**Detailed Description of the Research Program**

This project sets out to examine the fundamental, still largely understudied, interinstitutional relationship between the political-legislative and adjudicative institutions that are part of global governance systems. Through close examination of a pivotal site of global governance—the United Nations (UN) System—the proposed research will theoretically and empirically examine whether, to what extent, and in which ways those holding adjudicative and political-legislative powers in governance structures beyond the nation-state interact with one another, thereby engaging in interinstitutional dialogue. It will explore the various explicit, implicit, and latent facets of this dialogue using multiple research methods including computerized text analysis of extensive datasets alongside large-scale semi-structured interviews. This multi-method research is expected to yield novel theoretical insights and a solid empirical account of the relationship between political-legislative and adjudicative bodies at the international level and the interactions on which it is built, all of which have distinct legal and political importance.

1. **Scientific Background**

The interaction and dialogue taking place between political-legislative and judicial institutions have been the subject of extensive research, albeit almost entirely by scholars studying courts and legislatures at the national level. These research efforts have been triggered by the growing understanding that such institutions “cannot be understood in isolation but must be seen as part of the larger system of government, since no governmental institution makes decisions in a vacuum” (Miller 2009: 1). Courts and legislative bodies, it has been argued, participate in an ongoing “constitutional dialogue” (for an overview, see Miller 2009). They interact in various ways, and these interactions have important reciprocal effects, all contributing to and shaping the form and substance of law and governance (Den Dulk & Pickerill 2003: 420). Law and governance, on this view, are thus premised on each branch of power’s respect for and knowledge of the other branches and on a continuing dialogue between them (Katzmann 1997: I). Courts, for example, are often required to enter into a dialogue with the political-legislative branches of government when they are asked to interpret and apply the law in disputes coming before them (Miller 2009). Moreover, as courts and political-legislative bodies are frequently called upon to pronounce on similar or related issues, these separate branches of government must engage with one another in a complex and enduring interinstitutional conversation in their attempt to shape and influence law and policy. In consequence, scholars have asserted that no sound assessment of these governmental bodies can treat them in isolation (Den Dulk & Pickerill 2003: 420); they must be treated as units of an interdependent scheme of governance.

Following this line of thinking and given the importance of the relationship between courts and legislatures at the national level, over the past two decades a growing body of scholarship has emerged studying the interactions between these two branches of government (see e.g., Bar-Siman Tov 2021; Fraser 2005; Macfarlane 2013; Meydani & Mizrahi 2010; Miller 2009; Pickerill 2004). In this framework, as the above indicates, the relationship between courts and the political-legislative branches of power has often been conceptualized in terms of “dialogue” (Bateup 2006; Dawson 2013; Fraser 2005; Kavanagh 2016; Meuwese & Snel 2013; Macfarlane 2013; Miller 2009). This dialogue may at times take place through formal and structured “dialogical mechanisms” (Meuwese & Snel 2013). However, researchers have added, this interinstitutional dialogue “does not need to be explicitly shaped as such.” The courts and legislatures involved in an interinstitutional conversation “do not need to acknowledge that they are engaged in a dialogue,” which may also take various, more informal, implicit, and latent forms (Meuwese & Snel 2013).

As in national systems of government, international governance systems, such as the UN System, the multilateral trading system embodied in the World Trade Organization (WTO), the European Union, or the human rights regime of the European Convention on Human Rights (ECHR), all include an adjudicative mechanism alongside the legislative function fulfilled by member states and their representatives through the system’s political bodies (Alvarez 2005; Boyle & Chinkin 2007; White 2016). Thus, within global governance systems, international adjudicative bodies sit as “authoritative actors” (Alter 2011) alongside the political-legislative bodies, which amount to more than the sum of their member states and exercise legislative or quasi-legislative powers that may result in a variety of law-making instruments, including treaties and binding resolutions, as well as non-binding declarations, decisions, and other forms of soft law instruments (Boyle & Chinkin 2007; White 2016). Like their national counterparts, these international judicial and political-legislative bodies carry out distinct but complementary roles and responsibilities (cf. Meuwese & Snel 2013), forming the constituent parts of a larger system of governance the values and goals of which (be they peace and security, rule of law, human rights, or economic integration) they are expected to uphold and promote (REFS? von Bogdandy & Venzke 2012). International courts and political-legislative bodies are likewise often called on to address related topics and problems, while bringing to the fore discrete perspectives and interests in their attempt to shape international law and policy and regulate the operation of international actors and events. This state of play, in turn, inevitably dictates a relationship and a range of interactions and reciprocal effects between international political-legislative and judicial institutions with distinct political and legal relevance. Unpacking this relationship and the interactions through which it is practiced is crucial to understanding how contemporary global governance systems are constituted and maintained. It is especially important for grasping how their different branches identify and position themselves vis-à-vis each other, and for assessing their ability to carry out their distinct-but-complementary functions in pursuit of the goals underlying their overarching system.

That said/be that as it may, the fundamental question of the relationship between international judicial and political-legislative institutions and the variety of interactions through which it is shaped and built are under-examined both theoretically and empirically. Thus far, scholarly works in the fields of international law (IL) and international relations (IR) have tended to study international legislative (or quasi-legislative) and adjudicative institutions such as those comprising the UN System—the UN Security Council (UNSC) and the UN General Assembly (UNGA) on the political-legislative front (Reisman 1988: 10; Zürn 2018: 140) and the International Court of Justice (ICJ) on the judicial front—as largely isolated entities or institutions. Need a sentence describing this body of literature??? In contrast, the proposed project starts from the standpoint that these UN institutions are units of a complex, interdependent system of governance from which they cannot be severed, and through which they inevitably interact. This project thus adopts a relational approach, positing that these entities do not exist absent relations and cannot be studied as presumptively detachable entities (Jackson and Nexon 1999: 302–304). Consequently, research efforts in the field should focus more closely on the relationships and dynamic ties between these international political-legislative and adjudicative institutions as component parts of a greater whole (Jackson and Nexon 1999).

Indeed, it should be noted that, as far as international judicial institutions themselves are concerned, their relationships and interactions with other *judicial* institutions has received considerable attention from researchers over the past two decades. Given the proliferation of international courts and tribunals since the 1990s (Alter 2011; Alter, Hafner-Burton & Helfer 2019; Romano 1999; Shany 2014) and the greater use of both newer and older international courts and arbitral bodies during that period (Alter 2014; Alter, Hafner-Burton & Helfer 2019; Teitel & Howse 2009), many IL and IR scholars have grappled in recent decades with the question of the interaction and dialogue between international courts and other judicial fora at both the national and global levels. Thus, in the face of the growing jurisdictional interface between international and national courts, that is, their parallel involvement in the same or related disputes, scholarly works have explored the interactions between these judicial institutions, the rules that could or should regulate such interactions, and the potential for greater cooperation and coordination between these judicial bodies (see, e.g., Benvenisti & Downs 2014; Martinez 2003; Nollkaemper 2014; Rosas 2008; Shany 2007; Slaughter 2000). Even greater attention has been paid to the dialogue and relationships among international courts themselves, as these courts are seen as part of a broader project of international adjudication aimed at promoting the international rule of law, and there are concerns about the risks of overlapping jurisdiction and conflicting rulings resulting from the increasing number of international courts and proceedings (e.g., de Chazournes 2017; Eeckhout 2015; Giorgetti 2015; Giorgetti & Pollack 2022; Martinez 2003; Peters 2017; Shany 2003; Teitel & Howse 2009; Trindade & Spielmann 2015; Ulfstein 2014).

However, IL and IR scholars have paid far less attention to the relationship and interactions between international adjudicative institutions and other, *non-judicial* institutions, most notably those that fulfill political-legislative or quasi-legislative functions within international governance systems. For example, a few studies have touched upon questions related to the interactions among the EU’s principal adjudicative and legislative institutions (e.g., Garrett & Tsebelis 2001), the normative desirability and feasibility of the Court of Justice of the EU (CJEU) engaging in dialogue with the EU’s legislature (Dawson 2013), the CJEU’s impact on the EU’s legislature (e.g., Davies 2016; Wasserfallen 2010), and the friction and distribution of power between the judicial and political-legislative arms in other international systems such as the WTO (e.g., Broude 2004; Ehlermann 2002; McDougall 2018; DSB article). But the current research does not include a large-scale, systematic, empirical analysis of the relationship between international political-legislative and judicial bodies and the ways in which they interact and engage in interinstitutional dialogue.

That gap in the research may be the result of various factors, including some underlying structural-analytical and methodological challenges. As international governance systems do not feature the “paradigmatic division of powers that characterizes [national] democracies” (Benvenisti 2005: 320; Zürn 2018: 140), they frequently lack formal protocols and detailed guidelines governing the relationship between their judicial and political-legislative branches. The judicial-leg islative relationship at the international level is therefore usually built incrementally, spontaneously, and dialectically through a vast number of international texts, such as resolutions, protocols, speeches, reports, judgments, and legal opinions. It is thus rather challenging to define, theorize, and operationalize how international political-legislative and judicial bodies communicate, engage with, and affect one another as they develop international legal and political processes and outcomes.

With the advent of computerized text analysis tools in the current age of big data, however, it has become easier to collect, amass, and sophisticatedly analyze such large amounts of textual data. In recent years there has therefore been increased interest in applying computerized text analysis, especially natural language processing (NLP), to the study of international law, international relations, and global governance (see for review Mitrani, Adams and Noy 2022). In line with this emerging body of research (see e.g., Allee, Elsig & Lugg 2017; Alschner 2021; Alschner, Pauwely & Puig 2017; Bagozzi 2015; Barnum & Lo 2020; Baturo, Dasandi & Mikhaylov 2017; Law 2018), we intend to use text-as-data methods, which make ambitious data collection feasible and offer a range of options for computational analysis of large volumes of text (Wilkerson & Casas 2017). We will also use qualitative research methods such as semi-structured interviews. Together, these methods will allow us to examine a great number of texts encapsulating the relationship between international political-legislative and judicial bodies and identify trends in interinstitutional interactions, while at the same time illuminating explicit, implicit, as well as more latent aspects of the dialogue between these global governance bodies.

1. **Research Objectives and Expected Significance**

The proposed research is a first attempt to provide an in-depth and systematic theoretical and empirical account and posit an empirically grounded theory of the relationship between political-legislative and judicial bodies in the international arena by examining the interinstitutional interactions and dialogue within a key regime of global governance, the UN System. Various studies have explored the relationship between international courts and other adjudicative institutions, but only scant scholarly attention has been paid to how the adjudicative and political-legislative branches comprising international governance systems interact and converse with one another. There is thus a notable gap in our theoretical and empirical knowledge of such interactions.

To start filling that gap, this research project will address the following overarching questions:

* *What relationship, if any, is there between the political-legislative and adjudicative bodies in international governance systems?*
* *How do these branches of power interact with one another?*
* *How does their interinstitutional dialogue affect the form and substance of international law and governance?*

The specific objectives of the research are to: (1) detect and map the formal and informal sites and channels through which the dialogue between the political-legislative and judicial bodies within the UN System takes place; (2) examine the varied interactions between the two groups of decision-makers as they emerge from large-scale computerized analysis of relevant international texts, as well as from in-depth interviews with practitioners involved in the operation of the UN System; and (3) based on the empirical evidence generated, analyze, compare and contrast the interactional patterns and mutual influences displayed between the UN’s political-legislative and judicial branches, identify areas of divergence, convergence, and dissemination in their interinstitutional interactions, and develop theoretical explanations for the observed patterns.

In pursuing these research objectives, the project follows a three-pronged approach aimed at uncovering the different—explicit, implicit, and latent—facets of the interactions and dialogue between the UN’s political-legislative and adjudicative bodies, while applying distinct research methods. First, focusing on the *explicit* facet, the study employs NLP models that are based on contextualized words embeddings to shed light on how the two governance bodies interact with, refer to, and position themselves vis-à-vis the other. Second, focusing on the *implicit* facet, the project uses models based on deep [spell out BERT] (BERT) to probe how and when the different bodies essentially correspond with and echo one another in their tacit interactions. Third, focusing on the latent facet, the project draws on in-depth semi-structured interviews with practitioners to explain how the relationship between the UN political-legislative and judicial bodies is built and maintained through behind-the-scenes interactions. Together, these three analyses will provide a coherent relational account that identifies, characterizes, and thereby develops a better understanding of the interactional dynamics between those holding adjudicative and political-legislative powers in a major global governance system. They will thereby lay the foundations for a more informed assessment of interinstitutional relationships in international governance systems, as well as of the normative and political implications of such relationships for the greater order of global governance.

The proposed research makes several important contributions. At the theoretical level, if one takes seriously the notion that the political-legislative and judicial institutions operating within global governance systems cannot be understood in isolation and that their relationship constitutes who they are and how they function, then closely examining this relationship, as this project sets out to do, is fundamental to the study of international law and governance. This project will provide novel theoretical insights on the interinstitutional dynamics of global governance systems and cast new light on the structure and inner workings of their constituent elements. Furthermore, by focusing on the relationship between international courts and international political-legislative bodies as actors in their own right that amount to more than the sum of the member states, the project will offer a fresh theoretical perspective to the existing research on international institutions, and international courts in particular. Going beyond the convention of studying international courts through their relationship with states as the courts’ founders or litigants, it broadens the scope of existing research to include new inquiries into the relationship of international courts and states as collective actors operating through distinct international political-legislative bodies.

The proposed project also makes significant methodological and empirical contributions. In terms of methods and extensiveness, it takes a novel and sophisticated approach that brings both computational and qualitative methods to the study of how international political-legislative and judicial institutions operate and the relationship between them. By employing advanced methods of computerized text analysis, the project constitutes one of the few attempts so far to systematically scrutinize large textual corpora of international institutions (REFS), thus offering the opportunity to expand the reach of data-science tools and their application in the areas of international law and global governance. And by coupling the application of computational tools with qualitative research methods such as in-depth case study analysis and semi-structured interviews, the project promises to paint a nuanced empirical picture of the judicial-legislative relationships within the UN System and their complex dynamics since the end of the Cold War.

Finally, alongside these contributions, the project is also likely to prove of great practical significance. It is expected to provide decision-makers within states and international institutions with better tools for assessing these institutions’ performance and their overarching governance systems. It may likewise serve as the basis for more informed decision-making regarding the desirable relationship between the political-legislative and adjudicative bodies operating within global governance systems and the changes that should be made to these institutions’ structures, practices, and procedures so that their interactions and dialogue are constructive.

1. **Detailed Description of the Proposed Research**
   1. ***Analytical framework and working assumptions***

This research project strives to chart and analyze the fundamental and complex relationship between political-legislative and adjudicative bodies in governance systems that transcend the nation-state. Theoretically, while at the national level the interinstitutional relationship within governmental systems is formalized and guided, to a considerable degree, by well-established mechanisms, in particular the principle of the separation of powers (legislative, executive, and judicial), in the international governance sphere things differ in several critical respects. To start with, the weakly established separation of powers in global governance systems (Zürn 2018: 140) not only leaves more room for interpretation when shaping the relationship and striking the balance between those exercising political-legislative and judicial authority, it also places the responsibility for doing so on the institutions themselves. Moreover, in the absence of the judicial supervision prevalent in national governance systems, state representatives in some international systems exercise legislative, executive, and administrative power through the system’s political bodies (Zürn 2018: 140). This is another element that dictates a different type of judicial-legislative relationship in international governance frameworks. More generally, the international system features an ever-growing tension between its anarchic nature and lack of a central government, on the one hand, and its growing institutional and normative density and complexity, on the other (Alter 2022; Alter & Muenier 2009; Alter & Raustiala 2018; Drezner 2009; Kuyper 2014). International governance systems often evolve incrementally and with few guiding principles within this framework, such that its bodies, officials, and state representatives must not only adapt themselves to the dynamic international environment, they must also take an active part in designing and operating its governance structures and building their interactions and dialogue.

Consequently, as part of the attempt to explore the uncharted waters of the relationship between international political-legislative and adjudicative institutions, we researchers cannot simply extend national models of governance and “constitutional dialogue” to the international level.[[1]](#footnote-1) Instead, we must develop new ontological, epistemological, and methodological perspectives for our analyses. We must also account for the fact that international governance systems themselves vary in critical respects, such as their design, scope of authority, membership, and area of regulation. To offer insightful and valid observations that would throw meaningful light on the interinstitutional relationships in contemporary global governance systems, we must therefore show some theoretical, methodological, and empirical creativity.

With this in mind, the theoretical point of departure for this project is that international governance systems, such as the UN System, are networks of interconnected institutions that carry out distinct but interrelated and complementary governmental roles, including political-legislative and judicial functions. Against this background, we first theorize that the existence of political-legislative and adjudicative bodies in the same international governance system means there must be some form of dialogue between them and sets the scene for a wide range of interinstitutional interactions. In line with the “governance as dialogue movement,” we therefore assume that all of the governmental actors forming part of a given governance system must participate, one way or another, in an interinstitutional conversation (Miller 2009).

Second, the proposed study posits that the relationship between the political-legislative and judicial branches within regional or global governance systems is co-constitutive in nature: it is not a unidirectional process in which, for example, the system’s judges and the judicial proceedings they conduct affect that system’s legislators and legislative activity; instead, each group of decision-makers informs and influences the acts, decisions, and behavior of the other (even if in different ways and to varying degrees).

Third, we theorize that as in domestic governance systems, the various interactions between international courts and legislatures as they have evolved over the past few decades take place through various formal and informal dialogical mechanisms (cf. Meuwese & Snel 2013). We assume, however, that informal avenues and “behind the scenes” engagements will play a more important role in building this relationship in less formalized international systems.

Fourth, alongside the formal and informal avenues and mechanisms through which the relationship between political-legislative and adjudicative bodies at the international level is built, we also propose that such interinstitutional interactions are both explicit and implicit. We therefore expect each branch of power to explicitly acknowledge the other in its deliberations, decisions, and other such platforms by naming and referring to the other branch’s work. We also expect the two branches to interact with and echo one another in more tacit and implicit ways, without necessarily addressing the other branch or recognizing its work, for instance by informing or adopting the other branch’s vocabulary and attitude with respect to a given international event or phenomenon.

Finally, we hypothesize that the interinstitutional interactions and dialogue nurtured between international political-legislative and adjudicative bodies vary across international systems given those system’s structural, procedural, and substantive differences (e.g., their membership, mandates, design, decision-making procedures, and areas of expertise). Put another way, the nature and characteristics of the judicial-legislative relationship exhibited in international governance systems are predicted to be contingent on the unique features of the systems in which they take place.

As described below, our project examines this theoretical framework empirically by pursuing a case-study research design that interweaves both large-scale computerized text analysis and semi-structured elite interviews.

* 1. **Research Design and Methods**

*In-Depth Case-Study Analysis*

# As this project aims to chart and analyze the understudied relationships between political-legislative and judicial bodies within international governance systems, we will take a case-study approach that enables us to closely probe these relationships within a key global governance system. In particular, we will examine the interplay between, on the one hand, the ICJ, the UN’s principal judicial body, and on the other, the UNGA and the UNSC, the UN political bodies carrying out legislative or quasi-legislative functions through softer and harder forms of lawmaking (Alvarez 2005; Asada 2009; Boyle & Chinkin 2007; White 2016).

The reason we chose the UN System is simple. Since, to the best of our knowledge, this is the first attempt to systematically, thoroughly, and empirically analyze the relationship between international political-legislative and adjudicative bodies, we think it best to focus on a system that is central to international governance today. Not only does the UN play a significant role in international law and international relations, it has been operating for decades, during which it has developed well-established interinstitutional habits, practices, and procedures, as well as dialogical mechanisms through which its branches of power communicate and interact. Perhaps the most formal practice in this regard is the annual report the ICJ is required to submit to the UNGA, in which it reviews its work and caseload in the reported year (UN Charter). Much more interesting, though, is the practice established in 1991, whereby the submission of the written report is accompanied by a speech given by the president of the ICJ to the UNGA and the Sixth Committee, the General Assembly’s primary forum for the consideration of legal questions. Since 2000, moreover, the ICJ president has also been given the opportunity to address the UNSC every year. These annual speeches, followed by open discussions in the respective fora, are major sites of interaction and fundamental building blocks of the interinstitutional dialogue between the ICJ and these other UN bodies[[2]](#footnote-2) and point to yet another reason the UN System is a suitable subject for a case study: insightful comparisons may be drawn between the interinstitutional dialogue and relationships between the ICJ and the UNGA on the one hand, and the UNSC on the other. We therefore believe that the UN System represents a particularly promising case study in the context of this research.

Admittedly, there are limitations to the case method. These are predominantly the result of its narrow focus, which limits the basis for scientific generalization. Despite its limitations, the case study approach seems particularly appropriate for the proposed research. Without in-depth investigation of specific international systems and institutions, and without access to the details of their design, practices, and functioning, it is impossible to accurately identify and analyze the interactions and dialogue between the judicial and political-legislative bodies operating within these governance systems, and thereby the relationship between them. Investigation and explanation of such complex phenomena in their real-life settings require a detailed consideration of contextual factors, which the case study method allows (George & Bennet 2005). The case-study method will also allow us to take into account the thousands of international texts and the data generated by our large-scale interviews, which are designed to reveal the “hidden” interactions between the UN’s judicial and political-legislative bodies. Finally, as our long-term research plan is to extend the study of the governance dialogue taking place at the UN to other international systems such as the EU and the WTO, the proposed research constitutes a fundamental first step that may (i) generate critical insights for future studies in the field, (ii) point to necessary adjustments in the research design, and (iii) lay down the foundations for cross-case comparisons that may enhance our ability to draw inferences from the accumulated case studies (George & Bennet 2005; Gerring 2007; Yin 2018).

Our study of the UN System will span a 30-year period starting at the end of the Cold War (1991–2022). We chose this timeframe for both analytical and methodological reasons. Analytically, the end of the Cold War represents a defining moment in world law and politics in recent decades. The post-Cold War era has seen a dramatic expansion of the international system (both normatively and institutionally speaking) and the emergence of what is now commonly called “global governance” (Dingwerth & Pattberg 2006; Weiss 2000). These developments have no doubt also affected the interinstitutional relationships examined in this study, as suggested by the 1991 advent of the annual gatherings between the ICJ and the UN’s political-legislative bodies. The end of the Cold War also represents a watershed in the evolution not only of the specific governance system studied in this project, but also of other global governance systems. In the case of the UN, this critical moment ended the paralysis that had characterized the UNSC during the bipolar era of the Cold War (Hageboutros 2016) and gave that body more occasions to interact and engage in dialogue with the ICJ, as well as more leeway to exercise its quasi-legislative function. The selected timeframe is also methodologically justified. As described below, our research involves a significant amount of computerized text analysis, and since the UN Official Document System (ODS) does not contain digitized texts that predate 1991, using that year as our starting point guarantees access to all relevant textual data.

***Data and Course of Research***

The research will be conducted in three major phases using two different methods to reveal the various explicit, implicit, and latent (or “behind the scenes”) facets of the interactions and dialogue shaping the relationship between the political-legislative and judicial bodies in the UN System. The first two stages will rely mainly on computerized text analysis, and the third on semi-structured interviews.

***Phases* *I & II:*** *Examining Explicit and Implicit Interactions Using Computerized Text Analysis*

The first two phases of the research employ a “text-as-data” approach involving large-scale computerized text analysis of international textual sources to disclose and probe the interinstitutional interactions and dialogue between political-legislative and judicial bodies in the UN System. Words, written or documented in all sorts of texts, are an integral part of politics, law, and governance (Wilkerson & Casas 2017). Decision-makers and officials, be they executives, legislators, adjudicators, or other functionaries working in national or international governance systems, use words and texts to express opinions, convey proposals, and justify their actions. Laws and regulations in domestic systems, like treaties and other hard and soft law instruments in the international arena, are also largely codified in words (Wilkerson & Casas 2017). So, also, are the judgments rendered by judicial institutions. Most of the political and legal conduct of governing institutions is therefore textual. It is also mainly through these textual conduits that the different governing institutions within a given system refer to and converse with each other, thereby building their relationships. Since relationships are largely built, informed, and maintained by words and texts through which the relevant actors acknowledge and identify with each other, their textual interactions can and should serve as a central data source in the quest for understanding their relationships (Mitrani XXXX, see also McCourt 2019).

From the above it follows that by computationally analyzing the language and content embedded in large numbers of textual materials, we can learn a great deal about how political-legislative and adjudicative bodies—explicitly and implicitly—refer to, interact with, and influence one another. This is all the more so in the international arena, where, due to the missing separation of powers and often tenuous formal rules that guide the interactions between political-legislative and adjudicative institutions, their interinstitutional relationship is largely being built in an incremental and dialogical manner through the main working apparatuses of these bodies, that is, their discussions, speeches, opinions, resolutions, and judgments, among others. Indeed, in the case study examined in this project, the relevant UN branches of power all produce a large number of texts that, to a great extent, encapsulate their actions, internal practices and dynamics, outputs, and—so we argue—the ways in which they interact with, refer to, and are influenced by each other.

In carrying out this text-as-data research, we will first build an extensive textual dataset of the relevant UN documents. The dataset will consist of three main corpora, each including documents of a different UN political-legislative/judicial body: on the legislative front, the protocols, resolutions, and speeches of the UNSC (*N* = ~80K) and the UNGA (*N* = ~50K), and on the adjudicative front, the judgments, advisory opinions, orders, and annual reports of the ICJ, as well as the speeches and statements of ICJ presidents to the UNSC and the UNGA (N=~1K). Currently, although these UN institutions provide digitized access to their textual archives, there are no ready-made official datasets.

After mining the texts, we will index and apply standard pre-process routines to the corpora in order to prepare them for analysis. We will further align the corpora using Procrustes alignment so the texts can exist in the same semantic space despite differences in lexicons.

We will then analyze the texts [OR CORPORA?] in two stages, using several computerized text analysis methods. The first stage is aimed at exposing the explicit interactions between the investigated political-legislative and judicial bodies (i.e., where they openly address and/or refer to one another). The second stage is directed at revealing the more implicit interactions taking place between them.

* Phase I—*Charting the explicit reference matrix.* To trace and portray patterns of mutual references in the texts generated by the UN’s political-legislative and judicial bodies, the computerized textual analysis in this phase is geared towards discerning if, how, and under what conditions these bodies acknowledge and narrate their relationship by referring to and communicating with each other through their texts. To that end, we will use standard machine-learning tools of entity retrieval and annotation to train them on our corpora and establish heuristic rules to encompass all possible direct references and interactions between the institutions being studied. We will then apply NLP models based on contextualized word embeddings for text classification, with a view to charting the textual dialogue between these institutions and assessing their tendencies to publicly acknowledge and relate to one another’s actions and decisions, as well as to [explain/give an account of?] their interinstitutional relationship.
* Phase II—*Examining implicit interactions and effects*. To probe how and when the respective bodies tacitly or implicitly correspond with and echo one another, we first employ tools that focus on latent semantic analysis, using deep BERT-based models to measure semantic proximities through cosine similarity. This analysis should shed light on how close the institutionalized texts are and indicate when, and under what conditions, the voices of the various bodies become entangled or alternatively grow more distanced. More concretely, this analysis is designed to yield a dynamic spectrum along which we can assess how close the relationship is and the extent to which the bodies being studied present similar or dissimilar viewpoints on the matters they address. Then, to gain a deep understanding of interactional patterns, we will assess the level of agreement or contradiction between ontologies around specific issue areas and international events. Much of the activity of political-legislative and judicial bodies in international governance systems centers on the same issues, events, and phenomena that require an international response. Texts generated by these bodies thus often revolve around chains of problems and events provide a meaningful framework for such judicial-legislative interactions and dialogue. Tools such as event-driven automated ontologies will allow us to chart “diversified knowledge organization systems” for specific chains of international problems and events (Z[hitomirsky-Geffet](file:////insight/search%3fq=Maayan%20Zhitomirsky-Geffet)  2019) and thereby detect areas of convergence and divergence throughout these chains. We can then probe if, how, and when the different institutional voices echo and resonate with each other.

**Phase III:** *Uncovering Latent (or “Behind the Scenes”) Interactions Using In-Depth Semi-Structured Interviews*

The final phase of the research will supplement the text analysis of formal documents with additional information to be gleaned from a series of in-depth interviews with UN practitioners. The text analysis methods described above all rely on official texts from which valuable data and insights can be gleaned about the interactions between the institutions playing political-legislative and judicial roles within the UN System, and the variety of ways in which they converse with and mutually affect one another. It is reasonable to assume, however, that these texts inevitably record only some aspects of the interactions and dialogue taking place between the different branches of power in international governance systems such as the UN System, while other aspects remain wrapped in a veil of confidentiality, with only insiders and cognoscenti privy to the processes and practices involved. In other words, we presume that the relationships between political-legislative and adjudicative bodies at the global level are built not only through the interactions documented in relevant formal international texts, but also informally, through various behind-the-scenes interactions and the day-to-day work of practitioners involved in the operation of the respective institutions.

We therefore plan to conduct in-depth elite interviews with practitioners involved in the UN operative environment to gain a more comprehensive account of the interplay between its political-legislative and adjudicative bodies and understand how their interinstitutional interactions are experienced by and seen through the eyes of a rather closed circle of insiders. Taking a “purposeful sampling” approach, we will identify and interview key players (past and present) who can be expected to contribute rich and valuable data (Cresswell & Plano Clark 2011; Patton 2015). Interviewees will include, *inter alia,* ICJ judges and court officials, chairpersons and key operators in the legislative or quasi-legislative UN political bodies, state representatives, and various staff members and bureaucrats currently or previously involved in the work of the UN System. We will try to select interviewees that have different positions and interests in order to obtain multiple perspectives and develop a holistic account of the issues involved (Dunoff & Pollack 2017; Shaffer & Ginsburg 2012). Based on past experience, we estimate that there will be approximately 60 interviewees. Recruitment of interviewees will initially be based on personal connections, and then on the snowball method (Lofland et al. 2006; Weiss 1994).

The main objectives of the interviews are, first, to gain a fuller picture of the relationships and interactions that have developed between the UN political-legislative and adjudicative bodies under study by eliciting information about what occurs behind the scenes or what consideration one group of decision-makers gives to the actions of the other that is not necessarily expressed in public records (cf. Patton 2015). Second, the interviews are aimed at studying how those who are directly involved in an international judicial-legislative dialogue perceive that dialogue, the context and practices through which it is being constructed, and any effects it may have (cf. Patton 2015).

With these ends in mind, the interviews will be conducted according to a semi-structured interview guide composed of open-ended questions that will be honed and developed as the study progresses and our understanding of the investigated phenomena deepens. The semi-structured nature of the interviews will permit interviewees to convey their own narratives and share their knowledge and experience at length. At the same time, this format will give both the interviewees and the researchers the leeway needed to take the conversation down unexpected paths and discover new directions for further thought and analysis (Patton 2015).

The interviews will comply with all ethical requirements and will be held only if approved by our university’s ethics committee. They will be conducted either in person or via video and will be recorded and subsequently transcribed. We will then use tATLAS.ti software to analyze them based on detailed coding that is designed to reveal recurring themes and allows for comparisons across the interviews.

* 1. **Preparatory work done and preliminary results**

As part of the preliminary work carried out in preparation for this project, the [SPELL THIS OUT] (PIs) have already started to assemble the textual datasets, mining the relevant texts and learning their features so as to design adequate models for cleaning them up and preparing them for processing. In addition, in order to test working assumptions and methodological models on a small-N corpus and create a benchmark for the broader comparative empirical research project, the PIs have developed a pilot study that focuses on the speeches and statements of ICJ presidents to the UNGA/UNSC

Preliminary results - to be completed XXXXXXXXX

* 1. ***Conditions for Conducting the Research***

The PIs of the proposed project hold extensive research and academic experience of relevance to this project. Their previous work in related fields will enable them to conduct the project meticulously, thoroughly, and successfully. Dr. Sivan Shlomo-Agon is an expert in public international law, international economic law, international courts, international organizations, globalization, and empirical legal studies. Her research focuses, *inter alia,* on issues related to the design, operation, and effectiveness of international governance institutions, with emphasis on international judicial bodies, as well as on the interaction and discourse between different international institutions, actors, and norms. She has gained rich experience in qualitative empirical research, and interview-based research in particular, as evidenced not only by several of her articles, but also by her book (published by Oxford University Press) on the WTO dispute settlement system, which draws on more than 60 interviews of WTO practitioners (Shlomo Agon 2019). Dr. Mor Mitrani is an expert in international theory, globalization and global governance, and text analysis in political research. Her research focuses on discursive and textual facets of the study of international relations and international organizations, and on the application of computerized text analysis methods in the research of international phenomena, relations, and concepts. Until recently, she was the PI in an ISF-funded research project that developed computerized models, based on a database of states’ speeches in the UN (*N* = 8,200), to explore international relations and identity. As faculty members at Bar-Ilan University, both PIs enjoy access to an excellent academic environment conducive to the successful completion of this project. In particular, the Bar-Ilan Data Science Institute, and the recently established Bar-Ilan Innovation Lab for Law, Data-Science, and Data-Governance will be able to provide the necessary assistance for the computerized text analysis segment of the research.

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|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Itemized Budget plan** | |  |  |  |  |
|  |  |  |  |  |  |  |
| **A.** | **Personnel** |  |  |  |  |  |
|  | **Name** | **Role in the Project** | **% time devoted** | **Salaries (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Mitrani | PI | 40% | 0 | 0 | 0 |
|  | Shlomo-Agon | PI | 40% | 0 | 0 | 0 |
|  | PhD student | PhD | 50% | 15,000 | 15,000 | 15,000 |
|  | PhD student | PhD | 50% | 15,000 | 15,000 | 15,000 |
|  | MA students | Research Assistants | 25% | 5,000 | 5,000 | 5,000 |
|  | MA students | Research Assistants | 25% |  | 5,000 |  |
|  | **Total personnel** |  |  | 35,000 | 40,000 | 35,000 |
|  |  |  |  |  |  |  |
| **B.** | **Services** |  |  |  |  |  |
|  | **Item** | | | **Requested amounts (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Computational advisor | | | 4,000 | 4,000 |  |
|  | Transcription services | | |  | 2,500 | 2,500 |
|  | **Total services** | | | 4,000 | 6,500 | 2,500 |
|  |  |  |  |  |  |  |
| **C.** | **Travel and Fieldwork** | |  |  |  |  |
|  | **Item** | | | **Requested amounts (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Travel costs for fieldwork/interviews | | |  | 13,000 |  |
|  | **Total Other Expenses** | | | 0 | 13,000 |  |
|  |  |  |  |  |  |  |
| **D.** | **Computers** |  | | | | |
|  | **Item** | | | **Requested amounts (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Computer and computer supply for PIs | | | 4,000 |  |  |
|  | Desktop & screen for staff | | | 1,500 |  |  |
|  | Text analysis software (AtlasTi) | | | 2,000 |  |  |
|  | Peripherals | | | 1,000 |  |  |
|  | Cloud services and servers | | | 600 | 700 | 700 |
|  | **Total computers** | | | 9,100 | 700 | 700 |
|  |  |  |  |  |  |  |
| **E.** | **Miscellaneous** | | |  | | |
|  | **Item** | | | **Requested amounts (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Office supplies | | | 300 | 300 | 300 |
|  | Publication charges in scientific journals (including editing and translation) | | | 500 | 500 | 1,000 |
|  | Professional literature | | | 200 | 200 | 200 |
|  | **Total miscellaneous** | | | 1,000 | 1,000 | 1,500 |
|  | **Summary** |  |  |  |  |  |
|  |  | | | **Requested amounts (in EUR)** | | |
|  | **1st year** | **2nd year** | **3rd year** |
|  | Personnel, materials, supplies, services & miscellaneous | | | 49,100 | 61,200 | 39,700 |
|  | **Total budget** | | | **150,000** | | |

1. For a discussion of the prevalent concept of “constitutional dialogue” in studies examining the judicial–legislative relationship within national governance systems, see, for example, Fraser 2005; Bateup 2006; Miller 2009; Kavanagh 2016. [↑](#footnote-ref-1)
2. Judge Hisashi Owada, President of the International Court of Justice, Statement to the UNSC (29 October 2009), available at <https://www.icj-cij.org/public/files/press-releases/7/15597.pdf>. <https://www.icj-cij.org/public/files/press-releases/7/15597.pdf>. [↑](#footnote-ref-2)