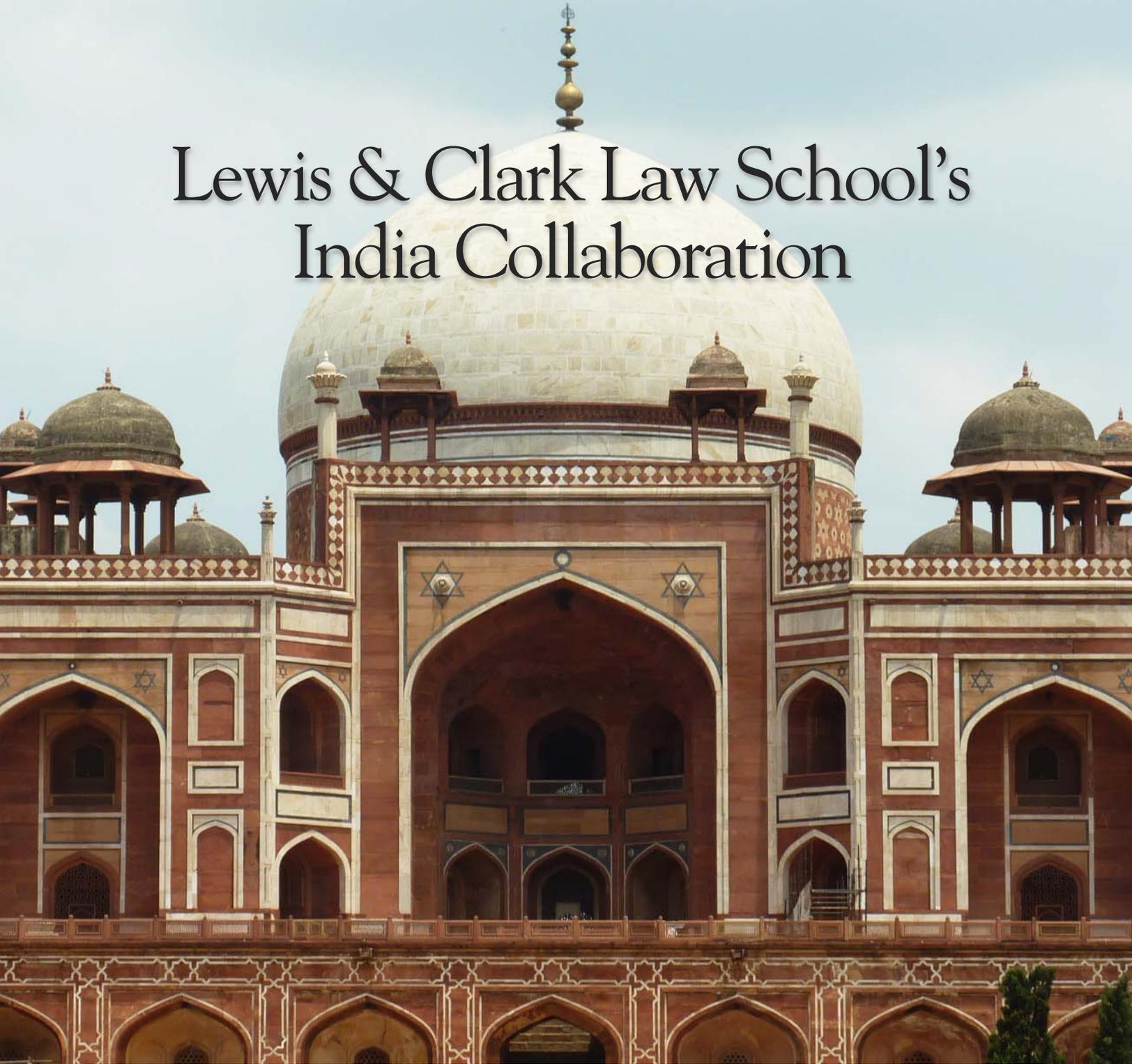


Passage to India, Portal to the World

Lewis & Clark Law School's India Collaboration



National Academy of Legal Studies
and Research (NALSAR) in Hyderabad



National Law School of India
University (NLSI) in Bangalore



National Law University
in Delhi

Passage to India, Portal to the World

by Bobbie Hasselbring

“India is already touching our lives in more ways than most of us realize. In a very real sense, we already live on Planet India. No other country matters more to the future of our planet than India. There is no challenge we face, no opportunity where India does not have critical relevance. India is now a pivotal player.”

Mira Kamdar, Planet India (2007)

From business leaders to economic and political analysts to heads of state, people around the globe have come to the same conclusion: India will be the next world power. That makes it the place where progressive, forward-thinking institutions like Lewis & Clark Law School need to be—and it’s why Dean Robert “Bob” Klonoff, Professor Susan Mandiberg, Board of Visitors Chair Mark Tratos, and numerous others in the Law School community have put India at the center of exciting new plans for Lewis & Clark.

First and foremost among these is the “India collaboration,” an innovative partnership between top Indian law schools and Lewis & Clark. Adopted by the Law School’s Global Law Committee and supported by the Law School faculty, it is the cornerstone of Lewis & Clark’s emerging Global Law Program. The collaboration will create first-of-their-kind legal and cultural exchanges that will position Lewis & Clark to take a prominent place among U.S. law schools in global law.

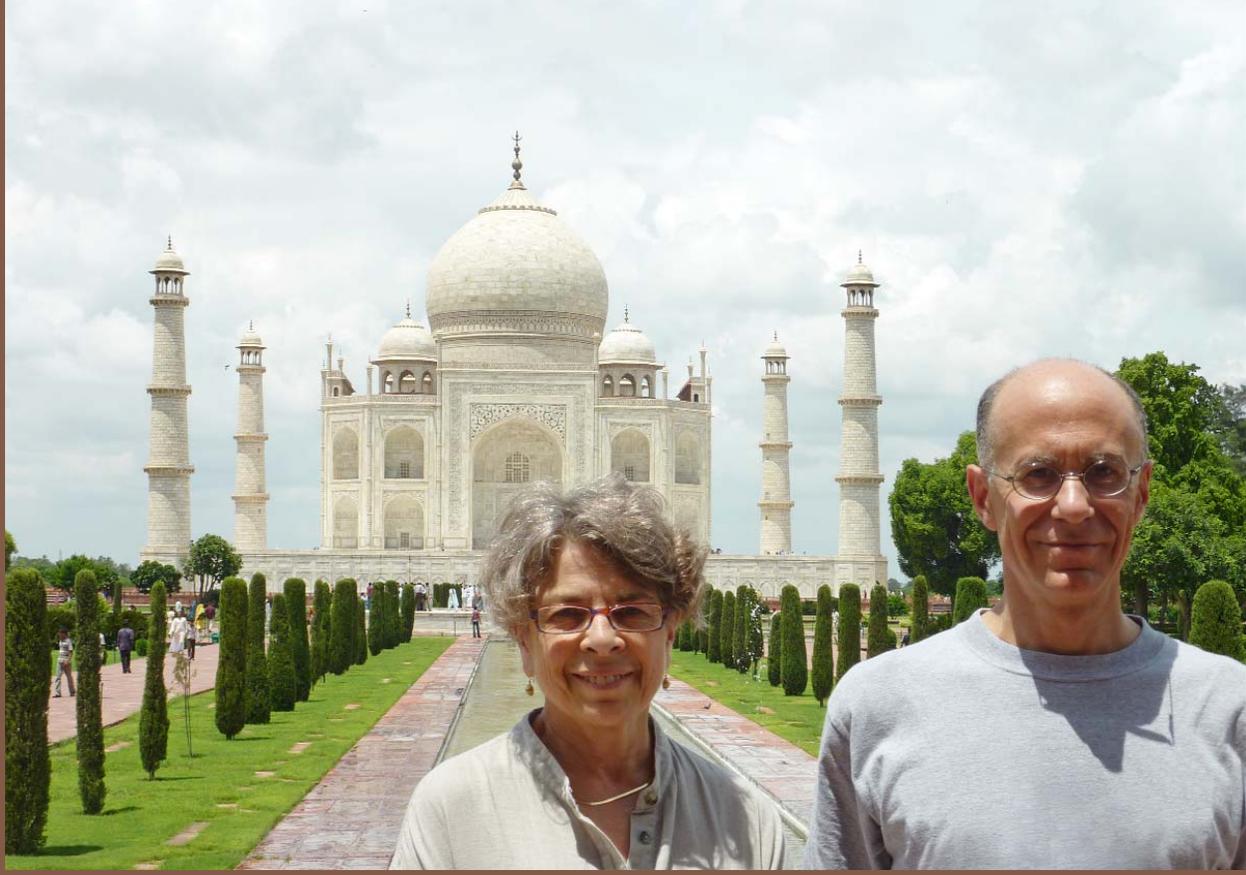
On the Cover: Humayun’s Tomb, Delhi. Photo used by kind permission of Dean Robert Klonoff.

Going Global

Lewis & Clark has long been recognized as a leader for its pioneering work in environmental law and animal rights law. Many of its faculty, alumni, and students have worked internationally in these and other areas, but a bigger dream has been in the works: expanding the Law School’s international presence by developing its international offerings into a comprehensive global law program.

Early in his deanship, Klonoff began laying the groundwork for the program by forming a collaboration with the University of Missouri at Kansas City’s well-regarded China program. For the past three summers, Lewis & Clark law students, accompanied by a faculty member (Mandiberg the first summer, Amy Bushaw the second, and Klonoff the third), have taken for-credit courses taught by Chinese professors in English at Peking University, one of the premier universities in China. Approximately three dozen students have participated. The China program has also afforded members of the Law School community opportunities to reconnect with alumni in China, including Ai Hong ’97, Hu Zaichi ’95, and Ge Jun ’95. “We have a very impressive group who came to Lewis & Clark for their degrees,” says Mandiberg. “They have returned to China to practice law, and many of them are prominent and doing extremely interesting work. We’ve been able to connect our students with them and also create externships in Chinese law firms, which is really exciting.”

But many in the Law School community saw the need for more, and the school still was without a world-class



international exchange program of its own. “Now everything is so much more interconnected,” says Chris Helmer ’74, one of the Global Law Program’s early supporters. “I don’t think you can practice law appropriately without knowing something about global law. Today, people need to know more about global law to be competent in their jobs.”

The Global Law Committee

Klonoff knew from the beginning he had a solid base for a global law program in his faculty. Numerous professors teach courses on global law topics, and many have taught overseas through Fulbrights or other vehicles. So, one of the first things the dean did when he came to the Law School was to bring together faculty members to form a Global Law Committee. Using funds from the Strategic Initiative Fund established by the president of Lewis & Clark, the Global Law Committee commissioned local attorneys Dagmar Butte ’91 and Paul Taylor to conduct an extensive study. What were other law schools doing in global law? What are Lewis & Clark Law School’s existing strengths? Where could the school find new and substantial opportunities for exchange and collaboration in global law?

The Global Law Committee carefully analyzed the results of the study and discussed the consultants’ recommendations. The committee, and then the faculty as a whole, came to the same conclusion: India was the place for Lewis & Clark to explore developing its international global law program.

Mandiberg and Klonoff could not pass up a visit to the Taj Mahal. The monument’s beauty was saved by M.C. Mehta, their host in Dehradun. Mehta visited Lewis & Clark in October 2010.

In the summer of 2009, the committee sent Klonoff and consultant Swethaa Ballakrishnen, a graduate of a prestigious national Indian law school who was pursuing an LL.M. at Harvard, to make sure that what Lewis & Clark saw on paper was validated on the ground. It was.

“India is the largest democracy in the world,” explains Klonoff. “Predictions are by 2050, India will have the world’s largest population. From my own research, and with guidance from many others, we found that if we want to do something cutting-edge, India is the place to be.”

Not only is India one of the fastest-growing powers on the planet, its legal system is based on the British model, making it a good fit for Lewis & Clark students and faculty. It also has a number of government-funded, first-class law schools with excellent facilities and superb faculty, including legal experts working in areas such as business, intellectual property, human rights, and environmental law. These national law schools have significantly raised the bar of legal education in India and attract India’s best students. As a bonus, English is the language of the legal profession in India, so all the classes at these law schools are taught in English, making India more accessible to Lewis & Clark faculty and students than most other countries.

Perhaps even more important, India offers unlimited opportunities for research, collaboration, scholarship, and intellectual and cultural exchanges. Yet no other major



From his Kolkata hotel, Klonoff witnessed a political rally attended by over 500,000 people.

American law school has established a comprehensive, multifocused faculty and student exchange program there. “I was astonished,” says Klonoff. “While lots of schools have mature programs in China, virtually no other U.S. law school has a program in India of the caliber we’re developing.”

Klonoff returned from his first India trip with substantial information about the possibilities—and with commitments from three premier national law schools in Hyderabad, Bangalore, and Delhi to enter into memoranda of understanding (MOUs) with Lewis & Clark Law School. Klonoff also established connections with several of India’s most prominent attorneys. He presented his findings to the Global Law Committee and the law faculty, and they concluded that the school should move forward.

The Global Law Committee next charged Klonoff and Mandiberg, a committee member, with a huge task: Return to India to work out the operational details of the program, explore MOU opportunities with other schools, and formally launch Lewis & Clark’s Global Law Program by having Mandiberg teach a course in India. The pair was also to develop or reestablish contacts with law firms, businesses, not-for-profits, and other organizations for externships, thereby securing opportunities for Lewis & Clark students to have hands-on, for-credit experiences.

Mumbai

For greater efficiency and to cover more ground in India, Klonoff and Mandiberg initially split up. The dean headed to Mumbai (Bombay), India’s largest city. “Mumbai is the financial, cultural, and entertainment capital of the country. It has some of the finest restaurants in the world and a number of historical attractions,” Klonoff wrote on his

Global Law: More Than the Sum of Its Parts

“Global law is one of the most challenging fields because it combines not just the intellectual or academic aspects of law, but it also has a cultural component,” says Chris Helmer ’74, who works in the field. “Global law requires understanding technically what conventions apply and what laws of which country apply. But you also have to understand the cultural aspect to make what you want happen.”

Global law encompasses the following:

International law: the laws, rules, or legal principles regarding the rights and duties of nations or citizens of different nations in relation to one another. Private international law typically deals with legal issues affecting businesses, corporations, and commercial transactions. Public international law typically deals with governments, nonprofit agencies, and, occasionally, individuals or groups of individuals.

Transnational law: the laws relating to transactions that involve the domestic laws of two or more countries.

Comparative law: the study of the similarities and differences between the domestic laws of two or more countries or international schemes.

Global law can be a part of many legal areas, including, but not limited to, environmental, criminal, intellectual property, and immigration law. Lewis & Clark Law School offers courses specifically in global law, as well as classes that feature aspects of global law, such as business transactions, tax law, litigation of business disputes, mediation and arbitration of business disputes, government regulation of corporations by foreign entities, and the impact of trade agreements on business entities.

For more information about global law at Lewis & Clark Law School, visit law.lclark.edu/departments/global_law.

blog. “One of the most interesting is the Mani Bhavan, the home Gandhi lived in between 1917 and 1934. The museum contains important historical treasures, including a letter written by Gandhi to Adolph Hitler in 1939 urging Hitler to pursue a path of peace rather than war.”

Klonoff met with attorneys from a leading law firm, Somandy and Associates, to discuss externship opportunities. The Mumbai firm, which focuses on business law and employs 16 associates, was enthusiastic about mentoring Lewis & Clark students.

Hyderabad

Meanwhile, Mandiberg made her way to Hyderabad, capital of the state of Andhra Pradesh and a key center for the information technology and film industries. There, she met with administrators and faculty at the National Academy of Legal Studies and Research (NALSAR). The school is an alma mater of Nawneet Vibhaw '10, who graduated from Lewis & Clark with an LL.M. in environmental and natural resources law. (At India's national law schools, the first degree in legal education is an undergraduate degree, usually completed in 5 years.)

Mandiberg also lectured at NALSAR on the United States' experience in the administration and enforcement of environmental laws, a subject of keen interest to the Indian legal profession. While India has some excellent environmental laws on the books, they've been less successful in enforcing those laws, and major environmental problems plague the country.

Hyderabad's Charminar, built in 1591 by Sultan Muhammad Quli Qutb Shah.



Professor Anuradha Saibaba, Mandiberg, and Klonoff at National Law School of India University (NLSI) in Bangalore.

The MOU with NALSAR creates opportunities to pursue collaborative research and for faculty and student exchanges between the schools. “They were very excited about it,” says Mandiberg. In fact, NALSAR has already chosen the student who will be attending Lewis & Clark Law School in spring 2011.

Personal connections proved invaluable. Justice Habeeb Ansari, formerly of the High Courts in Andhra Pradesh and West Bengal, now lives in Oregon but maintains close ties with his former colleagues in India. In addition to helping guide the Law School's explorations in India, he provided introductions for Mandiberg to people like Asadullah Pasha, a prominent attorney in Hyderabad. Through Pasha, Mandiberg met with Niranjana & Associates and Ravi S., both general litigation firms, about externship opportunities. According to Mandiberg, “These firms are eager to have our students as externs. Working with these High Court advocates would be a wonderful experience for our students interested in learning how litigation works in India.”

Bangalore

Klonoff and Mandiberg met up in Bangalore, capital of the state of Karnataka. The third largest city in India, it is famous for its institutions of higher education and as the country's leading exporter of information technology.

Most of the major U.S. high-tech firms have a presence there, including Intel. Bangalore is also home to the National Law School of India University (NLSI), one of the finest law schools in the country.

“Wherever we went in India,” says Klonoff, “people talked about NLSI as India’s premier law school. It has a great reputation and is the number one choice of schools in the country for prospective students. The university is immersed in scholarship and has both an environmental law center and journal and an intellectual property center and journal. The school also has major collaborations with the Indian government.”

Mandiberg taught a course at NLSI and was met with an enthusiastic response. “We had 60 students sign up for the one-week class,” she says. “It was a little overwhelming. But it’s an indication of the huge interest students and faculty have in this collaboration. It also means I arrived home to a stack of 5- to 10-page term papers that I had to read.” The MOU with NLSI ensures student and faculty exchanges and collaborative research. The agreement also specifies joint hosting of international conferences. “I’m really excited about this piece of the program,” Klonoff says. “The plan is that we’ll cohost a worldwide conference on an important topic like climate change. The first one will be held in Bangalore, cohosted by Lewis & Clark. We’ll invite speakers and people from all over the world. The following year, we’ll hold the conference here at Lewis & Clark.”

They also met up with Camaron (Cammie) Vallepalli ’03, who works with a Portland-based U.S law firm. As a child, she spent summers in India where her father worked with an NGO, and she’s been living there with her Indian-born husband for the past four years. She holds a master’s degree in South Asian studies and speaks fluent Telugu, the primary language of the state of Andhra Pradesh. Vallepalli will be an important resource as Lewis & Clark’s Global Law Program in India develops. “It’ll be great to have someone on the ground there who knows India so well,” says Mandiberg.

In addition, Klonoff met with the entire legal team at Intel India, where Vallepalli’s husband works. “We still have some details to work out, but Intel is very open to externship opportunities,” says the Dean. “The company is excited about the prospect of mentoring our students.”

Kolkata

Then it was on to Kolkata (Calcutta), a city renowned for widespread poverty as well as cultural riches. Klonoff and Mandiberg had a productive meeting with officials at West Bengal National University of Juridical Sciences. That school and Lewis & Clark are exploring an MOU that focuses on student and faculty exchanges and collaborative work.

While in Kolkata, Klonoff and Mandiberg also visited with the managing partner of the Kolkata branch of Amarchand Mangaldas, one of the largest full-service law firms in the country. He welcomed the idea of mentoring Lewis & Clark Law students in externships. “This transactional firm does it all, including business and regulatory practice,” says the dean. “They’re willing to make a real commitment to taking our students.”

Mehta’s Mountain and Dehradun

In 2009, Klonoff had made connections with noted environmental lawyer and author M.C. Mehta, “the man who saved the Taj Mahal.” In 2010, Klonoff and Mandiberg traveled to Swastigram, Mehta’s ashram for lawyers. Located in the foothills of the Himalayas, the ashram works to bring together the spiritual and legal components of environmental law.

“Mehta wanted us to understand how environmentalism and spiritualism are connected in India,” explains Mandiberg. (See the sidebar “The Heart and Soul of Indian Law.”) “For instance, he’s fighting dam building on the upper reaches of the Ganges River. These dams would prevent the natural flow of the river and stop millions of devotees of Shiva—pilgrims who walk hundreds of miles to get to this part of the river—from engaging in rituals central to their religion. He’s just won the latest battle in this fight, and the central government has intervened. The dam construction is halted for now, and maybe for good.” Mehta is starting a program for students, and he is excited about having Lewis & Clark Law School faculty teach.

While staying at Mehta’s home, Klonoff and Mandiberg met attorney Renu D. Singh and others who work against the exploitation of women and children at Samadhan, a nonprofit located in Dehradun. “We dropped everything to go over and see this organization. These people were so excited about externships with our students they wouldn’t let us leave,” says Mandiberg.

The Heart and Soul of Indian Law

In India, the law and spirituality are connected. Faculty and students who visit the country are certain to have life-changing experiences. Here are a few examples of the passionate work people are doing in India.

Saving Children

In the summer of 2009, Dean Bob Klonoff visited Kolkata's Nirmala Shishu Bhavan (Children's Home of the Immaculate Heart), the famed orphanage opened by Mother Teresa. There he found nuns and volunteers caring for severely deformed children who were abandoned and left to die. The staff hold the children, play with them, talk with them, and give them the nurturing their own families are unable—or unwilling—to provide. One baby, a child whose neck was bent at an awkward angle and who had been intentionally blinded, touched Klonoff deeply. "When the volunteer handed this child to me, she was a dead weight, lifeless and unresponsive. I began to rock her. After a minute or so, her face broke into a big, beautiful smile. She was in heaven. I rocked her until she fell asleep. It's something I'll never forget."

Stopping Environmental Degradation

Klonoff and Professor Susan Mandiberg had the privilege of meeting G.D. Agrawal, an environmental engineer who was "fasting unto death" in an effort to stop the building of the dams on the upper reaches of the Ganges. This was Agrawal's third fast protesting the construction. He had thought an earlier halt to construction would be permanent, but the government had reneged and given the go-ahead for the dams. At the close of August 2010, the central government intervened to stop the dams. Agrawal ended his fast soon after.

Restoring Lives

During their visit to Samadhan, an NGO in Dehradun, Klonoff and Mandiberg met several young men and women who had been physically abused and abandoned to the streets. Because of the nonprofit's intervention, these and many other people had a safe place to live, medical treatment, education and training, help with legal issues, and placement in jobs with employers committed to treating them with dignity and respect. Samadhan's staff, including the attorney who is its driving force, begin their day with devotions and are sustained in their challenging work by their spiritual commitment.

Delhi

Finally, it was on to Delhi, the seat of India's government, its Supreme Court, and the National Law University. Lewis & Clark's MOU with the National Law University includes cohosting conferences, student and faculty exchanges, and scholarly collaborations.

"National Law University is an absolutely stunning campus in an urban setting that's served by a metro line," reports Mandiberg. Because of its connections with the Indian government and Supreme Court, this law school "offers unique opportunities for Lewis & Clark law students," according to Klonoff. It is also a prime venue for international conferences, a subject that Klonoff and Mandiberg explored while on campus.

Delhi yielded the richest source of externships, with firms specializing in human rights, environmental law, transactional practice, and litigation. "We've lined up the two premier law firms in Delhi, both of which have agreed to offer our students externships," says the dean, noting that Foxmandal Little made a commitment to participate in the program, as did Amarchand Mangaldas.

Klonoff and Mandiberg also met with Advocate Sanjay Upadhyay and Senior Advocate Shyam Divan, two high-profile lawyers, to forge externship possibilities. "They're eager to work with our students," says Klonoff. "The

Mandiberg and Klonoff with a first-year constitutional law class at NLU in Delhi. NLU is the newest of India's national law schools.





Library at NALSAR in Hyderabad.

placements would give our students the opportunity to participate in major litigation.” Upadhyay specializes in environmental litigation; indeed, his is the first environmental public interest firm in India. Divan handles a wide variety of matters in a practice focused on the Indian Supreme Court.

Additionally, Klonoff and Mandiberg met with Raj Panjwani, the leading animal rights advocate in India. Like fellow prominent lawyers, Panjwani is interested in offering externships to Lewis & Clark students, particularly because of Lewis & Clark Law School’s reputation as the top animal rights law school in the United States.

The South Asian Human Rights Documentation Centre also wants Lewis & Clark law students to help with human rights work, including writing investigative reports. The Human Rights Law Network (HRLN), which handles a broad range of cases, including family law, housing, and children’s rights, is excited about Lewis & Clark externs, too. “We received unbelievable support and welcome from HRLN,” says the dean. “They’re a very prestigious human rights organization and they’re eager to adapt their internship program for our students.”

From Dreams to Reality

With the signing of MOUs with three top law schools in India and the exploration of a fourth, Klonoff, the Global Law Committee, and the Law School faculty can now take the next steps to put the Global Law Program in place. “Programs that operate the best are those that have long-standing relationships with schools in other countries,” says Mandiberg. “We’re in the process of relationship building—building trust, figuring out the expertise, and collaborating on details.”

One priority will be planning for the first collaborative conference cohosted by Lewis & Clark Law School to be held in India. Another task will be to solicit faculty and students, including those at Lewis & Clark College of Arts and Sciences, who may be interested in experiencing the educational and cultural opportunities available through the Law School’s contacts in India. The Law School will also be looking at more students from India interested in coming to Lewis & Clark.

A major step will be raising money to fund the Global Law Program. (See “Make a Global Impact” on page 9.) “I’d love to have enough money to really do this right,” says Mandiberg. “Lewis & Clark students who want to study in India will need financial aid. The costs are enormous—the airfare, vaccinations, visas, travel insurance. Indian students will also need help with books, room, and board. It’s incumbent on us that the exchange go both ways. We have to send our faculty and students to India and we have to bring Indian students and faculty here. That’s what this is all about.” ■



Make a Global Impact

New programs, especially ones as far-reaching as Lewis & Clark Law School's Global Law Program, cost money.

"We're really building the Global Law Program from the ground up," says Professor Susan Mandiberg, chair of the Global Law Committee. "We're gathering data and forging relationships, making grant applications, and talking with potential donors who can make this program happen."

One enthusiastic supporter of the program is global law attorney Chris Helmer '74. "This will bring together and expand all the international things Lewis & Clark Law School has been doing into a comprehensive program," says Helmer, who helped fund some of the initial efforts. "Most of us want to give back to our community, and Lewis & Clark Law School's Global Law Program is a great place to give back. The program is coming at a time when there are a lot of misunderstandings among cultures that threaten our security and our ability to be progressive. One of the best ways to overcome these misunderstandings is to have more cultural and intellectual exchanges like those offered by the Lewis & Clark Global Law Program."

As politics, economies, and businesses become more global, the need for attorneys trained in global law and comfortable with different cultures will expand. "This will be a very exciting program for donors," says Dean Klonoff. "There's no other U.S. law school that has a program of this scope and caliber in India. With the India collaboration, we are where we were 40 years ago with environmental law at Lewis & Clark—launching something new and important. With support from our faculty, alumni, and friends in the legal and business community, we have the opportunity to be the first to have a comprehensive global program in India."

Mandiberg and Klonoff discuss programs at NLSI in Bangalore with professors and students.

How to Support the Global Law Program

Donate. The Global Legal Education Fund will directly support the development of international programs, including faculty and student exchanges, student travel, collaborative research and scholarship, and international conferences. You can make a gift at law.lclark.edu/giving.

House a student. One of the greatest needs students coming to Lewis & Clark Law School from India have is for housing. If you are interested in providing housing, contact Ellen Kim at 503-768-6601 or ekim@lclark.edu. Local attorneys Pam Jacklin and Leonard Girard hosted an LL.M. student from India last year, and U.S. Magistrate Judge Janice Stewart and her husband, Gordy, will be housing an Indian student this spring. As the program develops, we will need additional homes for Indian students.

Mentor students. Are you an attorney working in global law who can mentor Lewis & Clark law students or students coming from India to study? Could you provide an externship opportunity? Contact Libby Davis at 503-768-6610 or eadavis@lclark.edu.

Other ideas? Ways to support Lewis & Clark Law School's Global Law Program are limited only by our imagination and our creativity. Do you have other ideas about how you might help? Let us know. Contact Barbara Zappas at 503-768-6641 or zappas@lclark.edu.



Making a Difference, One Student at a Time

Even before the Global Law Program had been officially launched, Lewis & Clark Law School was making a difference in the lives of Indian law students. This past year, Nawneet Vibhaw '10 and Kalpana Murari '10 traveled here from India to earn their LL.M. degrees in environmental and natural resources law.

Vibhaw, who comes from Bhagalpur in the state of Bihar, earned his law degree from the National Academy of Legal Studies and Research (NALSAR), a top national school that has signed an MOU with Lewis & Clark. He'd been practicing law in Mumbai at AZB & Partners, but left to pursue his LL.M. here. "I searched for the best law schools in the United States," says Vibhaw. "Lewis & Clark is consistently ranked as the best law school for environmental and natural resources law. That and being offered a scholarship made me quit my job to come to Lewis & Clark for my LL.M."

Murari had been practicing law for 18 years in India when a passion for environmental law brought her to Lewis & Clark Law School. "The professors at Lewis & Clark are exceptional, and they helped me a lot," she says. "I consider completing my LL.M. at Lewis & Clark a privilege and an enriching experience."

For Vibhaw, the opportunity to learn more about environmental and natural resources law wasn't the only reason he wanted to come to Lewis & Clark. "The LL.M. gave me the opportunity to specialize in environmental law, something I'd been practicing in India," he explains. "But most importantly, it gave me the opportunity to live in another country and learn about the

Rice paddy near Agra. Photo used by kind permission of Professor Susan Mandiberg.

culture, customs, and lifestyle here in the United States. Education for law students isn't only about grades or publications or moot courts. It's also about meeting people, observing and interacting with them, and developing interpersonal skills."

Comparing the American legal system to India's proved helpful for Murari. "Knowledge is gained through comparative studies," she explains. "It's given me insight into how American intellectuals think about important issues like global warming and climate change, and this will help me, especially at the negotiating table."

Both students say their experiences at Lewis & Clark will prove instrumental in advancing their careers and in helping improve the environment in India. "I want to put the learning and experience I gained here to use in India to create more awareness about the need to 'go green' in everyday life in India," says Murari.

"Lewis & Clark is simply the best law school for anyone seeking to study environmental and natural resources law," says Vibhaw. "It's time we in India started cleaning up our country, and India needs environmental lawyers. For me, this has been the experience of a lifetime, both academically and personally."

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