Preface

Judith Goldstein, Miles Kahler,
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A collective work such as this one depends on a genuine community of scholars, and as Aristotle says, community depends on friendship (*Politics* Book IV, chapter xi, paragraph 7). All four editors have been friends for some time, and the origins of this special issue arise from these friendships.

Anne-Marie Slaughter and Bob Keohane began in the spring of 1993 seriously to discuss a joint article that they had first imagined during a conference on another joint project: a conference at Stanford on ideas and foreign policy, organized by Judy Goldstein and Bob Keohane in January 1990. Their notions were somewhat inchoate, but had to do with how domestic courts might strengthen the credibility of international commitments. The specific origins of this volume, however, began with a visit by Bob Keohane to Stanford in early 1994, during which Judy Goldstein suggested putting together a working group on domestic politics and international law. She then took the first concrete step, by applying to the National Science Foundation program in law and society for a conference grant. For crucial funding for this project, we are particularly grateful to the National Science Foundation, and to the Institute on Global Conflict and Cooperation (IGCC) of the University of California.

The four of us first got together to discuss the project at Provence restaurant in New York City, at the American Political Science Association convention, September 1994, and decided to do this project. We then wrote in early 1995 to a number of colleagues inviting them to a preliminary conference on "domestic politics and international law." We asked not for papers but for short memos with ideas about themes. The Center for International Affairs at Harvard generously supported this conference, and the Center for European Studies offered its magnificent facilities for our meeting, which took place 2–4 November, 1995.

At that meeting, we began to discuss the concept of "legalization," although our definition of this concept was quite rough and vague. The Harvard meeting, however, was decisive in turning our attention in this direction, and in solidifying our collective view that this was a topic worthy of our sustained attention. A number of eventual contributors to this volume attended that meeting, including Kenneth Abbott,

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Lisa Martin, Andrew Moravcsik, Kathryn Sikkink, Beth Simmons, and Duncan Snidal. We are also grateful to the other participants, some of whom we unsuccessfully sought as authors of articles for this project. These participants included Abram Chayes, Stanley Hoffmann, Benedict Kingsbury, Stephen D. Krasner, Charles Lipson, Kal Raustiala, Jeremy Rabkin, John Setear, Martin Shefter, Alec Stone Sweet, Frank Upham, Ruth Wedgwood, and Barry Weingast.

After the Harvard meeting, we continued to write on this subject and communicate with one another. Judy Goldstein, Anne-Marie Slaughter, and Kathryn Sikkink presented papers for a roundtable on international law and domestic politics at the American Political Science Association convention in August 1996, in which other members of our group also participated. Several participants in the Harvard conference reconvened for a small meeting on international institutions at Duke in September 1996, and further discussed aspects of legalization. Most significantly, Judy Goldstein and Miles Kahler began to organize a full-scale conference on domestic politics and international law at the Harvest Inn, St. Helena, California, 4–7 June 1997. At this conference, papers were presented. The "descendants" of some of those papers appear in this special issue. In addition to the contributors to this volume (all of whom attended the St. Helena conference), we are grateful to the following participants, whose comments were valuable in shaping the volume to result: William Alford, David Caron, Benjamin Cohen, Kurt Gaubatz, Peter Gourevitch, Stephan Haggard, Benedict Kingsbury, David Lake, Kal Raustiala, Amy Searight, John Setear, Christina Sevilla, Martin Shapiro, and Frank Upham.

The most significant accomplishment of the St. Helena conference was an agreement that the focus of the volume would be "legalization and world politics." This agreement required consensus on the core of the concept of "legalization," which is discussed in Abbott et al. in this volume. Elements of previously separate papers by Kenneth Abbott and Duncan Snidal, on the one hand, and Bob Keohane, Andrew Moravcsik, and Anne-Marie Slaughter, on the other, were merged to produce this five-author concepts paper. We editors are particularly grateful to Kenneth Abbott, who played a leading role in developing and explicating the concept of legalization around which this volume revolves.

It became clear at the St. Helena conference that some of the papers overlapped and others conflicted; some were quite strong, but many were in need of extensive revision. To promote discussion, Judy Goldstein had organized a roundtable on "domestic politics and international law" at the American Political Science Association convention in August 1997, in which Karen Alter, Judy Goldstein, Miles Kahler, Stephen D. Krasner, Lisa Martin, and Beth Simmons participated. A flurry of email correspondence followed over the summer and fall. By mid-December, we had devised a proposed outline for the volume, which bears a fairly close resemblance to the volume that you have in your hands. By this time, the editors had sent to all authors detailed and often extensive suggestions for changes in their papers. As the only international lawyer in our group, Anne-Marie Slaughter's guidance to authors, and her co-editors, was invaluable to whatever success this project has as an interdisciplinary venture.

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Our suggestions were sufficiently extensive that the authors needed their summers to work on them. Between July and November 1998, the revised chapters flowed in. After further revisions had been made, we were ready to send some of the draft papers to *International Organization* in April 1999. Meanwhile, Miles Kahler produced a conclusion, synthesizing many of the insights of the papers, and articulating a set of themes. By late August, the editors of *IO*, Peter Gourevitch and David Lake, had received reviews from the two referees. Professors Gourevitch and Lake contributed extensive and perceptive comments and detailed instructions, which we received in September. Responding to these comments, the special issue editors communicated again (for at least the third time) with each paper author, with guidance for revisions. The results of this process included a new introduction; in addition, every paper in the volume was thoroughly revised.

The review process was extraordinary, yielding approximately eighty single-spaced pages of comments. One of the referees, whom we now know to be Professor Richard Steinberg of UCLA Law School, wrote the most brilliant and meticulously detailed comments that we have ever seen—on every paper. Professor Steinberg is truly our "shadow editor." We are extraordinarily grateful to him, to the anonymous referee, and to the editors of *IO*, for contributions that were far and above the "call of duty," and without which our volume would have been much inferior to what you have in your hands. We would also like to thank Lynne Bush and Joni Harlan for their extraordinary efforts in producing this volume.

Collective projects entail collective action, which can retard progress. With four editors, responsibility for taking initiatives was not always well-defined. As long as it was not clear that the volume would succeed, authors were naturally reluctant to give it the highest priority in their own work schedules. During the period between August 1997 and April 1999, Bob Keohane played the role of principal organizer, cheerleader, and "arm-twister," seeking to maintain momentum and morale. In the spring of 1999, when the papers were submitted to *IO*, Miles Kahler took over the chief responsibility for organizing the editorial process. When the volume was conditionally accepted for publication in September 1999, we all pushed aside other projects to put *Legalization and World Politics* on the "front burner." As a result, all papers were back to *IO* before the end of 1999. Subject to some last-minute revisions, completed in February, the editors put us on the "fast track" for publication in the summer of 2000.

The long gestation period of this project has been accompanied by some "mood swings," with periods both of exhilaration and malaise. But the editors' friendship has survived, and has even become more robust. Friendship is a stimulus to frankness but an antidote to irritation. A shared ironic sense of humor also helps. In the end, we hope that our friendship will have made a contribution to the scholarly community of which we are only a small part.

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