



# Washburn Law Clinic

WASHBURN UNIVERSITY SCHOOL OF LAW™

Summer/Fall 2011 Newsletter

## Where in the World is Professor John Francis?

*By Professor John Francis*

I am neither Carmen San Diego nor Matt Lauer, but as I write this, I'm on the opposite side of the world from Washburn. As part of my sabbatical project, I am spending five weeks in Phnom Penh, Cambodia. While here, I am volunteering at Cambodia's Royal University of Law and Economics (RULE), teaching an advocacy module within a course that focuses on International Humanitarian Law. To my relief, I have been partnered with another teacher who is well-versed in IHL. She teaches the subject matter, while I teach advocacy techniques. The students I work with are part of a specially enrolled group who study classes in English.



*John Francis and his son, Punleu, in front of the Bayon Temple in Angkor Thom*

The program is known as the English Language Based Baccalaureate of Law program (ELBBL). Although there are approximately 18,000 students who attend RULE, only a few hundred are enrolled in the ELBBL.

In Cambodia, as in many places in the world, law is studied as an undergraduate pursuit. My students come from different social and economic groups from all over Cambodia. One of my students is a Buddhist monk. I meet with the students as a class as well as individually. My students here are very eager to learn hands-on legal advocacy techniques.

They have embraced the use of elements charts to analyze problems, the use of the IRAC method to organize their persuasive legal writing, and they are currently preparing to make their first oral argument before the class. Every student in my class will participate in either the International Red Cross Moot Court competition or the Jessup Moot Court competition. Those who advance from the national rounds will compete against students from India, Australia, New Zealand, Singapore, and other nations.

Later this week, I am hoping to observe proceedings at the Extraordinary Chambers of the Courts of Cambodia (ECCC). This is the court established jointly by the United Nations and Cambodian government to try people charged with crimes against humanity that occurred during the reign of the Khmer Rouge. Under Khmer Rouge rule, approximately one quarter to one third of the Cambodian population was killed. The ECCC is unusual in that it consists of judges

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*John Francis and his son, Punleu, in front of the Angkor Wat Temple in Siem Reap*

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from the United Nations and judges from Cambodia. It is also unusual in that individual victims have standing to petition to participate as a party in the proceedings. However, there is currently great concern that so much time has passed since the crimes occurred, that some of the defendants in the trials may die before their trials can be completed and justice can be achieved.

My son, Punleu, who was born in Cambodia, has joined me on this trip. I was able to enroll him in a school here, where he is one of seven kids in his fifth grade class. Because there is a significant international community in Phnom Penh, many elementary schools teach in English. Punleu has had the opportunity to study alongside Cambodian (Khmer) students as well as students from other countries. His teacher is from Sri Lanka.

Getting around Phnom Penh can be an adventure. This is a city of 2 million people. Wealthy people often travel in cars (some

very wealthy have Mercedes, Lexuses or Land Rovers), while average workers and students travel primarily by “motos,” which are motor scooters. People who don’t own their own transportation can either hire a car, a moto, or a “tuk tuk.” We get around mainly by tuk tuk. A tuk tuk is essentially a moto hooked up to a carriage. Driving in Phnom Penh is not for the faint of heart. It is relatively common to see motos, tuk tuks or even cars driving headlong into oncoming traffic.

This is the rainy season in Southeast Asia. While we’ve been here, there has been significant flooding, especially in provinces north of Phnom Penh. More than 200 Cambodian people have perished in the floods and over 1 million have been harmed by the floods—many losing their homes or their crops for the year. The media reports that this is the worst flooding in more than a decade.

This past weekend, Punleu and I traveled by bus to Siem Reap, a city approximately 350 kilometers north of Phnom Penh. The Siem Reap area is home to amazing stone temples that

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were built between the 8<sup>th</sup> and 14<sup>th</sup> centuries. The most well-known temple, Angkor Wat, is the largest religious structure in the world and is considered one of the man-made wonders of the world. Many of the temples fell out of use for centuries. When they were rediscovered in the 19<sup>th</sup> Century, the jungle had reclaimed some of them. One of the temples, Ta Prom, had been kept in roughly the same condition as it was found, with trees growing through and over the temple walls. Cinema buffs might recognize Ta Prom from the movie Lara Croft: Tomb Raider.

Cambodia has faced huge challenges over the past decades. It struggles to shake loose from the scourge of the Khmer Rouge. A generation

of educated people was exterminated. Families were broken apart. The harm caused by this catastrophe has lasted long past the overthrow of the Khmer Rouge. This legacy has hobbled Cambodia's ability to economically compete in a world market. However, as the post-Khmer Rouge generations rebuild and embrace education, Cambodia is emerging in the world economy. There are signs of growth all over Phnom Penh.

Living in Cambodia for five weeks has been an amazing learning experience. We have been moved by the warmth and grace shown to us by the people we've encountered. Punleu and I will return home soon with interesting stories to share.

## Professor Organick Travels Down Under

On Sept. 8, 2011, Professor Aliza Organick was a plenary speaker at the Clinical and Experiential Legal Education Conference at the University of New South Wales in Sydney, Australia. Professor Organick's presentation addressed the challenges of introducing Indigenous Legal Theory into clinical practice and strategies for curriculum mapping for tribal law in the legal academy. Those challenges include student resistance to discussion of race, cultural consciousness, as well as the practical challenges of engaging in social justice work in rural indigenous communities. The discussion that followed considered the importance of building these core concepts into law school curricula.

In addition to the conference, Professor Organick was an invited guest to the La Perouse Aboriginal community. La Perouse is a discrete



*Professor Aliza Organick atop the Sydney Harbour Bridge*

Indigenous community on the Northern Peninsula of Port Botany on Botany Bay. While there she met with Aboriginal leaders and community members to discuss the current legal status of the La Perouse Aboriginal Land Grant and community development programs.

