. I soon discovered that the academic monograph pitch is a genre of its own, complete with a marketing and dissemination aspect that I would need to embrace. I started to cobble together a proposal. What this initial proposal lacked, I believe, was the assertiveness to stake a claim to a particular corner of my academic discipline. It didn't convey a sense of urgency about why this book should be written, now, by me. In short, it wasn't really a proper pitch. Thankfully, I had academic colleagues who lent their time and discerning eyes to the drafts. Through their interventions, the proposal took the form of a persuasive piece of writing.

4. How did you ultimately select a publisher? And how did you go about approaching them?

Barrie. I selected OUP for several reasons. First, several mentors in my close network, including my supervisor and PhD examiners, had published with OUP and recommended them. Second, OUP has a series, Oxford Monographs in International Humanitarian & Criminal Law, which I thought would be not only a good substantive fit for my thesis but also a good fit for me as an early career researcher since the series expressly encourages submissions from “emerging authors”. Ultimately, while identifying a particular series is not typically required when selecting a publisher, finding a relevant one is definitely a bonus as it allows you to clearly position and place your contribution. From this perspective, I think it's useful to reflect on how your proposed book might sit within the publisher's existing collections.

Rebecca. This selection process was similar for me. I knew from early on that I would hope to publish with OUP and when I saw the IHL and ICL series (mentioned above by Barrie) it seemed like a perfect fit. After encountering Merel Alstein at OUP I knew I really

wanted to work with her specifically. I had met her briefly when she passed by the LSE, and Gerry Simpson kindly re-introduced us over email after my Viva. From then on, it was for me to take the initiative and move things forward.

Barrie. I didn't have the good fortune to meet Merel Alstein in advance of the process, so in terms of approaching OUP, my first step was simply to send them an email, expressing my interest in publishing a monograph and attaching my full thesis together with the reports of my examiners. I also made clear that my intention was to revise the thesis to convert it into a monograph (i.e., I wanted to make clear at the outset that the thesis required various changes, both in terms of length and substance).

OUP got back to me within 2 weeks, confirming their interest and asking me to submit a formal proposal together with 2 or 3 sample chapters (revised from my original thesis). It took me some 8 months to put those materials together – part of the reason for taking this long was due to other postdoc research and teaching projects I was managing at the time (something I imagine is very common). During this period, I wrote a fresh introductory chapter and revised two other chapters, which I submitted to OUP together with the book proposal. These materials were then sent out to peer review – it took some 8 months before I received two peer review reports (my understanding is that this is longer than average). Following some exchanges with OUP on the comments received in those reports, I was offered a book contract a month later.

Rebecca. My timeline was about the same, perhaps ten months total. One thing that I learned by engaging with OUP was that while some monographs closely resemble a doctorate, mine was of the type that I would need to re-write and re-structure almost from scratch. This also reflected the feedback I received from my Viva examiners. They had encouraged me to re-tell the story from the 'bottom-up' – starting with on-the-ground practices in South Sudan and ending with the formulation of IHL rules in the Geneva Conventions. I was ultimately asked to submit two sample chapters that could be examined by OUP and by academic reviewers, and to attach to these chapters a clear outline for the final manuscript. All of this took me about four months to prepare. I submitted the proposal in February 2019, and the two reviews came back by June 2019. I had a few weeks to respond to these reviews. OUP then approved the proposal in July 2019, and I had a draft contract by August 2019.

5. What challenges did you encounter in drafting the proposal and how did you address them?

Barrie. I think the major challenge for me was producing a proposal that was framed to 'market' the book. In a way, the book proposal is a sales pitch, in which you need to make clear the market need for your book, including the target audiences that will be interested in it.

Rebecca. Same here. There was something about 'selling' the book that felt almost distasteful initially. Beliefs still circulate about academia being somehow outside of capitalism, and it was easy enough to maintain this conviction during the doctorate. I made my peace with this, in the end, by thinking of marketing as something I need to do

to get my ideas out in the world. I had certainly been held back professionally before by an unwillingness to hawk my wares, so to speak. If I really thought about it, it was possible for me to imagine that I was 'selling' an *idea* (that of the humanitarian civilian figure) to an audience that would genuinely want to 'buy' it.

On reflection, I also had a foundation for this kind of marketing from my earlier career in the humanitarian NGO world. In that milieu, I had struggled with the idea of writing grant proposals to 'sell' humanitarian projects to donors but ultimately embraced that task because it was the only way to resource and sustain our humanitarian activities.

6. What do you think makes a good proposal?

Rebecca. I think the proposal should itself tell a story, drawing the reader into the world imagined by the author and warming reviewers to the big ideas. In terms of the contents, my proposal was itself 5,000 words long or 11 pages. I'll set out here the sections of my own proposal:

- **Overview:** here I included a snippet of one of the composite encounters that framed each part of the discussion in the monograph, drawing the reader into the set of international actors, spaces, and places that would be the subject of the book.
- **Central claims of the manuscript:** here I highlighted the main substantive arguments of the book as well as its core methodological claim which had to do with the everyday life of IHL.
- **Structure of the manuscript:** this was in table form, outlining very briefly the titles and sub-titles that made up each of six chapters.
- **Chapter abstracts:** this fleshed out the above table of contents, distilling the key points and highlights from each of the monograph's chapters. These were approximately 150 words each, like a journal article abstract.
- **Situating the manuscript in the relevant literature:** a page-length discussion of other relevant books in the sub-field, situating the proposed monograph amongst them and drawing connections from it to published works.
- **Audience:** $\frac{3}{4}$ of a page discussing who might ultimately want to read the book, i.e. undergraduate and graduate students, IHL lawyers and humanitarian practitioners.
- **Reviewers and endorsements:** very brief quotes pulled out of my Viva examiner reports attesting to how the PhD could become a valuable book (I also enclosed the full Viva reports)
- **Existing publications:** A one-paragraph discussion of (published or forthcoming) pieces I had written that potentially overlapped with the book's contents, showing that the book is a stand-alone endeavour containing almost all fresh work.
- **Practical information:** a quick sentence stating the monograph's proposed length and timeline: 85,000 words and completed by 2019 (in hindsight: ha ha ha!!!)
- **Author biography:** one paragraph presenting my professional background in the third person.
- **Overview of sample chapters:** a brief presentation of the two sample chapters to orient readers as to where they fit in the book.

Barrie. I agree with Rebecca that telling a story and constructing a clear narrative is a good way to approach writing a book proposal. I also think it's important to identify three or four clear contributions that your book will make to the field – really shining a spotlight on what makes your proposed book significant and stand out. To that end, it's also important to have a clear idea of your target audiences and how the book is situated within and is distinct from the existing literature on the topic. Particularly for proposals that are based on a PhD thesis, an annotated table of contents will also be key – making clear to the publisher the changes you intend to make to each chapter compared to your original thesis and the anticipated timeline for doing so. Finally, I believe it's also important to situate the proposed book within the publisher's existing collections – demonstrating to the publisher that your book is a natural fit and complement to their other publications.

7. In the end, how much did your monograph resemble the proposal?

Rebecca. My final monograph was longer than what I had proposed in terms of word count, but not by too much. Also, the timeline stretched on: I had thought I would somehow complete the manuscript in 2019 (pure delusion!), but it dragged into 2020 and was published in 2021. In terms of substantive writing, I think the final monograph was actually better than what I had planned – the process of writing, re-writing, revising, and editing helped to make it crisper and clearer. That said, I also felt I could almost have endlessly edited it to improve it. At a certain point, I simply had to let it go and put it out in the world. In other words, it was never finished. One thing that remained mostly the same, however, was the overall outline and structure. This is where writing a quite substantial and in-depth proposal later paid off.

Barrie: My final monograph was also longer than I had planned (OUP explained that while they would allow this, it would push the book into a higher price bracket). I totally agree that letting go of the project is one of the hardest parts of the process, particularly when you've been working on the monograph for many years. This feeling initially emerges towards the end of the PhD, but you end up going through the same process again with the monograph. What made the monograph a little easier was that, similar to Rebecca, I had my overarching claims and structure on a much surer footing by the time I turned to writing the book – during my PhD, I had developed a propensity to change my structure *a lot* (so much so that at one stage my supervisor likened the changes to each of my drafts to the twisting of a kaleidoscope). Having a clearer idea of my structure, and having my core substantive research complete (with the exception of some segments that needed to be updated in light of new developments in the field) definitely helped smooth the path for my monograph to cross the finish line.

8. What final words of wisdom would you share with scholars putting together a proposal for their first monograph?

Barrie. My main message would be to use your close networks for advice and support in this process – whether in terms of gaining access to sample book proposals, obtaining feedback on your own draft proposal, or simply asking for an insight into how the process unfolded with a particular publisher. I also think it's a good idea to surround yourself with

books that you admire during the process. I'm a massive fan of the work of Mark Drumbl and had his monograph, *Atrocity, Punishment and International Law*, close at hand for much of the writing process, often turning to it for inspiration on substance, structure and style.

Rebecca. I think it's important to get in touch with, and hold on to, your motivations for writing the monograph. What does this book mean to you intellectually, professionally, and personally? In my experience, there were so many pressures—life events, teaching obligations, producing peer-reviewed articles and writing funding proposals to try to survive in early career academia—that could have diverted me from finishing the book. It would have been so easy to give up if I did not have a clear sense of my own 'why' for writing it. This grounding is also instrumental when similar books come out ahead of yours, as happens all the time in disciplinary sub-fields where things move quickly. If you truly grasp what your own contribution is, it's easier to see that there's room for everyone; your work will stand on its own and be what it needs to be.

My final suggestion is to find a way to fall a little bit in love with your book while holding onto its ideas lightly. I think it's useful here to imagine yourself as a writer with a craft. As a PhD student, I diligently highlighted almost every line of *Authoring a PhD* by Dunleavy, following his advice mechanically to produce a PhD-shaped object. It worked. For the book, though, I longed to leave the student mindset behind. My eye wandered beyond academia, as I drew inspiration from writers of fiction and long-form non-fiction. I also felt the urge to inject some romance into the writing process. By indulging in my favourite writing practices (writing on trains and retreating to little cottages in rural Scotland) I experienced moments of solemnity and of joy in the writing. Had I simply white-knuckled my way towards the finish line and prioritized product over process, I would have missed the pleasures afforded by these moments – fleeting though they may be.

Symposium on Early Career International Law Academia: That Other Half of the Job – Getting Started on Teaching (International) Law

opiniojuris.org/2022/03/30/symposium-on-early-career-international-law-academia-that-other-half-of-the-job-getting-started-on-teaching-international-law/

March 30, 2022



[*Lucas Lixinski (@IntHeritageLaw)* is Professor at the Faculty of Law & Justice, UNSW Sydney.]

One of the key reasons people in law do PhDs is because we are at least contemplating a life in academia. Otherwise, we would just go into legal practice, where a PhD gives no discernible advantage. While research is what we are taught to do during a PhD, there is another very big component of the job we are far less trained to do: teaching.

An international law researcher should bear in mind that an international/comparative/global perspective is useful as a pedagogical tool in legal education. After all, there is no better way for us to query the “why” of legal structures than to understand that elsewhere people do things very differently. Therefore, despite some resistance across law schools towards making international law on its own part of the mandatory curriculum, there is a lot to be said about what an international lawyer brings to the table in terms of teaching, whether teaching within or beyond international law subjects.

There is a growing body of literature on the teaching of international law. Much of this literature focuses on the specific experiences of teachers, with some bringing valuable critical insights from within the field itself, and others calling for more awareness of pedagogical theory in our teaching practice. While that literature is incredibly valuable,

rather than rehashing it here (something I have undertaken elsewhere), I would rather focus on some of the issues attendant to getting a teaching practice started as an early career researcher.

Some advice could be useful regardless of our field of research. Here are some tips in that vein:

- You must teach at least once during your PhD: even if you are fairly certain you do not want to have a career in academia afterwards, do it, just to be sure you do not like this part of the job. And, if you are potentially interested, you need to be able to establish a track record for when you do start applying for all those jobs.
- Take pedagogical theory seriously: in most disciplines, we train as academics without any training on how to teach at the higher education level. If you want to be a teacher anywhere else, there are entire degrees for you. If you want to teach in higher education, suddenly you can just show up and do it (even if a growing number of universities do offer courses on higher education learning and teaching). It is frustrating, yes, but that does not mean you cannot think about your own teaching practice and educate yourself. And a great way to do that is to pick up on basic pedagogical texts (like Paulo Freire's Pedagogy of the Oppressed). Was it written for higher education teachers? No. Does it contain a tremendous wealth of insight on why one teaches, and how to relate to students and the power structures with which legal education should be grappling? Yes. Even if you choose some other text to educate yourself, the point is, your substantive knowledge will not get you far enough unless you think about how you are going to teach it. Much like writing a paper, teaching a class is a specific and distinctive way of framing and conveying knowledge. The pedagogical theory will help you work out some of those kinks, and make you a more conscientious human in the classroom.
- You might get crushed in the beginning, and that is okay: the first time I taught a class at my first post-PhD academic job, I thought I was going to do well. I had taught English as a foreign language before, had done guest lectures at many law schools during my PhD, knew the subject matter, though I was ready. And it was low-stakes, too, because I was only filling in for a senior colleague for a few weeks. I thought the classes went well until student feedback came back at the end of the term. Most comparisons to the more senior colleague (a total legend) were unfavorable to me, but I expected as much. What crushed me was one student who went further and said something along the lines of how I “should never be allowed in a classroom again”. Did it feel good? No, not at all. But I wear it as a mark of pride now, because, after my senior colleague consoled me (she had also seen said feedback), she taught me that I would come on my own as a teacher and that not everyone would like me, and that was ok. So, be prepared to fail. Especially because we are not trained to do it, it is ok that we do not do it well the first time around. You will get better if you are conscientious and work at it.

- Teaching is not a popularity contest: another reason to be ok with teaching not going well at the beginning (and even later) is that it should never be a popularity contest with the students. Yes, of course, you want them to minimally enjoy being there (since the enjoyment of classroom time enhances learning), but you cannot work to please everyone. I still occasionally get a “should never be allowed in the classroom” item of feedback, usually from the same group in which a different student says something like “one of the best instructors I have ever had”. Are both students wrong? Irrelevant. The point is that I cannot please everyone, and should not. My role is not to please (because pleasing creates an incentive to take it easy on students), it is to challenge my students. Or, as I often say in first classes, “If I do not make you feel inadequate at least once during this course, I have cheated you out of your money.” So, find your style and voice, and stick to it. Make sure you are challenging students in ways to which they respond, but try not to care about whether you are liked.
- Do not let prep time swallow you whole: that is a tough one. When we first teach a course, we feel we need to be ahead of students at all times and know everything in case anyone asks a question. For some, that works. For me, when I am over-prepared I come across as stiff in the classroom, and, 98% of the time, no one asks that question I spent two hours researching. So, I figured that what suited my style best, to make me conversational and engaging in the classroom, was to come to class fresh. And that meant finishing my prep five minutes before I entered the classroom. Relatedly, there is the question of when to start prepping. Honestly? If the session ahead is two hours, I will give myself four hours to prepare (five if I am feeling insecure). Otherwise, I will spend 20+ hours preparing that one session, and it will end up worse for it because I will speak too much, not listen to students because I am trying to showcase all the minutiae I crammed in my skull to prepare for the session, and we will all be worse off at the end. So, do not over-prepare, and try to be conversational in the classroom.

For international law researchers, early-career or otherwise, there is also a lot to be gained from developing conscious, self-aware teaching practice. Again, do not pander to students, but be mindful of them. And remember to make teaching substantively challenging and useful for yourself, and even something that can help your research.

- Pitching to different audiences in real-time can be good for research: a big part of being a researcher is to be able to cater to an audience in your writing. But we (almost) never get immediate feedback about how well the pitch goes, and, by that time, things are committed to paper. With teaching, you get to try out pitching ideas all the time (far more often than presenting at conferences, anyway), and seeing how the audience responds. Yes, it is a different audience, but, if you cannot make sense of your sophisticated idea to a non-expert audience, surely there is something in the idea that will also not sit well with the very sophisticated audience. Teaching always helps me get back to basics, and to have my ideas hold on their own. Whether I am rehearsing an actual research paper to a student audience as a small part of a class, or just talking about something else, the ability to explain why things matter at a fundamental level is transferable, and something I believe best practice in teaching when the audience is right there all the time, and you need to check with them whether they are following the idea.
- You can find the research angle for any class: yes, not every subject you teach will be directly related to what you are researching at the moment, or interested in researching in the foreseeable future. But you can still find ways to incorporate your research interests, in some fashion, in your teaching of any subject. To give a random personal example, I once caught myself teaching property law, and one of the classes was on property over the human body (a great way to discuss the limits of the field). As someone interested in cultural heritage law, I made said class partly about the case of a looted Buddha statue that, as it turns out, contained a mummy within. It was a case study or example in my own field of research, that got me thinking about the limits of the law in my own specialized field, and years later became a chapter in a monograph. Examples and case studies are your friends because they allow you to discuss something in which you are interested in your research, and, in having to frame it in the context of the broader law subject, you are forced to articulate the stakes of that specific example, why it matters, and what that case study says about the law more broadly. All of which are valuable skills for a researcher.
- Be open to a two-way effect: sometimes you get to try out your research in teaching. Sometimes, your teaching ends up informing what new research you do. It has happened to me: I ended up writing an article challenging a number of assumptions in my field based on how a subject I taught made me think of many different dimensions of my specialized subfield to which no one was really paying attention holistically. So, be open to your teaching also informing your research agenda, which is another way for you to feel like the different parts of the job are connected in productive ways.

Teaching is so much fun, and rewarding, and makes us better researchers and humans. So, by all means, do it. Do not become one of those scholars for whom teaching is a chore best avoided. What you should avoid is the trap of making teaching separate from what you are passionate about in research, and you should instead embrace opportunities via teaching to chase your curiosity. And, remember, academia is first and foremost about training others, so put your students first, and rewards will flow to yourself as well.

Symposium on Early Career International Law Academia: Securing Research Funding

opiniojuris.org/2022/03/31/symposium-on-early-career-international-law-academia-securing-research-funding/

March 31, 2022



[Yvonne McDermott is a Professor of Law at Swansea University, UK. From 2018-2021, she was PI on OSR4Rights, funded by the UK's Economic and Social Research Council. From July 2022-June 2027, she will lead TRUE, a European Research Council Starting Grant project that examines the impact of the rise in deepfakes on trust in user-generated evidence.]

Research funding has increasingly become a metric upon which (international) legal academics are evaluated in applications for employment and promotion. While we could have another conversation on the “tyranny of metrics”, and their insidious impacts on research and researchers’ wellbeing, in this post, I will focus on sharing some insights and tips on securing research funding.

A matter of luck

My first and most important point is this: nobody should feel that their worth as a scholar, or the importance of their research, is defined by their success in securing grant income. Funding is a lottery (sometimes, quite literally!). Many schemes have a success rate of

around 10%, and it's important to acknowledge the well-documented role of bias that can impact peer review of research grant evaluations. To even get to a position where you are ready to submit a grant application – filling out all the lengthy forms; working out budgets; navigating complex submission platforms – is itself an enormous achievement that should be celebrated.

If you are unsuccessful, or even if you get close to finishing a grant application, but circumstances prevent you from submitting in advance of the deadline, that's fine too. You will have gained some invaluable insights about the process that will be beneficial the next time you want to go for it, and moreover, you will have laid a foundation for a future research agenda that you can explore in other ways. There is no such thing as wasted effort; you'll be able to apply (and, ahem, recycle!) what you've done in other projects going forward.

Keep a clear focus

This is probably an obvious tip, but it is easy to get distracted by what may seem like a 'winning' formula for a particular funding scheme, and to try to shape your proposal accordingly. You might feel, for example, like you need to invent a whole new groundbreaking methodology to secure the funding, where your research question could be better answered through existing research methods. The risk of doing this is twofold: first, reviewers will probably see straight through it, and second, if you are successful in your grant application, then you may find yourself in The Hague trying to teach International Court of Justice judges to unicycle, as part of your innovative new legal research method! Stay true to yourself, focus on what you actually want to do, and you will find a way to do it.

Related to this, I would recommend bidding your time to wait for the right funding opportunity that fits what you want to do, rather than trying to squeeze your dream project into the confines of an open funding call that may not be suitable. If you have a big multi-year project in mind, it might be worth considering smaller pots of money that you can apply for while you take the time to refine and work on your idea – for example, to run a workshop on the topic, or to conduct some initial archival research or interviews. This will help show your project management skills and build your track record as a principal investigator on this topic.

Discuss your ideas

For my latest funded project, which seeks to explore the impact of the increased prevalence of deepfakes on the perceived trustworthiness of user-generated evidence, I first had the idea in 2020 and included it in an unsuccessful application that year. Then I forgot about it for a little while, but in a classic example of frequency bias, I began to see relevant examples of the phenomenon I wanted to study everywhere. For example, when a video showed an aerobics teacher dancing while the military coup in Myanmar unfolded in the background, I saw a lot of posts questioning whether the video was actually filmed in front of a 'green screen'. This led to a Twitter conversation in February 2021, which led me to think that I really should do something about the idea. A few days later, when I

received an email from my institution about an internal call for expressions of interest for ERC funding, I thought the idea would probably be quite a good fit for the scheme and decided to go for it, frantically writing the whole application across a month or so and submitting it in early April. This relates to my first point: so much of grant success comes down to luck and being in the right place at the right time.

This recent experience also highlights the benefit of sharing and discussing your ideas widely. All of us have heard horror stories about people's ideas being stolen by other scholars, but I think the reason those stories stick with us is because these instances are so rare and not something most of us would ever dream of doing. My grant applications (funded and not funded) have been immeasurably strengthened by colleagues' generous feedback on drafts and informal conversations about the ideas. You can pay it back by providing feedback to your colleagues in turn. In their post, [Barrie and Rebecca](#) discuss making the most of your network; similarly, I benefited hugely from seeing examples of successful applications, and would be very happy to share my application with any international law scholars planning to apply for an ERC Starting Grant.

When seeking feedback, don't limit your requests to people working directly in your area, as reviewers are unlikely to be specialists in your precise field. Colleagues from other disciplines or other areas of law can point out things that you might have thought were obvious and could go unsaid, where they need to be spelled out more explicitly for non-specialists. The same is true if you get called for an interview: practice your presentation with anyone who is willing to listen, because everyone will have different questions on diverse aspects of your proposal. I owe an enormous debt of gratitude to the dozens of friends and colleagues subjected to my ERC interview presentation last September/October. This is a much better way of preparing than locking yourself in a dark room trying to dream up obscure difficult questions that you might get asked.

To conclude, the process of building grant applications and applying for funding is itself beneficial in helping you think about the future direction of your research and getting to grips with the online portals and application forms involved. When (as happens to us all) applications are unsuccessful, try not to take it personally: remember the statistics, and that rejection is no marker on the quality of your scholarship. Don't give up on your ideas: think about where you want to go with your research and keep an eye out for ways to make it happen. And good luck!

Symposium on Early Career International Law Academia: Querying #ILTwitter as a Tweetling

opiniojuris.org/2022/04/01/symposium-on-early-career-international-law-academia-querying-iltwitter-as-a-tweetling/

April 1, 2022



[Raghavi Viswanath is a PhD researcher at the European University Institute in Florence and a Senior Research Associate at Public International Law and Policy Group. Tejas Rao is Researcher, Leverhulme Trust Visiting Professor, University of Cambridge and Associate Fellow with the Centre for International Sustainable Development Law.]

Academia boasts of 17,000,000 members, of which 178,000 follow @academicchatter. This (admittedly poor) proportion split is only an attempt to capture how pervasive Twitter has now become for academia. This is acutely felt in #ILTwitter, to which both of us are new members.

Today, we see international law researchers creating 20-part threads instead of churning out full articles/blogposts as rejoinders. #ILTwitter now toggles between being an Ellen Degeneres show-esque platform to chat with your heroes to a dumping ground for academic anxieties/successes/frustrations to a forum to source feedback, assistance, and promotion for published pieces, often fulfilling all these roles at the same time. While discourse about a new piece was earlier limited to either privately engaging with the author via e-mail correspondence or publicly engaging exclusively through the moderated comments section of websites, research now travels further, with sub-tweeting/call-backs to pieces from earlier in the year being more accessible to individuals on the platform. For

ECRs in international law, #ILTwitter has repeatedly proven to be a resource genie of sorts. In less than 24 hours, Twitter has often mobilized the crowdsourcing of syllabi, article literature, archives/catalogue access, sample manuscript proposals, and formulae for abstract writing.

Perhaps most significantly, Twitter offers ECRs a medium for immediate and direct participation in academia, a profession noted for its gatekeeping and “tradition” (a sugarcoated description for academia’s tendency to shut down/censor young, progressive, diverse voices). Twitter offers a pathway for ECRs to contribute to the discourse in many ways. First, Twitter empowers ECRs to self-identify, publicly, as a part of the research community. For ECRs (but also for established researchers) experiencing constant imposter syndrome and the anxieties of research, alongside the quest to find their feet and their voice, this is critical. Second, Twitter offers ECRs access to academic networks/researchers they would have traditionally not crossed paths with or been too scared to approach. While one of us has cold-emailed senior researchers seeking advice, guidance and opportunities, these e-mails rarely receive replies. The public visibility (or annoyance, depending on whether you receive notifications) generated by replying to/engaging with tweets increases the likelihood of receiving these opportunities, or responses to queries an ECR may have. Third, Twitter is able to forge lasting academic partnerships; ECRs are able to produce critique and content with other ECRs and sometimes, even senior researchers. Taken together, each of these engagements, when supplemented with Twitter’s primary use as a microblogging website, allows ECRs to view fellow colleagues and researchers as humans – perhaps best evidenced by the discourse on pop culture and IL now becoming mainstream and cat GIFs being appropriate responses to senior academics’ takes. This contributes to relieving the many stresses of the expectation of continuous productivity.

One cannot deny that disciplinary discussions become more diverse and informed because of ECR participation. While it would be wrong to entirely dismiss the ongoing and separate efforts of the academic fraternity to improve this participation, conversations between ECRs and the “establishment” have been significantly aided by platforms such as Twitter. More recently, Twitter has been meaningfully channeled (including by ECRs) to call out and disrupt hegemonies in academia.

As much as this seems to be rather virtuous, the reality is that Twitter’s role is not just one of a facilitator or a democratizer. While utilizing the platform, it becomes integral to recognize that Twitter and its several use-cases are complicit and culpable in perpetuating existing opportunity/power imbalances in equal measure. These imbalances have significant discursive, material, and emotional implications.

For one, Twitter is geared to create echo chambers. The algorithm, that oracle-ish being that preys on every swipe and every tap, is far from naive. It creates a highly personalized feed for the user, one which ensures increased engagement with the platform. However, this keeps voices that the user has not already engaged with away from their feed and their suggestions altogether. As a result, all members of #ILTwitter experience conversations within a bubble, mapping their real-world interactions onto the platform. Chirpty’s Twitter interactive circles helpfully visualize this bubble. These bubbles act as

digital gatekeepers, invisibilizing voices that are not within the first circle of followers/following lists for senior researchers. Importantly, Twitter echo chambers (or any echo chamber for that matter) are never discursive alone. As we show below, they come with significant material consequences.

One perhaps controversial fallout of #ILTwitter is its impact on research standards themselves. For our own sakes, a caveat that this comment is only intended to be a note of caution and not a value judgment. Twitter – by way of its packaging – prioritizes short-form academic engagement. Studies have found that Twitter’s algorithm actually promotes threads more than tweets with links to academic publications. While threads are easy to consume and, when done right, can prove to be incredible testaments to the tweeter’s academic rigor, the ease of dissemination/engagement with threads threatens to dilute the standard of research. Especially for ECRs, given the competitive nature of publishing in academic journals and the cancellation of live networking events during the pandemic, Twitter has become a key site of academic production. But discussion seemingly takes place “around” a fresh piece of literature than about nuances of the literature itself. This is dangerous for several reasons, not in the least because the brevity that Twitter promotes may not adequately capture and may even misconstrue the findings of a researcher. Moreover, academic Twitter may encourage a herd mentality of influence, where the habit of reading and applying one’s own mind is replaced by the habit of reading about others’ reactions to a piece of work. Twitter recently introduced a feature that asks “Do you want to read the link first?”, before you share a piece, seemingly because users and researchers frequently engage in debates that presume knowledge of a piece of work/writing by way of participation in a Twitter thread that references it.

Another increasingly concerning material effect of #ILTwitter is the potential factoring of Twitter visibility into hiring decisions in higher educational institutions. Before Twitter took off the way it did, public engagement was measured by the number of opinion pieces in newspapers or appearances in interviews/conferences. However, Twitter now offers a more tangible picture of one’s public impact. In its 2016 report, the American Sociological Association recommended that public outreach via Twitter – based on quality and depth of expertise on display – be considered in tenure decisions. For higher education institutions seeking to establish themselves as “the place to be”, researchers’ Twitter visibility also guarantees a base-level of engagement with their home institutions’ Twitter account. Now, we understand that the outreach of this suggestion is perhaps limited to parts of the US (and even within the US, senior academics have voiced reservations about taking Twitter engagement into account when making hiring decisions). Whether or not Twitter visibility should be a factor in tenure or hiring decisions is a much larger debate. What is important to acknowledge is that the material implications of #ILTwitter’s heightened participation on the platform is felt more acutely by ECRs. The truth of the matter is that hiring apart, Twitter is the first port of call for multiple opportunities in academia. PhD recruitments, publications, and teaching/marketing opportunities are now advertised first on #ILTwitter. Senior academics entered job markets at a time when Twitter was not so entrenched in academic life. As a result, and given their significant clout (admittedly of varying degrees, based on gender/sexual orientation/nationality/class/caste/Global North institutional support), they are still able to

be away from the platform altogether. ECRs, on the other hand, are entering job markets at a time when much of academia's opportunity creating/sharing networks exist primarily on Twitter. Given Twitter's ability to hyperbolize the realities of academia, it is often the case that the dominance of Twitter heightens anxieties for ECRs, not all of whom have access to the first-hand experiences/insights of senior academics.

It is critical to acknowledge that although ECRs have grown up in the "social media age", this may end up becoming additional labour that is implicitly expected of them. Even when senior researchers do join Twitter, their ability to "participate" is far greater than an ECR, owing to the real-world networks the former possess. Whether it is commenting on tweets by senior academics or sharing one's own work, ECRs may find it harder to make their voice heard even from behind the keyboard. We expect and recognize that there will be disagreement over this claim. Perhaps it is not expected that ECRs participate on Twitter at all, and we are exaggerating the issue at hand. However, it has generated this conversation among ourselves and our peers. Those anxieties necessitate reassurance, which we are grateful senior academics are able to provide.


Albeit empowering in part, Twitter also imposes sizeable emotional costs. Twitter participation, or rather, Twitter 'performance' does not come naturally to all. Twitter likely demands a great deal of additional investment from some. While threads that share "Some professional news" or "Things I accomplished in 2021" encourage ECRs to celebrate their accomplishments (a noble ambition), they have the potential to (and admittedly do) induce imposter syndrome in ECRs and even amplify the value of comparison. They also inevitably contribute to the virtue signaling of productivity. The counter-argument presents itself naturally – as industries move and are disrupted, surely individuals participating in the market must move with them, learning the skills that ensure sustainability and marketability. We are cognisant of this, but such a move demands some introspection.

It is important to clarify that we do not think that Twitter cannot or is not in "pursuit of academic knowledge". Only that the allure of Twitter visibility and the academic currency attached to Twitter is so compelling that it may present a dangerous illusion of academic research to the point where ECRs begin to chase Twitter validation without pausing to assess whether Twitter research capabilities are consummate and/or transferable to the remaining forms of academic research. That reflection is taking place slowly – and we hope can become a part of the mainstream.

All of this then may appear to be cynical criticism of Twitter and those members of the #ILTwitter fraternity that have been successful already in figuring out their relationship with the platform. This is not our intention. As two individuals with social and social media capacities vastly different from each other, we are cognisant that our own limitations may contribute to our views about Twitter itself. However, even if we were completely adept with the website, this exercise of meditating on the value we individually (and as a community) attach to Twitter is critical. At this juncture, Twitter has already systemically and subconsciously transformed the way we engage with international law and its sisterhood to an extent that is impossible to undo. What we can do though is to be more conscious of the ways in which Twitter shapes and shifts our discourse from hereon.

More materially, we can take stock and look out for each other when we realize that the code is getting the better of us, in particular where we see gatekeeping and over-zealousness to label individuals solely through their Twitter personas. This piece is a nudge – by and for ECRs – in that direction.

Symposium on Early Career International Law Academia: Mental Health in Academia: Some Hard Truths

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-mental-health-academia-some



Category:

Analysis

Subcategory:

Symposium Posts

By:

Douglas Guilfoyle

April 6, 2022

For better or worse, the editors of this special collection have asked me to write on mental health in academia. It is an important subject and one we need to destigmatise. My own qualifications to write on the subject are, however, limited to personal experience, observation and reflection. In that spirit, to misquote George Box's aphorism, all advice is imperfect, but some may be useful. The other substantial qualifiers I must obviously attach to anything I write on this subject are: first, situational (I am a bearded, white, middle-aged male); and, second, a statement of the bleeding obvious. We are all living through a pandemic, and few if any of us are operating at 100% cognitive capacity or emotional resiliency.

To begin: some years ago, at a different institution, I reached a point where professional, workplace, and personal pressures intersected for a period and I was simply unable to function as normal. Depression is certainly a possible label, so is burnout. I sometimes think of it as an implosion. I was fortunate enough to get help, recover, move on, and I have not since relapsed. However, what one finds on the other side of such events is not a return to things as they were before. Indeed, returning to what went on before is quite likely to repeat the patterns which caused one to burn out in the first place. Hopefully, one finds instead a new, better normal.

Let me tackle this in the following back-to-front way. Let me first offer some advice, then second let's ask 'how do I know if I have a problem?' and consider what happens on the day we wake up and realise we really are in a bad place.

So, first, let me try to provide a few key and provocative pieces of advice. Yes, many of the drivers of poor mental health in academia are structural. The profession is increasingly precarious, the ravages of managerialism across the university sector are well documented, we continue to struggle with sexism, ableism and racism in the academy. Mental health struggles set in early in academic careers. Additionally, there seems to be in most institutions a relentless accumulation of well-intentioned centrally-generated initiatives which result in more and more administrative work to be completed by frontline teaching and research staff (so-called "audit culture"). This all leads to a strong tendency for us to think: "the problems I face aren't personal, they're structural. Slogging on and getting through the day is simply what has to be done. There is no alternative".

Here is the first big hard truth. You're wrong.

Yes, many of the drivers of poor mental health are structural. However, the only thing we have much immediate control over is our own behaviour (he said, channeling the Stoics). This is particularly true in a profession like academia where we are substantially left to manage our own workload and agenda. (Note "manage" not "set"). This is not to say that willpower or moral fibre or a blood transfusion from a Nietzschean ubermensch will allow us to overcome structural conditions. It won't. All I am saying is that until the revolution comes or the neoliberal university model collapses, we each have to make our own choices about how we survive in academia or whether we leave it.

Here are my next three critical hard truths. The first is that **if your problem is overworking, the only solution is to reduce your workload**. Read that again. Part of my recovery was going part-time for a period. I was fortunate that colleagues in key institutional roles supported me in that choice, and that it was an option ultimately available to me through the University as a workplace. It felt like an impossible decision (because there is always so much to do) and at least one friend gave me the well-intentioned advice that: "In academia going part-time is a cut only in pay". But I policed my boundaries and used the time to get better. It was, in the end, the right option for me at the time because I could afford the temporary pay cut.

Such advice is easy to dismiss. (“He’s a senior, financially stable, male academic! So glad he could take time out!”) But there are other less and more drastic ways of achieving workload reductions. At one end, I have seen far too many colleagues devise incredibly labor-intensive assessment regimes when literally no one has required that of them (more on this below). At the other end, it may be necessary to change institutions or leave academia altogether. (I’ve done the former and contemplated the latter.)

The second difficult truth is that **resiliency is not an innate characteristic**. The world is not divided into people who are resilient and people who aren’t. Resilience is about recharging. Resilience is the long-term energy you have to fall back on in order to sprint – often in an adrenaline- and caffeine-fuelled frenzy – through the current “crunch period”. And academia is often just a succession “crunch periods”. But once those long-term reserves become deeply depleted, that’s when you derail, implode, burn out – choose your metaphor.

My third truth. **The only way to recover your resiliency is rest**. And, to borrow two ideas from racial justice activists and the disability community: **rest is resistance; and only rest is rest**. That is, if the structural problems you face lead to overwork – then getting enough rest is fighting back. It is fighting back against a system which wants you to internalise the message that the only purpose of rest is to further your own productivity. (See the excellent podcast from Rebecca Roach, the Academic Imperfectionist, on point here.) Also, if you need to recharge your long-term batteries, do not mistake working in a less pressured way for rest. Only rest is rest. Answering emails, but “only” doing so in bed is not a holiday. Not doing any really important research work but “just” catching up on your marking is still work.

Because we are all gifted analytical thinkers, we are talented at constructing self-defeating internal arguments that help us avoid recognising these basic truths. For example, we might find ourselves saying: “but there is so much work to do, and only I can do it.” Certainly, the present academic system creates a lot of work for academics and much of it is unnecessary. But academics are also fabulous at creating rods for their own back. I have met far more colleagues willing to complain about their marking rather than sitting down to redesign their curriculum to try and meet the same educational objectives but without generating hundreds of essays or exams for them to mark every term. For example, there seems to be a purist belief that if one strays from certain forms of assessment – and great volumes of it – one is somehow cheating. There isn’t space in this piece to go through all the techniques I’ve used to keep my own workload at a roughly manageable level. They will be different for everyone – but the first step is realising that doing everything to a counsel of perfection **when no one has asked you to do so** is a sure-fire way to work yourself into the ground.

With this uncomfortable groundwork in place, I’ll now turn to offer some advice about identifying when you may have a mental health problem that needs attention.

Do I have a problem?

Academics tend to presume that if they can still work, there isn't a problem. "I'm meeting my marking deadlines and publishing! I'm fine!" This is a bit like saying that running full tilt at a wall isn't a problem until you hit it. Better to avoid collapse than reconstruct yourself after one. So, in terms of signs that you may have the beginnings of a problem, here are some things I've come to realise are the red lights on my personal dashboard.

The first and most important for me isn't obviously work-related. It's anhedonia: **the inability to take pleasure in ordinarily pleasurable things**. This is particularly bad, because if hobbies and life outside work lose their allure – why not work more? **Feeling that there is no alternative** is another big one (because you are essentially saying that you feel trapped).

Others may include: (1) feeling that unless you do something to an absolutely 100% standard you are letting down yourself, your institution, and/or your students. But sometimes good enough is good enough. No one can do all of the job 100% all of the time. In different seasons you will have to choose where to put the bulk of your energy and where you may have to park things in neutral or only incrementally improve over your previous practice. (2) Diminishing your own achievements (the academic perfectionist podcast calls this "moving your own goalposts"). (3) Dreading opening your email. The list goes on (and on) and you will have your own. But these are some of my personal signs that flag when it is time to step back, detach, and recharge. Because if you don't listen to these warning signs you can burn out without knowing it.

I've hit the wall, maybe. What now?

My personal metaphor for this is that it felt like suddenly realising I had both: (1) gotten stuck at the bottom of a deep well; but (2) couldn't really imagine why it was necessary to climb out. Every journey out of the well is going to be different.

Let's come back to my key pieces of advice from earlier in the post. If you accept that the only solution to overwork is to work less, and that only rest is rest – then this means that you cannot be entirely the same person on the other side of recovery that you were before. Because if you go back to your old patterns of working and thinking, eventually you're going to find yourself at the bottom of the well again. You won't discover a magical form of resiliency that prevents this: you are only resilient if you can keep your long-term emergency stores of energy topped up.

You have to find what your sustainable level of effort and engagement is and operate within those margins. We all have to exceed our ordinary limits in particular crunch periods – marking season is always one of mine – but remember this is drawing down your long-term resiliency. This will need to be recharged again at a later point, and only rest is rest.

As a result of my own experience, I've had to realign the expectations of my scholarship, teaching, leadership, and self-management. And I now think – genuinely – that I do all of these **better** than I did before in my permanently adrenalized and caffeine-fuelled state. My research is more thoughtful (focussed on quality not quantity), my teaching has been


more engaging, and I am more present and attentive in my ability to help and work with colleagues. (Or at least I hope so.) Yes, academia-as-factory is still there but I have recaptured more of academia-as-garden.

It's not perfect, but for me, it's a more sustainable way to work. And if I had not found one, then I might well have had to consider leaving the profession. (As many have done, and if that is your way out of the bottom of the well, then strength to you). Having made a number of necessary changes that were right for me, I am the happiest I have ever been as an academic. I also put family first in returning to a particular city (Canberra) and along the way found an institution which fits exactly the type of research and teaching I want to be doing now. Yes, these were changes in my structural conditions – but they were also choices. Choices which involved compromise and redefining success to align better with my own values and priorities.

Tags

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Am I an Imposter? Overcoming Doubt and Self-disbelief as an Early Career Researcher

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-am-i-imposter-overcoming-doubt



Category:

Analysis

Subcategory:

Symposium Posts

By:

Michael Lane

April 8, 2022

I'm privileged that my time as an early career researcher (ECR) has been a positive experience. I've worked with and been helped by brilliant lawyers and researchers in a collegial, welcoming environment. I'm indebted to them for their time, knowledge, and guidance. Yet, despite this, since I began my doctoral research, I have the unshakable sense that I *simply do not belong* among these people.

Am I an imposter? And when will my colleagues discover that I'm a fraud?

What is Imposter Syndrome?

If you're an ECR, you're likely familiar with these feelings. This is because so-called 'imposter syndrome' is very common among ECRs and, indeed, even those well-established in their disciplines. In addition to feeling like you don't 'deserve' your success, it can also be characterised by a lack of self-belief, or a view that you're incompetent or otherwise lacking in intelligence.

The primary impact of these negative thoughts is on ECRs' emotional wellbeing, and they are no doubt contributing to the prevalence of mental illness among graduate students and researchers which is, unsurprisingly, much higher compared with the general population. Equally, this mindset may also affect ECRs' professional outcomes. Through conversations with colleagues, I've come to learn that many have avoided seeking out or taking on important opportunities owing to fears associated with imposter syndrome. I've certainly done this. For example, despite seeing calls for papers directly related to my area of research, I've been hesitant to submit abstracts because, to put it bluntly, "who am I to contribute to this important topic?". Many are therefore unlikely to be achieving their potential, despite having a clear capacity to make meaningful contributions to their subject.

What, then, are the possible reasons for the prevalence of imposter syndrome among ECRs? Two factors appear, to me, to provide some explanation – academic pressures, and the impact of inequality in the sector.

Pressure in Academia

Imposter syndrome is strongly linked to the inherent pressures that come with competitive environments. There are many in academia, but of significance is the pressure to publish. It is no secret that academic vacancies, in law or otherwise, are difficult to secure. As a consequence, many colleagues (myself included) place enormous amounts of pressure on themselves to publish in order to 'stand out'. This can be a tough hurdle when you're already of the opinion that your research is simply not good enough, let alone good enough to submit to a journal. Even after mustering courage to submit a piece, the peer review process entails exposure to criticism and rejection, which can reinforce feelings of doubt.

That is not to say that we shouldn't be concerned with publications *at all*. Quite the opposite: Becoming familiar and comfortable with sharing and disseminating research is actually something I've found *helps* combat imposter syndrome. Rather, it is essential to remember that the amount that you have published *does not totally define you as an early career researcher*. Looking beyond publications, and trying to recognise the other important contributions you can make to your field is, in my view, vital for maintaining self-confidence.

The Role of Inequality and Marginalisation

It is also important to recognise the disproportionate effect that imposter syndrome has on those from marginalised groups. Indeed, the 1978 study that first coined the term 'imposter phenomenon' highlighted the role that 'sex-role stereotyping' plays in

contributing to the issue. The same biases identified then, whilst not nearly as prominent, still continue to foster and exacerbate feelings of inadequacy in the workplace.

Inequality is likely to be a primary cause of imposter syndrome across the legal sector. Law as a subject was traditionally closed off to anyone who wasn't middle-class, white, and male. And whilst, in my own country (the UK), there has been progress in creating a more inclusive sector, many groups are still underrepresented, such as those who are disabled, Black, or Asian. Similarly, international law as a discipline has been developed largely by men with a focus on developed regions. As I suggest toward the end of this piece, there is still much to be done to even begin confronting this issue.

Strategies for Tackling Imposter Syndrome

A quick online search for 'Imposter Syndrome in academia' will yield numerous resources for dealing with the issue: The most popular search result, as well as this reflective piece, are both replete with sensible advice. To avoid simply echoing these, I want to reflect on my own experience and highlight two strategies that have personally made a difference for me.

As I've already suggested, becoming comfortable with sharing my research has been key for combatting self-doubt. The most valuable forums have been the ECR workshops and conferences facilitated by more experienced, supportive colleagues who have been kind enough to share their views and feedback on my work. Even more informal discussions, with other ECRs or my supervisors, have helped me develop confidence. Thus, gradually exposing myself to constructive criticism from peers has been crucial.

The second strategy has been to try and recognise even the smallest of accomplishments. Of course, not every success warrants a grand celebration – simply acknowledging when something goes well is enough. Some positive feedback on a draft paper, or the acceptance of an abstract, for instance, should be a reason to say to yourself "maybe I do belong here!".

The Need for Structural Changes

The usefulness of self-help advice is, nevertheless, limited. I suggest it's probably unhelpful to propose that imposter syndrome is something *solely* for individuals to remedy, given that marginalised groups are more at risk of experiencing the phenomenon. This wrongly locates the problem with individual researchers, rather than on *the institution* of academia which, as explained, contributes to this issue. By failing to recognise this fact, some insightful academic-focused pieces, whilst otherwise helpful, do not offer system-wide suggestions for change.

Therefore, although I do not discredit the utility of my advice above, the biggest lessons here are for the academy as a whole. To achieve a more equal, inclusive academic community, and to ensure that *all* find a sense of belonging, there are two small things that the academic community can start doing from today.

First, we should ensure, in our own works, that we recognise the scholarly contributions of those from groups poorly represented in academia. Whilst this is applicable to all disciplines, it is especially pertinent in international legal scholarship. As [Julia Emtseva rightly suggests](#), '[h]earing the voices of lawyers coming from different parts of the world is vital for international law. In the end, it is *international*'. By drawing on these diverse perspectives, and bringing them to the forefront of international legal scholarship, marginalised ECRs may come to recognise that they, too, are able to make worthy contributions to their field.

Second, we should strive to create inclusive environments. This can be achieved by, for instance encouraging the contribution and participation of those from underrepresented groups at postgraduate events. Establishing or joining networks is also an excellent way to initiate conversations between scholars. [Afronomicslaw](#), a forum for discussion on international law as it relates to Africa and the Global South, is a prime example of this. Creating a dialogue among researchers from diverse backgrounds and with varied perspectives can only have a positive impact on the development of scholarship in this area. It will, equally, further enable ECRs to attain a sense of belonging in academia.

Ultimately, regardless of what must be done, achieving diversity will require the collaboration of all ECRs. And being open about the issues we face in academia, in addition to those explored in this piece, is a necessary first step to achieving a more inclusive sector.

Tags

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: An Indigenous Concept of Time and Its Impact on Time Management: A Personal Reflection in an Early Academic Career (Part 1)

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-indigenous-concept-time-and-its



Afronomicslaw.org

Category:

Analysis

Subcategory:

Symposium Posts

By:

Medes Malaihollo

April 11, 2022

It is 8.00 am. You open your email inbox and after having answered multiple emails, you take the books from your bookcase, chug the remainder of your cup of coffee, and lock the office door behind you. Working groups start at 9.00 am. You make the five-minute walk to the building and welcome your students upon arrival. The rest of the day includes more teaching, doing research and more administration (mostly answering emails again).

Welcome to academic life. Now, not every day looks like this, but this somewhat sums up a regular working day for me as a newcomer in academia. I love it and I get so much energy from what I do, but I know that it can take its toll too and, with that in mind, time management is of utmost importance. But how can we effectively manage time? My research focuses on the rights of Indigenous peoples and in my re-search, miraculously, I

came across Indigenous perceptions of time. I could not resist reflecting upon this because how we perceive time heavily influences how we manage time – something that is very valuable in academic life.

In this two-part blog post series, I will discuss Indigenous understandings of time and reflect on personal experiences in an early academic career in international law. Part 1 of this blog post series will be devoted to a discussion on a circular perspective of time, which Indigenous peoples use. Subsequently, Part 2 will illustrate how valuable such approach is by reflecting upon personal experiences in an early academic career in international law.

Linear Time vs Circular Time

The concept of time is often understood linearly. That is to say, time is going in one direction from the past to the present to the future. For example, I can say that I gave feedback on an LLM thesis this morning and currently I am writing this blog post. In a few hours, I will be teaching a working group on international law and tomorrow I will have multiple meetings with my students. Activities unfold in a logical and chronological order on a linear time scale and these activities are mostly driven by an external driver, like a clock or an agenda. In Western culture, this linear perspective is the dominant understanding of time and is considered as a universal truth. However, it fails to comprehend the value of other time systems that have developed within different historical contexts around the world.

A completely different perspective is one that describes time as having a ‘circular’ form. Many Indigenous Peoples do not understand time linearly. Instead, they perceive time in a circular manner where past, present and future are all ‘one’. Due to their special relationship to their ancestral lands, these communities have been able to create complex methods that are connected to features of the earth and the environment in which they live. For instance, the traditional way of life of the Sámi is closely linked to the cycle of nature – in particular the yearly cycle of reindeer. Due to this close link to nature, concepts like time have been influenced by environmental states of affairs affecting their activities, making their perception of time a circular one.

For the Aboriginal and Torres Strait Islanders in Australia, time is also perceived as something more complex than only clocks and calendars. For instance, past, present and future are all connected in the concept ‘everywhen’ in the Aboriginal way of life. In that way, time is not rigid but flexible; it shifts according to one’s needs and what happens in the environment in which one lives. Fish traps are simply not set each day at the very same moment. Catching fish, after all, relies a lot on the tides, which do not come in at the very same moment every day. Knowing exact minutes and hours is not as important as knowing when nature allows you to catch fish.

A similar perception of time can be found in Māori culture, which is based on survival from the natural environment. Māori language, remarkably, also evidences a circular perception of time. The Māori word for past (mua) also means ‘in front’, making the Māori concept of time opposite to a linear perspective of time. This conceptualisation of time is

inherently connected to the cultural value system of the Māori, which is mainly socio-centric: collective values are more important than individual ones. Therefore, social relations and collective values dictate the duration of daily activities, and things happen as they are meant to happen.

Time Connected to the Importance of Events or Activities

Indigenous Peoples view circularity as an essential component to their understanding of the world and its operation. By paying attention to their environment and allowing reality to inform their beliefs, Indigenous Peoples have been able to develop a circular way of life, which is holistic and dynamic in nature. Time, in that way, is also experienced as 'circular' and 'dynamic', rather than 'linear' and 'rigid'. What is important is that such an understanding of time is multidimensional. A good way to explain such perspective is to think of ourselves in a body of water. Imagine time as a pond we can swim through. However, we cannot pull it apart or separate it. Time works similarly as it is around us every moment, operating in a dynamic way. Adopting such view, we are surrounded by 'concentric time circles'. That is to say, one circle of time surrounds us and another circle surrounds that circle, followed by another circle and so on. Events or activities are then placed in time along and across these circles. See figure 1.

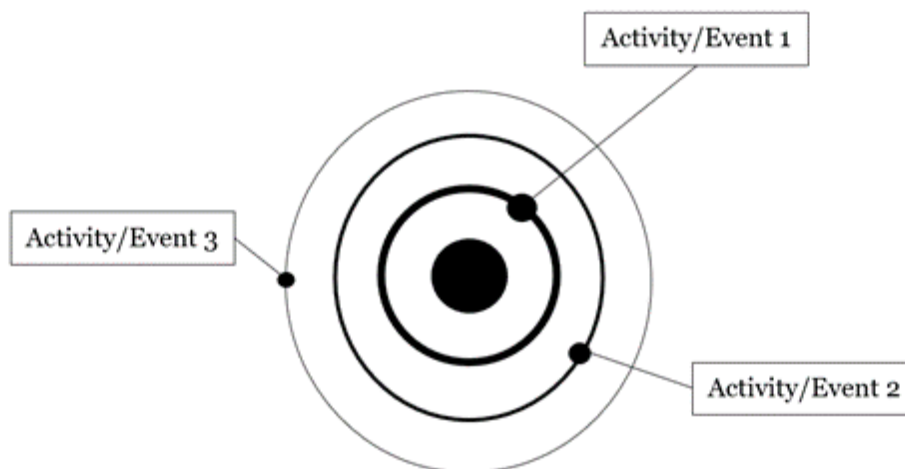


Figure 1. A model of a circular conception of time

This notion of time is inherently connected to the importance of events or activities, and time is treated in accordance with the importance of such events or activities. Those events or activities that are believed to be more important are considered closer in time, and those that are less important are further away in time. Such perspective is completely the opposite of a linear understanding of time, as shown by Kelly Adams who demonstrates this with an anecdote of professor Aleksandar Janca:

My colleagues and I went to a remote Aboriginal community in the Kimberly region and we were to meet with local elders. Now, it is a very small place so of course everyone saw us coming and so on and so forth. They were supposed to meet with us, discuss with us at 11 o'clock. 11 o'clock came and nothing, we were sitting under a tree and waiting. It was only around 1 o'clock or so that they came one by one. I was quite naïve at the time, so I asked them, 'Listen, we have been sitting here for two hours, why didn't you come immediately, why did you let us sit and wait?' I got no answer, but one of the elders said 'Listen, in this community it is not important when things happen it is important that they happen.'

Ultimately, we only scratched the surface of Indigenous perspectives of time in this blog post and, honestly, I do not have the tools to unlock these paradigms in their entirety. The idea of perceiving time as being circular, nevertheless, is interesting and can be very useful. In Part 2 of this blog post series, I will explain in what way Indigenous perspectives of time can be useful for us in academia.

Tags

- [International Law](#)
- [Indigenous Peoples](#)

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: An Indigenous Concept of Time and Its Impact on Time Management: A Personal Reflection in an Early Academic Career (Part 2)

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-indigenous-concept-time-and-0



Afronomicslaw.org

Category:

Analysis

Subcategory:

Symposium Posts

By:

Medes Malaihollo

April 13, 2022

In Part 1 of this blog post series, I discussed Indigenous perspectives of time. The understanding of time that Indigenous Peoples have is the opposite of the dominant, linear perspective of time in Western culture, which is very much result-driven. In-stead, Indigenous perspectives of time are rather circular in nature, and focus more on efforts and process. Their understanding of time is fascinating and effective, especially in terms of time management. In academia, we have a lot of autonomy in mastering our own time, but when we do not manage our time effectively we will be less efficient and, most likely, we will not achieve the results we aim for. Too many dead-lines will overwhelm us and

racing against the clock could lead to burnouts. This being said, managing our time is of great essence. But how do we manage our time? Indigenous perspectives of time, in my view, can help us out here.

In this post, I would like to shed more light on this by discussing two matters central to Indigenous perspectives of time: time linked to tasks or duties, and circular time as a means that is attached to an activity in progress. I will use personal experiences in an early academic career in international law to clarify these matters.

Time Linked to Tasks or Duties

First of all, Indigenous perceptions of time show that important activities or events are closer in time, while unimportant or unrelated matters are further in time. What matters is to get important things done and to refrain from putting energy into things that are not important. As such, the daily life of Indigenous Peoples is not dictated by deadlines or clocks. Kelly Adams stunningly illustrates this with the construction of a clock in the town of Ernabella in the Musgrave Ranges. In 1984, the town council constructed a large clock “to teach” local Indigenous Peoples what time is. [Adams](#) quotes a council member who observed:

Nobody looks at [the clock]. The clock has not been working for months. No one knew that it was not working.... European staff use time and watches to regulate their activities but often they also work until the job is completed or it is too hot or cold or dark to continue. This local adaptation to time is still going on.

In this way, time management becomes a matter of prioritisation where one focuses on successfully completing the most important tasks. Some also call this ‘[deep work](#)’. Remarkably, I see many similarities in the way I currently manage time. Normally, I like to wake up early in the morning to get those things done that are important in a working week. Most of the time this is related to my research. Throughout the rest of the day, (academic) life can then start to throw matters at you. During the day you will have to teach, students might email you, you will have meetings or some unexpected things might cross your path. Having done those important things already, I can easily permit myself to shift focus to other things that require my attention and adapt to the situation at hand. It all depends on not losing sight of what is important, and time is mainly used as a tool to realise this. This brings me to the second matter: Indigenous perspectives of time comprehend time as a relative means that is attached to an activity in progress.

Circular Time as a Tool that is Connected to Activities in Progress

Instead of ‘racing against the clock’, an Indigenous perspective of time allows us to put more emphasis on prioritising what is important to us and devote as much attention as necessary to complete a task. Such a perspective does not allow us to let time take charge of our lives, something I was guilty of as a law student: this week a paper has to be finished, next week I have to prepare for an exam, the week after that I have to finish another paper etc. Truthfully, such an approach was not sustainable. I remember a moment during Christmas when I told my mother: ‘Mom, I have to do something. I see all

my deadlines around me and it feels too overwhelming.’ Not long after this, I reflected upon the experience and noticed that this overwhelming feeling was caused by my perception of deadlines as if it was a sky full of stars. So I thought about it. How could I perceive this differently? What if I would imagine activities as being bundled in one single light orb in front of me instead? Maybe that would help me feel less overwhelmed? Fortunately, this shift of focus helped. Nowadays, I use a circular perspective of time and I tell myself that activities are placed on concentric time circles around me. In doing so, the activities on these time circles form an orb. The trick is then to focus on what is ‘closest to me in time’. What matters is that those tasks on the concentric time circles closest to me are finished so that this orb of activities becomes smaller. In other words, I am at the centre of time, and I work my way from the inside to the outside, ticking off the most important tasks. Then, the orb of activities becomes bigger again when other tasks are put on the peripheral time circles. It is as if a light orb organically glows and is dimmed, then glows again and then is dimmed again. A gradual process where I am the one in control at the centre.

Lessons Learnt

It is beyond doubt that deadlines are important in academic life. There is no way around this. However, only focusing on results is not sustainable, so it is important to reflect on how we manage time and prioritise tasks. An Indigenous perspective of time has much to offer in this regard. Indigenous approaches to time focus on that things happen, not necessarily when they happen. Time is used as a means to work on what is most important to us, with us at the centre of time. As such, we can truly put in efforts and be productive, instead of chasing deadlines. This is not to say that a circular perception of time is the approach to follow. With this blog post series, I seek to nurture a conversation on how to prioritise tasks and manage time in an early academic career in international law. For me, a circular perception of time is what works. Whether I will continue with this, perhaps time will tell.

Tags

- [International Law](#)
- [Indigenous Peoples](#)

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Balancing my Time or Why Watching Ru Paul's Drag Race is a Better Use of your Time

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-balancing-my-time-or-why



Category:

Analysis

Subcategory:

Symposium Posts

By:

Aoife O'Donoghue

April 15, 2022

First, it is important to say I enjoy being an academic. I do. As people who know me well know, I love a top fact. Academia is definitely the place to find an abundance of them. I also enjoy teaching. As a student I used to teach swimming to pay for life, and it always made me happy when someone got a thing and I helped them along the way to getting it. I like my colleagues, the stu-dents, and all the many friends. But I also like other things and I think they make me a better aca-demic and, more importantly, a better person.

A second element is that I do not follow the school that sees academia as all important. (Legal) academia is not so important that anything really needs to be done immediately, ever. With the important caveat of students or colleagues in crises, it is very ever rarely the case that my views on *jus cogens* are so important that the world needs to have them right now.

I also do not believe that you can 'love' your job so much that you 'enjoy' doing it all the time. As I say, part of my attraction to academia is a love of top facts, but I can also learn some top facts by watching a Netflix documentary about Pop or talking to a six-year-old about spiders. I do not take myself seriously. I do my job seriously, but I see a distinction between doing my job with the attention and seriousness needed and seeing myself as so full of import that I 'need' to answer that email at 1am.

It is also important to say that my experience is not everyone else's: everyone's pressures are different, everyone's way of working to be at their best is different. Nonetheless, there is a line between "I work best late in the evenings", which is fine, and "I work best late in the evenings having worked for the last seven days all day from 7am". But how I work (and have worked) is not necessarily how we should all work.

In remembering how I started with my own strict delineations, I have to credit my parents. My mother in particular was always very insistent on coming home, changing your uniform and doing your homework and then doing whatever you wanted. I watched a lot of television as a child, but I also always did my homework and had it done at a reasonable hour. (This worked for my personality, not all my siblings followed this model). From a very early age, I had a view of getting 'work' done and dusted and then fully embracing my leisure time. This continued in university, where I was never an 'all-nighter getting the essay done/up all night before the exam' individual. I was a somewhat diligent undergrad. I did study a bit, but I could have done way more. But I slept, and socialised and had a job and, well, I'm still here.

My route into academia and postgraduate studies was somewhat different to most and reflects an era of UK and Irish academia, which no longer exists, and that needs to be borne in mind. I got my first full-time academic job a few months after finishing my masters. I did not start my PhD for another three years. Indeed, I started when I started my new job, initially on a fixed-term contract, in Durham. So, I was working full time, having to publish to get a permanent position and doing my PhD. Having worked in academia already helped. I knew the flow of the job – when was extremely busy, when was quiet, how long administration took, how long meetings took, how long all the small jobs that as students you do not see fills academics' time.

Early on, I had established a pattern where I did not work weekends or evenings (except for marking season). This did change – with the PhD I worked a day of the weekend, but no more than that. I always, always took a day off, I took holidays, and I exercised most days. While writing up, I watched Battlestar Galactica and that was a bad decision. Do not watch a show about being relentlessly chased while writing up. I 100% stand behind that piece of advice.

The next thing is, of course, well how did you do that. And what worked for me here was that I treated both the PhD and being an academic as a job. And I still do. It is a job I get paid for; it is a job where I am in a union and go on strike, it is a job where I am held to account. It is a job and so I do it approximate – and it is approximate – to what I am paid to do. When I say paid – there are lots that we do that is 'unpaid' but if our employers

expect us to do (peer reviews, blogs etc.), well it then it is part of that job. Working at Durham helped. It has a very strong research ethic and gives the time for that which not everywhere does and that is very important to the individual experience.

Academia is paid work and seeing it like that helps. It helps, especially in the transition from PhD to academic life. It is a piece of advice I like to dole out – when you were a student you studied x way doing y hours, you are now doing a job, work regular hours. This can be 11-7 or 7-5 or what-ever works for you and your life and your caring responsibilities and your hobbies and your cross-continental collaborations. Since becoming a parent, this became starker – the child will not feed themselves – but equally it is true that videogame does not play itself either- and both are important. That transition is crucial. You have to change student patterns to work patterns, and that can take time.

Now there are all the other things: get off Twitter, stop reading online newspapers etc., but you know being an academic is also being informed. So yes, I should spend less of my time online. We all should. We all know that. If I have a deadline I do look less, but I also write a paragraph, read a blog post, write a sentence, delete it and oh well might as well do that PowerPoint I have to do now. That is how I work. You can get apps to stop you looking. That depends on how you work, but if it might help, consider it. Most of you know when you are dallying on Twitter to hide from work, sometimes you even say so on Twitter. If I find myself doing that as I am avoiding something, I look at my to-do list and pick something else. (I have a to-do list, its handwritten, I cross things off and rewrite it every week, some things have spent years on it. I put big things – finish book and small things – book train – on it, that way I am always crossing something off. Lists can panic people, but it works for me).

Also, please do not give in to the performance of busyness. We are all busy, all of us. So – with the caveat of the stressed-out mate who actually needs you to help them – when someone goes on about how they were up all-night doing x, y or z, or responds to a request by telling you they are just so busy implying you clearly are less busy, remember that this is not the norm, nor does it need to be held up as the norm nor somehow valorised. It is particularly odious from people who let others take care of their lives for them. Great, you spend every evening writing but who exactly walks the dog, does the shopping, plans the holidays, collects the children from childcare or plans dinners out with friends. That model of working is based on a very particular white male academic who passes over caring responsibilities to others and gets all the privileges that come with being a white male middle-class academic. It is not the norm. Performing it as the norm puts pressure on everyone else to be the same because it suggests if you do not, you are not serious.

I think perhaps another way in which I manage is that I am happy to not know everything about everything. I'm happy to say 'oh, I do not know x'. I'm happy to put x's articles on my reading list and read her work later and I do not feel any shame at admitting a gap in my knowledge. (And when someone says they have not read x in the original Klingon, do not gasp as if their views are now invalid - that is also a performance, and it is unnecessary and mean). I cannot and do not know all things and x can wait a few weeks

so that I can go on my holidays in West Cork and do nothing. That reading pile will never, ever, ever end. The sooner you are at one with that and happy to admit it the better. Nothing ever needs to be read now.


Now I know there are people out there who think I am not serious enough. I am extremely serious about my students and about my research I just do not feel the need to perform it or to 'lean-in' to a toxic norm. I possess privileges that help me do that, that is certain. But I like to ex-change top facts in non-sensical conversations that have nothing to do with law, I like going out for runs, I like watching Ru Paul's Drag Race and What We Do in the Shadows. Anyone who tells you that those things are not commensurate with being a serious academic working the hours that are needed to be a serious academic are wrong.

Tags

[International Law](#)

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Your One Wild and Precious Life

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-your-one-wild-and-precious-life



Category:

Analysis

Subcategory:

Symposium Posts

By:

Sophie Rigney

April 18, 2022

In mid-2020 (as the world felt unmoored), I found myself thinking a lot about what gives a life its shape. I was reading two things that, at first, appeared unconnected – the 1970s diaries of Australian writer Helen Garner, and the testaments written about anthropologist and leftist David Graeber after his untimely death. But as I read these in tandem, I felt them each to be deeply relevant to the questions of how we live, how we create, how we attend, how we pay attention.

Garner's diaries are full of small details that she notices carefully: the particular colour of the night sky; the effect of caffeine on her body. And she also charts her creative work, from points of activity to points of quiet contemplation and allowing ideas to blossom. It becomes apparent, reading Garner, that it is important to examine your surroundings and make sense of life's meaning from the mundane through to the extraordinary; and that both activity and leisure are integral to the creative process.

The tributes to Graeber set out his academic activism, his love of life, the way he stood with and by others, the way he imagined possibilities. Reading these pieces, you understood how deeply this man was loved – for his humour, compassion, his creation of communities around him, as well as his work to both set the intellectual basis for leftist endeavour, and to be part of the struggle.

Reading Garner and Graeber, I asked myself: how can I live more fully? How do I attend with care? To what do I pay my attention, and to what do I give my time? How do I give my life its shape?

~

I am an early career researcher in international law. Since my PhD was conferred in 2016, I have held three jobs: a one-year post-doc, an ongoing Lectureship, and now a fixed term, funded research position. Also since finishing my PhD, I've had two children (now nearly four years old, and six months old). I love my work, but it is not ongoing, in a sector that has been decimated by managerialism and a pandemic. My de facto partner is also a precariously employed early-career scholar of international law.

I have been asked to contribute a piece on managing time and taking time off. These are genuine challenges for early career academics. Many of us have a custom of working hard. Over the course of several academic degrees, we have worked multiple positions to make ends meet; we have tutored and edited and produced our own articles and worked to various deadlines for years by the time we finish our PhDs. And then we graduate – into institutional structures that are increasingly driven by profits, and which therefore eke out all they can from their employees. Pushed by our precarity and by our feelings of duty to a vocation we have long dreamed of; moved by our care for our students and colleagues; and propelled also by our sense of self, so bound up in our ideas and an identity as a scholar – we often accept this overwork. The structure compels overwork, keeps many staff precarious to remind us all of what we stand to lose, and wields significant power over us. It shapes our lives.

~

Despite this, I must be honest: I do not find it hard to draw boundaries around my work. I do not work on weekends (unless, when I was teaching, it was marking time). I do not work after 5.30pm, except rarely. I take my holidays. There is always more work that could be done, but this is an argument for being firm about your own limits: the institution will always want more, and there is always more there, and so we ourselves need to be firm in what we will do and accept. This, of course, is very uncomfortable for early-career researchers, being as junior as we are.

~

When I was twenty-three, my mother died. At the age of 37, I have now lived one-third of my life without my mother. This has given me a particular sense of time and its fleeting nature. But even before she died, my mother had already taught me a great deal about time and labour. She loved her job; found it deeply meaningful. But it was only a small

part of her life – outside her working hours, she ran a community choir, wrote two books, attained several university degrees, and parented me as a single parent. She lived a full life, and her work was only one aspect. This was how I was raised.

~

Ntina asks me to contribute to this symposium. She writes, ‘I have always been a huge fan of the way you manage your time and are open about taking time off regularly’ and she wonders if I can write about this. I read her invitation, and I am both proud and ashamed: proud, because I feel vindicated, verified - this is precisely how I have been wanting to cultivate my life. Ashamed, because there is part of me that still feels this to be a failing; that I am not a ‘real academic’, somehow. There is something else, too – a fear. In my precarious state of employment, is it sensible to be so public about the fact that I refuse to work over-time, and advocate against it?

~

I do not work beyond my paid hours for many reasons. Some are practical: I have two small children, who deserve my full attention when I am with them. And then, there is also just more that I want to do with my time: I enjoy the rest of my life too much.

But this is also, very much, a political position for me. I am a white, middle-class, able-bodied, cis-het woman, with stable housing, and in a supportive relationship with someone who does a large amount of domestic labour. This is a very privileged position to be in. But my view is this: if I engage in over-work, I would be abusing this privilege. I would be contributing to a structure that disadvantages and excludes many, and my overwork would make this structure even more exclusionary. I believe academia should be accessible to all, and I do not want to contribute to an expectation that everyone work long hours – something that many cannot do. I am not prepared to raise the bar further, and thereby make things more difficult for others.

~

Recently, I have been thinking more and more about the relationships between the institutions of universities, our labour, and our intellectual life. Because these three things are separate, and they exist in relation. To be clear: one can have a fulfilling intellectual life without the institution. One can undertake labour without being entirely beholden to the institution. As academics, we often tend to conflate these three things: our labour is our intellectual life, and our institution is vital for both. But this is not true. We can withdraw our labour from the institution and still have a vibrant intellectual life. We can place boundaries around our labour in order to have a satisfying intellectual life.

Nowhere was the divide between these things, and the relations between them, so evident as in the strike actions of the University and Colleges Union UK (in which I participated in 2019). In withdrawing our labour from our institutions, suddenly many of us felt able to create a university we wanted to be part of. Through teach-outs, conversations

on picket lines, and the ability to think deeply about our lives, labour, and our projects, we were able to feel intellectually satiated. In withdrawing our labour, our intellectual lives flourished, and we were able to see what the institution could be.

~

I used to think that academia was my dream job. But as the saying goes, I do not have a dream job. I do not dream of labour. What I dream of is the ability to choose my labour, to have an intellectual life, and have autonomy over my time. That is the dream.

~

All we have is our time. This is particularly true as we live in fragile bodies; this is particular-ly true as we live in a dying world. 'Tell me, what is it you plan to do with your one wild and precious life?' asks Mary Oliver.

In response to Oliver's question – in thinking through how to shape a life, when all we have is our time – I cannot conceive of an answer that involves working unpaid overtime.

~

How do we put this into practice? This is still a work in progress for me: these ideals are not easy to live. Here, practice means both 'the application of a theory' and also 'a habitual way of doing something', and yet further 'the performance of an exercise to improve it'. I am not perfect at this. But here are some suggestions.

Treat annual leave as the entitlement it is. Take it; take it all. Do not work on these annual leave days. Take your sick leave when you need it. Take your lunch breaks.

If you are asked to undertake a workload of more than 100%, say 'no'. Keep saying 'no'. At a former employer, I was asked to undertake a workload of 127% of a full-time position. My view was that this was my job plus one-third of a job that should be put out to market and given to one of the highly talented PhD graduates. I was not going to just absorb that one-third of a job. Again, that felt like I would be complicit with management in keeping jobs off the market. I said no; I kept saying 'no'.

Join a union. When I said 'no' to working 127% of a workload, I needed union support. With that support, ultimately my workload was rebalanced back to 100%.

Model the appropriate level of work to your students. Say 'I do not check my emails on the weekends'. Say 'my contract does not allow for that'. Say 'I could not finish the marking in time'. Mostly, they will understand. The support shown by students during the UCU strikes shows how deeply they understand that our working conditions are their learning conditions, and that they appreciate the constraints we face.

Cultivate things you love outside of your work. I love walking, gardening, cooking, sewing, being by the water, going on little adventures with my children, and drinking coffee and eating pastries while reading novels. I do at least some of these things every day.

~

And if there is one suggestion I could really push, it would be this. I have written this post as an early career, precarious academic, who may well be forced to leave academia in the coming years. As I said above, the challenge of overwork is particularly hard for junior academics. But for those more established than us, I would invite them to consider their role in this structure. Do you overwork? And in doing so, are you unwittingly contributing to a structure that compels those more junior or precarious to overwork, too? Are you contributing to standards that make gaining ongoing work ever-more unattainable? I realise that many would say they are trying to protect the younger academics, by taking on various roles that might otherwise be forced onto junior scholars. But again, we know from strike action that the most effective action is when we are all together in solidarity, drawing our boundaries around what labour is permissible and what is not. I would invite more established academics to stand with us junior staff, to create a culture together where overwork is no longer the norm, no longer the expectation for any of us.

~

Sara Ahmed writes of what is needed to survive as a 'feminist killjoy' (particularly working within a university institution). One of the items in her proposed 'feminist killjoy survival kit' is, quite simply, life. 'There is so much in life, as we know, things that are ordinary or just there, beautiful things, to love; those things that come and go; things that are all the more valuable because they are fragile'.

~

For the last word, let us return to Mary Oliver, who (in this longer quote) writes of the fragility of a summer's day - and in doing so, brings us back full circle to Garner and Graeber, the ideas of attention, leisure, labour and what gives a life its shape:

I don't know exactly what a prayer is.

I do know how to pay attention, how to fall down

into the grass, how to kneel in the grass,

how to be idle and blessed, how to stroll through the fields

which is what I have been doing all day.

Tell me, what else should I have done?

Doesn't everything die at last, and too soon?

Tell me, what is it you plan to do


With your one wild and precious life?

Tags

- [Academia](#)
- [Feminism](#)

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Pursuing a PhD in International Law: Some Epistemological and Existential Challenges in the Indian Context

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-pursuing-phd-international-law



Afronomicslaw.org

Category:

Analysis

Subcategory:

Symposium Posts

By:

Radhika Jagtap

April 21, 2022

Academic inquiry can be varied, but some of the most streamlined and institutionally regulated ones are those which we conduct during our doctoral studies. The challenge with doctoral studies is not only in bringing out novel findings to disciplinary knowledge but also to present a likeable, marketable, and innovative piece of work. The whole doctoral experience is further enriched but also complicated by the life of the candidates, the geographical location they are working from, and, obviously, the issues that they are studying. In this post, I would like to highlight how international law as a subject is perceived in India, the academic processes surrounding the completion of a PhD, and some of the structural issues and problems faced by the candidates at various stages of the degree.

I formally registered my PhD proposal in 2017, submitted my thesis in 2020, and received my degree in 2021. My department happens to be one of the few prominent publicly funded institutes from India that specialize in international law. It enjoys a reputation of having produced significant scholars in the discipline, such as R.P. Anand, Rahmatullah Khan, and Bhupinder S. Chimni. Studying and researching international law here was an experience of its own kind because of the critical approaches and methodologies that were part of the official curriculum. The campus also provided an excellent space for having ideological and political debates on issues past and present. While these aspects provided the ideal environment for thinking, discussing, and writing, I shall discuss some of the challenges that come with writing a thesis and conducting research in international law in the Global South, specifically in India

The way a particular subject is pursued at the undergraduate level influences its advanced level studies and practices. With a focus on the domestic legal system and on commercial aspects of laws at the undergraduate level, the theory of international law has somewhat suffered in India from a lack of attention and so has the inculcation of in-depth understanding of the same in students. The number of candidates pursuing a PhD in international law, and especially those with a focus on theory, is comparatively lower than other field of law. This could be due to a variety of reasons. First, the practice of international law in India is, arguably, a limited professional domain- meaning that apart from teaching and research one can engage with international law in the country only through a few other channels, and after many years of legal amassing expertise or by being in the civil service. Second, there are not many resources supporting the discipline. For example, libraries that have literature covering all aspects of the subjects, especially historical and critical, are spread across the country. The most comprehensive ones are located in New Delhi, away from the reach of many students located in different parts of the country. This makes a comprehensive literature review a challenge. Third, the size of the PhD cohorts is quite small, and even smaller are the academic circles where processes like voluntary peer review groups, consultations, proof-reading, etc. can take place.

I faced the third issue the most. While I am grateful to all my colleagues, peers, and supervisors for their irreplaceable inputs, I did feel acutely the absence of a larger cohort. Another issue that doctoral candidates face is the prevailing epistemological narrowness. Proposals within the formalist traditions of international law get higher visibility and more encouragement. Further, research that is always welcomed is related to an empirical inquiring quantifying or justifying the national interest. This is definitely changing. However, very few institutions pay attention to critical theories of international law. Hence, after the completion of similar works, it is difficult to find teaching positions that involve the application and utilization of these critical approaches. The fact that teaching in law schools at times undermines areas of expertise does affect the sustenance of the future interest in one's area. Most of us end up teaching various subjects completely beyond our area of expertise. This clashes with the expectation of constantly producing publications and multiplying one's scholarly achievements. Right after the submission of the thesis, I taught law in a private law school. While it is important to have a broad understanding of

the law, asking someone with a PhD in international law to give lectures on Hotel Management Law is arguably unfair, especially when there are not many ways to voice your preferences.

Last, I would like to identify the issue of financing a PhD. Not all candidates are well funded or receive stipends. Stationery and literature allowances are limited and therefore, the competition for funds and grants is very strong. A full-time PhD candidate is not able to manage all the expenses and part-time study makes it near to impossible to freely do the thinking and contemplating of the thesis content. Most part-time PhD candidates undergo severe stress during their terminal phases of writing. The quality of the work suffers, and so does the mental and physical health of the candidate. As the typical span of a PhD would be between 4 to 7 years, many personal and professional changes come up during this period and need to be tackled by the candidates. And an absence of space ensuring the mental and emotional wellbeing of the candidate becomes a huge affecting factor. All these issues become even more complex in the case of female PhD candidates.

Obviously, the global pandemic further complicated the situation. During the nationwide lockdown, the successful submission of drafts seemed more challenging than ever. I had to cope with the sudden changes by the university administration which resulted in the submission process going from physical mode to online overnight, owing to COVID protocols. In absence of any assistance, shut stationaries, administrative staff working from home getting all the academic clearances and paperwork done became nothing less than an ordeal.

All in all, writing a PhD may not be a homogenous experience for everyone in the Global South, but there are certainly some macro level, infrastructural and existential realities that complicate it. The matter is further complicated for critical scholars. However, overcoming most of the above issues is challenging, but not impossible.

First, I would like to mention how keeping up with academic discussions by means of conferencing was important. Conferences, symposiums, and workshops can be one place where research scholars can get a breather, not only from the mundanity of thesis writing but also from their immediate academic environment. The exchange of ideas with other scholars through ideas enriches the writing experience. Good conferencing is also where you can manage to interact with leading authors and experts.

Second, campus-level interdisciplinary study circles and informal discussion groups were a great way of testing thesis arguments. Creating such groups for contemporary discussions and applying the take-away ideas back into your work can be very productive. These groups are also ways to seek interdisciplinary help. For example, one of my chapters raised issues of history and historiography. Talking about my work to one of the study group members from the history department went a long way toward answering the question. The study groups can be fine spaces for sharing thesis-related solidarity as well.

Third, planning and disciplining the writing cycles is another important practice. Setting daily pages/word targets for writing may save one from a lot of procrastination towards the final stages. Planning week's work beforehand should be preferred.

In conclusion, thesis writing can be an excruciating process but looking back on the perseverance and endurance that one manifests is irreplaceable.

Tags

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Difficulties of an Early Female International Lawyer from the Global South

 afronomicslaw.org/category/analysis/symposium-early-career-international-law-academia-difficulties-early-female



Category:

Analysis

Subcategory:

Symposium Posts

By:

Akhila Basalalli

April 22, 2022

Voicing the struggles of the early-career female professionals (writers and academics for the purpose of this piece) might sound mundane, as our familiarity with the examples of many women (both real and fictional) who were unable to pursue their passion for writing or another career because of societal misogyny and family duties. (Think, for instance, Sybylla, a fictional character of a young Australian woman, from the work of Miles Franklin's, *My Brilliant Career*). We also are familiar with the fight for 'a room of her own' by Virginia Woolf drawing our attention to the internal battle a woman has to fight against the patriarchy and ideals of womanhood that involved being a perfect wife and a mother. However, 'a room of her own' (either physical, mental, or both) or 'choice' (between career and family) is mostly a fanciful idea for women of the Global South. Our experiences and struggles are different and varied. Our difficulties do not arise just out of the patriarchy and cultural prescriptions, but are often coupled with poverty, disease,

malnourishment, violence, and caste, to name a few. When these difficulties are voiced, they often get diluted as rhetorical and imitations of Western feminism. The genuine character of our struggles and the originality of our claims are the tests that we must take to shed the accusation of imitation. The ridicule of Westernization has been best described by post-colonial feminists as 'triple colonization' which means that we are colonized first by the colonial power, followed by patriarchy and then by Western feminists. When accused of such a mis-step, there is a massive watering down of our concerns. In the words of Spivak: 'Can the subaltern speak?'

However, once we muster up the courage to stand independently from the West and speak, we, the women of the Global South, have our own tales of suppression and indifference. This, then, is a small write-up regarding the difficulties of an early female international lawyer of Global South academia. This may sound rhetorical, but the remissness and indifference towards it is all more reason for such a reiteration. A mere summary of our struggles may fail to fulfil the purpose of this piece, if a few adequate and pragmatic solutions are not offered at the same time. Generally, this type of contribution is often supported by the data and figures from a formal empirical recording, but this piece is an outcome of the informal discussions in the classrooms and among peers about their experiences in academia. Though the experiences and struggles are diverse, as they may differ in the details, gender is certainly one cause for such problems.

We have known the extent of patriarchal power and can say without hesitation that academia is gendered. International law academia is no exception to this. Mostly the problems of the women in their early career emanate from patriarchal structures (along with caste, economic position, etc.) within the institutions and academia. A woman is always the 'other' struggling to meet the requirements and standards both at domestic and professional levels. Such negative gender impact has led many women to developing imposter syndrome. The supposition that a woman (especially from the Global South) will prioritize her gendered roles (in family, work and society) over her career is persistent and institutionalized social and cultural principle. The social and cultural pressures of starting a family and discharging the duties of a primary caregiver mean that a woman has to make a tough choice between career and family life. All of us in academia are aware that only a handful of women have accomplished their goals, and the number of women obtaining their doctorates and being successfully placed in academia is always disproportionate low. This 'choice' between career and family is undeniably gendered. Such choices are characterised as personal rather than social and as outcomes of institutional or societal inadequacies.

Formal neutrality practiced by academic institutions has further fuelled de-facto discrimination. The creation of a set of neutral rules and regulations does not reinforce equality but indifference leading to discrimination against a distinct group. This is the well-established concept of 'disparate impact', otherwise known as 'facially neutral criteria', where the neutral rules are grounds of discrimination. These gender-neutral principles are the premises upon which the appointments, tenures, promotions are made regardless of gender concerns. The consequences of formal neutrality often extend to the allocation of working hours, nature of work, work requirements, opportunities, number of leave days, to

name a few. The lack of support structures to help women discharge caregiving responsibilities also contributes to the hard choices that we are forced to make. In this respect, academia is no different from other institutions: gender inequality in academia (including international law) is superficially addressed by only in two ways: first, by simply adhering to the principles of facial neutrality and, secondly, by providing for some minimal affirmative action. A few examples of the first type of measures are post-doctoral fellowships to be applied for within a specific period, research fellowships, research grants, projects, memberships and participation in international associations. These are a few domains where formal neutrality is mostly practiced. The programs or financial assistance that are generally reserved for women (but not specifically for the intersectional categories like the women of the Global South) is an example of minimal affirmative action from academia.

Critical international legal scholarship, particularly Marxist, feminist and TWAIL scholarship, have long advocated for an egalitarian remaking of international law. The feminist critic of international law attacks the mainstream for being perceived from a male standpoint. Putting it differently, for feminists, 'human' means 'man', largely ignoring the lives and struggles of women or gender non-conforming people (as the feminism and queer theory branches from the same tree). These inequalities and imbalances are not merely because of 'biological sex' but the 'gender' and social aspects attached to the 'gender'. Unfortunately, we cannot look for solutions within the feminist school of international law, as it is limited to normative and institutional structures, by and large ignoring its powerful influence on the academic community. The justness or fairness of a legal regime is not limited to the creation of a (supposedly) equal regime with a cliché of rights and liberties but with the creation of material conditions for its realization. The gendered perspective does not fulfil its purpose without the creation of such equal conditions in international law academia. The elimination of gender-based discrimination, however, appears to be a utopian dream, hence, emancipation through affirmative action seems more realistic. However, women's emancipation or empowerment is not to be limited to the Western, liberal idea of individualism, but centres the whole group. In other words, development of the discipline is social, thereby a woman cannot take individual responsibility for this development when not placed in equal conditions.


Women of the Global South in academia do not expect platitudes of general supportive measures, but specific and distinct actions. These are multi-dimensional and range from creating an academic support system to dehegemonizing academia by accommodating us. Strong academic support groups and mentorship programs can contribute to this goal by providing career guidance to women who have had breaks in their careers. Counselling and capacity-building initiatives also have to be provided by such groups. Publication support also has to be provided by encouraging and guiding women. This not only provides us valuable opportunities but also enhances the diversities and critical thinking in academia. The post-doctoral fellowship programs have to be more accommodative by relaxing the age and time limitation. Currently, many such fellowships are limited to the applicants who have obtained a doctorate in the last 3-5 years. In this case, most women miss out on the opportunity as they in their early years of motherhood. Scholarship providers should also consider providing allowances in case of dependents.

Preferential systems and reservation of places have to replace neutrality and reflect widely in the allocation of projects, research grants and fellowships. Financial assistance, aid, and fee waivers have to be given to the women during their early careers. Simultaneously, institutions have to adopt measures towards gender sensitization and create awareness about sexism. Institutional diversity has to be encouraged by introducing necessary reservation systems. Similar kinds of affirmative actions for the intersectional gender minorities of the global south will go a long way in supporting us (women of the global south) to create our own academic space.

Tags

[Log in](#) or [register](#) to post comments

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

 afronomicslaw.org/index.php/category/analysis/symposium-early-career-international-law-academia-gender-disparity-academic



Afronomicslaw.org

Category:

Analysis

Subcategory:

Symposium Posts

By:

Aphiwan Natasha King

April 26, 2022

Introduction

The impetus for this blog post was the excellent book Invisible Women by Caroline Criado-Perez. Among other things, the book highlights evidence for the existence of a gender gap in the frequency of citations: plainly, women are cited much less than men in academic works. I would argue that this gender gap is likely to be equally pervasive in the context of international legal scholarship, and particularly prejudicial to junior women practitioners and early career researchers (“ECRs”). With this phenomenon in mind, this piece proceeds in three parts. First, it reviews the more general evidence for the existence of a gender gap in academic citations and legal scholarship. Second, it

provides a personal perspective by reviewing gender equality in my own citation practice. Finally, it concludes by recommending best practices to minimize the gender gap, with an emphasis on the role of ECRs.

The Gender Gap, Academic Citations, and International Law

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

To date, there has been limited research on this trend in the context of legal scholarship. One 2018 paper I found reviewed citations in 19,257 articles published in American law reviews between 1990 and 2010. It found that women comprised only a quarter of named authors, but that those papers authored by women actually received a higher number of citations than those authored by men. The study's authors speculated that this might be attributable to high rates of team authorship among women academics as well as a small class of particularly impactful women professors. However, as noted by Criado-Perez, in fields where joint papers are the norm, men tend to receive the same level of credit for both solo and joint papers, whereas women tend to receive less credit for co-authored papers (p. 97). Higher citations of papers co-authored by women may therefore obscure a broader attribution gap in which those women receive less credit for those papers than their male counterparts.

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

Critical Review: A Sample Paper in International Economic Law

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

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

Figure 1: Sample Citations in International Economic Law Paper

Of the academic works cited in my paper, 64% of authors were men whereas only 36% were women. I suspect that this pattern would probably repeat in other international economic law works, and indeed international law scholarship in general. (I informally asked a male colleague to do the same exercise for a short paper, with similar results – around 60% men to 40% women. I would encourage any readers who have the time or inclination to conduct the same exercise).

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

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

Best Practices for Gender Equality in International Legal Citations

1. Prioritize Plurality in Research

In producing a piece of international legal scholarship, academics and practitioners should prioritize pluralism in their research. In particular, literature reviews and bibliographies should be reviewed for their diversity and gender equality. This may involve a more critical review of the field in question, as some international law specialisms may be more dominated than others by men as compared to women academics. For example, a list of professors working in international trade law featured on WorldTradeLaw.net

records a shocking ratio of 40 women (23%) to 130 men (76%). As such, on certain issues, it may be necessary to spend extra time and diligence seeking out literature by women authors.

2. Consider Gender and Geographical Diversity in Citations

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

- (i) Gender (or Gender Identity) of Author
- (ii) Seniority of Author (e.g. Professor, Assistant Professor, Postdoctoral Fellow, Senior Practitioner, Junior Practitioner etc.)
- (iii) Nationality of Institution
- (iv) Nationality/Background of Author

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

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

3. Emphasize Diverse Scholars (Particularly ECRs)

International law researchers should make a particular effort to amplify diverse voices through their academic writing, particularly those of junior and/or women academics whose work they find particularly clear, helpful, or comprehensive. In such cases, extra effort should be made to include multiple citations to those works, in lieu of repeatedly citing to established papers by senior and/or male academics. In future articles, blog posts, and books, I intend to make sure that works by women academics and ECRs are featured more prominently and frequently, both in the body of the text and in citations. I would encourage others to do the same.

4. Encourage Self-Citation among Women Academics

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

5. Consider the Impact of Citation Styles

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

In international legal scholarship, the dominant trend remains for the full names of authors to be used in citations. Style guides including the Oxford University Standard for Citation of Legal Authorities (OSCOLA) and United States Bluebook require the author’s full name to be used for journal articles, book chapters, and books. These citation guides are employed by many international law journals (see e.g. the Yale Journal of International Law and Journal of International Dispute Settlement). Those journals which publish their own style guides often similarly mandate that the full names of authors be used (see e.g. submission guidelines for the American Journal of International Law and European Journal of International Law). This can be contrasted with citation styles preferred in other academic disciplines, such as the APA Style Guide, which uses an author’s initials rather than first (and/or middle) name(s).

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

Conclusion

Ultimately, there are few silver bullets when it comes to achieving gender equality in international legal scholarship. This post does not purport to solve those issues through a mere review of the practice of academic citations. However, I hope I have succeeded in

shedding some light on how even the supposedly neutral and routine process of citing academic work may be more insidiously gendered than it appears and in proposing some ways in which that disparity may be mitigated.'

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

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

Tags

[Log in](#) or [register](#) to post comments

Symposium on Early Career International Law Academia: Black in the Ivory: Reflections of Early Career 'Blackademics' in International Law

 afronomicslaw.org/index.php/category/analysis/symposium-early-career-international-law-academia-black-ivory-reflections-early



Category:

Analysis

Subcategory:

Symposium Posts

By:

Anonymous Blackademic

April 28, 2022

Following the uprisings for Black life in the spring of 2020, the movement quickly marched its way into the academy with the viral hashtag #BlackInTheIvory harvesting confessions of black scholars – or ‘blackademics’. This post presents the perspectives of six anonymous early-career blackademics from universities in Europe, Australia and North America, each pursuing careers in international law. Sharing their positive and negative experiences navigating this industry, this post aims to foster exchange and understanding about the relevance of identity when establishing an academic career in international law.

An initial challenge for any early career researcher, no matter their race, is breaking into the academic market. Certain international law blackademics may feel that their race plays a role at this stage. For starters, the scarce number of blackademics in the industry may intimidate newcomers. Suma* from Canada delayed pursuing her doctorate, despite

opportunities to do so, for five years after finishing her LLM out of fear that she would not be hired. “Having seen the dire statistics around the hiring of qualified Black women in the legal academy, I was terrified that after years of financial sacrifice, I would not be valued on the ‘market’. Even without statistics, I know that the exclusion of Black women from the academy has been systemic and predictable.” Salma, born, raised and working in Canada, commented that the field there is “so small and dominated by a few white voices.”

Many of these scholars have a sense that as minorities, they must work harder than typical candidates, who tend to be white and more economically privileged. Maya, completing a PhD in Switzerland, claims, “Without strongly believing it, I admit that [this advice] does not leave me indifferent, especially since it was uttered by a black [professor of international law] who knows the rules of the game.” Nigerian-born academic Obasi specifies that this is particularly the case for academics based in Africa. “The average black scholar [living in Africa] has not had access to even one international conference to attend,” he reflects. “I got a stipend to do so when I moved to Australia.”

The challenge of systemic bias was raised by half of this group of scholars but approached with nuance. Obasi submitted 20 applications following his PhD, but only got invited to one interview. “I kept wondering at the back of my mind, if I were a white person would this happen?” But of course, it is uncertain whether bias may be involved. One scholar answered: “You can always self-doubt; that’s part of the gaslighting that comes in this field. Although recruitment is about merit, even merit can be race-based and people aren’t willing to acknowledge that.” But most have sought confirmation from colleagues or loved ones that they “weren’t crazy” – “when I shared this experience with [non-black] colleagues, they were aghast and did acknowledge some sort of bias”, one said about being rejected from all job applications for a pre-tenure track position. Another “had to lean into other people who confirmed [her] suspicions.” Salma from Canada has sat in recruitment panels at her university and seen first-hand that, “If the candidate doesn’t look like you (...), their chances of being hired are pretty slim. Faculties are keen to hire people who look like them and mirror them in as many ways as possible. If you don’t have the diverse group of people doing the hiring, then you won’t have a diverse candidate pool.”

But while overall the number of blackacademics remains low, there appears to be a newfound emphasis in adding more diverse voices to international legal academia. I personally feel that my race has played positively into my obtaining academic positions, and Salma recalls “times where I feel race is positive in my pursuit of academic positions because they were receptive to a diverse candidate pool.” So how do these blackacademics feel about diversity hires? Some aren’t keen. Emmanuel from Australia fears that diversity hiring “may lead to people of ‘diverse background’ compet[ing] for a single position against each other”, potentially enabling “pernicious and bad faith comparisons between good and bad immigrant/racial background.” But other interviewees view it more positively: Suma argues that “material representation through individual hires is critical [to] advance racial justice in the university”. Salma adds that “2022 is upon us and we know we can’t trust some hiring committees to intentionally incorporate equity, diversity

and inclusion considerations in the process.” She sits on hiring committees at her university for this reason. I am personally of the view that I am qualified for the positions I apply for, and I know my worth. So, if it takes some institutionalisation of diversity practices for me to be given an equal shot to the typical candidates, then that’s great.

What about the experiences of such scholars once they’ve secured an academic position? Some can feel isolated – Obasi recalled that in his previous university, he was “the only black academic at the time”, while Salma is thankful to have fostered “a group of really supportive and likeminded colleagues who go through the same things.” Can they be open about their identity at university – for example, through the way they dress? UK-based lecturer Tanesha says that she can wear Nigerian traditional outfits in her “supportive environment”. Maya from Switzerland says that “the rare occasions where I wore traditional clothes, the feedback was rather positive. However, I prefer to stay neutral, that is, to dress like everyone else so as not to mark my racial identity more.” Suma eased into it with time, “curls unfurl[ing] from my ponytail”, and she now shows “tattoos that for me are a part of my Black queer community, some with messages that have spiritual meanings for my family and wider Black communities.” She reflects on the wider implications of being true to oneself in this respect:

“Relaxing into the way that I speak, carrying myself as I do, without conforming to what I began to recognize as pervasive, white performances of legal education, this was liberating for my students. I also strive to be genuine in my appearance, voice and other forms of expression in solidarity with other faculty members and staff who face similar circumstances to me, whether they are racialized folks, are queer, speak the dominant languages of our field as second languages, or otherwise.”

This group of scholars also shared their experiences discussing their background, culture, or anything to do with race, with non-black colleagues. Sara feels she must present herself “in a way that doesn’t frighten or intimidate” and “[doesn’t] have room to express [her]self fully”. “I’m very careful in what I say and how to say it, because I don’t want to be misunderstood – otherwise, you’re typecast and put in a box. I can’t be my true self in this job. It’s frightening, but it’s something I have to do to survive in academia.” Emmanuel candidly says that he has never engaged in such discussions – at least not comfortably, “And not for lack of trying nor for shame about my background either. Even when invited to do so it leads to awkward social moments and so it is perhaps best to be avoided or only to be expressed in safe Disney style kitsch.”

Finally, half of the interviewees report inappropriate comments or misinformed remarks related to race at their universities. This can take the form of “being belittled through subtle gestures” according to Salma, or a “patronising smile or view around issues animating Africa” in Obasi’s experience. I personally have not had such an experience, nor has Tanesha. But Suma has also experienced “nuanced communications that are nearly impossible to locate”, adding that, “It is not unusual for me to feel put down when senior, non-racialized scholars engage with me, even if they do not engage in outright ‘discrimination’”. She has also witnessed “racially infused language in international legal scholarship, the use of pejorative language, omissions that reflect implicit biases, ‘othering’ and systemic ‘erasure’”. Much of this can be well-meaning, or a reflection of

ignorance or miseducation on racial matters – Obasi explains this by saying, “When you’re in a position of privilege, you are blinded to suffering and to nuances”. But when it occurs, does this group of scholars feel they can speak up? “Of course,” says Maya, but she would craft her reaction “in proportion to the gravity”. Tanesha has also comfortably spoken up as the Equality, Diversity and Inclusion Lead at her university about ‘inappropriate activities’ that she was unable to disclose. Emmanuel would not do so directly, but rather “find ways to do it in the ‘academically respectable’ passive aggressive expression including the use of allegories, metaphors and the good old Roman à clef.” Indeed, Salma feels that “if you do speak up about certain things you have to be very mindful about how you go about it”. Similarly, Obasi says “it’s more about educating rather than criticizing.” Salma believes that not using her position in such a way would be a “disservice to my people and community”. As Toni Morrison said, “It is our responsibility in positions of power to help those coming after us”.

Following the Black Lives Matter uprising in spring 2020, greater consideration has been given to diverse representation in the legal academy, and the international legal academy is not immune to this. Despite this newfound reckoning of growing diversity in our field, I was curious to address some issues still being faced by certain early career researchers. As Suma has observed, “However much I strive for a different world, immediately, I believe transformation is a multigenerational process of faith sustained through daily action. I feel blessed to be where I am. I would not say it is a benefit of my racial identity, as there can be no silver lining to the injustices that have led to my field or my position.”

If you are a current or prospective early career blackademic, what can you do as you enter or escalate this industry? Know that you are just as worthy as any other candidate, work hard and keep trying. More of us are finding our place here. Once you secure an academic position (because you will!), I would make two humble suggestions to optimise your mental sanity. First, try to connect with colleagues (whatever race) who could provide support if you were ever to need it. Second, it is best to believe that most people you come across act out of miseducation or misunderstanding rather than malevolence. This mindset could make it easier for you to speak up, should you ever need to. As for all academics, no matter what race, we could benefit from having respectful and open dialogue about such issues, in view of further enhancing diversity and inclusion in international legal academia. My hope is that my exchange with these interviewed black international law scholars can generate wider discussions within universities about diversity and inclusion in hiring practices, university environments and international legal scholarship.

*This post is not representative of every black academic’s experience in international legal academia – but only reflects those interviewed. *All names have been changed for anonymity at the request of the interviewees. They also requested that specific details of what they may have lived through not be shared. While this may create difficulty for certain readers to fully grasp certain issues raised, I have tried to write this in a way that is both fair in describing the issues but also protecting the interviewees. Many thanks to*

them for their honesty and courage. Thanks also to Alex, Juju and the reviewers for their helpful feedback and editing. I wish to also thank Sonya, Charles, Mamadou, Ntina and Obiora for their kind assistance as I prepared to write this piece.

Tags

- [International Law](#)
- [Academia](#)
- [Race](#)

[Log in](#) or [register](#) to post comments