

Commencement Address
Santa Clara University, School of Law
May 24, 2014

by Almudena Bernabeu

President of Santa Clara Father Engh, Dean Kloppenbergh, Dean Polden, Board of Trustees, distinguished faculty, proud parents, grandparents, stepparents, all families and above all beautiful and relieved Class of 2014.

I have to begin by saying thank you to all of you and to Santa Clara University. Not only because I always received from Santa Clara love, respect and admiration that at times I am not sure I deserve, I have been awarded with the Alexander prize, first prize I ever received in my life, colleagues here pick up the phone every time I call asking for help, help me locate crucial witnesses for my cases, etc. – and now they also have asked me to address this commencement and have presented me with an honorary degree, a degree that I will treasure for the rest of my life, and most likely, I'll brag about.

Preparing for today, I must confess, has taken me as many hours and as much fear as my final exams at law school, so I calculated that as soon as I am done with this speech, and if I do a good job, I will feel like I graduate again, relieved, happy, much closer to how you all are feeling right now.

I am very proud of you guys, getting a law degree is an important achievement in itself. You are about to start what I call “the dance” of shaping up your professional dreams, your aspirations, your ideas, creating little by little that great adventure that your career and your life is going to be. Creating your own professional path it's an intriguing and exciting thought and yet, a scary one. I came here today with the determination that with my speech I would share with you, not so much my story but, that I would make the effort to identify the factors as I call them that have allowed me to create my path and my story; why I made the decisions that I made, what brought me to where I am today, what made me an international human rights attorney.

When I received my law degree in Spain, many, many, years ago, I became the first university graduate in my family. I initially wanted to become a judge but the money and time involved was a no go. I am kind of glad now because I think I would have been a terrible Judge anyway. Although I tried to follow a traditional path, build a resume, work at a law firm and such, pretty soon the first factor appeared: a person, a lawyer whose conviction touched my life forever. I appropriately became an overworked, underpaid, refugee and asylum lawyer. I had to listen the hardest stories I have ever heard and for the first time in my life, human suffering was not a

well-intended phrase, it had flesh, eyes, and feelings. I have thought of myself as a fairly political girl throughout law school, but after learning about the reality of these human beings I was ashamed. I knew nothing.

When I was finally given my own case, I discovered the second factor: a profound need to fix people's problems (a quality that does not serve you all that well if you marry). I studied, I researched, I discussed endlessly, I argued (all things familiar to you aren't they?) until I was able to help a Salvadoran woman from Chalatenango, who having lost a child in the war and while in exile, was now having to take care of her two surviving children, one of whom was facing terminal cancer. Having succeeded in helping Rosa and many other immigrants after her was an extraordinary experience. My path was shaping up irrevocably.

Upon coming to live to the United States I discovered the third factor: my terrible English. My English was so bad I could not express any of my ideas, much less get the right cappuccino at a Starbucks. Not being able to be myself caused me great pain and frustration. I discovered that I had been arrogant about my abilities and took them for granted. I could not even talk intelligently about any of this. Again, extraordinary people crossed my path, people who did not seem to think that my bad English eclipsed my abilities and talents. I worked hard, I volunteered, I read, I studied, and I felt afraid and lost a couple of times. I experienced serious adversity but I never let it turn into failure; I am too optimistic for that.

The opportunity came to volunteer, yet again, at a recently created organization named the Center for Justice and Accountability. One more time a now, wonderful friend crossed my path bringing CJA to my attention. I found all the information I could about CJA and its cases. The dear friend recalled for me the other day what I told him when I started: "Felix, -I said- Law has been created by humans to organize the world to make the world a better place for all. The world is a very disorganized place and always the same people suffer, I am really tired of that, we can do this""

And this is my fourth and definitive factor. I realized I did not conceive of the law outside of its being a tool to try to make things better for all people. I wanted to make the world better and human rights litigation seem like a good next step. I decided I would shape up my path a bit more: I would seek justice in courts for human rights violations, and I had great ideas on how to do it! Undertaking this portion of the path would have been impossible without my husband, Nico van Aelstyn, his instincts, smarts and unconditional support, my family's pride and work ethic, my friends' understanding and generosity some in the audience, some far away, and the patience, flexibility and at times blind faith of my colleagues, past and present, at CJA.

In helping to shape that path and making it more significant, Santa Clara University played an important role. Santa Clara makes of justice, not only a key piece of the syllabus, but a way of academic and personal life. This responsible sense of living through action and justice is in all of

you. You all have received it with every tort class, every contracts class. No matter whether you go to practice law at a law firm, into academia, public interest, Google, Costa Rica, banking, whatever your path looks like, this teaching will remain in all of you, contributing decisively to make you the great professionals you already are and will be, regardless of success, money or adversity. That is why I am standing so proud here today at Santa Clara.

In 2008 after many years working with the Salvadoran community, I was able to make a dream come true. I successfully persuaded CJA and the Spanish Human Rights Association to support the filing of a criminal case under universal jurisdiction for the killing of the 6 Jesuits in El Salvador along with their two employees, Elba y Celina, the same Jesuits, Elba and Celina whose crosses are at the entrance to the Mission. Spanish professionals had changed the landscape of international criminal law with the Pinochet case and I had been by their side, learning, until my opportunity arrived. I had studied the Jesuits case for years and knew about a witness, an employee at the Central American Jesuit University who was an eyewitness to the assassinations, and who as a consequence of her testimony, was forced to flee El Salvador with her husband and daughter. I had been told that the Jesuits at Santa Clara had been key in helping her and her family. Not only had Santa Clara housed Father Jon Sobrino, a dear friend and one of the Jesuits at the UCA to survive the massacre, but they also provided for employment and a sustainable situation for the witnesses. Barely four months into the litigation, Santa Clara University offered to help me. When I asked about this witness, they did not hesitate and within a week, I met Mr. Jorge and Mrs. Lucia Cerna, who are sitting right now in front of me, and to whom I dedicate today my work, my efforts, and this recognition for the are everything to which I have been luckily exposed along my career path. They had to leave their lives behind because they believed in justice, and that speaking the truth about the crime was the right thing to do. When I arrived and asked them to testify in the case, they did not hesitate. Their sense of justice had not changed a bit. The integrity and generosity of Jorge and Lucia Cerna and of the people of Santa Clara is the reason why I am here today.

The world is changing fast guys but to me, no matter how many new laws, new tools we come up with, it remains disorganized and many of the same people are still suffering. Today is the first day for all of you to go out there and contribute to organizing it a bit. Class of 2014, shape and follow your path. In doing so, no matter where your path takes you, wherever you stand, draw upon and build upon the beautiful experiences and teachings you received here at Santa Clara. Carry the seed and legacy for justice and dignity that this institution has planted in you. Make room as legal practitioners for your dreams and your creativity, welcome warmly and treasure all the people who will cross your path and change your life.

Class of 2014, congratulations, my heart burst with excitement for all of you.

