

From Podcast to Utopia: Hope and doubt behind knowledge production in international legal academia

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Introduction: Whose *Fool's Utopia*?

It is no secret that international legal thinkers are well-acquainted with the word 'utopia.' For some, it is something to be realized through the moral sensibilities of the profession.¹ For others, it is a demand for surrender aimed at eclipsing radically different ways of being.² For still others, it is the last in a long line of concerted meta-attempts at social transformation.³ For many of a critical persuasion, it is a style of argument calling for global unity that faces an endless battle against an equally valid other — the apologetic defence of the actually-existing order.⁴ Perhaps it is this eternal struggle in the name of utopia that gives us the clearest vision into the 'inner life of international law.'⁵ However, while conversations on 'utopia-making' (broadly understood as the opened-ended imagination of a radically better world), have long occupied an established place in the *substance* of international legal discourse, the *medium* through which these conversations happen has received considerably less attention.⁶

In this chapter we explore this question of medium, and its pedagogical implications, through reflecting upon our co-founded podcast *Fool's Utopia*, which is (to our knowledge) the first podcast centered discussing international law from an avowedly critical perspective. We argue here that podcasting can itself grow beyond the constraints of the classroom that are textual, no matter how critical they are, into a space with possibilities of organic knowledge production which is multi-dimensional due to its virtual, dialogic nature. This dialogic form thus allows us not just to be a pedagogical vessel to comment on international law, international legal theory, or history, but also to be a pedagogy of co-produced knowledge on the ethics of utopianism within the field of international law. On our podcast, the disruption of hierarchy is not simply an idealized commitment but a lived practice. Through *Fool's Utopia*, we invite the marginal to feel empowered and the established to feel vulnerable all in a relaxed casual environment that never loses sight of the seriousness of the topics we discuss. No matter who our guest happens to be, our final question is always the same – What is your Utopia?

In Part II of this chapter, we survey the current fields of podcast pedagogy and international law-focused podcasts, both of which have rapidly expanded in light of the COVID-19

¹ Antonio Cassese (ed), *Realizing Utopia: the future of international law*, (OUP 2012); Phillip Allot, *Eutopia: New Philosophy and New Law for a Troubled World* (Edward Elgar 2016).

² Mark Goodale, *Surrendering to Utopia: An Anthropology of Human Rights* (Stanford University Press 2009).

³ Samuel Moyn, *The Last Utopia: Human Rights in History* (Harvard University Press 2010).

⁴ Martti Koskenniemi, *From Apology to Utopia: The Structure of International Legal Argument* (2nd ed., CUP 2006).

⁵ Akbar Rasulov, 'From Apology to Utopia and the Inner Life of International Law' 2016 29(3) *Leiden Journal of International Law* 641-666.

⁶ On the deep history of 'utopia' as an international legal idea, see Dominique Gaurier 'Cosmopolis and Utopia' in Anne Peters and Bardo Fassbender (eds), *The Oxford Handbook on the History of International Law* (OUP 2012) 250-271.

pandemic. Here we show how our approach has differed from this trend as a matter of resisting the ‘new normal’ supposedly represented by this event. Furthering refining this theme of difference, Part III situates our efforts within the broader scheme of international legal pedagogy and shows how our particular approach to podcasting provides channels for dialogic engagement of the type that evades the field’s standard operation. Here, relying on Black and Critical Digital Sociology, we interrogate how the politics and sociology of a virtual space can squarely deconstruct the process of knowledge production within a particular field of study. Part IV then examines the critical sociology of knowledge production as a means of defining the particular pedagogical ethic we bring to the fore as podcasters. Finally, Part V turns to the broader question of ‘’ within international legal theory and shows how constructions of this concept within international law have developed in tandem with alternative, and typically far richer, utopian visions. In our difficult present, there could scarcely be more value, pedagogical and otherwise, in sharing presumptively boundless utopias as a means of exploring international law’s ‘inner life’ and why it captives us as it does. This is precisely what our podcast has evolved to do.

I. ‘We are all podcasters now’⁷

In the last few months, we have been recording new episodes of *Fool’s Utopia*, our podcast on international law. After a long hiatus, due to a combination of our precarious positions at the time – and to a certain extent at the moment – as well as changing conditions due to the global pandemic, we paused our podcast after a successful year recording in a studio provided by our university. The professional set up, courtesy of Kent Media Centre at the University of Kent, gave us a space at the start of the academic year in 2018. Under the umbrella of the Centre for Critical International Law (CeCIL), our podcast guests and interviews coincided with CeCIL’s ongoing speaker series. The presentations from the speaker series might give the impression that the podcast is an institutional product associated with CeCIL, i.e. an addition to the activities of a research centre for its promotion and in turn the school’s profile.

In the context of higher education (HE), however, podcasts are also used as tools of pedagogy. The term ‘podcast’ or ‘podcasting’ is derived from both iPod, an audio medium for playing and recording, and broadcast, specifically through the Internet as a technological medium. In HE literature, the idea of podcasting as a learning tool was developed by Palitha Edirisingha and Gilly Salmon through a project called the Informal Mobile Podcasting and Learning Adaption (IMPALA).⁸ Primarily their study was commissioned to explore questions around cost effectiveness, distance learning, accessibility of material, the cognitive benefits of listening to, for example, lectures and material for class preparation, as well as using podcast creation as a tool of peer learning and self-evaluation by students. The underlying categorization of podcasting is through two frames: production and consumption.

⁷ Ahmed Raza Memon and Eric Loefflad ‘We are all podcasters now: does international law have a soul?’ (17 Feb 2021) <https://soundcloud.com/user-919369831/we-are-all-podcasters-now-does-international-law-have-a-soul>, accessed 02/04/2021.

⁸ Gilly Salmon and Edirisingha Palitha, *Podcasting for learning in universities*, McGraw-Hill Education, 2008.

In relation to international legal knowledge, recent years have witnessed a proliferation of podcasts, alternate blogs, online conferences aimed at using this unique medium to help interested students understand and engage with the field of international law. We are speaking here particularly of the attention – by both necessity of restrictions all over the world – as well as flexibility of virtual mediums provided in these times. The move to online forms of teaching accompanied also by a growth in academic podcasts hosted by networks of academics. Both new such as International Economic Law Collective,⁹ the Jus Cogens podcast,¹⁰ as well as older ones such as EJIL:Talk’s podcast,¹¹ and ASIL podcast¹² to name a few provided a wealth of resource in the times of isolated learning and research. In our first episode of the second season we reflect on the importance of podcasts post-COVID as a means of continuing the ‘production’ of knowledge is reflective of the nature of international law. Specifically, in response to a global pandemic, academics of international law *had* to continue knowledge production in another form, both to continue the conversation but also to give expert commentary as scholars on the current crisis. Just like the nature of international law, scholars of international law responded to the Covid crisis through the lens of commenting on it for critique, expertise, and to provide hope and express doubt on how the world should respond. Amidst all the conversations concerning *how to save the world*, reflections on the crisis were characteristic of utopian thinking within the history of international legal knowledge production.¹³

Our podcast, by contrast, responded on a more meta-register – apart from the one year break to cope with the pandemic – to see the crisis not as an opportunity for commentary through a medium academics *have* to engage with as a vessel primed for distanced living. Rather, we questioned how the turn to podcasting in international legal academia reiterates the limitations of the classroom if it is only looked at as an empty vessel to communicate in a different medium.

II. The apology of international legal academia

International law teaching as a form of pedagogy is invested in curricula-making – delivering teaching and training students as researchers from a diversity of perspectives. According to Christine Schwöbel-Patel, research on international legal pedagogy only began to emerge within the academic community from the 1990s.¹⁴ In recent years, the intervention of critical international lawyers has brought about a shift in and a bridge between the conception of

⁹ International Economic Law Collective, ‘International Economic Law Collective conversations’ <https://warwick.ac.uk/fac/soc/law/research/centres/globe/ielcollective/our-work/conversations/>, accessed 02/04/2021

¹⁰ Jus Cogens: An International Law blog, ‘Jus Cogens: An international law blog’, <https://juscogens.law.blog/>, accessed 02/04/2021

¹¹ EJIL: talk! The blog for European Journal of International Law, ‘EJIL: The podcast!’, <https://www.ejiltalk.org/ejil-the-podcast-page/>, accessed 02/04/2021

¹² International Law behind the headlines - ASIL Podcast, <https://www.asil.org/podcast/> accessed 12-02-2022

¹³ Cassese (n 1); Anne Peters, ‘Realizing utopia as a scholarly endeavour’, 2013, 24(2) *European Journal of International Law* 533-552.

¹⁴ Christine Schwöbel-Patel, ‘Teaching International Law’ in Tony Carty (ed), *Oxford Bibliographies in International Law* (OUP 2018)

international law as *practice* and international law as *research*. International law teaching has paid attention to what makes international legal knowledge come to fruition, i.e. its social context, authors, culture, mediums; i.e. its materiality. ¹⁵ Thus, the contemporary conversation has moved beyond the description of international law teaching as a set of doctrines for ‘professional’ training of diplomats to connecting its doctrine and ‘practice’, to the politics of international law more squarely. ¹⁶ This has shifted the conversation on teaching international law towards a more critical orientation i.e., as a form of virtue pedagogy which focuses on the ethics of international lawyers,¹⁷ or from the perspectives of a critical international law teacher whose pedagogical approach is to complicate the subject politically, socially and even empirically.¹⁸

In all these forms, the question of pedagogy is about choices in content or text – sometimes more than just text, such as images/iconography, objects/art or film/documentary.¹⁹ However, our purpose is not to put forward an overarching pedagogical approach which covers curricula-making in its entirety, i.e. a theoretical approach to international law teaching which informs pedagogy.

Rather, our approach is to focus on the possibilities of an inverse relationship; i.e. rather than the form in which the content is delivered as a vessel, the vessel shapes and influences the content. Here, our aim is to explore the impact podcasting can have as a fluid, knowledge-producing, dialogical format which has the potential to generate a theoretical broadening of what international law teaching can be through continuous revision and openness to critique. The emphasis here is not on teaching as a conduit for utopianism – whether within the ambit of ‘professional lawyering’,²⁰ or responding to ‘crises’,²¹ or even a ‘critical realist’²² who focuses on how law itself reproduces inequality and violence – but on the ethics of utopia-making and thus, un-making. In order to understand how our approach to international legal pedagogy takes the form of podcasting as one of the more creative ways to explore the ethics

¹⁵ Juan M. Amaya- Castro, ‘The (Non)-Place of International Legal Scholarship’ 2011 ‘Workshop on The Phenomenology of Global Order: Inquiries into the Materiality of International Law’ <http://vu-nl.academia.edu/JuanMAmayaCastro>, accessed 02/04/2021.

¹⁶ Gerry Simpson ‘On the Magic Mountain: teaching public international law’ 1999 10(1) *European Journal of International Law*, 70-92.

¹⁷ Hengameh Saberi, ‘Virtue Pedagogy and International Law Teaching’ in Luis Eslava, Michael Fakhri, and Vasuki Nesiah eds, *Bandung, global history, and international law: critical pasts and pending futures* (CUP 2017)

¹⁸ Anne Orford, ‘Embodying internationalism: The making of international lawyers’ 1998 19 *Australian yearbook of international law* 1.

¹⁹ Jessie Hohmann and Daniel Joyce (eds), *International law's objects* (OUP 2018); See also special issue on objects of international law, Jessie Hohmann and Daniel Joyce, ‘Material pasts and futures: international law’s objects’ 2019 7(2) *London Review of International Law*, 283-292.

²⁰ Thomas M. Frank, et al. ‘International Law Teaching: Can the Profession Tell It Like It Is?’ 1972 66(4) *The American Journal of International Law*, 129–143.

²¹ Hillary Charlesworth, ‘International law: a discipline of crisis’ 2002 65(3) *The Modern Law Review*, 377-392. For a response and an inverse understanding of international law as a crises of discipline see : Dianne Otto, ‘Decoding Crisis in International Law: A Queer Feminist Perspective’ in Barbara Start (ed), *International Law and its discontents: Confronting crises* (CUP 2015)

²² Luis Eslava, ‘The teaching of (another) international law: critical realism and the question of agency and structure’ 2020 54(3) *The Law Teacher*, 368-384.

of utopia-making and un-making, we question the limits of classroom, text-based interventions within international legal pedagogy.

III. The politics and sociology of podcasting ‘international law’:

The challenges relating to the production of knowledge and its dissemination through pedagogy as part of a struggle to understand international law in a way attentive to its political, social and economic roots do not reside solely within the domain of a ‘classroom’. Questions of what is included in terms of content and texts in the curricula are important – and critical conversations on the silences of knowledge within university curricula are currently being conducted in the UK²³ (and elsewhere).²⁴ However, the creation of a new virtual form as only a space to disseminate the ‘critical text’ does not respond to the concern that a virtual space too is not devoid of its own politics and sociology. How we construct the space of interview, who we invite, what kind of conversations and format do we follow – all of these aspects change ultimately the ‘politics’ and ‘sociology’ of the virtual space in which knowledge is produced and not just disseminated.

Our provocation here specifically is that podcasting is not just about production and dissemination of knowledge – however critical or creative – but about revealing the politics of production/dissemination as a way to speak back to the pedagogy of the classroom. According to a more conventional perspective, virtual forms like podcasting are often as mere addenda to teaching critically. This understanding however misses the opportunity to understand the virtual space not as an instrument/tool but as an organic space – creating, evolving and producing on its own terms.

The sociological basis for understanding the virtual space in this way is best articulated by critical sociologists such as Anna Everett who describes the digital space as a space for cultural production and re-production.²⁵ In response to liberal conceptions of virtual spaces of the Internet age as agnostic tools/instruments or empty spaces left to be filled in through our freedom to imagine,²⁶ Everett instead describes them as socially produced in ways that physical spaces are – often as reflections of physical spaces.²⁷ Treating a virtual space simply as an empty vessel ignores how structures of power (social, economic, racial and other) ‘code’ into these spaces.²⁸

²³ See for example decolonise UoK movement, Suhraiya Jivraj, ‘Decolonizing the Academy–Between a rock and a Hard Place’ 2020 22(4) *Interventions*, 552-573; Foluke Adebisi, ‘Decolonising the law school: presences, absences, silences... and hope’ 2020 54(4) *The Law Teacher* 471-474.

²⁴ Chuma Himonga and Fatimata Diallo, ‘Decolonisation and teaching law in Africa with special reference to living customary law’ 2017 20(1) *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*; , Boaventura de Sousa Santos, *Decolonising the university: The challenge of deep cognitive justice*, (Cambridge Scholars Publishing 2018)

²⁵ Anna Everett, *Digital diaspora: A race for cyberspace* (SUNY Press 2009).

²⁶ Jessie Daniels and Karen Gregory, eds. *Digital sociologies* (Policy Press 2016).

²⁷ Avarett n(18).

²⁸ Stuart Hall, ‘Encoding/decoding’ 2001 *Media and cultural studies: Keywords* 2 163-174.

As such, understanding podcasts simply as spaces of production and dissemination, as vessels complementary to other forms of knowledge, ignores how these spaces are constructed in the first place as reflections of our social and cultural spaces. In this way, then, we deviate in our conceptualization of the podcast as pedagogy for international law and understand it beyond the binary of consumption/production. These categories of knowledge production, often textual production disseminated through audio format, only reiterate a particular conception of virtual spaces for higher education purposes, i.e., they are linear and are ‘out there’ or disembodied. Virtual spaces, and, in particular, interactive digital technologies like podcasts, are not places to ‘escape’. They are distinct forms of embodiment²⁹ of our own identities, voices and even social constructions of how we see the ‘physical world’ around us. In this sense, virtual spaces and interactive technologies that enable them are places where we ‘embody’ or rather are a contested space of ‘re-embodiment’ ourselves.³⁰

While having its own place in the rise of conversations pertaining to the teaching of international law, characterising the podcast as only a form to communicate critical legal research reiterates an assumption about virtual spaces that limits its possibilities. The assumption that a virtual space can only be used as an alternative, an addendum or extension to orally communicate what is written, assumes that a virtual space is a neutral technological space. Black digital and critical sociological frames of virtual spaces remind us how technological spaces are created through socio-political constructions of the world and our engagement with them must be attentive to how constructions of our world, our understanding of human agency, and our positionality can be re-embedded and re-created through our creation of the virtual space. The re-embodiment of international lawyers in the form of the podcast is aptly seen in the reproduction of the utopianism of international law. Our purpose, however, is not to reiterate a form of uncritical utopianism, whether explicitly or implicitly – rather, the point is to lay bare and centre critical questions on the utopianism of international law. Thus, while the joyous catharsis presented through the conversations in many *Fool’s Utopia* episodes is a justifiable end unto itself, we locate our endeavours within the wider frame of attempts to make sense of international legal theory.

IV. The Reality of International Legal Utopia

However one chooses to define ‘utopia’ as an international legal matter, it must be remembered that while international law makes worlds in its image, it cannot maintain a monopoly on worldmaking.³¹ From this perspective, the utopianism of international law is but one utopian

²⁹ Daniels and Gregory (n 19).

³⁰ Francesca Sobande, ‘Memes, digital remix culture and (re) mediating British politics and public life’ 2019 26(2) IPPR Progressive Review, 151-160; Francesca Sobande, *The Digital Lives of Black Women in Britain* (Palgrave Macmillan 2020) 1-27.

³¹ On the multi-layered character of worldmaking, see Duncan Bell, ‘Making and Taking Worlds’ in Samuel Moyn and Andrew Satori (eds), *Global Intellectual History* (Columbia University Press 2013) 254-279. On other imaginations of Utopianism, including black and indigenous thought, see also; Alex Zamalin, *Black utopia: The history of an idea from Black nationalism to Afrofuturism* (Columbia University Press, 2019); Christine Black,

formation amongst many (even if it can claim the very coiner of the term 'utopia' within its tradition).³² Yet, given international law's universalizing tendencies, and their reification via the service of multiple ends, how might its distinct utopias be exposed as falling short of the promises utopian thinking is meant to offer?³³ One scholar brave enough to entertain this question of distinct international legal utopianism within the grander totality of things is Akbar Rasulov — the very diagnoser of international law's so-called 'inner life'.³⁴

For Rasulov, despite the utopian associations foisted upon the field from both within and without, when at the level of actual tangible deeds, the work of international lawyers is profoundly anti-utopian.³⁵ Eschewing fanciful visions of a blissfully transformed world to come, most international lawyers are far more comfortable with the mundane tasks of accounting for rigid contours of rules, doctrine, and institutional practice.³⁶ In Rasulov's words '[t]he theme of utopianism in modern international law is essentially associated with everything that a good, reliable legal professional always ought to *reject and resist*: a systematic propensity for substituting vague abstract generalities for careful rigorous analysis, a fondness for disregarding facts in favour of values, a habit of substituting reality with fantasy.'³⁷

Yet, according to Rasulov, this revelation is nowhere near the end of international law's litany of dysfunction on the question of utopia. Despite this presumed spirit of utopia, which in reality is an anti-utopia, utopianism, in Thomas More's classical sense of 'no place', defines international law at its core. On this point, Rasulov unpacks a variety of key defining doctrines of international law that, when viewed through any other lens than that of a committed international lawyer, appear utterly outside the orbit of any consensus definition of reality.³⁸ On customary international law's essential element of *opinio juris* he asks 'what cruder and more ineffable construct can one imagine than this fantastic concoction whose essential condition of intelligibility requires one to believe... that an inanimate institutional network such as a nation state can have a 'mind' in which it can experience 'feelings' and form 'convictions.'³⁹ More than three decades ago, Anthony Carty made a similar point concerning *opinio juris* and the problem of its state personification. For Carty, the only possible solution

'A timely jurisprudence for a changing world' 2009 22(2) *International Journal for the Semiotics of Law-Revue internationale de Sémiotique juridique* 197-208; Robin DG. Kelly, *Freedom dreams: The black radical imagination* (Beacon Press, 2002); Gerald Robert Vizenor, *Manifest manners: Narratives on postindian survivance* (University of Nebraska Press, 1999).

³² On Thomas More's 1516 *Utopia* as understood through the lens of the classical law of nature and nations, see Kelly De Luca, 'Utopian Relations: A Literary Perspective on International Law and Justice' 2014 27(2) *Canadian Journal of Law and Jurisprudence* 521-534; see also Susan Marks, *A False Tree of Liberty: Human Rights in Radical Thought* (OUP 2019) 31-36.

³³ On universalism in this capacity, see Emmanuelle Jounnet, 'Universalism and Imperialism: The True-False Paradox of International Law?' 2007 18(3) *European Journal of International Law* 379-407; Umut Özsu, 'An Anti-Imperialist Universalism? *Jus Cogens* and the Politics of International Law' in Martti Koskeniemi, Walter Rech, and Manuel Jiménez Fonseca (eds), *International Law and Empire: Historical Explorations* (OUP 2017) 295-313.

³⁴ Rasulov (n 5).

³⁵ Akbar Rasulov, 'The Utopians' in Jean d'Aspremont and Sahib Singh (eds), *Concepts for International Law: Contributions to Disciplinary Thought* (Edward Elgar 2019) 879-899.

³⁶ *Ibid* 886-888.

³⁷ *Ibid* 886 (emphasis in original).

³⁸ *Ibid* 893-897.

³⁹ *Ibid* 895.

would be ‘...rules of international law which identify ‘legally competent’ organs for the purpose of creating general custom and, furthermore, specify when in fact the organs are acting to this end.’⁴⁰ Not only do such rules not exist, it is doubtful they ever could. Requiring such organs within a state’s domestic legal system could be tantamount to imposing a particular form of government and thus a violation of sovereign equality’s foundational premise that a state is entitled to implement any domestic system of its choice despite external objection.⁴¹ As exposed through a limited examination of just one doctrine, fantastic utopia appears to be a structural feature of international law adhered to by even the most anti-utopian functionary.

Beyond the confines of theory, history too reveals the development of international law to be a history of competing utopias that were profound in shaping the self-stylings of international lawyers. One need only a brief overview of the twentieth century ‘Age of Extremes’ to bring this point home.⁴² The great triumphant ‘move to institutions’ following the rise of the League of Nations with end of the First World War existed in the shadow of the Bolshevik’s revolution and expansion of newfound national consciousness throughout the world.⁴³ The effort of interwar international lawyers and associated figures largely concerned how best to divert such passions away from more radical alternatives.⁴⁴ The post-Second World War rise of the United Nations system had to contend with claimants of the right to self-determination who were more than aware of how formal independence fell painfully short of the grander visions they sought to achieve.⁴⁵ The result could appropriately be described as nothing short of a ‘Battle for International Law’ pitting North against South on a global scale.⁴⁶

Even the monumental liberal internationalist self-celebration following the collapse of ‘real socialism’ in 1989 had a few utopian detractors.⁴⁷ Today, as the grand hopes of this post-Cold War moment increasingly recede into memory, the time is right for new strands of utopian

⁴⁰ Anthony Carty, *The Decay of International Law: A Reappraisal of the Limits of the Legal Imagination in International Affairs* (Manchester University Press 2019 [1986]) 60.

⁴¹ See Brad Roth, *Governmental Illegitimacy in International Law* (OUP 1999). On the limits of this view, see Rose Parfitt, *The Process of International Legal Reproduction: Inequality, Historiography, Resistance* (CUP 2019) 77-153.

⁴² Eric Hobsbawm, *Age of Extremes: The Short Twentieth Century, 1914-1991* (Abacus 1994).

⁴³ David Kennedy, ‘The Move to Institutions’ 1987 8 *Cardozo Law Review* 841; Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (OUP 2007); CLR James, *World Revolution, 1917-1936: The Rise and Fall of the Communist International*, Christian Hogsbjerg, ed (Duke University Press 2017); Adom Getachew, *Worldmaking After Empire: The Rise and Fall of Self-Determination* (Princeton University Press 2019) 37-70; Ntina Tzouvala and Robert Knox, ‘Looking Eastwards: The Bolshevik Theory of Imperialism and International Law’ in Kathryn Greenman, Anne Orford, Anna Saunders, and Ntina Tzouvala (eds), *Revolutions in International Law: The Legacies of 1917* (CUP 2021) 27-55.

⁴⁴ Parfitt (n 41) 154-222; Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Harvard University Press 2017) 27-54; Larry Wolf, *Woodrow Wilson and the the Reimagination of Eastern Europe* (Stanford University Press 2019).

⁴⁵ Getachew (n 48) 71-106.

⁴⁶ Jochen von Bernstorff and Philipp Dann (eds), *The Battle for International Law: South-North Perspectives on the Decolonisation Era* (OUP 2019).

⁴⁷ Karl Klare, ‘Legal Theory and Democratic Reconstruction: Reflections on 1989’ 25(1) *University of British Columbia Law Review* 69. For the defining radical retrospective on the international legal decade built in this image, see Susan Marks, *The Riddle of All Constitutions: International Law, Democracy and Critique of Ideology* (OUP 2000).

thinking cognizant of past lessons and past defeats to emerge in its wake.⁴⁸ If international law is inherently utopian across a number of capacities, why should these moments of contestation not be just as important to international legal thinkers as any standard discussion trope? In a field where great treatises, privileged institutional biases, and a byzantine sources doctrine make such meta-conversation inaccessible to so many, where better to begin the process of reimagination than through relaxed and embodied podcast discussion?

V. Conclusion: Again, what is your Utopia?

It is for these reasons that our podcast, while having an element of communication of the scholar's work, does not adhere to the format of other podcasts. While there are elements of text-based discussions, reserved mostly for academic conferences, book tours and keynote lectures, the point of the podcast is to render the utopianism inherent in our work as international lawyers more visible but also more personal. Situating in a material sense the 'inner life' of international law through and within the scholar's everyday materiality is how we intend to make the utopian abstraction of scholarly work less vague. Our theme – utopia as well as the question of what is your utopia – is meant as a way to explore the underlying logics, ethics and practice of the academic rather than simply their textual work. Our emphasis on 're-embodiment' in the podcast is an attempt to unveil an anti-abstracted personhood of the scholar. This anti-abstraction is a process of dialogue for us where our aim is to explore the relationship of the author to the text in myriad ways. For example, who is the scholar beyond their text? How do they interact with the world around them, their politics, sociological positions? How also, specifically through our episodes on pop culture reflections, do they interact with and through cultural production in their daily life? These are not questions of informality for the sake of creating rapport, but of engaging with the materiality of international law beyond research as *text* towards extensions of our whole selves.

By recognizing utopia as such a deeply-embedded multifaceted feature of international law and its 'inner life', our approach to centering it through the podcast is not to ask whether international law is utopian. Lacking nuance, depth, originality, or coherence, the product of such an inquiry would be a 'fool's utopia' in the truest sense of the term. Rather, the question we are most interested in concerns identifying the ethics of utopia that have manifested through the lives of international legal thinkers. Can it be achieved through international law? Can it exist alongside international law? Does it require that the very order of international law be reimagined in order to be achieved? In centering a utopian multiplicity that can only be truly exposed through dialogic co-production when more traditional mediums of knowledge production fail, we at *Fool's Utopia* are more than ready to have these conversations. It is for this reason that the question we pose to our guests is the same question we pose to every international legal thinker on earth — what is your Utopia?

⁴⁸ Erik Ohlin Wright, *Envisioning Real Utopias* (Verso 2010); Enzo Traverso, *Left-Wing Melancholia: Marxism, History, and Memory* (Columbia University Press 2016).

