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## FOR JOHN: A TRIBUTE TO A SCHOLAR AND FRIEND

*Alan O. Sykes\**

My first encounter with John Jackson was as a young associate at the Washington law firm of Arnold & Porter (“A&P”). One of our clients had inquired whether some policy of the United States was permissible under the General Agreement on Tariffs and Trade (“GATT”), and I was asked to help research the matter. When I consulted a senior partner about how to proceed, he volunteered that the firm had on retainer the world’s leading expert on the law of GATT, and suggested that I call him with my questions. That expert, of course, was (and is) John Jackson.

During my years at A&P I had occasion to consult with John on numerous occasions. Some details of those conversations have faded from memory, but I do recall my amazement at his encyclopedic knowledge and quick recall on virtually any issue. To someone like me who has trouble remembering what time to show up for dinner, John’s capacity to identify instantly the pertinent textual provisions and any analogous cases that had arisen in the past, and then to render an immediate opinion on the question at hand, was nothing short of remarkable. I never quite knew what he charged for his services, but I do know that whatever it was our clients got a bargain.

It was also during my A&P years that I first learned about “the book,” John’s magnum opus entitled, *World Trade and the Law of GATT*.<sup>1</sup> For those readers who may be unfamiliar with it (quite possibly an empty set), this book exhaustively analyzes the text of GATT with the aid of a thorough history of its negotiation. No knowledgeable person would consider offering an opinion about the meaning of a particular provision in GATT without first consulting this definitive study. Long ago out of print, I can think of no scholarly work that begets so many lamentations about the lack of another printing, or that is so often the subject of the query “do you suppose there is a sequel in the works?”

After I entered academia, John and I stayed in touch, particularly as I began writing about international trade topics myself. Needless to say, John’s own work was a constant source of stimulation and guidance for me as I began to find my own place in the field. I was surprised and

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1. JOHN H. JACKSON, *WORLD TRADE AND THE LAW OF GATT* (1969).

immensely flattered when John asked me to join his casebook as the third author along with Bill Davey. The opportunity to have my name associated with that project, and with John, was a special one that I knew would mean a great deal to my career (and has).

In the years since we began working together on academic matters, my admiration for John and his work has only increased. He is not simply an excellent lawyer with an encyclopedic mind, but a creative thinker, a thoughtful policy analyst, a wonderful mentor and a gracious host. His continuing productivity, at a stage of his career when many scholars retire on their laurels, can serve as an inspiration to all of us in the academy. His grace and warmth as a person sets an equally striking benchmark.

John's particular accomplishments as a scholar and lawyer are far too numerous to recount in this brief tribute. But I will mention two of special note.

International law generally, and private international law in particular, has long had an image problem. Part of the criticism is deserved, as the amount of interesting scholarly work in the field has lagged behind other areas of law. To encourage first rate scholarly work in the area and to provide a publication venue of first choice for scholars in the field, John conceived the *Journal of International Economic Law*, and successfully pitched the concept to Oxford University Press. This peer-reviewed journal, which John oversees with great care, now publishes the work of distinguished scholars around the world and has already spawned new work on topics of central importance to the global economy. Just as the University of Chicago founded a journal over forty years ago—the *Journal of Law and Economics*—that nurtured a nascent field of intellectual endeavor toward a time of great intellectual influence, so does John's journal have the potential to bring the academic study of international economic law truly into its own. I predict that it will be a profoundly important aspect of John's academic legacy.

Although John deserves great credit for defining and nurturing the field of international economic law in this way and in others, such accomplishments pale by comparison to another. Put succinctly, the World Trade Organization was John's idea. John's Chatham House book, *Restructuring the GATT System*,<sup>2</sup> had a profound influence on the course of the Uruguay Round negotiations. Inspired by John's thoughtful analysis, the negotiators gradually came to realize that the time might be right to accomplish more than just another round of tariff cuts and loophole plugging. If services and intellectual property could be

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2. JOHN H. JACKSON, *RESTRUCTURING THE GATT SYSTEM* (1990).

brought under the GATT, then why could it not also have a meaningful rule-based dispute settlement system that did not depend on the elusive pursuit of “consensus?” Why could it not place all obligations on an equal footing for all members, and put an end to GATT “a la carte” which made the system a patchwork of miscellaneous obligations applicable to varying subsets of trading nations? John asked these and other fundamental questions at exactly the right time, planting a seed that has now grown into the most important international economic institution in human history.

In sum, ideas do matter, and John’s have mattered immensely.