International News

“Our mission is to educate diverse, talented students to be responsible leaders in a rapidly changing, interdependent world, to prepare graduates who will be ethical advocates for justice and the rule of law....”

(School of Law Mission Statement)

Volume 4, Issue 2

School of Law News, Notes and Events Fall 2009

Upcoming Events

Study Abroad
Information Sessions

Session 2
Monday, Oct 12, 5-6 pm or
Tuesday, Oct 13, 5-6 pm

Session 3
Monday, Nov 9, 5-6 pm or
Tuesday, Nov 10, 12-1 pm
Mondays meet in room 1102
Tuesdays meet in room 1103

Wing-Tat Lee
Lecture
Professor Ingeborg Schwenzer
University of Basel
Thursday, February 4, 2010
Ceremonial Courtroom

(Students can register for a 1 credit hour class taught by Prof. Schwenzer which will meet Fri., Feb 5 & Sat., Feb 6)

Special Student Issue

During the summer of 2009, Loyola law students took the initiative to engage in a number of law-related activities that took them outside the United States. Some of these students studied in our study abroad programs in Beijing, Rome, and Strasbourg. Other students obtained legal jobs or internships overseas, some of which were supported by International Summer Fellowship Grants from the law school. This issue of International News is devoted to students’ stories of their summer international experiences.

STUDY ABROAD PROGRAMS

Beijing by Wayne Rapp

Fourteen hours, a few meals, four movies, a couple naps, and a little harrowing turbulence later, I touched down at Beijing Capital Airport to take part in the School of Law's second ever study abroad program in China. After being examined by liaisons of the Chinese government to determine if I was carrying swine flu, I hazily made my way through immigration to see Dean Jean waiting with a smile on her face to greet me and the other students on my flight. Our next stop was the University of International Business and Economics, our home base for the next four weeks.

I was surprised to find that my impressions of what a Communist country was supposed to look like were quickly dashed. Beijing was more modern, well-developed, and tourist-friendly than I had anticipated. Just hours into my stay, I was purchasing cab rides and food – sans Chinese – with gusto. That's not to say that I wouldn't try and expand my vocabulary with the diligent help of Professor Chunlin Leonhard. But Chinese didn't seem to be a pre-requisite, at least for navigating the nation's capital.

The month went by quickly. Mornings in academia, afternoons strolling Beijing and seeing the sights, the evenings taken up by consuming food and beverage, to most of which my palette was unaccustomed. One could do worse than get course credit amidst 5,000 years of history and in the capital of arguably the 21st century’s most influential country, all the while enjoying the buying power of a strong U.S. dollar.
**Beijing (cont.)**

Moreover, the study part of the study abroad program was refreshing. The courses were tailored to the passions of the professors teaching them, and the schedule allowed for me and the other students to get to know our professors in a way that is not always possible back in Chicago. Whether during coffee breaks between classes or bus rides to various locales, the professors were willing to share a bit of themselves with us. Not surprisingly, some great people make up the ranks of what amounts to a great law school faculty.

All in all, the experience was unforgettable. I'll miss the tumult of Beijing when I return to Loyola's relatively placid Water Tower Campus. And, sadly, my student loans do not go quite as far as they did in China.

*(Photographs were supplied by Katie Georgevich)*

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**Rome by Brian Roy**

At first, I felt a little overwhelmed arriving at Roma Termini Station. Its stature reminded me of Grand Central Station in New York. It didn’t help that my Italian was limited to “ciao” and “grazie.” Rather than take a cab to my new home in Monte Mario, just northwest of the city, I wanted to live like the natives and take the train. As the saying goes, “when in Rome, do as the Romans do.” After 30 minutes of getting adjusted, I finally figured out where I was going.

Admittedly, our accommodations were not what we were used to in the States. Students referred to the John Felice Rome Center as the JF Ritz Carlton, but we were forewarned. The rooms were doubles and had no air conditioning, and the bathrooms were down the hall. In spite of our humble surroundings, we really didn’t spend much time in our rooms. We attended classes during the day, and Dean Jean planned a multitude of excursions for us throughout. In fact, we had difficulty trying to find time to fit in our school work.

Classes were from Monday to Thursday. Our weekends started Thursday afternoon, and we took advantage of it by road tripping all over Europe. Some of my classmates went to Greece, Poland, Spain, France, and all over Italy. I traveled throughout Italy to Pompei, Milan, and my favorite Italian city, Florence.

Sightseeing in Rome was amazing. There is so much to see, and I was in awe when visiting places like the Colosseum, the Roman Forum, St Paul’s Basilica, the Pantheon, Trevi Fountain, and the Vatican City, to name a few. There is so much history and culture behind the city. What surprised me was the amount of graffiti around such historic architecture. The food was delicious and the ice cream was to die for. However, it was definitely an adjustment paying for water and bread at the restaurants. You just have to watch how much you’re spending, because the Euro is a little stronger than the Dollar.

One of the highlights of the trip was the week that U.S. Supreme Court Justice Ruth Bader Ginsburg and her husband Martin spent with us. Her lectures were entertaining and insightful. How often do you get spend personal time with a U.S. Supreme Court Justice and hear about the inner workings of the judicial process? Next year I have heard that Justice Antonin Scalia will be the guest lecturer. This will be a great opportunity to hear the Court’s leading proponent of textualism and originalism.

Loyola creates a tremendous program that will be forever memorable. I encourage everyone to take advantage of it.
After spending four weeks in Europe’s summer, many of the John Felice Rome Center’s law students were ready to pack up and head back to the United States. Some of us were dreading the decision that we made months before to continue on to Strasbourg, France. We missed cheeseburgers, free water, careful drivers, and hospitable restrooms. Four weeks in Europe was fun, exciting and educational, but we were tired of traveling, and living out of a suitcase had become harder with each passing day. Could we take another two weeks of it? After just a few hours in Strasbourg we all knew we had made the right decision.

Exhausted attitudes faded after simply exiting the train station, where the historic Alsatian style buildings clashed with a modern city on the move. Strasbourg has mastered the fine line between small-town quaintness and big-city appeal. Our group hotel had a friendly, courteous staff, and gave us each personal attention when needed. The local businesses happily accepted our broken French with a sympathetic smile, and helped out in any way that they could. The city felt like my small St. Louis suburb, but it looked much bigger, and we soon found out how enormous a role Strasbourg plays on the world stage. On our second day in Strasbourg, our small group of fifteen visited the European Parliament, where we were given a very personal tour of the European Union’s offices and Parliament chamber. We left the Parliament with new ideas of diplomacy, federalism, and debate. History, nationalism, and sovereignty are important factors in every decision that is made in Strasbourg, and its unique location in central Europe helps ease the frustrations slightly. Our class workload was eased slightly as well, but the subject, gender and the law, always provided for fascinating class discussions and important topics.

As we ventured out of Gender and the Law class on a two day trip to Luxembourg, it seemed appropriate that our next lecturer was an important woman. Eleanor Sharpston, perhaps the most powerful woman in European judicial decisions, taught us about her role as Advocate General for English-speaking nations, and also about the EU Court of Justice in general. We had plenty of time for questions—Advocate General Sharpston set up a private lunch for us and sat among us at the table! She is truly a remarkable individual, and we all felt very fortunate that such a powerful judicial voice in Europe was able to give so much time to American students.

Upon returning to Strasbourg, we visited the Council of Europe and European Court of Human Rights. Many of the students were, to say the least, stunned by the power of all of the judicial institutions on our trip, and amazed by the personal attention they gave us. Our trip ended with dinner at a restaurant built in 1572, in La Petite France, and a relaxing boat ride on the Ill River through central Strasbourg. As our boat passed each legal institution we had visited earlier in the trip, we all now knew the power and force of these important governing and judicial bodies in the midst of changing European history. Most students took weekend trips to Paris or Germany, or even a day trip bike ride through Alsatian wine country, but we all ended our trip back in the U.S., with a different perspective on politics, diplomacy, federalism, and history. Just as our tired bodies changed perspective after just a few hours in beautiful Strasbourg, so too did our minds change perspective after a two week long incredible journey.
INTERNATIONAL SUMMER FELLOWSHIP GRANTS

Global Heritage Fund, Pingyao, China, by Amanda Andrews

I conducted research for the Global Heritage Fund, an International Conservancy based in Palo Alto, California, dedicated to saving endangered heritage sites around the world. China’s cultural property laws and policies were my main focus. Through my research, I acquired an invaluable understanding of China’s legal system. Thanks to Loyola, I was able to take my research abroad, visiting sites in China where I conducted onsite research and interviews.

In China, I spent the majority of my time visiting the ancient walled city of Pingyao, a UNESCO World Heritage site in Shanxi Province. The city walls remain intact and approximately 4,000 ornate courtyard buildings line the cobblestone streets. Neglect and poverty are the main reasons these incredible structures still exist. Although Shanxi Province is one of China’s wealthiest provinces due to the area’s coal mining industry, the people of Shanxi, and consequently Pingyao, are some of the most impoverished people in all of China. Away from the main tourist areas, the majority of Pingyao’s 40,000 residents who live in low income housing do not have central plumbing. Each day, a donkey cart roams the backstreets collecting waste.

Simultaneously researching culture and the culture of law challenged me to reevaluate my understanding of the role of law in society. Had I not been afforded the opportunity to travel to China to conduct research, I would have entirely failed to contextualize the legal issues, such as property rights, unregulated development, and massive infrastructure projects that threaten important sites. Ultimately, my project yielded a policy evaluation sympathetic to the often unwieldy disconnects within China’s legal system. My fellowship was an amazing opportunity to address how the economic potential of heritage sites aligns with the Chinese government’s attempts to unify a vast geographic and culturally diverse nation. Best phrased by Oliver Wendell Holmes Jr., “The substance of the law at any given time nearly corresponds, so far as it goes, with what is then understood to be convenient; but its form and machinery, and the degree to which it is able to work out desired results, depend very much upon its past.”

Universidad Alberto Hurtado, Santiago, Chile, by Craig Beaker

This past summer I traveled to Santiago, Chile to work as a research scholar under Professor Hugo Rojas at Universidad Alberto Hurtado as well as to work with students there. My experience was enriching and challenging as I strived to gain a better understanding of the Chilean legal system and the role of attorneys within their system.

Working under Professor Rojas, I was responsible for translating an article that he wrote on the recognition of indigenous rights in the Chilean Constitution and preparing it for publication in the United States. The article provided a comparative study of more than fifteen constitutions in Latin America and analyzed how each country specifically dealt with issues relating to indigenous rights. The spectrum of indigenous issues ranged from access to resources to receiving an education in the indigenous language. To serve as a basis for establishing indigenous rights in Chile, the article proposed the usage of existing international agreements and treaties to act as a benchmark for future legislation on the matter. The majority of my time was dedicated to researching international treaties and Latin American constitutions cited in the article in order to provide an accurate and detailed translation of the original text.

In addition to the article, I worked with Chilean law students at Hurtado in two of their legal clinics: the Immigration Clinic and the Negotiation and Mediation Clinic. During weekly meetings at the Immigration Clinic, I met with indigent clients from neighboring countries on a variety of cases including divorce and employment disputes. I also had the opportunity to attend hearings where Hurtado law students were representing their indigent clients. In the Mediation and Negotiation Clinic, I attended classes on mediation techniques that are utilized in various types of disputes in the country and observed ongoing divorce mediations.

This experience was an exhilarating adventure that definitely lived up to my expectations. Thanks to Loyola and the International Summer Fellowship Program, I had an once-in-a-lifetime opportunity to investigate a foreign legal system, participate in the day-to-day life of an attorney in Chile, and most importantly forge life-long friendships with law students and professors at Universidad Alberto Hurtado.
International Criminal Tribunal for the former Yugoslavia by Sarah Riddell

I worked at the International Criminal Tribunal for the former Yugoslavia (ICTY) this summer in The Hague, the Netherlands, the city of international peace and justice. As such, I met people who worked or interned at other tribunals and courts, as well as embassies. I also had the opportunity to attend international law lectures presented by the leading experts in this area of law.

The ICTY is divided into three sections: the Office of the Prosecutor (OTP), Chambers, and Registry. I worked in Registry, which is responsible for a variety of legal issues. The Registry is responsible for asking States to enforce the sentence of an Accused who had been convicted. I wrote several notes verbale to embassies asking for their assistance in this area, and I also researched the prison systems of several States.

The Registry is also responsible for providing the legal authority for any issues or disputes that may arise. For example, I was required to research The Hague Convention on Evidence Collection and any other Mutual Legal Assistance Treaties (MLATs) that were relevant to the issue when discussing Requests for Assistance (RFAs) from States.

I also conducted research on media protocol with the Accused, and Radovan Karadzic [the former Bosnian Serb politician who is currently on trial there for war crimes] was able to provide a very limited interview with a Dutch magazine. Various other issues arose throughout the summer, and I was able to learn about a wide variety of criminal law topics that I would not have otherwise had the opportunity to learn about if I had just been researching a specific case for the OTP.

The best part of the summer was meeting other law students and practitioners in the field who are also interested in international criminal law. The Netherlands was a great place to live this summer, too, and I took full advantage of living in Europe. I visited friends who live in Europe and traveled with my new friends. The absolute best day consisted of a 10-hour bike ride from The Hague to Antwerp with two friends - that is definitely the most memorable experience!

International Summer Fellowship Grants

Center for International Legal Studies, Salzburg, Austria by Anthony P. Hernandez

This summer I had an internship with the Center for International Legal Studies (CILS) in Salzburg, Austria. The CILS is a non-profit NGO based in Salzburg and has founded a variety of international organizations primarily intended to promote learning and exchange in the international legal community.

I was involved with a variety of tasks at the CILS. I helped research and draft academic articles and lectures introducing European practitioners to American long-arm jurisdiction. I also assisted in revising articles of European Union Treaty commentary, intended for publication in Release 9 of Smit & Herzog on the Law of the European Union. The most unique experience I had this summer was attending the forty-second UNCITRAL (UN Commission on International Trade Law) session at the Vienna International Centre. As the CILS delegate, I was able to interact with the delegates from member states and observer organizations during the draft process of the UNCITRAL Model Law on Public Procurement.

Working with the CILS provided me with unique opportunities and lessons I am certain I would not have experienced anywhere else. In addition to learning critical lessons on networking and international business practice, I developed a skill for conducting international legal research. Most importantly, my experience with the CILS has taught me to utilize and apply the skills developed in law school in areas that transcend the legal field.

Working with the CILS has been a most exciting and rewarding experience. The extent to which I have benefited from the CILS is still unforeseen; the CILS also helped me arrange a brief internship with the International Press Institute in Vienna, where I was able to help draft an international declaration on terrorism and media law. With hard work and good fortune I will continue building on this cornerstone experience.
**OTHER INTERNATIONAL EXPERIENCES**

**Istanbul** by Micaela McVary

Once I got off the plane I finally comprehended what I got myself into. I was in a new country with old roots, a legal system I knew nothing about, a culture far different than mine, and a religious community for which my knowledge only touched the surface. Just to get my visa and make my way through customs was a hassle as I tried to figure out what the little stick figures were trying to instruct me to do -- let’s just say Turkish is not my forte. Even with all the adjustments and cultural differences, my 2009 summer in Turkey was an amazing experience.

I was in Turkey (mostly Istanbul) for ten weeks. The first five were with a group of law students from American University’s Washington College of Law, while the last five weeks I spent working with a Turkish law firm, Gokkilic Law Office, concerning issues of international arbitration and conflicts of law.

In class, we learned the complexities of Turkish business and investment law and the similarities with the laws of the United States. At times, some Turkish legal concepts seemed backwards and counter productive, but inevitably they would not be much different from our own. I also took a class that focused on human rights issues in the Middle East, Asia, and Turkey. I found it interesting to learn that Turkish women are not allowed to wear headscarves in any government building or public college or university campus. This includes female professors, teachers, students, heads of state, and judges. Even though Turkey is a majority Muslim country, an international court of human justice upheld this law as constitutional – totally the opposite of our freedom of religion idea.

After spending several weeks learning about the law, it was a pleasure to apply the law while working at Gokkilic Law Office. Some of the current issues that we covered in class were further discussed and new topics were introduced. It is at the law firm where I was first introduced to international arbitration. My exposure to international arbitration was a unique experience because I was exposed to Turkish, U.S., and French law under the umbrella of arbitration. I mainly worked on a contract dispute involving two large corporations (one Turkish and one German), where the tribunal was located in Paris using the rule of law from France.

Although my time in Turkey focused on the Turkish legal system and judicial structure, my experience there included so much more. I was able to explore the volcanic fairy chimneys and the distinctive historical and cultural heritage of the Cappadocia region in central Turkey. I spent some time enjoying the beautiful Mediterranean, Aegean, and Black Seas. But I did not have to venture too far from my apartment steps because even in Istanbul the culture is overflowing into the Bosphorus because you can see a different Mosque every few steps as you walk down the ancient city.
I recognize the irony of studying law in East Africa, a reputed lawless region of the world. Yet in Kenya, a country currently rewriting its constitution, Nairobi is ripe for discussions of legality. Put another way: “Nairobi is PREGNANT with a CONSTITUTIONAL MOMENT!” Our professor often shouted this, as we, American and Kenyan students alike, awoke from a hot-classroom-induced daze to wonder how long the city’s gestation period might last.

I studied abroad this summer with the Nairobi International Law Institute of Widener University School of Law. The program, sponsored by Widener University, is offered in partnership with the University of Nairobi School of Law. The curriculum offered 3 courses: Comparative Family Law, Comparative Constitutional Law and International Environmental Law and Trade. Our classes were instructed by both American and Kenyan professors, including Ben Sihanya, the Dean of Nairobi’s law school, and Patrick Lumumba, a constitutional scholar famed for his raging oratorical Sunday morning television appearances and the source of the quote above.

Nairobi hosts the world headquarters for the United Nations Environment Programme (UNEP) as well as the regional headquarters for the World Bank and the United Nations Development Programme (UNDP). We visited the UNEP facilities, met with some staff attorneys, and then left for a safari in Samburu National Park to see firsthand the environment UNEP seeks to protect. The program offered other organized travel to the Great Rift Valley, to Mombasa, and to Masai Mara, which students could participate in at reduced group rates. Or you could do what I did - leave the group to visit Obama’s grandmother on the 4th of July.

Obama’s paternal side hails from a town called Kogelo, which is about 250 miles northwest of Nairobi. Grandma’s place is engulfed in grand security: multiple check points, uniforms and guns. Yet we were not deterred; it was the 4th of July and she promised to be our only anticipated firework. Unfortunately, a guard misread my Kenyan visa, interpreting the date of arrival as the expiration date. He threw us out, cursing us as illegal. Of course we protested, begging him to re-examine the visa, pointing out the obvious mistaken alignment of the border agent’s stamp. But he was stubborn. Even upon admitting his error, he exclaimed that he was now too annoyed with us to permit us to enter. So he slapped passports into our sweaty hands, and with his weaponry clanking, he escorted us to the sky-high security gate.

Soon after this episode, we drove back to Nairobi with the windows open, inviting mosquitoes to ride along. We reviewed our class notes on Lumumba’s lecture: a lesson in constitutional theory. We commiserated over grandma’s house: a lesson in security guard discretion. This happens when you study abroad. A new classroom begets new forms of education. And suddenly the law is like a malarial mosquito, a living flighty thing: at times respected for its power, at times easy to ignore.
Beijing, China by Wayne Rapp

This past summer I had the opportunity to work at a Chinese intellectual property firm based in Beijing. I worked for five weeks at Linda Liu & Partners and learned a great deal not only about Chinese law and culture, but also about myself.

Most days I helped the translation department as it choreographed various correspondence going in and out of the firm to its European and Japanese clients who, surprisingly, preferred to converse in English. Then, at least once a week, I would lecture on a different aspect of American patent law. For the rest of the time, I had the opportunity to gain exposure to the firm's patent prosecution, litigation, and trademark and copyright teams. Needless to say, my learning curve was steep, and I left with a greater sense of both the Chinese and American legal systems and how each one's efficacy affects the other, particularly in patent law.

My Chinese coworkers were some of the most gracious and dedicated people I have ever met. Every day, different members of the firm would sign up to take me out to lunch. These experiences were some of the highlights of my summer. Most days we would take the elevator to the building's sub-basement, step through the 16-inch, reinforced steel vault door, and dine in the cafeteria that doubled as a bomb shelter. The ambience was interesting. In this setting, my coworkers would bombard me with questions about life in America and the American legal system. I was happy to oblige. In return, I learned how much people share in common, no matter their nationality.

Lunch really provides an opportunity to see the Chinese in a way that most Americans don't contemplate. We hear the figure of 1.3 billion people and it seems that humanity would get lost amidst the masses and under the flag of Communism. Yet, the lunch hour exhibits the best aspects of what it means to be Chinese and how important it is for them to reconnect in the hustle and bustle that is their 21st Century. I could not remember a time in my working life where lunch wasn't just a sandwich and Diet Coke on the run. In China, it's a time to share dishes and stories. This was truly refreshing and surprising.

Having been back a month, I still get emails from my Chinese colleagues, sending their well-wishes and asking how I am doing. I get the impression that I made an impact on the people that I had the opportunity to work with. I know that they left an impression upon me.

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