



IN CLASS

Environmental, Health, and International Law Programs Partner to Offer Malawi Collaboration

By Chris Quirk

BUILDING ON Maryland Carey Law's strong tradition of integrating legal theory and practice, Professors Diane Hoffmann (Health Law), Bob Percival (Environmental Law) and Peter Danchin (International and Comparative Law) collaborated to imagine new ways students could work across boundaries and forge partnerships with law students and law clinics dedicated to addressing the increasingly devastating and interconnected effects of global warming in countries in southern Africa.

The result is a new Legal Theory and Practice course: Environmental Justice, Human Rights, and Public Health. The class brings together half a dozen students each from Maryland Carey Law and the University of Malawi, as well as faculty from both schools. The seminar gives participants a chance to share knowledge, ideas, and strategies to study and combat seemingly intractable problems.

"The effects of global warming are playing out in devastating ways in southern Africa," says Danchin, associate dean for research and faculty development. "It became apparent to us that climate change has ramifications in public health and human rights realms as well, and we realized this was a moment when we could collaborate in terms of teaching and research to fashion solutions."

The course was first offered last spring, just before the COVID-19 epidemic struck globally. That ended plans for mutual visits by the Maryland Carey Law students and their counterparts in Malawi, but the group persevered virtually, and looks forward to in-person exchanges and project work in the future.

Emily Schenning '20, now a judicial law clerk at the Maryland Court of Special Appeals, has a longstanding interest in African environmental law and had traveled to Malawi previously. Schenning signed up for the seminar immediately after she heard about it and appreciated the



Emily Schenning '20 in Malawi

360-degree approach of the course. “We would have discussions every week with the Malawian students on international environmental law and the issues confronting their nation,” she says. “What made it much more than a legal discussion was that we went beyond legislation and discussed using public health and other measures to address some of these problems.”

The expansion into different policy areas is almost a requirement given the interconnected nature of the problems the citizens of Malawi face. Malawi is fortunate to have ample lakes and rivers, but as water resources dry up due to rising temperatures, the combined effects of poverty, drought and disease tends to increase. Pollution of the Mudi river from industrial waste has a devastating impact on those living downriver. “Our teams in the class looked at these issues, did a legal analysis, and came up with some key ideas for potential public interest litigation,” says Danchin. “We also looked at the African Commission on Human and People’s Rights, where a number of cases have been brought in recent years and explored working with NGOs and civil society advocates to create partnerships on the ground there.” These partnerships are the

engine of the project, and part of what makes it successful insists Danchin, who grew up in South Africa. “Malawians are extraordinarily gifted and resilient. This isn’t a model of parachuting in. It’s a true exchange and it’s just wonderful to watch the relationships and innovative ideas that develop. I think because of that our students learn more about what it means to be a lawyer, and what it means to protect human rights.”

Schenning notes the importance of taking the time to get to know the community you are serving. “Without that, you’re flying blind,” she says. “Working in public interest, when I take on a project now, I see the entire community as my client. I love the Maryland Carey Law focus on communities, and I think this program embodies that.”

The Environmental Justice, Human Rights, and Public Health course was launched in large part thanks to generous funding from the David and Leslie Glickman Interprofessional Health Law Fund and is also a University of Maryland, Baltimore Global Impact Fund awardee. ■

