A World of Difference: New Faculty Member Rebecca French Brings an Anthropological Perspective to the Law

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Faculty

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A world of difference
It is about 11,000 miles from Amherst to the Himalayan nation of Tibet, but Rebecca Redwood French, new to the UB Law School faculty, bridges the distance with expertise on the Tibetan legal system and unflagging enthusiasm for understanding the cultural underpinnings of any system of laws.

It was at the University of Colorado School of Law, from which she arrives, that French published her landmark book, *The Golden Yoke: The Legal Cosmology of Buddhist Tibet*. The book analyzes and explicates the Tibetan legal system before 1959, when the nation's Chinese conquerors imposed their own judicial code.

The project was an outgrowth of her interest in Asia and her experience at Yale University, where she earned both the LL.M. degree and a doctorate in the anthropology of law. "I was interested in writing about an Asian legal system," French says. "But it was quite difficult to research most of these legal systems as a woman in the 1980s. I was advised not to do it. One day, I was in the Yale international law library, looking at the Asian law collection, and I noticed that there was hardly anything on Tibet. The more I started to find out about it, the more interested I became."

She spent three to four years in both India and Tibet, and with the help of a former Tibetan judicial official named Kungola Thubten Sangye, was able to reconstruct and analyze the legal system in force before the Chinese takeover. The Golden Yoke is a case study in legal anthropology, describing Tibetan legal reasoning in the context of such cultural assumptions as reincarnation, the doctrine of karma (which assumes, for example, that some crimes are due to acts in a previous lifetime) and an overall belief in basic Buddhist principles.

An anthropological approach to law, she notes, has as its basic premise that "every group has rules and procedures and even rituals by which it defines itself as a social group. What is really going on is a whole set of internal rules and sanctions."

French says she was attracted to UB Law when she spent a week at the Baldy Center last fall to teach a short course. "The students were creative and open," she said, "and diverse in background, age and other factors. The faculty who are working in many interesting areas also impressed me. Because UB Law School is so interdisciplinary, I can walk next door and say, 'What do you think about XYZ? and start a great conversation.' She says, too, that UB Law's solid core of female faculty members drew her attention. "Most elite faculties in the United States have less than 8 percent women in senior positions," she says. "The Law School has a wonderful group of female faculty. There is an encouraging, supportive atmosphere for faculty, and particularly female faculty. I moved primarily because I understood how superb the faculty is."

After earning a J.D. from the University of Washington Law School, French practiced for three years as a public defender, then for three years in general practice, both in Seattle. The turn to academia, she said, came when "the questions about law got larger, not smaller. When that happens, teaching is a natural thing to do. I would win a trial and question, why? Is this how the legal system should operate? I became increasingly interested in the moral underpinnings of the legal system."

Now, the move from Boulder, Colo., to Amherst is another family adventure for French; her husband, John, an anesthesiologist; and children Emo, 12, and Clara, 10.

At the Law School, she will teach property law and a seminar in legal theory, followed in the spring semester by another seminar and a course in her specialty: the anthropology of law.