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Fifty Years Young: A Personal Note of Congratulations and of Appreciation

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Fifty Years Young: A Personal Note of Congratulations and of Appreciation

JOSEPH J. NORTON*

My heartiest congratulations to the Leadership of the American Bar Association's ("ABA") Section of International Law (the "Section") on the 50th Anniversary¹ of its flagship publication, *The International Lawyer* ("TIL"). Also, my most sincere appreciation to the Section for maintaining its confidence in my law school, the SMU Dedman School of Law in Dallas, and its international law faculty and law student body by having TIL's editorial home based at SMU for the past thirty years.

It is undisputed that TIL has established itself as one of the premier international law journals in the English-speaking world, being one of the most widely-cited international law journals and having the largest regular readership touching over ninety countries. TIL has become a key disseminator of the Section's tagline of "Your Gateway to International Practice," to the Section's strong commitment to the global embrace of the "Rule of Law," and to the Section's ongoing promotion of inclusion and diversity in its expanding membership base and in its leadership structure.²

Thirty years ago, I had the privilege, along with my then faculty colleague, Professor Dr. Werner Ebke (now a member of the Heidelberg Law Faculty), to interview with the late Mont Hoyt and other Section Leaders, for SMU to take the editorial baton of TIL from the most capable hands of the prior Editor-in-Chief ("EIC"), Professor Bob Lutz.³ Robert Rendell, who was the Section President in 1986, strongly encouraged Werner and me to make this

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1. TIL's lineage can be traced back to the establishment of the ABA's International Law Committee in 1878: this Committee was one of the original seven Standing Committees of the ABA. In 1933, this Committee became the Section of International and Comparative Law under the great legal scholar, Professor John Henry Wigmore as its Chair. In 1981, the Section was renamed the Section of International Law and Practice and in 2004 the Section was given its present name of the Section of International Law. See, *inter alia*, Victor Folsom's historical discussions of the Section in 16 INT'L LAW. 1, 119 (1982) and in 28 INT'L LAW. 3, 587 (1994). See also Lutz and Schildhaus, *infra* note 2

2. For information on the ABA Section of International Law, see generally Section of International Law, AMERICAN BAR ASSOCIATION, available at http://www.americanbar.org/groups/international_law.html.

3. Bob was to become President of the Section in 2001, and earlier in 2016 the Section awarded him its 2016 Lifetime Achievement Award. Bob, along with another former President of the Section, Aaron Schildhaus, have edited a most impressive volume, *The ABA Section of International Law, Leading the World's International Lawyers since 1878* (ABA 2008).

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presentation, and Robert continued to support SMU in promoting international law programs over the years.⁴ Our proposal was successful, and I became EIC, with Werner as Associate EIC.

I was fortunate to hold the EIC position and to be a member of the Section's Council for 11 years.⁵ During that time, I had the opportunity to get to know some of the most committed and civic-minded Section Leaders, each of whom made significant contributions to the advancement of the Section.⁶ By way of example, Homer Moyer expended endless hours developing the special Central and Eastern European Law Institute ("CEELI") founded in 1990 after the collapse of the Berlin Wall in 1989. CEELI evolved into the ABA's comprehensive Rule of Law Initiative in 2007.⁷ In speaking of the promotion of the Rule of Law, special commendation needs to be given to Jim Silkenat who was relentless and tireless over the past two plus decades in advancing the Rule of Law through the Section and the broader ABA. TIL has always been receptive to publishing Rule of Law-related articles and reports, including publishing a major Rule of Law Symposium in 2009.⁸

In terms of TIL's contribution to the SMU School of Law, I wish to briefly note four matters: (1) the founding of the SMU International Law Review Association ("ILRA"), (2) the establishment of the *Law and Business Review of the Americas* ("LBRA"), (3) the facilitation of several major international conferences at SMU, and (4) the evolvement from TIL proper of a separate Section annual publication, *The Year In Review* ("YIR").⁹ With the support of my then Dean Jeswald Salacuse and his successors, Dean Kenneth Penegar, Dean C. Paul Rogers, Acting Dean Harvey Wingo, Dean John Attanasio, Acting Dean Julie Forrester, and now Dean Jennifer Collins,

4. Robert was an Adjunct Professor of International Business Law at SMU for a number of years.

5. 1987-1995 and 2000-2001.

6. In particular, I wish to note the substantial contributions of Arthur Rovine, Robert Rendell (an SMU Adjunct Professor of Law), the late Joe Griffin, Steve Nelson, Homer Moyer, Jim Silkenat, Gerald Libby, the late Prof. Louis Sohn, James Carter, Jay Vogelsson (also an Adjunct Professor of Law at SMU), Lucinda Low and her husband Dan Magraw, the late Rona Mears (an SMU graduate), Prof. Don Wallace, Bob Lutz, Tim Dickinson, Edison Dick, Ken Reisenfeld, Edison Dick (director of ILEX), Don De Amecis, Charlene Barshefsky (former USTR) and Judith Bello. Also I would like to give special recognition to Cynthia Price, the amazingly talented, energetic and perceptive Executive Director of the Section for many years.

7. CEELI, founded in 1990, transitioned into the ABA's comprehensive Rule of Law Initiative. See ABA Rule of Law Initiative, AMERICAN BAR ASSOCIATION, available at http://www.americanbar.org/advocacy/rule_of_law.html.

8. See 43 INT'L LAW. No. 1 (Spring 2009).

9. For more information on the YIR, see generally The Year In Review 2016 Guidelines, AMERICAN BAR ASSOCIATION, available at http://www.americanbar.org/content/dam/aba/uncat_eigorized/international_law/yir_guidelines.authcheckdam.pdf.

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my SMU EIC successors (Peter Winship and Marc Steinberg)¹⁰ and I were able to structure, establish, and maintain the ILRA.¹¹

Over three decades, the ILRA has become a high-quality law review of sixty top law students for assisting in the editing of TIL (and, subsequently, also of LBRA and the new YIR), while still maintaining TIL's status as the Section's flagship, professional, refereed publication.¹² In talking about the success of the ILRA with respect to TIL, I would be remiss not to recognize the great contributions made in the past by Janet Balch and former Senior Associate Dean Christine Szaj and now being made by my colleagues, Beverly Duréus and Patricia Heard. As to this "partnership" between TIL and SMU, our students have been given a special opportunity to have a genuine law review experience that exposes them to a broad range of cutting-edge international and comparative legal issues, that aids in their future job search, and that helps our law school's external international profile.¹³

As to the establishment of the LBRA journal in 1994, various Section Committees (*e.g.*, the International Trade, Mexico and Canadian Committees) and members had been active in the launch of the NAFTA initiative. TIL assisted in publishing key articles on cutting-edge issues and developments and in co-sponsoring one of the first major national conferences on NAFTA in conjunction with the Section and SMU. Related to all this, the Section was a co-sponsor, from 1994-2000, with SMU and Kluwer Law International of the first interdisciplinary law journal on NAFTA, the *NAFTA: Law and Business Review of the Americas* (name changed in 2000 to LBRA and continued to be edited by the SMU ILRA). LBRA expanded the SMU external international profile (particularly as to Latin America) and has further enriched the international exposure of our ILRA law students.

In addition to the seminal NAFTA conference referenced above, SMU-TIL collaborated with the Section with respect to several other major international conferences (*e.g.*, the *Rule of Law*, the *New International Financial Architecture*, and the *Arab Spring*). Each conference brought to SMU-Dallas leading experts in the particular conference subject-matter areas and led to significant publications in TIL. Further, SMU-Dallas hosted one of the Section's Winter Meetings. On a separate note, the SMU-TIL-Section relationship was further solidified by the Section

10. Peter served as EIC from 1996-1999. Marc is the current and longest serving EIC, serving as such since 2002. From 2002 to 2014, our then Dean John Attanasio served as a Co-EIC.

11. For more information on ILRA, *see generally* International Law Review Association, SMU DEDMAN SCHOOL OF LAW, *available at* <https://people.smu.edu/ilra/>.

12. For more information on the ABA and TIL, *see generally* The International Lawyer, AMERICAN BAR ASSOCIATION, *available at* http://www.americanbar.org/groups/international_law/publications/the_international_lawyer.html.

13. The SMU Law School extensive international profile goes back seven decades. *See, inter alia*, *Special Tribute: The SMU Law School and 50 years of International Legal Education 1947-1999*, 5 *NAFTA LAW AND BUSINESS REVIEW* 5 (Winter 1998).

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awarding my colleague, Peter Winship, the prestigious *Theberge Award for Private International Law* in 2007.

The final point I wish to make concerns the institution of TIL's annual 600 page *Year in Review* publication. The genesis of this goes back to the mid-1990s, with the Section trying to expand and to energize its Committee structure. The gist was for the Chair of each of its Committees to produce an annual report of "recent legal developments" within the Committees' coverage areas. These reports were to be assembled and initially reviewed by a designated Section member (*e.g.*, Bob Lutz, John Murphy and Peter Winship), and then turned over to the ILRA. The actual ILRA editorial/publication process initially was under the oversight of our then Senior Associate Dean Christine Szaj, and subsequently under the supervision of two of our Senior Lecturers, Bev Duréus and Patricia Heard. Trying to "ride heard" over this ever-expanding project as the Section increased its Committees to over 40:¹⁴ they also had to inter-relate with each Committee Chair, the Section Publication Committee Chair and other Section Leaders, the ABA Chicago Office, the ILRA students dedicated to this project, the publisher, and to the YIR EIC, Marc Steinberg. I cannot emphasize how well Bev, Pat and Marc have done in annually orchestrating this mammoth and complicated process and "in keeping the publication train on track and on time." Without question, *The Year In Review* will become a "must have" by anyone interested in the international-comparative law arena.

I am so proud to have been associated with the Section, TIL, the ILRA and my wonderful involved colleagues. For most, "50 years" is the beginning of middle-age, but with the energized and expanding Section and the continuing support of my Law School, I am confident TIL is still in its early life, with many more years ahead in contributing to the global propagation of international and comparative law and of the Rule of Law. Happy Anniversary and a personal note of appreciation for enriching my academic career.

14. See generally ABA Section of International Law: Committees, AMERICAN BAR ASSOCIATION, available at http://www.americanbar.org/groups/international_law/committees.html.