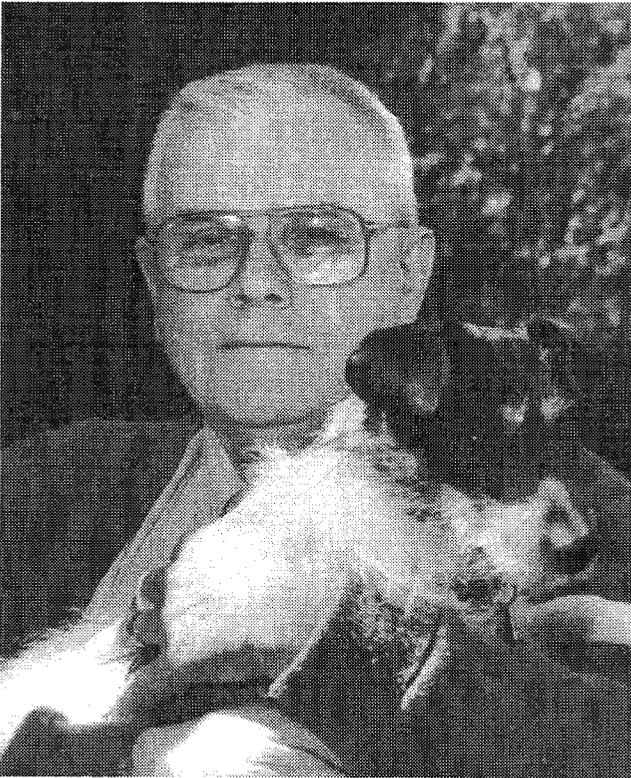


VOLUME 12.1
IS DEDICATED
IN MEMORY OF



JOHN M. LINDSEY, PROFESSOR EMERITUS

1932-1998

I consider myself to be a “utility infielder,” with a wide range of teaching interests. Serving as a role model for students transcends any individual subject matter in importance. Most students are capable of doing better work than they think they can. We have an obligation to help them reach their potential.

Acknowledgment from the Editor

Volume 12.1 of the TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL was originally intended to be dedicated to Professor Emeritus John M. Lindsey, who retired from Temple University School of Law in 1997. The JOURNAL regrets with deep sorrow that Professor Lindsey passed away on May 14, 1998. Therefore, Volume 12.1 is now dedicated in memory of Professor John M. Lindsey. We have decided to retain the faculty dedications in their original form to better convey the presence and integrity that Professor Lindsey so warmly shared with us, that conveys also our anticipation, sadly cut short, of continuing to have him among us.

Professor Lindsey taught law for more than thirty years and was a full-time member of the faculty of the Temple University School of Law since 1980. The TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL is proud to honor Professor Lindsey with this memorial volume. He was instrumental in founding the JOURNAL, along with Professor Henry Richardson and successfully shepherding the JOURNAL'S quality and progress within the international community. More importantly, Professor Lindsey was always an incredible inspiration to the law students who came to know him. His warm and generous nature guided students towards a greater enthusiasm, understanding, and love for the law. He exemplified what it means to be a lawyer and how proud all of us should be to enter the legal profession. His richness, humor, and support were constantly shared with his faculty colleagues.

Born in Oklahoma City, John M. Lindsey earned a B.A. degree in 1951 from Southern Illinois University. He served as a staff sergeant in the U.S. Air Force from 1951 to 1955. Following his service, he received a J.D. degree from the University of Illinois in 1958. After private practice, he obtained a M.S. degree also from the University of Illinois in 1962. Upon his retirement, he was named an Professor Emeritus. He and his wife, Susan Bush Lindsey, C.P.A., are the parents of two daughters, Elizabeth Lindsey-Locke and Rebecca Lindsey.

On behalf of the TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL, we extend our deepest sympathy to Susan, Elizabeth, and Rebecca for the loss of a wonderful person, teacher, friend, colleague, and scholar.

Randi Lynne Rubin, Editor-in-Chief

*Acknowledgments from Faculty and Dean Robert J. Reinstein of
Temple University School of Law*

Lawyer, Soldier, Mid-Westerner, experienced Teacher at three other law schools,¹ with a wide bundle of integrated national - international - historical perspectives already formed and fruitful . . . These are among the benefits we here at Temple Law School got when John joined our faculty in 1980.

And after a few minutes with him, you realized that this man who had arrived to teach among us has brought, in a classical sense, membership in several "colleges." He brought membership in the college of university scholars, for this is a visible part of who he is and the importance he gives to historical perspective. He brought membership in the college of lawyers and law teachers, for he might fairly be said to be a natural teacher, and he cares that the law should not wander away from justice. His membership in the college of humanity was long ago sealed by his perceptive and warm compassion. And two minutes with him, in either your office or his office, made it apparent that he is a charter member of the college of "just plain folks."

When John Lindsey walks in, decency fills the room. He is a showcase of all the *best* attributes from having been raised in the Midwest. A hallmark is his abiding faith in Temple Law students, and in their capacity and willingness to learn with the right persuasion and encouragement, of which John always provided in abundance.

It is no accident that John is a notable student of Samuel Johnson. John gives us just a touch of that same garrulousness for which Johnson is historically, and rightly famous, but without the not infrequent biliousness into which Johnson sank or frequently indulged himself. In his own right John is a pithy storyteller, and we can well imagine him resonating to Johnson's discourses and fables. John's love of words and ideas infuses his conversation as well as his work, plus he shares, finally, with Johnson the persistent notion - unflinching expressed with much greater civility - that he was put on earth to show those around him worthy values and to indicate the path to wisdom. And so we can easily say, from our total enjoyment of our colleague Lindsey and from all we have been fortunate to receive from him and share with him, he does, as did Johnson, deserve to have his own Boswell. But then we would quickly add that John Lindsey and his life accomplishments have no need of - and he would not accept - the fawning sycophancy that Boswell could not help exuding towards Johnson. No, John's career and life more deserves the inspired scholarship, the quiet but persistent enthusiasm, and the beauty of the biographical language from his

1. Before joining the Temple faculty, Lindsey served on the faculties of Northern Kentucky University, California Western, and Syracuse University School of Law.

own W. Jackson Bate - the world's ranking Johnson scholar.

Further, any fair story of John's life must include the width of his interests and intellect among us, from Contracts, to International Law, to Legal History, to Law Librarianship, all wrapped in the arts of accomplishment, teaching, sharing, and rapport. Here, I have to add another word of gratitude to John for, among so many other gifts, his being a rock in support of, and an original advisor to the *TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL*. The success of that publication and its benefits to the Law School belong to his efforts as much as they do to any other person.

All in all, it is difficult for me to imagine sharing a faculty with a better colleague than John Lindsey, as he welcomed me through the years in and out of all the "colleges" honored by his membership. Now he is shifting gears, and deservedly so, but hopefully he won't go too far, because we continue to need his experience, enjoy his presence, and learn from his decency.

I was fortunate to find John Lindsey here at Temple when I arrived; Temple Law School is fortunate to have shared his richness.

Professor Henry Richardson

John Lindsey is my friend, colleague, and mentor. He is a person of great warmth, knowledge, experience, and wisdom. Although he understands the importance of rules and organization, John Lindsey's instincts are always to protect individuals. By word and example he taught us, "there are law people and equity people, and equity people are better." Thank you, John, for the important lessons you have taught all of us.

Professor Marina Angel

I am most pleased that the *TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL* has chosen to dedicate Volume 12.1 in memory of Professor John Lindsey. John was a valued mentor and a long lasting friend.

This dedication is highly appropriate because of John's contribution to international law, both within Temple Law School and the international community. John's law review article on the 1982 Falklands (Malvinas) war was one of the few "objective" articles dissecting the primary cause of that conflict: the legal status of the Falklands in international law.² His outstanding and persuasive analysis impressed both Argentine and British scholars alike. Moreover, his article and conclusions were often quoted, in Argentina and England.

Within the Temple Law School community, John's contributions to the development of international law are legion. His international law expertise and dedication to the field was instrumental in reconstructing our library's international collection in the 1980's. Together with Henry Richardson, he also advocated long and hard for the creation of the *INTERNATIONAL &*

2. See John M. Lindsey, *Conquest: A Legal and Historical Analysis of the Root of the United Kingdom Title in the Falkland Islands*, 18 *TEX. INT'L L.J.* 11 (1983).

COMPARATIVE LAW JOURNAL and was for many years one of its advisors. As an advisor, he dedicated countless hours to reviewing student pieces, giving advice, and as he would put it: "trying to make himself useful." His contributions as director and faculty member of Temple's Athens Summer Session Abroad Program, ensured the continued improvement of one of the best programs of its kind in academia. As a professor, John instilled in a large number of our graduates an appreciation and understanding for public international law and international organizations. In addition, he instilled in many a love for one of his intellectual passions: English legal history. As an informal advisor and "father figure" to many of our students, he profoundly affected the lives of many students for the better.

To borrow from the classic movie, *Its a Wonderful Life*, Temple Law School would have been a very different place had John Lindsey not inhabited it. It is, indeed, a much better place because of him and his efforts. He deserves our respect, recognition, and our honor.

Professor Rafael A. Porrata-Doria, Jr.

A first-rate law librarian is a *sine qua non* of a law school that prides itself on innovative teaching techniques and is dedicated to the advancement of legal scholarship. Temple Law School was fortunate in having such a law librarian during Professor John Lindsey's tenure from 1980 through 1995.

Professor Lindsey was a legal historian whose devotion to scholarship is evident in the meticulous attention to detail and exhaustive quality of his own research. His article on the Falkland Islands provided a fascinating history of a topic about which many had little knowledge.

In a speech he made to the National Conference of Law Reviews he said, "If you are what you eat; you write what you read. If your only role models are law books, that fact will reflect itself in your writing." Indeed, Professor Lindsey is a reader and writer of history.

In addition to directing the Temple Law Library, during his tenure Professor Lindsey taught eleven different courses at the Law School and at our Summer Session Abroad in Athens, which he co-directed in 1984 and 1992. His students describe him as "an inspiring professor who guided and supported their learning." I am grateful for his wise counsel and for the influence his work has had on our library, our graduates, and our programs.

Dean Robert J. Reinstein

