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International Law at the Cornell Law School



John J. Barceló III and Lee E. Teitelbaum

The Cornell Law School has a long and distinguished history of educating lawyers, government officials, and business men and women whose homes are in the United States, Europe, the Far East, Latin America, and Africa and whose work takes them to every corner of the world. Some studied in the J.D. program and some in the graduate program; however, all shared the remarkable experience that the Cornell Law School provides.

International Leaders

Secretary of State William P. Rogers '37 once observed, "It is good for lawyers to go in and out of public life—it's like a change of seasons." The Cornell Law School has a great and justified pride in the roles played by its graduates in many international domains.

Arthur H. Dean '23 played a leading role in the negotiations that ended the Korean War and in the negotiations that produced the Nuclear Test Ban Treaty. Sol M. Linowitz '38 negotiated the Panama Canal Treaty in 1969 and was also U.S. ambassador to the Organization of American States and U.S. representative to the Inter-American Committee of the Alliance for Progress. Like William P. Rogers, Edmund S. Muskie '39 was secretary of state. Barber B. Conable '48 was president of the World Bank. William J. vanden Heuvel '52 was U.S. ambassador

to the United Nations in Europe. Paul C. Szasz '56 served with the International Atomic Energy Agency, the World Bank, and the United Nations.

The law school's international alumni have also distinguished themselves in academic and diplomatic settings. Among the many are Prof. Xavier Blanc-Jouvan '54, the former head of comparative law at the University of Paris I, and Peter-Christian Müller-Graf '70, the current dean of the faculty of law at the University of Heidelberg. Both recently returned to Cornell and taught our students and faculty. Juan Carlos Esguerra, LL.M. '73, was minister of defense in Colombia, ambassador of Colombia to the United States, and dean of the Javeriana University law faculty. Laxmi Singhvi '55 served as the ambassador of India to the Court of Saint James.

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The complete list of prominent Cornell international lawyers in private life is much longer. They are the ornaments of the legal profession who protect human rights across cultures and make possible transactions across borders. For many, the international program played a formative role in their education and professional development.

The Founding and Development of the International Program, 1948–90

World War II profoundly affected the founding of the international legal studies program at Cornell. Returning servicemen studying at the law school after the war expressed strong interest in international affairs.

In 1948 Myron Taylor, an 1894 graduate and the benefactor after whom the law school building is named, established a speakers' fund for international legal studies. Mr. Taylor was a former chair of U.S. Steel and during the war had been President Franklin Roosevelt's representative to the Vatican, with ambassadorial rank.

Also in 1948, Rudolf B. Schlesinger, who was in the United States because of the war and the looming Holocaust, joined the law faculty. A brilliant teacher and scholar, he went on to become one of Cornell's most beloved faculty members. The founder of comparative law—not just at Cornell but in the American law curriculum generally—Professor Schlesinger was the most important factor in Cornell's reputation for international and comparative law in the years he taught at Cornell, from the fifties through the first half of the seventies. Comparative law scholars today still acknowledge his influential accomplishments.

The early faculty also included Herbert W. Briggs (after whom the Briggs International Law Society is named) in public international law, Gustavus Hill Robinson in admiralty law, and a number of others. In 1967 the *International Law Journal* was founded, under the leadership of Robert A. Anthony, then director of the international legal studies program.

From 1948 to 1990 the program focused on bringing the outside world to Cornell. A core faculty and a curriculum in international and comparative law were established, along with a degree in international legal affairs and a program of international speakers. The LL.M. program was



broadened to include a talented group of law graduates from abroad. Since 1980 the LL.M. program has grown steadily, and this year the entering LL.M. class will number about sixty members from around the world.

The Second Founding, 1990–2000

The start of the program's second period was marked by the founding of the Berger International Legal Studies Program. Like the first founding, the second was significantly influenced by the end of a war—the Cold War. The breakup of the communist system in Russia and Central and Eastern Europe, beginning in 1989, was the catalyst for what we now know as the globalization of the world economy.

In anticipation of that process and to prepare students and faculty members for the globalization of law, in the early 1990s Leo V. Berger '56 and his wife, Arvilla, agreed to endow the existing international program activities and to support the initiative of taking the Cornell Law School abroad. In 1992–93 the Berger International Legal Studies Program was established.

At about that time Klaus H. Jander '64 and Donald E. Sheil '64 succeeded in having the estate of Arthur and Elizabeth Reich endow the international program directorship. Like Professor Schlesinger and Mr. Berger, Mr. Reich came to the United States to avoid World War II and the Holocaust. Once in this country, he became a successful lawyer in New Jersey, where he practiced with Mr. Sheil.

With the funds for the program and its director, and in cooperation with leading European universities, the program launched several initiatives to take the Cornell Law School abroad. They include the summer institute, international conferences, joint-degree programs, exchanges with European law schools, and alumni reunions in Europe. The first three of those initiatives have involved cooperation with the law faculty of the University of Paris 1, and for that cooperation we are indebted to Prof. Xavier Blanc-Jouvan '54, formerly a member of the Paris 1 law faculty and director of the Comparative Law Center at Paris 1.

Summer institute. The Summer Institute of International and Comparative Law, founded in 1994 in cooperation with the University of Paris 1, offers a rich curriculum of comparative law courses taught at the Sorbonne in Paris by Cornell law professors and guest faculty members from Paris 1 and elsewhere in Europe. In the 2001 class, numbering 134 students, Cornell J.D. students accounted for 20 percent, another 34 percent were J.D. students from other U.S. law schools, and the remainder were from thirty-five other countries. The extraordinary combination of faculty, courses, diverse students, and location has made this institute a standout among such programs.

International conferences. In the early years of the international program, Cornell was renowned for its summer conferences in international law, and Professor Schlesinger pursued his research into the common core of contracts by bringing international scholars to Ithaca. The school still holds important international conferences in Ithaca each year, and it also hosts a regular one-day symposium in Paris in connection with the summer institute. In 2001 the first International Forum was held in Paris; it comprised two panel programs—one on

Dean Teitelbaum and Peter-Christian Müller-Graf '70 in Heidelberg, Germany

The extraordinary combination of faculty, courses, diverse students, and location has made our summer institute a standout among such programs.

corporate governance for global business and the other on the Hague Convention on Territorial Jurisdiction and Foreign Judgments.

Joint-degree programs. In the midnineties, in the tradition of the degree in international legal affairs, the law school established two innovative joint-degree programs—one with the University of Paris 1 and the other with Humboldt University of Berlin. Bilingual students from the United States, France, and Germany study for four years both at Cornell and at either Paris 1 or Humboldt. They receive the J.D. from Cornell and either the *maîtrise en droit* or the master of German and European law and practice. It should be noted that Freddy Dressen, LL.M. '72, was instrumental in



getting support for the founding of the Paris 1 joint-degree program from the Florence Gould Foundation in New York City.

Exchanges. The law school has established student and faculty exchange relationships with the University of Paris 1, the University of Heidelberg, Humboldt University, Central European University in Budapest, and, more recently, the Escuela Superior de Administración y Dirección de Empresas and Pompeu Fabra law schools in Barcelona and the new Bucerius law school in Hamburg. There is also a program of student exchanges with a non-European school, the University of Sydney (Australia).

European reunions. Every year since 1991 alumni reunions have been held, each in a different European city. They give international alumni an opportunity to reconnect with the school and with each other.

Faculty. The current faculty is involved in research and teaching in international and comparative law to a striking degree. John J. Barceló, Muna B. Ndulo, and David Wippman are primarily internationalists. Kevin M. Clermont, Martha Albertson Fineman, Claire M. Germain, Robert A. Green, Jonathan R. Macey, Katherine Van Wezel Stone, and Robert S. Summers are active in the comparative or international aspects of their subjects. Gregory S. Alexander, Theodore Eisenberg, George A. Hay, Robert A. Hillman, Peter W. Martin, Faust F. Rossi, Stewart J. Schwab, Steven H. Shiffrin, and Winnie F. Taylor also participate in international events and bring a global perspective into their courses.

Building on What Has Gone Before: The Clarke Center

The Cornell Law School continues to nurture and strengthen what has gone before. Many of the developments in international studies are the result of the generosity and vision of law school alumni. One such alumnus is Anthony W. Wang '68, who,



Students beneath the world peace carving on Myron Taylor Hall's Peace Tower

with his wife, Lulu, is committed to endowing a chair in Chinese law. Another is Jack G. Clarke '52, who, with his wife, Dorothea, has agreed to support several initiatives and ongoing programs at the law school with the largest commitment of both endowment and annual funds the school has ever received.

The Clarke gift is transformative for the law school. Subject to formal approval by the Cornell University Board of Trustees, the programs supported by the Clarks, through this and prior commitments, will be known as the Clarke Center for International and Comparative Legal Studies.

The Clarks' extraordinary act of generosity will allow the law school to endow a chair in Far East law and culture, in addition to the chair in international and comparative law they have already endowed, and it will also provide funds for a full-time executive director of international programs. It will support programs in Far East and Middle East law. The gift will permit our library to expand its international and comparative law collections and become an online resource of first resort for lawyers around the world conducting research in U.S. and international law. And the Clarke Center will host international alumni symposia and other events.

It is a signal honor to associate the Clarke name with this center, as it was to associate the Berger name with the international studies program.

The Global Village

Some thirty years ago—well before the widespread use of computers, the development of the personal computer, and the Internet—Marshall McLuhan imagined how technology would decrease the meaning of physical distance and create a global village. With the global village came multinational corporations, and with them came international law firms with offices across the world and lawyers trained in many systems.

Mr. McLuhan was remarkably farsighted. Equally farsighted were the faculty members of the Cornell Law School fifty years ago, who, under the inspiration of the matchless Professor Schlesinger, imagined a program in international and comparative law. Though set in beautiful rolling woodlands, high above a peaceful glacial lake in upstate New York, it was conceived and has been brought to fruition as a center just as cosmopolitan and multinational as any found in a large city, port, or seat of government.

This amazing adventure will continue. The Cornell Law School has crossed geographical borders many times. It will continue to do so through programs that bring international figures to Ithaca and send faculty members and students to institutions of learning and international agencies on every continent.

The Cornell Law School will continue to cross borders virtually as well as physically, drawing on the work of another Cornell visionary—Prof. Peter W. Martin, the architect of the Legal Information Institute. The LII was the first legal Web site and is still the largest noncommercial legal Web site, receiving 9 million hits a week from lawyers, judges, students, and teachers in every corner of the earth. It is also the virtual classroom

for courses taught by Cornell faculty members that are now available to students in law schools across the country and may in the future be available to lawyers and students internationally.

The Cornell Law Library's Web site, under Professor Germain's leadership, has joined that enterprise and will continue to provide new materials and mirror sites connecting everyone who has a computer to essential international legal materials. Those initiatives cross boundaries of time as well as geography. There are no library hours or class schedules for the LII and the law library online.

The Cornell Law School will continue to cross borders virtually as well as physically.

The Cornell Law School will also cross intellectual borders. It is no new thing to recognize that the practice of law is the most interdisciplinary of enterprises, but the importance of multidisciplinary work has greatly increased. The law school is set in the midst of one of the world's great universities. We will continue to take advantage of the greatness and the multidisciplinary of Cornell University—and of its colleges of industrial and labor relations, management, and engineering—to educate our students in the many necessary bodies of knowledge.

In the twentieth century the leading law schools in the United States were those that became national law schools. In the twenty-first century the leading law schools will be those that become international law schools, drawing faculty members and students from all over the world, studying and teaching law as a global subject, and sending graduates to practice throughout the world. Because of the generous support of visionary alumni like Myron Taylor, Leo Berger, and Jack Clarke, Cornell is, and will remain, in the first rank of those law schools.

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