

Michigan Journal of International Law

Volume 20 | Issue 2

1999

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World Trade Organization

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Recommended Citation

William J. Davey, *A Tribute to John H. Jackson*, 20 MICH. J. INT'L L. 101 (1999).

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A TRIBUTE TO JOHN H. JACKSON

*William J. Davey**

It is an honor to be invited to participate in this tribute issue of the *Michigan Journal of International Law* in honor of John Jackson on the occasion of his retirement from the University of Michigan Law School. It is, of course, too soon to evaluate John's lifetime achievements in international trade law, as he seems set to carry on his work unabated from his new base in Washington, D.C.

Clear evidence of John's foresight can be found in his decision to focus his scholarly activities on the General Agreement on Tariffs and Trade ("GATT"). When he did so, he became one of the very first law professors in the field, and the publication in 1969 of *World Trade and the Law of GATT* established his pre-eminence in the field. As interest in GATT and now World Trade Organization ("WTO") issues ballooned over time, John maintained and expanded this position.

Three particular aspects of John's work stand out in my mind.

The first is the breadth of his scholarly work. International trade law is an ever-broadening and fast-changing field. John has not hesitated to tackle the new issues as they arise—whether they be services, environment, competition. His unerring judgment allowed him to supply useful insights in these new areas based on his deep understanding of the basic principles enshrined in GATT. Moreover, his willingness to branch out from his core area of expertise is example to all scholars. One who is unwilling to move ahead with the times risks developing a myopic outlook—a danger that is particularly acute in fields such as international trade law, even the definition of which is still evolving.

The second is his concern with and influence on the institutional and legal framework in which international trade rules are negotiated and enforced. John played a particularly important role in the debate over the creation of a new institution—the World Trade Organization—at the end of the Uruguay Round. As significantly, throughout his career, he has stressed the need for a rules-based system to enforce the negotiated agreements. Over time, the dispute settlement system of first GATT and now WTO has moved slowly but steadily in the direction he has pushed. While the new WTO dispute settlement system is far from perfect and is still suffering growing pains, its development represents one of the most important milestones in the effort to subject disputes

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among nations to third-party adjudication. John has played a critical role in promoting this.

The third important aspect of John's work and the one that ultimately may have the greatest influence on the world trading system is his role as a teacher. Whenever one looks at the lawyers involved in international trade law—whether in high (inter)governmental positions or associates in law firms, whether in Geneva or Brussels, or in Tokyo or Washington—one cannot help but be struck by the overwhelming number of the positions held by friends and former students of John. There is no doubt but that they will ensure that his legacy will endure for a long time to come.

Personally, I owe a great debt of gratitude to John for his support and wise counsel in the development of my own career. Although he was on leave from Michigan to serve as General Counsel to the Special Trade Representative when I had planned to take his International Trade Law course, we met some years later and John was particularly helpful in my job search when I decided to enter academia. The question of what I should write about was quickly resolved with John's aid: during my first year in teaching, he invited me to join him on a new edition of his book, *Legal Problems of International Economic Relations*. We have collaborated on other projects and with his encouragement I came to the World Trade Organization for a stint as Director of the Legal Affairs Division. Indeed, the brevity of this note is explained mainly by the fact that at time of its writing, I was awash in a sea of bananas at the WTO (such an unlikely product to raise so many difficult trade law issues).

No tribute to John would be complete without acknowledging the invaluable contribution to his activities of his wife, Joan. Meeting John for a meal at a conference usually has the special treat of an opportunity to renew acquaintances with Joan. Although Joan has acquired a well-developed interest in and knowledge of world trade issues through her travels with John, her wide range of interests outside of trade ensure a lively dinner conversation. I have particularly fond memories of meals in Switzerland—on the shores of Lake Geneva and in mountain villages—and look forward to more in the future.