

Human Rights – Conversations Across Generations

Episode: Roger Clark

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MEREDITH LOCKWOOD 0:04

Hi, welcome to our podcast, Human Rights, Conversations Across Generations. I'm Meredith Lockwood, founder of Lockwood Creative, a purpose-driven creative agency. And I'm here with my dad.

BERT LOCKWOOD 0:16

And I'm Professor Bert Lockwood, the director of the Urban Morgan Institute for Human Rights at the University of Cincinnati College of Law.

MEREDITH LOCKWOOD 0:27

Together, we are your father-daughter co-hosts.

BERT LOCKWOOD 0:29

For over 50 years, I've had a front-row seat to the evolution of international human rights.

MEREDITH LOCKWOOD 0:35

And now, we're sharing that expertise with you by connecting to the powerful stories and insights of human rights voices from around the world.

BERT LOCKWOOD 0:43

We bridge the past and the present, making complex human rights issues more approachable and understandable.

MEREDITH LOCKWOOD 0:50

So, pull up a chair and join our table as we speak with Nobel Peace Prize recipients, political leaders and the world's leading human rights scholars and activists.

Today, we are honored to welcome Professor Roger Clark, one of the world's leading figures in international criminal law and human rights. Roger's work has shaped how the international community understands crimes against humanity, accountability, and the role of institutions, such as the International Criminal Court, in pursuing justice. He taught for more than four decades at Rutgers University Law School, where he educated generations of students while continuing to influence international legal practice. As a scholar, teacher, and advisor to government and international bodies, his impact spans both legal theory and real-world application. Our conversation with Roger was recorded about a year ago, so you may hear references to events from that moment in time. What stands out is how relevant these issues remain today. During our conversation, my dad and Roger were celebrating 53 years of friendship. Their relationship has grown alongside the evolution of modern, global human

rights law. Now, let's begin our discussion with Roger, starting with how he and my dad first met in the 1970s.

MEREDITH LOCKWOOD 2:21

Do you both remember what year you would have met in New York City?

ROGER CLARK 2:25

I, I, I think 1972.

BERT LOCKWOOD 2:28

That sounds right. Yeah.

MEREDITH LOCKWOOD 2:29

Okay.

ROGER CLARK 2:30

Pretty sure that's right. And I met Nigel in

MEREDITH LOCKWOOD 2:32

In

ROGER CLARK 2:33

73.

MEREDITH LOCKWOOD 2:33

73. Okay.

ROGER CLARK 2:34

Um, yeah. I, I began teaching at Rutgers in

MEREDITH LOCKWOOD 2:38

Okay.

ROGER CLARK 2:38

1972. I was at the University of Iowa 71 to 72, and I'd been in New Zealand before that. Before that, I'd done some graduate study, uh, at, uh, Columbia, uh, and I wrote, uh, my doctoral dissertation with the catchy title, A United Nations High Commissioner for Human

MEREDITH LOCKWOOD 2:56

Mm-mm.

ROGER CLARK 2:56

Rights.Uh , and I published that in 72,

BERT LOCKWOOD 2:59

would Burns Weston have been, uh, at Iowa when you were there?

ROGER CLARK 3:03

Uh, Burns was, uh, Burns was, and in fact Burns and I and, uh, Vernon Van Dyke and the Poli Sci Department taught a Human Rights Seminar in the fall of 1971.

BERT LOCKWOOD 3:15

Okay.

ROGER CLARK 3:16

Both very good Human Rights guys, actually, uh, you know, there were very few Human Rights courses in the United States at that point, and I don't know how many there were. Soane may have had one, and, uh, B may have had one up in, uh, Buffalo at that,

BERT LOCKWOOD 3:30

Well,

ROGER CLARK 3:30

uh,

BERT LOCKWOOD 3:31

Richard, Richar,

ROGER CLARK 3:31

worked a

BERT LOCKWOOD 3:32

Richard,

ROGER CLARK 3:32

lot.

BERT LOCKWOOD 3:32

Richard Lillich, who was my

ROGER CLARK 3:34

yeah, he taught one that early.

BERT LOCKWOOD 3:36

Oh,

ROGER CLARK 3:37

Yeah.

BERT LOCKWOOD 3:38

Burns was, um, sort of his best friend, Weston.

ROGER CLARK 3:41

Right.

BERT LOCKWOOD 3:41

They were very close, uh.

ROGER CLARK 3:43

Right, they were close, yeah, yeah, yeah, we both went down for the memorial service, uh, when, uh, Richard died, yeah,

BERT LOCKWOOD 3:50

Oh, well, I would, yeah,

ROGER CLARK 3:52

I think

BERT LOCKWOOD 3:52

I

ROGER CLARK 3:52

you

BERT LOCKWOOD 3:52

was

ROGER CLARK 3:52

were.

BERT LOCKWOOD 3:53

there too, yeah,

ROGER CLARK 3:53

I think you were

BERT LOCKWOOD 3:54

yeah.

ROGER CLARK 3:54

there. Yeah, yeah, yeah.

BERT LOCKWOOD 3:56

Yeah, in fact, I think I took, I took a train there, I think, as I recall.

ROGER CLARK 4:00

Oh, I drove.

MEREDITH LOCKWOOD 4:02

so it's pretty incredible that, you guys have 53 years of friendship.

BERT LOCKWOOD 4:06

Wow.

ROGER CLARK 4:07

Yeah , well, you know, my anthropologist daughter always said, "You're only as good as your network." And,uh , this has made me think about, you know, big chunks of my early network, uh, uh, and, and, well, in, in human rights and, uh, in international criminal law, is it?

BERT LOCKWOOD 4:23

so tell me about your daughter.

ROGER CLARK 4:25

Oh, uh, she's, how would you put this? She's a serial entrepreneur. Uh, she, uh, studied anthropology and then moved into, uh, public policy and, uh, business and, uh, predicting the

BERT LOCKWOOD 4:38

so on.

ROGER CLARK 4:38

future and

BERT LOCKWOOD 4:39

Where, where?

ROGER CLARK 4:40

Very smart woman. She's back in

BERT LOCKWOOD 4:41

Oh,

ROGER CLARK 4:41

Wellington.

BERT LOCKWOOD 4:42

she's in Wellington. Oh!

ROGER CLARK 4:43

Yeah, yeah, she, I got three kids in the United States and, uh, she's back in Wellington, and, uh,

MEREDITH LOCKWOOD 4:48

where are the other kids in the

BERT LOCKWOOD 4:49

Yeah.

MEREDITH LOCKWOOD 4:49

state?

ROGER CLARK 4:50

Hawaii. Long Island and, uh, Denver.

BERT LOCKWOOD 4:53

Oh, t They've, they've managed to get away as well, yeah.

MEREDITH LOCKWOOD 4:57

yeah.

ROGER CLARK 4:58

Oh, yeah. sp

BERT LOCKWOOD 4:59

I

ROGER CLARK 4:59

around. And then I've got a grandson, a couple of great-grandchildren in London.

MEREDITH LOCKWOOD 5:04

Oh, wonderful. Yeah.

ROGER CLARK 5:06

Oh, we've got the world covered. Hmm.

MEREDITH LOCKWOOD 5:08

You got the world covered. Um,

ROGER CLARK 5:09

Mm-hmm.

MEREDITH LOCKWOOD 5:09

and one of my favorite stories of you, Roger, is when our family was in London for Christmas,

ROGER CLARK 5:15

Yeah.

MEREDITH LOCKWOOD 5:15

we were staying in Holborn, and we went, we just became creatures of habit at, um, shout out to Bill's restaurant in the UK. We love Bill's. Um...

ROGER CLARK 5:24

Right.

MEREDITH LOCKWOOD 5:25

We, as you know, my dad taught at University of Essex and in Colchester in town is a Bill's. So, we found refuge in the Bill's in London, and we go to sit down, and my dad's like, "I, I think I know that voice." And we're like, "There's no way Bert Lockwood knows anybody." Ha

ROGER CLARK 5:42

ha

MEREDITH LOCKWOOD 5:42

And

ROGER CLARK 5:42

ha ha ha ha

MEREDITH LOCKWOOD 5:43

to inflate my own ego, I lived in London, I think I'll see anybody in any city, 'cause I've lived in many cities. So, I'm like, "There's no way he knows somebody." And then, lo and behold, he turns around and hears this booming

BERT LOCKWOOD 5:54

ha ha ha ha ha ha

MEREDITH LOCKWOOD 5:54

Kiwi

BERT LOCKWOOD 5:55

ha.

MEREDITH LOCKWOOD 5:55

accent. and you're

ROGER CLARK 5:57

it's a

MEREDITH LOCKWOOD 5:58

yeah

ROGER CLARK 5:58

stunner that was a group of us who were representing the Marshall Islands in the international court of justice trying to enforce article six of the non-proliferation treaty and we had a meeting there on sort of neutral turf to work on our strategy

BERT LOCKWOOD 6:15

yeah that's

ROGER CLARK 6:15

lo and behold Lockwood turns up

BERT LOCKWOOD 6:22

that was definitely one of those small

ROGER CLARK 6:25

yeah well you have a few of them yeah

MEREDITH LOCKWOOD 6:29

yeah yes that's absolutely incredible and later on in this podcast i want to hear about the marshall island the article six treaty and your work through that but i want to bring it back too to let know that um in honoring our dear friend Nigel who we miss so much my dad and I had Lyn on to do a tribute episode to nigel from his early career to the friendship they also brokered at NYU and then onward

ROGER CLARK 6:55

oh absolutely yeah yeah well he influenced so many of us just an amazing creative guy

MEREDITH LOCKWOOD 7:01

yeah

ROGER CLARK 7:01

and

MEREDITH LOCKWOOD 7:02

yeah it's so wonderful And, Roger, if you'd be so kind for our listeners, would you walk us through your early career days at Rutgers, and how, know, international human rights law was being taught back then and the evolution you saw, um, upon retirement? And I know you also had to go through the tribulations of teaching during the pandemic, um, which shifted education courses quite differently.

ROGER CLARK 7:27

Yeah. Well, the deal I had when I went to Rutgers was that, uh, I, I would teach, uh, criminal law and torts for them if I could have a human rights course. Uh, so I began, uh, uh, with a human rights course right at the beginning. There were no case books on human rights in 1972. the first of the, um, collection of cases and materials came out the next year, I think, uh, the Sohn and Buerghenthal material uh, uh, that, uh, Bobbs Merrill, uh, produced, which was totally unteachable. It was 1,400 pages. It was, it was, uh, uh, uh, uh, just a dump of wonderful material, which was great for research, but hell, you couldn't turn students, uh, loose on it. Uh, and it wasn't until, gosh, 1979 or so Dick Lillich Frank brought out their collection of cases and materials. So I used that for several years, but early on, I, you know, handed out some, uh, articles, uh, handed out the, uh, Universal Declaration of Human Rights, the Covenants and so on, uh, and, uh, uh, used, uh, and, uh, uh, used Vernon Van Dyke's book, which is, a good, uh, introduction. I forget it was called The United States, The Nation and Human Rights or Words to That Effect, but, but it gave a good historical background, you know, from 1945 onwards, uh, and, to some degree used my own book, the one on the United Nations High Commission of Human Rights, because I'd, I'd gathered together a sort of, a lot of general material on, um, the subject from there, and, got the students to write some, uh, some papers. So, I, I thought it went pretty well. I must say I was happy when Lillich and Newman came out, uh, and you could have something that you could say, well, this is really a definitive work. It was taught very well. I didn't teach it for too long after that because in mid-'80s I started teaching international criminal law as well. Beth took over the course, frankly. I got out of doing it. But I got very when Lillich and Newman came And they both had enormous students who went on to do great things. Lillich, of course, but Frank Newman at Berkeley had a whole cadre of people who ended up in various aspects of the teaching profession or in activist roles one way or another. You would have known Frank. He went on to become a judge on the Supreme Court of California, but a very, very good Berkeley professor.

BERT LOCKWOOD 10:00

Yeah, and he was sort of legendary with David Weisbrot was one of his

ROGER CLARK 10:04

Well,

BERT LOCKWOOD 10:04

protégés.

ROGER CLARK 10:05

David was one of his students, yeah. And Mike Posner did the Lawyer's Committee.

BERT LOCKWOOD 10:11

But he brought

ROGER CLARK 10:12

Oh,

BERT LOCKWOOD 10:12
them

ROGER CLARK 10:12
is that

BERT LOCKWOOD 10:12
to

ROGER CLARK 10:13
right? Yeah.

BERT LOCKWOOD 10:13
Geneva.

I think that was

influential for them. You I'm not sure where he got the money, but, yeah,

ROGER CLARK 10:24
Well,

BERT LOCKWOOD 10:24
that

ROGER CLARK 10:24
that's

BERT LOCKWOOD 10:24
was —

ROGER CLARK 10:25
Berkeley. Come on.

BERT LOCKWOOD 10:26
Yeah, true.

ROGER CLARK 10:27
They're richer, richer than us. Yeah.

BERT LOCKWOOD 10:29
Yeah. Yeah,

ROGER CLARK 10:30

My favorite

BERT LOCKWOOD 10:31

terrific.

ROGER CLARK 10:31

line from Frank Newman was, he said, if you're interested in civil rights, it's absolute malpractice not to know the international human rights material. Absolute malpractice.

BERT LOCKWOOD 10:46

Well, was not the easiest personality. to deal you know, I, began with him at Syracuse.

ROGER CLARK 10:53

Oh, okay, yeah.

BERT LOCKWOOD 10:55

uh, I went to a small liberal arts school called St. Lawrence. and on our board of trustees, we had one international lawyer, which basically he was, he was doing business, uh, international law in Saudi Arabia, Um, but when I asked where I go to law school, he said, well, he'd been dealing with this brilliant young guy, Richard Lillich at Syracuse.

ROGER CLARK 11:21

uh,

BERT LOCKWOOD 11:22

and so that's why I went there. A on the first day I found out who his research assistant was and said, I wanted to take his place. uh, which is what I did. And I basically majored in Lillich and then Virginia stole Lillich. And I went with Lillich. He offered me a Fellowship to, uh, go down to, do an LLM and work with him, um, I went up to the NYU

ROGER CLARK 11:51

Right.

BERT LOCKWOOD 11:51

after

ROGER CLARK 11:51

Got

BERT LOCKWOOD 11:53

he, he died young, I 62 years old.

ROGER CLARK 11:56
60 some.Yeah . Hmm.

BERT LOCKWOOD 11:57
Yeah.

ROGER CLARK 11:58
Yeah.

BERT LOCKWOOD 11:58
Yeah.

ROGER CLARK 11:58
I, I suppose I should tell you, uh, a Lillich story, uh, you know, I wrote this dissertation at Columbia and in order to get the Columbia degree, you had to get it published. So I sent it to, uh, Lillich who had, uh, procedural series, procedural aspects of international law, which operated out of Syracuse and he rejected it

uh, uh, which was a little distressing, but anyway, uh, as it happened, I got Martinus Nijhoff ultimately to publish it in the Netherlands. Uh, and in the, um, early nineties, whe, United Nations, Finally appeared on the scene. Richard called me and said, uh, Oh, I'd like you to do a second edition of that book for me. And I said, what do you mean for me? You rejected the first edition. And he said, what? I said, there's no way I'm going to do a second.

I never did a second edition anyway.

BERT LOCKWOOD 13:02
Oh, wow. Wow. Yeah, no, no, because I was very involved with that procedural aspects of international

ROGER CLARK 13:10
Yeah.

BERT LOCKWOOD 13:11
law.

ROGER CLARK 13:11
Yeah. Well, I ended up editing it for a few years too. Yeah.

BERT LOCKWOOD 13:14
Oh, okay. the most difficult task I had in um, capacity was, we this Austrian, uh, COVID-19, uh, a big, uh, uh, scholar, Seidelholden-Beldern was

ROGER CLARK 13:27

Oh

BERT LOCKWOOD 13:27
his

ROGER CLARK 13:27
yeah,

BERT LOCKWOOD 13:27
last

ROGER CLARK 13:27
yeah, yeah,

BERT LOCKWOOD 13:28
one.

ROGER CLARK 13:28
ye, yeah. He was a heavyweight for Vienna.Mm-hmm .

BERT LOCKWOOD 13:31
The most difficult task I had was translating his book

ROGER CLARK 13:38
Right.

BERT LOCKWOOD 13:38
from

ROGER CLARK 13:39
Mm-hmm.

BERT LOCKWOOD 13:39
English

ROGER CLARK 13:40
Mm-hmm.

BERT LOCKWOOD 13:40
to English. Okay.

ROGER CLARK 13:43
Wha was it

BERT LOCKWOOD 13:44
lump sum settlements.

ROGER CLARK 13:46
Ah, yeah, sure. Sure.

BERT LOCKWOOD 13:48
I can remember there would be, I'd be staring at one of these sentences that would be a paragraph long and sort of saying, oh, that's where to put the comma.

ROGER CLARK 14:02
Okay.

BERT LOCKWOOD 14:02
Okay.

ROGER CLARK 14:04
so that's where started getting editorial experience.

BERT LOCKWOOD 14:08
Oh yeah. Yeah. Very, very much so. Um, yeah, I, worked very much, that, on that series, with Lillich: you know, I spent

ROGER CLARK 14:17
Right.

BERT LOCKWOOD 14:17
hours, And, um, did you have any connection with Tom

ROGER CLARK 14:22
I-

BERT LOCKWOOD 14:22
Franck?

ROGER CLARK 14:22
I- I knew Tom Franck. I met him. Uh, and you were working for Tom, weren't you?

BERT LOCKWOOD 14:27
Yes, yeah. I- I was the assistant director, um, at the Center for International Studies.

ROGER CLARK 14:33
right. Well, I- I met Tom through, uh, my colleague then, Tom Farrar, who had come down from Columbia and was teaching at, uh, Rutgers. Uh, and I also met Nigel Rodley at the time. I think

I met Nigel through, uh, George Ginsbergs, who was a colleague of Nigel's at the New School and then came down to, uh, to Rutgers, uh, to be on our faculty. Uh, and the two of them did a very interesting collection of human rights essays around 1970 or '71, which I think was one of the first things that Nigel did. So I knew Nigel, uh, from then on, for the rest of his life. And, uh, uh, I spent a lot of time with him in the 1980s.

MEREDITH LOCKWOOD 15:19

Yeah.

BERT LOCKWOOD 15:21

Well, yeah, no, Nigel very special. um, yeah, t my initial, uh, connection with him was in conjunction with, Tom Franck. he, he wasn't formally part of the center, he, he, he certainly, uh, hung

ROGER CLARK 15:35

well as I

BERT LOCKWOOD 15:36

out

ROGER CLARK 15:36

say, I

BERT LOCKWOOD 15:36

there.

ROGER CLARK 15:36

think he was teaching at the New School at that point.

BERT LOCKWOOD 15:39

Well, you know, if I had to predict someone who would never be Sir Nigel Rodley, it, it, it would have been those NYU days. I think he, I think he saw himself as, as, as quite radical, at,

ROGER CLARK 15:55

Right.

BERT LOCKWOOD 15:55

at the time.

ROGER CLARK 15:56

Right.

BERT LOCKWOOD 15:56

So. It was a little, little humorous when he became a Sir,

ROGER CLARK 16:01

Well,

BERT LOCKWOOD 16:01

uh,

ROGER CLARK 16:01

he was

BERT LOCKWOOD 16:02

so

ROGER CLARK 16:02

pretty radical all his life. He, uh, he

BERT LOCKWOOD 16:06

well,

ROGER CLARK 16:06

pulled it

BERT LOCKWOOD 16:07

and

ROGER CLARK 16:07

off.

BERT LOCKWOOD 16:08

Yes, but I never got a sense that, uh, he in any way being known as

ROGER CLARK 16:13

oh,

BERT LOCKWOOD 16:13

Sir Nigel.

ROGER CLARK 16:13

no, no, you know, you or I might have rejected such an honor, but Nigel's. Yeah.

BERT LOCKWOOD 16:24

and, an, you I think probably he in some way justify it because I think it did probably increase his influence, having, having

ROGER CLARK 16:34

Oh,

BERT LOCKWOOD 16:34

that

ROGER CLARK 16:34

I

BERT LOCKWOOD 16:34

title.

ROGER CLARK 16:34

think so. It was an era of respectability. Absolutely. Yeah.

MEREDITH LOCKWOOD 16:40

Roger, as a Kiwi, do you find an honor if you ever were knighted as Sir?

ROGER CLARK 16:46

like to think I would have refused it.

MEREDITH LOCKWOOD 16:49

Okay.

ROGER CLARK 16:49

Because I've always thought it was just a terrible idea. I have to be

MEREDITH LOCKWOOD 16:53

Yeah.

ROGER CLARK 16:53

honest, three or four members of my rather small law school class eventually got knighted, uh, and, uh,

MEREDITH LOCKWOOD 17:00

Okay.

ROGER CLARK 17:00

yeah, uh, and I don't know, I've always felt a bit uncomfortable around them, to be honest.

You know, I was on the left in New Zealand politics and, on the whole, the left in theory doesn't take those honours, but in the real world, uh, many of them have, so.

MEREDITH LOCKWOOD 17:20

Yes.

ROGER CLARK 17:20

There it goes. There it

MEREDITH LOCKWOOD 17:21

goes.

ROGER CLARK 17:24

Well, Terence Arnold got one, of course, for his, uh, job on the Supreme Uh, you know, he went back from, um, NYU. He taught for a while at Dalhousie, tau in New Zealand, and then went into practice, became Solicitor General, got appointed to the Court of Appeal, and then to the Supreme Court, which is the ultimate, uh, Court of Appeal in New Zealand.

BERT LOCKWOOD 17:46

Wow.

ROGER CLARK 17:46

So he

BERT LOCKWOOD 17:46

Wow.

ROGER CLARK 17:47

got a, he got a knighthood. And,

BERT LOCKWOOD 17:49

and... I'm assuming that, you've had some contact with

ROGER CLARK 17:53

Yes,

BERT LOCKWOOD 17:53

Paul Hunt?

ROGER CLARK 17:53

yes. Not all that much, oddly enough, but I have had some contact over the years. He's a good guy. Yeah.

BERT LOCKWOOD 18:00

Yeah.

ROGER CLARK 18:00

Yeah. good, New Zealander.

BERT LOCKWOOD 18:04

Well, and he had gone back, uh, because his mother was, uh, getting older and had some medical issues, and he sort of wanted to be I I think for three years, we'll do it again next summer. They've had some changes there, we, we sent, uh, one of our summer interns to work with the, uh, Human

ROGER CLARK 18:27

Oh,

BERT LOCKWOOD 18:27

Rights

ROGER CLARK 18:28

really?

BERT LOCKWOOD 18:28

Commission.

ROGER CLARK 18:28

Okay . Yeah. Well, he had some health problems too, I think, but, uh, uh, uh, he, he's wonderful human rights lawyer.

BERT LOCKWOOD 18:37

I must say it's one of the more popular, um, internships, to get to go to New Zealand.

ROGER CLARK 18:42

Yeah.

BERT LOCKWOOD 18:43

Uh,

ROGER CLARK 18:43

I can understand

BERT LOCKWOOD 18:45

Well, with, with many of these, uh, internships that I do, I sort of wish I could go out of myself, but, uh, that, that hasn't part of the

ROGER CLARK 18:54

Right.

BERT LOCKWOOD 18:54

game, if you will.

MEREDITH LOCKWOOD 18:55

so I shared with you, Roger, that my dad just celebrated last week, his 45th year at University of Cincinnati Law School. And I was curious with Rutgers Law. Uh, what did your yearly anniversary get to?

ROGER CLARK 19:08

I got him beat. Actually I lasted 49 years. Uh,

BERT LOCKWOOD 19:12

Wow.

ROGER CLARK 19:12

I, I, I, I retired when I was 81. But I did,

MEREDITH LOCKWOOD 19:16

OK.

ROGER CLARK 19:16

uh, did, did put in 49 years there. And, uh,

MEREDITH LOCKWOOD 19:19

That's

ROGER CLARK 19:19

Of course, my

MEREDITH LOCKWOOD 19:20

incredible.

ROGER CLARK 19:20

wife said to me, oops, you should have put it in another year and made it 50. But, hey, it was near enough. They, they, they, they were wonderful years. It was a wonderful place to work. Uh,

BERT LOCKWOOD 19:31

and... That, that probably was a

ROGER CLARK 19:33

I,

BERT LOCKWOOD 19:33

record,

ROGER CLARK 19:33

to

BERT LOCKWOOD 19:33

no?

ROGER CLARK 19:33

the best of my knowledge, it certainly is in the law school. I think there are a few people in the social sciences, uh, around the Rutgers system, who, who lasted longer than that. But, uh, it was, uh, it was a record in the law school anyway.

MEREDITH LOCKWOOD 19:48

Wow, that's absolutely incredible.

BERT LOCKWOOD 19:50

Roger, I'm forgetting her name, but there was a, um, she had an affiliation with the Center for Constitutional Rights.

ROGER CLARK 19:57

Beth Stevens. Um... Beth Stevens. Beth,

BERT LOCKWOOD 19:59

Oh,

ROGER CLARK 19:59

yeah. Beth's

BERT LOCKWOOD 20:00

yeah.

ROGER CLARK 20:00

up at Rutgers in Newark and still going strong. Yeah.

BERT LOCKWOOD 20:03

Well, she's in Newark.

ROGER CLARK 20:04

She, well, she

BERT LOCKWOOD 20:05

Oh.

ROGER CLARK 20:05

was, she was on our campus for many years. And then her personal life, uh, took her up north, uh, so she moved to the other campus. Uh, no, she was just a terrific, uh, colleague. And, uh, well, I, I confess that I plotted and schemed to get her into the academic profession and, uh, successfully. yeah. Now, Beth a wonderful lawyer and a good colleague.

BERT LOCKWOOD 20:31

Ye.

ROGER CLARK 20:31

Mm.

MEREDITH LOCKWOOD 20:32

And if I could sidetrack us a present day knowing that Columbia is your Alma mater, Roger, and Columbia is in the news right now, with particularly the administration and them not standing up for the Palestinian student that's been detained by ICE, just curious if you want to share any perspective on what has been going on with Columbia with the student protests and now under Trump and the federal government, having him detained in ICE. Today's his 13th, day and the ACLU with the NYACLU has now put court hearing, to try to get him lawfully back home.

ROGER CLARK 21:11

Well, Uh, I, I, I have to say I've been really offended at how many-mouthed, uh, Columbia has been with Trump. They've pretty much rolled over and played dead. It's very, very, very upsetting. I expected a lot more, uh, from them, um, so, quite disappointed. Uh, uh, I, I wrote an angry note to the, uh, uh, Mandi Association when they sent me a copy of the, uh, Acting President's, uh, uh, statement, not that that will do much good. But I, I gather that, uh, Lee Bollinger came out today pretty strongly, the former President, suggested that, you know, some more needed to be Hey, listen, that's a fine university. And I had a couple of years there during the Vietnam War. Uh, it was, uh, uh, during the time where the students took the place over.

MEREDITH LOCKWOOD 21:59

Absolutely.

ROGER CLARK 21:59

and they were amazing times one way or another. Uh, it was a place that in many ways was very tolerant of dissent. but, you know, that, that came unstuck. And in fact, the whole place came unstuck in all sorts of ways. Uh, while I was, uh, was there. I, I guess I should tell you this. Uh, I, I went to Columbia, and I, it was a two-year program and I only had enough money for a year. And towards the end of the first year, I had mentioned to Wolfgang Friedmann, who was absolutely wonderful international lawyer, uh, that I was running out of money. And, um, shortly after the students took over the buildings, Wolfgang called me up, uh, and he um, look, work your way through the picket lines and come and see me, please. So, I, I, I went in to see him. And he had a telegram there. You know, people said telegrams. It was in 1960, 60, 68, I

guess it was. Uh, and the telegram was from a person down in, uh, Alabama to whom Columbia Law School had given a, a scholarship for the next year. And essentially what the telegram said is, there are too many commies and pinkos, uh, in this place. Stick your money. So, Wolfie said, well, instead of sticking it, I'd like to give it to you. Will you stay around for another year? And I said, sure, I'll stay around for another year. And, and, and he said, we may not have a library. Uh, that's all right, I said, there are some downtown. I can figure this out.

BERT LOCKWOOD 23:28

Uh,

ROGER CLARK 23:29

And he, and he, and he said, I'm off to the Sorbonne where nothing like this will ever happen. And of course, he got to the Sorbonne just in time for the students to shut the Sorbonne down. I don't know whether you've been you, Wolfgang, a wonderful guy who was murdered up on 123rd Street. early in the seventies. You probably remember the time 73, 74.

BERT LOCKWOOD 23:53

Were you there then

ROGER CLARK 23:55

Oh

BERT LOCKWOOD 23:55

when he

ROGER CLARK 23:55

no,

BERT LOCKWOOD 23:55

got

ROGER CLARK 23:55

I was

BERT LOCKWOOD 23:56

murdered?

ROGER CLARK 23:56

down here at Rutgers by then. Yeah. Yeah. Yeah. No, I remember Tom Faraday went up for that memorial service, but oh, very depressing. He was such an amazing guy. You know, he'd left Berlin for the good of his health earlier in his career, uh, and found his way to Australia and Canada and then to Columbia. I, I think he's one of the great internet. it 20th century,

BERT LOCKWOOD 24:18

And, and, and as I recall it, it was random. I mean, it wasn't,

ROGER CLARK 24:22

Oh, it

BERT LOCKWOOD 24:22

uh,

ROGER CLARK 24:22

was quite

BERT LOCKWOOD 24:23

yeah.

ROGER CLARK 24:23

random. They wanted his wallet and, uh, he hesitated and they looked 14 year old stabbed him and, uh, yeah.

MEREDITH LOCKWOOD 24:30

14.

ROGER CLARK 24:31

Yeah.

MEREDITH LOCKWOOD 24:31

Oh

ROGER CLARK 24:31

14.

MEREDITH LOCKWOOD 24:31

my goodness.

BERT LOCKWOOD 24:32

Yeah. I, I, I was there then. I

ROGER CLARK 24:34

Hmm.

BERT LOCKWOOD 24:35

remember, uh, the, the shock.

MEREDITH LOCKWOOD 24:37

That's absolutely terrible, and Roger, I remember talking to my dad last summer, well, before the summer term came, was about asking his perspective of the Vietnam student protests on campuses to present day 2024 student campuses. My personal opinion is I was so proud of those students. I'm an elder millennial, uhm, and I was very taken with Gen Z in seeing their right to freedom of speech, their right to peaceful protest, So, I saw a lot of correlation between the Vietnam students and present day students, so that was really interesting that you also were at Columbia during that

ROGER CLARK 25:15

Oh,

MEREDITH LOCKWOOD 25:15

time.

ROGER CLARK 25:16

absolutely. Absolutely.

MEREDITH LOCKWOOD 25:18

Yeah, because I know Columbia and Berkeley were really

ROGER CLARK 25:21

Rig,

MEREDITH LOCKWOOD 25:21

significant during those times.

ROGER CLARK 25:22

right. Well, to be fair, I'd been involved in anti-war activity in New Zealand before I came over here. I worked for the New Zealand Minister of Foreign Affairs in 1967. Well, in 1963, when we were getting suckered into the war. And it was a bad idea. And when I began an academic career the next year, I was quite active, uh, i opposing the, uh, the war. Uh, and, uh, I thought it was a really important thing to do,uh , and, uh, really glad I was able to.

BERT LOCKWOOD 25:53

what, one of the things that I noticed,uh , Roger, uh, cause I, I'd been, from the North, is that when I went to Virginia, um. I discovered, that similar to Syracuse and other places that students had shut down the, university of Virginia as well. But, on of the facts of Virginia is that Thomas Jefferson is still a presence, um, at the University of Virginia. And like, there's never any speech that's not given with the mandatory quotation from Jefferson included, uh, in it. and what was different was that the students, that shut down the university, felt obligated to write, uh, a letter to the alumni. Justifying their actions in terms of what Mr. Jefferson would have done. Had he been a student

ROGER CLARK 26:51

Very

BERT LOCKWOOD 26:52
at

ROGER CLARK 26:52
interesting.

BERT LOCKWOOD 26:52
the

ROGER CLARK 26:52
Yeah.

BERT LOCKWOOD 26:53
University

ROGER CLARK 26:53
Yeah.

BERT LOCKWOOD 26:53
of Virginia.

ROGER CLARK 26:53
Yeah.

BERT LOCKWOOD 26:54
Yeah. it, it, it was quite, uh, and, and of course with Jefferson, he wrote so much, you could find, find a quote

ROGER CLARK 27:00
it, it.

BERT LOCKWOOD 27:00
to almost justify

ROGER CLARK 27:01
Yeah.

BERT LOCKWOOD 27:01
anything.

MEREDITH LOCKWOOD 27:03

Dad, your LLM program saved you from the Vietnam draft. Is that correct? Is that how you were able to get out of the draft, avoid the draft?

BERT LOCKWOOD 27:14

actually, uh, no. when I got called into the draft board, I was, I had done a, u, created a joint degree program Syracuse where I was getting a law degree, b also a PhD in political science.so I got called into my local draft board and, the regulations said that you could get up to five years of a graduate program. uh,and , and so I had gone through and written all this stuff, sort of justifying how I qualified for, a graduate deferment. and as I was sitting in the waiting room,I heard woman who was the staff person for this commission, say to them, and, um, well, you're going to want to take him because he's, you know, just graduating from the law school and so. I then went into the meeting and the commissioners were there they said, you know, well, would you tell us your situation? I said, well, I've, you documented everything. An I'm sure you've read my, uh,statement , uh, that I've, I've given and they all sort of, you're, nervously moved around. It was clear that they had and they said, oh, well, you know, if you could just summarize it. And I said, well, you know, as I read the regulation, it says you get up to five years, of graduate study, and I'm a PhD student. Um, and they said, what section was that? they hadn't even, this is the people they hadn't, they hadn't even read this, the, the section, they go and they open up the section and the chair says, yeah, it says here you get five years.

ROGER CLARK 29:04

know,

BERT LOCKWOOD 29:05

Um,

ROGER CLARK 29:05

good

BERT LOCKWOOD 29:05

yeah.

ROGER CLARK 29:05

grief.

BERT LOCKWOOD 29:07

Nothing. I didn't address the, you know, I graduated from the law school. It was just this doing my PhD kind of thing. So that, that was how I, uh , succeeded. But I, I must say my first experience when I was in law school of, um, being a lawyer is I got a speeding ticket. and, the cop was behind me, uh, on the, uh, New York thruway. And, and I went in to challenge it to the, the local judge. oh , I was, I was just terrific in my argument. And, uh, uh, you know, how, how could he be sure they were my headlights and all this kind of stuff? And, and, and I lost. Um, and so then when I went to pay, got chatting with the judge and, came out that

ROGER CLARK 29:56

Um,

BERT LOCKWOOD 29:56

I had graduated from St.

ROGER CLARK 29:58

uh ,

BERT LOCKWOOD 29:58

Lawrence. And he said", uh,I graduated from St. Lawrence. Why didn't you tell me that? You know, we, we could

ROGER CLARK 30:05

Oh,

BERT LOCKWOOD 30:05

have worked something

ROGER CLARK 30:06

no.

BERT LOCKWOOD 30:06

out".

My great, my great insight into the legal system.

MEREDITH LOCKWOOD 30:15

and Roger, if I could also take us over to hear about your experience, with the international criminal court, which also has made headlines, this past week with the former president of the Philippines, Rodrigo Duterte, who is off to the Hague, for crimes against humanity. I would love to learn more about your experience from the ICC, your work on international criminal law, particularly your involvement, with crimes of aggression, and truly highlighting complexities of achieving justice on a global scale. Um,I would love to hear from you as well. Um, and we are, unfortunately, living in an era of global political tension, much on the rise. Um, so we'd just love to hear about your experience with the ICC, and maybe share about some of the biggest obstacles you

ROGER CLARK 30:59

that's a blockbuster of a question. Now, I, I, I realized I should start again with one of my New Zealand students, I suspect. It was because of a very smart student I had in New Zealand uh, Tuiloma Neroni Slade, who was the first Samoan to go to law school, and he went back to Samoa and became the Attorney General after a few years. We kept in touch, uh, and he worked in, in London with the Commonwealth Secretariat, and then he turned up in, uh, New

York as the Ambassador to the UN. Actually, also High Commissioner Canada and Ambassador to Washington. He was a very busy guy, and he called me up soon after he arrived, and said, uh, "Oh Roger, it's nice that we've kept in touch all these years, uh, I want you to do some free work for me". Uh, and, uh, I said, "Well okay, what's the first one?" And he said, "Well, I'd like to make a presentation on the International Court of Justice on the, uh, advisory proceedings on the legality of nuclear weapons. Are you on?" And I said, "Of course I'm on." So we put together a written statement and eventually appeared, uh, at uh, at The Hague, and I thought we had a pretty good argument, uh, uh, in, in those proceedings, uh, on, on, on our way back from The Hague. I said, "Well that was actually a very satisfying professional experience. What's next?" And he said, "Well, the Prime Minister, uh, wants to make some contribution to creating an International Criminal Court." And I said, "Well, something tells me that's not going anywhere, but I'm prepared to give it a go." So this was late 1995, uh, and so I started attending the, the meetings, uh, in, in New York over the next two or three years, which led up to the Rome Conference. I mean, the Rome Conference was a total surprise to me. I never thought we'd get enough of a negotiation done to, you know, get to the final stage of it. And I must confess, I was stunned one day, uh, when we've been doing this for about three years, u, and the, um, Italian delegation came in one day and said, "Right, the time has come. We have a budget and a venue, u, in, uh, Rome. Now we want a date, uh, to wrap this thing up." So everybody says, "Wow, Italians are organized. We're gonna have to do that." So, uh, so, so we all got uh, Rome, uh, and, uh, Rony and I had, uh, in some ways, the strangest experience, uh, because we'd talked our way in as one of the Vice Presidents of the, uh, conference. And the result of that was we got the preamble and the final clauses of the treaty to negotiate. Both audience we'd never thought too much about, either of us, but they turned out to be enormously important parts of the treaty. The preamble, yo explain what you're trying to do, uh, and of course we had some big fights about what we're trying to do, uh, the Holy See turned up and wanted to, uh, put in some stuff about, uh, human beings from the moment of conception in there. And we had to fight that off, uh, uh, Singapore delegation turned up and wanted to put something about capital punishment, uh, in, uh, in there. So we had to head that off. And then the final clauses, nasty stuff there about how many, uh, states to bring into force about amendments, uh, uh, and, uh, so forth. Which we didn't resolve as well as we did the, uh, uh, Uh, the preamble. We just couldn't get, uh, con on all of that material. So at all events, there we go. We've got, uh, uh, got a treaty. And I must say about 2:00 that morning, uh, the last day of the conference, a guy from Christian Science Monitor came to me and said, "Wow, how long will it take to get 60 ratifications?" And I said, "Well, at least 10 years but maybe not even in my lifetime." and once again, I was wrong. Just about every time I predicted something about this body, I was, uh, was wrong, uh, because it only took 4 years to get. There was a euphoria about this. It was one of the exciting things about international law. It really, really took off. And then we spent some time working on the rules of evidence and procedure, but more importantly, on the, um, elements of crimes, uh, as, uh, as they were called. and, a then, uh, with the treaty coming into force, I, I got involved with the Special Working Group on the Crime of Aggression. Which was a much more depressing, uh, enterprise than, uh, the basic negotiation itself. Because, Well, the hypocrites, sort of made their last stand on, o aggression. Uh, you remember that, uh, a Nuremberg, Justice Jackson said uh, these rules, if we're gonna apply them to the Germans, we're gonna apply to us too. Putting a poison chalice to the, uh,

mouths the Axis powers is the same as, you know, we gotta apply by the same rules. uh, it, it fairly soon turned out that wasn't quite what the permanent five members of the Security Council had in mind. And it really came out in the negotiations on the crime of aggression. And in particular, on the jurisdictional aspects of it. Uh, because basically the jurisdiction over aggression got sandbagged, so it, it, it's not effective. You really have a, uh, jurisdiction ultimately only if both the, aggressor state and the victim state are parties to the treaty. and of course, aggressor states, uh, by and large, have, have not ratified the Kampala amendments which, uh, br aggression into, uh, force. So, uh, we're, we're in a very difficult situation there. Germany and others have been trying to, you know, clean up the jurisdictional provisions. but it, it, it's a very difficult, uh, road to hoe, particularly at, uh, at this stage the game. Um, that's a long-winded answer, but maybe I should jump to the, it, it seemed to me, that, well, it seems, frankly, that the court is at an absolute crossroads. They did the absolute right thing to issue the warrants against the Russians, and they got a lot of support, uh, from our side, uh, including the United States, uh, at that point. It seemed to me they did absolutely the right thing in going after the warrants for the Israeli and for Hamas, and for pursuing, uh, uh, uh, that, uh, and, of course, they've got an enormous flack from that. Uh, and I think it's fair to say that Washington's trying to destroy the court at the moment, and why I think it's a crossroads. It's really a question uh, how strongly the African and, uh, European supporters of the court are prepared to stand up at this point. 79 of them stood up to be counted, but that's a bit short of 125, but it's a good start anyway, and I think there's some in operation. Duterte, hey, that's a wonderful development, and it's what I've always about international justice. Sometimes you have to wait. You have to wait a long time, and things change. You know, the Serbs ultimately turned in Milosevic and some other nasty characters for that matter. By and it was possible to get the Rwandan genocide air and so on, we're going to have to wait here and see to some extent. But it's really good to have a live defendant and one who I think is a pretty good case against in the case of the Philippines' killings and so on. Am I hopeful? Yeah, of course I'm hopeful. That's the nature of the beast. You have to be hopeful if you work on this stuff for a lifetime.

BERT LOCKWOOD 38:42
definitely challenging

ROGER CLARK 38:43
No

BERT LOCKWOOD 38:43
times.

ROGER CLARK 38:44
question.

BERT LOCKWOOD 38:47
difficult to overstate how destructive Donald

ROGER CLARK 38:50

Well,

BERT LOCKWOOD 38:50

Trump

ROGER CLARK 38:50

the Paris

BERT LOCKWOOD 38:51

is.

ROGER CLARK 38:51

Accord, the WHO are the ones that struck me immediately. Just stunning. Then, of course, USAID and so on. But the attack on the international system is blatant and very distressing.

BERT LOCKWOOD 39:08

I don't know. He's such a despicable person. I think in some ways that may help. There seems to be some stuff going on in Europe in terms of trying to... deal with his attempt to 80 years, whatever it is, of developing this post-World War II international order. a little he's going to... be confronted. I mean, we're seeing an awful lot of um, against them, uh, domestically that seem

ROGER CLARK 39:45

Mm-hmm.

BERT LOCKWOOD 39:45

to be building. Um,

ROGER CLARK 39:46

yeah, that's a

BERT LOCKWOOD 39:47

so,

ROGER CLARK 39:47

very good sign.

BERT LOCKWOOD 39:50

I haven't given hope, uh, and the alliance with Elon Musk, I mean, there's someone that's, uh, less popular than Trump, it's Elon Musk. and, uh, even with much of the MAGA base, I mean, I don't think sort of identify uh, the richest man in the world as sort of, uh, having their at stake. So, hopefully the unholy alliance will, um, fall apart.

MEREDITH LOCKWOOD 40:17

well, I just hope they, just become, I mean, they have the most inflated egos and I hope they just become what they are. Catty children pick each other apart. I hope we can just see, you know, like they do with Steve Bannon. I just hope we can see them fight and

ROGER CLARK 40:34

Um,

MEREDITH LOCKWOOD 40:34

dissolve. Um, and I did see that, um, one of my favorite senators, Bernie Sanders, my dad hears me talk about Bernie. All day long. I always said Bernie could have won 2016 and my dad was very skeptical, but I can, I feel like I could tell him, I think it would have happened. Um, but Bernie did meet this week the world health organization, head of it, Dr. Titos. and I was very impressed to see Michael Bloomberg, helped get us back into the, the Paris climate agreement. So that was wonderful news, es for the, Major global facing issues of climate. and Roger, I have been a volunteer. This is my fifth year, with Al Gore's nonprofit, the

ROGER CLARK 41:16

Right,

MEREDITH LOCKWOOD 41:16

climate reality project.

ROGER CLARK 41:17

r,

MEREDITH LOCKWOOD 41:18

in 2020 during the pandemic, when we were all stuck at home, I did a virtual training. Al Gore's NGO, for our listeners offers free climate education for anyone who might be interested.

ROGER CLARK 41:30

right.

MEREDITH LOCKWOOD 41:30

It's a wonderful resource, great community around the world. Um, and then last year I went to New York city for their in-person training. Um, and you know, I think one thing I was very curious to hear more about with your background, in representation, um, of Samoa. And I know you've had arguments against nuclear weapons, before the international court of justice, and underscoring ongoing debates surrounding nuclear proliferation and the impact of climate change, particularly on vulnerable communities. how can international law better address the interconnectedness of these issues to safeguard human rights for future generations?

ROGER CLARK 42:11

Just a personal response. My daughter, Melissa, spent several years doing the Al Gore material in Australia and New Zealand. So what a wonderful bond.

MEREDITH LOCKWOOD 42:23

Oh, wow. Is this your daughter who is a serial

ROGER CLARK 42:26

Absolutely.

MEREDITH LOCKWOOD 42:27

entrepreneur?

ROGER CLARK 42:28

She's a sort of wonderful speaker and so on.

MEREDITH LOCKWOOD 42:31

Oh,

ROGER CLARK 42:31

Um, she,

MEREDITH LOCKWOOD 42:32

wonderful.

ROGER CLARK 42:32

she has done enormously good work, as I'm in Australia and New Zealand, um, on that, um, material. Um, actually, as you were asking the question, I have to say, I started thinking back to Nigel Rodley again, um, because... I, I, I'm fairly sure that the last major work in which Nigel engaged himself the general comment 36 of the Human Rights Committee on the Right to Life, uh, and it came out a little after, uh, he died, I, I know I got approached through an intermediary to get some nuclear people involved in some of this work, and if you look at that general comment on the Right to Life, he, he, he sort of brings our whole world together in lots of ways, because it's got some wonderful stuff on nuclear weapons as an obvious threat to life, on the crime of aggression, uh, as a threat to life, and, and, of course, it touches on the environment in various, uh, ways, and, and, uh, it's, it's just a wonderful statement that, that pulls so much of that together, and, uh, you know, you know, the way those things appear sort of anonymously, uh, it's hard to say that it's Nigel's, but I'm sure his fingerprints are all over that, uh, particular stuff, but to, to go back to the Pacific Islanders, uh, uh, it's an interesting question, uh, if you're a small Pacific state with a very small, uh, diplomatic corps, and, and so on, uh, you have to pick a few issues. Uh, you can't pick up the nuclear issue, uh, you can't pick them all, uh, you just can't cover them all, uh, and, uh, a, a, a, a number of the Pacific states, uh, of course, pick up the nuclear issue, and, uh, they a good reason,

because of the American tests, uh, in, the Marshall Islands, a the British tests, and what's Kiribati. to some degree in Australia for that matter and of course the French tests in the Pacific. During the trusteeship council period for example Samoa took the question of the British tests to the trusteeship council and they were assured everything's safe no problem don't worry about it and so on but I think Pacific Islanders saw that as well as existential if you like but more important they saw it as part of a bigger picture of the environment their relationship with the earth the sky and the sea of you probably noticed that coming out more recently with Vanuatu's efforts that led to the request of the advisory opinion on the that we should hear from the International Court of Justice from fairly soon One of the enormously heartening things about that whole process was the involvement of young students from the University of the South Pacific in Vanuatu who pushed the Vanuatu government in that and there's a history, the nuclear-free and Pacific people that came before We've been written up adequately enough and in some ways it's So that

can get it recorded the way we do other material but but really important things going on there I think Now what what to do- look I'm a lawyer and I believe in litigation and it's tough We got a pretty good decision and the nuclear weapons advisory not perfect I'm not sure at all what the court's going to do with the environment But I think they're going to come up with something that will sort of help us think through where we go next with all of it. But God these are difficult issues.

been going on for the wholer all of my lifetime.

BERT LOCKWOOD 46:37

Well, it sounds when you're talking about the Pacific stuff and what they've been doing like it'd be an interesting article for

ROGER CLARK 46:45

Yeah,

BERT LOCKWOOD 46:45

the

ROGER CLARK 46:45

probably

BERT LOCKWOOD 46:45

Quarterly

ROGER CLARK 46:46

I'm sure if you get the material, yeah

BERT LOCKWOOD 46:49

But I mean by you

ROGER CLARK 46:52

an

BERT LOCKWOOD 46:52

I'm

ROGER CLARK 46:52

old man and best I do these guys is write book reviews and they disappear

BERT LOCKWOOD 46:58

Oh

MEREDITH LOCKWOOD 47:02

I would love to read that article, Roger, if you ever wanted to

ROGER CLARK 47:04

Listen, I do have a chapter in a book which picks up some of it which I think you might be interested in and I'll send it to

MEREDITH LOCKWOOD 47:15

Absolutely, and I, one, one final topic before we go to our reflection, final question, um, is obviously, you know, I know you consider America home, but being from New Zealand, um, I love that country, um, and as an American perspective, I consider that New Zealand is relatively peaceful and stable society, with everything happening, in this country, are there any lessons that other nations, not just America, can learn from New Zealand's approach to human rights?

ROGER CLARK 47:46

Well, I, I've always thought that New Zealand was basically a decent society that, uh, uh, tried hard, but to be brutally frank, uh, there's a right-wing government there at the moment, uh, which is endeavoring to undo 50 years of race relations, uh, messing up the environment, and doing all sorts of other horrible things, uh, it's not a great lesson, I, I'm afraid, at, at this, uh, stage. When I was in, uh, university, the big issue, aside for the Vietnam War, bigger actually than the Vietnam War, was the question of playing rugby football with South Africa. Of course, of course, of course, of course, t issue, of course, is apartheid, uh, uh, uh, it, it crystallized around the rugby issue, were clearly the two best teams in the world, and it was customary for New Zealand to take an all-white team to, uh, South Africa when they went there, leave the Maoris at home, uh, and there were many of us who said, excuse me, apartheid is bad, Bad, it's bad for South Africans, but this is awful. What does it say about us, that we're prepared, uh, to check some of our citizens at the door, some of the best rugby players indeed, in- in order to kowtow, uh, to, uh, South Africa? And, uh, and I think it's fair to say that after I left New Zealand in the early '70s, uh, that became an enormously, uh, important issue in New Zealand politics and led to considerable rethinking of race relations quite a lot of progress in the

direction of righting many of the wrongs that had happened since colonization from 1840 onwards. So, and I, so I thought the people tried really very hard. It's got a good education system, and they've got pretty decent people on the whole, but, uh, and right at the moment, uh it's not that good,

there's anti-woke, uh, stuff going on and so on, so,

BERT LOCKWOOD 49:47

Roger, an anecdote that don't think you'll be with, in the, uh, U. S. Supreme Court cases, uh, that dealt uh, Michigan and sort of their, affirmative

ROGER CLARK 50:00

mm-hmm.

BERT LOCKWOOD 50:00

action, uh, programs. there was a very, uh, influential, amicus brief that was submitted by, uh, the former heads of, uh, the various military

ROGER CLARK 50:13

that was, uh, yeah. Roger

BERT LOCKWOOD 50:13

academies

ROGER CLARK 50:14

C.

BERT LOCKWOOD 50:14

that was, tha was, They were making the argument that, uh, uh, they considered, uh, having, affirmative action, to the military academies, a matter of national security because they didn't essentially, want an all white officer corps with a predominantly, yo know, black, infantry. that came about because Gerald Ford and Gerald Ford when he, in the, uh, it was either, I think the 1940s or late thirties. Um, he was, um, uh, he was the, captain of, the football team at the University of Michigan. . uh, they, had an opportunity, um, this is before they formalized national championships is the University of Georgia offered to play them, in a game for, you know, the national championship, uh, quote, as long as the Michigan did not play its black player, who was one of the stars of the, the team, and the black player was graci and said that, you know, they should go ahead and accept this, uh, and Ford, reluctantly agreed as the, the captain, that they would do that, and they and, and played them. It was a decision that he regretted the rest of his life, having, having made, and he reached out to those former heads of the military, which, academies, which he had appointed, to submit that amicus brief, in the Michigan case, as he thought it was, a contribution that he could make, and it's fairly rare for the Supreme Court to actually cite in an opinion, an amicus brief that's been submitted, but

they did in that case with that military one, it's sort of a, it, interesting backstory to it sounded somewhat similar

ROGER CLARK 52:25

My

BERT LOCKWOOD 52:26

to

ROGER CLARK 52:26

word,

BERT LOCKWOOD 52:26

your,

ROGER CLARK 52:26

yes.

BERT LOCKWOOD 52:26

uh,

ROGER CLARK 52:26

I, I remember the brief, but I did not know the backstory. Thank you for telling me that.

MEREDITH LOCKWOOD 52:32

Okay. O final reflection, and this is where I love Roger to give our audience, advice, even actionable you know, speaking of, what's happening in New Zealand, happening here in the you both have such an incredible international community, from your alumni of students, former fellows, um, colleagues, and throughout the world, we are seeing the rise of far-right governments, and unfortunately a resurgence of fascist ideologies, Roger, um, Roger, in your wheelhouse, is there any actionable advice that you may have for everyday people who feel overwhelmed, but are truly determined to defend human rights, and it could just be in their backyard?

ROGER CLARK 53:21

Oh yeah. Look, it's really important to keep fighting the fight, uh, turn up at the local demonstrations, sign the petitions. If you can find a way to litigate, do that. If you can find a way to litigate an international fora, do Lots of things lawyers can do to try to force the issue, uh, uh, along. And I think, look, we have obligation as professionals to, to do that, but we have an obligation even broader as ordinary citizens to stand up for a decent society. Something that's really important for us to do.

BERT LOCKWOOD 53:58

uh, I just, uh, Roger, I just, uh, have, been communicating, with one of my former, human rights fellows, who was an LLM student, from Ukraine, and she's back in Ukraine, and, uh, the latest email I had from her she feels that she's going to be okay because her office, I mean, she hears constantly the drones, but that her office is near a military base, and she thinks that the Ukrainian government will be particularly concerned about

ROGER CLARK 54:34
that

BERT LOCKWOOD 54:34
defending um, and, Putin and this, assault on, on Ukraine is just so, agonizing and, and Trump is so despicable, with basically siding with Putin at, at, at this and, and, and abandoning, uh, uh, Ukraine. I mean, hopefully the Europeans are going to be able uh, st in, but, uh, it's, just a terrible, uh,

ROGER CLARK 55:01
Uh,

BERT LOCKWOOD 55:01
situation.

ROGER CLARK 55:01
you're absolutely right.

MEREDITH LOCKWOOD 55:02
Well, that is why this podcast makes such a difference. Um, and we want to educate people. We also want to make sure that we're recording the incredible legacies you both Um, Roger, you are a hero in the human rights world. it is incredible that you were able to join us. now you have made my dad set a new record. He is going to try to beat you. We would be happy if he wanted to retire at 45 years teaching international human rights and running the Urban Morgan Institute and overseeing the Human Rights Quarterly. He is 81, um, this year, but now he, he is, he might not admit it, but he's a competitive person. So he might try to knock you for 50.

ROGER CLARK 55:41
Just

MEREDITH LOCKWOOD 55:42
don't tell my mom.

BERT LOCKWOOD 55:45
If we make it that

MEREDITH LOCKWOOD 55:46

Well,

BERT LOCKWOOD 55:46

far.

MEREDITH LOCKWOOD 55:46

we're, we're doing our best dad. We're

BERT LOCKWOOD 55:49

Uh,

MEREDITH LOCKWOOD 55:49

doing our All right. Thank you so much. Appreciate it.

ROGER CLARK 55:53

uh, thank you.

MEREDITH LOCKWOOD 55:54

Goodbye.

ROGER CLARK 55:55

Bye. Take care.

MEREDITH LOCKWOOD 55:59

Hey, listeners, as we close today's conversation, I want to thank Professor Roger Clark for joining us and for sharing his remarkable insights into international criminal law, human rights accountability, and the long arc of justice. Thank you for being part of our community and for starting off 2026 with us. As always, if you enjoy our podcast, please consider subscribing, rating, and leaving us a review. We also invite you to share today's episode with your friends, family, colleagues, and more. If there is a guest or topic you'd like us to explore, we always look forward to hearing from you. You can email us at [humanrightsconversations at gmail.com](mailto:humanrightsconversations@gmail.com) and learn more about the podcast at meredithlockwood.com.

Until next time.