

Remembering Professor Richard N. Gardner

CLYDE E. RANKIN, III*

The world lost a great leader and intellect in international law with the passing of Richard N. Gardner on February 16, 2019. Much has been written about Professor Gardner's many accomplishments, including his service to our country as Deputy Assistant Secretary of State for International Organization Affairs under President Kennedy, as Ambassador to Italy under President Carter, as Ambassador to Spain under President Clinton, and as a foreign policy advisor to Democratic candidates for President as well as numerous senators and congressmen; his prolific writings on international law, economic and foreign trade policy, and U.S. foreign policy in general; and his distinguished service on countless commissions and organizations, including the Council on Foreign Relations and the Trilateral Commission, in an effort to advance the knowledge of international law and organizations and the art of diplomacy in the modern world. But I want to focus my remembrances on some other aspects of Professor Gardner's life, specifically his unique skill as a professor of law and his devotion to his students, and his many achievements as a counselor at law to clients in exceedingly complex cross-border transactions.

As many are aware, Professor Gardner conducted what was perhaps the longest-running seminar in the history of Columbia Law School, his signature course on "Legal Aspects of U.S. Foreign Economic Policy," which he taught from 1955 to 2012. The seminar was always sold-out, and one had to sign up early for a chance to be admitted. He conducted the seminar as a true learning experience for aspiring lawyers by combining traditional legal training in the details of trade law with the intricacies of public policy-making. He wanted to train us to be leaders in our profession, no matter which path we later chose to follow, and to instill in us a sense of duty to serve the public in one form or another during our careers. He was able to bring to life the challenges of policy-making due to his personal experiences in the public arena and to have us appreciate the intersection of law and public policy. It was one of the few classes that I recall where all

* Clyde E. Rankin, III is a member of Baker McKenzie's North America Banking, Finance and Major Projects Practice Group and is Chair of the North America Projects Practice.

of the students were always prepared and eager to attend, due to the subject matter and the manner in which Professor Gardner conducted the seminar. In addition to taking a personal interest in all of his students, Professor Gardner had the uncanny ability of recalling years later the grade that each of us received in his seminar. One worked extra hard in Professor Gardner's seminar to earn a good grade, as you did not want to be reminded years later of a poor performance.

In addition to his devotion to the students in his seminar, Professor Gardner gave generously of his time and skills to the editorial staff of the *Columbia Journal of Transnational Law*, founded by Wolfgang G. Friedmann, a colleague of Professor Gardner, and also to the members of the International Law Society of Columbia Law School. I can remember his invaluable assistance in helping us organize the inaugural Friedmann Conference, honoring the late Professor Friedmann, which was on the law of the sea. He assisted the student editors and members of the International Law Society, of which I was one, in bringing the most notable participants in the establishment of the law of the sea to Columbia Law School for a day-long conference that was a terrific success and began a series of such conferences that helped put the Friedmann Conferences at the top of the list of international law conferences in the country. He continued to advise the student editors of the *Columbia Journal of Transnational Law* and the members of the International Law Society until his retirement from teaching. He was always there to lend a helping hand.

Professor Gardner also kept in touch with his former students, and many of us had the pleasure of being invited to his spacious apartment in New York for what could only be described as a tutorial session in a salon setting. After a delicious meal of Italian food, we would gather in the living room and engage in a serious discussion of world events and global policy issues introduced by Professor Gardner, with each of us being called upon to present on an issue of interest and then to defend our position in response to questions from our peers and former professor. It was terrific training for learning how to engage in discussion with others on topics of a global nature and also to have civil discourse on matters on which there were varying opinions and sometimes strong passions. How we miss that type of civil discourse in today's society.

I, and many other former students of Professor Gardner, had the pleasure of assisting him in the research and preparation of position papers on foreign policy issues for various presidential candidates. Even though the candidates ultimately were not successful in the general election, it was an unforgettable experience to be involved at that level in a campaign. In essence, once a student of Professor Gardner, you constantly learned from him in so many ways.

2019]

TRIBUTES TO RICHARD N. GARDNER

489

I also remember Professor Gardner in his roles as U.S. Ambassador to Italy and then to Spain, two postings that only a few individuals have ever held. I had the pleasure of visiting him at his residence in both Rome and Madrid, where he had the time to greet me, to inquire about my work and personal life, and just spend time with me. Very few professors, let alone ambassadors, would take time out of a busy schedule to meet with former students while they were on duty in overseas capitals, representing the United States at complicated times in the world. But Ambassador Gardner was an exception—he always had time to visit with former students and to keep up with their careers.

Finally, I had the pleasure to be a colleague of Professor Gardner when I was practicing law at Coudert Brothers in New York. Professor Gardner was Of Counsel to the firm, and he initiated and oversaw a thriving international practice with many Italian corporate clients, all of whom sought his advice with respect to their international transactions. He always had time to meet and talk with young attorneys about their careers, and he brought to the firm a special skill set that he had honed during his many years of service as a diplomat. I saw Professor Gardner put into practice the tenets of international law and diplomacy that he taught so well at Columbia Law School and bring order to complex commercial matters on a global scale. He was a true force in action.

As is evident, Richard N. Gardner was truly a unique individual who moved effortlessly throughout the highest ranks of academe, government service, and private law practice, while always remaining engaged in one form or another in his true passion for teaching. I count myself as one of the lucky students who had Professor Gardner as my teacher. He left an indelible impression on me and on generations of students passing through Columbia Law School. There is no doubt that we lost a giant in the field of international law and diplomacy with the passing of Richard Gardner, but his life's work lives on and continues to serve as a model for all of us.