

Afterword – Dr. Jur. Eric Engle

Duncan Kennedy correctly outlines the post-positivist formation of a globalising *ius commune* which integrates interpretive methods of conceptual jurisprudence vectored through the constitutionalisation of fundamental human rights as the centrepiece of what I, and others, call the post-Westphalian international system. This rationalisation of the rule of law seeks to attain peace through justice and prosperity. The articles we have looked at here all address facets of this complex process. It may seem strange in this “era of terror” to speak seriously and optimistically of the rule of law and human rights as representing a paradigm shift in international relations. However, global norm convergence resulting from vastly increased economic transactions and instant global communication leading to an ever more intense comparison of different legal systems, rules, and rationales explain why this is the case. Historical perspective is always hardest to maintain. Nonetheless, the principle of global economic integration through the free movement of goods, capital, enterprises and ultimately labour are the clear and continuing trend since fifty years and into the foreseeable future. By correctly seeing the challenge of non-state actors to the international system as a vestige of the Westphalian systems I.R. realist errors as but a nightmarish echo of a soon to be forgotten past, hopefully we will all gain perspective and understanding so that we will build a brighter better world on founded on human rights and economic prosperity rather than military force as the best safeguards of peace. *Fiat justitia.*