REGENT

OF INTERNATIONAL LAW

In Collaboration with

Handong International Law School

REGENT UNIVERSITY SCHOOL OF LAW ARTICLES

THE LAW OF THE FAMILY IN CAMBODIA:	
ASSESSING CAMBODIA'S LAW ON	
THE MARRIAGE AND FAMILY	

..... Thomas J. Walsh

ABANDONED BABIES' RIGHTS IN ROMANIA TODAY: CAUSES OF A FAILED SYSTEM AND

PROPOSED REMEDIES.....

OF ORPHANS AND ADOPTION, PARENTS AND THE POOR, EXPLOITATION AND RESCUE: A SCRIPTURAL

AND THEOLOGICAL CRITIQUE OF THE EVANGELICAL CHRISTIAN ADOPTION AND

RESCUING THOSE WHO ARE STUMBLING TO THE

SLAUGHTER: A COMPREHENSIVE APPROACH

. Charity Ramsey



Founded in 2000, the Regent Journal of International Law is the first Judeo-Christian academic forum for scholarly reviews of international law. The Journal's mission is to publish incisive analyses of international legal issues by distinguished scholars and notable practitioners in the international field. Through its publications, the Journal embodies the calling of Regent University - "Christian Leadership to Change the World."

EDITORIAL POLICY STATEMENT

The Regent Journal of International Law is a bi-annual publication of the International Law Society, an official student organization under the authority of the Regent University School of Law. The views expressed in the Journal are those of individual contributors and do not necessarily reflect the views of the editorial board, Regent University School of Law, its administration and faculty, or Regent University.

Subscriptions: The *Journal* invites the financial support of all who believe in the active inclusion of Judeo-Christian perspectives on important issues of international law. If you are interested in subscribing to, purchasing advertising space from, or making a tax-deductible contribution to the *Journal*, please address all correspondence to Editor- in-Chief, *Regent Journal of International Law*, Regent University School of Law, 1000 Regent University Drive, Virginia Beach, Virginia 23464-9880. Subscriptions are \$20.00 domestic; \$25.00 foreign surface mail payable in advance.

Submissions: The *Journal* welcomes the submission of scholarly articles, manuscripts, essays, reviews and bibliographies in all areas of international law. If you are interested in submitting your work, send a hard copy and one electronic copy (MS Word format) to Editor-in-Chief, *Regent Journal of International Law*, Regent University School of Law, 1000 Regent University Drive, Virginia Beach, Virginia 23464-9880. Citations in submitted works should use footnotes and conform to THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (19th ed. 2010). Submissions should be in English and include your mailing address, telephone numbers and email address. In addition, please include an abstract and a brief biographical sketch. All submissions become the property of the *Journal*.

Permission to Copy: All articles are copyright ©2012 Regent Journal of International Law (ISSN #1538-7550), except where otherwise expressly indicated. For permission to reprint an article or any portion thereof, please address your written request to the holder of the copyright. For any article that the Regent Journal of International Law holds the copyright, permission is granted to reprint any portion of the article for educational purposes, including distribution to students, provided that in the case of copies duplicated in class, students are charged no more than the cost of duplication; the article is identified on each copy according to The Bluebook: A Uniform System of Citation (19th ed. 2010); proper notice of copyright is affixed to each copy; and the Journal is notified in writing of the use. Printed by Darby Printing Company, Atlanta, Georgia.

Address all correspondence to Editor-in-Chief, *Regent Journal of International Law*, Regent University School of Law, 1000 Regent University Drive, Virginia Beach, Virginia 23464-9880. You may also email at: rjil@regent.edu. Internet address: http://www.regent.edu/acad/schlaw/academics/rjil/home.html

REGENT JOURNAL OF INTERNATIONAL LAW

IN COLLABORATION WITH HANDONG INTERNATIONAL LAW SCHOOL

Volume 8

2012

Issue 2

REGENT UNIVERSITY SCHOOL OF LAW EDITORIAL BOARD 2011-2012

Editor-in-Chief JESSICA B. FRY

Executive Editor REGINA GOFF

SYMPOSIUM DIRECTORS

REGINA GOFF

KEILA MOLINA

MANAGING EDITORS

CHARITY RAMSEY

LEANNE WATROUS

SENIOR EDITORS

KAYLA ROLEN

SONNY BEHRENDS KEILA MOLINA

ACQUISITIONS EDITOR

LEANNE WATROUS

LAYOUT EDITOR

ABRAHAM DEL RIO III

STAFF ASSOCIATES

NATALYA DENNETT ALISHA JACKSON KIRK SCHWEITZER WAYNE S. WALLACE CATHERINE WINGATE LYDIE SOP MOGUEM MARGUERITE LARAIA MARY HILL
ERIC LANSING PATRICK THORMAN
OLIVIA SUMMERS CALEB WAN
ANNA ERNEST JUSTIN DRACH
SARA WIENECK ZACH HOFFMAN
MATTHEW WATSON

HANDONG INTERNATIONAL LAW SCHOOL EDITORIAL BOARD 2008 - 2009

MANAGING EDITOR HOE JUNG JUNG ACQUISITIONS EDITOR
DOOME JUNG

SENIOR EDITORS

MI YOUNG KIM Kayla Byun Min Joo Park Yo El Lee

YENA LIM SUJIN PARK

EDITORIAL STAFF

JUNG IL KU HYEMIN JANG CHI IN KIM WON HEE COUCH IN YOUNG CHOI HYEKYU LEE HYUN-JEONG CHUN

FACULTY ADVISORS

PROFESSOR KATHLEEN MCKEE

PROFESSOR CRAIG A. STERN

PROFESSOR ERIC G. ENLOW, Handong

REGENT JOURNAL OF INTERNATIONAL LAW

IN COLLABORATION WITH HANDONG INTERNATIONAL LAW SCHOOL

Volume 8 2012 Issue 2 REGENT UNIVERSITY SCHOOL OF LAW ARTICLES THE LAW OF THE FAMILY IN CAMBODIA: ASSESSING CAMBODIA'S LAW ON THE MARRIAGE AND FAMILY Thomas J. Walsh 137 ABANDONED BABIES' RIGHTS IN ROMANIA TODAY: CAUSES OF A FAILED SYSTEM AND PROPOSED REMEDIES Fred Ross III 179 OF ORPHANS AND ADOPTION, PARENTS AND THE POOR, EXPLOITATION AND RESCUE: A SCRIPTURAL AND THEOLOGICAL CRITIQUE OF THE EVANGELICAL CHRISTIAN ADOPTION AND ORPHAN CARE MOVEMENT David M. Smolin 267 RESCUING THOSE WHO ARE STUMBLING TO THE SLAUGHTER: A COMPREHENSIVE APPROACH TO GENOCIDE PREVENTION Charity Ramsey 325

REGENT UNIVERSITY SCHOOL OF LAW

UNIVERSITY OFFICERS

G. CONOLY PHILLIPS, Chairman of the Board of Trustees

DR, M.G. "PAT" ROBERTSON, Chancellor

DR. CARLOS A. CAMPO, President

B.A., M.A., Ph.D., University of Nevada, Las Vegas

JEFFREY A. BRAUCH, Dean; Professor

B.A., University of Wisconsin at Madison; J.D., University of Chicago

DOUGLAS H. COOK, Associate Dean for Academic Affairs; Professor

B.A., Miami University, Ohio; J.D., The Ohio State University

L.O. NATT GANTT II, Associate Dean for Student Affairs; Director, Academic

Success Program; Associate Professor

A.B., Duke University; J.D., Harvard Law School; M.Div., Gordon-Conwell Theological Seminary

JAMES E. MURPHY, Associate Dean for Administration; Adjunct Professor

B.A., University of Iowa; J.D., University of Oklahoma

FACULTY

JOHN ASHCROFT, Distinguished Professor of Law and Government

A.B., Yale University; J.D., The Law School, University of Chicago

JAMES M. BOLAND, Director, Legal Research and Writing; Associate Professor

B.A., Wheaton College; J.D., Regent University School of Law

ELEANOR W. BROWN, Associate Professor

B.A., University of Virginia; J.D., T.C. Williams School of Law, University of Richmond;

LL.M., College of William and Mary, Marshall-Wythe School of Law

BRUCE N. CAMERON, Reed Larson Professor of Labor Law

B.A., Andrews University; J.D., Emory University School of Law

KENNETH CHING, Assistant Professor

B.A., University of Nevada; J.D., Duke University School of Law

ALICE M.A. COUNCIL CURTIS, Associate Professor

B.A., Howard University; M.A., Antioch University; J.D., Georgetown University Law Center

JAMES DAVIDS, Assistant Professor

B.A., Calvin College; J.D., Duke University School of Law

ERIN DEBOER, Legal Research and Writing Instructor

B.A. 2004, Hillsdale College; J.D., Regent University School of Law

ERIC DEGROFF, Professor

B.A., University of Kansas; M.P.A., University of Southern California; J.D., Regent University School of Law

JAMES J. DUANE, Professor

B.A., J.D., Harvard University

TESSA DYSART, Assistant Professor

B.A., Willamette University; J.D., Harvard Law School

THOMAS C. FOLSOM, Professor

B.S., U.S. Air Force Academy; J.D., Georgetown University Law Center

LOUIS W. HENSLER III, Professor

B.A., Bob Jones University; J.D., University of Chicago

MICHAEL V. HERNANDEZ, Professor

B.A., J.D., University of Virginia

BRADLEY P. JACOB, Associate Professor

B.A., University of Delaware; J.D., University of Chicago

JOSEPH N. KICKASOLA, Professor of International Policy

B.A., Houghton College; B.D., Westminster Theological Seminary; M.A., Brandeis

University; Ph.D., Brandeis University

JANIS L. KIRKLAND, Assistant Director, Legal Research and Writing; Instructor

B.S., College of William and Mary, Marshall-Wythe School of Law; J.D., University of Richmond

LYNNE MARIE KOHM, John Brown McCarty Professor of Family Law

B.A., State University of New York at Albany; J.D., Syracuse University

BENJAMIN V. MADISON III, Professor

B.A., Randolph-Macon College; M.A., College of William and Mary; J.D., College of William and Mary, Marshall-Wythe School of Law

KATHLEEN A. MCKEE, Director, Litigation Clinic; Associate Professor

B.A., State University of New York at Albany; J.D., Columbus School of

Law; LL.M., Georgetown University Law Center

J. HASKELL MURRAY, Assistant Professor

B.A., Rhodes College; J.D., Georgia State University College of Law

CHARLES H. OATES, Professor

B.A., University of Florida; J.D., Stetson University; M.L.S., Catholic University

C. SCOTT PRYOR, Professor

B.A., Dordt College; J.D., University of Wisconsin at Madison; M.A., Reformed Theological Seminary

MICHAEL P. SCHUTT, Director, Institute for Christian Legal Studies; Associate Professor

B.A., Stephen F. Austin State University; J.D., University of Texas

DR. JAY ALAN SEKULOW, Distinguished Professor of Law

B.A., J.D., Mercer University; Ph.D., Regent University

JUDGE ROBERT M.M. SETO, Professor Emeritus

B.S., St. Louis University; J.D., St. Louis University School of Law; LL.M., The George Washington University School of Law

RANDY SINGER, Attorney-in-Residence

B.A., Houghton College; J.D., College of William and Mary, Marshall-Wythe School of Law

CRAIG A. STERN, Professor

B.A., Yale University; J.D., University of Virginia

KIMBERLY R. VAN ESSENDELFT, Instructor, Legal Research and Writing

B.A., University of Virginia; J.D., College of William and Mary, Marshall-Wythe School of Law

DAVID D. VELLONEY, Associate Professor

B.S., United States Military Academy; J.D., Yale Law School; LL.M., The Judge Advocate General's School, U.S. Army

DAVID M. WAGNER, Professor

B.A., Yale University; M.A., Yale Graduate School; J.D., George Mason University School of Law

GLORIA WHITTICO, Assistant Professor of Law; Associate Director of Academic Success

A.B., College of William and Mary; J.D., University of Virginia School of Law

ADJUNCT FACULTY

RACHEL F. ALLEN

B.S., Liberty University; J.D. Regent University School of Law

TINA P. BINGHAM

B.A., J.D., The University of Virginia

GREGORY P. BERGETHON

B.S., University of Richmond; J.D., Marshall-Wythe School of Law, College of William and Mary GARY A. BRYANT

B.A., Bob Jones University; J.D., Washington & Lee University

JAMES L. CHAPMAN IV

B.A, Virginia Polytechnic Institute and State University; J.D., Washington and Lee University School of Law

SARAH A. COX

B.A., Virginia Wesleyan College; J.D., TC Williams School of Law, University of Richmond

DARIUS K. DAVENPORT

B.A., Norfolk State University; J.D., University of Wisconsin

MARIE S. HAMM

Dual B.S., Mount Olive College; J.D., Regent University School of Law; M.L.S. Syracuse University THE HONORABLE ROBERT J. HUMPHREYS

B.A., Washington and Lee University; J.D., Widener University School of Law

MARK L. JAMES

B.A., Grove City College; M.B.A., Michigan State University; EML, Georgetown University; J.D., Regent University School of Law; L.L.M., Marshall-Wythe School of Law, College of William and Mary

DR. JOSEPH A. KICKASOLA

B.A., Houghton College, Westminster Theological Seminary; Ph.D., Brandeis University

THOMAS C. KLEINE

B.S.F.S. Georgetown University; J.D., Washington and Lee University

JOSEPH A. KOHM, JR.

B.A., Syracuse University; MM, State University of New York; J.D., Regent University School of Law

DAVID LANETTI

B.S., U.S. Naval Academy; M.S., Troy University; J.D., Marshall-Wythe School of Law, College of William and Mary

STEPHEN D. LENTZ

B.A. Bowling Green State University; J.D., Marshall-Wythe School of Law, College of William and Mary DAVID M. MCCORMICK

B.A., Baylor University; M.A. in Business, Amber University; J.D., Regent University School of Law JAMES E. MURPHY

B.A., University of Iowa; J.D., University of Oklahoma

ANTHONY S. MULFORD

B.A., University of Nebraska at Kearney; J.D., Regent University School of Law

GUSTAV L. NELSON III

B.S., Virginia Polytechnic Institute and State University; J.D., University of Virginia School of Law

THE HONORABLE H. THOMAS PADRICK, JR.

B.A., Old Dominion University; Virginia State Bar Law Reader Program

JOHN Y. PEARSON, JR.

B.A., Washington and Lee; J.D., University of Virginia

ROSS C. REEVES

B.A., Yale University; J.D., University of Virginia School of Law

MICHELE A. SORENSON

B.A., American University; J.D., Catholic University of America

JOHN G. STEPANOVICH

B.A., Kent State University; J.D., University of Akron (Ohio) School of Law

CATHERINE L. SIX

B.A. University of Richmond; J.D., Regent University School of Law

VANESSA T. VALLDEJULI

M.A., University of Richmond; J.D., Marshall-Wythe School of Law, College of William and Mary HUGO VALVERDE

B.S. College of William and Mary; M.E.M. Duke University; J.D. cum laude Regent University School of Law

SHAWN A. VOYLES

B.A., DePauw University; J.D., Regent University School of Law

LAW LIBRARY ADMINISTRATION

MARGARET CHRISTIANSEN, Director of Law Library

B.S., William Woods College; J.D., Regent University School of Law; M.S.I.S., Florida State University

ERIC L. WELSH, Head of Research Services

B.A., Westminster College; M.S., Drexel University; J.D., Regent University School of Law

WILLIAM E. MAGEE, Assistant Research Services Librarian

B.A., Old Dominion University; J.D., Regent University School of Law; M.L.S., Catholic University

TERESA A. PARKER BELLAMY, Head of Bibliographic Services

B.S., Norfolk State University; M.S.L.S., Catholic University of America MARIE SUMMERLIN HAMM, Assistant Director for Collection Development Dual B.S., Mount Olive College; J.D., Regent University School of Law; M.L.S. Syracuse University

LAW ADMISSIONS

BONNIE CREEF, Director of Law School Admissions and Financial Aid JULIE ANJO, Assistant Director of Law School Admissions and Financial Aid MARIE MARKHAM, Assistant Director of Enrollment Management SARAH SCHULTE, Assistant Director of Admissions and Recruitment DEBRA HOLLAND, Senior Admissions Processor ANNE BLACK, Admissions Processor

LAW SCHOOL MARKETING AND COMMUNICATIONS

SEAN KIRNAN, Director of Communications and Enrollment Marketing LISA MARIE OTTO, Webmaster & Project Manager

LAW SCHOOL CAREER AND ALUMNI SERVICES

DARIUS DAVENPORT, Director of Career & Alumni Services KATHY STULL, Assistant Director of Career and Alumni Services TINA OWENS, Office Administrator

HANDONG INTERNATIONAL LAW SCHOOL

UNIVERSITY OFFICERS

KIM YOUNG GIL, President

B.S., Seoul National University; M.S., University of Missouri-Rolla; Ph.D., Rensselaer Polytechnic Institute; Ph.D. *Honoris Causa*, The Institute of Finance and Economics

ALLAN L. BUTTON, Dean, Professor

B.A., Cornell University; J.D., Washington and Lee University School of Law

HEE EUN LEE, Associate Dean, Professor

A.B., Vassar College; M.A., Syracuse University; J.D., Syracuse University College of Law; LL.M., New York University School of Law

FACULTY

JAMES T. DAVIS, Professor

B.A., Louisiana Tech University; M.B.A., California State University at San Bernardino; J.D., McGeorge School of Law

ERIC G. ENLOW, Professor

B.A., Yale University; J.D., Washington University School of Law

CHARLES KWAK, Professor

LL.B., Seoul National University; J.D., University of California at Los Angeles School of Law

DAVID LEE MUNDY, Professor

B.A., William Jennings Bryan College; M.A., Regent University; J.D., Regent University School of Law

EUNSEOK PAIK, Professor

A.B., Harvard University; B.A., University of Oxford; M.A., University of Oxford; LL.M., Boston University School of Law

TARIK M. RADWAN, Professor

B.A., George Mason University; M.S. Chapman University; J.D., George Mason University School of Law

WAYNE E. REEVES, Professor

B.S., Auburn University; M.Div., Southwestern Baptist Theological Seminary; ThM, Union Theological Seminary; J.D., Cumberland School of Law of Samford University

CRAIG G. SMITH, Professor

B.S., Ohio State University; M.A., Bowling Green State University

PATRICK M. TALBOT, Professor

B.S., Georgetown University School of Foreign Service; J.D., Regent University School of Law Victor Tchor, *Professor*

B.A., University of Toronto; M.Rel., Toronto School of Theology; J.D., Regent University School of Law

JAE-CHUN WON, Professor

B.A., Virginia Polytechnic Institute and State University; M.B.A., Virginia Polytechnic Institute and State University; J.D., Brooklyn Law School

