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Professor Jonathan I. Charney: Commitment Underpinned by Conviction

*James R. McHenry, III**

Like Professor Schoenblum, I also face a daunting task, to summarize the impact of a great man in only a few minutes. My task is even more daunting because I knew Professor Charney personally for only the two-and-a-half years that I have been a student at Vanderbilt Law School, whereas his friends and colleagues present here knew him for many years. Yet, I am comfortable speaking now on behalf of his past and present students because I believe that my experiences and my relationship with Professor Charney accurately reflect the experiences of most of the students who knew him over the past 30 years.

When I was asked to speak on behalf of the students regarding Professor Charney's contributions to the Law School, I did initially wonder how closely my relationship with him mirrored the experiences of other students. I worked for him for almost two years as a research assistant for the *American Journal of International Law*; I spoke with him frequently, either in person or via e-mail, about various international legal issues; and he advised me on both my student note for the *Vanderbilt Journal of Transnational Law* and on my PhD dissertation. Thus, I knew the image that I had of him, but I wasn't sure if his other students saw him the same way. So, I spoke with some of his other students about their experiences with him. I also spoke with his secretary here at the Law School and with some of his friends whom I knew outside of the law school setting. I shared my stories and impressions with them, and they shared some of their stories with me, and in these discussions, it seemed that one particular theme repeatedly emerged. This theme confirmed my personal image of Professor Charney, based on my own relationship with him, and I understood better how he had touched the lives of many of his students. Usually, it is foolish to attempt to summarize the life of a great individual with only a few words, but in

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this instance, I believe that one particular phrase is genuinely emblematic of Professor Charney's impact on his students. Just as he was in dealing with his family, friends, and colleagues, in dealing with his students, Professor Charney was a man of commitment underpinned by conviction.

Those who knew him know that Professor Charney was a man of deep and genuine commitment, to his family, to his colleagues, and to his profession. I will speak to his commitment to teaching in general and to his students in particular. At the outset, though, I must note that his commitments at Vanderbilt extended beyond the Law School. For example, Professor Charney was actively involved in promoting the Jewish student community on campus. He also maintained connections with Vanderbilt's Political Science Department, and he utilized graduate students there for research assistance. In other words, although I will speak primarily about his involvement with students at the Law School, his involvement with students was not limited only to those who studied in this building.

Anyone who has ever taken a course with Professor Charney is aware of his enthusiasm for teaching. Indeed, in speaking with him last spring and over the summer, it seemed that he was genuinely pained—even more so than in an actual physical sense—when his illness prevented him from teaching the courses that he wanted to teach. For those who were fortunate enough to take a course with him, however, his enjoyment of teaching always shone through. Even as his illness progressed and his energy level wasn't as high as it had been previously, he always gave a game effort and rarely let his classroom presence lag. For him teaching was just as important as scholarship. In fact, just last year, one of his students commented that, "Professor Charney seemed to approach every lecture like it was the most important thing he could be doing at that moment." I believe that this is an accurate reflection of Professor Charney's teaching philosophy, for I believe that to him a lecture truly was the most important thing that he could be doing at that moment.

Certainly, his scholarly reputation preceded him before every course that he taught in recent years, and many students were often intimidated in his courses at first—not only by the subject matter of public international law, which is somewhat amorphous and quite unlike most other typical law school subjects, but also by his scholarly reputation. Professor Charney never let his reputation or achievements speak for him, however, and he worked diligently in preparing for every course. As a professor, he was an imposing and demanding figure to be sure, and he set very high standards for his students. He did not tolerate shoddy or half-hearted work, and he never sugarcoated his evaluations of students' efforts. He was straightforward and honest, yet he was never malicious or cruel in his treatment of students. Indeed, he used his wry sense of humor—either a quip or the puckish grin that Professor Schoenblum referred

to—to allow students to feel more comfortable in his class, and his humor combined with his commitment to high standards effectively motivated students to learn even if they had no strong interest in international law.

I mention all of these traits to demonstrate Professor Charney's commitment to teaching, but it was not a commitment built simply upon a perfunctory duty as a paid employee performing his job. Rather, I believe that it was based upon a conviction, a conviction that public international law is not only an important subject worth teaching in its own right, but that in this day and age, it is an essential component of a superior legal education. Indeed, I spoke with him via e-mail last summer regarding a major law school's recent policy of requiring its students to take a course in transnational law in order to graduate. He wasn't sure if such a move would spark a trend, but he seemed pleased at the notion, not because it brought more attention to his area of law, but because it conferred recognition on this area of study as being a necessary part of legal education in the modern age.

In addition to Professor Charney's commitment to teaching in general, some mention must also be made regarding his commitment to students in particular. Even though Professor Charney had literally a million things going on in his life during the past two years, he always seemed available to speak with students, to offer advice, to answer questions about a particular issue or event, or to critique an idea or theory that a student was working on. I often came by his office to ask him a question or to run some idea by him that I was working on for a class or a particular project. He was always patient and attentive while I talked as he waited for me to finish. After I finished, he would shift slightly in his chair to show that he was aware that I was done, he would usually show a half-smile or that puckish grin, and then he would proceed to name two, three, four—and on some occasions seven or eight—areas or issues that I needed to address or clarify in my thinking. Again, he was never harsh in his evaluation, but he was precise and exacting in his comments. He did seem to enjoy arguing as he pressed me on certain points, but at the end of our "meetings" I always knew that he was right.

Even when he couldn't be reached in person at the law school, Professor Charney was always available via e-mail. Indeed, his access via e-mail is legendary among his students, for the turnaround time to any query was generally very short. In fact, it seemed as if he was at his computer anticipating your question and had already formed the response in his mind; thus, when the question actually did arrive, he simply had to type the response and send it back to you. This past summer, one of his students worked at the United Nations. Almost every day she would e-mail him with an urgent question about the work she was doing, and every day he responded with the

exact answer to what she needed. That was the kind of professor he was in dealing with students: helpful, precise, correct, and always available.

Again, I believe that his commitment to his students is one rooted in conviction, namely a conviction that public international law is an important mechanism for improving the human condition, reducing international conflict, and changing the lives of many people around the world for the better. He understood that his students of today would become the lawyers of tomorrow and that if they were to utilize the full potential of international law, they first had to understand it. Understanding, however, was not enough, and he actively encouraged his students to seek careers in public service, such as government agencies or international organizations, in order to effectively use international law to bring about positive changes. He was perhaps too much of a realist to suggest simply that students should try to "change the world," yet he certainly hoped that by helping his students to understand the complexities of international law, that they would use that knowledge and understanding to do just that.

Professor Charney tragically died at a young age, yet his contributions to international law and education are legion. Were I, or any of his students, to live twice as long as he did, I would consider myself extremely fortunate to have even one-tenth the impact that he had. And, when I say impact, I mean more than his impact as a scholar. I mean his impact as a mentor, as an educator, and as a teacher in the most noble sense of the word. Like he was to his family, his friends, his colleagues, and his profession, he was deeply committed to his students, and all of us are grateful for what we learned from him. His commitment was not shallow or perfunctory, but rather it was rooted in a deep conviction about the nature of both international law and legal education. His life ended far too soon, but his students, many of whom share his commitments and convictions, will ensure that his legacy will never fade. Thank you.