

Washington University Journal of Law & Policy

Foreword

ABOUT THE INSTITUTE FOR GLOBAL LEGAL STUDIES

It is trite but true: We live in a global age. People, goods, services, information, and capital flow freely across international boundaries. From the Internet, e-mail, and fax machines to travel, migration, commerce, and foreign relations, the story of the new millennium will be our ever shrinking planet. The world's problems—and the problems entrusted to lawyers—will increasingly require international cooperation and international solutions.

The Washington University School of Law has a proud lineage of faculty and students in search of global solutions to real-life problems. With this history, it seemed only natural to formalize and enhance our commitment to a global strategy. Our new Institute for Global Legal Studies was the logical next step. It reflects the confluence of new and old—the new spirit of modern globalism and the old international traditions of Washington University and its School of Law.

On November 18, 2000, the Institute officially opened its doors. The inaugural event was a colloquium entitled “The United Nations and the Protection of Human Rights.” We feel both honored and grateful that so many of the world's most distinguished United Nations and human rights authorities convened at Washington University to help us launch and celebrate our new Institute. Their papers comprise this issue of the *Washington University Journal of Law & Policy*.

The Institute will be a vessel for gathering, sustaining, and expanding a broad range of international projects of benefit to our students, our faculty, and the larger society. Through a combination

of education and research initiatives, the Institute will draw on international, foreign, and comparative law to expand our knowledge and understanding of contemporary problems and contribute to their solutions. It will prepare students to practice law, and to develop policy, in the globalized society in which they will live and work. It will utilize the vast pool of talent overseas and promote interaction between the students and faculty of Washington University and their colleagues from other nations. In the process, the Institute will foster the lively international environment within the four walls of the law school and throughout the Washington University campus.

Our strong international and comparative law faculty forms the nucleus of an internal, nineteen-member advisory board. An external International Council, composed of respected statesmen, international judges, distinguished international law scholars, international industrialists, and others will also advise the Director.

With the inaugural colloquium now behind us, our staff in place, and our physical facilities completed and functioning, the Institute's core activity will be a series of major conferences on topics of contemporary global importance. Each conference is being planned two years in advance by a different member of the law faculty, often in collaboration with a foreign colleague. With generous funding, ample advance notice, and lofty ambitions, the aim is to identify serious but solvable problems, attract the most impressive minds in the world, elicit first-rate groundbreaking papers, arrange publication and disseminate the books widely.

The first conference in this series will be on the subject of constitutional courts, a topic of vital importance to the emerging democracies and to the more established democracies as well. It will be held on November 1-3, 2001. The conference is co-organized by two distinguished authorities—Professor Stanley L. Paulson, the William Gardiner Hammond Professor of Law and Professor of Philosophy, and Lee Epstein, Professor of Law and the Mallinckrodt Distinguished University Professor of Political Science. The lineup of speakers includes Ronald Dworkin, Juergen Habermas, Frank Michaelman, Nobel Laureate Douglass North, and a host of other exceptional scholars. Kim Lane Scheppele, Professor of Law and Sociology at the University of Pennsylvania, will co-edit the resulting book with Professor Epstein.

The Institute also sponsors a speaker series. In the first two years, our guests (some cosponsored by other programs) have included a delegation of German Marshall fellows from six nations, a delegation of Turkish law deans, a delegation of scholars from the Indian Law Society, the Legislative Affairs delegation from the People's Republic of China, Justice Vojtech Cepl of the Czech Constitutional Court, Richard Dicker of Human Rights Watch, British barrister Victoria Thomas, international lawyer David Detjen, Falun Gong representative Larry Liu, NPR's China correspondent Mary Kay Magistad, Chilean ambassador Jorge Arrate, Nuremberg Prosecutor Whitney Harris, civil rights pioneer Margaret Dagen, Cypriot human rights attorney Achilleas Demetriades, President of the Legal Aid Organizations of South Africa Asha Ramgobin, two-time Pulitzer Prize-winning New York Times syndicated columnist Anthony Lewis, and Professors Michael Byers, Giselle Byrnes, Roger Clark, Thomas Franck, Susan Martin, Peter Mirfield, and Jean Koh Peters—among many others. Almost all the speaking events are open to the public.

The Institute will also play supportive and advisory roles in the international components of other law school operations—recruiting JD and graduate law students interested in international, foreign, or comparative law; planning an international curriculum; advising students about international curricular choices; advising foreign students; facilitating a network of student exchange programs with law schools in Australia, Germany, India, Japan, Nepal, the Netherlands, Singapore, and the United Kingdom; providing job placement and career advice for students and graduates interested in overseas or other international opportunities; working with the International Law Students Association, the Asian Law Students Association, the Jessup International Moot Court team, the *Global Studies Law Review*, the LLM program for international students, and the international law library collection.

Thanks are due to the many individuals and organizations who played vital roles in the planning, execution, and afterlife of this colloquium. I am grateful to the Chancellor of Washington University, Dr. Mark S. Wrighton, and the Dean of the School of Law, Joel Seligman, for their support of the Institute and their personal participation in the inaugural colloquium. For their valuable

advice, which has been crucial in mapping the course of the Institute, I thank my eighteen colleagues who serve on the Institute's faculty advisory board¹ and all the members of the Institute's International Council.² I also take this opportunity to introduce and welcome our new Associate Director, Ms. Leslie Kerr.

Several members of the staff were indispensable. The Institute's Office Manager, Linda McClain, arrived on the job only a week before the event and lent immediate and exceptionally competent logistical oversight. Jo Hobbs, Sharon Strathman, Serena Yee, Henri Pennington, Ann Nicholson, and Debora Burgess all provided essential advice and hard work. For the fabulous quality of the videotaping and webcasting, I am indebted to Darryl Barker, Bill Mathews, Aris Woodham, Brian Ingram, and Philip Berwick. I am grateful to Pete Milne, Rita Countie, and Bill Reitz in the Business Office, for helping me navigate the bureaucratic hurdles. The students in the International Law Society—especially Maura Yusof and Amanda Collins—also generously pitched in. Special thanks are due to the *Journal of Law & Policy*, and particularly to editor in chief Kyle Williams, managing editor Ame Wellman, Teri Dent, and Carole Barnes, for their superb, and extensive, work in connection with both the colloquium itself and the present publication. I am profoundly grateful to our speakers, who came from all corners of the world to help us celebrate this special occasion and foster a vibrant debate over the role of the United Nations in the protection of human rights.

I am similarly in debt to my colleagues Clark Cunningham, John O. Haley, A. Peter Mutharika, Leila Nadya Sadat, and Karen Tokarz

1. They are Stuart Banner, Clark Cunningham, John Drobak, Dorsey D. Ellis, Jr., Lee Epstein, Frances H. Foster, John O. Haley, William C. Jones, Daniel L. Keating, Leslie Kerr, Charles R. McManis, A. Peter Mutharika, Stanley L. Paulson, Leila Nadya Sadat, Joel Seligman, Michele Shoresman, Karen L. Tokarz, and Maura Yusof.

2. As this book goes to press, they are the Honorable John B. Anderson, the Honorable Louise Arbour, Ambassador Jorge Arrate, Professor M. Cherif Bassiouni, Professor George A. Bermann, the Honorable Professor Dr. Dr. h.c. Rudolf Bernhardt, Professor Paul P. Craig, Dr. Francis Deng, David W. Detjen, Professor Thomas M. Franck, Justice Richard J. Goldstone, Ambassador Aída González Martínez, Whitney R. Harris, Richard C. Hottelet, Charlotte Ku, Anthony Lewis, Professor and former Justice Herbert H.P. Ma, Dr. Susan F. Martin, the Right Honourable Sir Geoffrey Palmer, Professor Asha Ramgobin, Judge Patricia M. Wald, Professor Ruth Wedgwood, and Professor Joseph H. Weiler.

for introducing speakers, skillfully moderating panel discussions, and the like. To Whitney R. Harris, a member of the prosecuting team for the International Military Tribunal at Nuremberg and the author of the classic book on that subject, *Tyranny on Trial*,³ I owe special thanks for his thoughtful and eloquent introduction of Justice Richard Goldstone.

A number of community organizations helped me bring this event to the attention of the public. I thank Professor Ronald Glossop and the World Federalist Association; Cynthia Woolsey, Joy Guzé, Professor Carl Hoagland, and the United Nations Association of St. Louis; Diana Thomas and the Wednesday Club; Anna Crosslin and the International Institute of Metro St. Louis; Dr. M. Priscilla Stone and the International Studies Program in the College of Arts and Sciences of Washington University; Gretchen Felix and the Women's International League for Peace and Freedom; the Ethical Society of St. Louis; Professor Joel Glassman and the Center for International Studies at the University of Missouri at St. Louis; Dana Wright and the American Red Cross; Nancy Rogers and the World Affairs Council; Dan Reich and the St. Louis Holocaust Museum and Learning Center; and Anita Koester and the League of Women Voters.

Finally, I thank our generous patrons. We are indebted to one of our star alumni, Steven Cash Nickerson, Class of 1985, the President and CEO of mucho.com, and his wife, Evelyn Thomas Nickerson, for their kind gift that has made this colloquium possible.

If there is anyone else who deserves thanks but whom I have neglected to mention, please forgive me. I am not ungrateful, just forgetful.

Stephen H. Legomsky

3. WHITNEY R. HARRIS, *TYRANNY ON TRIAL: THE TRIAL OF THE MAJOR GERMAN WAR CRIMINALS AT THE END OF WORLD WAR II AT NUREMBERG, GERMANY 1945-46* (rev. ed. 1999).

