RULE OF LAW COLLABORATIVE

RULE OF LAW SHORT COURSE

May 16 - 17, 2013
Washington, DC

Course Objectives
Fundamental to the mission of the Rule of Law Collaborative is the design and delivery of innovative, interagency training of personnel working in environments where rule of law is a necessary and promising aspect of post-conflict stabilization. Drawing on an extensive basis of research and practical experience of USC faculty, we seek to assist practitioners in enhancing their collaboration, coordination, and effectiveness. Through these trainings participants will better understand the roles of USG agencies (State, DOD, Justice, USAID, and others) in ROL and recognize opportunities for interagency cooperation in identifying, funding, and implementing projects. Participants will develop additional skill sets in working in an interagency approach to critical problem areas, while deepening their understanding of root causes of conflict and state breakdown.

Location
Thurgood Marshall Federal Judiciary Building
FJC Classrooms A & B
One Columbus Circle, NE
Washington, DC 20544

Arrival & Attire
Nearest Metro: Union Station / Enter through South Lobby on right / ID Required / Casual Civilian Dress

Contact Information
Course Coordinator: Kristen Check
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Phone: 803-777-4551 / 803-777-8180 (main office)
Agenda

Day 1: Thursday, May 16, 2013

12:45pm-1:00pm   Registration

1:00pm-1:15pm   Welcome Remarks
Wanda Rubianes, Administrative Office of the US Courts

1:15pm-1:30pm   Course Overview and Defining ROL
Dr. Gordon Smith, University of South Carolina

1:30pm-2:45pm   SESSION 1: RULE OF LAW MISSIONS AND MONEY
Dr. Gordon Smith, University of South Carolina

* READINGS:
  ○ Catalogue of Main ROL Assistance Providers and Their Programs
  ○ Rule of Law Success Stories

REFERENCES:

2:45pm-3:00pm   Break

3:00pm-5:00pm   SESSION 2: INTERAGENCY RULE OF LAW PLANNING
CASE STUDY ON SOUTH SUDAN

Professor David Pimentel, Ohio Northern University

Tabletop exercise and analytical session to clarify agency roles through the use of a relevant case study

READINGS:
  ○ Rule of Law Reform without Cultural Imperialism?: Reinforcing Customary Justice Through Collateral Review in Southern Sudan

* Additional recommended reading and reference materials are optional.
Agenda

Day 2: Friday, May 17, 2013

8:15am-8:30am  Registration

8:30am-9:30am  SESSION 3: CUSTOMARY JUSTICE AND PASHTUNWALI IN AFGHANISTAN/PAKISTAN

   Dr. Sudha Ratan, Georgia Regents University

   A discussion on the ethical code of Pashtunwali and other customary forms of justice in the context of Afghanistan/Pakistan

   READINGS:
   - My Cousin’s Enemy is My Friend: A Study of Pashtun “Tribes” in Afghanistan
   - “The Clash of Two Goods: State and Nonstate Dispute Resolution in Afghanistan” In Customary Justice and the Rule of Law in War-Torn Societies
   - Tribal Law of Pashtunwali and Women’s Legislative Authority
   - Afghanistan Rule of Law Project, USAID

9:30am-9:45am  Break

9:45am-11:45am SESSION 4: CUSTOMARY LAW AND WOMEN’S AND GENDER ISSUES

   Karen Hall, Department of State
   Hamid Khan, United States Institute of Peace
   Aparna Polavarapu, University of South Carolina School of Law
   Naomi Roht-Arriaza, UC Hastings College of the Law

   Moderator: Kristen Check, University of South Carolina

   Panelists discuss the implications of rule of law in countries with strong customary law or Shari’a systems and their influence on women’s and gender issues.

   READINGS:
   - “Conclusion: Understanding and Engaging Customary Justice Systems” In Customary Justice and the Rule of Law in War-Torn Societies
   - Women’s Rights to Property in Marriage, Divorce, and Widowhood in Uganda: The Problematic Aspects, Human Rights Review, 2010
11:45am-12:00pm  Break

12:00pm-12:45pm  World Justice Project Rule of Law Index Discussion
(Lunch Provided)
Dr. Gordon Smith, University of South Carolina

12:45pm-2:00pm  SESSION 5: COMBATING CORRUPTION: AN EXERCISE
Dr. Gordon Smith, University of South Carolina
One of the persistent problems confronting rule of law personnel is corruption. This exercise illustrates the challenges in mounting interagency efforts to break the cycle of corruption.
READINGS:
  o World Economic Forum G20 Working Group on Improving Transparency and Eliminating Corruption

2:00-2:15pm  Wrap-up Session