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JOHN H. JACKSON: MASTER OF POLICY—AND THE GOOD LIFE

*Theodore J. St. Antoine**

A faculty can make no prouder boast than the claim that some of its members are the preeminent figures in the country in their particular fields. During my years at Michigan, I believe that claim could fairly be made for at least eleven of our colleagues. For obvious reasons, I shall not reveal my complete list. On a celebratory occasion like this, however, I trust it will not seem indiscreet for me to name John Jackson as one of my choices. I shall leave the more nuanced assessments of John's work to the experts. But from my nonspecialist's perspective, John ranks as the country's foremost authority on the ever increasingly critical subject of international trade law.

While I shall dwell more on my personal relations with John than on his professional achievements, I cannot resist a couple of observations on the latter. The faculty is full of dedicated, hard-working, productive scholars. But I cannot think of anyone else who is as prolific as John—it seems as if he turns out a definitive treatise on some aspect of world trade law almost annually—and who also manages like clockwork to appear in the faculty common room in midmorning and midafternoon for his invariable cup of tea and a thoughtful discussion of the contents of the day's *New York Times*.

I was once the beneficiary (or victim) of John's disciplined, if not relentless, work habits. A few years after we had joined the Michigan faculty, John proposed that we collaborate on a new Contracts casebook, with more emphasis on the Uniform Commercial Code than had been customary in the older books. I accepted, and we undertook what I have since thought of as a Mutt-and-Jeff relationship—with me as Mutt. I am a procrastinator and improviser; John sent me regularly an elaborate set of topic outlines and deadlines. I am a streamliner; John believes in hauling in the kitchen sink. At one point I proudly produced what I considered a readily comprehensible little summary of the abstract and, to most students, impenetrable subject of contract conditions. John transformed it into a magisterial monograph analyzing in detail every conceivable refinement. Perhaps fortunately for both of us, the collaboration ended when I went into administration, and John finished the work on his own. Then, in a typical gesture, John sent me a very gener-

* James E. and Sarah A. Degan Professor Emeritus of Law, University of Michigan. A.B. 1951, Fordham; J.D. 1954, Michigan.—Ed.

ous check upon publication, even though my only enduring contribution to the enterprise was probably the title of the book.

John has sometimes declared that he is primarily concerned with the policy of the law, not its theory. At first I was uncertain about his meaning, since the usual supposed distinction is between teaching students the theory of the law (what the “elite” schools do) and teaching them the how-to-do-it, so-called practical side of the law (what the “trade” schools do). In that taxonomy, of course, policy is treated as an element of theory. But gradually I realized John was making a quite different point. In recent years, although perhaps less so right now, much of the legal academy has been fascinated by the conceptual underpinning of the law, by the notion of law as an intellectual construct. That is not John’s forte. His interest is in the pragmatic reasons, the social and economic grounds, for choosing one solution rather than another to a societal problem that is presented in the guise of a legal problem. Significantly, John seems more interested in the institutional structures that have been created to deal with such problems than in the applicable substantive rules. He knows how malleable or transitory the latter may be.

Naturally, John is a “free trader,” a proponent of NAFTA and the WTO and fast-track legislation. Yet he is no absolutist. He recognizes the legitimate needs of labor and the environment, is willing to consider some accommodation for them in trade arrangements, and is only scornful of persons who are absolutists in the pursuit of those interests. And I have heard him speak respectfully, even movingly, of the strand of European thought that would elevate the sense of a social compact to rival the reigning primacy of purely economic values. It’s good to know that such a broad-gauged humanist had the opportunity to influence events on the world stage as General Counsel and later Acting Deputy for the U.S. Special Representative for Trade.

In the classroom, John is no standup entertainer. He is engaged in serious business and he makes no bones about it. The students, both foreign and domestic, respond positively. They know they are being exposed to the best there is and they appreciate it. For the ablest and most committed ones, there is always the chance to work closely with John on his research, and that can be the beginning of a lifelong association. The Jackson Alumni Society has a large and worldwide membership.

In faculty deliberations, John has been a pillar of strength and balanced judgment. On many questions he is content to let others speak and says nothing at all. He is likeliest to enter the lists when views are fragmenting on an important issue and a major crisis looms. Since I was heavily involved myself, I recall with much gratitude the common sense

he brought to bear on such sensitive or highly charged subjects as affirmative action in student admissions and the construction of the underground library addition.

John and his wife Joan, my wife Lloyd and I, and our respective families have often joined for holiday gatherings and sometimes even for trips out of town. John brings to these occasions much the same quiet intensity he brings to his work. One senses a capacity for deep enjoyment and satisfaction, without exuberant fanfare. In their home John and Joan define the term hospitality. The guest lists at their dinner parties would include a veritable Who's Who of foreign scholars and dignitaries—all treated with unassuming warmth and congeniality. I am old-fashioned enough to think that one of civilization's premier joys is an assembly of well-turned-out men and women around a well-set table, indulging in good food, good wine, and good conversation. An assurance of that comes with an invitation to the Jacksons'.

Unlike many inhabitants of academia, John has never been one to flaunt his devotion to the arts. But it is there, in the same quiet, understated mode that characterizes him otherwise. He and Joan have spent time in India and Japan as well as Europe, and their furnishings reflect it. Lloyd and I recently followed John's recommendation for an evening of London theater, and were rewarded with a delightfully riotous but also poignant double-bill by Tom Stoppard and Peter Shaffer. John seldom ventures critical opinions about the arts. But once, after a chamber concert, he remarked almost apologetically: "I enjoy Prokofiev. But I've found that Shostakovich is deeper."

Perhaps our most memorable get-together with the Jacksons was in Tuscany in June 1994. John was the star speaker on the Uruguay Round of trade negotiations at a conference organized mostly by European alumni, which was held at Michigan's Villa Corsi-Salviati on the outskirts of Florence. Lloyd said John was so lucid that even she could understand everything he had to say about his arcane topic. Organization and clarity of presentation are among John's most pronounced pedagogical assets, but I suspect that the insiders caught numerous subtleties that passed right by us guests.

John and Joan then took Lloyd and me on a brisk, one-day automobile tour outside of Florence. Joan drove while the other three tried to navigate. She would come to a crossroads and call out, "Which way?" The rest of us would dither over maps until Joan lost her patience and announced tersely, "I'm going this-a-way." She was always right. We visited Siena, the vineyards of Chianti, and the walled medieval hilltop town of Monteriggioni. At dusk we wound up in San Gimignano, famous for its towered residences that served as private fortresses for

various warring families during the Middle Ages. There, on a flower-bedecked terrace overlooking a valley, the Jacksons and we had dinner, basking in one of those glowing moments you would like to wrap with red ribbon and store away for unpacking on some February day in Ann Arbor.

John Jackson does not suffer fools gladly, and I have heard mutterings that he too obviously relishes consorting with the world's high and mighty (though how could he play the role he does without those contacts?). But I find him totally genuine, without a shred of pretense, simply taking well-earned pleasure in his career and his family. And for those fortunate enough to get close to this reserved and very private man, John is a fountain of ideas, a shrewd and sympathetic counselor, and an unfailing friend.