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TRIBUTES

PROFESSOR THOMAS M. FRANCK

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Thomas Franck was a prolific scholar, an involved humanitarian, and a generous teacher and colleague, who inspired hundreds of students to pursue high-level positions in international law. He devoted his career to the NYU School of Law, helping to form the leading international law group in the country. His achievements are nothing short of astonishing, and he will be deeply missed.

Tom earned his law degree from the University of British Columbia in 1953, and a Master of Laws in 1954 and a Doctorate of Juridical Science in 1959, both from Harvard University. He began teaching in 1954 at the University of Nebraska College of Law, and joined the NYU School of Law faculty in 1960, becoming a tenured professor in 1962, Murry and Ida Becker Professor of Law in 1988, and Murry and Ida Becker Professor of Law Emeritus in 2002. During his five decades on our faculty, Tom wrote 31 books and more than 200 articles on almost every major issue affecting international law, including international organizations, the international implications of national constitutions, the use of force, and legitimacy and fairness in international relations. Four of his books won Certificates of Merit from the American Society of International Law, including *Nation Against Nation: What Happened to the U.N. Dream and What the U.S. Can Do About It*,¹ in which he examined the shortcomings of

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¹ THOMAS M. FRANCK, *NATION AGAINST NATION: WHAT HAPPENED TO THE U.N. DREAM AND WHAT THE U.S. CAN DO ABOUT IT* (1985).

his most treasured global institution. He was awarded a Christopher Medal for an early work, *Resignation in Protest: Political and Ethical Choices Between Loyalty to Team and Loyalty to Conscience in American Public Life*.² He earned Guggenheim Fellowships in 1973 and 1982.

His dedication to teaching and his leadership at the Law School were just as impressive. Tom established the Center for International Studies in 1965. At that time, the Law School was not known for its strength in international law. But Tom helped create a rich intellectual environment, hosting conferences that attracted distinguished scholars, judges, and high-ranking governmental advisers from all corners of the world. Tom worked closely with his students to develop their scholarship into publishable work and, through the Center, afforded them the rare opportunity to present their papers to leading experts on the salient issues of the day.

Tom, together with his colleagues Andreas Lowenfeld, an expert in international arbitration, and Theodor Meron, currently a judge on the International Criminal Tribunal for the Former Yugoslavia, forged a formidable international law group beginning in the 1970s. Tom's collegiality and the attention he showed younger academics helped expand and mold the next generation, including Benedict Kingsbury, an expert in international relations and the law of indigenous peoples, who directs the Institute for International Law and Justice, which was modeled on and succeeded the Center for International Studies when Tom took emeritus status. Today, our international group numbers some two dozen leading scholars in the field, including international human rights scholars Philip Alston and Ryan Goodman; Kevin Davis, who focuses on the commercial and financial law aspects of law and development; David Golove, who specializes in the constitutional law of foreign affairs; Robert Howse, an expert in international trade; Mattias Kumm, a scholar of theory of international law; and Joseph Weiler, the leading authority on European integration, globalization, and democracy. Many other colleagues collaborate with the international group, such as Linda Silberman, whose focus on civil procedure has been extended to international litigation and arbitration; Jerome Cohen and Frank Upham, who oversee a growing program in East Asian law; and Richard Stewart, who co-founded the discipline of global administrative law with Kingsbury and now heads the Hauser Global Law School Program.

² EDWARD WEISBAND & THOMAS M. FRANCK, *RESIGNATION IN PROTEST: POLITICAL AND ETHICAL CHOICES BETWEEN LOYALTY TO TEAM AND LOYALTY TO CONSCIENCE IN AMERICAN PUBLIC LIFE* (1975).

Tom was particularly thrilled with the recent appointment of José Alvarez, a leading scholar of international organizations, who joined us this year from the Columbia faculty. Tom feared that this field—to which he was particularly attached—might not get sufficient attention in the future, and he was immensely gratified that we hired the top academic of the next generation, seeing it as a reaffirmation of the importance of his own work.

Despite his enormous accomplishments as a scholar, teacher, and institutional leader at the Law School, Tom wasn't content to sit in the proverbial ivory tower. From 1963 to 1966, he was a visiting professor at the University of East Africa in Dar es Salaam, where he took part in the decolonization movement that was sweeping the region and helped draft constitutions for the former British colonies that became Tanzania, Zimbabwe, and Sierra Leone. He later acted as legal adviser to the governments of Kenya, Mauritius, the Solomon Islands, El Salvador, and Chad. From 1980 to 1982, he was the research director at the United Nations Institute for Training and Research, the U.N.'s think tank. Beginning in 1986, he served on the Department of State's Advisory Committee on International Law. From 1984 to 1993, he was the editor of *The American Journal of International Law*, eventually serving as president of the American Society of International Law from 1998 to 2000 and honorary president in March 2009.

And for the past several decades, Tom has left his mark at the International Court of Justice in The Hague. In 1994, he successfully represented Chad in its territorial skirmish with Libya. He played a substantive role in the representation of Bosnia and Herzegovina in its fourteen-year suit brought against Serbia under the Genocide Convention. In 2001, he served as an ad hoc judge in a sovereignty dispute between Indonesia and Malaysia. Tom worked right up until his death on May 27, 2009, representing the Former Yugoslav Republic of Macedonia in its challenge against Greece for vetoing its admission to NATO. What a career in international law!

When I joined the faculty in 1985, Tom took an interest in my work before I had done any work worth taking an interest in. He invited me to his home on Fire Island and introduced me to senior academics. I was then only a junior member of the faculty, twenty-seven years old, and Tom had long been a leading figure. His intellectual interest, warmth, and generosity made a huge impression on me. Almost a quarter of a century later, I was greatly moved by the many conversations we had in the final year of his life, when no matter how ill he was, he always deflected any concerns about his health to focus on his work. He had told the former Yugoslav Republic of Macedonia that he was willing to take on their case but that he would not be able

to complete it, and, just days before his death, he shone at a high-level meeting, his intellect and humanity keen as ever. His dedication was truly an inspiration.

Tom's memory will live on through his influential academic work; through the Thomas M. Franck Fellowship in International Law, which he generously funded; through his papers from the Chad and Bosnia cases, which his spouse, Martin Daly, is donating to our library; and through the generations of students he trained, mentored, and inspired to take up the calling of international law.