

Winning the 2019 Willem C. Vis Moot Court Competition: The Penn State Law Perspective

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Catalina Bizic, William Sandman (Penn State University)

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“We are!” yells a group in the crowd as the Penn State Law Vis moot team enters the stage excitedly after the tribunal of the final round announces its victory – the first team from the US to win the Vis moot since 2004. “Penn State!” cheers back the team, disregarding the baffled looks of those attending the awards banquet at the Reed Messe Vienna.

The iconic #WeAre chant began in 1948, when the Captain of Penn State’s football team famously pronounced “We are Penn State.” In 1948, this statement was the epitome of inclusion, diversity, and comradery. The captain, Steve Suhey, was responding to calls to prohibit an African-American player, Wally Triplett, from playing in the biggest game of their season in segregated Miami. In 2019, #WeAre once again stands for inclusion, diversity, and comradery, values that also greatly define the Willem C. Vis moot as well as international arbitration in general. This year, it brought together nine individuals from seven different countries and motivated them to achieve something spectacular, to win the world’s largest private law moot.

Most teams know how much hard work, how many sleepless nights, how many internal quarrels it takes to make it through the 8 months of preparation until

reaching Vienna (and, on top of it all, argue about frozen racehorse semen along the way). Most teams would also agree you need some luck as well, especially in a record-breaking Vis year, with more than 372 universities from 38 countries, a colossal expansion since the 11 schools from 9 countries participated in first edition of 1993-1994.

Our team had a distinct advantage - instead of limiting our pool of potential students to only J.D. students (like most American teams that we are aware of), Penn State Law combines the best of the J.D. and the LL.M. students to create a balanced civil law-common law ratio between the seven team members and the two coaches.

The abundance of diversity gave us something very special, a multi-legal and multi-cultural lens through which to view, interpret, and understand the Vis moot experience. It also helped by allowing us to be relatable to as many arbitrators as we would have the chance to encounter - a very tough task given the 1406 arbitrators from 81 countries, out of which nearly 1000 came to Vienna for the oral rounds.

The teams that we have met and, most importantly, befriended along the way, either through online practice rounds or at the Fordham and Belgrade pre-moots, as well as in the rounds in Vienna all contributed immensely to our ultimate success as well. As we advanced in the elimination rounds, we faced remarkable competitors that truly challenged our arguments and composure, but we prevailed also because we were cheered on by those we had become close with along the way.

The perfect embodiment of that was the final round. Of all the teams in the world we could have faced for our final challenge, the team across the stage from us were our friends from the University of Ottawa, one of the most historically reputed teams in the competition. It was no coincidence that just a month prior to Vienna we had had the honor to host the Ottawa team and their coach, Professor Anthony Daimsis, for a 2-day workshop at Penn State. Over the course of those two days we shared ideas, practiced and tested our arguments also with the help of Professor Petra Butler of Victoria University, Wellington, which helped both teams hone their skills significantly.

Finally, the team would not have made it this far without the guidance on oral advocacy of Mr. Henry Brown, Director of Attorney Training with Morrison &

Foerster LLP, faculty supervisors and professors Catherine A. Rogers and Jud Mathews, and former Penn State Vis mooties that all contributed to making this a year that none of us will ever forget.

The Penn State Law team members were J.D. students Ashley Clasen, Alice Gyamfi (who also won an Honorable Mention for Best Individual Oralist), Yousra Jouglaf, Adam Wage, and LL.M. students Augusto Garcia (Panama), Sanya Kishwar (India), and Muhamed Tulic (Bosnia & Herzegovina). The team was coached by J.D. student William Sandman and LL.M. student Cătălina Bîzîc (Romania).