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In Defense of Humanity: Martha Walsh uses the law to combat genocide

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In Defense of Humanity

MARThA WALSH USES THE LAW TO COMBAT GENOCIDE

Martha Walsh '90 lives about an hour from London in Lewes, a quaint town of charming cobbled streets and Georgian townhouses. The heart of Lewes is its magnificent 13th-century castle, often the site of picnics, town meetings and theatrical performances.

The fairy-tale existence, however, is limited to Walsh's residential life. At work her primary concern is genocide.

A criminal and immigration lawyer in England, Walsh applied for an internship with the International Criminal Tribunal for the Former Yugoslavia (ICTY). She was assigned to the Office of the Prosecutor and quickly made the transition from Lewes to The Hague to work on a response to the appeal of General Radislav Krstic, convicted of genocide for the massacre of 7,000 men at Srebrenica. Sentenced to 46 years imprisonment, Krstic appealed on the grounds that he was not responsible for "genocide."

"It's entirely an issue of definition," Walsh explained. "Genocide is the intent to destroy in whole or in part a population. Seven thousand 'Bosnian Muslim men from Srebrenica' may be too small a group to legitimately constitute a 'part.'" On the other hand, she said, "Wiping out the male population, just on a fertility basis, can end reproduction so you don't have a Muslim population in that area."

Though Walsh did not participate in the courtroom proceedings, doing legal research for the trial was an emotional ordeal. She had to read hundreds of witness statements every day. "It was harrowing," she said. "Horrifying stuff that is difficult to imagine any human being enduring."

Asked if she found it satisfying to work for an organization that punishes perpetrators of hideous crimes, Walsh responded carefully. The International Criminal Tribunal does deal with heinous crimes, she says, but she insists that it is not solely punitive and that it functions like any other courtroom. "People have been acquitted at the ICTY, a fact that is rarely reported," she said. "Given the ICTY's functions like any other courtroom. "People have been acquitted at the ICTY, a fact that is rarely reported," she said. "Given the ICTY's functions like any other courtroom. "People have been acquitted at the ICTY, a fact that is rarely reported," she said. "Given the ICTY's functions like any other courtroom. "People have been acquitted at the ICTY, a fact that is rarely reported," she said. "Given the ICTY's functions like any other courtroom. "People have been acquitted at the ICTY, a fact that is rarely reported," she said. "Given the ICTY's functions like any other courtroom.

"The most important things are listening and being completely humble and modest," she said. "With places that have been in conflict for years, people want you to take over. That's when you have to say 'no.' It has to be a mutual learning process where you explore together what solutions are appropriate."

Inspired by her experience in Cambodia, Walsh earned her master's degree in gender and development at the University of Sussex. Her research there involved working with the International Labour Organisation (ILO) to improve women's rights and employment conditions in Bosnia. The war having ended only days before, Walsh was astounded by what she saw. "I traveled by bus from Zagreb to Sarajevo and saw villages that were still smoking. The devastation and the physical destruction were overpowering," she said.

Now Walsh's professional work keeps her away from Lewes much of the time, so she appreciates the time she can spend at home with her husband, university professor Richard Black, and their springer spaniel, Millie. Returning to Lewes is a welcome break, says Walsh, who remains enchanted by her adopted hometown.

Living in the U.K., she says, is less commercial and frantic than the U.S. "There are times, though," she confessed a little sheepishly, "that I can't help but complain about the lack of appliances, lack of good quality, lack of complaining on the part of the British, hence lack of quality . . . "

She stopped mid-sentence to think. "But you know," she said, "I never thought I'd be a British barrister."

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By Neha Sud '05