

Recollections of a Pioneering Sovietologist By John N Hazard
New York: Oceana Publications Inc. 1984. Pp. xviii, 130 Index.

As many members of the Australian Branch of the International Law Association will know Professor Hazard through having met him at conferences of the Association, it seems appropriate to draw attention in Australian International Law News to this most interesting book. It may also be recalled that John Hazard was a participant in the Congress of the International Association for Philosophy of Law and Social Philosophy held in Sydney in August 1977 and that he was Visiting Professor of Law in the University of Sydney from February to May 1978. During that visit, in the course of which he made many friends, he lectured also in Adelaide, Canberra, Melbourne and Perth, and he testified before a committee of the federal Parliament on the state of human rights in the Soviet Union. "Sydney," Professor Hazard says, "was fun: not exotic. It was like a blend of New York and London."

This autobiography is written in an unusual style. The author uses throughout the third person instead of the first. For instance, the author tells us that not long after his visit to Sydney he went to Louvain in Belgium where "Hazard was appointed a Fulbright professor, and was directed to teach in French." He modestly adds: "This made the term a difficult one, because three courses of formal magisterial lectures in a language other than his own required extensive preparation, and a considerable amount of attention." Shortly afterwards, we are told, "Hazard and his wife were flown over....to take part in the elaborate proceedings" celebrating the 400th anniversary of the University of Leiden in Holland. This seems to have been a more relaxed occasion as "a buffet was served while three different orchestras played in three adjacent rooms," and "The Hazards chose the gypsy orchestra made up of Dutch professors who liked Eastern European music as much as Hazard did and played it to perfection."

Those who know John and Sue Hazard well will recognise these human touches and the sense of humour which has made them both liked and respected in so many continents. In fact, at the end of the book there is a chronology from which it appears that Hazard - I shall continue to use the plain surname - has held visiting appointments at nine universities or similar institutions; has held shorter teaching appointments at ten others; and that as a member of the Strasbourg-based International Faculty of Comparative Law he has lectured in sixteen cities all over the world, and in some of them more than once. Hazard must also be a good sailor because on three occasions he has been a Visiting Professor of "Semesters at Sea" sponsored by various American institutions.

Turning now to the more serious side, this book contains a useful bibliography of Hazard's publications. Many of these are so well known to our readers that it is considered otiose to repeat the list here. Rather it may be more interesting to give brief details of Hazard's career as an international lawyer and a "Sovietologist." I am glad that he uses the term "Sovietologist" as opposed to "Kremlinologist" which suggests to me journalists and academics living a long way from Moscow who indulge in vain speculations as to who really has power in the Kremlin or is likely to have it in the future.

Hazard began his special interest in international relations while studying at Yale between 1926 and 1930. There he came into contact with James Brown Scott, President Wilson's adviser on international law at the Versailles conference and one of the founders of the American Society of International Law, and also with Edwin Borchard, one of the leading international lawyers in the United States during the inter-war period and author of the famous work, The Diplomatic Protection of Citizens Abroad (1928). There then followed a period of three years (1931-1934) at the Harvard Law School and contact with the great Manley Hudson, author of too many works to be mentioned here and also Judge of the Permanent Court of International Justice from 1936 to 1945. It was this contact which proved a turning-point in Hazard's life

and turned him indeed into a "pioneering Sovietologist," because in 1933 President Franklin Roosevelt had recognised the Soviet regime and there began a serious effort to improve U.S.-Soviet relations. On Hudson's recommendation, Hazard went to study at the Juridical Institute in Moscow, where he rapidly learned Russian and attended lectures by such prominent figures as Korovin, Kozhevnikov, Vyshinsky and Pashukanis.

Despite this experience, Hazard returned to practice in a small but respected New York law firm and but for the Soviet Union's entry into the Second World War, followed by that of the United States, he might have stayed there. However, at that time, there were not many - in fact there were none - American lawyers who understood Soviet law, indeed the Soviet Union, as well as Hazard did, and this led to service in the Lend-Lease Administration in Washington, where he had sometimes to deal with a young diplomat in the Soviet Embassy called none other than Andrei Gromyko.

By this time Hazard was of course a leading authority on both Soviet law and the law of the United States. There then followed an experience which turned him into the comparative lawyer that we all know him to be. This was his appointment, under Mr Justice Robert Jackson and Brigadier General Telford Taylor, to the U.S. team responsible, along with teams from the U.K., France and the Soviet Union, for drafting the indictment for the trial of the major Nazi war criminals at Nuremberg. This, says Hazard, "was a comparatist's dream: a chance to make practical use of the knowledge generally reserved for the academic halls." It soon became evident that, while "English and American common law are branches on the same tree trunk," and few problems arose as between those two systems, "French and Soviet law are branches on a separate and distinct tree called the Romanist legal system." So that, while France is reckoned among the Western powers politically, its legal system shares much in common with the Russian system. Or perhaps that statement should be put the other way round, namely the following. Despite the revolutionary changes which have occurred in Russia from 1917 onwards, the legal system of that country still derives its inspiration, as Hazard

puts it, from "the Inerius school at Bologna in the eleventh century. Russia had inherited from this school through Byzantium in the first instance and by conscious borrowing from Western European models in the nineteenth century as Tsarist Commissions sought to rejuvenate Russian codes."

In 1946 Hazard became Professor of Public Law at Columbia University, a position which he held until his retirement in 1977. One of his earliest pupils was the writer of this note, who can well remember Hazard's capacity to make the study of the Soviet legal system - in itself not the easiest of subjects - supremely interesting. During his time at Columbia Hazard did far more than just lecture on Soviet law. He was one of the principal figures involved in the Russian Institute, an institution devoted, as its name suggests, to "area studies" and one which naturally did not have an easy time during the McCarthy years. During this time Hazard produced a constant stream of books and articles, undertook many teaching assignments abroad and edited for eight years The American Slavic and East European Review.

In 1977 Hazard was appointed Emeritus Professor at Columbia University, but this seems in no way to have diminished his workload. Rather, if anything, it has increased it because invitations to lecture abroad have flowed in faster than ever, and Hazard is not the sort of person to refuse such an invitation, if he can possibly accept it.

Biography is a difficult art, and autobiography is perhaps even more difficult. It has become the commonplace of politicians, actors and sportsmen. It is a practice not often indulged in by academics. But, on any view, Hazard has had an interesting and varied life. It has been a life which has often been an inspiration to his friends and pupils.

It is fortunate that the advice of friends impelled him to embark on a task which otherwise he might have been too modest to undertake. There is much to be learned from this record of Hazard's

life. It is remarkable that one man should have achieved so much. To what does he ascribe it? Law students and young practitioners of the law, and perhaps above all legal academics, should note that he ascribes his subsequent achievements to his Wall Street years "of habits acquired: meticulous care in all that was done; avoidance of wasted time; conduct of several operations at the same time; giving them all attention and keeping them all in the air like the balls of a juggler; handling papers so that none was misplaced"; and above all the recognition that the lasting impact of legal practice is "its emphasis upon fruitful use of time." Ad multos annos.

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