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Trading Places

Lessons in law and life in an innovative exchange program

Cross-cultural encounters change a person's perspective — forever. That is what 10 UB Law students discovered when they participated in UB Law's first joint international human rights law seminar with a foreign university, Jagiellonian Law School in Krakow, Poland. Built in the 13th century, Jagiellonian is one of the world's oldest universities.

Arriving in Krakow in the fall, the UB students were welcomed by their soon-to-be research partners. The 1994-95 Polish/American seminar's underlying theme, "Principles and Practices of Tolerance," set the tone for the next 10 days.

"The main idea was to strengthen communication across national boundaries, create tolerance through greater understanding, and enhance professional cooperation among future lawyers," UB Law Professor Isabel Marcus explained. "The international human rights law topic that was chosen — the protection of national minorities — is an issue of grave concern to all nations."

Students and faculty from Jagiellonian and UB Law addressed the topic of discrimination against various groups, including religious minorities, indigenous populations, women, children, persons with disabilities and persons with HIV. Lectures and readings on the protection of human rights served to guide the development of their research agenda for a joint project concerning minority rights. Students were grouped into four-person teams, two from each country.

When the seminar reconvened in Buffalo the following spring, each student team presented its findings. In the interim, the students communicated via electronic mail.

The seminar was developed by Dr. Halina Niec of Jagiellonian and

Marcus. Helping to organize the project was UB Law Professor Virginia Leary, co-director of the UB Human Rights Center. The program is a pilot project for a proposed 10-year exchange program that would coincide with the UN's Decade for Human



Professor Isabel Marcus, seated center, with Jagiellonian students.

Rights, Education and Tolerance, according to Marcus.

The exchange wouldn't have happened without the generous funding provided by the Sasakawa Young Leaders Fellowship Fund (SYLFF), a Japanese philanthropy founded by Ryoichi Sasakawa, who believed that "The world is one family. All mankind are brothers and sisters." In an effort to help develop tomorrow's leaders, SYLFF works to transcend national borders and ethnic, religious and ideological barriers. Through Sasakawa's endowment, they support inter-institutional seminars and implement peace-fostering programs in universities around the world.

"The seminar format was unique and worked well," Marcus said. "Everything was accomplished in one year because we wanted the same people to participate in both trips. We achieved a multicultural experience through utilizing cross-national teams, rather than following the traditional model where each researcher presents his or her individual work to the others."

Dean Barry B. Boyer called the program "a promising model which equips students to function in an increasingly global society, whether or not they specifically intend to practice in international law."

Though they were brought togeth-

er by shared interests, the students discovered differences in how each country approaches the study of international human rights, as well as law in general.

Julia Hall, a third-year UB student, was intrigued that a law degree in Poland is pursued at the undergraduate level. Polish law students attend school for five years and are then required to work for three to four years in the legal field before actually becoming attorneys.

Hall also remarked on the different career goals pursued by Polish and American law students. "Their students primarily want to pursue careers in private interest, while ours want human rights. Polish students realize this is a reality for surviving in a post-Cold War economy. We Americans have the luxury of more choice."

Katarzyna Zybura, 22, a Jagiellonian University student interested in international law, said, "I chose a career in law because I find the subject very fascinating. Also, in the emerging free-market economy in Poland, the legal profession is a very prestigious one."

"This does not take away from the authenticity of their interest in human rights," added Charles Carbone, another third-year UB student in the program. "It just means they are at a different point in time. Their priorities are understandably different and they are taking advantage of the new opportunities available to them." On the other hand, Carbone continued, "They are very much aware of what is going on in the world — and are much more aware of events in places such as Bosnia than we are."

Marcus agreed that "the Europeans are conceptually more advanced in terms of human rights." She said, "I don't think people in Poland rely on the law for settling disputes the way Americans do. It doesn't functionally serve to unite people or provide the force for social cohesion."



One reason for this, she said, is that Eastern Europe did not need lawyers in this capacity for so long because nationalism did the job.

Marcus explained how a new set of issues endangers today's Europeans. "Now that they do not have the external enemy in the Soviet Union, the focus of nationalism has shifted inward, turning on national minorities or other groups who are viewed as different."

Suzanne Cruse '95, a participant in the seminar, said, "I was surprised about the cultural differences when we talked about which minority groups we wanted to focus on for our projects. At first, I wanted to study the Christians in the Middle East. Other Americans wanted to study groups in places far away from the U.S., like the Aborigines. The Poles were more interested in studying the Gypsies, Jewish and Russian minorities, all of whom are more central to the Polish people."

Cruse attributed these differences to the individual histories of each country. "Century after century, the Poles have had to face so much conflict. For instance, during our trip to the Wawel Castle, we saw blocks where a large swastika was placed. It was a real shock to see that the Germans actually came in and took something so central to Krakow and put up this symbol. It really made me think, because in the U.S. there has never been a time when someone came in and dominated in that way."

Back in the States, UB students maintained their international connections and friendships via electronic mail.

The cross-cultural teams were reunited in Buffalo on April 2. Unlike many of the UB students who had traveled extensively, this was the first time in America for almost all the Polish participants.

Jurek Czajkowski, a fourth-year Jagiellonian student, said, "We feel



Exchange students in Buffalo

very good in America. Even though we are so far away from home, we feel good because we have friends here."

Friendships were rekindled as the students completed their research. Czajkowski emphasized one lesson learned in working together. "As lawyers, it is very important to be able to rely on teamwork because you are not always working on your own."

The students spent the week presenting their papers to one another. Selected works will be published in the UB International Law Journal. The Polish students also sat in on UB Law classes and learned about the clinical programs, which differ significantly from the more formal educational approach in Poland.

Ola Malarz, a fifth-year Jagiellonian student, said, "One of the biggest differences in the classroom is the discussion between students and professors. Something like that is impossible when you have over 500 people in a classroom as you do in Jagiellonian." In fact, the Polish students said that during their first year of school, it is not uncommon to have 1,000 or more students in a classroom.

A visit to Buffalo's city courts and

discussions with local judges provided the Polish students with insight into the U.S. legal system. Rafal Romanski, another fourth-year Polish student, said, "The courts are very different. In America, the law is made in the courts. In our system, law is made by the Parliament.

"In Poland, the law is given, making it easier to enforce. But I think the common law system provides you with more justice."

The social justice component of the seminar's second half allowed Polish visitors to accompany UB students while they participated in community-based legal programs. These included the Prison Legal Task Force and the Homeless Task Force.

Jagiellonian student Ewa Wypasek said, "It was interesting to see a practical side to human rights work, not only the theoretical. We met with people who work with human rights every day, who work in prisons or with the homeless. It showed us the opportunities that are out there and how it is possible to put the law to work."

The program also included a panel on U.S. Multiculturalism and Civil Rights. Representatives from the

Pondering Auschwitz

Of all their experiences in Poland, many students reported that a tour of Auschwitz stands alone as having the greatest impact.

Charles Carbone remembers the intensity of that day. "The camp is still very much intact, and therefore gave a clear picture of the death that was committed there. We went away with a real sense that human beings are capable of the worst atrocities."

In reaction to a film shown during their tour, Carbone said, "You could see the gradual progression to the full-blown Holocaust. Starting with the propaganda, non-violent protests of Jewish stores, throwing bricks through windows, throwing bricks at Jews — and then hauling millions away to their deaths. It made me question where along that chain do you begin to make personal sacrifices and say, 'This is enough for me to get involved.' I have wrestled with this question myself, wondering what types of sacrifices I would make in the face of human rights violations."

Julia Hall concurred. "We witnessed a living testament of inhumanity to fellow human beings. It attests to why people do human rights work in the first place."

She compared the American perspective to that of the Europeans. "For them, it is constantly staring them right in the face and they must get beyond the past in order to protect the future. Americans, operating in the present, dare not to let it happen again."

Suzanne Cruse pointed to the Khmer Rouge in Cambodia as an example of genocide today. She said, "International law is not progressing fast enough, because as I looked at the crematoriums, all I could think was how this is happening now."

This was Professor Marcus' third visit to Auschwitz. "It does not become less painful," she said. "Auschwitz is a monument to evil and you never recover from going there. You are changed profoundly by the experience."

"Each time I have gone, upon leaving the camp I walk on the train tracks that led to the crematorium and sing songs to the dead souls. I do this because I know that no Jew between 1941 and 1945 could do that." ■

African-American, Native American, Hispanic, Jewish and gay/lesbian communities spoke about the experience of their communities and the need for tolerance and human rights protections. In addition, the Polish students visited various ethnic and racial communities in Buffalo on a tour organized by



Professor Mark Goldman, an expert in Buffalo city history.

The seminar ended on April 10 with a reception and reading by author Eva Hoffman, sponsored by the Polish Arts Club. Afterward, the group convened at Marcus' home for a tearful farewell party. "Everyone was given an opportunity to say something about their experience," Hall said. "A lot of strong relationships were built during the exchange. It was a very moving and emotional closing ceremony."

Marcus hopes to expand the program to other countries. She said, "My dream is to end up with students from several different countries in the seminar, doing rigorous research and engaging in intense discussion. Perhaps we could have fewer students from Buffalo and Poland, and add five law students from South Africa to discuss an international human rights law subject, like the protection of refugees."

"In any case, I see the seminar as a statement of faith in the future and a serious investment in our students' education." ■