

Foreword

On the occasion of its 50th Anniversary, the T.M.C. Asser Instituut proudly presents this collection of scholarly articles written by its staff members and some of its external research partners and friends. Celebrating a jubilee should also be a forward-looking event. This book represents the Institute's fields of expertise at a moment of reflection on its work so far and on its plans for the next decade.

Emily Rosenberg characterized the era of 1870–1945 as “A World Connecting”, which produced great achievements but also horrifying crimes against humanity. Tobias Asser was one of the great Dutch scholars of private and public international law, who—with remarkable foresight—grasped the need to embed relations of power in an evolving legal order, with processes of negotiation, arbitration and adjudication. Tobias Asser, himself a child of the Jewish emancipation, was always aware of the importance that the law should do justice to *every* citizen across imagined or real borders. The Hague Conference on Private International Law, the establishment of international arbitration and jurisdiction, and the Hague Peace Conference are interrelated results of Asser's mission. Together they embody a vision of international relations based upon the rule of law. The horrors of war and genocide in the twentieth century appear to have shattered Asser's achievements, but in the end they survived the horrors of that time and developed into the present mosaic of international legal institutions based in The Hague.

The Asser Institute's fields of research reflect this mosaic. When the law schools of the Dutch universities decided to jointly create an inter-university institute for public and private international law, as well as European law, in 1965, they wanted to build upon Asser's heritage and recognized that there was no name which was better suited than that of Tobias Asser to express their views on the task of the Institute. Fifty years later, this appears to be even more appropriate. In the second decade of the twenty-first century, the world is highly connected, in many senses. More than ever we need to anchor the relations of these networks of connections in the reliability of treaties, courts and non-partisan scholarship.

As an inter-university institute, based in The Hague, the seat of the most important international legal institutions as well as Eurojust and Europol, the Asser Institute aims to continue being the connector of academic and high-level practical legal work, in treaty-making, legal diplomacy, trade and competition. Not only the Netherlands, but also the European Union—as an actor in international relations and a co-guarantor of the international rule of law—demands attention in our research.

This book is only a sample of the research being carried out by our staff and partners, but numerous other volumes and journals jointly published by T.M.C. Asser Press and our renowned international publishing partner Springer reflect our experience in international and European law. We—the staff and board of the Asser Institute—are fully committed to accept our predecessors' fifty years of commitment as a task for the years ahead.

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