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Memorial Tributes

JOSEPH J. NORTON*

Since the last issue of this journal, our Section, most sadly, has lost the light and wisdom of two of its most distinguished members, Sir Joseph Gold (former General Counsel of the IMF and Theberge Award winner) and Joe Griffin (former Section Chair). The following are brief memorial tributes to these two great internationalists. Specially dedicated memorial issues of the journal will follow.

SIR JOSEPH GOLD** (1912–2000)



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**A decade ago, the Section dedicated a Festschrift in honor of Sir Joseph: the following is Professor Joseph Norton's prefatory tribute from that volume.

Sir Joseph's scholarly contributions in the area of international monetary law need no comment. . . . In the area of international monetary law, Sir Joseph was more than the pathfinding legal scholar of the postwar era; he often created and defined the parameters of the intellectual journey. In this respect, Sir Joseph was unrivaled as a public international law scholar. Yet, his contributions to the Academy of knowledge and scholarship go much deeper and wider, and are intensely personal.

Sir Joseph is largely a product of the Academy. His legal education, as well as his other academic and practical endeavors, bears the mark of excellence from his academic training at London and Harvard Universities. Sir Joseph comprised one of that special and dynamic group of law students and teachers at the University of London in the 1930s who helped reshape the direction and emphasis of English law and legal education. Sir Joseph believed that law should be an instrument for bettering society. He and his small cadre of intellectual renegades established the *Modern Law Review* at London, the legal journal that paved the way for much of the subsequent innovative legal scholarship in England, the United States, and elsewhere concerning the role of law in society. It is against this backdrop that Sir Joseph's contributions to the International Monetary Fund (IMF) and to the development of international monetary law can be better appreciated. He saw international law as a means for helping to establish a better, more stable, and more peaceful world order.

Although Sir Joseph spent most of his adult life as the consummate international civil servant, he never shed the cloak of teacher and educator that he obtained from his experiences at London and Harvard. Sir Joseph was always at his personal best with a group of young and inquisitive students. He not only brought his message to students in a number of distinguished schools and universities on the East Coast, but made it a conscious point to bring his vision of an international monetary order and a peaceful world order to the hinterlands of the United States and elsewhere around the world. For example, as a then young law student, I first met Sir Joseph as a result of a series of lectures he gave at the University of Michigan Law School. This was my first introduction to the unfathomable world of international monetary law and monetary institutions. As a direct result of this encounter with Sir Joseph, the teacher, my own academic interests were shaped for future years. This personal encounter, I am sure, is not unique.

Sir Joseph was not only a lover of knowledge but a sharer of knowledge, whether it be in New York City, Toledo, Ann Arbor, Omaha, Dallas, London, or Beijing, China. He quickly cut through the snobbery that too often permeates the Academy and blurs its objectives, as he presented a message of excellence and sought to help others within the Academy toward their own achievement of excellence.

Sir Joseph made many other significant contributions to the Academy. Long before it was popular in legal education to talk about an interdisciplinary approach to law teaching and legal scholarship, or, in particular, about the need to interrelate law and economics, Sir Joseph's approach to teaching and scholarship was imbued with a broader vision than mere legal constructs. A "renaissance" person in the true sense of the word, Sir Joseph brought to his legal analysis a wide perspective formed by a background in the arts and letters, in social and political criticism, and in economics. While most other legal scholars and teachers are content with a more comfortable and limited intellectual promontory, Sir Joseph and his scholarship thrived on the rich vibrations coming from outside the legal world.

Perhaps a large measure of his intellectual richness was due to his long and loving marriage to Ruth (Ruth, his wife of 54 years, predeceased Sir Joseph by three years). Ruth, his

young American sweetheart in London, exposed Sir Joseph to the intellectual environs of the United States and continually kept him on his toes with her keen economic analysis and her own wide range of intellectual interests and contacts. This early exposure to the importance of economics and to the marvels of American society were to be invaluable to Sir Joseph in his role at the IMF and in his subsequent scholarship. An early realization that he could not and should not retreat to a narrow legal view of the evolving international monetary order created in Sir Joseph a most special type of intellectual legal scholar. He was a unique individual, who blended the academic with the practical, the legal with the nonlegal, the global with the personal. He has and will continue to make a difference in so many ways to so many of us in our passing through the Academy.

In his commencement address at Southern Methodist University, when he received an honorary Doctorate of Laws, he presented a hope for a future world order based upon rationality and not irrationality. He also extended the hope that there develop a linkage between the Academy and the world of international organizations, whereby both realms could become mutually enriched. His vision was one where the Academy is not isolated but becomes an integral part of the political, social, and institutional processes shaping the future world order and where such processes are shaped and humanized through the Academy. This was indeed a very special vision Sir Joseph presented, one that is essential for the development of a peaceful and rational world order.

JOSEPH P. GRIFFIN
(1944–2000)

The leadership and staff of the ABA Section of International Law and Practice and its flagship publication, *The International Lawyer*, join countless others in the legal profession around the world in expressing their shock and sadness at the untimely death of Joe Griffin during a business trip to California last February, at the age of 55.

We feel a particular loss because during his illustrious career in the law, Joe so tirelessly and enthusiastically pursued our own objectives: writing, research, scholarship, teaching, and professional fellowship in the field of international law. Not the least of his contributions in those areas was his service as a member of the editorial advisory board of *The International Lawyer* for a ten-year period ending in 1985, and the numerous articles in *The International Lawyer* that he authored, co-authored, or edited. But Joe was an active writer on international law topics in many venues. He wrote the 1989 book, *U.S. International Antitrust Enforcement: A Practical Guide to the Justice Department Guidelines*, which he revised in 1996. He co-authored *The Manual of Foreign Investment in the United States* (2d ed., 1994); and, he spearheaded the Section's *Commentary on the Restatement (Third) on Foreign Relations*. In addition, he served on several editorial boards, including the Corporate Counsel's *International Adviser*; BNA's *Corporate Practice Series*; and *International Trade Law and Regulation*.

In his written work, Joe achieved the difficult task of combining first-rate scholarship and intellectual rigor with the practical perspective of a busy international lawyer with a thriving private practice. In reviewing his written work, one is struck repeatedly by the thoroughness of his research and analysis, and, at the same time, his ability to communicate effectively with his reading audience, by his apparent comfort in equal degrees with the scholar and with the business client. Joe had a thorough grasp of international antitrust law and the extraterritorial application of U.S. antitrust law, the fields in which he achieved his greatest renown. He fully understood policy in the area, but ultimately he was a hardheaded practitioner, with a grasp of private sector concerns and directions.

Written contributions to the profession represent just one aspect of Joe's vigorous professional life. Joe was active in numerous professional organizations, serving on the Secretary of State's Advisory Committee on Private International Law for ten years until 1997, and serving as an adjunct professor of law at Georgetown University Law Center since the early 1980s. He was a member of the Panel of Arbitrators of the American Arbitration Association and the American Law Institute, and he testified before various committees of the U.S. Senate, the House of Representatives, and the Federal Trade Commission. His humorous and utterly unpretentious manner resulted in a steady stream of invitations to speak on international law topics. And, of course, for many years Joe participated with distinction in the affairs of our own Section of International Law and Practice of the American Bar Association, holding numerous offices in the Section at one time or another, culminating in his service as Chair of the Section during the 1987–88 Association year.

After all else, there is the deep sense of personal loss. Joe's exuberant personality, the levity he brought to so many otherwise humorless professional situations, his ability to invoke the merciless authority of a drill sergeant (with wit and charm) in presiding at a meeting, his boundless good cheer and friendship—the memories of those qualities in Joe will endure. We bid farewell to Joe Griffin, colleague, scholar, mentor, and friend.

