



Washington University in St. Louis

SCHOOL OF LAW

# celebrations

FALL 2005

THE WHITNEY R. HARRIS INSTITUTE FOR GLOBAL LEGAL STUDIES





*From left: Dan Ellis, Whitney Harris, John Haley*



“... the struggle for peace,  
law, and justice in the world  
is eternal.”

Whitney R. Harris  
February 8, 2001

# celebrations

THE WHITNEY R. HARRIS INSTITUTE FOR GLOBAL LEGAL STUDIES

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# symposia, conferences & workshops

## LAWYERS AND JURISTS IN THE 21<sup>ST</sup> CENTURY: CELEBRATING THE CENTENNIAL OF COMPARATIVE LAW IN THE UNITED STATES AND THE UNIVERSAL CONGRESS OF LAWYERS AND JURISTS, 1904-2004

A centennial celebration of the 1904 Universal Congress of Lawyers and Jurists was held on November 12-13, 2004. The event was organized and sponsored by the Harris Institute in cooperation with the Center for International and Comparative Law, St. Louis University School of Law and the American Society of Comparative Law. There were nine panels with over 25 outside speakers and panelists in addition to seven discussants.



Above: Hauwa Ibrahim and Anita Esslinger  
Top: From left, Leila Sadat, William Schabas, Stefan Trechsel, Christine Van den Wyngaert David Sloss  
Bottom: From left, Leigh Greenhaw, Whitney Harris, Anna Harris

From left: Geoffrey Hazard, Frederick Bloom, Michele Taruffo, Peter Ehrenhaft, Stefan Trechsel, Constance Wagner, Jerry Zhu, Davis Sloss





The Universal Congress of Lawyers and Jurists, St. Louis, 1904

From Remarks by **Dorsey D. Ellis, Jr.**

“American Bar Association planning for the Universal Congress began in 1901 in response to a request from the Louisiana Purchase Exposition Company [organizing the St. Louis World’s Fair]. The request read:

The Centennial Exposition to be held in 1903 is in charge of the Louisiana Purchase Exposition Company, and the plans of the management contemplate a World’s Fair greater and more wonderful than any ever held. It has an appropriation from Congress of five million dollars, the largest aid ever given by the United States to a like purpose, and it has the promise of full support by the Government. It will not be like any of its predecessors in architecture, landscapes, designs, or the arrangement of its exhibits. It will be a stupendous monument to the material growth and commercial and manufacturing development, not only of the Louisiana Purchase and the United States, but of the whole world.

But it will be more than that. It is a part of the plan to gather together the learned men of the world in the several departments of arts and

sciences, including the science of jurisprudence.

There will be held in the city of St. Louis, Missouri, during the Centennial Exposition of the Louisiana Purchase, a Universal Congress of Lawyers. This congress will be composed as follows:

1. Lawyers and jurists from every nation of the world.
2. Teachers of law and persons learned in special branches of jurisprudence.
3. Persons learned in ancient law, including teachers of the history of law and students of the laws of peoples and nations now extinct.

The foregoing summary is an outline of the underlying idea of the plan. The character, constitution, and management of the Congress itself will be developed hereafter, and chiefly, it is hoped, by the American Bar Association.

The following subjects, among others, will be considered by the Congress, and papers will be presented as a foundation for the discussion of some or all of them.

First: The promotion of the settlement of international controversies by resort to The Hague Tribunal or reference to special commissions.

Second: The preferable method of regulating the trial of civil actions with respect to pleading and evidence.

Third: A review of the Four Hague Conferences on private international law, the object of the conferences and probable results.

Fourth: To what extent should judicial action by courts of a foreign nation by recognized? (Considered with special reference to the status of individuals as affected by divorce or other decrees, and the right to represent the person or property of another.)

Fifth: The protection which should be accorded to private property on the high seas in time of war.

The ABA president appointed a committee to consider the request, which reported back favorably and an organizing committee chaired by Frederic W. Lehman of St Louis was then appointed.

...

The Universal Congress convened at 2:00 p.m. on September 28, 1904, in Festival Hall, the great Beaux Arts structure that formed the architectural centerpiece for the exposition. Its 481 delegates came from 16 nations in addition to the U.S. Almost all of the western European nations were represented,



## symposia, conferences & workshops



*Top:* Julian Lonbay

*Middle:* From left, Linn Hammergren and Antonio Gidi

*Bottom:* From left, Stefan Trechsel, Steve Thaman and Buyung-Sun Cho

with the exception of Spain, Portugal, and some of the Scandinavian countries. Delegates also came from Brazil, Canada, Ceylon, China, Egypt, and Mexico. Notably absent were Russia, which had withdrawn entirely from participation in the exposition, and Japan. They were then engaged in a violent contretemps on the Pacific Rim.

We may be confident that none of the delegates suffered from jet lag, as the Wright brothers had made their maiden flight only nine months previously. Although one delegate referred to the “celebrity of travel” that characterized the age, it is nonetheless remarkable and emblematic of the perceived significance of the Congress that so many had come so far to be a part of it. Each delegate received a badge that resembled a medal.”

From Remarks by **David S. Clark**

In the United States “sustained scholarly activity, together with organized networks of communication, commenced early in the twentieth century...with the 1904 St. Louis Universal Congress of Lawyers and Jurists, the first international congress of comparative law in the United States ... the ABA president had appointed Simeon Baldwin of Yale to the ABA’s Executive Committee to implement the Congress, which occurred from September 28 to 30, 1904, immediately after the ABA’s annual meeting. Baldwin was one of the ABA’s founders, a former ABA and

AALS president, a Yale law professor, and a member of the *Institut de droit comparé* in Brussels. He would later be chief justice of the Connecticut Supreme Court, Governor of Connecticut, and director of the Comparative Law Bureau from 1908 to 1919.”

Unlike the 1900 international comparative law congress in Paris, lawyers and judges organized and ran this one, with a smaller representation from academia. The Congress president was Associate Justice David Brewer of the U.S. Supreme Court, who was also an international law professor at George Washington University. Brewer was born in 1837 in Smyrna, Asia Minor (now Turkey), where his father worked as a missionary. His mother was Emilia Field, sister of Supreme Court justice Stephen Field and the New York codifier David Dudley Field. His experience in Asia came through in strong dissents in cases limiting the rights of Chinese and Japanese immigrants. His dissent in *Fong Yue*

*Ting v. United States* (1893) illustrates the view that made him a natural favorite, later to preside at a congress of comparative lawyers. In *Fong*, the Court determined that Congress’s power to deport aliens was plenary and inherent in federal sovereignty. Brewer responded: “In view of this enactment of the highest legislative body of the foremost Christian nation, may not the thoughtful Chinese disciple of Confucius ask, why do they send missionaries here?” Brewer was an anti-imperialist who believed that the United States should give the Philippines its independence and then guarantee its neutrality.

Of the fourteen Congress vice presidents, one from each of the Congress nations, most were judges or lawyers, but four were professors. These persons formed a Committee of Nations and voted on Congress propositions. The majority of the voting members were European: from Austria, Belgium, the British Empire, France, Germany, Italy, the Netherlands, Sweden, and

Switzerland. The remaining Congress countries were Argentina, Brazil, China, Mexico, and the United States.

Delegates could present reports and discuss in any language, but Congress staff would make translations into English. Comparative law panels included: (1) the preferable method of regulating the trial of civil actions with respect to pleading and evidence; (2) a review of the four Hague Conferences on private international law; and (3) the extent to which local courts should recognize the judicial action of foreign country courts.

There were 481 registered delegates at the Congress, which was a huge number for such an event even though the large majority was from the United States. Forty American law professors attended from almost thirty law schools, including Nathan Abbott from Stanford, James Barr Ames and Samuel Williston from Harvard, Joseph Beale from Chicago, James Brewster from Michigan, William Draper Lewis from Pennsylvania, Charles Huberich from Texas, Eugene Gilmore from Wisconsin, James Brown Scott and Munroe Smith from Columbia, James Henry Webb from Yale, and John Wigmore from Northwestern. William Curtis and William Keysor represented Washington University at St. Louis. The most famous foreign law professors in attendance were Georges Blondel from Paris, Josephus Jitta from Amsterdam, and Friedrich Meili from Zurich.



From left, Leigh Greenhaw, Margaret Lu, Karin Haley



## symposia, conferences & workshops



### COMPARATIVE APPROACHES TO REGULATING RELIGION AND BELIEF: STATE AUTHORITY AND THE RULE OF LAW

The Harris Institute also cosponsored a conference on law and religion held in Beijing, China, on October 18-20, 2004, organized in cooperation with the Institute for World Religions of the Chinese Academy of Social Sciences, Emory University School of Law, and the Institute of European Constitutional Law at the University of Trier. **Leigh Greenhaw, Michael Koby** and **Lauren Homer**, a Harris Institute Fellow, presented papers.





**WORKSHOP ON LATIN AMERICAN LAW**

On April 15-16, 2005, the Harris Institute held its second workshop on Latin American Law. The program commenced with A Conversation on Judicial Reform in Argentina by Jorge Alemany, a research judge for the Chief Justice of the Argentine Supreme Court.

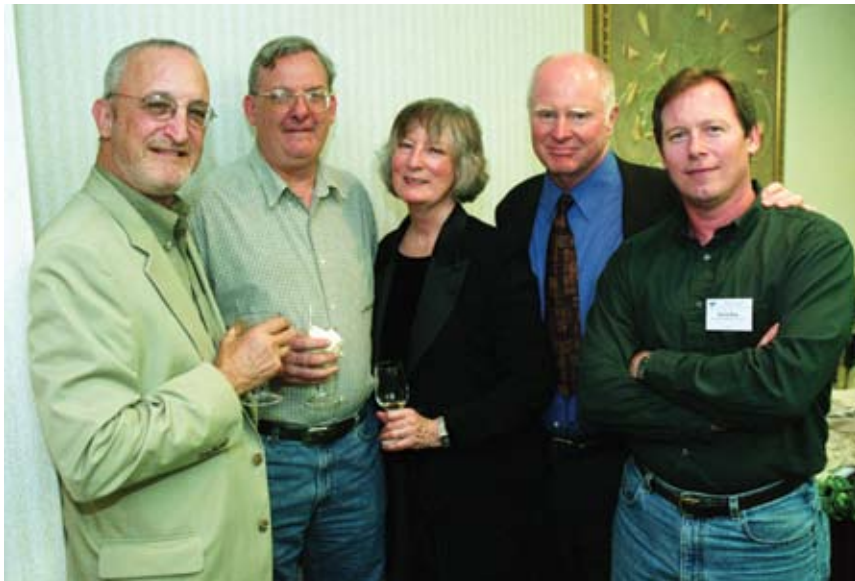
The participants included:

- Silvia Faerman** – Southwestern University School of Law
- Frances Foster** – Washington University
- Dale Furnish** – Arizona State University College of Law
- Alejandro Garro** – Columbia Law School
- Antonio Gidi** – University of Houston Law Center
- Giovanna Gismondi** – Univeristy of Oklahoma Law Center
- John O. Haley** – Washington University
- Maximo Langer** – University of California at Los Angles
- Jonathan Miller** – Southwestern University School of Law
- Matthew Mirow** – Florida International University
- Luz Nagle-Ortiz** – Stetson University College of Law
- Angel Oquendo** – University of California – Berkeley
- Joseph Page** – Georgetown
- Francisco Reyes** – Louisiana State University
- Lindsay Robertson** – University of Oklahoma
- Keith Rosenn** – University of Miami
- Joseph Thome** – University of Wisconsin Law School
- Stephen Zamora** – University of Houston Law



*Top left: Dale Furnish, Jonathan Miller, Joseph Page, Matthew Mirow  
Top right: Maximo Langer, Stephen Zamora, and Antonio Gidi  
Bottom left: Joseph Thome, Francisco Reyes, Giovanna Gismond  
Bottom right: Alejandro Garro and Jorge Alemany*

## symposia, conferences & workshops



From left: Kenneth Shepsle, Kevin McCabe, Alexandra Benham, Lee Benham and David Rose at the Future of Social Sciences Workshop

### **FUTURE OF SOCIAL SCIENCES WORKSHOP | OCTOBER 7-9, 2004**

On October 7-9, 2004, the Harris Institute cosponsored, with the Center for Interdisciplinary Studies and Center for New Institutional Social Sciences, a by-invitation-only workshop on the future of social sciences. Nobel Prize Laureate **Douglass North** was the keynote speaker. The participants from the School of Law included **John Drobak**, **Lee Epstein**, and **John Haley**. Among the other speakers were **Elinor Ostrom** (University of Indiana), **Jack Knight** (Washington University in St. Louis), **Vernon Smith** (George Mason), **Kevin McCabe** (George Mason), **Colin Camerer** (CalTech), **Walter Powell** (Stanford), **Norman Schofield** (Washington University St. Louis), **Barry Weingast** (Stanford),

**Jean Ensminger** (CalTech), **David Stark** (Columbia), **Avner Grief** (Stanford), **Kenneth Shepsle** (Harvard), and **Itai Sened** (Washington University St. Louis).



Top to Bottom: Douglass North; Itai Sened; ; John Drobak, John Haley (David Rose in background)





## student-related programs



### **CELEBRATING INTERNATIONAL MOOT COURT COMPETITIONS - JESSUP 2005**

The Law School's Phillip C. Jessup International Moot Court Team once again brought honors to Washington University, placing among the top teams in a very competitive regional competition, and winning first prize for its memorial, not only in regionals, but capturing the Hardy C. Dillard award for the first place memorial out of all the top memorials from each of the National and Regional Competitions around the world. This year, 97 teams from countries all over the world competed for

the Dillard prize. The competition featured a very difficult problem involving piracy, transport of nuclear materials, and the law of the sea, causing students to research and argue several complex areas of international law. In the past few years, the Jessup team, under the tutelage of Professor **Leila Sadat**, faculty advisor, and **Gilbert Sison**, class of 2000, as coach, has won nearly 20 individual and team awards, making the Washington University Jessup Team one of the strongest in the United States. Students competing this year were **Lana Alamat** and **Paula Zecchini**, 3Ls,

and **Matt Bunda**, **Ryan Haigh** and **Kristi Kleiboker**, 2Ls. In addition, this summer students competed in the first annual "Terrorism Moot" at the University of Utrecht in the Netherlands, as part of the Summer Institute for Global Justice directed by Prof. Leila Sadat. Pictured are Washington University students **Isabella Stankowski**, **Silena Paik**, **Erin Henderson** and **Hari-Amrit Khalsa** along with Profs. **Wouter Werner** and **Leila Sadat**. Stankowski and Paik were tied for high oralist of the competition along with **Krisztina Varga** and **Ioana Muresan** of the University of Utrecht (not shown).

## student-related programs



IHL Youth Educators



Kevin Parrish

### INTERNATIONAL HUMANITARIAN LAW PROJECT

The Harris Institute continued to work with the St. Louis Chapter of the International Red Cross on the International Humanitarian Law Project to train and make arrangements for law students to introduce international humanitarian law into the curricula of local secondary schools. This *Students As Teachers* program actually pairs law students who visit the schools with slide and oral presentations. We have now successfully completed our fourth year of this popular program. Over 40 students are estimated to have participated in the training sessions. **Linda McClain** continues to coordinate the program for the Institute.

**Kevin Parrish** was one of the program participants this year in the IHL Youth Education Program and had this to say, “The IHL Youth Education Program, I believe, is the greatest way for one person to impact both the immediate community and the larger, global community. As armed conflict continues around the world, humanitarian law is the essential key to ensuring humane conditions for those most vulnerable, and with this comes the need for youth to understand what it means to have empathy for those who suffer. Undoubtedly, there is a great need for an understanding of humanitarian law among today’s youth; the Harris Institute provided me the opportunity to act on this need.”





and administrative/regulatory processes. The combination of legal citation information with more general country-specific information makes this International Citation Manual truly unique.

The hope is that this manual will be a helpful tool for practitioners and scholars throughout the world. The citation styles and information are posted on the internet at the following website: <http://law.wustl.edu/Publications/WUGSLR/citationmanual.html>.



The Law Review welcomes any and all suggestions, comments, or criticisms.

*Top to bottom:* Law Review's Ryan Cantrell and Ryan Haigh

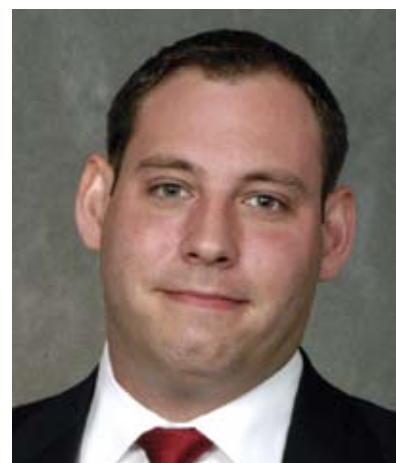
*Top:* Ted Broberg and Craig Valentine at Pattonville High School  
*Middle:* Penny Calhoun presents International Humanitarian Law at Lutheran South High School.



**GLOBAL STUDIES LAW REVIEW  
 INTERNATIONAL CITATION MANUAL  
 PROJECT**

*Washington University's Global Studies Law Review* is currently compiling a manual of International Legal Citation. No comprehensive manual for international citations in English now exists. The Global Studies Law Review International Citation Manual attempts to fill a sizeable gap.

The project began three years ago and consisted of only eight countries. In the last two years, the Review's editors made enormous strides and currently have citation information for over 100 countries. By the end of the year, they anticipate having legal citation information for almost 200 countries. In addition to citation information, the manual provides relevant country information, including background information, government structure, legislative processes, judicial processes,



## student-related programs



Top: (forefront left) John Maksymonko, Andrew Pacheco, Jasna Dobricik, Hannah Kaufman, Luke McLaurin, Matthew Harris, Ibadat Dhillon and James Beal

Bottom: (forefront left, moving clockwise) Vikram Singh, Lana Alamat, Paula Zecchini, Gilbert Sison, Leila Sadat, Andrew Ruben, Thomas Ferguson

### WORLDQUEST TRIVIA COMPETITION

The Harris Institute also partners with the World Affairs Council on lectures and conferences and recently supported the World Affairs Council's WorldQuest Trivia Competition. The Institute sponsored two tables of challengers: *Table #1*: **Luke McLaurin** (Chair), **James Beal**, **Ibadat Dhillon**, **Jasna Dobricik**, **Matthew Harris**, **Hannah Kaufman**, **John Maksymonko**, and **Andres Pacheco**. *Table #2*: **Thomas Ferguson** (Chair), **Lana**

**Alamat**, **Elizabeth Peterson**, **Andrew Ruben**, **Leila Sadat**, **Vikram Singh**, **Gilbert Sison**, and **Paula Zecchini**.

The questions were fast and furious and covered American History, flags of the world, the tsunami, and international events. There proved to be no match for the diversity present at *Table #1* though. Our law students, LL.M. students, and even our very own Professor of Law **Leila Sadat** saved the day and were awarded winners of the competition.

### DAGEN-LEGOMSKY FELLOWS

The Institute also continued to designate students as Dagen-Legomsky Fellows, one of whom receives a stipend for study in the summer session of the Hague Academy of International Law. The others receive stipends for international public interest internships. **Kelly Moore** has responsibility for administering the program and chairs the selection committee along with Professor **John Haley**, Director of the Harris Institute, as well as the Dagen-Legomsky Fellow in International Law from the previous year. This year the Institute made five awards. The Hague Fellow for 2005 is **Luke McLaurin**. Four other students, **Ilissa Gould**, **Alison Scharf**, **James Hofman**, and **Andres Pacheco** (U.S. LL.M. student), are being awarded stipends for international public service internships.

The Institute also continues to work with the International Law Society in cosponsoring a series of lectures by prominent lawyers in international practice from both the U.S. and abroad. Our fall speaker was **Anthony (A.J.) Chivetta** of Armstrong Teasdale, who is active in the firm's international practice, especially in connection with its "China Alliance" of four large midwestern firms that has established a joint office in Shanghai.

### SOUTH AFRICA

Through the efforts of **Professor Karen Tokarz**, Director of Clinical Education and ADR Programs, Washington University School of Law has engaged in a student exchange program with the University of



KwaZulu-Natal in Durban, South Africa, for the past four years. Tokarz initiated the exchange program after working with the University of KwaZulu Campus Law Clinic during the fall 2001 semester.

Three Washington University students have attended the University of KwaZulu-Natal as exchange students.

**Yewande Akinwolemiwa** (3L) is studying AIDS law and international human rights law at the University of KwaZulu-Natal in fall 2005. **Vernetta Edwards**, J.D. 05, attended the University of KwaZulu-Natal as an exchange student in spring 2004 and studied constitutional and environmental rights law.

In fall 2002, **Annie Littlefield**, J.D. 03, took classes at the law school and interned with the University of KwaZulu Campus Law Clinic and the Children's Rights Centre in Durban.

**Khethiwe Mthembu**, a University of KwaZulu-Natal law student, attended Washington University in fall 2005, where she studied international law and participated in the Civil Rights & Community Justice Clinic.

Over the past four summers, twenty-five Washington University students have spent their summers doing legal work in Africa through the African Externship Project spearheaded by Professor Tokarz. This project is an outgrowth of the Civil Rights & Community Justice Clinic that Tokarz teaches at the School of Law.

Eleven students provided legal assistance to indigent and low-income residents in Durban, South Africa, in summer 2005 by working with that nation's new Legal Aid Board and other public-interest law organizations. **Meagan Keiser** (2L) and **Zach Schmook** (2L) worked with the University of KwaZulu-Natal Campus Law Clinic; **Amber Henry** (3L) and **Heather Woods** (2L) worked with the University of KwaZulu-Natal Centre for Socio-Legal Studies; **Jessica Walcik** (2L) worked with the Durban Lesbian and Gay Centre; and **Audrey Aden** (2L), **Shannon Alexander** (2L), **Ben Bozicevic** (2L), **Lacy Fields** (2L), **Akila Kannan** (3L), and **Rachel Olander** (2L) worked at the Legal Aid Board in Durban and surrounding townships.

Another law student, **Ryan Haigh** (3L), who worked for the Legal Aid Board in Durban in summer 2004, spent the past summer working for the International Criminal Court for Rwanda, which sits in Arusha, Tanzania.

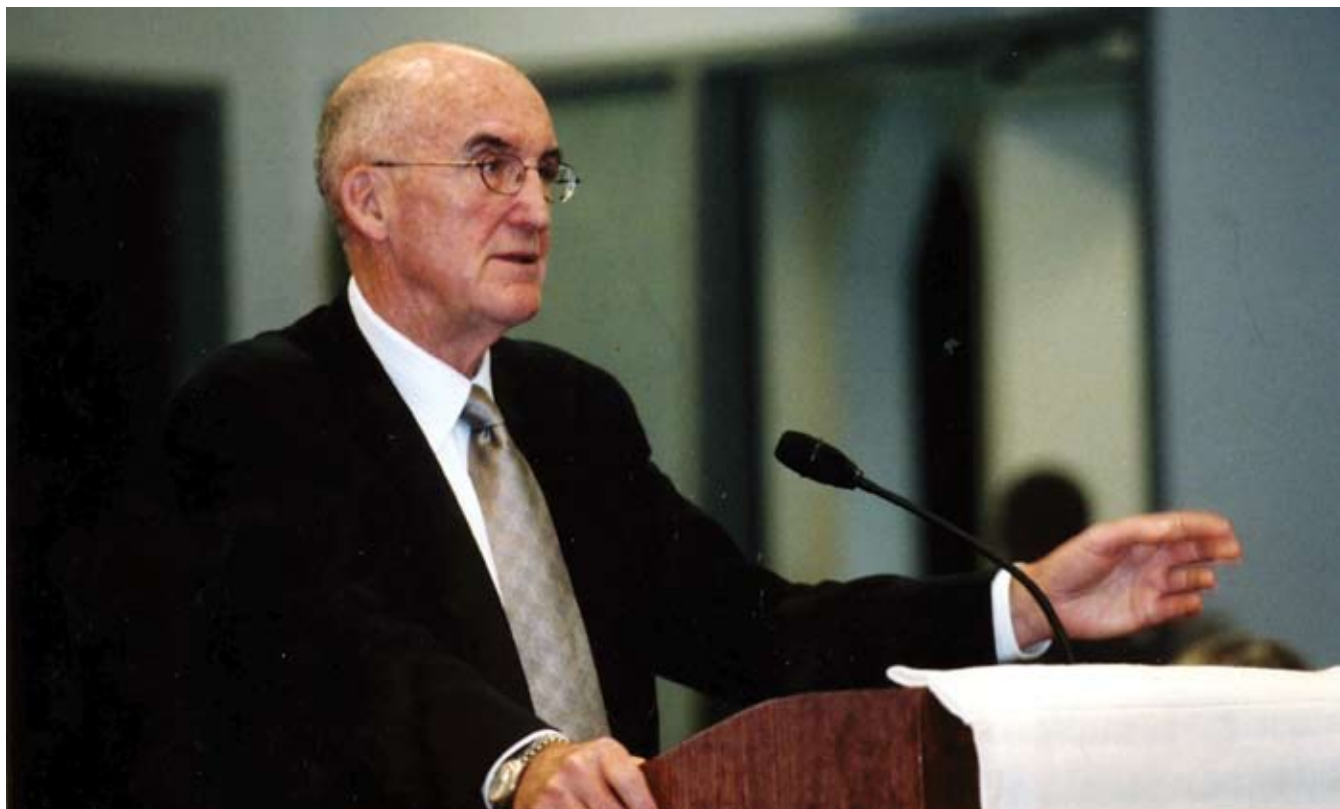
Support for the students who choose to work for the Legal Aid Board and other public interest law agencies and organizations through the African summer externship project comes from the School of Law's Summer Public Interest Stipend Program and Dagen-Legomsky International Public Interest Fellowships.

As a member of the American Bar Association Accreditation Committee, Professor Tokarz visited the American University School of Law during the summer school program in Istanbul summer of 2005 and the Seton Hall University School of Law summer school program in Cairo in the summer of 2004.

Karen Tokarz and Khethiwe Mthembu



## lectures & special programs



Justice John Major

### CONSTITUTIONAL COURTS LECTURE SERIES

**Justice John Major**  
Supreme Court of Canada  
September 15, 2004

### OTHER LECTURES & SPECIAL PROGRAMS

**Michael A. Olivas**  
*Litigation, Education, and Undocumented Immigrant Children: The Hidden Stories Behind Plyler v. Doe*  
September 15, 2004



Michael A. Olivas

*The People Speak*  
**Don Dahler** - ABC News  
Correspondent  
**Robert McFarlane** - National Security  
Adviser to President Ronald Reagan  
(1983 to 1985)  
September 29, 2004  
In cooperation with the World Affairs  
Council of St. Louis and the University  
of Missouri, St. Louis (held at  
Millennium Student Center, UMSL)





Harold Koh

**Harold Koh**, Dean, Yale Law School  
*The Supreme Court Meets  
International Law*  
October 27, 2004  
In cooperation with the Public Interest  
Law Speaker Series

**Narayan Khadka, Mohan Bahadur  
Basnet and Sangbu Sherpahh**  
*Nepal Today: Coping with the  
Maoist Threat*  
November 15, 2004  
In cooperation with International and  
Area Studies and the World Affairs  
Council of St. Louis



From left: Andres Pacheco, Ramon Garcia  
Odgers, Shaheen Ali and Jasnab Dobrick

**Shaheen Ali**  
*Gender, Human Rights, and Islam*  
February 10, 2005

**Michael Rühle**, Policy Planning and  
Speech Writing Division, NATO  
*America and the EU: Mars and Venus?*  
February 28, 2005  
In cooperation with the American  
Council on Germany, St. Louis Chapter.

**Hidehiko Adachi and Shiu-Mi Li**  
*Japan's New Law Schools*  
March 14, 2005



From left: Hidehiko Adachi and Shiu-Mi L

# celebrating the life of william catron jones

**SCHOLAR, TEACHER, COLLEAGUE AND FRIEND**  
CELEBRATING THE LIFE OF WILLIAM CATRON JONES  
CHARLES NAGEL PROFESSOR OF INTERNATIONAL AND COMPARATIVE LAW EMERITUS  
WASHINGTON UNIVERSITY SCHOOL OF LAW  
1926-2005

**\*SOME (OF MANY) TRIBUTES\***

Bill Jones helped to build the foundations for the study of comparative and international law at Washington University. In so doing, he was instrumental in making possible the Whitney R. Harris Institute for Global Studies. All who knew him will remember and miss his intellect, his wit, and his kindness.

**JOHN O. HALEY**  
Wiley B. Rutledge Professor of Law  
Director, Whitney R. Harris Institute for Global  
Legal Studies

Words are inadequate to express my debt and my grief. Over the past eighteen years, Bill touched my life in so many ways – as my mentor, friend, and faculty colleague. His innovative approach to comparative law and his unfailing kindness inspired me and countless others to become better scholars, teachers, and human beings. It was an honor and an utter joy to know and work with Bill.

**FRANCES H. FOSTER**  
Edward T. Foote Professor of Law

Throughout his academic career, Bill was an exemplar and mentor to younger scholars, a gifted and



dedicated teacher and a beloved colleague....we shall miss him

**DORSEY D. ELLIS, JR.**  
William R. Orthwein Distinguished  
Professor of Law

Bill Jones was my colleague for over a decade at Washington University, and he was a dear friend for a quarter century... Indeed he was one of the colleagues who recruited me to Washington University, and he did so with his customary and infectious

warmth and wit. We were partners there in building programs in Law and Asian Studies, though it was Bill, with his effortless navigation of diverse disciplines and Faculties, who led the way...I recently had the honor of publishing what may have been his last essay, on "Chinese Law and Liberty in Comparative Historical Perspective." It is an essay that reads like Bill: deeply learned, elegantly brash, and utterly unpretentious. Bill Jones was one of the most wise and generous spirits I have known, and I will miss him greatly.

**WILLIAM C. KIRBY**  
Dean, College of Arts and Sciences  
Harvard University

Bill: The thought of the twinkle in your eye and your kind manner will always make your friends smile.... We will continue to be guided by your spirit.

**R. RANDLE EDWARDS**  
Walter Gellhorn Professor of Law Emeritus  
Columbia University

William Jones was a true mentor while I was a student at Washington University School of Law. He was a scholar whose impact on the field of Chinese legal studies in the United





States and all over the world will be felt for many more years to come.

**JOHN C. BALZANO**  
WU JD '04 Postdoctoral Fellow  
Yale Law School

My lasting memory of him will be as a highly accomplished senior scholar who was genuinely interested in the work of younger scholars, and who retained a real sense of modesty about our ability to understand the place of law in the wider world in which we live.

**JOHN OHNESORGE**  
Assistant Professor of Law  
University of Wisconsin Law School

Prof. Jones was also a great human being to be around. He was always very kind, gentle and had a sense of humor. He was a great mentor to me and many other Chinese who had been around him.... a great scholar who was wise and humble [*dazhi yongrong*]. His death is a great loss to us but his kindness and scholarship will live within us forever.

**WEI LUO**  
Director of Technical Services  
and Lecturer in Law  
Washington University School of Law

I first met Bill Jones in the early 1980s when he was teaching at Wuhan University, and greatly admired his open, generous and pioneering spirit. He made wonderful contributions to the study of Chinese law and U.S.-China relations over the years, and his legacy will long be remembered by his Chinese and American students and colleagues.

**TERRILL E. LAUTZ**  
Vice President and Secretary  
Henry Luce Foundation

In his apparently relaxed and genuinely humorous way, Bill made a profound and lasting impression on all who were privileged to share his interests in China, past and present.

**JEROME COHEN**  
Professor of Law  
New York University

Bill Jones was both well-liked and well-respected. His work was what comparative law should be – combining knowledge of Chinese law with other legal systems, and insight with wisdom. He will be sorely missed, but fondly remembered...

**RANDY PEERENBOOM**  
Professor of Law  
UCLA

Not only did Bill enrich our understanding of everything from the criminal law of the Qing Dynasty to sales contracts in the PRC, he shared generously with his friends and colleagues his fine appreciation of the ridiculous both inside and outside the field.

**DONALD C. CLARKE**  
Professor of Law  
George Washington University

Bill Jones' precise, elegant translation of the statutes of the Qing Code is perhaps his greatest contribution to Chinese legal history. By treating the Code as "one of the major products of the Chinese intellectual tradition" and making it accessible, he accomplished his goal of giving legal history, and, more generally, law a major role in Chinese studies.

**JONATHAN K. OCKO**  
Professor and the Head Department of History  
North Carolina State University

For other remembrances, see *China Law Professors Blog*, September 28, 2005 ([http://lawprofessors.typepad.com/china\\_law\\_prof\\_blog/2005/09/in\\_memoriam\\_will.html](http://lawprofessors.typepad.com/china_law_prof_blog/2005/09/in_memoriam_will.html)).

# global law talks



Dale Furnish



William C. Jones



Justice John Major

During the year three new Global Law Talks were added to the series of brief 20- to 30-minute interviews with faculty and guests on a variety of international and comparative law topics. They were:

“A Conversation” with **William C. Jones** and **John Haley**

“A Conversation on the Candian Supreme Court” with **Justice John Major** and **John Drobak**

“Another Look at Judicial Reform in Mexico” with **Dale Furnish** and **John Haley**



# LL.M. program

## CELEBRATING THE LL.M. PROGRAM

*Michele Shoresman, Assistant Dean -  
Graduate and Joint Degree Programs*

The LL.M. program in U.S. Law welcomes practicing attorneys from all over the world; this year we had students from all five continents. The LL.M. program is a challenging educational experience that most students thoroughly enjoy.

The LL.M. in U.S. Law is a one-year, twenty-credit master's degree in law. One course is required, a four-credit Introduction to U.S. Law and Legal Methods. With respect to the course, as Gyeong Ho Um (Korea) '05 observed, "Legal research, drafting a legal memo, and writing a brief were really hard, but they absolutely helped me to achieve my goals here ... your approach was really practical and effective." LL.M. candidates are otherwise free to select courses in the regular J.D. curriculum. LL.M. candidates may also participate in a Judicial Observation Program. Students can spend six weeks observing the workings of the courthouse – from opening arguments to closing arguments and from pretrial motions to sentencing. The students write memoranda and orders for the judge and develop skills that will be useful in future practice.



*Top: Chalermkwan Rianvichit (Thailand), Pei-Chen Wu (Taiwan), Yi-Fang Wu (Taiwan) and Friederika Seligman at the home of Dean Joel and Friederike Seligman*

*Middle: LL.Ms '05 participate in the Relay for Life for the American Cancer Society*

*Bottom: Haifeng Hong (LL.M. '03, J.D. '05) and Michele Shoresman*

## tokyo alumni lecture series



Professor Yoshiaki Nakamura, Dan Ellis and Katsumi Shirai, LL.M alumni

The Whitney R. Harris Institute for Global Legal Studies, in conjunction with the School of Law, recently completed an inaugural summer session of Continuing Legal Education (CLE) classes in Tokyo, Japan. Spanning five months, from March to July, the dozen CLE classes covered topics ranging from “The Pros and Cons of the American Tort Law System and Why Alleged Reforms Currently on the Table Won’t Work” to “Practicing Law in Japan: A Japanese Legal Ethics Survival Guide and Update for Persons Admitted to Practice in the United States.”

One class, “Japanese Investment in U.S. Real Estate” taught by Professor Jo Ellen Lewis and assisted by JD/MBA Adam Zuckerman was a testament to the program’s accomplishment. Attended by Washington University School of Law alumnus, a Japanese law professor, as well as several practicing attorneys and

graduate students, the class touched on hot topics, including real estate investment trusts, typical structures of real estate investments in the United States, and vehicles for financing investments. Utilizing a powerpoint presentation, handouts, and the collective knowledge brought by those present, the class discussed comparisons between the Japanese

and United States legal system with respect to real estate acquisitions, financing, and leasing. Given the expressed interest in overseas CLEs by those present throughout the course of the lecture series, the possibility of future classes is real.

For more information, please visit: [www.wulaw.wustl.edu/igls/tokyo](http://www.wulaw.wustl.edu/igls/tokyo)



LL.M. graduate Kazuhiro Koide, Kathryn Adamchick and Professor Bruce La Pierre in Kyoto



March through June 2004

Through the generosity of Shin Watari, who provided the space, the encouragement and advice of alumni Katsumi Shirai (LLM '03) and Takeshi Kanda (LLM '03), and the able assistance of Yoko Manzawa and Chiaki Sato, the Harris Institute inaugurated a series of weekly lectures in Tokyo. The faculty participants and their topics are as follows:

18 March - **Professor Charles McManis**  
*Recent U.S. Supreme Court Decisions in Intellectual Property Law*

25 March - **Professor Dorsey Ellis**  
*The Microsoft Case - American and European Perspectives*

15 April - **Assistant Professor Andrew Mertha** (Political Science)  
*Legal vs. Administrative Enforcement in China: The Case of Intellectual Property*

22 April - **Professor Kathleen Clark**  
*Ethical Standards for Government Legal Advisors - The Torture Memos*

13 May - **Professor Scott Kieff**  
*IP Transactions: Theory & Practice of Commercializing Innovation*

20 May - **Professor Peter Joy**  
*Practicing Law in Japan: A Japanese Legal Ethics Survival Guide and Update for Persons Admitted to Practice in the United States*

27 May - **Professor Bruce La Pierre**  
*First Amendment Religious Issues - Recent Developments in the Supreme Court*

3 June - **Professor Bruce La Pierre**  
*Appellate Practice in the Federal Courts*

10 June - **Professor Kim Norwood**  
*The Pros and Cons of the American Tort Law System and Why Alleged Reforms Currently on the Table Won't Work*

17 June - **Professor Neil Bernstein**  
*Rights of Individual Workers and Their Protection - American Views*



Top: Professor Fujikura of Doshisha and Bruce La Pierre lecturing  
Bottom: From left, Jo Ellen Lewis with Tadashi Yamada, his wife Hiromi and daughter Mia

24 June - **Professor Jo Ellen Lewis**  
*Introduction to Japanese Investment in U.S. Real Estate*

1 July - **Professor C.J. Larkin**  
*Ethical Negotiation and Mediation Strategies*



Top: Basketball game with students from Aoyama Gakuin University School of Law and Jo Ellen Lewis's family

Bottom: Dinner with Dean Isao Kaminaga, Jo Ellen Lewis, Robert Cooper, and Yui Kaminaga, daughter of Dean Kaminaga



## faculty & staff notes



**Jane Aiken**

*William M. Van Cleve Professor of Law*

The Harris Institute for Global Legal Studies joined forces with the International and Area Studies Program for a trip to the Republic

of Georgia this summer to further develop a Washington University summer program in that country. **Professor Aiken** joined **Jim Wertsch**, Marshall S. Snow Professor in Arts & Sciences, Education and Sociocultural Anthropology and Director of the International and Area Studies Program at Washington University. **Professor Wertsch** has written extensively about the developing democracy in Georgia and operated a summer program for undergraduates involving course work and internships. During the summer of 2004, **Professor Wertsch** took twelve undergraduates to Georgia to explore and study how democracy and civil society can emerge in today's complex world. The students did course work and internships while living in the capital

city, Tbilisi. This is the only program of its kind in the United States. This summer's visit was to determine if there might be a way for Washington University law students to play a role in that program. **Professor Aiken** met with legal organizations in Tbilisi and with university and political figures to explore options. Georgia appears to be an exciting place for law students to experience the development of a robust constitutional democracy in a culturally diverse community. The Georgians appear eager for our participation.

The Republic of Georgia is a tiny country smaller than South Carolina. A part of the Caucasus, Georgia has always been fiercely independent,



*From left: Gerald Early, Jane Aiken, Georgian President Eduard Shevardnadze and Zurab Karumidze*





**John O. Haley**

Wiley B. Rutledge Professor of Law and Director, The Whitney R. Harris Institute for Global Legal Studies

During the year, **Professor Haley** participated in several scholarly conferences. In April 2004, he presented a paper entitled “No-Exit Employment, Competition and Economic Performance: Explaining a Paradox” at a conference on *Japan’s Political Economy: Accidental Overachiever Or Temporary Underachiever?* held in Dallas, Texas, at the John Goodwin Tower Center for Political Studies of Southern Methodist University. Also in April, he participated in a “colloquy” on the Japanese judiciary at the symposium on *Japanese Law: Current Issues and Controversies* sponsored by Asian Law, Politics and Society at the University of Illinois College of Law. In May **Haley** joined a Japanese Legal Studies Conference in New York City sponsored by Cornell Law School with a paper on “Are Legal Reforms Really Changing Japan.” In September in Berlin he spoke on “Japanese Perspectives, Autonomous Firms and the Aesthetic Function of Law” at a symposium cosponsored by the Japanese-German Center and the Max Planck Institute for Foreign Private and Private International Law on *Changes of Governance in Europe,*

*Japan, and the U.S. Corporations, State, Markets and Intermediaries.* **Professor Haley** participated in two additional symposia in October. The first was a conference on *Comparative Approaches to Regulating Religion and Belief: State Authority and the Rule of Law* held in Beijing and cosponsored by the Institute for World Religions of the Chinese Academy of Social Sciences and the Harris Institute, among others. The second was sponsored by the Center for Legal Dynamics of Advanced Market Societies (CDAMS) of Kobe University, the Kobe symposium *Towards Diversity and Sustainability of Competitive Orders in Asia: An Approach from Legal Dynamic.* **Haley** spoke on “Competition Law and Policy in the New Industrial States of East Asia.”

Two of **Professor Haley’s** articles and a book review were published during the year: “A Competition Policy for APEC,” 3 *Washington University Global Studies Law Review* 277 (2004); “Revisiting the Asian State: Japan Weak State, Vital Industries,” in Richard Boyd and Tak-Wing Ngo, eds., *Asian States: Beyond the Developmental Perspective* (London and New York: Routledge/Curzon, 2004), pp. 67-82, and a review of *Measuring Judicial Independence: The Political Economy of Judging in Japan* by J. Mark Ramseyer and Eric B. Rasmusen in the *Journal of Japanese Studies*, volume 30, No. 1 (Winter 2004), pp. 235-240.

**Haley** continues to serve on the Board of Trustees, Society for Japanese Studies (*Journal of Japanese Studies*) and the Board of Directors, World Affairs Council of St. Louis. He was also recently elected to the Executive Committee of the American Society of Comparative Law.



Janite Lee Reading Room

even while a part of the former Soviet Union. For years after the fall of the Soviet Union, Georgia was in turmoil. In November 2003, the Rose Revolution galvanized the nation. That bloodless revolution resulted in the resignation of **President Eduard Shevardnadze** and energized the people of Georgia to invest in democracy. The people are excited about their role in the government and are committed to changing the old, corrupt practices that have bogged down the emergence of democracy.

There is so much for lawyers to learn about the construction of law and the role law plays in empowering citizens by changing fundamental practices learned over so many years of Soviet control. **Professor Aiken** hopes to place several law students in the country next summer.

The Liberty Institute, one of the summer placements, was a major player in the Rose Revolution and continues to be a watchdog ensuring that promises made are promises delivered by the new government.

The Georgian Young Lawyers Association, another potential summer placement, is widely regarded as the premier organization of lawyers committed to enforcement of the rights of the people.

These two placements ensure that the law students will be at the very heart of the democracy effort and will be able to do hands-on legal work beneficial to the people of Georgia. In addition, students will be connected to Washington University faculty who will help make the process understandable to the American eye.

While in Georgia, **Professor Aiken** also joined **Professor Gerald Early** and **Zurab Karumidze** as they created

the Jazz Institute, which will be a partnership between Washington University and the Tbilisi Technical University. **Professors Aiken, Early** and **Wertsch** participated in the thesis defenses of several American Studies master's degree students at Georgia State University, met with dignitaries, such as former **President Eduard Shevardnadze** and **U.S. Ambassador Richard Myles**, and visited third-century churches and Stalin's birthplace. **Professors Wertsch** and **Aiken** traveled to Batumi on the

Black Sea to evaluate a youth program funded by the American Embassy and Washington University designed to increase cultural understanding among Moslem and Christian children.

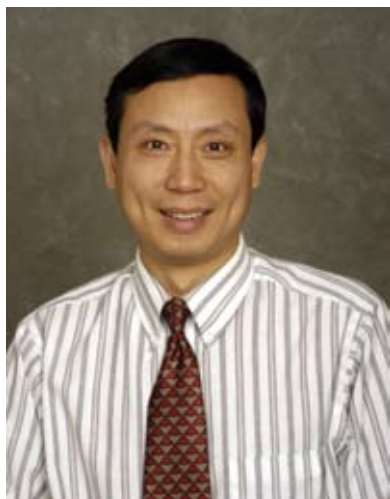
The Georgian trip will also result in scholarly research for **Professor Aiken**. She attended a scholarly conference at the Rockefeller Center in Bellagio, Italy, to discuss the national narrative that Georgians use to interpret their past, present, and future. Scholars from Georgia and all over the world convened to create a conceptual framework for understanding this national narrative as it both unfolds and shapes Georgians' conceptions of themselves. **Professor Aizen** will participate in the creation of a white paper for the Georgian government on negotiating a new national narrative and will write an article about narrative as advocacy in an international context using the experience of Georgia as a departure point.



**Stephen Legomsky**  
Charles F. Nagel Professor of Law

**Professor Legomsky** was the winner of this year's Arthur Holly Compton Faculty Achievement award for the Washington University Hilltop Campus. This fall he is the Mason Ladd Distinguished Visiting Professor at the University of Iowa. *Foundation Press* has published the fourth edition of his course book "Immigration and Refugee Law and Policy," which has been a required text at 147 law schools. During the past year, he also published an article on national security and ethnic profiling in the *Boston College Third World Law Journal*, wrote an article on judicial independence for the *Cornell Law Review*, coauthored a paper on U.S. and Canadian refugee policies for publication by *Berghahn Books*, gave two faculty workshops at the University of Iowa, and participated in workshops at Fordham University, Cornell University, Washington University, and Lake Tahoe. In Prato, Italy, **Legomsky** presented a paper at an asylum conference cosponsored by the UN High Commissioner for Refugees and Monash University.

## faculty & staff notes



**Wei Luo**

Director of Technical Services &  
Lecturer in Law

**Wei Luo's** most recent book, *Chinese Law and Legal Research* was published by W. S. Hein in 2005. It covers the Chinese governmental structure, legal system, and sources of law. The aim is to orient would-be researchers to enable them to approach Chinese legal research. Several flow charts were created to illustrate the Chinese legal system. Also discussed are the Chinese legal publishing industry and how Chinese government information is disseminated.



**Kathleen Clark**

Professor of Law

In September 2004, **Professor Clark** participated in an international conference on conflicts of interest in Trento, Italy. In April 2005, she participated in the Alumni Lecture Series in Tokyo and spoke at Doshisha University in Kyoto. During the summer of 2005, she commented on Vietnam's anti-corruption law as part of a project coordinated by the United Nations Development Program.



**David Thomas Konig**

Professor of History and Professor  
of Law

Among **Professor Konig's** scholarly endeavors during the past academic year was an article entitled "The Persistence of Resistance: Civic Rights, Natural Rights, and Property Rights" in the historical debate over the right of the people to keep and bear arms, which appeared in volume 73 (November 2004) of the *Fordham Law Review*. **Konig** also gave a paper at the Institute of Bill of Rights Law, Marshall-Wythe School of Law, College of William and Mary: "Understanding States' Rights in the Early Republic: St. George Tucker on the Theory and Purpose of the Federal Compact." This paper examined concepts of federalism drawn from international law in the Enlightenment, and especially the influence of the Swiss writer, Emmerich de Vattel.





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