

**PERSONNEL AFFAIRS COMMITTEE**  
*(Following the Academic Affairs Committee)*

Friday, October 28, 2011

Board of Supervisors' Meeting Room  
2<sup>nd</sup> Floor, J.S. Clark Administration Building  
Southern University and A & M College  
Baton Rouge, LA

**AGENDA**

1. Call to Order
2. Roll Call
3. Adoption of the Agenda
4. Public Comments
5. Action Items
  - A. Request for Approval of Appointments, SUBR
    1. Interim Vice Chancellor and Provost
    2. Interim Dean, School of Nursing
  - B. Sabbatical Leave Request – Associate Professor Nadia Nedze, SULC
6. Other Business
  - A. Introduction of Chief of University Police, SUBR
7. Adjournment

**MEMBERS**

Atty. Warren A. Forstall – Chair; Mr. Patrick W. Bell- Vice Chair;  
Mr. Calvin W. Braxton, Sr., Atty. Patrick O. Jefferson,  
Dr. Eamon M. Kelly, Mrs. Ann A. Smith  
Mr. Darren G. Mire - Ex Officio

JOB CLASS				
JOB CODE				
CAL ID				

**SOUTHERN UNIVERSITY SYSTEM**

**Personnel Action Form**

POSITION NUMBER	2	M	9	4	7	7
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CAMPUS: SUS  SUBR  SULAC  SUAREC  SUNO  SUSLA

EMPLOYMENT CATEGORY: 9-MONTH  12-MONTH  X OTHER  (Specify) \_\_\_\_\_

<input type="checkbox"/> Academic	<input type="checkbox"/> Non-Academic	<input type="checkbox"/> Civil Service
<input checked="" type="checkbox"/> Temporary	<input type="checkbox"/> Part-time ( _____ % of Full Time)	<input type="checkbox"/> Restricted
<input type="checkbox"/> Tenured	<input type="checkbox"/> Undergraduate Student	<input type="checkbox"/> Job Appointment
<input type="checkbox"/> Tenured Track	<input type="checkbox"/> Graduate Assistant	<input type="checkbox"/> Probationary
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Retiree Return To Work	<input type="checkbox"/> Permanent Status

Previous Employee Mwalimu Shujaa Reason Left Transferred to another position  
 Date Left September 30, 2011 Salary Paid \$175,000

**Profile of Person Recommended**

Length of Employment October 1, 2011 To June 30, 2012  
 Effective Date October 1, 2011

Name Janet Rami SS# xxx-xx-7108 Sex F Race\* Blk  
 (Last 4 digits only)

Position Title: Interim Vice Chancellor & Provost Department: Academic and Student Affairs

Check One  Existing Position \*Visa Type (See Reverse Side):   
 New Position Expiration Date: \_\_\_\_\_

(Position vacancy authorization form must be processed and approved to fill existing and new positions. Position must be advertised before processing PAF, if applicable.)

Years Experience \_\_\_\_\_ Southern University Experience 26  
 Degree(s): Type/Discipline (BA-Education): Institution/Location (SU-Baton Rouge): Year:  
B.S.N. Dillard University 1970  
M.S. University of Southern Mississippi 1979  
Ph.D. Louisiana State University 1992

Current Employer Southern University

**Personnel Action**

Check One  New Appointment  Continuation  Sabbatical  Leave of Absence  
 Transfer  Replacement  Other (Specify) \_\_\_\_\_

Recommended Salary \$155,000 Salary Budgeted \$175,000

Source of Funds \_\_\_\_\_

Identify Budget: \_\_\_\_\_ Location \_\_\_\_\_  
 Form Code: \_\_\_\_\_ Page \_\_\_\_\_ Item # \_\_\_\_\_

Change of: From To  
 Position Dean, School of Nursing Interim Vice Chancellor and Provost  
 Status \_\_\_\_\_  
 Salary Adjustment \$120,000 \$155,000

Financial Aid signature (if, applicable):

List total funds currently paid this employee by Southern University:

Source of Funds	Amount
111000 105+ 2002	\$155,000

\*See Reverse Side

Comments: (Use back of form)

\*See Reverse Side

Graduate School signature (if, applicable):

<u>James T. Blain</u> Supervisor _____ Date _____	<u>James T. Blain</u> Dean/Unit Head _____ Date _____
<u>Thomas J. Ducht</u> Vice Chancellor _____ Date <u>10/11/11</u>	<u>James T. Blain</u> Chancellor _____ Date <u>10/11/11</u>
<u>[Signature]</u> Director/Personnel _____ Date _____	<u>[Signature]</u> Vice President/Finance _____ Date _____
<u>[Signature]</u> President _____ Date <u>10.13.11</u>	<u>[Signature]</u> Business Affairs/Comptroller _____ Date _____
	<u>[Signature]</u> Chairman/S.U. Board _____ Date _____
	<u>[Signature]</u> of Supervisors _____ Date _____

This information is requested solely for the purpose of determining compliance with Federal Civil Rights Laws and does not affect employment consideration.

**ETHNIC ORIGIN (Please check one):**

\_\_\_\_\_ Hispanic or Latino \_\_\_\_\_ Non-Hispanic or Non-Latino

**RACE (Please check all that apply):**

\_\_\_\_\_ White, not of Hispanic origin. A person having origins in any of the original people of Europe, North Africa, or the Middle East.

Black, not of Hispanic Origin. A person having origins in any of the Black racial groups of Africa.

\_\_\_\_\_ Hispanic. A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origins, regardless of race.

\_\_\_\_\_ Asian or Pacific Islander. A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

\_\_\_\_\_ American Indian or Alaskan Native. A person having origins in any of the original peoples of North American, and who maintains cultural identification through tribal affiliation or community recognition.

**COMMENTS:**

**EMPLOYEE REGULAR WORK SCHEDULE:**

**EMPLOYEE DIRECT SUPERVISOR:** \_\_\_\_\_ Chancellor

**SUPERVISOR/DEPARTMENT CONTACT NUMBER** \_\_\_\_\_ 771-5020

**NUMBER OF EMPLOYEES SUPERVISED, (if any)** \_\_\_\_\_

**HR USE ONLY: STATUS (circle one):** \_\_\_\_\_ **EXEMPT** \_\_\_\_\_ **NON-EXEMPT**

**GUIDELINES:** All employees, students, graduate assistants being employed through the use of this form are to report to and be cleared by the Human Resources before any employment is offered and before starting to work. All students are to bring with them clearance from the Financial Aid office, Statement of Account (fee receipt), and a class schedule. All prospective employees/students must bring a pictured ID, social security card, birth certificate, certificate of naturalization, resident alien card, H1-B and J-1 visas, passport, and F-1/I-94. The latter six (6) documents do not apply to U.S. Citizens.

Documentation must be provided for review and approval by Human Resources before employment is offered.

**CLASS OF EMPLOYMENT (VISA STATUS):**

<u>TYPE</u>	<u>CODE</u>	<u>EXPIRES</u>
United States Citizen/Certificate of Naturalization	US	
Resident Alien	RA	
H-1 Visa (Distinguished Merit & Ability)	H1	
J-1 Visa (Exchange Visitor Program)	J1	
F-1 Visa (Student Emp. FT Student at S.U.)	F1	
OPT (F-1 Visa-INS Prior Approval-"Practical Work Experience")	F0	

**Do Not Write Below This Area**  
**For Human Resource and Budgetary Control Use Only!**

**PAF APPROVAL PROCESS CHECKLIST (Must have the information outlined below):**

- \_\_\_\_\_ Approved Position Vacancy Authorization Form (applicable for new and replacement positions)
- \_\_\_\_\_ Position Vacancy Announcement (position advertised before processing PAF, if applicable)
- \_\_\_\_\_ Application for Employment Form Admin/Fac/Uncl Positions (Civil Service Application for classified employees)
- \_\_\_\_\_ Authority to Release (signed by employee) (submitted to Human Resources with Criminal/Background Check form)
- \_\_\_\_\_ Supervisory Criminal/Background Check Form (completed by employee/ verified and signed by supervisor)
- \_\_\_\_\_ Exemptions Survey Form (signed by employee and budget head)
- \_\_\_\_\_ Proposed Employee Appointment
- \_\_\_\_\_ Proposed Employee Clearance
- \_\_\_\_\_ Restricted/ Job Appointment/CS Rule 6.5g Letter of Justification (for classified if applicable)

SOUTHERN UNIVERSITY SYSTEM  
BUDGET OFFICE  
11100, 2002-61002  
OCT 11 2011  
FUND 5 AVAILABLE

JOB CLASS	24	04	7
JOB CODE	MU		
CAL ID			

**SOUTHERN UNIVERSITY SYSTEM**

**Personnel Action Form**

POSITION NUMBER	2	M	9	9	1	2
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CAMPUS: SUS  SUBR  SULAC  SUAREC  SUNO  SUSLA

EMPLOYMENT CATEGORY: 9-MONTH  12-MONTH  OTHER  (Specify) \_\_\_\_\_

<input checked="" type="checkbox"/> Academic	<input type="checkbox"/> Non-Academic	<input type="checkbox"/> Civil Service
<input type="checkbox"/> Temporary	<input type="checkbox"/> Part-time ( _____ % of Full Time)	<input type="checkbox"/> Restricted
<input checked="" type="checkbox"/> Tenured	<input type="checkbox"/> Undergraduate Student	<input type="checkbox"/> Job Appointment
<input type="checkbox"/> Tenured Track	<input type="checkbox"/> Graduate Assistant	<input type="checkbox"/> Probationary
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Retiree Return To Work	<input type="checkbox"/> Permanent Status

Previous Employee Janet Rami Reason Left Interim VC for Academic Affairs  
 Date Left 10/01/2011 Salary Paid .120,580

**Profile of Person Recommended**

Length of Employment 07/01/2011 - 10/1/11 To 06/30/2012  
 Effective Date 10/01/2011

Name Cheryl Taylor SS# xxx-xx-3202 Sex F Race\* B  
(Last 4 digits only)

Position Title: Interim Dean Department: School of Nursing

Check One  Existing Position  New Position  
 \*Visa Type (See Reverse Side):     
 Expiration Date: \_\_\_\_\_

Years Experience 28.0 Southern University Experience 21.0  
 Degree(s): Type/Discipline (BA-Education): PhD Institution/Location (SU-Baton Rouge): Texas Woman's University Year: 05/1989  
MSN University of Washington 12/1980  
BSN Dillard University 05/1977

Current Employer SUBR/School of Nursing

**Personnel Action**

Check One  New Appointment  Continuation  Sabbatical  Leave of Absence  
 Transfer  Replacement  Other (Specify) \_\_\_\_\_

Recommended Salary \$120,000.00 Salary Budgeted \$120,000.00

Source of Funds Dean School of Nursing

Identify Budget: 111000-2401-1000 Location \_\_\_\_\_  
 Form Code: \_\_\_\_\_ Page \_\_\_\_\_ Item # \_\_\_\_\_

Change of:  
 Position Assoc. Prof. for Graduate Nursing From Assoc. Prof. for Graduate Nursing To Interim Dean of Nursing School  
 Status 9 mos 9 mos 12 mos.  
 Salary Adjustment 73,635.93 73,635.93 120,000

Financial Aid signature (if applicable):

List total funds currently paid this employee by Southern University:

Source of Funds	Amount
2406	73,635.93

\*See Reverse Side  
 Comments: (Use back of form)

Graduate School signature (if applicable):

\*See Reverse Side

Supervisor	<u>[Signature]</u>	10/1/11	Date
Vice Chancellor	<u>[Signature]</u>	10/1/11	Date
Director/Personnel	<u>[Signature]</u>	10/1/11	Date
President	<u>[Signature]</u>	10.13.11	Date
Dean/Unit Head	<u>[Signature]</u>		Date
Chancellor	<u>[Signature]</u>	10/12/11	Date
Vice President/Finance Business Affairs/Comptroller	<u>[Signature]</u>	10/11/11	Date
Chairman/S.U. Board of Supervisors	<u>[Signature]</u>		Date

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**ETHNIC ORIGIN (Please check one):**

Hispanic or Latino  Non-Hispanic or Non-Latino

**RACE (Please check all that apply):**

White, not of Hispanic origin. A person having origins in any of the original people of Europe, North Africa, or the Middle East.

Black, not of Hispanic Origin. A person having origins in any of the Black racial groups of Africa.

Hispanic. A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origins, regardless of race.

Asian or Pacific Islander. A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

American Indian or Alaskan Native. A person having origins in any of the original peoples of North American, and who maintains cultural identification through tribal affiliation or community recognition.

**COMMENTS:** Dr. Taylor will serve as Interim Dean for the School of Nursing through June 30, 2012.

**EMPLOYEE REGULAR WORK SCHEDULE:** 8:00 am - 5:00pm

**EMPLOYEE DIRECT SUPERVISOR:** Janet Rami

**SUPERVISOR/DEPARTMENT CONTACT NUMBER:** (225) 771-2360

**NUMBER OF EMPLOYEES SUPERVISED, (if any):** 45

**HR USE ONLY: STATUS (circle one):**      EXEMPT      NON-EXEMPT

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- Proposed Employee Clearance
- Restricted/ Job Appointment/CS Rule 6.5g Letter of Justification (for classified, if applicable)

SOUTHERN UNIVERSITY SYSTEM  
BUDGET OFFICE  
111000-2402-61002  
OCT 11 2011  
*[Signature]*  
FUNDS AVAILABLE



**SOUTHERN UNIVERSITY LAW CENTER**

**261 A. A. LENOIR HALL**

**POST OFFICE BOX 9294**

**BATON ROUGE, LOUISIANA 70813-9294**

**OFFICE OF THE CHANCELLOR**

**(225) 771-2552**

**FAX (225) 771-2474**

September 26, 2011

**VIA HAND DELIVERY AND EMAIL**

Dr. Ronald Mason, Jr.  
President  
Southern University System  
J.S. Clark Administration Building, 4th Floor  
Southern University  
Baton Rouge, Louisiana 70813

Re: Sabbatical Leave Request – Assoc. Professor Nadia Nedzel, Southern University Law Center

Dear Dr. Mason:

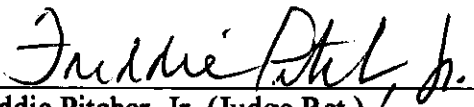
Assoc. Professor Nadia Nedzel has petitioned for a sabbatical leave for the spring semester of the 2011 - 2012 academic year for the purpose of independent study and research. Professor Nedzel is in the process of completing research for a new book project on the Rule of Law – a project that she has already invested a great deal of research time towards. She has distinguished herself as an outstanding teacher and scholar and has pursued an aggressive scholarship agenda over the course of her tenure here at the Law Center. She recently completed and had published a textbook on Sales and Leases in addition to a previously published book entitled “Legal Research and Writing for International Graduate Students. Her underlying reason for the sabbatical is to give her the much needed block of time to concentrate on multidisciplinary research into economics and social anthropology/sociology as well as law. She is therefore requesting a sabbatical leave pursuant to the Southern University Board of Supervisor’s Sabbatical Leave Policy to complete this research. Professor Nedzel meets the Board’s requirement that to be eligible for the Sabbatical, the applicant must have completed six consecutive years of service.

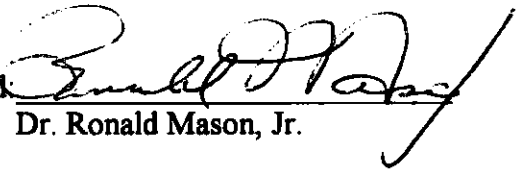
I, along with Vice Chancellor Russell Jones, have thoroughly reviewed Professor Nedzel’s application for sabbatical and reasons there for, and both concur that this research project is quite meritorious and will be of great value and benefit to the Law Center and the Southern University System as a whole.

We jointly recommend that the requested leave be granted with full pay for the spring semester of the 2011 – 2012 academic year and requests your concurrence. We further ask that Professor Nedzel’s leave request be forwarded to the Southern University Board of Supervisor for their review and final approval at it September 16, 2011 Meeting.

Thank you for your assistance and with kind regards, I am

Sincerely,

  
\_\_\_\_\_  
Freddie Pitcher, Jr. (Judge Ret.)  
Chancellor - SULC

Approved:   
\_\_\_\_\_  
Dr. Ronald Mason, Jr.

  
\_\_\_\_\_  
Russell Jones  
Vice Chancellor for Academic Affairs

Attachments: Application Letter  
Applicant's Curriculum Vitae



**SOUTHERN UNIVERSITY LAW CENTER**

2 Roosevelt Steptoe Drive  
Baton Rouge, Louisiana 70813-9294

FACULTY: (225) 771-7910  
FAX: (225) 771-5913

September 8, 2011<sup>1</sup>

Freddie Pitcher, Jr.  
Chancellor  
Southern University Law Center  
Baton Rouge, La. 70813

Dear Chancellor Pitcher,

I would like to petition for a sabbatical for the spring semester 2012 for the purposes of independent study and research with full pay in accordance with Rule 4.12 B. 2. of the SUBR Faculty Handbook posted on the University website:

Members of the SUBR faculty with tenure at the time of submitting the application for sabbatical leave, and the rank of assistant professor above, may be granted sabbatical leave after six complete academic years of continuous service at SUBR. . .

**Period of Leave and Salary.** A sabbatical leave may be granted for the following periods and salary levels, depending on whether a nine- or twelve- month appointment is held by the faculty member . . .:

A. one semester at full pay (9-month appointees) . . .

As I am a nine-month appointee, I am petitioning for a sabbatical of one semester at full pay. The object of my independent study and research is to

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<sup>1</sup> Updated from October 10, 2010 initial petition.



continue work on my Rule of Law book project. I have completed the requisite six consecutive years of service.

Having a sabbatical so that I can complete and publish my rule of law project will further my efficiency and usefulness to both SULC and Southern University by increasing the visibility of the Law Center and by strengthening my knowledge of and thus effectiveness in teaching international law, commerce, and development. The work itself will be improved because I will have the time to do in-depth research into scholarship on policy, economics, and social science – one of the underlying premises of the work is that prior such studies ineffective because have focused only on law and a multidisciplinary approach is necessary.

Thanks to the generosity of the past summer research stipends, I completed and published a preliminary Rule of Law article and an unrelated textbook on sales and lease. While I worked on the Rule of Law project at the Lauterpacht Center in Cambridge, U.K. in the summer of 2010 under the auspices of a second SULC summer research stipend, I was unable to finish it at that time for two reasons: a perceived immediate need of the Louisiana law school community for a sales and lease textbook subsequent to Professor Litvinoff's death and a lack of sufficient time to complete the multidisciplinary research needed for the rule of law project. I have an abundance of notes and research accumulated for the project, and simply need the requisite time, undistracted by other projects or teaching duties, in which to complete it.

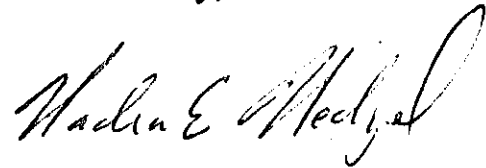
My legal background in civil law, previous scholarship in comparative and international law, and my ability to research in three languages make me uniquely qualified to address this topic. However, my work on this project at Cambridge University in the United Kingdom showed me that I need multidisciplinary research into economics and social anthropology/sociology as well as law. Thus, being able to work on this project full time for a semester will enable me to accomplish a great deal, and in fact is even likely that I will finish and publish the book in that time period. However, because I will be researching new areas, I very much need concentrated blocks of time, something that was not necessary with my two previous books. The concentrated blocks of time will enable me to research at out-of-state libraries and consult with other researchers. I am applying for research fellowships in places where I'll have access to major libraries and

multidisciplinary scholars, such as the Law and Public Affairs fellowships at Princeton University.

As this will be my third book, I have a track record showing that I finish that which I start and that I am capable of producing longer works. My Legal Reasoning and Writing textbook is in its second edition and is being translated into Chinese, and my casebook on Louisiana Sale and Lease Law has been published by Vandepas Publishers.

Additional justification for this petition is attached, including my c.v., a chapter outline of the book, the preliminary article, a bibliography, and of the notes I compiled while at Lauterpacht. Should you need anything further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Nadia E. Nedzel". The signature is written in black ink and is positioned to the right of the typed name.

Nadia E. Nedzel  
Associate Professor

# **The Rule of Law: Its History and Meaning in Common Law, Civil Law, and Latin American Judicial Systems**

**Nadia E. Nedzel, LL.M.**

**Abstract:** This article compares and contrasts the concept of the rule of law as it developed in common law and civilian legal systems, through examining the underlying cultural differences. It also examines how and why Latin American legal systems developed problems, and the failure of the three waves of reform efforts that attempted to ameliorate those problems. By comparing unsuccessful independent judiciary reform efforts in Venezuela to successful efforts in Chile, it posits that significant change can only come about when it is brought by consensus, when changes are implemented on a whole system in a careful, thoughtful manner, and when the change being brought includes a rule of law (as opposed to rule through law) component: in other words, it proves checks and balances to keep governmental power and politicization in check. The advantage in common law countries is based on procedural, structural, political, and cultural characteristics, rather than on any substantive differences in the law. Consequently developing countries are best served by developing their own solutions to problems, such as an inefficient judicial system, rather than relying primarily on advice (and funding) from outside entities.

## **Table of Contents**

- 1. Introduction**
- 2. The Rule of Law or the Rule *through* Law**
  - A. Anglo-American rule of law*
  - B. European rule through law*
- 3. Common Law Heritage**
  - A. The Rule of Law in Seventeenth and Eighteenth Century Britain*
  - B. U.S. Founding Fathers, Constitution Drafting, and the Rule of Law*
  - C. The U.S. Adversarial System*
  - D. Judicial Review*
- 4. The Romanistic Civilian Heritage**
  - A. Founding Generals, Not Founding Fathers*
  - B. Civilian Inquisitorial Procedure*
- 5. Procedure Is More Important than Substantive Law**
- 6. Problems of Latin American Governmental Development**
- 7. The History of Law and Development Programs in Latin America**
  - A. The First Two Rounds: "Law and Development" and "Administration of Justice"*
  - B. The Third Round: Rule of Law Reform Initiatives*
  - C. Problematic Judicial Systems*
- 8. The Cultural Divide Between North and South America**

- A. *Latin American Culture*
  - B. *Protestant American Culture*
  - C. *The Protestant Ethic, Colonialism, and Values*
  - D. *Cultural Reasons Why Reform Efforts Fail*
9. **Independent Judiciary Reform Efforts in Latin America**
- A. *Venezuela*
  - B. *Chile*
10. **The Low and the High of Rule-of-Law and Judicial Reform in Latin America**
11. **Conclusion**

## 1. Introduction

“Rule of law” is an expression both praised and ridiculed by adherents of opposite political philosophies, and it is a principle claimed as the lodestar for widely differing legal theories. As much as an ideality as an ideal, the words “rule of law” have served a wide range of purposes, stretching from political sloganeering to the protection of individual rights from the power of government.<sup>1</sup>

F.A. Hayek defined the phrase the *rule of law* to mean that “government in all its actions is bound by rules fixed and announced beforehand--rules which make it possible to foresee with fair certainty how the authority will use its coercive powers in given circumstances and to plan one’s individual affairs on the basis of this knowledge.”<sup>2</sup> Global organizations such as the World Bank and the International Monetary Fund have adopted and used a limited version of Hayek’s definition.<sup>3</sup> Generally, the assumption is that the rule of law safeguards freedom and encourages individuals’ economic activity.<sup>4</sup> Sadly, though the term the *Rule of Law* is currently used with great frequency, it is rarely used with any precision. All too often, it is reduced to a politicized mantra used to criticize developing countries.<sup>5</sup> Stating that a country needs to strengthen the rule

<sup>1</sup> JOHN PHILLIP REID, *RULE OF LAW: THE JURISPRUDENCE OF LIBERTY IN THE SEVENTEENTH AND EIGHTEENTH CENTURIES* 3 (2004) (citations omitted).

<sup>2</sup> F.A. HAYEK, *THE ROAD TO SERFDOM: TEXTS AND DOCUMENTS* 112 (Bruce Caldwell ed., Univ. of Chi. Press 2007) (1944).

<sup>3</sup> See, e.g., Maria Gonzalez de Asis, *Anticorruption Reform* in *RULE OF LAW PROGRAMS* 2. (“Nevertheless, the term ‘rule of law’ is used in a very ambiguous way leading to multiple understandings of the concept. It comprises several characteristics related to the fairness of both legal processes and judicial systems; the notion that law equally binds all actors, starting with the government; and the idea that courts can fairly and efficiently solve disputes among private parties and between them and the government), available at [http://info.worldbank.org/etools/docs/library/35977/asis\\_ac\\_rol.pdf](http://info.worldbank.org/etools/docs/library/35977/asis_ac_rol.pdf) (citations omitted). But see HAYEK, *supra* note 2, at 112-23.. To the extent that the international law community regards Hayek as endorsing only the rechtsstaat view, they are ignoring his explicit contention that economic planning and any instrumental use of the law is incompatible with the rule of law. *Id.* at 113.

<sup>4</sup> See HAYEK, *supra* note 2, at 112-14.

<sup>5</sup> See, e.g., Policy Toward Latin America, Hearing before the Subcomm. on the Western Hemisphere of the H. Comm. on Foreign Affairs, 111th Cong. 3 (statement of Eric Farnsworth, Vice President, Council of the Americas) (2009), available at 2009 WLNR 2140219 (“Even before the economic crisis hit, roughly a third of the region’s population was living in poverty. Some governments, like those in Brazil, Chile, Colombia, and Peru, were making solid progress reducing poverty and building a stable middle class. [I]nfrastructure, and the rule of law must also be addressed.”); Robert J. Caldwell, Op. Ed., *A War We Cannot Afford to Lose*, S.D. UNION-TRIB., May 25, 2008,, available at 2008 WLNR 10116245 (“Mexican President Felipe Calderón has made the fight against the drug

## **NADIA E. NEDZEL**

10103 Runnymede Ave.

Baton Rouge, Louisiana 70815

h: (225) 231-1058; cell: (225) 329-8470

Fax: (225) 237-1174

Email: nnedzel@sulc.edu; nnedzel@gmail.com

### **EDUCATION**

#### **LEGAL**

**Northwestern University School of Law, Chicago, Ill.**

**Master of Law (LL.M.) with honors, 1997**

GPA: 3.642

Editorial Advisor, Northwestern University Journal of International Law and Business,

**Loyola University School of Law, New Orleans, La.**

**Juris Doctor Magna Cum Laude 1995**

Class Rank: 4th of 220

GPA: 3.663; LSAT: 93rd percentile (42 out of 45)

#### **UNDERGRADUATE**

**Northwestern University, Evanston, Ill.**

Bachelor of Arts

**Triple major:** English, French, Comparative Literature

Languages: French (fluent), Spanish (conversational), and Russian (reading)

GPA: 3.27

**Honors:** Dean's List 7 trimesters, Multi-dimensional Calculus, Organic Chemistry

### **RECENT HONORS**

**Research Fellow, Lauterpacht Centre for Int'l Law, Cambridge, UK (Summer 2010, invited Summer 2011)**

**Southern University Junior Scholar of the Year 2008-2009**

**Fulbright Scholar (Santiago, Chile):** Senior Specialist April-May 2007 (taught Comparative Contract Law & How to Draft Memoranda for Attorneys in the U.S. at Universidad de los Andes, Santiago Chile)  
(returning January, 2011: invited to teach Case Method teaching/writing to faculty)

### **PREVIOUS HONORS**

Forrester Teaching Fellow 1998-1999, Tulane Law School

**Judicial Clerk, Hon. Carl E. Stewart, United States Fifth Circuit Court of Appeals**

Member Loyola Law Review 1992-1995

Moot Court Staff 1992-1995

**LL.M. with Honors**

***J.D. Magna Cum Laude***

***Alpha Sigma Nu*** (National Jesuit Honor Society, awarded to top 2% of University Scholars)

***Association Henri Capitant*** award for best article on a comparative law subject

Bonomo Scholarship

American Jurisprudence Awards: Torts II, Products Liability

Certificate of Merit Awards: American Legal History, Law & Poverty

**EMPLOYMENT**

**Southern University Law Center**

Associate Professor of Law August, 2010-present

Assistant Professor August, 2004-August 2010

Founder and Director, SULC International Institute for the Rule of Law in the Developing World

Subjects taught: Contracts, Obligations (Louisiana civilian), Sales and Lease (Louisiana

civilian), International Business Transactions, International Law, Advanced Legal Research and

Writing, Civil Procedure

**(Proficient in both common law and the civilian legal tradition)**

**PRIOR EMPLOYMENT**

**Tulane Law School**

**Director, Graduate Legal Studies & Lecturer in Law, 1999-2004**

Administered 4 LL.M. programs (comparative, admiralty, environmental, and general law) involving 60 students from 33 different countries each year, organized and taught mandatory intensive summer Introduction to U.S. law course to all non-U.S. LL.M. candidates,

Taught mandatory U.S. Legal Reasoning, Research, and Writing to all LL.M. candidates, taught elective Advanced Legal Writing to LL.M. candidates, advised LL.M. candidates on resumes and career searches, compiled various in-house publications concerning LL.M. candidates yearly

**Director, 9 Exchange Programs, 2001- 2004**

Administered 9 exchange programs, handling in-coming and out-going students and faculty

**Forrester Teaching Fellow 1998-1999**

Taught legal research and writing to first-year J.D. candidates

**Preis, Kraft & Roy, LL.C. 2003-2004**

Attorney at Law

Admiralty Insurance defense, International trade, Corporate Compliance & Foreign Corrupt Practices Act

**United States Fifth Circuit Court of Appeals**

Staff Attorney 1997-1998

**Judicial Clerk, Hon. Carl E. Stewart, U.S. Fifth Circuit Court of Appeals 1995-1996**

**LANGUAGES:**       **English** (native)  
                          **French** (nearly fluent)

**Spanish** (conversational)  
**Russian** (reading knowledge)

## **PROFESSIONAL MEMBERSHIPS**

Member, Louisiana Advisory to the U.S. Civil Rights Commission (2010-2012)  
Deputy Editor, ABA International Law Section Year in Review, 2010  
Deputy Editor, ABA International Law Section Year in Review, 2009  
Board Member, Book Publications Board, ABA Section on International Law 2008  
Planning Committee, Global Skills Conference (John Marshall Law School May, 2007).  
Louisiana State Bar Association #25468, since 1998  
ABA section on International Law and Business, since 2000, leader membership committee 2002-2003  
Louis A. Martinet Legal Society, 1999-2000  
Federal Bar Association, 2003-2004

## **PUBLICATIONS**

### **Books**

**LOUISIANA LAW OF SALE AND LEASE: CASES AND MATERIALS** (Preliminary ed., Vandeplass Publishing 2011), with Prof. David Gruning (a new seminal casebook to replace the now outdated one by Professor Saul Litvinoff, likely to be adopted by all 4 Louisiana law schools. Professor Nedzel is the primary author of this first addition, with the imprimatur of Professor Gruning, one of the two coauthors of the forthcoming Louisiana treatise on the subject).

**LEGAL REASONING, RESEARCH, AND WRITING FOR INTERNATIONAL GRADUATE STUDENTS** (2<sup>nd</sup> ed., Aspen Publishing 2008)(This work is widely used to teach civilian and common law J.D. and LL.M. candidates U.S. legal analysis. It is being translated into Chinese, forthcoming 2010)(3d edition of original English version forthcoming 2012)

**LEGAL REASONING, RESEARCH AND WRITING FOR INTERNATIONAL GRADUATE STUDENTS**, (Aspen Publications 2004).

### **Articles**

1. *The Rule of Law: Its History and Meaning in Common Law, Civil Law, and Latin American Judicial Systems*, *Richmond Journal of Global Law and Business* 2010
2. *Reviving Protection for Private Property: A Practical Approach to Blight Takings*, 2008 *Michigan State Law Review* 995.

3. *Interview with Judge Carl E. Stewart of the U.S. Fifth Circuit Court of Appeals*, 232 *Around the Bar* (Baton Rouge Louisiana Bar Association, February 2009).
4. *Antidumping and Cotton Subsidies: A Market-based Defense of Unfair Trade Remedies*, 28 *Northwestern Journal of International Law and Business* 215 (2008).
5. *Eminent Domain: A Legal and Economic Critique*, 7 *Maryland Law Journal of Race, Religion, Gender, and Class* 140 (with Walter Block)(2007)
6. *Business Law*, SAGE ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY (October, 2007).
7. *Eminent Domain*, SAGE ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY (October, 2007).
8. *European Directive on Privacy in the Electronic Communications Sector*, SAGE ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY (2007).
9. *Restraint of Trade*, Sage Encyclopedia of Business Ethics and Society (2007).
10. *Subsidies*, SAGE ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY (2007).
11. Nadia Nedzel & Walter Block, *The Demise of Eminent Domain*, NYSBA GOVERNMENT, LAW AND POLICY JOURNAL (July, 2007).
12. *A Comparative Study of Good Faith, Fair Dealing, and Precontractual Liability*, 12 *TULANE EUROPEAN & CIVIL LAW FORUM* 97 (1997).
13. *Immigration Law: A Bird's Eye View*, in *IMMIGRATION: DEBATING THE ISSUES* (1997).
14. Comment, *Please Release Me: A Comparative Study of Louisiana Suretyship Law*, 40 *LOY. L. REV.* 955 (1995)(*sub nom* Nadia N. San Miguel).
15. Note, *Taylor v. Giddens: Louisiana Supreme Court Tailors Medical Malpractice Prescription Statute*, 39 *LOY. L. REV.* 699 (1993)(*sub nom* Nadia N. San Miguel).

### **WORKS IN PROGRESS**

1. **THE RULE OF LAW: WHY IT WORKS IN THE WEST (Book)** This work will examine the interaction between the rule of law, economic development, and personal autonomy It will examine why jurisdictions sharing British, protestant heritage historically tend to be more successful and how non-protestant jurisdictions such as Chile can duplicate that kind of success while maintaining their unique cultural and legal heritage.
2. **LEGAL REASONING, RESEARCH, AND WRITING FOR INTERNATIONAL GRADUATE STUDENTS** (3d ed. Aspen Publications, forthcoming 2012)

### **COMMITTEE MEMBERSHIPS**



1. Legal Analysis and Writing Subcommittee –present
2. Committee on Faculty Appointment, Retention, Promotion and Tenure -present
3. Curriculum Committee 2005-present
4. Ad-hoc Fresh Start Committee 2009-2010
5. Ad-hoc AALS Committee 2008-present
6. Ad-hoc Self-Study committee 2008-2009
7. Founder and Chair, *SULC Institute for Civil and International Law and the Developing World* (2007-present)
8. Curriculum Developer and Lead Professor, Fresh Start Intensive 2-week Law School Preparedness Program (August 1-12, 2011)

### **FACULTY ADVISORIES**

1. SULC Journal for Race, Gender, and Poverty 2010-present
2. SULC GALE 2010-present
3. SULC ILSA 2005-present

### **PRESENTATIONS AND COLLOQUIA**

1. October 2004: "Opportunities in the Practice of International Law," at SULC
2. January, 2005: "Methods of Incorporating Computer and Hard-copy Research," at SULC
3. May, 2005: "A Comparative Approach to Teaching American Legal Writing to International Graduate Students," at the Global Legal Skills Conference, John Marshall Law School, Chicago Ill.
4. November, 2005: "Unfair Trade Practices and Antidumping," Brown Bag discussion at SULC.
5. April 25, 2006, Panelist on Corporate Governance, at "Hemispheric Trade Conference: Mediating the Divide, under the auspices of the Center of Civil Law Studies at the Paul M. Hebert Law Center, Baton Rouge, Louisiana
6. May 11, 2007 Update: A Comparative Study of the Duty of Good Faith and Fair Dealing at Universidad de los Andes, Santiago, Chile.
7. October 13, 2007: "The WTO, Unfair Trade, and Cotton Subsidies: Why all the fuss?" at John Marshall Law School, Chicago, Ill.
8. Methods of Incorporating CALR and Hard-copy Research, at SULC, October 13, 2007.
9. October 18, 2007: "The WTO, Unfair Trade, and Cotton Subsidies: Why all the fuss?" Brown Bag lecture at SULC
10. November, 2007, "Obligations in the Louisiana Civil Code," African Judiciary Conference, Baton Rouge, La.
11. February 28-March 2, 2008 Participant, Private Property, Governmental Takings, and Individual Liberty, San Diego, Calif. (Liberty Fund Colloquium)
12. July, 2008 Participant, Judge Learned Hand & Liberty, Cambridge, Mass. (Liberty Fund Colloquium)
13. April 12, 2008 Expert Witness on Eminent Domain Law, Alabama Civil Rights Commission
14. August 4-8, 2008 Lecture, "Drafting Advisory Memos on Turkish Law,"

- Istanbul Legal Skills Conference, Istanbul, Turkey
15. November 18, 2008, Faculty Colloquium Presentation, "Eminent Domain Abuse and How to Curb It", SULC
  16. Feb. 12, 2009, Civil Law Workshop: Towards a Revival of the Case Method in Civil Law Education, Prof. Fernando Toller, Center of Civil Law Studies, Paul M. Hebert School Of Law, Louisiana State University (attendee)
  17. Editorial Advisory Board Member, "Ethical Issues in E-Business," volume to be published by IGI-Global (forthcoming)
  18. March 18-21, 2009 Moderator, "Author v. Board, Board v. Author," National Council of Law Reviews Annual Meeting (SULC)
  19. April 1-5, 2009 Participant, George Schuyler and Liberty and Responsibility, Indianapolis, Indiana (Liberty Fund Colloquium)
  20. April 6, 2009 Presentation, "The Rule of Law and Latin America," The Association for Private Enterprise Education, Guatemala City, Guatemala
  21. April 7, 2009, Presentation, "Individual Rights," The Association for Private Enterprise Education, Guatemala City, Guatemala
  22. September 18, 2009, "The Practice of International Business Law," International Law Students Association, Paul M. Hebert Law Center.
  23. September 25, 2009, "Civil Law, Common Law, and the Rule of Law in Latin America and Africa," Louisiana Junior Faculty Forum, Paul M. Hebert Law Center
  24. June 24, 2010, "Civil Law, Common Law, and the Rule of Law, Research Fellow Presentation, Lauterpacht Centre for International Law, Cambridge University, Cambridge, U.K.
  25. January 5, 2010, Year in Review: the International Criminal Court, for the International Law Section AALS annual meeting, San Francisco, California
  26. Incorporating Case Methodology into Teaching Civil Law Obligations (Santiago, Chile, January 2011)
  27. Incorporating Comparative Law into Practical Application among International Law Students, (forthcoming Singapore 2011)
  28. The Global AIDS epidemic, SULC, March 1, 2011
  29. Teaching Case Law Method to Civilian Faculty, Global Legal Skills Conference, Chicago Illinois (May 11-12, 2011)
  30. Challenges and Opportunities in Global Legal Education: The Importance of Rule of Law, Cultural Concerns, and Case Method, Southeastern Association of Law Schools 2011 Annual Conference (July 25, 2011)

#### **PRIOR RESEARCH ACTIVITIES**

1. Research Assistant, Professor Joachim Zekoll, Spring, 1997 (Gentlemen's agreements)
2. Research Assistant, Professor James É. Viator, 1992-1995 (American Constitutional History, Louisiana Sales & Leases, Products Liability)

3. Research Assistant, Professor David W. Gruning, 1994  
(French-to-English translation of handbook on Constitution of the Fifth Republic)

## **PRIOR IN-HOUSE PUBLICATIONS**

1. LL.M. PLACEMENT HANDBOOK, Tulane Law School, Fall, 2002
2. SEMESTER ABROAD PROGRAMS, Tulane Law School, Fall 2002
3. Compiler & Editor, LL.M. SUPPLEMENTARY MATERIALS, 1998-2004
4. Compiler, LL.M. RESUME DIRECTORY, Tulane Law School, 1999-2004

## **REFERENCES**

**Hon. Carl E. Stewart**  
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