Questions of international law raised by situation in Bosnia

What does international law have to say about those who want to secede from a state? Is there a right to independence?

The situation in Bosnia raises these and other questions, outlined by international law scholar and practitioner Christopher J. Greenwood at the 11th annual Emanuel Emroch Lecture, April 15 in the Moot Courtroom.

"International law is all about relations between states," Greenwood said. "Does it have anything to say when a state breaks up into pieces?" Bosnia is not the first case, nor will it be the last; Greenwood noted also the Biafran secession from Nigeria, the Soviet Union breakup, Rwanda and others.

Among other issues related to the collapse of states, according to Greenwood, are the rights of minorities and questions of territorial division.

Next, Greenwood discussed the international community’s response to the commission of atrocities and the role of the war crimes tribunal in The Hague, which is concerned with war crimes, crimes against humanity, and genocide.

Greenwood concluded that the law does have a role to play in situations like Bosnia, but he noted that international law is very much “the art of the possible.”

Greenwood is a prolific scholar whose writings focus on the laws of armed conflict. As a practitioner he is a member of a prominent set of barristers’ chambers in London specializing in public international law and international commercial law matters.

He currently is serving as counsel for the United Kingdom in the case Libya v. United Kingdom (the Pan Am bombing over Lockerbie, Scotland) before the International Court of Justice in The Hague.

Earlier this year, he was appointed the professor of international law in the University of London, London School of Economics. Among his many publications are Command and the Laws of Armed Conflict (1993); The Kuwait Crisis, Basic Documents, Vol. I (1991); and The Modern Law of Armed Conflict, Vol. II (1995).

He has served as a consultant to both the British Foreign Office and Ministry of Defense and as co-editor of the International Law Reports.

Greenwood received a bachelor’s degree and a law degree, both with first class honors, from Cambridge University, and was called to the Bar in 1978. He has served as a law tutor and the director of legal studies at Magdalene College, Cambridge, since 1978 and as a member of the law faculty at Cambridge since 1981.

The Emroch Lecture Series was established by the late Emanuel Emroch, R’28 and L’31, his wife Bertha, and friends. It is currently supported by Mr. Emroch’s son and daughter-in-law, Mr. and Mrs. Walter Emroch.

— Dorothy Wagener

Allen Chair series looks at land use regulation

The future of environmental and land-use regulation was the subject for the four visiting scholars in the 1996 George E. Allen Chair in Law.

Chief Judge Loren A. Smith of the United States Court of Federal Claims, spoke on “Life, Liberty and Whose Property,” Feb. 7. He has written several notable opinions concerning regulatory takings in the environmental arena, as well as writings on other topics of administrative and constitutional law. Appointed to the Court of Federal Claims in 1985, he became chief judge in 1986.

Professor Charles M. Haar of Harvard Law School spoke Feb. 14 on the topic, “Is This the Twilight of Land Use Controls?” He is an internationally recognized expert on housing, government finance, land-use and environmental regulation, and urban and suburban problems. Author of several books on land use and other numerous publications, he has served as the Louis D. Brandeis Professor of Law at Harvard since 1975.

“Capture and Counteraction: Self-Help and Environmental Zealots” was the topic March 6 for Professor James E. Krier, the Earl Warren DeLano Professor of Law at the University of Michigan Law School since 1988. Professor Krier has written extensively on topics related to environmental law and policy.

Architect William A. McDonough spoke April 2 on “Ecology and Aesthetics: Our Future and the Making of Things.” He is the Elson Professor and dean of the School of Architecture at the University of Virginia, and is a principal of William McDonough + Partners in Charlottesville, Va.

McDonough is a founding member of the American Institute of Architects Committee on the Environment and is the author of the design principles for architects participating in the World’s Fair in 2000.

The law school faculty leader for the series, Professor Michael Allan Wolf, coordinated interaction between the visiting legal scholars and the law school community through faculty colloquies and seminar classes. An upcoming issue of the University of Richmond Law Review will contain the Allen Chair Symposium material.

The Allen Chair was established to honor the late George E. Allen by his sons, the late George E. Allen, Jr., L’36; Ashby B. Allen, R’43; and Wilbur Allen.