

Highlights 2021

First systematic analysis of public support of European courts

Some of the long-time investments in research at iCourts bore fruit in 2021 with a number of key publications in major journals across law and politics. One example is Madsen, Mayoral, Strezhnev and Voeten's 'Sovereignty, Substance, and Public Support for European Courts' Human Rights Rulings' published in the *American Political Science Review* in 2021. In this article, we ask whether public backlash against human rights rulings from European courts are driven by substantive concerns over case outcomes, procedural concerns over sovereignty, or combinations thereof? We therefore conducted preregistered survey experiments in Denmark, France, Poland, Spain, and the United Kingdom involving 15.000 respondents. We found little evidence that deference moves willingness to implement judgments or acceptance of court authority but ample evidence that case outcomes matter. Even nationalists and authoritarians were unmoved by European court decisions as long as they agreed with the case outcome. Challenging existing research, these findings imply that nationalist opposition to European courts is more about content than the location of authority and that backlash to domestic and international courts may be driven by similar forces.

Agenda-setting article of international law and capitalism

Another major publication in 2021 was Alter's 'From colonial to multilateral international law: A global capitalism and law investigation' published in the *International Journal of Constitutional Law*. In the article, Alter integrates international law, international relations, and global history scholarship to understand two global trends that are in tension with each other: (i) the shift from European colonial dominance to a law-based multilateralism, which enabled a more equal and inclusive international law, and (ii) global capitalism which, across time, has been a political and economic force that, left to its own devices, promotes exclusion and inequality. The article is paving the way for better understanding for instance the development of international law in Asia.

Developing a new research area on migration law, data science and international courts

In 2021, Thomas Gammeltoft-Hansen from iCourts was awarded three grants from the NordForsk Interdisciplinary, Villum Synergy and Volkswagen European Challenges programmes to explore the impact of international courts on Nordic migration law. By computationally analysing large numbers of asylum decisions, these projects aim to understand both how international courts impact national decision-making, and why, despite a shared international legal framework, outcomes for similar types of cases still substantially differ across countries. Each project explores new methods in this area, including state of the art NLP, process mining and explainable AI (XAI). The grants have further enabled the establishment of an interdisciplinary lab, enabling more in-depth collaboration with leading computer science scholars at e.g. University of Copenhagen, Aalborg University and the University of Oxford.