

IN MEMORIAM
IN MEMORY OF PROFESSOR JOSEPH C.
SWEENEY

*John D. Feerick**

I am honored by the invitation to say a few words today about Joseph Sweeney. I do so with a heavy heart as Joe was a dear colleague and friend of mine for the past thirty-eight years. In fact, he chaired the Dean's Search Committee in 1981 that brought me to the school as its eighth dean. I remember him asking me a soft question to describe my administrative experience. In the twenty years and more that followed, Joe, who was already a giant in the field of maritime law, built on his reputation as a scholar, teacher, and public servant. He loved the subjects he taught, the students he met, and the colleagues with whom he collaborated in expanding the curriculum of the law school and its world-wide reputation.

Joe was beloved by his students, more than 15,000 he estimated. He was referred to affectionately by many students as "Joe Boats" because of his fascination with the sea and maritime law. Maritime law, he would tell you, went far beyond collisions. He bubbled with joy when students and graduates visited his office for good conversation and counsel, as Assistant Dean Bob Reilly remembered, often with music playing on his radio in the background. Joe's office was always jam-packed with books and current publications.

His forty years of service to the school's International Law Journal, for which he served as a founder, moderator, co-moderator or moderator emeritus, stands out for me. He treated each student member of the journal's staff and editorial board as a colleague. He delighted in celebrating with students the growth of international law and in exposing them to different cultures,

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customs, and legal systems. He took special pride in seeing students and alumni of the Journal return for its annual dinner. No one who attended the dinner will ever forget his opening of such dinners. Immaculately dressed, with his wife, Alice, sitting nearby, he delivered, while holding a wine glass in his hand, a special toast and message, in the language of a different country. His delivery was eloquent, flavored with good humor and appropriate libation, as Bob Reilly reflected. It was a joy to sit at his table and witness his conversations with the students and alumni as they came over to say hello to him and Alice.

Joe's class on torts each year, Professor Gail Hollister said, began with the true story of molasses that escaped from a Boston storage facility and ran down the streets of that city at such great speed that it destroyed buildings and other structures and captured and drowned women, men, and horses. Who would have thought molasses could move faster than a horse, Joe asked, in discussing this tragic accident. He used this story as his way of getting his students' fixed on *res ipsa loquitor* and other issues he would discuss in the course. When he prepared students for participation in the internationally recognized Jessup Moot Court Competition, Professor Maria Marcus said, he would drill down on the facts of the problem, stating over and over again that facts were key, and knowing them would avoid pitfalls in the actual competition with other teams.

Joe enjoyed a special relationship with all of his faculty colleagues. It was not possible to dislike Joe. He was ever so friendly, warm, gentle, and good hearted. He wrote published tributes to several of them, including professors Roger Goebel and Ludwik Teclaff. His contributions to the school and his fields of law were enormous and yet you would never know that from anything he said about himself. Maria Marcus said that with Joe around, you did not need the internet. His knowledge was encyclopedic, with his love of a subject often finding him with a smile cracking as he discussed it. Gail Hollister called him a remarkable person, stating: "I could not talk to him about any topic, with the possible exception of the New York Yankees, without becoming exposed to the depth and breadth of his knowledge." Joe's thirst for learning was supplemented by his hundreds of well researched writings and lectures. The law of the sea and tributes and biographies of others dominated many of

these works. He was scholarly and an example for all of us of the best of Fordham Law School. I recall the joy he expressed when I told him he was being appointed to the John D. Calamari Distinguished Professorship of Law. John was a Fordham legend in the field of contracts law, as Joe is today in the field of admiralty law, as co-author with Nicholas Healy of the leading treatise on the United States law of marine collision. Thanks to Joe's guidance, the April 1999 issue of the *International Law Journal* may well be the most important scholarship ever done on the historic Good Friday Agreement.

Honors and recognitions flowed to Joe throughout his life and surely the placement of his name on the offices of the *Fordham International Law Journal* was among the highest. He had no greater honor, he said when he retired from the faculty, than to have served under six Jesuit presidents of Fordham University, and five deans of the law school and, I might add, Acting Dean Joseph Perillo in the 1981-82 school year and Dean Matthew Diller, who was so supportive of Joe after his retirement from the faculty in 2013. On that occasion three of Joe's faculty colleagues, Professors Helen Bender, Gail Hollister, and Jacqueline Nolan Haley expressed their feelings by composing a moving tribute to him titled "Joe Sweeney, a sea chanty with apologies to Edgar Allan Poe."

"Many and many a year ago. In a kingdom by the sea. There lived a scholar sailor by the name of Joe Sweeney.

He left the U.S. Navy. Trading Haight Gardner for the sea. Then moved to Fordham Law School. To join the faculty.

And then our Joe met Alice. Who ran another school. And won her love and honor. Proving he was so cool.

From torts to crimes, to boats and planes. He taught his students well. Then travelled off to Ireland's shores. To ring the Fordham bell.

In New York, Cape Cod and Belfast, Dublin and even Derry. Joe belts out a tune in his tenor voice. And makes us all so Merry

Joe's articles and books and such. Are read from sea to sea. While his talks of stray molasses Fill torts students with glee

Lover of classic music. Good stories and just plain “fun.” Joe’s a renaissance man in all respects. And is surely surpassed by none.

So Joe we all will miss you. Our dear and Honored friend. But goodbye is not our message. It’s ‘until we meet again.’”

On a personal note, as Joe sought in recent months to recover from his surgery, we enjoyed many telephone conversations. He was always ready, thanks to Alice’s daily calls, to update those who called him on everything going on in the world. He wanted to know from me when I called all I could tell him about happenings at the law school. He never ceased being interested in the school and its summer law program in Ireland. He was so robust, positive, and hopeful of rejoining his beloved Alice, separated as they were because of the COVID-19 virus.

As I reflect on Joe’s life, I am reminded of the words of playwright George Bernard Shaw’s “A Splendid Torch” I quote these words from it:

“I am of the opinion that my life belongs to the whole community, and so long as I live, it is my privilege to do for it whatsoever I can. I want to be thoroughly used up when I die, for the harder I work the more I live. I rejoice in life for its own sake. Life is no brief candle for me. It is a sort of splendid torch which I got hold of for the moment, and I want it to burn as brightly as possible before passing it on to future generations.”¹

Professor Joseph Conrad Sweeney’s life was truly “A Splendid Torch.” He lived it fully and with happiness and joy, joined by Alice over the past 45 years of their marriage. May he rest in peace.

1. George Bernard Shaw, *A Splendid Torch*, http://www.elise.com/quotes/george_bernard_shaw_-_a_splendid_torch [https://perma.cc/N7QL-ZSX9] (last visited Feb. 16, 2021).