

Fordham International Law Journal

Volume 29, Issue 5

2005

Article 8

International Law at Fordham Law School

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Abstract

As we celebrate Fordham Law School's Centennial and pause to examine its history from a number of vantage points, this piece will describe the evolution of the international law program at the Law School, its current place in the course of study, and plans for its future development.

INTERNATIONAL LAW AT FORDHAM LAW SCHOOL

*Joseph C. Sweeney**

In recent months, U.S. citizens have become stunningly aware of the reach of globalization. As business leaders, government officials, and educators scramble to deal with the realities of the impact of the rapid and dramatic changes that are occurring, one thing has become eminently clear for legal educators: the study of international law, once a specialized field, will take center stage in the curricula of law schools.

As we celebrate Fordham Law School's Centennial and pause to examine its history from a number of vantage points, this piece will describe the evolution of the international law program at the Law School, its current place in the course of study, and plans for its future development.

Fordham Law School opened on September 28, 1905, thereby starting the series of professional schools that entitled St. John's College to the name of Fordham University.¹

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1. St. John's College at the village of Fordham was founded by Bishop John Hughes in 1841. Under President John J. Collins, S.J. plans were completed for a law school and a medical school in 1904. Fordham University was chartered by the State of New York in 1907. Bishop John Hughes (1797-1864), born in County Tyrone, Ulster, emigrated at age twenty to Chambersburg, Pennsylvania where his father and an older brother had already settled. He continued to work as a gardener, awaiting the opportunity to answer the call to the ministry. He attended seminary at Mount St. Mary's College, Emmitsburg, Maryland, having been recommended by a neighbor, Mother Elizabeth Seton. Ordained a priest in 1826, his first duties as parish priest were in Philadelphia, Pennsylvania. In 1838, he was appointed bishop-coadjutor of New York, succeeding to the See in 1842 as the fourth bishop of New York. He founded St. John's College in 1841, served by diocesan clergy, but after several years, he requested the Society of Jesus to assume responsibility for the college. A mostly French group of twenty-eight Jesuits arrived in summer 1846 at the 100-acre Rose Hill farm in the very rural Bronx. John Hughes continued to be a fierce defender of his flock in the age of "Know Nothing" bigotry. He became archbishop in 1850 and the founder of the new St. Patrick's Cathedral on Fifth Avenue in 1853.

Background information is from: RICHARD J. SHAW, *DAGGER JOHN: THE UNQUIET LIFE AND TIMES OF ARCHBISHOP JOHN HUGHES OF NEW YORK* (1977); THOMAS C. HENNESSEY, S.J., *FORDHAM: THE EARLY YEARS* (1998); ROBERT I. GANNON, S.J., *UP TO THE PRESENT: THE STORY OF FORDHAM* (1967); RAYMOND A. SCHROTH, S.J., *FORDHAM: A HISTORY*

In the sixty-four years between the foundation of the College and the establishment of Fordham Law School, New York City changed from the commercial center of the North into a metropolis of world trade.² Thus, it was entirely appropriate that the founding Dean of Fordham Law School, Paul Fuller,³ had

AND MEMOIR (2002); and ROBERT KACZOROWSKI, *HISTORY OF FORDHAM LAW SCHOOL* (2006) (reviewed in manuscript). Bulletins and catalogues from the archives of Fordham University and the Law School have also been consulted.

2. See EDWIN G. BURROWS & MIKE WALLACE, *GOTHAM: A HISTORY OF NEW YORK CITY TO 1898*, 656-65, 1041-58 (1999).

3. Paul Fuller (1847-1915) was born on the clipper ship Thomas E. Perkins on which his parents were en route to California where his father was to serve in the U.S. Army occupying the new territory recently ceded to the United States by the treaty of Guadeloupe-Hidalgo, terminating the war between the United States and Mexico. His mother died soon after his birth and his father obtained his discharge from the Army to join the California Gold Rush of 1849. Young Paul was brought up in California by Mexican families hired by his father, but after the disappearance of his father, he somehow crossed the United States at the age of nine to seek his parents' families in Vermont. Paul Fuller's California inheritance was his language skills (English and Spanish) and Roman Catholic faith. After an unfriendly reception in Vermont, Paul Fuller, age ten, walked to New York City to find work; he was self-educated. Apparently his skill in the Spanish language somehow came to the attention of Charles Coudert (1795-1879), an exiled follower of the Bonapartes, who had founded a school, the Lyceum, in New York City. Paul Fuller became part of the Coudert family soon after the three sons of Charles Coudert had founded the Coudert Brothers law firm in 1857 where Paul Fuller began to work as an office boy, becoming a law clerk, and then an associate attorney after admission to the New York Bar in 1871. (He also married a Coudert daughter, Leonie in 1877.) Paul Fuller's mentor, Charles Coudert, was a prominent non-Tammany Hall Democrat and powerful political figure during the administrations of President Grover Cleveland. Paul Fuller became the managing partner of the family firm from 1882. Dean Fuller continued to serve as senior partner of his firm during his deanship and until his death. Despite the absence of formal academic credentials, Paul Fuller was an intellectual devoted to the rigorous scholarship for which the Society of Jesus was famous. (His personal library was said to contain 25,000 volumes). His teaching at the Law School included a course of lectures on legal ethics, a novel subject in those times.

As a lawyer, Fuller represented the governments of Belgium, France, Italy, Russia, Turkey, and Venezuela during forty-five years of practice. In the last year of Paul Fuller's life, President Woodrow Wilson sent him to Mexico to negotiate with the revolutionary governments of Generals Huerta, Carranza, Pancho Villa, and Obregon. As a result of Fuller's negotiations, diplomatic relations with Mexico, broken by Wilson at the murder of President Francisco Madero in 1913, were resumed in 1915. The most famous of his many cases before the Supreme Court were *The Insular Cases*, 182 U.S. 1 (1901), in which the Supreme Court found (5-4) that the U.S. Constitution did not follow the flag into the new American empire of Puerto Rico, Guam, and the Philippines acquired from Spain after the Spanish-American War of 1898.

Dean Fuller wrote a government report (with Henry Van Dyke, Esq.), *CONDITIONS IMPOSED BY THE LATIN AMERICAN REPUBLICS ON FOREIGN COMPANIES DOING BUSINESS WITHIN THEIR JURISDICTIONS* (G.P.O. 1915) and a number of law review articles: *Constitutional Questions Suggested by Recent Acquisitions*, 1 COLUMB. L. REV. 108 (1901); *Are*

made his reputation as an international business lawyer whose clients came from more than a dozen nations and governments in Europe and the Americas, as well as the United States.⁴ Furthermore, this distinguished lawyer was prominent as a legal commentator, was involved in Catholic charitable work, and was well known in political circles.

Dean Fuller remained senior partner in the Coudert Brothers law firm while serving at Fordham, but he was intensely involved in the preparations for the opening of the Law School at Rose Hill with five professors and eight students who paid \$100 tuition per year.⁵ Fuller had consulted widely on the trends in U.S. legal education, especially the "case" method of instruction introduced at Harvard in 1870 by Dean Christopher C. Langdell. That method of instruction had disrupted Columbia Law School in 1891 when the dissenting professors abandoned Columbia

Franchises Affected by Changes of Sovereignty?, 3 COLUMB. L. REV. 241 (1903); *Is There a Federal Police Power?*, 4 COLUMB. L. REV. 563 (1904); *Expansion of Constitutional Powers by Interpretation*, 5 COLUMB. L. REV. 193 (1905); *French Courts of Commerce*, 12 COLUMB. L. REV. 145 (1912); *The French Bar*, 16 YALE L.J. 457 (1907). He also wrote for general readers: *THE PROTECTION OF AMERICAN INVESTMENTS ABROAD* (n.d.); *LEGAL NEUTRALITY VERSUS MORAL NEUTRALITY* (1915); *Neutral Rights and Obligations of American Republics*, 60 ANNALS AM. POL. & SOC. SCI. 155 (1915). See *In Memoriam Paul Fuller* 2 FORD. L. REV. 2 (1916); V. VEENSWIJK, *COUDERT BROTHERS, A LEGACY IN LAW: THE HISTORY OF AMERICA'S FIRST INTERNATIONAL LAW FIRM 1853-1993*, 33-35, 49, 58-60, 63, 113, 123-24, 154-57, 180-86 (1994).

4. The law firm of Coudert Brothers was founded in New York City in 1857 by Louis L. Coudert (1836-1882), Charles Coudert, Jr., (1833-1897), and Frederic René Coudert (1832-1903). After the Franco-Prussian War (1870-71) the New York firm opened an office in Paris in 1879, the first New York firm with an European office. Frederic R. Coudert, Jr., became President of the Association of the Bar of the City of New York in 1890-91 and was involved in the campaign to build the Statue of Liberty in New York Harbor, the gift of the people of France. Some of the firm's cases were reviewed in F.R. Coudert, Jr.'s *A Half-Century of International Problems: A Lawyer's Views* (Allan Nevins, ed. 1954). See also VEENSWIJK, *supra* note 3. The firm had offices in eighteen cities and was served by more than 400 lawyers when it ceased to operate in late 2005.

5. The Law School began on the top floor of the new building now called Collins Hall. By the end of the first year, there were thirteen students. It was expected that the Fordham stop on the New York, New Haven, and Hartford Railroad (today Metro North) would enable students (and faculty) to commute from their day jobs in the City—classes began at 4:15 p.m.), but this proved to be impractical and the Law School moved after its first semester to Manhattan, to an office building at 42 Broadway. (The School would reopen at Rose Hill in 1925 while retaining its Manhattan location.) The result of relocation was an entering class of thirty-five in Fall 1906. By the time of Dean Fuller's retirement, there were 400 students enrolled in the Law School. The constant increase in the student body required a number of moves over the next thirty-seven years until the University acquired 302 Broadway in 1943.

and formed the New York Law School because of the case method. After the first year, all the members of the Fordham Faculty agreed to the use of the case method of instruction.

Having decided on a three-year program for the degree of Bachelor of Laws (LL.B.), not then common among American law schools, Dean Fuller prepared a traditional curriculum for the first year.⁶ He then prepared a second-year curriculum for 1906⁷ and a third-year curriculum for 1907.⁸ As was then the custom in all law schools, there were no electives and the entire curriculum was required of all students. In 1908, however, a fourth year of academic subjects was designed for the degree of Master of Laws (LL.M.) to be offered in 1910-11, and it was in that fourth year of studies that International Law and Admiralty appeared in the Fordham Law school curriculum.⁹

The view that the law was a science and must be taught in a scientific manner from decided cases meant that the law school curriculum must be confined to purely legal subjects, excluding studies such as jurisprudence, ethics, professional responsibility, comparative law, and international law. Even in the older university law schools, there was no regular place for international law, taught "sporadically" at Harvard after 1899, while at Yale it was part of a special two-year curriculum for students not intending to practice law that was discontinued in 1916.¹⁰ International Law was not accepted into the regular law school curriculum until the Second World War.

While international law did not become a permanent part

6. Pleading (Common Law and Code); Contracts, Criminal Law, Domestic Relations, Jurisprudence, Property (Personal and Real), and Torts. For an analysis of legal education at the beginning of the twentieth century, see ROBERT B. STEVENS, *LAW SCHOOL: LEGAL EDUCATION IN AMERICA FROM THE 1850'S TO THE 1980'S* 33-42, 51-64, 73-84 (1983).

7. Agency, Bills and Notes, Carriers, Corporations, Equity, Evidence, Real Property, and Sales.

8. Bankruptcy, Conflict of Laws, Constitutional Law, Damages, Insurance, Mortgages, New York Code of Civil Procedure, Partnership, New York Practice, Quasi-Contracts, Suretyships, and Trusts.

9. Other courses in the fourth-year program were to be Advanced Constitutional Law, Roman Law, Civil Law, Administrative Law, Remedies, and the History of Common Law. The catalogue notes, however, "[t]he Fourth Year's Course will be given whenever a sufficient number of students apply for graduate instruction." The course in Admiralty was a required third-year course in 1906-07, but it was shifted into the fourth-year program in 1908-09.

10. STEVENS, *supra* note 6, 48-49, 211-22.

of the Fordham Law School curriculum until 1962, it has been taught at Fordham College since 1930 as part of the Political Science curriculum, an appropriate place to recall the great Jesuit scholars of international law in the Renaissance, especially Francisco Suarez, S.J. (1548-1617), Gabriel Vasquez, S.J. (1551-1604), and Luis Molina, S.J. (1536-1600). Among the distinguished scholars teaching international law at Fordham College was Mario Einaudi, an exile from Mussolini's tyranny.¹¹

Dean Fuller retired in 1914 and was replaced by a very wealthy and prominent practitioner and law school graduate, John Whalen,¹² whose administrative skills were desperately needed as the school increased in size in its new locations in the downtown business area of Manhattan.

Dean Whalen retired in 1919 after five years to be replaced by a second international lawyer, Francis P. Garvan,¹³ Alien

11. Mario Einaudi (1904-1994), eldest son of the first President of Italy was educated at the University of Turin, received a Rockefeller Foundation Grant to study at Harvard in 1927, and returned to the U.S. as an exile in 1933. After six years at Fordham, he went to Cornell where he remained until retirement in 1972.

12. John Whalen (1855-1927), son of Irish immigrant parents, lost his father at an early age and was soon put to work as an errand boy for a famous law office, that of Charles O'Connor (1804-1884), renowned for his prosecution of William Marcy Tweed and his "Ring" in 1871-75. While continuing to work for O'Connor, Whelan attended New York University Law School, graduating in 1877. After O'Connor's death, Whelan developed a practice in real estate and insurance matters and public service, initially as New York City Tax Commissioner and, following the merger with the "outer boroughs," as the first Corporation Counsel of the City of New York (1898-1903). By the time of Dean Fuller's retirement, John Whalen was Commissioner of Public Education of New York City—those offices brought Whalen to public notice. Whalen's gifts to Fordham University and his prominence in untainted public service made him a desirable candidate to succeed Paul Fuller. After his retirement, he resumed practice in real estate, banking, and served as Vice President and Treasurer of the New York Giants Baseball Team. During his five years as Dean, the Law School was installed in New York's first skyscraper, the sixty-story Woolworth Building, where it remained from 1916 to 1943 when the University acquired 302 Broadway where the Law School occupied four of the fifteen floors, sharing the building with the Schools of Business, Education, and Social Service.

13. Francis P. Garvan (1875-1937), born in Hartford, Connecticut, a graduate of Yale College (A.B. 1897) and New York University (LL.B. 1899), began his public service as Deputy Assistant District Attorney in New York County in 1902, then Assistant District Attorney to William Travers Jerome, an anti-Tammany reformer directing high-profile cases in which Garvan gained a reputation that followed him into lucrative private practice and great wealth inherited from his wife's father, the financier Anthony Brady. Garvan's prosecutorial successes and political connections commended him to President Woodrow Wilson, who appointed him Director of the Bureau of Investigation in the Office of Alien Property Custodian created after United States entry in 1917 into the First World War when all enemy alien property—the enormous U.S. holdings of

Property Custodian and Assistant Attorney General of the United States. The Alien Property Custodian was involved in the confiscation of almost a billion U.S. dollars in assets of German and Austrian firms as alien enemy property during the First World War. His selection as Dean was undoubtedly due to his prominent government service, political connections, great wealth, and substantial support of Catholic charities and Fordham University.

American participation in the First World War (Apr. 1917-Nov. 1918) disrupted law school operations because of military service required under compulsory conscription. With the end of the war, a flood of students sought entry into professions, including the law, and almost a thousand new students and eleven new professors joined the school. The fourth year of studies for the LL.M. degree was no longer offered.

By 1923, the university was able to turn to one of its own graduates, Ignatius Wilkinson¹⁴ of the Class of 1911, who would

German and Austrian industry and investments—was confiscated. The first Custodian was A. Mitchell Palmer, a future Attorney General in the Wilson cabinet. It was during this wartime and post-war government service that Garvan and Palmer removed German control of the U.S. chemical industry by the confiscation of 4,500 patents and the establishment of the U.S. Chemical Foundation to purchase and re-license the German patents and formulas from the Custodian. After his deanship, Garvan would continue as President of the Chemical Foundation and was necessarily involved in seven cases in the Supreme Court that finally approved and justified these wartime actions. *See United States v. Chemical Foundation, Inc.*, 272 U.S. 1 (1926). It should be noted that Garvan's services for the United States and the Chemical Foundation were unsalaried.

After President Wilson returned from the Versailles Peace Conference, he reorganized his cabinet, appointing Palmer (a former Congressman) Attorney General and Francis P. Garvan as Alien Property Custodian (March 3, 1919). Two months later, the President appointed Garvan to the additional post of Assistant Attorney General, the purpose being to investigate and prosecute radical opponents of U.S. capitalism, especially anarchists and Communists in the post-war "Red Scare." Dean Garvan was only forty-eight years old when he resigned in 1923 after four years, most of which must have been spent in Washington while the actual Law School administration was in the hands of the "pro" dean, Michael F. Dee. After leaving Fordham, Garvan wrote a number of papers for the Chemical Foundation.

14. Ignatius M. Wilkinson (1887-1953) was born in New York City and received the A.B. degree in 1908 from the College of St. Francis Xavier in New York City, a Jesuit institution later incorporated into Fordham. He entered Fordham Law School the same year and graduated *summa cum laude* in 1911, part of a trio of brilliant Fordham lawyers that included John T. Loughran and J. Albert Conway of the Court of Appeals of New York. (Judge Loughran was appointed Chief Judge in 1945 and Judge Conway became Chief Judge in 1954). On graduation and admission to the New York Bar, Wilkinson was appointed Lecturer in Law (1911), Associate Professor (1915), Professor of Law (1919), and Dean in 1923. Wilkinson served as Corporation Counsel of the City

serve Fordham Law School for the next thirty years, a period of rigid curriculum designed to prepare students for the bar exam and the practice of law in the state of New York.¹⁵ In that atmosphere, International Law was not regarded as an essential part of the preparation of a lawyer, an attitude that would not change even though New York City became the Headquarters of the United Nations in 1946.¹⁶

After the appointment of William Hughes Mulligan¹⁷ as the sixth dean in 1956, the Law School prepared for its move to the Lincoln Center Campus and recognition as a national law school. It was also the time when the study of international law became a permanent part of the curriculum. During Dean Mulligan's fifteen years, courses were added in Admiralty (1967), International Business Transactions (1969), Aviation Law (1970), and Law and the Environment (1970). The International Law

of New York (1943-1945) under Mayor Fiorello LaGuardia, on leave from the Law School while Professor Walter B. Kennedy served as Acting Dean.

15. Elective courses were not added to the curriculum until 1936 when the Law School joined the Association of American Law Schools. Initially, Administrative Law, Insurance, Labor Law, Partnership, Suretyship and Taxation, and later Estate Planning, Federal Practice, Surrogate's Court, Close Corporations, Securities Law, Criminal Procedure, and Civil Liberties were added.

16. The first meeting of the United Nations General Assembly selected the United States as the situs of the headquarters of the organization, finally selecting New York City on December 14, 1946. The United Nations met in several temporary locations in Manhattan, the Bronx, and Queens until the Headquarters Buildings on First Avenue were completed in 1952. Relations between the United States and the United Nations are governed largely by the Headquarters Agreement, 11 U.N.T.S. 11, 61 Stat. 3416.

17. William Hughes Mulligan (1918-1996) was born in the Bronx, attended Cathedral Preparatory School and then received the A.B. cum laude from Fordham College in 1939, followed by the LL.B. cum laude from Fordham Law School in 1942 when he was drafted into the U.S. Army—he spent much of his time with Army Intelligence in New York City. Released from the Army in 1946, he began practice in New York City (having been admitted to the Bar in 1942). He also joined the Fordham Faculty as Lecturer in Law (1946-1952) and became Associate Professor of Law in 1953. He served as Assistant Dean during the short period of the deanship of John F.X. Finn and became the sixth Dean in 1956 after the untimely death of Dean Finn and the interim deanship of Professor George W. Bacon. During Dean Mulligan's tenure, the Law School moved to the new Lincoln Center Campus in 1961-62. Dean Mulligan served as a member of the New York State Law Revision Commission and as adviser to the New York State Constitutional Convention in 1967; he was a trustee of Catholic Charities from 1985 to 1991. In 1971, President Nixon appointed him to the United States Court of Appeals for the Second Circuit where he served for ten years (1971-1981) before joining the law firm of Skadden, Arps, Slate, Meagher & Flom in New York City. A chair of International Legal Studies for visiting scholars was created in his honor in 1995. He received the Fordham Stein Prize in 1990. His legendary wit is clearly demonstrated in "Mulligan's Law" (1997), edited by W.H. Mulligan, Jr.

Society entered a team in the 1967 Jessup International Moot Court Competition, a tradition that continues to enrich our students.

Formal instruction in international law at the Law School began again in the Fall Semester of 1962 with the arrival of Professor Manuel R. Garcia-Mora.¹⁸ His three-credit elective was described as follows:

International Law Fall Semester, 3 hours

A study of the law applicable to the relations between independent nations and of these nations with international organizations, such as the United Nations, the Organization of American States, the North Atlantic Treaty Organization, and others. A special emphasis is placed on such problems as the making, interpretation and termination of treaties; recognition of states and government; territory; jurisdiction and immunities; state responsibility and international claims; the settlement of international disputes by judicial and other means; the lawful conduct of hostilities; and the relationship of the individual to the international community. The Natural Law basis of international law is stressed throughout the course.

Professor Garcia-Mora chose the casebook of Professor William W. Bishop of the University of Michigan, then the most popular casebook, used by three-fourths of international law teachers. Professor Garcia-Mora also taught a course in comparative law.

Fordham Law School of 1962 had twenty full-time faculty members and about 100 adjuncts to teach 800 students in day and evening courses, graduating about 200 students per year. Of the 134 schools of the Association of American Law Schools

18. Manuel R. Garcia-Mora (1921-1965) was born in Panama and educated at the University of Panama (B.S. 1943, LL.B. 1943) before coming to the United States where he served as Vice Consul in Boston and took graduate studies at Harvard University, leading to the degrees of LL.M. (1944) and A.M. (1946). He then undertook further studies in law at Yale University where he was awarded the S.J.D. in 1948. He became a U.S. citizen and he began his career in teaching at the University of Miami in Political Science in 1946, moving to the University of Detroit in 1948. He became Associate Professor of Law in 1956 and Professor of Law in 1958. He served under the Fulbright Program as Visiting Professor of Law at the University of San Marcos in Lima, Peru in 1959-60. This talented and beloved teacher also taught Constitutional Law, Federal Jurisdiction, and Evidence at Detroit before coming to Fordham to teach International and Comparative Law. He published two books (*INTERNATIONAL LAW AND ASYLUM AS A HUMAN RIGHT* (1956), and *INTERNATIONAL RESPONSIBILITY FOR HOSTILE ACTS OF PRIVATE PERSONS AGAINST FOREIGN STATES* (1962)), and fifteen articles and five book reviews in U.S. law reviews. He was one of the first scholars to publish in international human rights.

reporting in 1963, 101 taught at least one course in international law, while 61 schools offered two courses and 43 offered three or more courses in the international area.¹⁹

Professor Garcia-Mora taught until his untimely death at the age of 43 on February 5, 1965. The international law course was then assigned to Professor Ludwik A. Teclaff,²⁰ who altered the course description slightly, omitting the reference to natural law, although he personally subscribed to teachings of the Natural Law school:

International Law

A study of the law governing the relations of independent nations and other entities endowed with international personality. It comprises: the nature and sources of international law; recognition of states and governments; law of international organizations (with emphasis on the United Nations, Organization of American states, and European Economic Community); rights and obligations of the individual; bases and scope of state jurisdiction, including maritime jurisdiction; governmental and diplomatic immunities; law of treaties; state responsibility; and the settlement of international disputes.

Professor Teclaff taught the general course in international law until his retirement in 1988. (As Professor Emeritus, he continued to teach the seminar course in Law of the Sea.) Professor Joseph C. Sweeney²¹ began to teach the general international

19. R.W. Edwards, Jr., *International Legal Studies: A Survey of Teaching in American Law Schools 1963-1964*, AM. SOC. INT'L L. (1965).

20. Professor Ludwik A. Teclaff (1918-2003), born in Czestochowa, Poland, was a student in the Law Faculty of the University of Warsaw when the Second World War broke out in September 1939. He escaped to France where he joined the Polish Army in exile in Paris, later escaping to London where the Polish Government in exile was established. That government sent him to Oxford to complete his legal studies (Magister Juris, 1944). He served that Polish government in London and Dublin until the Western powers withdrew their support. Ludwik and his wife, Eileen, came to New York in 1952, where he continued his studies in library administration at Columbia University (M.L.S. 1954) and in international law at New York University (LL.M. 1961; J.S.D. 1965). He joined the Fordham Law Library in 1959, becoming Librarian of the Law School from 1962 to 1986. He was appointed to the Fordham Faculty of Law in 1953, becoming Professor of Law in 1968. In 1972, he served as an expert in International Water Law for the United Nations Conference on Protection of the Worldwide Environment at Stockholm. A complete bibliography of his writings is contained in the memorial tribute, Joseph C. Sweeney *Ludwik A. Teclaff (1918-2003): A Tribute*, 27 FORDHAM INT'L L.J. 1859-64 (2004).

21. Joseph C. Sweeney, born in Boston in 1933 attended the Boston Latin School

law course in 1989.

Another important part of international studies began in 1964 with the Fordham Corporate Law Institute ("CLI") organized by Professor Joseph R. Crowley²² using the talents of our alumni and invited guest speakers to outline international problems that corporate counsel and their legal advisers were already encountering; the first subject matter concerned the potential business opportunities that would be afforded by the European Economic Community then being established under the 1957 Treaty of Rome.²³ The CLI would become an annual fea-

and Harvard College (A.B. cum laude 1954) and Boston University School of Law (J.D. 1957), after which he served as an officer in Navy Judge Advocate General Corps (1958-1962), serving at a Naval Air Station and the Destroyer Force Headquarters before being assigned to teach at the Naval Justice School in Newport and in California, where he taught Substantive Criminal Law, Criminal Procedure, and Evidence. On release from active duty, he attended Columbia University School of Law (LL.M. 1963) and began his civilian career with the admiralty firm of Haight, Gardner, Poor & Havens in New York City. In 1966, he joined the faculty of Fordham Law School as Associate Professor, Professor of Law in 1970, and the John D. Calamari Distinguished Professor of Law in 1997, teaching Torts, Bankruptcy and Creditors' Rights, Admiralty, Aviation, International Business Transactions, American Legal History, Public International Law, and Inter-ethnic Conflict Resolution. He began his service with the State Department in 1970, attending sessions of the United Nations Commission on International Trade Law ("UNCITRAL"), the United Nations Conference on Trade and Development ("UNCTAD") and the Sixth (Legal) Committee of the General Assembly. He has also taught as Visiting Professor at the U.S. Naval War College (Emory S. Land Professor, 1972-73) and the United States Merchant Marine Academy, Kings Point (Distinguished Professor 1982) and four sessions of the Fordham Summer Ireland Program in Belfast and Dublin. He has been Faculty Advisor to this Journal since its founding.

22. Joseph R. Crowley (1918-1985) received the A.B. from Fordham University in 1939, served as an officer in the Army Air Corps, later the U.S. Air Force, during World War II and continued as a Reserve Officer. After the war, he graduated from Fordham Law School (LL.B. 1948) and served as law clerk to Judge Gregory Noonan of the United States District Court for the Southern District of New York, then practiced labor law with the firm of Satterlee, Warfield & Stevens. He joined the Fordham Law School Faculty in 1957 as Associate Professor of Law, Professor of Law (1963), Cameron Professor of Law (1983), and Associate Dean (1982). He was a founding member of the New York State Public Employment Relations Board and a Trustee of St. Joseph's Seminary. The Crowley Fellowship in International Human Rights was established in his memory in 1997.

23. The 1957 Meeting in Rome of the first six nations produced the three treaties: the European Coal and Steel Community, the European Atomic Energy Community, and the Common Market or European Economic Community. These communities merged in 1967, achieving market integration by the Single European Act in 1988; the subsequent treaties of Maastricht (1991), Amsterdam (1997), and Nice (2000) have produced the European Community and the European Union ("EU")—as of 2004, the EU has twenty-five member nations with several Eastern European nations awaiting approval.

ture in 1974 with the work of Professor Barry Hawk and other members of the Faculty.²⁴ Initially, the competition law of Europe was the focus in alternate years, but it soon became obvious that the combination of European competition law with U.S. antitrust law would enlist the largest number of registrants, and those subjects have continued to be the focus of the annual conferences since 1982.

In the ten years of the seventh dean, Joseph M. McLaughlin,²⁵ the expansion of the international curriculum continued with new courses in Roman Law (1972), Trade with Asian Nations (1975), International Antitrust (1977), International Taxation (1978), and International Organizations (1980). Most important was the founding of the Fordham International Law Journal. After several false starts, a band of zealots produced the first issue of the International Law Forum with funds of the Student Bar Association in 1977. After a five-year test, the Faculty adopted it as a Journal with funding from the Annual Fund of the Alumni Association.²⁶

John D. Feerick²⁷ became the eighth dean of the Law

24. Professor Sweeney directed the Institute in 1975, 1977, and 1981. Professor Edward Yorio directed it in 1976 and Professor Howard Sprow in 1982. All other sessions have been directed by Professor Barry E. Hawk.

25. Joseph M. McLaughlin, born in 1933 in Brooklyn, New York, received the A.B. from Fordham College in 1954, served in the U.S. Army in Korea and returned to Fordham Law School (J.D. 1959), where he was Editor-in-Chief of the *Fordham Law Review* (Vol. 27), as well as leader of the National Moot Court Teams. He practiced law with the firm of Cahill, Gordon & Reindell and received an LL.M. from New York University School of Law in 1964. He joined the Fordham Law Faculty in 1961, becoming Professor of Law in 1966 and seventh Dean of the Law School (1971-1981). In 1981, he became a U.S. District Judge in the Eastern District of New York and was elevated to the Second Circuit Court of Appeals in 1990. He also served on the New York State Law Revision Commission from 1975 to 1982. A chair of law has been dedicated at the Law School in his honor.

26. The early years of the *Fordham International Law Journal* have been described in Joseph Sweeney, *Twenty Years of the Fordham International Law Journal*, 20 *FORD. INT'L. L.J.* 1 (1996).

27. John D. Feerick, born in the Bronx in 1936, A.B. Fordham College 1958, LL.B. Fordham 1961, where he was Editor-in-Chief of the *Fordham Law Review* (Vol. 29); practiced law with Skadden, Arps, Slate, Meagher & Flom 1961-1982, Adjunct Professor of Law, Fordham 1976-82, Chair, N.Y. State Commission on Government Integrity, 1987-90; Dean, Fordham Law School 1982-2002, President, Association of The Bar of The City of New York 1992-94; Chair, Board of Directors, American Arbitration Association 1998-2001. Author of four books: *FROM FALLING HANDS: THE STORY OF PRESIDENTIAL SUCCESSION* (1965); *FIRST BOOK OF VICE PRESIDENTS OF THE UNITED STATES* (1967) (with Emalie P. Feerick); *THE TWENTY-FIFTH AMENDMENT* (1976); and *NLRB REPRESENTATIVE ELECTIONS: LAW, PRACTICE AND PROCEDURE* (1979) (with Henry Baer and Jonathan

School in 1982. His many accomplishments included the expansion of the building to accommodate additional students and faculty in the Ned Doyle Wing and new spaces in the older building, as well as continued expansion of the Faculty in preparation for the new graduate school, which opened in 1988 to award the degree of LL.M. in International Business and Trade or in Banking, Corporate, and Finance. (A third LL.M. program in Intellectual Property and Information Technology has since been added.) A valued addition to the international faculty in 1984 was Professor Roger A. Goebel,²⁸ who created the Center for European Union Law. Two new journals: the *Fordham Environmental Law Journal* and the *Fordham Intellectual Property, Media and Entertainment Law Journal* were added in 1993 in which many articles, notes, and comments deal with international aspects of these specialties. A new annual international conference in International Intellectual Property was established under Professor Hugh Hansen in 1992.

A special relationship with Ireland through efforts to end the violence in Northern Ireland developed under Dean Feerick, leading to a close cooperation with Queens University in Belfast and University College Dublin, and a partnership with lawyers, judges, and officials in which we jointly seek to use techniques of dispute resolution to end the conflicts. This cooperation led to the creation of the Fordham Summer Ireland Program, now in its sixth year, in which U.S. law students study with Fordham faculty and faculty members of Queens and University College Dublin in Ireland. An additional international perspective was brought to Fordham when former U.S. Senator George Mitchell, coordinator of the 1998 Belfast Peace Agreement, taught classes as the Bacon-Kilkenny Visiting Professor.

The Joseph R. Crowley Institute in International Human Rights directed by Professors Martin Flaherty, Tracy Higgins, and Catherine Powell undertakes an annual fact-finding mission

Arfa). The John D. Feerick Institute on Social Justice and Dispute Resolution was created at Fordham Law School this Centennial year to perpetuate John Feerick's vision of "In the Service of Others."

28. Roger A. Goebel, born in Indianapolis, Indiana, received his B.A. at Manhattan College 1957, J.D. (1960) and LL.M. (1961) at New York University, held Fullbright Fellowships in Tübingen and Brussels, practiced law with Coudert Brothers law firm in New York and Paris. Before Fordham, he taught at Seton Hall and New York University; while at Fordham he has taught at Bonn and Paris.

at the invitation of foreign rights advocates and governments, visiting: Turkey (1998), Hong Kong (1999), Mexico (2000), Ghana (2001), Malaysia (2002), Bolivia (2003), Kenya (2004), Romania (2005), and South Africa (2006).

After twenty years of extraordinary dedicated service, in which the law school entered the new millennium “[i]n the service of others,” Dean Feerick resigned as dean in 2002, remaining Professor of Law.²⁹ A nationwide search produced our ninth dean, William Michael Treanor in 2002.

One of Dean Treanor’s major goals is to position Fordham Law School in the center of scholarship and teaching in the international law area, seeking additional internationally recognized faculty whose work will allow our graduates to develop into leaders of the global community.³⁰ A new Summer Program in International Law started in June 2006 in Seoul, Korea at Sungkyunkwan University.

Fordham Law School continues to produce distinguished graduates who serve in prominent positions as judges, lawyers, and corporate counsel. Reviewing the Martindale-Hubbell Lists of Practicing Lawyers, 772 of living Fordham graduates use the word “international” in some way to describe their careers or their practices. (On September 25, 2005, when our graduates celebrated the Law School Centennial at house parties across the United States, celebrations were also held in Buenos Aires, Honolulu, Milan, Seoul, Tel Aviv, Tokyo, and Wellington.)

Recognizing the danger of accidental omission of leading international lawyers, attention will be focused instead on five Fordham Law School graduates, no longer living, who per-

29. During Dean Feerick’s tenure there was an explosion of courses with international aspects: Comparative Constitutional Law, Economic Sanctions and Trade, European Competition Law, European Corporate Law, European Community Law, Immigration Law, International Banking Law, International Copyright Law, International Criminal Law, International Commercial Dispute Resolution, International Ethnic Conflict Resolution, International Financial Institutions, International Human Rights, International Unification of Laws, Protection of the Global Environment, Regulation of International Trade, Space Law, and U.S. International Antitrust and Trade Laws.

30. Sixteen faculty members are teaching in the international law area as of this writing—they are Professors Abraham Abramovsky, Susan Block-Lieb, Frank Chiang, Jeffrey Colon, Carl Felsenfeld, Martin Flaherty, Roger Goebel, Whitmore Gray, Hugh Hansen, Tracy Higgins, Thomas Lee, Jae Lee, Jacqueline Nolan-Haley, Catherine Powell, Joel Reidenberg, and Joseph Sweeney.

formed essential functions in international affairs: Philip Reed, Irving Kaufman, John Irwin, Aron Broches, and Jean Gerard.

Philip D. Reed (LL.B. 1921)³¹ was Economic Consultant to the United States Delegation to the San Francisco Diplomatic Conference for the founding of the United Nations in 1945; he was also twice Chairman of the Board of the General Electric Corporation. Irving R. Kaufman (LL.B. 1931),³² Chief Judge of the Court of Appeals for the Second Circuit, wrote the most famous U.S. decision in the field of international human rights law, *Filartiga v. Peña Irala*.³³ John N. Irwin (LL.B. 1941)³⁴ was the

31. Philip D. Reed (1899-1989) was born in Milwaukee, began his studies at the University of Wisconsin in 1917, but soon joined the Army. After the Armistice, he returned to Wisconsin (B.S. in Electrical Engineering 1921), moved to New York to work with a firm of patent lawyers while attending Fordham Law School in the Evening Division (LL.B. 1924). He joined the Law Department of the General Electric Co. ("G.E.") in 1926 where he dealt with labor relations and pension plans before becoming Assistant to the President in 1937 and Chairman of the Board in 1940. In February 1941, he became a consultant to the U.S. Government Office of Production Management that would become the War Production Board. He was assigned to the Lend-Lease Mission to the United Kingdom in 1942 serving under Ambassador Averell Harriman. That office became the U.S. Mission for Economic Affairs, and Reed was designated the Minister. Returning to G.E. in February 1945, he was Chair of the U.S. Associates of the International Chamber of Commerce, which prepared the Montreux Plan for post-war Economic Stability. Following the United Nations Conference, he served as Chair of the Research and Policy Committee of the Committee for Economic Development. He spent a total of thirty-two years with G.E. Upon retirement from G.E., he served as Director and Chairman of the Federal Reserve Bank of New York. Upon his death, he made a very large bequest to Fordham for international studies at the Law School, which has included an annual issue of this Journal since 1991.

32. Irving R. Kaufman (1910-1992), born in New York City, attended De Witt Clinton High School and then Fordham Law School (LL.B. 1931). After a year in private practice, he became an Assistant United States Attorney for the Southern District of New York. He was appointed United States District Judge in 1949, during which he presided over the trial of the Rosenbergs for espionage, imposing death sentences on conviction. He also ordered the desegregation of a public school before *Brown v. Board of Education*. In 1961, he was elevated to the United States Court of Appeals for the Second Circuit, serving as Chief Judge from 1973 to 1980, taking senior status in 1987. He authored a number of memorable decisions on press freedom and antitrust.

33. *Filartiga v. Peña Irala*, 630 F.2d 876 (2d Cir. 1980). The court applied customary international law prohibitions on torture to the death of a young Paraguayan at the hands of the police in Paraguay by applying the 1789 Alien Tort Claims Act.

34. John N. Irwin (1913-2000) was born in Keokuk, Iowa, attended Lawrenceville School, Princeton (A.B. 1937), Oxford (B.A. 1939, M.A. 1944), and Fordham Law School (LL.B. 1941). His army experience in the Pacific Theater included service on the staff of General MacArthur in the Philippines. On release from the Army, he joined the firm of Patterson, Belknap, Webb & Tyler in New York. In 1947, President Truman appointed him to the Philippine-American Finance Committee; from 1958 to 1961, he was Deputy Assistant Secretary of Defense for International Affairs under President Dwight D. Eisenhower, and from 1965 to 1968 he was appointed by President Lyndon

U.S. Under Secretary of State (1970-72) and Deputy Secretary of State (1972-73) under Secretary Rogers during the first Nixon administration, having previously held international appointments in the administrations of U.S. Presidents Truman, Eisenhower, and Johnson. He also served as U.S. Ambassador to France, the most desirable embassy posting. Dr. Aron Broches (LL.B. 1942)³⁵ was Vice President and General Counsel of the World Bank, and Jean Gerard (J.D. 1977)³⁶ was U.S. Ambassador to the United Nations Education, Scientific and Cultural Organization (UNESCO) before her service as Ambassador to Luxembourg.

Paul Fuller, the founding dean, would be proud of those graduates and of the four deans—William Hughes Mulligan, Jo-

B. Johnson to negotiate with Panama on the future of the Panama Canal. President Richard Nixon first appointed him to negotiate over the nationalization of mines by Peru. After his service in the State Department, he served as Ambassador to France. For many years, he was a director of IBM and a trustee of the Metropolitan Museum of Art, the American Museum of Natural History, and the Union Theological Seminary.

35. Aron Broches (1904-1997) was born in Amsterdam and received his legal education there. He and his wife left Holland in 1939 as the Second World War began and came to the United States where he entered Fordham Law School. He received the LL.B. in 1942. In the United States, he worked for the Dutch government in exile in the Economic Mission and was sent to the Bretton Woods Conference in August 1944, at which plans were laid for the World Bank and the I.M.F. He attended the initial meetings of the International Monetary Fund and the Inaugural meeting of the World Bank in 1946. Broches joined the staff of the World Bank in that year. He became Assistant General Counsel of the Bank in 1951, Associate General Counsel in 1956, General Counsel in 1959, and Vice President in 1972. He was largely responsible for the development of the 1965 International Convention for the Settlement of Investment Disputes Between States and Nationals of Other States (ICSID), 17 U.S.T. 1270, 1970, T.I.A.S. No.6090, 575 U.N.T.5. 159, and the Center for the Settlement of Investment Disputes. One hundred and forty-three nations have ratified the ICSID as of April 2006. Broches twice lectured at the Hague Academy of International Law and was the author of many law review articles.

36. Jean Broward Shevlin Gerard (1938-1996) was born in Oregon and graduated from Vassar College in 1959, when she married James W. Gerard, a career army officer and former chief of staff to General Douglas MacArthur. She completed her studies at Fordham Law School (J.D. 1977), where she was a member of the first Board of Editors of this *Journal*. She was appointed U.S. Ambassador to the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1981 when President Reagan took office. At UNESCO, she frequently clashed with the anti-Western policies of the Director, Amadou M. M'Bow of Senegal, especially concerning the proposed "New World Information and Communications Order" intended to license journalists and thereby terminate Western criticisms of dictatorial regimes in developing countries. (M'Bow was replaced in 1987 and the NWICO has been abandoned.) The United States (and the United Kingdom) withdrew from the Organization in 1984. Gerard was then appointed U.S. Ambassador to Luxembourg and served from 1985 to 1989.

seph M. McLaughlin, John D. Feerick, and William M. Treanor—who have been proactive in introducing courses, graduate and study-abroad programs, institutes, centers, and journals focusing on international law. In their endeavors, they have had the support of faculty and generous alumni who have shared their vision.

For decades to come, global issues such as inter-ethnic conflicts; torture and other human rights abuses; war crimes; secret detentions; threats of nuclear weapons; global warming; pollution of oceans, lakes, and rivers; invasions of privacy; thefts of intellectual property; massive unemployment from abandoned industries and unregulated immigration will concentrate the attention of lawyers. Fordham graduates, who will have had the advantage of the school's international law offerings and thus be equipped with the knowledge and skills needed to meet the challenges of global law practice, will surely join other alumni as leaders of the international bar.

Floreat Fordham Sempiternae!