

## EDITORIAL

# Introduction to the Professor Robert Seidman Memorial Issue

*Sean J. Kealy\**

Shortly after Professor Robert Seidman's passing in 2014, I met up with my friend and colleague Professor Helen Xanthaki at an International Association of Legislation conference in Seoul, Korea. We talked about Bob's enduring legacy in the worlds of legislative drafting and Law & Development, took turns telling stories about Bob and his wife Ann, and agreed that a law review issue dedicated to Bob's memory and work would be a fitting tribute. Needless to say I was honoured when the editor of the *European Journal of Law Reform*, Dr Constantin Stefanou, asked me to be the guest editor for this memorial edition.

Bob and Ann – one can hardly mention one without the other – shared an office and co-taught classes at Boston University Law School for decades. They travelled, learned, wrote, taught, sailed, sang and played music together. I had a chance to work with them for six years before they retired, and I learned so much from them. Together, we started a new clinic in conjunction with the African Parliamentary Knowledge Network where our students had an opportunity to assist legislative drafters in African Parliaments tackle the issues of the day. Africa was special to Bob and Ann – they were teaching and raising a family in several parts of Africa during the 1960s just as many of the African nations gained their independence. They told many stories of the birth of modern Africa, but were always focused on the problems of the Africa of today and how they could be solved through thoughtful and well drafted law.

This issue includes work by five of Bob's colleagues – all of whom were touched by his teachings and are actively engaged in legislative drafting and law reform. The edition starts with a thoughtful and personal "In Memoriam" about Bob by Boston University School of Law Dean Maureen O'Rourke. In it she talks about his extraordinary career, his partnership with Ann and the impact they had on the legal world.

The first article is by Professor Wim Voermans. Wim is professor of Constitutional and Administrative law at Leiden University, Director of the Institute of Public Law of the Leiden Law School, and is the President *Emeritus* of the International Association of Legislation. His contribution is "From legal imposition to legal invitation: from transplants to mutual learning, benchmarks and best-practice-inspiration." This article looks at the concept of "legal transplants" in a globalized world, where communication and information sharing allow jurisdictions

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to borrow legal concepts and solutions to common problems from each other. He finds that Bob and Ann Seidman's position on legal transplants continues to be very relevant in today's debate.

The second article comes from Elizabeth Bakibinga-Gaswaga and is entitled, "Implementing Agenda 2030 for Sustainable Development in Africa: Is it time to shift the paradigm on Law and Development?" Elizabeth was a student and friend of the Seidmans and she has worked as a legislative drafter in Uganda, the Balkans, and South Sudan. She is a Former Vice President of the Commonwealth Association of Legislative Counsel (CALC) and is currently a legal adviser on the rule of law for the Commonwealth Secretariat. Her article applies several of Bob and Ann's theories on Law & Development to the implementation of Agenda 2030 in Africa.

I wrote the third article with my former student Alex Forney, "The Reliability of Evidence in Evidence-Based Legislation." Bob and Ann spent decades developing and teaching the evidence-based Institutional Legislative Theory and Methodology (ILTAM). An important question, however, remains: what evidence is reliable and a worthy input for the methodology? This article offers examples of evidence-based legislation in practice and proposes a hierarchy of evidence from most to least reliable.

The fourth article is from Lorna Seitz, who was a student of the Seidmans at BU Law and would later go on to teach and consult on their Theory and Methodology around the world as the head of the International Consortium of Law and Development (ICLAD). Lorna's article, "Promoting Legislative Objectives Throughout Diverse Sub-National Jurisdictions" shows how the Seidmans' ILTAM can serve as a powerful tool for catalysing the development of situationally appropriate programs to change behaviours and achieve legislative objectives. The article also describes the importance that the Seidmans placed on institutionalizing ongoing monitoring, evaluation and learning processes.

My sincere thanks to everyone who contributed to this issue and made it possible. I hope it is a fitting tribute to Bob's extraordinary life and career.