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Global Trade Law: Present At the Creation[†]

E. Thomas Sullivan*

Gentleman. Scholar. Gracious colleague. A man of uncommon wisdom. We lost a dear friend when Bob Hudec died on March 12, 2003. Our University of Minnesota Law School was blessed with his presence for twenty-eight years as a faculty member, where he regularly taught international trade, international contracts, commercial law (sales), and contracts. It was in the international trade field, of course, where he was renowned as an exceptional scholar and one of the founders of international trade law in the United States. His scholarship evidenced his philosophy that legal institutions governing international trade and policy would have to be sensitive to political, economic, and diplomatic considerations before they could fully understand and appreciate the development of international trade law.¹ He was in the forefront of international trade law for over thirty years. No one on our faculty stood taller with the respect and esteem of his colleagues than Bob Hudec.

Bob Hudec's scholarship taught all of us that no one can understand or appreciate international trade law, and the law and institutions of the World Trade Organization, without understanding the culture, the environment, and the political economy of the member states that make up the international trade community.² The author of six leading books and over

[†] Title inspired by DEAN ACHESON, *PRESENT AT THE CREATION; MY YEARS IN THE STATE DEPARTMENT* (1969).

* Irving Younger Professor of Law and former dean, University of Minnesota Law School.

1. See generally ROBERT E. HUDEC, *ESSAYS ON THE NATURE OF INTERNATIONAL LAW* (1999); *FAIR TRADE AND HARMONIZATION* (Jagdish N. Bhagwati & Robert E. Hudec eds., 1996); Robert E. Hudec, *The Product-Process Doctrine in GATT/WTO Jurisprudence*, in *NEW DIRECTIONS IN INTERNATIONAL ECONOMIC LAW: ESSAYS IN HONOUR OF JOHN J. JACKSON* (Marco Bronckers & Reinhard Quick eds., 2000); Robert E. Hudec, *The GATT Legal System: A Diplomatic Jurisprudence*, 4 *J. WORLD TRADE L.* 615 (1970).

2. See generally Robert E. Hudec, *The New WTO Dispute Settlement Proce-*

thirty-five articles and monographs on international trade, Bob Hudec joined the University of Minnesota law faculty in 1972. Before his arrival in Minnesota, Bob had been a member of the Yale University law faculty, a Rockefeller Foundation Research Fellow in the Office of General Agreements on Tariff and Trade in Geneva, Switzerland, and Assistant General Counsel, Office of Special Trade Representative for trade negotiation in Washington, D.C. His formal education was at Kenyon College, graduating in 1956 *summa cum laude*. Thereafter, he received a B.A. and M.A. from Cambridge University, Jesus College, where he studied as a Rhodes Scholar before matriculating at the Yale University Law School. At Yale, he served as Editor-in-Chief of the *Yale Law Journal* and graduated first in his class. Bob later clerked for Justice Potter Stewart on the U.S. Supreme Court, and then began his important research and practice in international trade matters. Although he made the University of Minnesota his academic home for twenty-eight years, Bob also held visiting faculty appointments at Stanford, Texas, Cornell, Toronto, the Kiel Institute for World Economics, and the Université Jean Moulin, Lyon, France.

He was honored numerous times at the Law School for his groundbreaking and insightful scholarship; however, two of those occasions stand out. He was the first faculty member at the Law School to receive an endowed chair when he was appointed the Melvin C. Steen Professor of Law in 1987. In addition, upon his retirement, the Law School hosted a global conference in his honor on *The Political Economy of International Trade Law* in September 2000, which was published by Cambridge University Press.³ Thirty-eight leading authorities from around the world attended this conference as a tribute to Bob and to his contributions in the field of international trade.

Although Bob Hudec was a giant on the global stage, at our Law School he was known as a gentleman of the first rank and a great colleague. I had the pleasure of serving as the Dean of the Law School during Bob's last five years on the faculty. He was a role model for all of us and was indeed the quintessential faculty member. I sought his counsel formally and informally on many

ture: An Overview of the First Three Years, 8 MINN. J. GLOBAL TRADE 1 (1999); Robert E. Hudec, *GATT or GABB? The Future Design of the General Agreement on Tariffs and Trade*, 80 YALE L.J. 1299 (1971).

3. THE POLITICAL ECONOMY OF INTERNATIONAL TRADE LAW: ESSAYS IN HONOR OF ROBERT E. HUDEC (Daniel L. M. Kennedy & James D. Southwick eds., 2002).

occasions. He was as principled as he was thoughtful. The Law School's institutional interests and needs always came before his own. On matters of intellectual rigor and academic standards, Bob was the conscience of the faculty. In the face of serious illness for many years, including a kidney transplant, Bob never shirked his duty as a senior faculty member. He founded the *Minnesota Journal of Global Trade* in 1991 and guided it through its first eight years with the skill of a master and the gentleness of a parent. It is appropriate that this journal is honoring Bob, the man, the legend, and the friend whom we will never forget.

As we honor Bob in this most important dedication, we also honor Marianne Hudec, his wife of forty-seven years, whom he met while he was a student at Kenyon College and she a student at nearby Denison University. With Marianne's love and support, they were able to accomplish much for each of us. With this dedication, we salute the contributions of both Bob and Marianne, dear friends for life.

