

2008

Program in Comparative Legal Studies and Post Conflict Justice Introduced at Law School

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By Ann Gaudreaux

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Beginning in fall 2008, William & Mary Law School will offer a program in Comparative Legal Studies and Post-Conflict Justice. Christie S. Warren, Senior Lecturer in Law, will be Director of the program. Warren 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 United States Agency for International Development (USAID). She also served as an advisor to the Kosovo Constitutional Commission during the recent constitution-drafting process there.

More than 93 percent of the world's citizens live in countries with legal systems other than the pure common law system that most law students in the United States are taught, according to Warren. "As interactions among countries increase," she said, "it will no longer be possible for young lawyers to avoid legal issues involving one or more non-common law systems during the span of their careers. It is very important that the next generation of lawyers be educated in comparative and international legal principles."

Interim Law School Dean Lynda Butler said that the new program is the most recent addition to a growing number of internationally focused endeavors at the Law School, which include the Human Rights and National Security Law Program and semester-long study abroad opportunities. She credits Warren for being the "catalyst" for the fledgling program, noting that she has "opened the doors for our students to numerous international internship opportunities."

The new Program emerged from a Special Problems in Post-Conflict Justice seminar Warren taught at the Law School in spring 2007. In that seminar, her students studied and analyzed a range of topics that included comparative criminal procedure, international standards for legal and judicial ethics and conflicts of interest, anti-corruption strategies in developing countries, and case-flow management issues in courts that are often without electricity. The heart of the seminar was in the work her students performed.



"My students served as long-distance law clerks," Warren said, "doing real work and making a real impact on the development of legal systems around the world." William & Mary law students were paired with agencies and projects in Kosovo, Iraq, Afghanistan, Haiti, Ukraine and Moldova, and supervised by lawyers with whom Warren has worked through the years in the Departments of Justice and State, the Institute for Sustainable Communities, USAID, and the National Center for State Courts.

"My students were able to perform viable work while studying the law, and we received excellent feedback from the field," Warren said. "It was also a wonderful opportunity for them to experience all the things that can be done with a law degree and the great need for trained lawyers to be involved in post-conflict reconstruction."

"In recent years, as issues relating to global stability and security have taken on increasing importance," Warren said, "there also has been an increased focus on strategies for peacekeeping, reconstructing governmental institutions, and creating mechanisms to establish post-conflict justice and restore the Rule of Law following war and internal conflict. Today, these issues dominate news and global policy debates."

The Program in Comparative Legal Studies and Post-Conflict Justice will serve as a hub for research and technical assistance for international legal workers in the field. Course work and research will explore practical applications of legal theories and draw on the academic community at William & Mary Law School and in each country to enable local citizens to participate in the reconstruction of their own countries. Members of the Law School faculty will work with law students in conjunction with College faculty from other departments, such as the anthropology, religion, political science and government departments, to provide an interdisciplinary context for the work they do.

A number of Law School faculty members with strong international reputations will participate in the work of the Program. They include Angela Banks, a specialist in immigration and gender and human rights; Lan Cao, who has published in the areas of international business and trade, and law and development; Nancy Combs, an international criminal law expert; Charles Koch, an Assistant Chief Reporter of the ABA's Administrative Law of the European Union Project; Linda Malone, Director of the Human Rights and National Security Law Program; Mitchell Reiss, Vice Provost for International Affairs at the College of William & Mary and former Special Envoy for



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the President to the Northern Ireland Peace Process; Alemante Selassie, an expert on African human rights and comparative law; and Michael Stein, who helped draft the United Nations Convention on the Rights of Persons with Disabilities and is a legal advisor to Rehabilitation International.

The Program's work builds upon the wide range of international courses offered by the Law School. "Additionally, in order to provide concrete experience in this field, the Program also makes international public service internships available to William & Mary law students," Warren said. In summer 2008, students served as interns for the American Bar Association Europe and Eurasia Program in Azerbaijan, the Center for Human Rights and Environment in Argentina, International Bridges to Justice in Cambodia, Rwanda, Geneva and India, the International Institute for Democracy and Electoral Assistance in Stockholm, the National Center for State Courts in Kosovo, and the United States Institute of Peace.

The Program will maintain collaborative working relationships with a number of international organizations, including the Institute for Human Security at the Fletcher School of Law and Diplomacy, the Center for Human Rights and Development in Argentina, Fondation pour le Droit Continental (Civil Law Initiative) in Paris, Instituto de Empresa Law School and the Center for Political and Constitutional Studies in Madrid, Interpeace, and International Bridges to Justice.

"The Law School emphasizes the training of its students as citizen lawyers," Warren said. "Now we will be training them to be citizen lawyers to the world."