2009

Shaping International Law

William & Mary Law School

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SHAPING INTERNATIONAL LAW

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The design of the College of William & Mary's Temple Seal is attributed to George Wythe (1726-1806), William & Mary's — and the nation's — first professor of law. On the original seal, an abbreviation, "JURISP.," appeared on the far right column of the ancient Temple Minerva and represented jurisprudence, one of the College's original four core disciplines.
More than 93 percent of the world’s citizens live in legal systems that differ from the pure common law system familiar to most people in the United States. Against this complex backdrop, scholars must grapple with issues that transcend borders, such as immigration, global warming, commerce, and human rights.

Today, seven William & Mary law professors are leading programs and engaged in critical scholarship, thus shaping the future of international law.
HUMAN SECURITY LAW PROGRAM

The Human Security Law Program was added to William & Mary’s roster of well-respected programs for specialized study in 2005. The Program is directed by Marshall-Wythe Foundation Professor of Law Linda A. Malone and fosters a rich environment for research and teaching about the interplay between national defense and the protection of human rights. Over the course of her career, Professor Malone has addressed a wide range of topics within an international context, both in her scholarship and in numerous media interviews, including environmental, human rights, national security, criminal law, and women’s and children’s rights issues. Through its Distinguished Lecture Series and co-sponsored symposia, the Program provides a forum for lively discussion. It also is partnering with the Center for Legal and Court Technology to explore the use of technology and advanced legal forensics to meet the growing needs of international litigation and alternative dispute resolution. These aspects of the Program have created an academic structure that encourages a sophisticated and practical understanding of national security law and human rights issues that face the U.S. and the international community.

COMPARATIVE LEGAL STUDIES AND POST-CONFLICT JUSTICE

This Program, established in 2008, serves as a focal point for research, study and analysis of legal and policy issues relating to legal practices across systems and mechanisms to re-establish justice after conflict. It is directed by Professor of the Practice of International and Comparative Law Christie Warren, who has been involved in projects strengthening the constitutional, judicial and legal systems in 34 countries for organizations and agencies including the United Nations, the World Bank, and the U.S. Agency for International Development. The Program was designed to bridge the gap between research and other resources available at academic institutions and the great need for these resources by international and local staff engaged in peacekeeping and institutional reconstruction following war, internal conflict and transitions to new legal systems. The Program maintains collaborative working relationships with a number of international organizations, including the Center for Human Rights and Environment (Argentina), the Centre for Political and Constitutional Studies (Spain), the Fondation pour le Droit Continental (France), International Bridges to Justice (Geneva), International Institute for Democracy and Electoral Assistance (Sweden), and the U.S. Institute of Peace Rule of Law Program.
"My approach to exploring the legal rights that states guarantee and protect, who within the polity is entitled to the full enjoyment of these rights, and how these rights will be enforced is rooted in socio-legal perspectives and methodology. I enjoy seeing the importance of these issues develop in the minds of my students as I feel they are in a key position to make a difference globally."

ANGELA BANKS
Assistant Professor of Law

DEGREES
J.D., Harvard University
M.Litt., Oxford University
B.A., Spelman College

BIOGRAPHY
Angela Banks brings expertise in the areas of immigration law, human rights and women and the law, with a specific focus on gender rights issues in Uganda and Rwanda. Having spent a significant amount of time in various countries around the world, she became fascinated with the similarity of the problems facing states and individuals. Her interest was nurtured in law school where she examined a variety of legal approaches to international and comparative law. Her recent scholarship examines noncitizen rights in deportation proceedings within the U.S. and before the European Court of Human Rights. Professor Banks came to William & Mary from the Harvard Law School where she was a Reginald F. Lewis Fellow for Law Teaching. She practiced law as an associate at Wilmer, Cutler & Pickering in Washington, D.C. and clerked for Judge Carlos F. Lucero of the U.S. Court of Appeals for the Tenth Circuit. She also served as a legal advisor to Judge Gabrielle Kirk McDonald at the Iran-United States Claims Tribunal in The Hague.

RECENT PUBLICATIONS
“In today’s globalized and interconnected world, the many critical issues we are faced with, ranging from security and human rights to political and economic development, can best be examined from a transnational perspective. Given this reality and my own personal background, I try to provide a broad international framework, combined with a cross cultural lens, when I teach and write.”

LAN CAO
Boyd Fellow and Professor of Law

DEGREES
J.D., Yale University
B.A., Mount Holyoke College

BIOGRAPHY
A William & Mary faculty member since 2001, Lan Cao is a Boyd Fellow and Professor of Law specializing in international business and trade, international law, and law and development. She has a unique international perspective, having experienced the Vietnam War as a child. She moved to the United States in 1975, and her experiences were the basis for her semi-autobiographical novel *Monkey Bridge* (Viking/Viking Penguin/Putnam 1997) (Penguin paperback ed. 1998). She also is co-author of *Everything You Need to Know About Asian Americans* (Penguin Plume 1996) (2d ed. 2004) (co-author Himilce Novas).

Prior to joining the William & Mary faculty, she taught at the Brooklyn Law School for six years. She has clerked for Judge Constance Baker Motley of the U.S. District Court for the Southern District of New York and practiced law with Paul, Weiss, Rifkind, Wharton & Garrison in New York City. In addition to her books, she has authored numerous articles on international topics ranging from markets to ethnic issues. Professor Cao currently teaches corporations, international business transactions, and international trade law.

SELECTED PUBLICATIONS
The Diaspora of Ethnic Economies: Beyond the Pale?, 44 Wm. & Mary L. Rev. 1521 (2003).
“As a professor at William & Mary, I have the opportunity to pursue research in fascinating fields while surrounded by an impressive cadre of international law scholars whose experience and insights continually make my work better.”

NANCY COMBS
2009-10 Cabell Research Professor of Law

DEGREES
Ph.D. (International Law), Leiden University
J.D., University of California at Berkeley
Certificate, The Hague Academy of International Law
B.A., University of Portland

BIOGRAPHY
With a focus on international criminal law and human rights, Professor Nancy Combs has shared her global perspective with William & Mary law students since 2005. Her varied background includes running a chimney sweeping business, serving as a legal advisor at the U.S.-Iran Claims Tribunal at The Hague and obtaining her Ph.D. from Leiden University. She also graduated first in her class from the University of California at Berkeley School of Law and served as a law clerk to Judge Diarmuid O'Scannlain on the Ninth Circuit Court of Appeals and to Justice Anthony Kennedy on the United States Supreme Court. Professor Combs has published on topics in international law and international criminal justice and is the author of two books, Guilty Pleas in International Criminal Law: Constructing a Restorative Justice Approach comprehensively analyzes the plea-bargaining practices of the international tribunals and develops a plea-bargaining model that has the potential both to enhance accountability and promote reconciliation and other restorative justice goals. In Fact-Finding Without Facts: The Uncertain Evidentiary Foundations of International Criminal Convictions, she identifies a series of fact-finding impediments that give rise to serious concerns about the accuracy of the tribunals’ factual determinations.

SELECTED PUBLICATIONS
“As a practical matter, there is no longer a distinction between domestic law and international law. They are today intertwined and growing more so.”

CHARLES H. KOCH, JR.
Woodbridge Professor of Law

DEGREES
LL.M., University of Chicago
J.D., George Washington University
B.A., University of Maryland

BIOGRAPHY
Professor Charles Koch is the Dudley W. Woodbridge Professor of Law at William & Mary Law School where he has been a member of the faculty for 30 years. His areas of expertise include administrative law, comparative constitutional systems, electricity, the European Union and federal courts. While primarily focused on U.S. administrative law, he began learning and teaching about the European Union because he saw its growing importance both to the U.S. in the global legal environment and ultimately to domestic law. He also felt compelled to write about the relationship between European Union and U.S. law, applying his expertise in U.S. administrative law to the EU government. A prolific writer, he has published books for both teaching and practice, as well as numerous articles in law reviews and practitioner-oriented journals. He frequently lectures on administrative law and related topics to academics, practitioners, and federal and state judges. He was Assistant Chief Reporter of the Administrative Law of the European Union Project of the American Bar Association and is a Past Chair of the Committee on Sections and Annual Meetings and of the Administrative Law Section of the Association of American Law Schools. He is a member of the United Nations Affairs Coordinating Committee of the American Bar Association. For seven years he served as Editor-in-Chief of the Administrative Law Review and twice acted as a consultant to the Administrative Conference of the United States.

SELECTED PUBLICATIONS
32-33 FEDERAL PRACTICE AND PROCEDURE (West Pub’g 2005) (co-author Charles Alan Wright) (annual supplements).
1-3 ADMINISTRATIVE LAW AND PRACTICE (West Pub’g 2d ed. 1997).
There is nothing more important today in anyone’s education than an understanding of the world in which they live. In keeping with the tradition of the citizen lawyer established by William & Mary’s own George Wythe, John Marshall and Thomas Jefferson, our students recognize and appreciate the commitment of the College and Law School to making our students citizens of the world.

LINDA MALONE
Marshall-Wythe Foundation Professor of Law and Director, Human Security Law Program

DEGREES
LL.M., University of Illinois
J.D., Duke University
B.A., Vassar College

BIOGRAPHY
Professor Malone took the suggestion of her college advisor. She went to law school to study international law, sparking an active career of serving as a delegate to the United Nations Conference on the Environment and Development, co-counsel to Bosnia-Herzegovina in its genocide case against Serbia and Montenegro before the World Court, co-counsel to Paraguay in its challenge to the death penalty in Paraguay v. Virginia, and co-counsel for amicus in the Supreme Court in Padilla v. Rumsfeld and Hamdan v. Rumsfeld. A 1998 Fulbright/OSCE Regional Research Award recipient for her work on women’s and children’s rights in Eastern Europe, she also received grants from the NEH, State Department, and International Research and Exchange Board in continuance of her work. Closer to home, her achievements have included the 2000 Millennium Award of the Virginia Women’s Bar Association. Professor Malone recently served on the ABA’s Special Subcommittee on the Rights of the Child, and on two committees of the National Academy of Sciences, and is the author of the water quality chapter of the 2005 report of the Congressionally-created U.S. Ocean Commission. She is on the Board of Advisors of Karamah, a non-profit organization of Muslim woman lawyers for human rights, and a member of the American Law Institute and the Environmental Commission of the World Conservation Union (IUCN), and serves on the Board of Directors for the International Society for the Reform of Criminal Law.

SELECTED PUBLICATIONS
Environmental Law, Policy, and Practice (Thomson West 2007) (co-author Murray Tabb).
"In teaching international law and institutions at William & Mary I use my different cultural background and unique life experiences as a vehicle for exposing my students to views and perspectives with which they may be unfamiliar or sometimes even uncomfortable. I believe that in order to better prepare our students for the challenges and opportunities of the new century such exposure is not just helpful but essential."

ALEMANTE SELASSIE
Associate Professor of Law

DEGREES
LL.B., Haile Selassie University
M.L.I., J.D., University of Wisconsin

BIOGRAPHY
Professor Alemante Selassie has been a member of the William & Mary Law School faculty for more than two decades. His areas of expertise include commercial law, African and constitutional comparative law, contracts, debtor-creditor law, law and development, remedies, and secured transactions. Professor Selassie's experience serving in various senior capacities in the Ethiopian Ministry of Land Reform for twelve years helped inform his unique global perspective. He became interested in teaching international law after September 11, 2001, when he realized that because of his Ethiopian background he might offer a unique perspective on some of the issues that figure in international law and international relations. His background also has informed his articles on constitutional and democratic issues in Africa. He is the author of articles in the Boston College Law Review, Stanford Journal of International Law, William & Mary Bill of Rights Journal, Wisconsin Law Review, and the Yale Journal of International Law, and is a frequent panelist and presenter on topics of ethnic, African and human rights legal issues. In 2003 he received the Walter L. Williams, Jr. Teaching Award, and he is a member of the International Third World Legal Studies Association and the Section on Africa for the Association of American Law Schools. In 1994 and 1995 he led the COEDF (Ethiopian People’s Revolutionary Party) Delegation to the Congressional Task Force on Ethiopia and the Carter Center Talks on Ethiopia.

SELECTED PUBLICATIONS
"I believe it is important for students to have opportunities to work on issues of critical importance in places where people and legal systems struggle to recover from poverty, corruption, colonization and conflict. I enjoy pairing my experience in developing and post-conflict environments with the tremendous energy and commitment of William & Mary law students who are being positioned to contribute to an exciting frontier in the law."

CHRISTIE WARREN
Professor of the Practice of International and Comparative Law and Director, Program in Comparative Legal Studies and Post-Conflict Justice

DEGREES
J.D., University of California at Davis
B.A., University of California at Berkeley

BIOGRAPHY
A passion for helping law students understand legal systems other than their own led Professor Christie Warren to join the William & Mary Law School community in 2001. Global experiences influenced her commitment to international law and include advising post-conflict Kosovar leaders on crafting their fledgling government’s new constitution in 2007-08 and volunteering to train new Cambodian lawyers and judges in the mid-90s following the brutal reign of the Khmer Rouge. She has designed, implemented, monitored and assessed constitutional, judicial and legal development and training projects in 34 countries. Professor Warren was named the Law School’s 2005-06 St. George Tucker Adjunct Professor of Law, and she became Professor of the Practice of International and Comparative Law in 2009. In fall 2008, she became the Director of the new program in Comparative Legal Studies and Post-Conflict Justice. She was named the 1998-99 Supreme Court Fellow at the United States Supreme Court and received the Supreme Court Fellows Alumni Association’s Administration of Justice Award for “significant contributions to the international administration of justice.” She is the Curriculum Development Advisor for the Constitution-Building Processes Programme at the International Institute for Democracy and Electoral Assistance in Stockholm, Sweden.

SELECTED PUBLICATIONS
Lifting the Veil: Women and Islamic Law, 15 Cardozo J.L. & Gender 33 (Winter 2008).