



6-24-2021

## Letter from the Editor

Fon Bisalbutr

Follow this and additional works at: <https://scholarship.law.nd.edu/ndjicl>



Part of the [Comparative and Foreign Law Commons](#), and the [International Law Commons](#)

---

### Recommended Citation

Bisalbutr, Fon (2021) "Letter from the Editor," *Notre Dame Journal of International & Comparative Law*. Vol. 11 : Iss. 2 , Article 2.

Available at: <https://scholarship.law.nd.edu/ndjicl/vol11/iss2/2>

This Introduction is brought to you for free and open access by the Notre Dame Journal of International & Comparative Law at NDLScholarship. It has been accepted for inclusion in Notre Dame Journal of International & Comparative Law by an authorized editor of NDLScholarship. For more information, please contact [lawdr@nd.edu](mailto:lawdr@nd.edu).

## LETTER FROM THE EDITOR-IN-CHIEF

Dear Readers:

Since publishing its inaugural publication issue in 2011, the *Notre Dame Journal of International & Comparative Law* has consistently featured scholarship that examined a variety of dynamic and exciting topics such as human rights, intellectual property, and terrorism. The *Journal* continues this tradition of showcasing fascinating scholarship in Volume 11.

This Spring Issue features a timely discussion of topics particularly relevant to global events. Professor Daniel C.K. Chow addresses why the 2020 U.S.-China Trade Agreement needs anti-corruption provisions for the protection of intellectual property, a problem that has long-plagued multinational companies in China. The Article argues that the United States still has an opportunity to address these issues in the second phase of the USCTA and offers concrete suggestion on how to draft these new provisions to adequately address these substantive problems. The second Article, authored by Professors Maria Lilla Montagnani and Mirta Cavallo, explores the adequacy, development, and completeness of liability regimes in the face of new technologies such as artificial intelligence, advanced robots, and machine learning with a mind toward their adverse effects or possible insidious uses. Such advancements are challenging traditional liability notions and the article highlights the need for a multi-faceted approach to tackle the ever-changing issues raised by such technologies. Next, Professor Vasuki Nesiah, in observing how the narratives of international law are proliferating in response to revived and reinvigorated strands of authoritarianism across the world, argues that instead of attempting to redeem international law, we should confront and interrogate the dark side of international law, including its history of racial capitalism over the last four hundred years, in order to create a better body of law worthy of supporting.

Finally, our Issue is rounded off with two Notes written by Notre Dame Law School students and members of the *Journal*. In my Note, I argued that the potential impact on policy by both high-profile and low-profile climate change litigation has been understated. The Note analyzes the differences between both types and how such litigation differs between India, US, and China, the three largest emitters. Litigation in one country can inspire similar parties and lines of reasoning in another and have a compounding effect throughout the world. In the second student Note, Catherine Braun analyzes the imposition of U.S. import tariffs on art and cultural property as foreign policy within the context of modern economic warfare. She traces the political history of U.S. tariffs, explores the current international art industry landscape, and highlights the important role of art as cultural heritage, as “soft” power, and as an economic driving force. By focusing on the Chinese art and antiquities import tariff imposed during the ongoing U.S.-China Trade War, she concludes that these punitive import tariffs are economically counterproductive, and disproportionately detrimental to American businesses and citizens; therefore, they represent the underlying ideologies of foreign policy, such as the economic nationalism paradigmatic of the Trump Administration.

I would like to thank our faculty advisors, Professors Mary Ellen O’Connell and Sadie Blanchard, for their constant support. I also thank my Executive Board and Editorial Staff for their dedication to the *Journal*. Finally, I want to thank our readers for supporting us as we complete our eleventh year of publication.

Yours in Notre Dame,



Fon Bisalbutr  
*Editor-in-Chief, Volume 11*