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Foreword

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FOREWORD

Melissa C. George*

In selecting articles for this year’s volume, we aimed to compile focused and practice-based pieces. As human rights gains prominence in everyday dialogue, our hope was to give grounding to the dialogue, and to keep the focus on the individuals who are at the foundation of this field. With human rights constantly evolving, we attempt to present you, our readers, with a range of ideas and studies that span both the centuries and the globe. We hope these articles expand and enhance the dialogue and further the human rights cause.

Volume 17 opens with the transcript of UB Law’s Annual Mitchell Lecture, given this year by Henry J. Richardson III. In tracing the evolution of African Americans’ use of international legal concepts from the sixteenth century through present day, Professor Richardson illustrates that a group of individuals need not subscribe to a particular legal system in order to craft legal arguments and develop legal theory.

The first article, Iveta Cherneva’s Human Trafficking for Begging, takes our readers to Asia and Europe while examining how the world’s various legal systems deal with the problem of people begging on the streets. Ms. Cherneva moves the focus of the issue from the individuals who are doing the begging to the causes for such action, particularly when those individuals are trafficked in order to beg. The article proposes that the legal systems must change their approach in order to protect the human rights of the individuals being trafficked for such purposes.

Next, Amrita Kapur examines the historical, political and social factors that affect land ownership in Africa, and uses three case studies to examine those methods that do and do not work. Her concluding proposals focus reform at the local level, with a flexible, grassroots approach.

Our geographic focus then shifts to the western hemisphere, with Stephen Joseph Powell and Patricia Camino Perez exploring the impacts of regional trade agreements (RTAs) in the Americas on human rights issues. The pair examines how two or more nations can provide greater human rights protections than can globally enacted international instruments, and looks at where RTAs have succeeded in doing so and where progress can still be made.

The focus then shifts to our own country in our final article, where Solomon B. Shinerock focuses on a recent U.S. Supreme Court case whose holding will limit the availability of immunity to former foreign government officials now residing in the United States, thus providing avenues of

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relief for victims of human rights violations perpetrated by foreign governments. Mr. Shinerock explores the implications of this holding in future cases.

With our custom to publish graduating law students, we selected for the student comment in this year’s volume a comment written by one of our Senior Associates. Tiffany M. Lebrón draws upon her experiences in Uganda following her first year at law school in looking at legislation proposed in Uganda in 2009 (and not yet withdrawn) that would severely limit the human rights of gays in that country. Ms. Lebrón explores the elements that allowed such a proposal to come to fruition and argues that passage of the legislation would be illegal under the international instruments to which Uganda is party.

This year’s volume concludes with books reviews by two Buffalo Human Rights Law Review staff members. The first book aims to educate a wide readership on the role of international laws and treaties in governing conduct during international armed conflict, while the second book is a compilation of articles from an array of scholars on the interplay between human rights issues and climate change.

On behalf of the entire Buffalo Human Rights Law Review, I would like to thank our faculty advisor, Professor Tara Melish, for her guidance and support in publishing this volume. Professor Melish and also Dean Makau Mutua have worked hard to ensure that human rights remains prominent in the University at Buffalo Law School community and beyond both through their own scholarship as well as their support of the Buffalo Human Rights Law Review and the Buffalo Human Rights Center. We are also grateful to our authors for their hard work in researching and writing the works that we now share with you, and especially for their dedication to developing human rights scholarship. Finally, I would like to thank our editors and staff who worked diligently throughout the year to prepare Volume 17 for our readers.

We hope you find Volume 17 thought provoking, and we welcome your feedback.