

4th Tony Oposa Intergenerational Moot Court

5 June 2018

(Caen, France)

Strathclyde University and Nairobi University, Kenya

Kasyoka Mutunga

My experience in the 4th Tony Oposa Intergenerational Moot Court made me aware of the role of law in a rapidly changing world. On the morning of the World Peace Forum conference, Einstein's famous quote on the role of arts and sciences was projected on the screen. It was a reminder of a time when the world was plunged in the middle of a technological revolution that had the potential to redefine war, power, and peace. Einstein was adamant that science and art had a far greater role to play in the world for peace than what he considered to be mere treaties and agreements between states.

Today, the world faces an even greater dilemma. Technological developments now far overshadow the 20th century. New age conflicts are perplexing, and the effects of climate change continue to take a central position in the world today. Considering that conflict related to climate change has the capacity to irreparably bruise state relations, studying the changing role of law in such an environment becomes vital.

The Moot Court required us to look into the law's role in foreseeing, preventing, and dealing with potential adverse effects of geoengineering technologies. It made me look beyond Einstein's prophecies into the new age role of law as both a science and an art.

The questions posed required an innovativeness and creativity that only art could conjure. It also required the certainty and prediction that only a science could fulfil. International law, (treaties and customs of states), transforms mere edicts into powerful tools that can assist to predict the future and innovatively build controlled environments that allow for creativity to solve the questions of our generation.

The moot court issued a rallying call to all of us, and especially the law students, to join the world in actively seeking solutions to the numerous threats to peace that confound modern society. It was a wonderful opportunity to view the world changing before us, and in whatever capacity, to honestly, truthfully, and together seek to employ ourselves in the service of humanity.

Bathsheba Mongina Asati

The great scholar Roscoe Pound highlighted in his work that one of the major dissatisfactions with law is its failure to adapt to changing times. Pound also pointed out that the process of creating law involves finding the best compromise between numerous ideologies and perspectives, which will inevitably leave out some important aspects of these laws. One of the greatest questions of our time is how to balance benefits and opportunity costs. Geoengineering is an innovative concept for dealing with the adverse consequences of climate change. At the same time, there are different risks and concerns that arise from such endeavors. Therefore, this is an issue that should be handled carefully by ensuring that all important rights are protected, and a proper balance is achieved. This moot court brought together students from different backgrounds and parts of the world to discuss a common issue related to climate change, geo-engineering, and indigenous peoples. This is what I found to be the most important part of all: getting a chance to listen to, and understand, what is important to communities from parts of the world that I am not from. As a student from an African country, I may not properly understand what the main concerns of small island states or ASEAN nations are regarding geoengineering. As a result, this was an eye-opening experience. Should I gain a seat at the policy formation table in the future, I will know what to look out for and what to advocate for, even if relevant problems are not apparent where I come from. In addition, having judges who were ready and willing to share their insights and professional experience gave me another learning opportunity.

The questions asked by the judges were thought-provoking, bringing to our attention issues that we may not have been aware of because we do not have as much professional experience. The judges also took their time to teach us by discussing our memorials during informal sessions prior to the moot court and suggesting areas where we needed to improve. The whole experience was organised brilliantly; it helped the students find our place and our voice to influence legal

reforms that adapt to ever-changing times, in a way that is both comprehensive and relevant to communities all over the world. The importance of including young people in conversations about current world issues cannot be overestimated. Having had privilege of learning about these matters early on in our careers, we can all now apply them as we develop our respective careers. On a more personal level, it was incredible how we all immediately connected as friends. We spent a significant amount of time talking about our current life pursuits, and the dreams we are working towards. Each of us had a story to share about our lives, and this brought us all closer together. We also got a little insight into each other's culture; Angelito, for instance, had the best stories about life in the Philippines and their love for rice. This led us to make a large bowl of rice that we all ate together. It was truly a unique and eye-opening experience for all of us. The concepts we learned are invaluable.