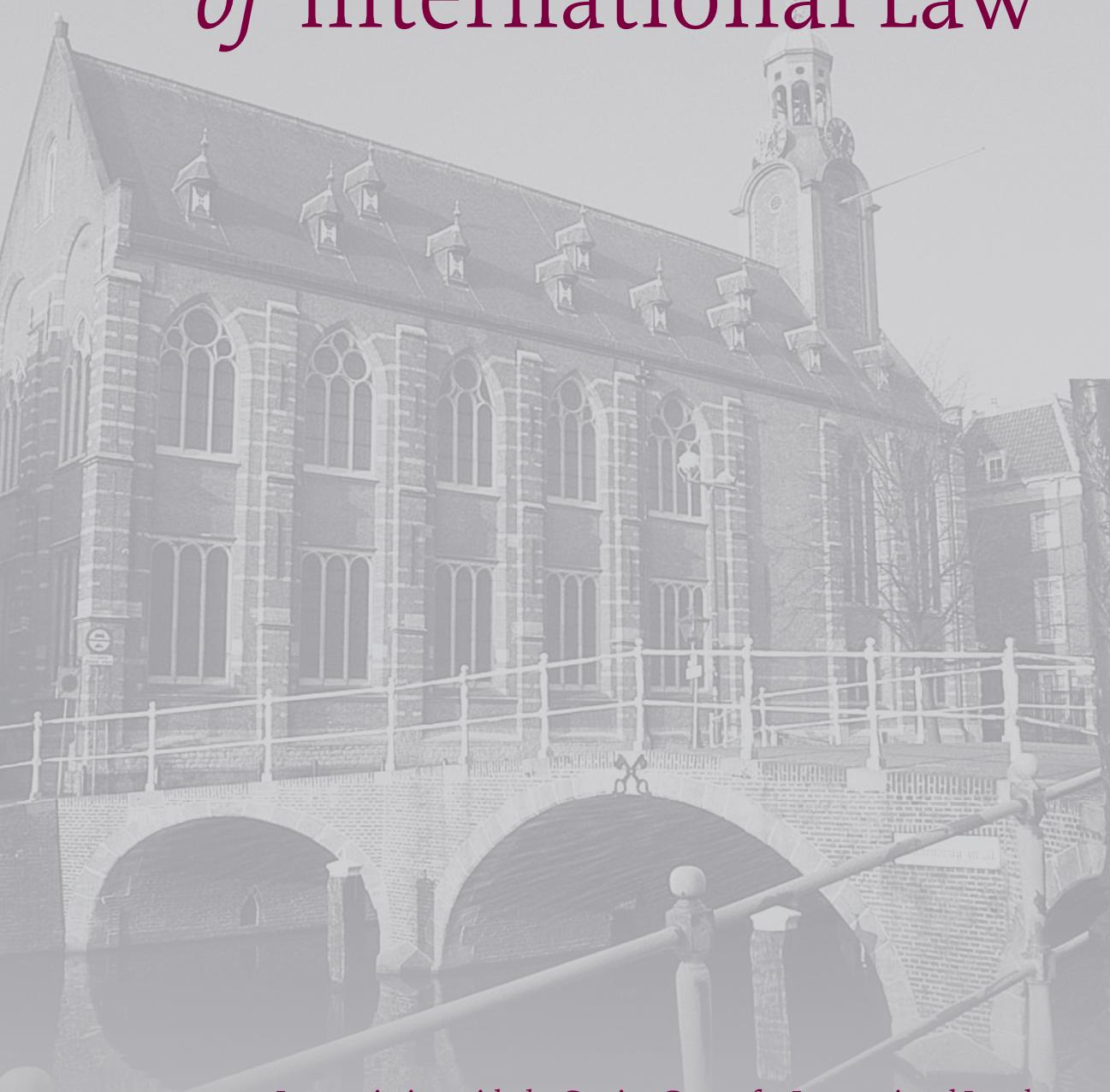


VOLUME 29 | NUMBER 4 | DECEMBER 2016 | 0922-1565

Leiden journal *of international law*



In association with the Grotius Centre for International Legal Studies, Leiden University and Campus The Hague

CAMBRIDGE
UNIVERSITY PRESS

Leiden Journal of International Law

Leiden Journal of International Law is published by Cambridge University Press for the Foundation of the Leiden Journal of International Law.

Firmly established as one of Europe's leading journals in the field, *Leiden Journal of International Law* (*LJIL*) provides a forum for two vital areas, namely international legal theory and international dispute settlement. It is unique in providing the most comprehensive coverage of the world's most important international tribunals in The Hague and elsewhere (such as the ICJ, ICTY, ICC and others), as well as examining new trends in international legal thinking. *LJIL* is essential reading for academics and practitioners who need to stay abreast of recent developments in these areas.

SUBSCRIPTIONS

Leiden Journal of International Law (ISSN 0922-1565) is published quarterly in March, June, September and December. Four parts form a volume. The subscription price which includes delivery by air where appropriate (but excluding VAT) of volume 29 (2016), which includes print and electronic access, is £287.00 (US\$465.00 in USA, Canada and Mexico) for institutions; £31.00 (US\$46.00 in USA, Canada and Mexico) for individuals, which includes print only. Students ordering direct from the publishers and certifying that the journal is for their personal use can subscribe to the print version at £25.00 (US\$38.00 in USA, Canada and Mexico). The electronic-only price available to institutions is £245.00 (US\$392.00). Single parts are £81.00 (US\$130.00 in USA, Canada and Mexico) plus postage. EU subscribers (outside the UK) who are not registered for VAT should add VAT at their country's rate. VAT registered members should provide their VAT registration number. Japanese prices for institutions (including ASP delivery) are available from Kinokuniya Company Ltd, PO Box 55, Chitose, Tokyo 156, Japan.

Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, Journals Fulfillment Department, University Printing House, Shaftesbury Road, Cambridge CB2 8BS; or in the USA, Canada and Mexico: Cambridge University Press, Journals Fulfillment Department, 1 Liberty Plaza, Floor 20, New York, NY 10006, USA. Periodicals postage paid at New York, NY and at additional mailing offices.

Leiden Journal of International Law is indexed and abstracted in the following Thomson Reuters products services: Current Contents®/Social and Behavioural Sciences; Social Sciences Citation Index®/Social SciSearch®; Journal Citation Reports/Social Sciences Edition.

Leiden Journal of International Law is included in the Cambridge Journals Online journals service which can be found at <http://cambridge.org/ljil>. For further information on other Press journals access <http://cambridge.org/journals>.

COPYING

This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA (www.copyright.com). Organizations in the USA which are also registered with the CCC may, therefore, copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to the CCC. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0922-1565/08. ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of separate articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy material, subject to the usual conditions. For all other use, permission should be sought from Cambridge or from the US branch of Cambridge University Press.

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests. Please see www.fsc.org for information.

© Foundation of the Leiden Journal of International Law 2016
ISSN 0922-1565

Printed in the UK by Bell & Bain Ltd., Glasgow.

Contents

EDITORIAL

- 971–978 A Fresh Look at Teaching International Law – A Few Pedagogical Considerations in the Age of Communications
Tarcisio Gazzini

INTERNATIONAL LEGAL THEORY

Symposium on the Changing Role of Scholarship in International Law

- 979–1000 Critical Scholarship and Responsible Practice of International Law. How Can the Two be Reconciled?
Isabel Feichtner
- 1001–1019 Toleration, Synthesis or Replacement? The ‘Empirical Turn’ and its Consequences for the Science of International Law
Jakob V.H. Holtermann and Mikael Rask Madsen
- 1021–1042 ‘The greater part of jurisconsults’: On Consensus Claims and Their Footnotes in Legal Scholarship
Lianne J.M. Boer
- 1043–1060 Justice on Screen – A Study of Four Documentary Films on the International Criminal Court
Wouter G. Werner
- 1061–1080 Getting to Peace: Roger Fisher’s Scholarship in International Law and the Social Sciences
Andrew Mamo
- 1081–1101 International Law Scholars as *Amici Curiae*: An Emerging Dialogue (of the Deaf)?
Aidan Kent and Jamie Trinidad

HAGUE INTERNATIONAL TRIBUNALS

International Court of Justice

- 1103–1119 The International Court of Justice: Cruising Ahead at 70
Hugh Thirlway

BIBLIOGRAPHY

- 1121–1124 Books and Articles in the Field of the Prevention and Peaceful Settlement of Disputes
Raymond Ridderhof

REVIEW ESSAY

- 1125–1146 From Moore’s Law to More’s *Utopia*: The Candy Crushing of Internet Law
Carl Landauer

Leiden Journal of International Law

EDITORS

Eric De Brabandere (Editor-in-Chief)
Ingo Venzke (Editor-in-Chief)
Yannick Radi (International Legal Theory)
Geoffrey Gordon (International Legal Theory)
Tarcisio Gazzini (International Law and Practice)
Cecily Rose (International Law and Practice)
Vaios Koutroulis (International Law and Practice)
Elies van Sliedregt (ICTY)
Sergey Vasiliev (ICC)
Dov Jacobs (ICC and Legal Blogging)
Philippa Webb (ICJ)
Jason Morgan-Foster (ICJ)
Giulia Pinzauti (ICJ)
Freya Baetens (Book Reviews)
Vid Prislan (Book Reviews)
Raymond Ridderhof (Bibliography)
Tanja Aalberts (General Editor)
Jean d'Aspremont (General Editor)
Théodore Christakis (General Editor)
Larissa van den Herik (General Editor)
Sara Kendall (General Editor)
Thomas Skouteris (General Editor)
Carsten Stahn (General Editor)

EDITORIAL OFFICE

Teodora Jugrin (Chair, Managing Editor)
Jude Chillman (Copy Editor)

Student Editors:

Namrata Amarnath
Maryam Ansari
Carlos Fonseca Sánchez
Marko Krajnc
Teresa Felizia Mayr
Shujoy Mazumdar
Katherine Pitcher
Alexander Rogers

ADVISORY EDITORS

Nathaniel Berman (New York)
Laurence Boisson de Chazournes (Geneva)
Hilary Charlesworth (Canberra)
Christine Chinkin (London)
James Crawford (Cambridge)
John Dugard (Leiden)
Horst Fischer (Bochum & Leiden)

Rick Lawson (Leiden)
Philippe Sands (London)
Michael P. Scharf (Ohio)
Christoph Schreuer (Vienna)
Bruno Simma (The Hague)
Makau Wa Mutua (Buffalo)