

SOUTHWESTERN JOURNAL OF INTERNATIONAL LAW

VOLUME XXX

2024

NUMBER 1

ARTICLES

Chile's Failed Attempt to Get a New Constitution: or the Challenges of Democratic Constitution Making in a Polarized Era

Javier Couso

Building a Ship in Troubled and Uncharted Waters: Reflections on the Chilean Constitution-Making Process, 2019-2023

Lisa Hilbink

Visual Artists Brushing with the Law: International Legal Dimensions of Professional Practice

Henry Lydiate

The Work of Art or the Art of Work? A Commentary on Henry Lydiate's 'Visual Artists Brushing with the Law'

Christopher David Ruiz Cameron

Politics of Recognition and Indigenous Peoples in Bangladesh

Mohammad Hasan

Respect, the Right to Self-Identification, and the Survival of Culture

Alexandra D'Italia

The Unenumerated Rights Provisions in the U.S. and Argentine Constitutions: Different Paths from a Purportedly Single Source

Lucía Belén Araque

The Inter-American System on Human Rights Should Apply the UN Guidance on Less Lethal Weapons in Law Enforcement

Ezequiel David Strajman

NOTES & COMMENTS

The Death of Article 17: How the CJEU in *Poland v. Parliament* Created a Framework Which Prevents Holding YouTube Liable for Copyright Infringement Under Directive (EU) 2019/790

Lucas Blackwell

International Free Speech: How Guatemala's Femicide Law is Used to Restrict the Free Flow of Information

Karla Munoz



SOUTHWESTERN LAW SCHOOL

SOUTHWESTERN JOURNAL OF INTERNATIONAL LAW



VOLUME XXX

2024

NUMBER 1

TABLE OF CONTENTS

ARTICLES

- CHILE'S FAILED ATTEMPT TO GET A NEW CONSTITUTION: OR THE CHALLENGES OF
DEMOCRATIC CONSTITUTION MAKING IN A POLARIZED ERA 1
Javier Couso

- BUILDING A SHIP IN TROUBLED AND UNCHARTED WATERS: REFLECTIONS ON THE CHILEAN
CONSTITUTION-MAKING PROCESS, 2019-2023 33
Lisa Hilbink

- VISUAL ARTISTS BRUSHING WITH THE LAW: INTERNATIONAL LEGAL DIMENSIONS OF
PROFESSIONAL PRACTICE..... 49
Henry Lydiate

- THE WORK OF ART OR THE ART OF WORK? A COMMENTARY ON HENRY LYDIATE'S 'VISUAL
ARTISTS BRUSHING WITH THE LAW' 115
Christopher David Ruiz Cameron

- POLITICS OF RECOGNITION AND INDIGENOUS PEOPLES IN BANGLADESH 126
Mohammad Hasan

- RESPECT, THE RIGHT TO SELF-IDENTIFICATION, AND THE SURVIVAL OF CULTURE 173
Alexandra D'Italia

- THE UNENUMERATED RIGHTS PROVISIONS IN THE U.S. AND ARGENTINE CONSTITUTIONS:
DIFFERENT PATHS FROM A PURPORTEDLY SINGLE SOURCE 179
Lucia Belén Araque

- THE INTER-AMERICAN SYSTEM ON HUMAN RIGHTS SHOULD APPLY THE UN GUIDANCE ON
LESS LETHAL WEAPONS IN LAW ENFORCEMENT 211
Ezequiel David Strajman

UNIVERSIDAD DE LA REPUBLICA
FACULTAD DE DERECHO
BIBLIOTECA

THE DEATH OF ARTICLE 17: HOW THE CJEU IN *POLAND V. PARLIAMENT* CREATED A
FRAMEWORK WHICH PREVENTS HOLDING YOUTUBE LIABLE FOR COPYRIGHT
INFRINGEMENT UNDER DIRECTIVE (EU) 2019/790.....233
 Lucas Blackwell

INTERNATIONAL FREE SPEECH: HOW GUATEMALA’S FEMICIDE LAW IS USED TO RESTRICT
THE FREE FLOW OF INFORMATION264
 Karla Munoz