Penelope Andrews
ALBANY LAW SCHOOL’S 17th PRESIDENT & DEAN

BY DAVID SINGER

“A new dean brings new excitement and a propensity for change, and we all have to take advantage of this special time for all levels of the school.”

She grew up in apartheid South Africa, fighting for equal rights. Her writing centers on justice for women and people of color across the globe, and she believes that all human struggles for dignity and equality are international in character. Asked about her passions, she cites the education of our future lawyers, where she sees it critical that a law school compels students to reach their highest potential.

Penelope—Penny—Andrews will be the 17th president and dean of Albany Law School, starting July 1. After spending days with the Board of Trustees, faculty, staff and students, the overwhelming consensus found that she was the leader uniquely suited to guide the School into its new era. Dean Andrews will be the school’s first female president.

She was chosen in part because, as she says, “I believe in what you are doing here, I have great faith in this school, and I genuinely admire the faculty.”

“The combination of location—a powerful state capital—and legacy—teaching students every year since 1851—makes Albany Law School special,” Dean Andrews told the faculty during an hour-long presentation last month.

Dean Andrews is currently the Associate Dean for Academic Affairs and Professor of Law at the City University of New York School of Law. While she is familiar with the issues a student faces in New York state, she also knows that these are challenging and possibly transformative times for legal education. Albany Law is a unique institution with its own strengths and challenges.

“The Albany Law School community expects a bold vision from their new president, and realistic steps to achieve this vision,” Dean Andrews said. “There are the universal challenges for all of legal education that must be addressed, and then there are the on-the-ground challenges for Albany Law School—the nuts and bolts—that we have to take on together. For example, some law schools are shrinking their class sizes, and it is likely that some schools may cease to operate. The law schools that will succeed are the ones that transform together, collaboratively, as an entire community.”

She likes to be upfront about the inherent tension all deans face, and her conversations are filled with revealing phrases: “Every dean today confronts an ever-changing and chal-
Challenging future: the profession and other forces are telling law schools to rethink how and why we do certain things.... We can have all the ideas in the world, but we need the resources to make them possible.... A dean needs to excite people with a vision and a plan.... There is always a tension between the dean and faculty and shared governance. My job is to inspire collaboration.”

Confronting Bar Passage Head On

Dean Andrews cites the eight largest challenges facing law schools today (see sidebar). And while she sees them meshed together, each one pushing and pulling the others, there is one that rises to the top for her—bar passage.

“The bar passage question has several components, one which is a curriculum and teaching question,” she cites emphatically. She has been at the frontlines of this battle for years at CUNY, a school notable for its clinical and contextual learning, among other areas, but recently hampered by a low bar passage rate. “I’ve struggled for a long time to get people to make significant changes. We’ve introduced difficult ideas to confront difficult issues. Moving people to change requires a balance of carrot-and-stick.”

As a member of many site-inspection teams for the ABA, Andrews notes that she has visited several schools, where she examined “every nook and cranny” of many curricula, and has a good feel for weak links and strong spots to model. Dean Andrews expects, initially, to look at the Albany Law curriculum to assess a few things, including how students are evaluated. She would also like to analyze the differences, if any, between Albany Law School exams and typical bar exam questions. She hopes to look across the entire curriculum for gaps, or perhaps too much overlap in courses. In essence, she wants to see what can be built upon, and what may require improvement.

“Individual faculty might not be aware that they are teaching an area of the Bar exam that is well-covered in another class,” Dean Andrews explained. “The goal is to find omissions and strengths across the curriculum regarding the Bar exam, and use what we have learned across the various courses over three years, and not in exclusive classes for bar preparation.”

She acknowledges that the School has already done this work, but the trick, she says, is to do it persistently—all the time—and that a new Dean brings new areas of emphasis, new perspectives, and new energy. But she cautions that she wants the students to be immersed in an exciting and solid program that will prepare them to not just pass the bar exam, but become excellent attorneys or legal advocates in their own right.

“A new dean brings new excitement and a propensity for change, and we all have to take advantage of this special time for all levels of the school,” Dean Andrews said.

She also sees student recruitment as part of the bar passage question. “Bar passage starts with admissions requirements; successfully recruiting a strong and diverse pool of candidates is your strongest predictor for bar passage,” she says. “Our job is to maintain rigorous courses and programs, support our students, and identify those who are struggling, so that we may provide them with the appropriate academic support.”

As dean of academic affairs in her current role, she is intimitate with recruitment efforts as an Admissions Committee member, and plans to treat it as a critical component to the bar passage equation at Albany Law.

Turning International Local

Born in apartheid South Africa, amidst rampant poverty and violence fueled by racism and sexism—her parents divorced when she was 10, and her mother died three years later. She was sent to live with an aunt, separated from her two siblings. She attended and graduated Catholic school before studying law at the University of Natal.

She has since traveled the globe, living, teaching and researching in Germany, Australia, Holland, Scotland, Canada and South Africa. She has advocated for the rights of Australia’s indigenous population, people of color in South Africa, and disenfranchised women in Queens, N.Y.

An annual award in her name—The Penelope E. Andrews Human Rights Award—is given by the South African law school at the University of KwaZulu-Natal. In 2005 she was a finalist for a...
vacancy on the Constitutional Court of South Africa, the highest court on the country’s constitutional matters.

She has consulted for the United Nations Development Fund for Women, and for the Ford Foundation in Johannesburg, where she evaluated labor law programs. She earned her B.A. and LL.B. from the University of Natal, Durban, South Africa, and her LL.M. from Columbia University School of Law.

What initially lured her to the United States was the draw of the civil rights movement, “the way it challenged the underpinnings of American Society. I was struck by the dynamic leaders the movement generated.” As a student activist in South Africa, this fueled her desire to go to the United States.

“The Civil Right movement excited my views on the possibilities of law,” which led her to Columbia University. She considered returning to South Africa to help the struggle against apartheid, but chose to avoid possible political persecution from its government. She moved to Australia, where she gained citizenship, and tenure at La Trobe University, while supporting the indigenous population in their struggle for equality and to gain land rights. “It taught me to understand new perspectives around race relations.”

New York City still tugged at her—“so many powerful cultural intersections with the law.” She left Australia in 1993 to teach at CUNY where she continued her work incorporating human rights law into domestic constitutions, with a focus on Africa. She stayed at CUNY for 14 years, when she took the position of director of International Studies at Valparaiso Law School. In 2010 she returned to CUNY for her current academic dean position.

“What I’ve gained in my international teaching has been the facility to appreciate the similarities and differences in legal jurisdictions, while focusing on the strengths and lapses of the American legal system…. I have acquired a deep understanding of the cultural context of legal systems…. I’ve also developed a strong global network that will likely benefit Albany Law School.”

Student Centered

When Dean Andrews answers questions about legal education, she does not speak for long before steering the conversation back to students.

“We have to do a lot more than help them pass the bar,” she said. “We want them to excel in their careers. We need to be very conscious of their investment in us. The minute they walk through the door they are future alumni—we owe them a good experience—our institutional culture needs to support, encourage and excite them. We want them to become lawyers we are proud of and that will serve the profession well.”

Students have become savvy consumers, and during their short time here, the school—at the classroom level to the administration level—needs to provide opportunities for a rich, learning experience inside and outside the classroom, Andrews says. “The law school market is shrinking, and students will judge with their feet. We need to accommodate a range of students, including all styles of learners, and all manner of student ambition.”

Known as a tough grader and a friend, she calls on students to be resilient, given the uncertainties of the legal field. “They need to be entrepreneurial, they need to spot or create opportunities. I want students—prospective lawyers—to be open, flexible, never stop expanding their legal and intellectual boundaries. The challenge for students today is to find their place in the profession, and do the ordinary things of law extraordinarily well.”

Andrews expects to focus significant efforts on creating career opportunities for students, and teach them how to capitalize on those opportunities. “This is a very tough job market. Our job is to open doors for them, and also make sure they are prepared to walk through those doors.” Professional development for students, making sure the Career Center has the resources necessary to support students, ensuring that alumni consider Albany Law students when hiring; these were three of several areas she listed as immediate concerns.

Single with no children, Andrews has “mentored students in ways that would not be possible had she had family commitments. My most satisfying times are when students return to share their experi-

“...The law school market is shrinking, and students will judge with their feet. We need to accommodate a range of students, including all styles of learners, and all manner of student ambition.”

...
ences of success as practicing lawyers proud of their work.”

Starting Day One

“Albany Law School is an incredible institution. I look forward to building upon what already works, replenishing and invigorating the programs. I want to bring national—and international—attention to many of the programs, some which already have national interest.”

Dean Andrews acknowledges that the legal profession is changing, still allowing for a broad general legal knowledge and training, but at the same time demanding knowledge and training in increasingly specialized areas. “A law school can’t provide everything, but it can provide the right tools for its students. Albany Law School has the advantage of independence and flexibility. As the legal profession and legal education confront another wave of change, we can move with it.”

She will call on the alumni for guidance in areas. “They are essential to the health and prestige of the institution. They remain the one link between the past, present and future.”

Andrews notes that Albany Law graduates are very committed to the law school—they are impressive as a group and very loyal as a law school graduate community. “With them I look forward to articulating a bold vision, and together sustaining and raising the reputation of the school. Once we’re all on board, I expect them to shout about us from the roof tops with me.”

Dean Penny Andrews

Education

University of Natal, Durban, South Africa, LL.B. (1982)
University of Natal, Durban, South Africa, B.A. (Majors: Economic History; Comparative African Government and Administration) (1980)

Professional Experience

Associate Dean for Academic Affairs and Professor of Law, City University of New York School of Law (2010-12)
Professor of Law & Director, International Studies, Valparaiso Law School (2007-2010); Courses included: International Human Rights Law, Gender and the Law, International Criminal Law and Torts

Visiting Professor, Touro Law School Summer Program, University of Potsdam, Germany (June 2010). Course: Comparative Constitutional Law.

Chair in Law, La Trobe University, Melbourne, Australia (2008-2010) Courses: Principles of Public Law, Aborigines and the Law in Australia.

Professor of Law, City University of New York School of Law (1993-2007) Courses: Torts, International Law and International Human Rights Law, Lawyering, Comparative Law, Gender and Law.

Ariel F. Sallows Professor of Human Rights Law, University of Saskatchewan, Canada (Research Chair, January to December 2005). Course: International Human Rights Law.

Visiting Professor, Columbia Law School Summer Program, University of Amsterdam School of Law (July 2003). Course: American Tort Law in Comparative Perspective.

Parsons Visitor, Sydney University School of Law, Australia (Fall 2002). Lecture Series on Human Rights and Transitional Justice.

Stoneman Endowed Visiting Professor in Law and Democracy, Albany Law School (Spring 2002). Courses: The International Protection of Human Rights, Comparative Perspectives on Race and the Law.

Visiting Professor, University of Maryland School of Law Summer Program, University of Aberdeen, Scotland (Summer 2001). Course: Comparative Human Rights Law. Visiting Professor, University of Natal, Durban, South Africa (Summer 2000). Course: Public International Law/Human Rights Law.

Visiting Professor, University of Maryland School of Law, Baltimore (Spring 1994). Course: Law and the End of Apartheid.


Associate in Law, Legal Resources Centre, Johannesburg, South Africa (April 1989 to February 1990—on leave from La Trobe University). Duties included: consultant to Advice Centres Project; conducting training workshops for para-legal workers and trade unions, servicing legal advice centers in metropolitan Johannesburg and rural areas around Johannesburg; negotiating with government officials on behalf of community groups.

Fellowships


Columbia Law School, Legislative Drafting Research Fund Chamberlain Fellowship in Legislation (January to December 1985).

Books

From Cape Town to Kabul: Reconsidering Women’s Human Rights (Forthcoming 2012)

Law And Rights: Global Perspectives on Constitutionalism and Governance (co-edited with Susan Bazilli 2008)

The Post-Apartheid Constitutions: Perspectives on South Africa’s Basic Laws (co-edited with Stephen Ellmann 2001)