

**This issue is dedicated to the memory of
L.F.E. GOLDIE**



IN MEMORIAM FOR L.F.E. GOLDIE

Professor Louis Frederick Edward Goldie died suddenly of a heart attack on January 12, 1991 at the age of seventy-two. Professor Goldie's death deprives the world's legal community of one of its most outstanding scholars and is a grievous personal loss to his students and colleagues at the Syracuse University College of Law.

In 1937, Professor Goldie began his formal legal education at the University of Western Australia and graduated four years later with an LL.B., receiving first class honors. Before continuing his legal education, Professor Goldie served in the Australian military, first as a navigator, then as a paratrooper. In 1945, he resumed his legal education at the University of Sydney where he received an LL.B., again with first class honors. Professor Goldie later returned to the University of Sydney in 1955 to receive his masters of laws.

In 1948, after gaining admission to the bar of the State of New South Wales, Professor Goldie began his legal career by working as Secretary to the Royal Commission on New Guinea Timber Rights. It was here that he first developed his interest in environmental law. A year later, Professor Goldie took a position as a legal officer for the Commonwealth of Australia's Attorney General's Department. He remained in this position until 1952.

In 1952, Professor Goldie began his long and distinguished career as a scholar and academic when he accepted a position as a lecturer at Canberra University College of Law (now Australian National University). While at Canberra University, he also lectured part-time at the Royal Military College. In 1959, Professor Goldie left Australia for the United States. He took a position as Associate Professor of Political Science at the University of California at Los Angeles where he remained for four years.

Over his career, Professor Goldie taught at a number of institutions. He was Associate Professor of Law at Loyola University (1963-1966); Visiting Associate Professor of Government at Indiana University (Summer 1966); Professor of Law at Loyola University (1966-1969); Visiting Scholar (Principle Investigator for a Project on Legal Issues Arising from Deep Seabed Mining) at Columbia University School of Law (1969-1970); Charles H. Stockton Professor of International Law at the Naval War College (1970-1971); and Visiting Scholar at the University of Virginia Center for Oceans Law and Policy (1984).

Professor Goldie spent the majority of his career as Director of the International Legal Studies Program and Professor of Law at the

Syracuse University College of Law. He held these positions from 1970 until his retirement in 1989. In recognition of his scholarship and devotion to the College of Law, Professor Goldie was presented with the Chancellor's Award for Exceptional Academic Achievement in 1988. Professor Goldie retired in 1989, but continued publishing and teaching at Syracuse, serving as Professor of Law Emeritus.

Professor Goldie specialized in teaching the international law of the sea, international environmental and resources law, boundaries and zones, and treaties under the United States Constitution. Apart from these specialties, he taught courses in Public International Law, Conflict of Laws, Legal History, Property, Equity, Constitutional Law, Jurisprudence, British Government and Commonwealth Relations, Federal Courts, Space Law, War Crimes, International Protection of the National Art Heritage, International Business Transactions and International Organizations.

Professor Goldie founded the *Syracuse Journal of International Law and Commerce* in 1972. The *Journal* flourished under his stewardship and guidance and continues to be a well recognized source of scholarship on issues of public and private international law. Professor Goldie was instrumental in organizing timely symposia over the years on behalf of the *Journal*. He acted as Faculty Advisor to the *Journal* from 1972-1990, and, in 1990, became Faculty Advisor Emeritus.

Professor Goldie did not limit his editorial skills to Syracuse. He was a member of the Editorial Advisory Board, *Journal of Maritime Law & Commerce* (1969-1991); Editorial Board, *The Hague Yearbook of International Law* (1986-1991); and Editorial Advisory Board, *International Lawyer* (1978-1984).

Professor Goldie made the international law of the sea one of his major concerns. From 1972-1973 he acted as consultant to the Republic of Korea on its Continental Shelf Rights in the East China Sea. He also served as Counsel for Turkey in the Aegean Sea dispute from 1975-1976.

In 1976, he resigned as Counsel for Turkey to become Senior Legal Officer in the Office of Legal Affairs, United Nations Secretariat, a position he held from 1976-1978. From 1978-1983 he worked part-time as a Senior Special Fellow of the United Nations Institute For Training and Research (UNITAR).

Professor Goldie was a prolific writer having authored a number of articles. He lectured on international legal topics around the

world. Throughout his life he was the recipient of many awards, scholarships, fellowships and research grants.

He served in an advisory capacity for a number of institutions including the United States Naval War College (1968-1976); Hudson Institute (1965-1976); Army War College (1972-1976); Air War College (1972-1976); Deepsea Ventures, Inc. (1972-1976, 1978-1982); and Center for Oceans Law & Policy, University of Virginia (1986-1991).

He was a member of several professional and learned societies including the Americal Society of International Law, where he served on several of its committees, panels and working groups; International Law Association—both World Association and American Branch, serving on its Board of Directors from 1966-1976; Association of the United States Member of the International Astronautical Federation, where he served on its Board of Directors from 1970-1991; American Bar Association; New York State Bar Association; and Association of the Bar of the City of New York.

L.F.E. Goldie will be greatly missed by his students and colleagues. He was highly respected, energetic and committed to developing international law. All those involved with the study of international law owe a special debt to Professor Goldie for his contributions to the subject. We will remember his vast knowledge and thoughtful manner, and hope his example will continue to inspire those who had the privilege of working with him.

The Board of Editors

FROM JUDGE MANFRED LACHS*

These words were intended to pay tribute to Professor L.F.E. Goldie on the occasion of his retirement. Now, his sudden demise makes them a final tribute, in sadness and deep sorrow. For having known Fred Goldie for over twenty years, I have always admired his activity, his enthusiasm for work and his devotion to the cause of international law; he displayed them at international gatherings and discussions on subjects of common interest. I had the pleasure of visiting his University, and he chaired my lecture on the contribution of the International Court to the development of international law. His links with The Hague were manifold. He attended The Hague Academy of International Law and became one of the few students honoured by receiving a diploma. He returned to The Hague to lecture and take part in seminars.

Well versed in all chapters of international law, his particular interest was directed to maritime law; his many articles on the subject are most instructive. However, there is another chapter of international law to which he made an outstanding contribution; that is liability. His article published in 1965 on "Liability for Damage and the Progressive Development of International Law"¹ was excellent both in its analysis and imagination on the further development of the law. It is well known that the subject has recently acquired particular importance due to the impact of technology and ultrahazardous activities on international relations. Here, the pioneering work of Professor Goldie cannot be overestimated. The same applies to his great contribution to the newest chapters of the Law of the Sea.

His teachings and writings have been a continuous search for the true meaning of law so that it can serve societies and help the betterment of the human condition; hence, his commitment to human rights and their implementation. Throughout his career, Professor Goldie remained faithful to the significant words of Justice Holmes, that law "cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics. In order to know what it is we must know what it has been and what it tends to become."

Mainly due to his guidance and stewardship, the *Syracuse Journal of International Law and Commerce* has become one of the important legal periodicals in the United States.

* Judge Manfred Lachs serves on the International Court of Justice.

1. Goldie, *Liability for Damage and the Progressive Development of International Law*, 14 INT'L & COMP. L.Q. 1189 (1965).

He has left a rich heritage, not only to the College of Law of Syracuse University but to students of international law throughout the world. We will honour his memory by following his devotion to the great course of law and peace among nations.

FROM MYRES S. MCDUGAL*

Fred Goldie is one of the great international lawyers of our time. A citizen of the world, who has studied, lectured, taught, and published on several continents, he has for many years based himself in the United States. His scholarly work is marked by wisdom about the common interest, high craftsmanship in the exploration of both facts and the data of authority and control, and extraordinary creativity in recommendation.

The more fundamental community policies to which Professor Goldie explicitly commits himself are those of minimizing coercion and promoting human dignity, as authoritatively prescribed in the United Nations Charter, the Universal Declaration of Human Rights, the Human Rights Conventions, and a host of ancillary prescriptions. The problems with which he is concerned he formulates, not as definitional exercises, but in empirical terms of disparities between community aspiration and achievement. For the detailed clarification of fundamental community policies in relation to particular problems he invokes, beyond logical manipulation of inherited rules, a range of relevant intellectual tasks. For drawing upon past experience, he makes careful examination of past trends in decision, including their policy consequences, upon comparable problems. For increasing realism about the potentialities of control or change, he studies the factors and conditions that have affected past decision and may affect future decision. For promoting rationality by the criteria of common interest in choice among options in decision, he projects possible changes in policy, institution, and decision. In application of this multifaceted, contextual approach, in a large flow of publication he has made important contributions to public and private international law, especially problems in the allocation of sharable resources, the law of the environment, the law of the sea, the law of war and state responsibility.

In extending his influence beyond scholarly publication, Professor Goldie has played responsible and important roles in many professional associations and organizations. These include the International Law Association (especially the American Branch), the American Society of International Law, the Section on International Law of the American Bar Association, the Foreign Law Association, and the Hague Academy of International Law. In addition, he has performed

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Editor's Note: The following was written by Professor McDougal as a tribute to Professor Goldie prior to Professor Goldie's death.

special assignments with the Office of Legal Affairs, the United Nations Secretariat, the United States Naval War College, and universities other than Syracuse. His colleagues in these various enterprises have universally cherished him for his leadership, realistic observation, imagination, and integrity.

FREDERICK E. GOLDIE SCHOLAR AND FRIEND

I have always admired Fred's wide-ranging and detailed knowledge of international law. Topics as varied as United Nations law, international human rights law, the law of the sea, international environmental law, the law of treaties and the law of war were all grist for his mill. On all of these topics and many others, some related to international law (such as admiralty), some hardly so (such as property), he could hold forth with ease. On all of these he had amassed an enormous documentation that filled (and overflowed) not only his office at the College of Law, but also his study and even the basement of his home. I should say, though, that I was most struck by his encyclopedic knowledge of diplomatic and treaty history. The details of the negotiations of some obscure nineteenth century treaty he could recite in conversation without the least degree of advance notice and obviously without preparation. However, since my own interests only skirt international law, I think it is appropriate for me to leave a more detailed recital of Fred's wide-ranging scholarly achievements in that field to others more qualified; lest I omit one of the many different topics he has dealt with in the classroom, in his writings and in many conferences. I do, however, want to mention that for many years Fred was not only a scholar in a field at least collaterally related to my own interests, but also a great colleague and a good friend.

While I started teaching at Syracuse a number of years before Fred and Sheila's arrival here, the year of their arrival marked a significant, though more private personal milestone: the birth of our eldest child. In many ways since that time, Fred and Sheila participated in our lives and almost became a kind of uncle and aunt to our children. On numerous occasions, including many Christmas and other celebrations, we were invited to their home. For the children, it was always a particularly welcome outing. There were things to do and to explore in their yard under Fred's guidance, and the yard was one of his hobbies to which he brought as much skill as to his scholarly writings. There were dogs to play with, and Fred and Sheila were not upset if these were not always treated as gently as they should have been by children not old enough to know any better. Later on, my children learned to deal with the furry members of Fred and Sheila's household and grew to appreciate another part of Fred's character: his affection for the dogs, big and small, that resided at Lakeview Drive. "Pogo" we remember particularly well as a great and funny playmate. Fred was genuinely upset when Pogo or any of his other

favorites (and all his dogs were his favorites) became seriously ill or died. Seeing him on such an occasion, though he did not say very much, provided another insight into his many-faceted personality.

For Brigitte and myself, of course, there was the pleasure of Fred and Sheila's company. Fred's scholarly interests made him an obviously well informed party to any conversation about current affairs. In addition, one of his intellectual hobbies was the history of countries and areas formerly under British influence. Since those areas so often did and, unfortunately still do, constitute the theaters for international conflicts, Fred's erudition in that area made our conversations particularly interesting. These evenings at Fred and Sheila's house also provided an occasion for meeting many of Fred's interesting friends and acquaintances from the Syracuse area and from many parts of the world: professionals in many fields, legal scholars and United Nations officials (including the United Nations' Undersecretary for Legal Affairs). But our conversations were not only interesting, with Fred's puckish sense of humor, they were also extremely lively and a great deal of fun. It did not detract from the enjoyable nature of these evenings that Sheila's cooking was always delicious and Fred's liquor cabinet well chosen and well stocked.

At the time of Fred's death, another war was raging, again in an area about which Fred knew much. I wish he could still enlighten us about the many international problems that war raises and, when our conversations turn towards ways for bringing peace to that troubled part of the world, give us the benefit of his thoughts and his wisdom. We miss him.

*Peter E. Herzog**

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