

SPECIAL FOCUS

International Law at the UW Law School

INTERNATIONAL LAW pervades the culture at the UW Law School. Approximately 80% of the faculty have taught, practiced or conducted research abroad. The global perspective is everywhere in UW Law classes-not only in the courses specifically dealing with international law, but in numerous other courses to which the faculty bring a transnational perspective based on their own experience and breadth of interest.

Our professors are always looking abroad, in a multitude of substantive areas beyond that of international public law. A short list would include constitutional law, food & drug law, civil rights law, human rights law, monetary policy, bioethics, environmental law, immigration law, labor law, poverty law and intellectual property. Our students quickly learn that once they have identified an interest in pursuing international and comparative law, the next question is what substantive area or areas they will choose within the large umbrella category known as international law. And whichever field they choose, there will be a member of the faculty well positioned to connect them with scholars, institutions and lawyers in other countries to help them pursue their studies and career interests.

In the following pages, *Gargoyle* readers can:

- **Learn about the projects our international law faculty have been working on lately**
- **Hear why five recent graduates are glad they studied abroad during law school**
- **Meet alumni whose law courses prepared them for international careers**
- **Learn why the Law School's program for international lawyers is 20 years strong**
- **Find out about the multiple programs of the East Asian Legal Studies Center**
- **Read Professor Stewart Macaulay on the UW Law School's worldwide reputation**

International Law at Wisconsin: A Faculty Strong in International Law

These fourteen UW Law School professors all devote a significant part of their activity to some aspect of international law. In addition, many other UW Law School professors not profiled here also include international components in their teaching. Here is a look at what these scholar/teachers have been working on lately, and why they feel that now is a key time to be working with international law.



Richard B. Bilder

Foley & Lardner-Bascom Emeritus
Professor of Law
LL.B., Harvard Law School

PROFESSOR Richard Bilder, an internationally known scholar of public international law, has most recently been working in human rights law and international dispute settlement.

Bilder's first taste of international law beyond the classroom came just after he graduated from Harvard Law School, when he became a special assistant to the Legal Adviser for the U.S. Department of State. He immediately became immersed in international economic problems under study at the United Nations. His experience with the State Department included negotiating as the U.S. agent for air travel rights, participating in international arbitration proceedings, participating in the Kennedy Round of the General Agreement on Trade and Services (GATS), and serving as the Interim Director of the U.S. Office of African Legal Affairs.

In this time of rapid change in the international field, Bilder is specifically monitoring the way decisions are made when situations are international in scope. His many years of experience in the field make him a strong advocate for the effectiveness of multilateral decision-making rather than unilateral U.S. action.

Bilder currently chairs the Committee on Diplomatic Protection of Persons and Property for the International Law Association, and for many years, he has served on the Board of Editors of the premier scholarly journal in the field—the *American Journal of International Law*. Among his many publications on international law is the book *Managing the Risks of International Agreement*, published by the University of Wisconsin Press.



Anuj Desai

Assistant Professor of Law
Master's in International Affairs,
Columbia University
J.D., University of California-Berkeley
(Boalt Hall)

PROFESSOR Anuj Desai, who offers courses in Intellectual Property, Copyright and Cyber law, brings a strong international perspective to all his work. Before he entered the field of law, his interest in the international scene led him to earn a Master's in International Affairs. He found himself taking several law-related

courses, and realized that his next step would be a law degree. After law school graduation, he was able to combine both interest areas, serving as a legal assistant to the American judges at the Iran-United States Claims Tribunal in The Hague.

In his next career step, as an attorney in Seattle, he found that because of his international background he was frequently called upon for international civil litigation.

"International law is everywhere," Desai says. "Even if you are going to be a 'regular' litigator, you need to be familiar with international law. It's hard to find a substantive area of law that doesn't have a transnational component to it." Desai's current research focuses on the intersection between international law and communication and information technology. This coming spring semester, he will teach International Intellectual Property.

"As a lawyer, I often represented media companies," he says. "That's where I got interested in the law of the Internet, and the issue of enforcing international laws when the Internet is 'everywhere.' New technology that can pinpoint what country an Internet user is located in has opened up the possibility of enforcing individual countries' laws on Internet use."

The importance of studying transnational law will continue to grow, Desai foresees. "Twenty years from now there's not going to be a single law professor who isn't connected with transnational law at some level."



Kathryn Hendley

Professor of Law
Ph.D., University of California-Berkeley,
M.A., Georgetown University
J.D., UCLA

BECAUSE HER research interests are in the legal and economic reform in the former Soviet Union, Professor Kathryn Hendley travels often. In the past year, she has been to Russia several times. Last spring, she spent several weeks in Moscow collecting data for her Russian economic courts projects, an endeavor she began in 1992. Each year, she collects caseload data from 12 regional courts, interviews litigants and judges about their ongoing cases, and observes the court proceedings.

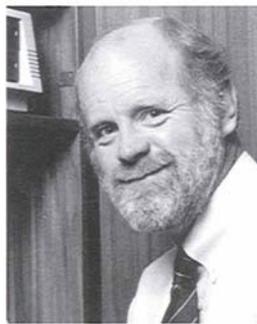
Hendley has always been interested in Russia, and became particularly intrigued by Russian President Mikhail Gorbachev's initiatives to revitalize the law in the early 1980s. Already the holder of a J.D., she completed a master's degree in Russian area studies in 1987 and went on, earning a Ph.D. in political science in 1993. Her dissertation research, which was on Russian business systems, took months to complete because of the difficulty she encountered getting access to Russian business enterprises; she persevered, however, and eventually collected sufficient data. She has made Russian friends and visits with them when she can.

Hendley is currently engaged in an interdisciplinary project that examines how business is conducted in Russia and the role of law in business transactions and corporate governance; she visits Russian businesses to research business methods and means for resolving inter-business disputes.

(See page 10 in the Focus on the Faculty section for Hendley's own account of her Russian "adventures.") Hendley has written and lectured widely on Russian law and business;

she has served as a consultant to the U.S. Agency for International Development and the World Bank in their work on legal reform in Russia; and until 2001, she served as the director of the UW Center for Russia, East Europe and Central Asia.

"For anyone interested in law and development, this is a time of immense change," Hendley says. "The transition away from various forms of authoritarianism toward market democracy has profound implications for how law is used and understood by both state and society." Her work in Russia, she says, "represents an effort to observe and document the legal aspects of this transition."



Charles R. Irish

Sherwood R. Volkman-Bascom
Distinguished Teaching Professor
Director East Asian Legal Studies
Center, J.D., Vanderbilt University

PROFESSOR Charles Irish devotes his teaching and scholarship to international tax law, U.S. tax policy toward foreign investment, and international trade policy. He travels back and forth to Asia throughout the year, working on cooperative projects with Asian businesses, government agencies and universities and giving presentations about U.S. trade policy as it affects these institutions. "They are really interested in this: their economies are very well integrated with the American economy. I give them an American perspective on why our government and businesses are acting in certain ways towards their countries.

In the Philippines, Irish is negotiating with the Asian Development Bank in Manila to examine and revise the current system of international taxation, which favors the rich countries and is evolving toward even greater favoritism. The goal is to "reduce the disproportional-

tionality between the rich countries and less rich;" first in a single geographical region, and ultimately multilaterally.

Irish has forged dual-degree programs with three major Asian universities to bring top graduate law students to the UW Law School and allow UW Law Students to earn credits while studying in Asia. He also designed the first-of-its-kind program that brought a group of Shanghai judges to Madison for judicial training from UW Law faculty and state and federal judges. "The Chinese judges loved it and the American judges loved it," Irish reports. (See more about the Shanghai judges in the East Asian Legal Studies Center article, page 32.)

Irish has written numerous articles and monographs on international taxation and is currently writing a book on U.S. laws that affect international business. This is an extremely interesting time to be working in international law and economics, Irish says. "As part of the interdependence of national economies, there has been a significant increase in economic well-being and health care, but when you integrate national systems together there will be conflicts. To be a participant in working to resolve these conflicts is very satisfying. It's increasingly recognized that some form of rule-based economics is essential to participants in an economy, and that's what I do. I work with governments to blend rules where rules conflict-and to devise new rules."



Heinz King

Associate Professor of Law,
J.D., University of California, Hastings
College of the Law
S.J.D., University of Wisconsin

PROFESSOR Heinz Klug has worked with the South African government advising them on water law and land tenure issues,

served on the secretariat of the African National Congress Land Commission, and was a team member on the World Bank mission to South Africa on Land Reform and Rural Restructuring.

Klug works in numerous substantive areas within the field of international law: public international law, comparative constitutional law, transboundary resources, international human rights, comparative work on land reform and property protection, and environmental law: renewable natural resources (water, fish, ozone) and climate control.

Klug first worked with international law when he participated in the anti-apartheid struggle in South Africa. "We relied on international law," he says. "Before I even went to law school, I understood that international law is a big part of the struggle for human rights." When his political involvement resulted in exile in 1979, he went to Botswana for six years, then came to the U.S., where he decided to pursue a law degree. As soon as the political situation permitted, he returned to South Africa to help build its new post-apartheid democracy, armed with the necessary understanding of constitutional law.

In March 2002, Professor Klug and Professor Gregory Shaffer were advisers to students on the Wisconsin International Law Journal in organizing the large, well-attended conference Access to Medicines in the Developing World, which brought a long roster of scholars and medical professionals from all over the world to Madison to work on "how governments can effectively ensure adequate and affordable medicines within an international trade regime while simultaneously safeguarding patents held by pharmaceutical companies." (papers from the conference were published in the Summer 2002 edition of the journal, Vol. 20 No.3.) Klug also served as an adviser to the World Health Organization in meetings on this same issue this year in Norway and New York.

"As the world is globalized, issues of health are no longer local," he says. "Access to medicines is an international human rights issue, a trade issue, an intellectual property issue, and a

constitutional issue—the right to health. This brings all my interests together."



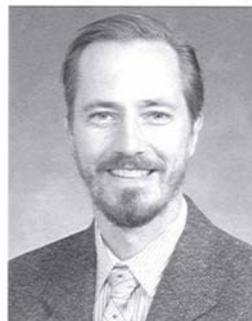
Jane E. Larson

Professor of Law
J.D., University of Minnesota

WHEN PROFESSOR Jane Larson was in the midst of her research on informal housing in the U.S., she came to realize that "what was an anomalous phenomenon in the U.S. was ubiquitous throughout the world." She expanded the scope of her research, which is primarily concentrated on the *colonias*, residential areas along the Texas-Mexico border inhabited mainly by Hispanic families. Most residential lots in the *colonias* lack basic water and sewer systems, electricity, and paved roads and the dwellings are often built from scrap lumber and other discarded materials. Larson researches related zoning laws, subdivision regulation, environmental law, property law, and building codes.

An expert in the field of land tenure and land security with a focus on informal settlement, Larson says she began to "look to the policies of developing countries for ideas about how to respond progressively to this form of informal economy." She recently spoke in Zimbabwe about the comparative legal issues affecting informal housing in southern Africa and in the *colonias*. Much of her work is performed in conjunction with the University's Land Tenure Center, and she has written extensively for the Center. Larson has also studied the international trafficking of women and girls for purposes of prostitution and serves as a consultant on this issue for the United States Agency for International Development (USAID). In this research area, she had

once again begun her study looking at U.S. law, but she discovered quickly that international law was an ideal source for finding "better developed thinking about exploitative and unlawful labor." She has used, she says, "the valuable literature on labor rights as human rights in this new extension of my work into the global market for sexual labor." A critical issue in Larson's field on the international level now, she says, is the imbalance of protection for labor as opposed to capital.



John Ohnesorge

Assistant Professor of Law J.D.,
University of Minnesota S.J.D.,
Harvard Law School

ONE OF THE most recent additions to the UW Law faculty is John Ohnesorge, who completed his S.J.D. degree from Harvard Law School in 2002 with a dissertation that won Harvard's prize for best student paper on East Asian law. The title could be a declaration of Ohnesorge's prevailing interest: "Western Administrative Law in North-east Asia: A Comparativist's History." Comparing East and West has been a compelling focus of Ohnesorge's ever since he went to Shanghai to teach English, just after he graduated from college.

Ohnesorge returned to Shanghai on an exchange program as a University of Minnesota law student, and after completing law school, he accepted an employment offer from a firm in Seoul, Korea. After 3¹/₂ years of experiencing "comparative law in action" in Korea, he came back to the U.S. and began his advanced study at Harvard.

This year, Ohnesorge returned to Shanghai once again, teaching for the Shanghai Judges project designed by

UW Professor Charles Irish to acquaint Chinese judges with the American judicial system (see page 32.)

Ohnesorge also spent a year during his Harvard graduate work studying comparative administrative law at the Max Planck Institute in Heidelberg, Germany. He selected the institute because a number of Northeast Asian countries have modeled their own administrative law systems on the German system, and this study gave him further understanding of Asian legal systems.

"This is a time of radical change in administrative law for many Asian countries," Ohnesorge says. "China's administrative law system is undergoing major changes, in part because of pressure from foreign businesspeople for less regulation, less administrative discretion, and greater judicial review of bureaucratic decisions." It's a time when expertise in comparative Western and Asian law is clearly of great importance on the world stage, and Ohnesorge is already beginning to feel the demand: He has been invited to this December's internationally respected Salzburg Seminar to participate in a session on "Law as a Catalyst of Change in Asia."



Gregory Shaffer

Associate Professor of Law
J.D., Stanford Law School

IN THE LAST YEAR, Professor Gregory Shaffer has been traveling back and forth to Europe, working on multiple projects connected with transnational organizations. He conducted interviews with members of the European Commission in Brussels on U.S.-EU economic relations; interviewed delegates in Geneva from developing countries about the challenges they face with a more legalized

dispute settlement system for international trade matters; and interviewed members of the secretariat of the World Trade Organization and United Nations organizations regarding the interaction of trade, environment and development policies.

It's an exciting time to be involved in international law, Shaffer says, because of the huge advances in technology and increases in cross-border interactions.

He delivered papers in various cities: in Aix-en-Provence (in French) on U.S.-EC conflicts over the regulation of genetically modified foods; in Florence, Italy on U.S.-EC conflicts over data privacy regulation; in Vancouver, Canada concerning comparative institutional approaches to resolving trade and environment conflicts; and in Geneva, Switzerland on strategies to make the WTO work better for developing countries. Brookings Institution will publish his book *Defending Interests: Public-Private Partnerships in W.T.o. Litigation* in 2003.

Shaffer is active on campus in organizations that focus on transatlantic regulation and trade between the U.S. and Europe, running a project on Transatlantic Regulatory Conflict and Cooperation for the University of Wisconsin Center on World Affairs and the Global Economy (WAGE), where he is a senior fellow. He is also the director of the University's exchange program with the European University Institute (Elli) in Florence, Italy, the top center for the study of the European Union in the world.

Shaffer recalls keeping a globe in his room when he was young, and dreaming of becoming a foreign diplomat. During his college years, he studied in Mexico and Spain and took every opportunity to travel. After graduating with distinction from Stanford Law School, he once again looked across the ocean: his first job

practicing law was with a French law firm in Paris, where he worked for seven years. When he decided to begin a teaching career, he chose the UW Law School because it is "world-renowned for its multidisciplinary work, especially in socio-legal studies." In addition to International Trade Law and European Union Law, Shaffer teaches Publiclyheld Corporations, International Business Transactions, and the Law and Politics of Trans-atlantic Economic Relations.

It's an exciting time to be involved in international law, Shaffer says, because of the huge advances in technology and increases in cross-border interactions. He believes that Americans have a special responsibility to the world, given our "immense wealth and vast power." Moreover, he points out, our own economy and security are "intricately linked with the development and struggles of other peoples of the world."



Joseph Thome

Emeritus Professor of Law
J.D., Harvard Law School

PROFESSOR Joseph Thome focuses his research on the processes of legal reform in Latin America, and on legal issues of social and economic change in Latin America and Africa.

Thome has served as a consultant for the World Bank in Equatorial Guinea and for the U.S. Agency for International Development (USAID) to evaluate the agency's projects across Latin America.

Thome has lectured and consulted on land tenure issues in South Africa, and conducted research on land tenure and legal issues in Chile, Equatorial Guinea, Honduras, Panama, Spain, Brazil and Colombia.



Cliff Thompson

Professor of Law
M.A., Oxford University
J.D., Harvard Law School

PROFESSOR Cliff Thompson is currently living and working in Jakarta, Indonesia, serving as a legal education adviser to the University of Indonesia and a consortium of 28 law schools. He is also an adviser on new laws to the Indonesian Ministry of Justice. Both these positions are funded by the United States Agency for International Development (USAID). This is a return visit for Thompson: he spent four years as a legal education adviser in Indonesia in 1993-1997.

Thompson's service to his Indonesian hosts involves proposing new educational programs, such as one designed to identify talented junior members in law schools and government departments, and to help these individuals locate programs for additional law training. (Four Indonesians are now studying in the UW Law School's M.L.I. program through Thompson's efforts.) He also analyzes drafts of proposed statutes in Indonesia, occasionally getting involved in the policy aspects of those proposed laws.

Thompson has long been a scholar of the laws of other countries. During his last year at Harvard Law School, 1959-60, many African countries were becoming independent, but needed help because they "had too few people in law and other fields. So I thought I might be of use." The first job he secured in Africa led to others, and he spent a total of 13 years working in Sudan, Zambia, and Ethiopia.

Thompson has shared his knowledge of African and U.S. law with students both in Africa and the U.S. He served as dean of Haile Selassie University School of Law in Ethiopia and co-founded the faculty of law at

the University of Zambia, as well as being dean of three U.S. law schools, including the UW's.

Thompson's research has concentrated mostly on developing countries, and thus, he says, he often focuses on sources of law, a topic that has great practical concern for these countries.



David M. Trubek

Voss-Bascom Professor of Law
Director, Center for World Affairs
and the Global Economy (WAGE)
LL.B., Yale Law School

IN THE LAST TWO years, Professor David Trubek's scholarship has won him two major awards: the French government made him a Chevalier dans l'Ordre des Palmes Academiques, in recognition of "devotion and accomplishment in teaching, scholarship and research;" and the Law and Society Association awarded him its premier prize for a body of significant scholarly work.

Trubek served as the UW's Dean of International Studies from 1990 to 2001, when he stepped down to take another University of Wisconsin post as Director of the Center for World Affairs and the Global Economy (WAGE). WAGE supports research on economic, political, social and legal aspects of globalization and the role of Wisconsin in the world economy.

David Trubek's current international research focuses on three areas: European Union law and policy, international economic and social rights, and "law and development." He is studying new processes for coordination among the Member States of the European Union in employment and social policy. This project has taken him to Florence as a Visiting Scholar at the European University Institute (EUI), and to London where he spent two months at

the London School of Economics (EDI). He has participated in conferences on EU governance in Paris, Brussels, Oslo, and Florence and delivered lectures at LSE, EDI, and Oslo, Warwick, and Cambridge Universities. He currently is a Visiting Scholar at Harvard's Center for European Studies and the Harvard Law School. In addition to his EU work, Trubek is studying new ways to implement the International Charter on Social, Economic, and Cultural Rights.

This is a truly exciting time to be involved in international law, Trubek says: "The whole structure of rules, institutions, and procedures we think of as international law is going through tremendous change. There is a need for theoretical work as well as practical work that affects the whole world new institutions are being formed, and old institutions are being questioned."

Trubek has written extensively on international and comparative law as well as other topics in legal studies. He has published articles and books on the role of law in development, human rights, European integration, and the impact of globalization on legal systems and social protection schemes. He coauthored *Consumer Law, Common Markets, and Federalism* (1987), which stemmed from association with EDI and residency at the Commission of the European Community in Brussels. His most recent book, co-edited with Jonathan Zeitlin, is *Governing Work and Welfare in a New Economy: European and American Experiments*.

International law has gone from an exotic sphere of knowledge to become a central part of legal knowledge ...

"International legal issues are having more and more effect on everyday life in every country," he says. "Globalization means more people have more and more contact with legal systems, and they need to understand how these institutions work. International law has gone from an exotic sphere of knowledge to become a central part of legal knowledge."



Louise Trubek

Clinical Professor of Law
LL.B., Yale Law School

PROFESSOR Louise Trubek did not plan to become involved in international law, she says. But as she expanded her research in social justice and democratic institutions, she realized that there was much to learn by looking at developing countries, and she began a new aspect of her scholarship. She has also been drawn into international circles by virtue of her work in clinical legal education as more and more scholars from other countries seek out her expertise.

Trubek has a strong interest in researching access to justice for the disadvantaged. In recent years she has traveled to a number of countries in Asia in pursuit of data about legal aid for the disadvantaged and access to the court systems. Several years ago, she organized a regional conference in Thailand and Japan on lawyering for the disadvantaged; participants came from Vietnam, Thailand, Japan, Korea, Cambodia and Taiwan. Out of that work was born a volume called *Educating for Justice Around the World: Legal Education, Legal Practice, and the Community*, which she co-edited. She also co-edited an earlier work, *Educating for Justice: Social Values and Legal Education*.

Trubek's work in clinical legal education is known by legal educators around the world, and that work has led to more collaboration with law professors and lawyers in other countries. Many of the foreign law professors are interested in learning how to incorporate clinical education into their curricula. In addition to her work in Asia, Trubek helped to train Russian law professors in clinical education principles and did research on access to justice in Russia, a country with a transitional economy. She has

also worked from time to time with scholars from Europe and Latin America.

Being at the UW Law School has been a great advantage, Trubek says, because of all its international connections and her many colleagues who work in the international arena. Trubek noted the advantages that come from the Law School's close connection with the UW's International Institute, which has extensive contacts overseas: currently she is working with the Institute's Center for European Union Studies on a project involving scholars from throughout the EU.

This academic year, Trubek is a Visiting Professor at Harvard Law School, where she is teaching Health Law and Lawyering in the Public Interest.



Bernard Trujillo

Assistant Professor of Law
J.D., Yale Law School

PROFESSOR Bernard Trujillo's interest in immigration law is fired by his Mexican-American heritage. "Immigration is a very important issue for the Mexican-American community," he says. "There is tremendous potential for injustice in this field, and if I am in a position to be able to help prevent that injustice, I will do what I can."

Trujillo's ancestors were "Nortefios," Mexican people who were sent north to settle and protect areas of what now comprises California, Nevada, Arizona, Utah, Colorado, and New Mexico. Unfortunately for them, after the Mexican-American War ended with the Treaty of Guadalupe-Hidalgo, the Nortefios suddenly found themselves on American soil. Trujillo intends to research what happened to these people and how any of them eventually

became citizens. It may be difficult work, he says, because many of the records have not been preserved. But he is dedicated to the project, in part because of the injustice done to the Nortefios. "Many of these people had been given land grants by the Mexican government," he says, "and their land was essentially stolen from them in the period after the treaty was signed."

Trujillo's other immigration research interests concentrate on Mexican migration to the U.S. and issues related to that migration—for example, undocumented migrants and the population of low-skilled migrant workers.

Following the September 11, 2001, terrorist attacks, Trujillo received numerous telephone calls from the media, asking about the likely implications for immigrants or foreign visitors. "After 9-11, immigration became a very hot topic," he says. He cites the Patriot Act as one result that will probably negatively affect immigrants.



William Whitford

Emeritus Professor of Law
LL.B., Yale Law School

PROFESSOR Bill Whitford concentrates much of his internationally-oriented research on the relationship of law to economic transactions.

In studying and comparing the growth of consumer bankruptcy in other countries, Whitford has found that increases in consumer bankruptcy have followed closely behind the introduction of credit cards in most countries. "Consumer bankruptcy has become huge in the U.S.," he says. "And while it is nowhere near those levels in other countries, it's interesting to take note of how many countries are now adopting consumer bankruptcy laws."

Whitford notes that because there are no longer debtors' prisons in today's world, debtors who cannot climb out from under their debt have no incentive to improve their lives unless they are afforded relief through some kind of bankruptcy system. "They are in figurative prisons," he says.

He has found that cultural attitudes toward reducing indebtedness are interesting to compare. "In some countries, like the U.S., there is much more judicial involvement in the debt resolution process; other countries, like the Netherlands, concentrate more on a counseling or social work approach." He is co-editing a book of essays of different countries' consumer bankruptcy systems to be published in 2003. He will also report on some of his reflections at the International Consumer Law Society meetings in Athens in April 2003.

Another recent project involved comparing the attitudes of British and American legal academics toward judicial discretion in the application of contract law. Whitford found that the American academics who self-identified as left-of-center were more open to judicial discretion than their British counterparts, largely due, he speculates, to the fact that contract law in the U.S. is controlled much less adequately changed and formed by legislative bodies. That study led to presentation of a paper at the London School of Economics, and will be published as part of a book essays on Contract to be published in Great Britain in 2003.

This year Whitford traveled to Kenya, where he gave guest lectures on the rule of law (with particular attention to the U.S. Supreme Court's decision in *Bush v. Gore*), spoke on ways to assure accountability of public officials, and served as a consultant to Kenya's Constitutional Revision Committee. He also stopped in Uganda to catch up with old friends at Makerere University, where he formerly taught. •

International Law at Wisconsin: Studying Abroad Can Change Your Life

Studying abroad is a unique experience. The opportunity to experience a different culture and to view one's own culture from a different perspective makes a permanent mark on most everyone who travels to a different country to live and study.

A noticeably large percentage of UW law students enter law school having already experienced foreign study. Forty-one students out of 300 in the Class of 2005 entering this fall had already studied abroad.

UW Law School students interested in foreign study have a choice of the Law School's seven international exchange programs, or may choose to attend programs administered by other law schools, or create their own study abroad experience.

The Law School has exchange programs with these universities:

- Justus Liebig University, Giessen, Germany
- University of Groningen, The Netherlands
- European University Institute, Florence, Italy
- Diego Portales University, Santiago, Chile
- Catholic University, Lima, Peru
- University of the Witwatersrand, Johannesburg, South Africa,
- University of Sheffield, Sheffield, England

Here, five individuals who took advantage of the Law School's study abroad opportunities share some of their experiences.



Patrick Ian Jackson '01
University of Groningen
The Netherlands

PATRICK JACKSON encourages any law student with a desire to live abroad to take advantage of the opportunities offered at the UW Law School. While studying in Holland, he found time to explore parts of Europe, see famous art and visit historic

sites that he had read about. Seeing Michelangelo's David and the remnants of the Berlin Wall were highlights of his adventures.

Patrick is a Tennessee native who attended Harvard University and worked on Capitol Hill for six years before entering law school. Holland was his first trip out of the country, and until then he felt that he had been missing out on something. "Studying abroad is not just for undergraduates," he says. "It is an eye-opening experience at any age."

Patrick enjoyed the coursework abroad, especially the opportunity to take an international law class on the United Nations from a former UN Chief Legal Officer. But most of all, he simply enjoyed the opportunity

to expand his horizons and meet people from all over the world. He lived in student housing with approximately 50 other international students. In that time, he realized that hearing diverse views on politics, culture and religion could be a life-enriching experience.

"I learned to be more patient, tolerant and understanding of others," he said. "If you have an open mind, and listen to people, you can really learn something."

Patrick's advice for students interested in studying abroad is to consider all the options, talk to the professors, and above all-plan ahead. "Getting your ducks in a row before you go will make the experience much less stressful." To do so, he encourages students to figure out the credit transfers, meet important deadlines like applying for bar exams before going, and line up work for the return, if possible.

Patrick did not study abroad with the intention of pursuing a career in international law. He went abroad for the experience of seeing the world. Although he is very busy working in a health care practice group at a firm in Columbus, Ohio, he still finds some time to travel. He has seen almost every state in the country and has dreams of traveling abroad again soon. As he talks of someday visiting Spain, France, Scotland and Southeast Asia, his voice is full of excitement. He knows that, for him, living abroad was a gift that will last a lifetime.



Miguel Keberlein '02

Diego Portales University
Santiago, Chile

MIGUEL KEBERLEIN works in Chicago helping migrant workers with their legal needs and also does human rights

advocacy in Guatemala. He graduated from the UW Law School in May 2002, and credits his experience studying abroad at Diego Portales University in Santiago, Chile with reaffirming his desire to pursue public interest law and volunteer abroad.

Miguel, 29, did not have to be sold on the idea of studying abroad. Travel and learning about other cultures was a big part of his upbringing. His American father met his Guatemalan mother while he was serving in the Peace Corps in a Guatemalan village. Miguel grew up in Sturgeon Bay, Wisconsin, but spent most vacations in Guatemala. For the past 15 years, he has volunteered on a number of projects there, including building schools and roads. These days, he volunteers for Water for People, an international nonprofit organization committed to increased access to safe drinking water and improved sanitation and health.

Miguel earned a master's degree in Third World Development Support from the University of Iowa before pursuing his law degree. He wanted to study in Latin America and was grateful that the UW Law School offered two options-Peru or Chile. Chile sounded interesting and it turned out to be "a great fit."

Miguel encourages all UW Law students to take advantage of the opportunity to live and study outside the States. He recognizes that he was not confronted with the same barriers that other students might face—language difficulties, first time being out of the country—but thinks that anyone can overcome those barriers and the payoffs are great.

Studying in Chile made Miguel more aware of many things about life in the States. He has a greater appreciation for educational opportunities at home. "In Chile, it is difficult to further your education. There is little government funding, and students often have to put work in front of school.

"Living abroad helps us realize that people everywhere want similar things? we want a good life, a job, and we want to spend time with family. Too many issues are made of people's differences in the world," he says.



Miranda Chin '98

European University Institute
Florence, Italy

FOR MIRANDA CHID, Having the European University Institute on her resume is a plus. "All the employers I interviewed with asked about it." For her, studying at a respected institute in the beautiful Tuscan region of Italy was an opportunity of a lifetime, and one she would recommend to anyone.

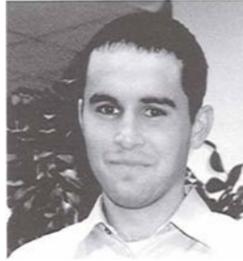
Miranda, 28, grew up in a "traditional Chinese family" in Queens, New York and didn't go far from home until she went to the University of Rochester in upstate New York, and then "out west" for law school in Madison. Miranda says she enjoyed Madison tremendously and thought the law school had a lot to offer. However, she knew early on that she wanted to see more of the world and was "internationally minded," so studying abroad was a natural fit. She was very pleased with all the opportunities available to her, and chose Italy for several reasons. She heard rave reviews from a fellow student, and the European University Institute (EUI) "has a fantastic reputation."

Miranda's initial reaction when she arrived at the old Italian villa perched on a hill in Fiesole, just north of Florence, was: "I can't believe I'm going to school here!" The campus attracted students from around the globe, and some of her best memories are simply conversations. Talking with others challenged her current way of thinking, and allowed her to see things without an American filter. "In order to have a clear view of what's going on in the world, you have to listen to others."

Miranda had an interest in pursuing some aspect of international law before she went abroad, and her schooling in Italy and traveling around Europe reinforced this interest: "I was

inspired by the EUI experience to take more internationally focused classes after I came back."

When she turned to the question of where to work after graduation, she knew she would be most happy in a big city where she could stay involved in the international scene at some level. She now works in the Project Finance/Leasing group of Dewey Ballantine LLP, a New York City law firm with offices around the world, where, among other things, she has worked on financing infrastructure projects in the United States, Latin America and Europe. She looks forward to doing more international work in the near future.



Gabriel Seydewitz '03
Beijing, China

GABRIEL SEYDEWITZ is a third-year student at the UW Law School who spent last summer as an intern at KPMG Beiten Burkhardt, a German law firm in Beijing, China. Gabriel, 25, sought out the opportunity on the Internet, and with the guidance of Professor Charles Irish, fashioned his own trip abroad.

Gabriel's online search for law firms in three selected Asian cities—Beijing, Shanghai, Taipei—yielded thousands of results. He began sending out resumes and made it through the letter "D" by the time he received interest back from three firms. He received offers from two of them, and selected the German firm.

Gabriel, a Washington, D.C. native, is no stranger to living abroad. While a junior at the University of Wisconsin, he studied in Taiwan. During that time, he went from understanding Chinese in a textbook, to speaking fluently. "The transformation was incredible," he says.

"My language skills improved tenfold." When he reached law school, he was ready for another experience abroad.

Gabriel's motivation for seeking out the internship was threefold: he wanted to combine his interests in China and the law, hone his language skills, and seek out an adventure. He successfully attained all three.

From his office on the 31st floor, overlooking the business district in Beijing, Gabriel helped the firm publish an investment guide to China, and reviewed joint venture proposals from clients interested in setting up offices in China. Although he researched and wrote in English at the firm, he communicated in Chinese with the office staff, as well as in his daily interactions with neighbors and friends. Outside work, he played basketball with his Chinese and German co-workers, and enjoyed the night life of the city.

Settled back in the states and beginning his last year, Gabriel is beginning his search for post-school employment. He has concentrated his studies on international and business law, and hopes to attain a job at a law firm or company in Washington, D.C., Chicago, New York or Miami that has dealings in China. Ideally, he would like to be based in the states but have an opportunity to travel abroad. With a successful work abroad experience and a law school degree (almost) under his belt, he feels up to the challenge.

Jason F. Hellwig '00

European University Institute
Florence, Italy

JASON F. HELLWIG believes that the tragic events of September 11, 2001 make international law more important than ever. His educational experiences abroad, including a semester at the European University Institute in Florence, Italy, give him a better understanding of a variety of international issues, including the role of the United Nations, human rights, and environmental challenges. Jason says that the best academic decisions he made were studying abroad in

graduate school and later in law school. Having earned a master's degree at the London School of Economics and Political Science before starting law school, Jason knew that he wanted to study abroad again. As a result, the Law School's program in Italy seemed like a good choice. He attended classes in a villa surrounded by gardens, and squeezed in weekend getaways throughout Italy.

He says that while law school taught him about the rule of law and the legal profession, studying abroad taught him about life and citizenship. "Even though I didn't end up practicing international law on a daily basis, studying abroad helped me become a more informed citizen," he says. "And there is no better time to be engaged in discussion and debate on global issues than right now." Jason says he was interested in pursuing a law degree for as long as he could remember. He felt it would open doors both professionally and intellectually. And it has. After his first year of law school, Jason spent the summer as a graduate assistant at the Carter Center in Atlanta, the think-tank and advocacy group established by former U.S. President (and recent Nobel Peace Prize winner) Jimmy Carter. There Jason studied labor standards in developing countries and conducted field research on that issue in Honduras.

Jason, a Wauwatosa native, moved to New York City upon graduation to be an associate in a law firm focusing on complex commercial transactions. He lives just a few blocks from Ground Zero and saw the second plane hit the World Trade Center from his office on September 11. The experience has taught him many things. "We aren't as isolated politically, culturally or economically from the rest of the world as we once were," he says. "Studying international law abroad allowed me to see and understand our current realities on a first-hand basis." •

- Trina E. Gray

International Law at Wisconsin: Where the Study of International Law Can Lead

Students at the University of Wisconsin Law School with an

interest in international and comparative law find that the combination of their legal preparation and their background in global issues can lead to various employment options. The six alumni profiled here discovered that their UW J.D. degrees led to work both at home and abroad in diverse internationally-centered employment.



Drew Jackson '02
U.S. Department of Commerce
Washington, D.C.

ABOUT 10 YEARS AGO, Drew Jackson took a break from driving a forklift in Phoenix

to be a "budget traveler" backpacking in East Africa. While there, he was drawn to human rights, poverty relief, and political systems, and ultimately developed an interest in the law. He returned to college, and earned a degree in political science from the University of Arizona.

Several years later, Jackson received a "great offer" to pursue a law degree at the University of Wisconsin. The fellowship offer and the reputation of a faculty with ties to Africa sold him on the UW Law School. He feels he made the right choice.

Jackson took advantages of opportunities to learn outside the

analyst for in International Trade Law professor, and spent a summer abroad in Kenya after his second year. He landed the internship with the help of a visiting professor who was teaching an Ethnicity, Democracy & Human Rights seminar. While working on a paper for this class, Jackson made contact with the executive director of the Kenya Human Rights Commission. At the urging of his professor, he followed up with the director and inquired about summer employment. He was welcomed enthusiastically and went to work for MUHURI, a Muslim Human Rights organization. Jackson and others investigated the stripping of land from poor farmers by political officers in Kenya.

"When I look back," Jackson says, "that is one experience I will remember the most. I wouldn't have had that opportunity if I hadn't been at the Law School."

During his last semester of law school, Jackson began searching for a job that would allow him travel and would "keep life interesting." He found that at the Department of Commerce in the International Trade Administration's Office. He filled out an application online, had a one-hour interview in Washington, D.C., and got an offer as an International Trade Compliance Specialist. He is now part of a team responsible for applying anti-dumping

laws. His first six months included a trip to China. He is pleased to have work that is both challenging and adventurous, and credits his education at the UW Law School for helping him get there.



Elizabeth Cooper Doyle '97
Office of the Chief Counsel
Import Administration
Washington, D.C.

ELIZABETH Cooper Doyle is an attorney adviser with the Office of the Chief Counsel for Import Administration in Washington, D.C.

She grew up in Madison, traveling worldwide with her family. One of her defining experiences was spending a semester attending high school in Moscow while her father was there on a Fulbright Fellowship. To prepare for living abroad, Doyle took a college course in Russian at age 15. This early experience overseas sparked her

interest in the world, and she returned a "much more interesting person," she says with a laugh.

After graduating from Princeton, Doyle spent the summer backpacking in Europe, the fall teaching English to business executives and others in South Korea, and then took a job reviewing and analyzing accounting issues for Securities Data Company in New Jersey, while living in New York City. The company was developing a new product, and some of Doyle's work entailed legal research. This work rekindled an early interest in the law, and she headed back to Madison to attend the UW Law School.

While in school, Doyle took advantage of numerous courses in international law: International Business Transactions, European Law, and International Human Rights (which helps her significantly in her current work with international agreements). She also had a comment published in the *Wisconsin International Law Journal*, and participated in the Jessup International Law Moot Court Competition.

She took advantage of other non-international law opportunities as well, such as working with the Remington Center's LAIP program, where she visited prison inmates and got a firsthand look at the criminal justice system, an experience she thinks all members of the bar should have. The following summer she clerked for Murphy Desmond, S.c., a "great, caring firm," and was given a lot of interesting, diverse work.

After graduation, she moved with her physician husband to Greensboro, North Carolina, and worked with a large firm as a product liability litigator. Although this work did not have an international component, it gave her the opportunity to hone her litigation skills.

The couple's next move was to Washington, D.C.-a city where they had always wanted to live. Through a friend, Doyle learned of potential job opportunities with the U.S. Department of Commerce in the Office of Chief Counsel for Import Administration. She educated herself about their work, and went in for an informational interview. She persisted and was

offered a job there a year later.

The work is detailed and technical, she says-and she thrives on it. Attorneys in the Office of the Chief Counsel for Import Administration act as the principal legal advisers to the Import Administration in its investigations of unfair pricing and foreign government subsidization of U.S. imports.

Looking back on her UW Law School experience, Doyle credits her many international law courses as well as her grounding in diverse areas of law for giving her the background she needed to do the challenging work she now does.



Jennifer Konz-Alt '98

Kirkland & Ellis, London

AMONG THE growing number of UW law students who study international law and pursue job opportunities overseas, some find that the law degree leads them to international experiences not involving the direct practice of law.

A good example of a non-traditional career path for a law school graduate is the story of Jennifer Konz-Alt.

By phone from the 25th floor of an office building in the heart of London's financial district, Konz-Alt discusses the value of her law school education, and her decision to live abroad in her "favorite big city:"

Konz-Alt practiced law in London briefly before joining the firm of Kirkland & Ellis, where she is involved in human resources, job training, recruiting and client event planning. This career "really fits my personality," she says.

Konz-Alt grew up in Stevens Point, Wisconsin and traveled frequently with her father, who lived in Saudi Arabia for most of the time she was growing up.

It was at this early age that she found a love for travel. In high school, she participated in a study abroad program in Germany shortly after the fall of the Berlin Wall. It was a "fantastic, exciting" moment in her life that opened up her eyes to things other students her age only read about in textbooks.

At the University of Wisconsin, she studied German and International Relations. She earned a scholarship through the Rotary Club and spent nine months in Germany, where she honed her language skills. Her experience abroad was personally enriching and reinforced her desire to "do something outside of Madison" in her professional life.

She had always wanted to study law, and knew it would open many doors for her, so she returned to Madison for law school. She was not convinced that she wanted to pursue international law in either the public or private sector as a career, but knew that having a law degree would make her a more qualified professional no matter what she chose to do. "To me, a law degree was a signal of achievement-something that would make me a more attractive candidate for any job I pursued," she says.

Upon graduation, Konz-Alt won a scholarship for foreign lawyers through DAAD, the German Academic Exchange Service. She was the only American in the program that year, and spent part of her time interning at a top-five law firm in Germany, and the rest in the classroom. While in Germany, she began applying for jobs in London, where her husband, a fellow Wisconsin lawyer, was working. Through her UW connections, she landed a job at Baker & McKenzie, and later moved to Kirkland & Ellis. Although she is not involved in practicing international law, she is certain that she would not be in London, using her German language skills, without her UW law degree.

David Miller '00

Hogan & Hartson LLP
New York City

DAVID MILLER, who grew up in Madison, knew from an early age that he was

interested in the world. At age 12, he spent a year with his family in France,

and his travels continued throughout life. After high school, he spent a year in Israel before attending Macalester College in St. Paul, where he studied Russian history and language. As a college student, he spent a semester studying abroad in Russia. He was completely immersed in Russian culture and had intense language training.

After college, Miller took a job as a paralegal in Minnesota, working for an attorney who was involved in Russian/Jewish asylum work. He found immigration law to be emotionally rewarding, but did not envision it as a longterm career. He earned a master's degree in Russian history at Georgetown University, and then decided to return to Madison to attend the University of Wisconsin Law School-"a great school with a lot of opportunity."

After his second year of law school, Miller spent three weeks in Russia on a grant-funded project through the Law School's East Asian Legal Studies Center-interviewing Russian law students about their curriculum. No sooner did he return to the States than he was back in Russia, this time as a summer associate at the Moscow office of Hogan & Hartson LLP (where he was told he would have a job waiting for him upon graduation).

Returning to Madison at the end of an eventful summer, two days later he flew off to the European University Institute in Florence, Italy for the first semester of his third year. He thoroughly enjoyed studying abroad, he says, and feels that both the foreign study and the work in Russia added significantly to his law school experience.

After graduation, Miller returned to Moscow and the law firm. Through a UW connection, one of his first cases in Moscow was to represent a major Hollywood film studio in its production of the movie, *K-19: The Widowmaker*. While working for the studio, he uncovered a memoir from the captain of the famous submarine and helped secure rights for its use.

Miller enjoyed living in Russia, he says, but after 20 months he was ready to return to the States. He joined the firm's New York office, where he focuses primarily on international arbitration and litigation. He enjoys

having a varied practice, he says, plus the opportunity to travel worldwide.

Thomas Martin '95

U.S. Department of Commerce
Washington, D.C.

TOM MARTIN is an international trade analyst for the International Trade Administration's office in the Department of Commerce. His interest in globalization and world trade, which began during his undergraduate years, continued to grow with the international experiences of his University of Wisconsin Law School years.

Martin's focus in law school was on labor law. However, he credits his Administrative Law course at the Law School as being a "solid foundation" for building his career. He combined his classroom education with opportunities the Law School provided for international experience: his first summer he worked on pro bono asylum applications for Haitian refugees in Florida, sponsored by the Law School, and during his third year in law school, he studied at Diego Portales University in Santiago, Chile. While in Chile, Martin witnessed the country "experiencing a lot of economic growth-becoming a stable, strong country where the rule of law applies, and where people prosper by exporting."The prevailing optimism in Chile at that time reawakened his interest in world trade issues.

Upon graduation, after one year as a legal researcher for a firm in Albuquerque focusing on union-side labor law, he passed the exam for his Custom House Broker's License, and accepted a position with a French import/export company in Houston, where he learned about trade issues and managed the import side of the business.

A couple of years later, he moved home to Detroit to do consulting work as a trade analyst. There he continued to learn about trade, this time focusing more closely on NAFTA compliance. After approximately two years in Detroit, he made the leap to Washington, D.C., where he works in anti-dumping law. He and his co-workers work to promote the policy of trying to "remedy trade that is already distorted."They are responsible for determining if prices for

international goods sold in the United States are priced below fair value.

Martin's experience and expertise continue to grow; one of his colleagues calls him "a seasoned analyst with a Zen-like knowledge of anti-dumping cases." His work involves global travel-to China, Eastern Europe and countries in the former Soviet Union-and he finds that international trade law is a field that is both engaging and rewarding.

John Herson '79

Kimberly Clark
Neenah,
WfficonsU1

JOHN HERSON is International Tax Counsel for a multinational company, traveling worldwide every few weeks. Living in Neenah, Wisconsin, he has a "world-class practice in a town of 20,000," where he enjoys a balanced work and home life. He is the proud father of four, and makes time to be active in the community, including coaching youth baseball.

Herson has seen his employer grow tremendously in his years there. It is truly a global company, with businesses in 156 countries. Herson's role is to advise on business transactions to maximize tax benefits for the company.

Herson's affiliation began 23 years ago, when he read an article about the Kimberly Clark Corporation in *The Milwaukee Journal*, and mailed in a cold inquiry about employment opportunities. He has worked there ever since. He did not have a "master plan" for his career when he graduated from college, he says, but he pursued a law degree at the University of Wisconsin Law School and also became a certified public accountant - and now has a job that combines both fields and has a significant international component .•

- Trina E. Gray

International Law at Wisconsin: Summer Program for International Lawyers Marks 20th Year



Twenty years teaching together in the Summer Program

Every summer for the last 20 years, these five UW law professors have taught lawyers and other legal professionals from around the world about United States law. From left are Zig Zile, Chuck Irish, Larry Church, John Kidwell and Ken Davis.

Twenty-one years ago, Professor Zigurds ("Zig") Zile and two non-UW colleagues had a vision: a program in U.S. law for lawyers from other nations whose work brings them in contact with the United States. The program of intensive courses by law faculty would give this group of international lawyers an overview of the U.S. legal system and an informative exposure to certain key areas of U.S. law. The ultimate result was the Summer Program in United States Law and Legal Institutions, which celebrated its 20th anniversary in the summer of 2002.

After the first experimental onetime program proved the viability of the concept, Zile and four UW Law School colleagues, Professors Larry Church, Ken Davis, Chuck Irish, and John Kidwell modified the program and began a longtime partnership with the Law School's Continuing Education and Outreach Office (CLEW), which has continued to administer the program ever since. The Summer Program became an annual event, growing from its first class of nine participants to a total of 1,007 participants from 65

countries by the end of its second decade. The five professors who began the program have all continued teaching in it for its 20-year existence. CLEW Program Manager Lynn Thompson is in charge of administering the program, bringing visitors from around the globe each year to live in Madison for several weeks.

As the program grew, some private practitioners and other UW Law School teachers joined in the effort: librarians, legal writing instructors, and clinical professors who provide hands-on exercises. Areas of study have included the U.S. constitution and judicial system, civil procedure, commercial transactions, product liability, tort law, professional ethics, negotiation techniques, corporations and other business organizations, securities regulation, and issues in litigation. The discussion in each area typically incorporates material relating to international transactions.

In addition, separate courses have been devoted to a detailed survey of laws affecting trade and investment transactions between the United States and other countries, United States taxa-

tion of foreign businesses and individuals, and transboundary litigation. An introduction to both traditional and computer-assisted research in U.S. legal materials is also provided.

The program is intended both for practicing lawyers in business, government, or private practice, and for law students nearing completion of their formal training, who have a strong interest in U.S. law, in particular as it relates to international transactions involving the United States. Many of the program's participants have gone on to graduate programs in law, both here at the UW Law School and at other schools.

In addition to their course work, participants are offered a variety of beyond-the-classroom opportunities. This year the list included courtroom observation, a visit to the Milwaukee offices of the law firm of Whyte Hirschboeck Dudek (and a barbecue afterwards at the home of one of the firm's partners), a traditional Door County fishboil, Concerts on the Square and the Farmers' Market, and dinner at the home of Professor Larry Church and his wife and law school lecturer, Fredericka Paff.

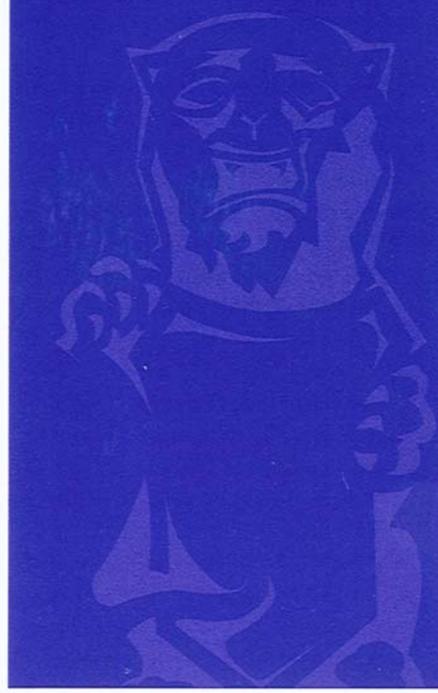
"With its international scope, this program was a substantially different undertaking for our office," says Associate Dean for Continuing Education David Schultz. "The fact that we are celebrating our 20th year of an extremely successful program is due both to the dedication of the CLEW staff and the excellent teaching and continuity of effort of the five faculty members who founded it."

For a glimpse at how international participants in the program view the experience, see the quotations at right .•

* * *

As this issue of Gargoyle went to press, the UW Law School community was saddened to learn of the death of longtime Professor Zigurds (Zig) Zile. Zig "meant so much to so many of us," in the words of Dean Ken Davis. The next issue of Gargoyle will honor Professor Zile's memory with reminiscences from his colleagues.

Law Professionals from Around the World Talk About UW Law Summer Program



Mr. Ingo Kahler
Giessen, Germany

Profession: recent graduate of law program at Justus Liebig University, Giessen

Why this program? Saw a poster at Giessen

"Interesting classes--and the experience of the country and culture, how people live. The whole system of case law is different from ours--another way, but the same goal This is a great area--two lakes"

Mr. Hsiang-Jung Chiu
Taipei, Taiwan

Profession: graduate student in tax law

Why this program? "Friends suggested Wisconsin because people here are friendly--don't get impatient and angry; Professor Irish delivered a speech at National Taiwan University that made a deep impression; course offerings"

"The professors introduce American law very clearly: they considered our English ability and so didn't speak very fast. . . . What makes me impressed was that I learned I should ask questions very actively you don't need to worry about blame or that someone will laugh at you. So I challenge myself to deliver my opinion bravely. The most important thing I learned: just give out your ideas."

Ms. Virginia Useche Araujo
Carracas, Venezuela

Profession: attorney in legal department of electric company
Chose this program... from the Internet

"I work with many U.S. companies, contracting them. We try to apply Venezuelan laws--but you have a different system. I'm going to apply this in my daily work in my company."

**Ms. Lena Johansson
Helsingborg, Sweden**

Profession: attorney in commercial law (acquisitions and corporate law) at firm in Sweden

Why this program? A partner in the firm participated in 1989 and recommended it as an excellent opportunity to meet lawyers from other countries

"You have different kinds of corporations and partnerships in the U.S.-this was an overview. I often have contact with foreign lawyers, and I do transactions in the U.S. and hire a U.S. attorney. This helps me know how lawyers in the U.S. think."

**Mr. Fernando Gava Verzoni
Porto Allegre, Brazil**

Profession: lawyer 1^{1/2} years and finishing graduate course in international and corporate law

Why this program? heard about it from a 2001 participant:

"He liked it, so I'm here."

"Classes just as I was expecting, so I'm enjoying it a lot Our legal system is very different from America's but it is important for me to understand. Some ideas from the corporate law classes I'll be able to use back in Brazil."

**Ms. Apinya Luernshavee
Bangkok, Thailand**

Profession: professor of law, teaching European law, international trade law, human rights

Why this program? friend recommended Madison, looked on Internet

"My university gives its faculty the opportunity to 'freshen up.' I saw on the Internet beautiful pictures with a lake ... that there is a low crime rate-Ah! I made a decision-I will come! ... I love this program very much: good professors, organization and reception."

**Ms. Natsue Sekiguchi
Tokyo, Japan**

Profession: reference librarian, Chuo University

Why this program? one of her professors had participated

"In 2004, my university will establish a law school I have to prepare."

**Ms. Maria Jose Gonzalez
Bogota, Colombia**

Profession: Completing bachelor's at Purdue, studied law in Colombia

"In the program we have all gotten to know different cultures--we have the American point of view, our own point of view, and other students' cultures."

**Ms. Camila Gonzalez
Bogota, Colombia**

(sister of Maria Jose Gonzalez, above)

Profession: Law student in Colombia, works in legal department of consulting firm

Why this program? Internet, and another sister said Madison is a beautiful city

"All the activities: court observation, visiting the Milwaukee firm and going to the partner's house for hamburgers and hot dogs, going to Professor Church's house-we're not just studying, we're seeing how an American lawyer lives."

**Ms. Yin-chin Wang
Kao Hsiung, Taiwan**

Profession: graduate student, focusing on family law, feminist legal theory

Why this program? "the ranking, Madison, family law courses"

"I was very impressed by Professor Cagle. We had practical exercises with him in cross-cultural negotiation. I participate in a negotiations club at my university, but we don't have a chance to actually practice negotiation. "

**Mr. Junzaburo Kiuchi
Tokyo, Japan**

Profession: attorney in corporation law with large international firm (Freshfields Brockhaus Deringer)

Why this program? a colleague recommended Madison

"If you want to learn the general structure of U.S. law, this program is quite useful I practice law in international law areas, but haven't had the chance before this to learn it systematically."

**Ms. Julia Sommer
Fraun, Germany**

Profession: telecommunications and media lawyer with large international firm (Freshfields Brockhaus Deringer)

Why this program? "A partner in the firm came here 14 years ago-I wanted to do an English language course but he said this would be better."

"The class is very good background for understanding American clients--we always want to get their way of looking at things."

**Ms. Martina Harrer
Vienna, Austria**

Profession: attorney in Vienna firm
Chose this program: from the Internet

"The class in corporate law was very important and very interesting for me-English legal terms I will need at my firm, and I enjoyed tort law with Professor Zile and Professor Church-a very good introduction. Our systems are quite different: we have civil code and you have case law I was very glad about the invitation to Whyte Hirschboeck: they are the biggest law firm in Austria, with about 120 lawyers. It was very nice to be invited to the home of a partner." •

International Law at Wisconsin: Law School's Asian Connections Keep Growing



Dean Davis and Dean Shen Deans Ken Davis and Shen Sibao, Dean of the Law School at the University of International Business and Economics in Beijing, have become colleagues as a result of the East Asian Legal Studies Center's affiliation with the Chinese institution. They share an interest in corporate governance, and both participated in a conference on corporate governance at the UW Law School this spring.

SINCE ITS BEGINNING in 1990, the East Asian Legal Studies Center has formalized and increased the Law School's academic interaction with universities, government ministries, and the private sector in East and Southeast Asia. The Center provides an environment at the Law School for students and established scholars to pursue advanced law studies and research, and arranges professional outreach programs and opportunities for Law School faculty to teach and meet colleagues in countries in East and Southeast Asia.

The Center's most recent outreach venture was a training program for judges from Shanghai that took place in the summer of 2002 in two locations: Shanghai, China, and Madison. The idea of this program, the "Seminar in Judicial Training Skills," came about when the Shanghai High People's Court approached Charles

Irish, professor of law and the Center's director, inquiring about putting together a short-term program to give young judges in China exposure to American judicial systems and laws. Working with Sun Chao, professor of law at East China University of Politics and Law in Shanghai and a local legislator there, Chuck Irish put together an impressive array of lecturers and experiences for the Shanghai judges, drawing from a teaching pool of UW Law School professors, Wisconsin judges (circuit court, appellate court, and supreme court levels), and federal judges. Chuck noted that the "basic philosophy of the seminar [was] to help the Chinese judiciary become more effective by offering them information about the state and federal judicial administration in the U.S." He also clarified, "We are not in any instance urging the Shanghaiese to adopt the American model."

The initial week of the program took Dane County Judge Michael Nowakowski and Law School Professor John Ohnesorge to Shanghai for lectures and discussions on the American court system and judicial practice. Several weeks later, from July 14 through August 2, twenty judges from different court levels in Shanghai traveled to Madison for the remaining three weeks of the program. In Madison, the judges had a full schedule of lectures, court observations at both the trial and appellate levels, discussions with judges, videos, a trip to the ABA in Chicago, plus social activities. Judge Nowakowski commented: "The highlight of the program was the exposure to the new breed of Chinese judges who in so many ways displayed a dedication to learning new ways of doing things that can be used to make the Chinese court system more efficient and fair and to elevate the status of judges within Chinese society. The experience for our judges was both enriching and caused us to revisit fundamental principles that can too often be taken for granted."

The seminar for the Shanghai judges was a one-time occurrence that may be a model for future judicial training programs. The Center also has been involved with on-going programs for professionals. One of these is a Partnership Agreement between the UW Law School and the Law Institute of the Far Eastern National University, Vladivostok, Russia. A grant of about \$150,000 for this partnership was given to the Law School by the U.S. Department of State in 1998 to promote academic exchanges and programs between the two schools. This partnership involved visits of faculty from one law school to the other and special training programs during the summer. During the summer of 2002, the final summer of the grant, six

professors from Far Eastern National University came to the Law School to consult with colleagues and develop course curricula for classes they will teach in Vladivostok.

The outreach efforts of the Center also include students. A Cross-Cultural Negotiations course at the Law School developed by the Center includes an international component during which law school J.D. students travel to a university overseas to participate in simulation activities with their counterparts. A pilot program took place in 1999: four J.D. students and UW Law School Professor Ralph Cagle followed up class meetings in Madison by going to Hokkaido University (Sapporo, Japan), where Professor Cagle taught and conducted simulation exercises involving the four UW law students and Hokkaido University law students. This first try-out was followed in 2001 by a similar practicum experience in Beijing at the University of International Business and Economics (UIBE) with 10 UW J.D. students and 10 UIBE students, and in 2002 in Beijing and Shanghai with 11 students from the Law School and an equal number of students at the host universities. Professor Cagle again taught the classes and the simulation exercises. The evaluations from the students have been overwhelmingly positive, not just for the course itself, but also for the realization of the deep life-changing effect of the internationalizing experience.

The Center, in coordination with the law faculty of Thammasat University in Bangkok, Thailand, offers a longer summer internship opportunity for Law School students. This competitive program began in 1997 to give UW J.D. students an opportunity to work at an international law firm in Bangkok for about six weeks during the summer, after a few days of preparatory work at Thammasat University. Student reaction has been quite positive. A recent participant wrote: "I found the Thailand program to be very empowering. It built my confidence as I succeeded in a land I have never been to, with a language I had never heard, and practicing law I had never been exposed to. In sum, I could not

conceive of a better way to spend my first summer in law school. I learned more than I imagined about myself, the law, and the work in general."

This deeper appreciation and clarity are two long-term benefits for UW law students who are able to participate in an international educational experience during their Law School years.

At the Law School, the Center coordinates with the Law School's Graduate Programs Office to offer a program of classes at the Law School to master's level professionals from East and Southeast Asia that is 'customized' to their legal areas of interest. Recently, the Center assisted the Law School's development of dual degree programs at the master's level with several universities in East Asia, specifically with Korea University, National Taiwan University, and UIBE in Beijing. Three students from UIBE are taking part in the dual degree program during the 2002-2003 year.

This deeper appreciation and clarity are two long-term benefits for UW law students who are able to participate in an international educational experience during their Law School years.

A high proportion of the students from East and Southeast Asia who come to the Law School for advanced legal studies at the master's level (and sometimes doctoral level) become teachers in their home countries after receiving their degree(s) from the University. Many law faculty professors in Korea are graduates of the UW Law School; this is true in Taiwan, and to a lesser extent in Japan and Thailand. These Wisconsin alumni/ae are some of the Law School's biggest boosters, and many of the more recent students in the Graduate Programs chose the UW and Madison because of the influence of professors at their home

universities who are graduates of the UW Law School.

As more international students from the master's program take J.D. courses, some of those courses have taken on a more international focus. The discussions in class become "internationalized" by virtue of the non-U.S. point of view brought out in class by the international masters students. The Center has also awarded summer support grants to Law School professors to add an international component to their courses.

The Center has initiated the teaching of several international law courses, some taught on a regular basis and others occasionally. Examples of such courses are Legal Issues between North America and East Asia, Introduction to the Law of Japan (taught under a grant from the Japan Foundation), Topics in East and Southeast Asian Law, and Business Law of Greater China. The Center has also actively worked with the Law Library to increase the

collection of library materials related to the law of the countries of East and Southeast Asia.

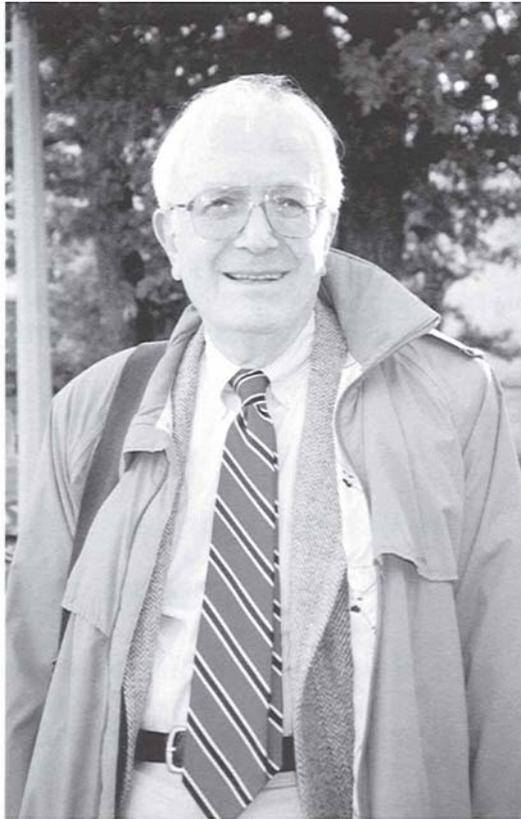
During the past twelve years, the Center has slowly and solidly increased the Law School's presence in East and Southeast Asia, while contributing in multiple ways to the internationalization of the Law School itself. The Center has contributed to the students' and the larger legal community's growing awareness both of East and Southeast Asia and of the increasingly international, complex legal world we live in. •

-Susan Katcher
Associate Director
East Asian Legal Studies Center

International Law at Wisconsin: Wisconsin's International Reputation in Law & Society

By Stewart Macaulay

*Malcolm Pitman Sharp Hi/Ildale Professor
Theodore W. Brazeau Professor of Law*



Stewart Macaulay

this internationally respected scholarly organization is a topic I have been pondering for some time.

Last June, flying back from the Law and Society Association meeting in Vancouver, I felt great pride to be associated with my accomplished colleagues and former colleagues on the University of Wisconsin-Madison faculty who have made their mark in LSA. Founded in 1964, this organization includes "scholars from many fields and countries interested in the place of law in social, political, economic and cultural life." UW Law Faculty member David Trubek had just received LSA's Harry Kalven award at the meeting. This is a high honor. It is given for "empirical scholarship that has contributed most effectively to the advancement of research in law and society." The Kalven Prize Committee pointed to David's work on law and development, the Civil Litigation Research Project that gave us our first modern view of who is using courts for what and with what results, and the creation of the UW's Institute for Legal Studies that has fostered all kinds of interdisciplinary work both here in Madison and elsewhere.

At the same awards ceremony, one of our newest faculty members, Catherine (K.T.) Albiston received LSA's award for the outstanding dissertation in our field for 2001. Her dissertation was titled *The Institutional Context of Civil Rights: Mobilizing the Family and Medical Leave Act in the Courts and in the Workplace*. K.T., who has both a law degree and a Ph.D. in sociology, promises to continue a long tradition of interdisciplinary work in Madison.

And there's more: Howard Erlanger received an award marking his twentieth year as the review editor for *Law and Social Inquiry*, which is an important voice in the field based at

A FEW WEEKS AGO-in November 2002-Professor Howard Erlanger of the UW Law School was elected president of the Law and Society Association, a splendid honor for Howie and for our Law School. (See page 46.) This marks the eighth time a colleague with Wisconsin connections has been elected to the presidency of LSA, and it also marks the fourth major honor accorded by the Society to members of our law faculty in the past year alone. The striking Wisconsin presence among the ranks of officers and honorees in

the American Bar Foundation. The reviews he plans and extracts from contributors take significant books and use them as the take off point for essays considering broader questions about the place of law in society.

Many of my present colleagues also were on the program, giving papers, chairing panels and serving as discussants. I was also delighted to see former members of our faculty and former students at the meeting. For example, I had dinner with Lawrence Friedman (now at Stanford) and Joel Handler (now at UCLA). Both remain great friends of our law school.

It is not surprising that we play such a major role in the Law and Society Association. The "trade mark" of the University of Wisconsin Law School long has been its law-in-action approach. Put most simply, rules and theory must be grounded in experience or empirical research. As Frank Remington often said, you cannot understand the criminal law by reading a law book. For that, you have to sit in the front seat of a squad car in a big city on a hot night. Willard Hurst put it: "If general ideas and theories about what's going on in society are going to be anything other than moonshine, they have to be rooted in hard-bought knowledge of what in fact is happening in people's lives."

Of course, today we are not alone in pursuing this approach. Other law schools have interdisciplinary centers or professors noted for empirical research about law. In some instances, law in action in other schools reflects the work of former Wisconsin professors who moved or people who were students in Madison. Indeed, the spread of this approach helps validate our history and present practices. People at Wisconsin, however, have been at it at least since Oliver Rundell studied the practices of the police in 1911. We also should remember the empirical work of Jake Beuscher on land use and environmental law and Frank Remington's mastery of criminal law in action as well as such ventures as Marc Galanter's Disputes Processing Research Program. Our labor law program was created by people such as Nate Feinsinger, Abner Brodie and

Jim Jones, all of whom learned their field not just from books but from their participation as arbitrators, mediators, umpires and government officials.

Willard Hurst stressed another feature of Wisconsin's law-in-action tradition. In talking about his arrival at the Law School in the mid-1930s, he said: "And then the fact that it was apparent right from the very outset that this was a law school unlike most law schools, that did not exist in isolation from all the rest of the university. It was just taken for granted that we would have working contact with " economics and sociology, it was taken for granted that people there were interested in the law school, and the law school was interested in them." The current reflection of this tradition is found in the University's new emphasis on cluster hires. Several departments can join together in proposing a cluster, and then they can get funds when two or more departments agreed on appointing a person to the faculty. We have four new faculty members who have been hired this way: Catherine (K.T.) Albiston, specializing in law & sociology (Legal Studies Cluster); Anuj Desai, specializing in intellectual property law (Communications Technologies and Information Policy Cluster); Richard Ross, specializing in American legal history (Legal Studies Cluster); and D. Gordon Smith, specializing in business law (Entrepreneurship Cluster). A fifth new faculty member, John Ohnesorge, specializing in comparative and administrative law and East Asian law, was hired with support from WAGE and the East Asian Legal Studies Center.

A skeptic might ask what difference does law in action make? Perhaps surprisingly, this approach makes us more practical and more theoretical at the same time. You cannot study much law in action without asking what lawyers do for which clients. Professors who take a law-in-action approach are likely to teach about, for example, sales over the Internet rather than the commercial problems of the 1800s. The title of the Macaulay, Kidwell, Whitford and Galanter casebook used at Wisconsin is, after all, *Contracts: Law in Action*.

Also, we cannot fashion theories about appellate cases without recognizing that reality of most areas of law is settlement rather than litigation and appeals. Those presenting theories worth our time can never forget

such things as law is not free, police departments and administrative agencies are organizations subject to constraints of budget and politics, and people cope with laws that inhibit what they want; they do not just passively comply. Moreover, once we confront the law in action, we face new theoretical questions. Our political philosophy and our constitution promise due process but the reality is that usually we give people a deal. Deals reflect bargaining power, and this, in turn, forces us to ask questions about a legal system that performs its promises in such a fashion. Some settlements are creative solutions to problems; others are no more than the best of many bad alternatives. Many of our graduates are familiar with Professor Neil Komesar's rich ideas about comparative institutional choice. Law can do some things well but not others, and using law has costs that must be paid. Markets and other institutions also work in some places but not others. Komesar stresses that the question is always comparative.

We cannot find a problem and say that "there ought to be a law." We must ask whether the law or the market work better in a particular situation. Obviously, such a theory cannot be applied to specific problems without an appreciation of both the law in action and the market in action.

Another answer to the "so what" question is that this school's reputation rests, in large measure, on its law-in-action approach to legal scholarship. The Law and Society Association helps focus the attention of those interested in law on our school. LSA has grown from a small group of friends to an organization that now faces the problem of finding enough places on a three or four day program for all those who want to present papers. LSA was created by the work of many people, but those from Wisconsin played an important role. Much of the hard organizational work was done by

Harry V. Ball, a sociologist who then was at Wisconsin on one of Frank Remington's criminal law projects. At the Chicago meeting in May of 1999, the 35th Anniversary Roundtable had the title: "Celebrating the Institute for Legal Studies and the Madison Tradition: Taking Empirical Sociolegal Studies into the Legal Academy and the Law." Eight of the twelve participants were present members of the Wisconsin faculty; four were our former colleagues. The panel drew a large audience, and many who attended had important Madison connections. (A personal note: My late wife, Jacqueline Macaulay, who then had only six months to live, spoke for the last time at an academic meeting. She had been part of the Madison law and society tradition for over 40 years, and she reminded people not to forget what made Wisconsin special).

Editor's note: Stewart Macaulay is a former President of the Law and Society Association and was awarded the Harry Kalven Prize in 1986. In thanking the Association for the prize, he credited his mentors, most importantly Willard Hurst, and colleagues such as Lawrence Friedman, Joel Handler, David Trubek and Bill Whitford, and he

noted that a major reason for any success that he had had was that he had married well. Jacqueline Macaulay (1932 - 2000) held both a Ph.D. in Social Psychology and a J.D. from the University of Wisconsin. She edited everything that Macaulay ever published and he credits her both for providing many ideas and saving him from many errors.

We can measure Wisconsin's importance in LSA several other ways. There have been 22 presidents, and seven either were then on the Wisconsin faculty or had spent significant

parts of their careers in Madison before moving elsewhere. Another received his Ph.D. from our Political Science Department. With the November election of Howard Erlanger, we have now raised the number of Wisconsin-related presidents to eight out of 23: more than a third. (And I'd like to add that Howie's "rival" nominee for president this year also has a Wisconsin connection: Dirk Hartog, who was formerly on our faculty and now teaches at Princeton.) Of the twenty people who have won LSA's Harry Kalven prize, eight have significant connections with Wisconsin. Ron Pipkin, LSA's long-serving Executive Officer, earned his law degree here, and also an M.S. from the UW's Department of Sociology. Finally, many with strong Wisconsin ties have served on LSA's Board of Trustees.

Moreover, Wisconsin's reputation for this kind of scholarship is known all over the world. The Research Committee on the Sociology of Law is essentially the European version of LSA, although it has many Asian, Latin American and North American members as well, including some from the University of Wisconsin-Madison. The RCSL and the Law and Society Association meet outside of North America once every five years. So far, meetings have been held in Amsterdam (1991), Glasgow (1996) and Budapest (2001). Wisconsin professors and former students have been all over the programs in all of these places.

We have exchange programs with many universities in Europe, Asia and Latin America, and to a great extent, our attraction to scholars in these places rests on our tradition of law and society scholarship. This fact was brought home to me recently when I received an e-mail from Matthew Smith, who was a student of mine in 1998. He wrote: "I didn't quite believe you when you mentioned in class that the UW was one of the most recognized U.S. law schools in Europe. I'm now living in Germany ... and spoke today with a German law professor who latched on to the fact that I had graduated from Wisconsin. He said the UW is well known in

Germany, particularly for the 'Sozialwissenschaftliche Kritik' of Professor Macaulay." Somehow it sounds more impressive in German.

Will this tradition continue? Sadly, people such as Hurst, Beuscher and Remington are no longer with us. Many of the next generation of people with such interests have retired, are soon to retire or have left us for other universities. However, many of our younger full professors and many of our newcomers follow a law-in-action approach. For example, Professor Kathryn Hendley studies the development of capitalism in the former Soviet Union. Such studies are a minor industry, but Hendley, reflecting a Wisconsin approach, looks at the contributions of law from the bottom up. She speaks Russian, and she has been a participant observer at a Russian enterprise and understands the way new legal innovations are seen by the Russian managers. "The rule of law" means something very different to a World Bank official staying in a luxury hotel in Moscow and to a Russian manager who must try to cope with the law in practice. Professor Jane Larson has written about the settlements on the American side of the Texas - Mexico border where all of the regulations of housing and real property are not applied. She tested theories about what would happen in this kind of free market by going into the field rather than assuming what "rational actors" would do in a world of zero transaction costs. Also our impressive clinical courses take the students to the law in action. These courses both teach lawyering skills and provoke students to think about the reality of the American legal system. I could offer many other examples; my judgment is that this tradition is alive and well. Of course, not everyone in the building marches to this drummer. Some would be at home at any law school. However, most of these people are accustomed to being asked how their doctrinal or theoretical positions would play out in practice. A law and society perspective is a real part of the culture of the school, and it is hard to avoid it. We would be very foolish to lose it. •