American Journal of International Law

July 1998 Vol. 92 No. 3



Published by

The American Society of International Law

Published online by Cambridge University Press

AMERICAN JOURNAL OF **INTERNATIONAL LAW**

VOL. 92

July 1998

NO. 3

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International Law and International Relations Theory: A New Generation of Interdisciplinary Scholarship

Anne-Marie Slaughter, Andrew S. Tulumello and Stepan Wood 367 Scholars of international law and international relations have rediscovered one another. This article reviews the burgeoning "IR/IL" literature of recent years, examining how lawyers have employed IR theory in the analysis of international law and institutions and how they have challenged IR theory by reasserting the distinctive role of law in explanations of international affairs. The authors conclude by posing six substantive research questions around which an interdisciplinary research agenda might be built.

The WTO Legal System: Sources of Law David Palmeter and Petros C. Mavroidis 398 The rapidly expanding law of the World Trade Organization is based on the texts of the WTO Agreements, but increasingly WTO dispute settlement panels and the Appellate Body look to the larger field of public international law in deciding cases. Virtually all of the sources of law in Article 38(1) of the Statute of the International Court of Justice have served, in varying degrees, as sources of law in the WTO. The authors examine the development and significance of each of these sources of law in WTO jurisprudence.

"Indigenous Peoples" in International Law: A Constructivist Approach to the Asian Controversy Benedict Kingsbury

"Indigenous peoples" as an international legal concept has been justified by particular histories in states formed by European colonial settlement, but is increasingly applied globally, prompting sharp protests and calls for a narrow definition by several Asian states. This article proposes broader justifications and a flexible, but focused, definition. It makes a constructivist argument that such global concepts are not sharply defined but are dynamic abstractions, continuously drawing from and shaping the diverse categories and circumstances of different societies and institutions.

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