

# Professor Thomas M. Franck Remembered

By Rachel Smith

The ABILA lost one of its most distinguished members, Professor Thomas M. Franck, when he succumbed to cancer on May 27, 2009. Elected Honorary Vice President of the ABILA in 1994, Professor Franck previously served as an Honorary Secretary-Treasurer and as a Vice President of the American Branch for many years.

Franck and his parents fled Nazi Germany in 1938, emigrating to Vancouver, Canada. After receiving his first law degree from the University of British Columbia in 1953, he earned an LL.M. (1954) and a J.S.D. (1959) from Harvard Law School. He joined the faculty of New York University School of Law in 1957 and was the Director of NYU's Center of International Studies from 1965 until his retirement in 2002.

Professor Franck had a distinguished career practicing as well as teaching international law. He advised several foreign governments including Tanganyika, Kenya, Zanzibar, Mauritius, the Solomon Islands, El Salvador, Bosnia and Herzegovina, and Chad. He served as an advocate before the International Court of Justice as well as one of its ad hoc judges. He also served on the U.S. Department of State Advisory Committee on International Law for many years.

Professor Franck's life work was dedicated to advancing the international rule of law. He helped draft new constitutions, supporting democratic rule during decolonization in Africa, advised Bosnia in its genocide case against Serbia, and challenged the Bush administration's interpretation of international law well before the Abu Ghraib scandal. His colleague David Kennedy described him as "the leading American scholar of international law, an enthusiast for new ideas to make the world a more ordered and humane place."

Chris Borgen, an Associate Professor of Law at St. John's University School of Law and one of Professor Franck's former students, described Franck as the "epitome of the engaged scholar" in his tribute on the blog *Opinio Juris*:

As a student, I immediately learned from Tom that international law professors should act, not just talk. They should do what they could in their own area to make the world a better place. I had the opportunity to be one of many students who assisted him in his work on Bosnia's legal team for the Genocide Case. No abstract theoretician, he was an object lesson in how to think through a case, build a file, and construct an argument.

Professor Franck authored over 30 books and received numerous awards and honors, including the Christopher Medal (for *Resignation in Protest*), the Hudson Medal of the American Society of International Law (ASIL), the Read Medal of the Canadian Council of International Law, and two Guggenheim Fellowships. Professor Franck was

President of the ASIL from 1998-2000, served as editor-in-chief of the *American Journal of International Law* from 1984-1993, and was named Honorary President of the ASIL in March.

Members of the American Branch remember Professor Franck's service to the Branch through the Branch offices he ably filled, the International Law Weekend panels he organized and on which he eloquently spoke, and his advice about ways to promote the Branch and its unique role among international law organizations. They remember especially his wit, his charm, and his passion for international law and international justice.