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# *In Memoriam*

## **Professor Rudolf B. Schlesinger**

By MARY KAY KANE\*

Hastings was most fortunate, indeed, that for the last twenty-one years we had the opportunity to have Professor Rudolf Schlesinger (or as he was known to family and friends, Rudi) as our colleague. On a faculty peopled by extremely prominent and noted authorities, Rudi Schlesinger stood out. Stated most simply, Rudolf Schlesinger was a towering figure in the field of comparative law. He was a pioneer. A man who, because of the clarity of his vision and the strength of his contributions, ensured that the field of comparative law would become a staple in American legal education.

Rudi's pathbreaking work as a scholar has been celebrated both in the United States and abroad over the years. Indeed, Hastings was most fortunate to host a reception for Rudi during the fall of 1995 when the *American Journal of Comparative Law*, as a special surprise, dedicated its fall issue to him. At that time, several noted scholars and authorities spoke and wrote about his special and unique impact on the development of the field of comparative law. Scholars from around the world agree that Rudi's exceptional scholarship, as well as his authorship of the first American coursebook in comparative law in 1950, created a broad awareness of the transactional nature of law that remains today.

But, as insightful and brilliant as his scholarship surely was, his skill, dedication, and talent as a teacher is what inspired generations of students. Before it was fashionable to consider that lawyers must practice in a global environment, Rudi opened his students' eyes to legal developments outside the United States and made them understand the importance of being part of a broader legal community. He

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*Editor's note:* These remarks were delivered at a memorial service for Rudolf and Ruth Schlesinger held at the University of California, Hastings College of the Law, San Francisco, on January 22, 1997.

was a true intellectual, whose broad-gauged approach to the study of law was delivered with passion and excitement. He was the quintessential teacher and scholar.

Rudi's impact as a teacher is revealed most tellingly in the many communications that I received from former Schlesinger students when they learned of his passing. Let me share just two of them.

The first is a letter from Claude Stern, a member of the Hastings Class of 1980. Claude writes:

I read with great sadness about the passing of Rudolf Schlesinger and his wife, Ruth. Seventeen years ago, in my second year at Hastings, I took Professor Schlesinger's Comparative Law course. Having focused my undergraduate studies on philosophy, I had been a bit disheartened by the first-year law school curriculum, where, despite the best efforts of some students and professors, it seemed close to impossible to adopt a "transcendent" approach to the study of law. I took Professor Schlesinger's course because I had heard he was a *true* intellectual. I wasn't disappointed. Although I enjoyed my three years at Hastings immensely, the course I enjoyed most was Professor Schlesinger's. He was simultaneously intellectual, passionate, worldly and oh so "professorial."

The second letter is from Joel Marsh, a member of the Hastings class of 1975. Joel writes:

As a member of the Hastings Class of 1975, I was in the very first generation of Hastings students taught by Rudi. I was on leave from the U.S. State Department at the time, and since I was deeply involved in an international career, I was keenly interested in any and all related courses. When I heard that Rudi was coming from Cornell, I called a friend there to inquire about his teaching reputation. My friend's answer was "Take any course he teaches. He's *that* good."

Joel then went on to note that he maintained strong professional ties with Rudi during the twenty-one years since his graduation and that throughout all those years, Rudi was always available as a mentor.

On a personal note, one of my early memories of Rudi's enormous skill as a teacher comes from a 1977 fall faculty retreat. It was the first year I joined the Hastings faculty as a permanent member. I came to Hastings from SUNY at Buffalo School of Law and was in my fourth year of teaching, but that year Hastings also had hired five new teachers who were preparing to step into the classroom for the first time a week after the retreat. To start the year off on an inspirational note, Dean Anderson organized the faculty retreat around teaching,

and, as a centerpiece, he asked Professors Rudolf Schlesinger and Richard Powell (another famed member of Hastings' 65 Club faculty who then was retired and about 88 years of age, and who actually had been a teacher of Rudi's at Columbia) to do a presentation on how to prepare your first class. Suffice it to say, it was masterful. It was exciting. It was inspirational. But, it also was somewhat daunting, if that was what was expected of each of us before we stepped into the classroom. So much so that I remember one of my new colleagues (who shall remain nameless) saying that maybe this career change was not such a good idea because how could any of us ever expect to be that prepared and that stylish in what we did? But however accomplished Rudi was as a teacher, he was always supportive of and gracious about his younger colleagues and their different approaches to the classroom. So we need not have worried.

It is because of Rudi's enormous skill as a teacher that his influence has spanned generations; he was able not only to conceptualize the whole new field of comparative law, but also to convey his excitement and insights to others in a way that built their interest and encouraged their continuation in exploring and pushing the boundaries of the field one step further.

And so, this tribute is offered on behalf of the generations of students who had the benefit of learning comparative law from Rudi Schlesinger. As a colleague and friend and now as the Dean, I can say that everyone at Hastings was fortunate to have benefited from his presence and insights. We will miss him, but his work will always remain a part of us. For that, we are most grateful.

