

# Four-Year-Old Center in London Is Devoted to Growing Field of Transnational Law

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LONDON — “Everyone has the right to nationality.”

Kimberly Karseboom’s presentation on citizenship rights last Monday began with a review of the relevant legislation. Ms. Karseboom, a third-year law student at Georgetown University in Washington, then summarized a 2005 ruling by the Inter-American Court of Human Rights against the government of the Dominican Republic, which had refused to issue passports to two girls who had been born in the country but had Haitian parents. Even after the court ruled against it, a discouraged-sounding Ms. Karseboom told the class, the Dominican Republic had refused to comply.

“That happens frequently in the Inter-American system of human rights,” said Francisco Ibarra Palafox, head of the Institute for Legal Research at the National Autonomous University of Mexico and the class teacher. “Decisions can take many years to produce effects. But don’t forget, at the end of the day, moral sanctions are very important.”

Ms. Karseboom was not convinced. “What can be done to enforce this ruling if the Dominican Republic don’t really care?” she said. “I would never bring a case in this court — ever.”

Up until this point, the discussion, which took place in a classroom just off Chancery Lane in the heart of London’s legal district, had remained relatively abstract. Then another student spoke up, and the dispute suddenly came alive.

“I was born in Jerusalem,” said Nardine Jildeh, a recent graduate of Al-Quds University in that city. “I have an Israeli travel document. I also have a Jordanian travel document. It looks like a passport, but I don’t have the right to live in Jordan. So I’m basically stateless.”

Such encounters across cultures are among the main reasons students come here to the Center for Transnational Legal Studies, a unique honors program that this semester draws 60 students from 15 countries to classes taught by legal scholars from Australia, Canada, Israel, Italy, Mexico and the United States. Set up in 2008 and administered by Georgetown, the center’s 12 founding partners include the Free University of Berlin, the University of Fribourg, Hebrew University, King’s College London, the National University of Singapore, the University of São Paulo and the University of Toronto. But another dozen universities in Chile, China, Colombia, India, New Zealand, Russia and South Korea regularly send students.

Naomi Mezey, the center’s academic co-director, explained that although Georgetown had a spacious campus in Washington, the decision to locate the center outside the United States had been deliberate — and set the program apart from other law schools, like that of the University of Pennsylvania, which has a clinic in transnational law, a growing field that

studies the way laws apply to individuals, corporations and governments across national boundaries.

The center was the brainchild of Alexander Aleinikoff, formerly dean of the Georgetown law school who resigned to become United Nations Deputy High Commissioner for Refugees. “There are 15 different legal systems in the room, starting from 15 different assumptions,” said Scott Foster, the center’s executive director.

Ms. Mezey, who teaches courses on law and culture at Georgetown, said, “Nobody is on their home turf here. That really pulls students and professors out of their comfort zones.”

Kerry Rittich, a professor at the University of Toronto and the other co-director, pointed out, “CTLS is a place where everyone is a stranger. Globalization is a legal project — it’s based on laws. We want students to think about what the institutions that govern globalization should be. Who’s in control? And how do you get political input and democratic accountability?”

Students can spend one or two semesters at the center, and they typically come toward the end of their studies. Students at founding partners pay tuition to their home universities; other partner schools pay \$10,000 a semester for each student they send. Founding partners are also required to send faculty members for one semester, and the academic co-directors serve one-year terms.

For Liron Mark, who was at CTLS last semester, the main benefit of the program “was that I fell in love with the law again.” Ms. Mark, a graduate of Hebrew University, said by telephone that many of her fellow students “had never heard of Israel. For the first time, I had a chance to hear from people who live under different kinds of justice systems. In Israel comparisons are usually made with Germany or Britain or the U.S.” I was really fascinated by the Malaysian system.”

Alice Ollino, a fifth-year from the University of Torino, was struck by “the stark differences between civil law countries like Italy and common law countries” like Britain and the United States. Education in common law countries “is all about cases,” she said, while her own education had been focused on “statutes, articles, texts.” She said it was also important to meet other students interested in human rights. “Most law students are interested in economics,” she said. “They don’t say human rights are pointless — just less important.”

But Wei Zhen Lim, from King’s College London, needed no convincing about the importance of human rights — or the relevance of the discussion in Mr. Palafox’s class. “I’m Malaysian, so the comparisons are really interesting,” she said.

As might be expected among law students, there are dissenters. “I think that if you bring together people with diverse experiences and you don’t set clear expectations, you end up with a ‘lowest common denominator’ situation,” said Corey Prachniak, a Georgetown second-year, in an e-mail. “So if some students aren’t used to reading before class, and they aren’t told to do so, pretty soon no one is. I’ve been told that this confusion is all part of the experience here, but it’s surprising to me that we learn more about other students’ study habits than their opinions relating to law.”

Ms. Mezey, the co-director, said, “He does raise a genuine issue in the sense that the very strength of the program — diversity of nationality, language and legal and cultural perspectives — is also one of its key challenges. But most participants experience the strengths as far outweighing the challenges.”

For Ms. Jildeh, whose stateless condition made it harder to get the visa that enabled her to attend classes, the program was “a dream.” She enjoyed her classes, but was especially pleased to find her fellow students “respected me and were so eager to know more about my culture, my language, music, food and last but not least the political conflict.”