



Recipient(e)s 2011 Recipients
John Peters Humphrey Fellowship
Bourse de recherche John Peters Humphrey

Heidi C. Matthews

Harvard Law School, Cambridge Massachusetts
Doctor of Judicial Science S.J.D. Candidate, ongoing

Fields of Study:

- *Law and Politics of Modern War*
- *Legal and Social Theory*
- *Political Theory*
- *Legal History*

Harvard Law School, Cambridge Massachusetts
LL.M. (Masters of Laws – degree waived)

- *“The Other Side of COIN: The combatant/civilian distinction, terrorism and the structure of war law” LL.M Long Paper(2008)*

McGill University, Montreal Quebec,
LL.B.-B.C.L. (Bachelor of Laws-Bachelor of Civil Law)

- *Great Distinction*

Mount Allison University, Sackville New Brunswick
B.A. (Bachelor of Arts, Distinction)

Proposed Program of Study – “The Political Authority of International Criminal Law”

My dissertation theorizes international criminal law (ICL) as a justice-seeking institution at once undergirded by, and superimposed upon, the nation-state system. As the enforcement branch of the law of war (LoW), ICL exposes international law’s contemporary legitimacy lacunae. LoW attempts to sustain the political configuration of the modern state system and the background conditions for law by prescribing the parameters of legitimate political violence. ICL, however, operates at the interface of legitimized violence and revolutionary change because it regulates the conditions under which new forms of politics can be pursued. ICL intervenes by naming that which is threatening to the system as *criminal*. I posit that authority *qua* sovereignty or universal morality is insufficient to account for the implications of this enemy/criminal distinction. As such, the dissertation reframes ICL as a fertile site for mediation among competing forms of *political authority*.

Specifically, it interrogates the legitimacy of ICL through the lens of political authority in order to arrive at a more conceptually – and morally – coherent account of international law. Chapter one undertakes a history of the political authority of LoW. Chapter two theorizes the historical insights in their applications to ICL. Chapter three explores normative and institutional conclusions.

Sidney R. Thompson

Columbia School of Law, New York
To pursue a LL.M (Master of Law), International Criminal Law

McGill University, Montreal Quebec
Bachelor of Civil Law (B.C.L)
Baccalaureate of Laws (LL.B)

- *Degrees conferred with Distinction.*
- *Awarded: Nathan Cotler Memorial Prize of Human Rights Law (highest standing).*

Exchange, University of Copenhagen, Copenhagen, Denmark

- *Masters level seminars in: International Terrorism Law; Law of International Development and Human Rights; Negotiation and Dispute Resolution.*

University of Toronto, Toronto, Ontario
Bachelor of Arts, Honours (B.A. hons)

- Specialist in International Development Studies; Major in Anthropology.
- Thesis: *Thai Political Discourse and Hill Tribe Community Development.*
- Degree conferred with Distinction; Entrance Scholarship, Dean's Honour List.

Proposed Program of Study

Columbia's LL.M. Program is course-based, but allows students to dedicate up to 8 out of 24 academic credits towards independent research, enough for a publishable work, which I intend to do.

I will focus my course work in the areas of criminal law and legal philosophy. My independent research will analyse the limitations of international criminal trials in adequately describing the nature and pattern of women's experiences of sexual violence during war. Whereas civil society groups have demonstrated that sexual violence is a weapon of war, systematically used to terrorize enemies or civilians, international criminal trials – from initial investigations, indictment, calling of evidence, to final judgment – struggle to adequately examine such violence in a meaningful way. My research will investigate the institutional structures which have contributed to this disconnect, using the Special Court for Sierra Leone (SCSL) as a case study.

To achieve this, I will undertake a qualitative assessment of the documentary reports of sexual violence in the war in Sierra Leone and compare it to the sexual crimes jurisprudence of the SCSL. I will then examine the institutional structure of the SCSL and demonstrate the ways in which it contributes to the under-description of sexual violence.
