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# SYMPOSIUM IN HONOR OF PROFESSOR JAMES A. RAHL: AN INTERNATIONAL ANTITRUST CHALLENGE

## Professor and Dean James A. Rahl

*David S. Ruder\**

Professor and former Dean James A. Rahl has been an important part of Northwestern University School of Law for fifty years. It is a great pleasure to recount the admirable record of this dedicated person whose scholarship, good humor, and general leadership have presented a model for lawyers, law students, and law faculty for so many years.

### I. INTERNATIONAL SCHOLAR

In 1985, on the occasion of the meetings of the American Bar Association in London, I had the pleasure of hearing Jim Rahl present a paper on European Community Antitrust Law to a group of international lawyers and scholars. The introduction by Kingman Brewster in that setting was appropriately brief: "We all know Jim Rahl." What we know about Jim Rahl is that he has been the leading U.S. authority on European Community antitrust law for many years. His brilliant publication record in the international antitrust field includes *Common Market and*

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*American Antitrust: Overlap and Conflict* and a host of articles, including *International Application of Antitrust Laws: Issues and Proposals*, published in this *Journal*.<sup>1</sup>

Of course, Professor Rahl's interest in European Community Antitrust Law was preceded by his interest and his continuing expertise in U.S. antitrust law. As early as 1955, he was a participant in the *Report of the Attorney General's National Committee to Study the Antitrust Laws*, and his numerous articles, papers, and his unpublished case book demonstrate his excellent scholarship in the antitrust field.

Discussion of Professor Rahl's scholarship would not be complete without acknowledgement of his strong parallel interest in tort law. *Cases on the Law of Torts* (1957)(with L. Greene, W. Malone & W. Pedrick) has long been known as the leading work in the relational interests approach to torts teaching, and provided impetus for several other casebooks.<sup>2</sup>

Of course, scholarship can be displayed in many ways, as generations of Professor Rahl's students know. Not only has Jim demonstrated his intellect and scholarship in the classroom, but he was a leader in founding this *Journal*. In addition to providing advice and guidance to the *Journal's* first editors, he assumed important responsibility for the Symposia contained in the first issues of the *Northwestern Journal of International Law & Business*.<sup>3</sup>

His scholarship has also been repeatedly demonstrated on an individual basis to many Northwestern students both in the graduate program, through thesis supervision, and in the Senior Research program, in which he has been continually active since its inception. An illustrative example of his scholarly guidance is the success of Judge René Joliet, who pursued both an LL.M and an S.J.D. degree at Northwestern under Professor Rahl's guidance, held the Chair of European Community Law at the University of Liège, in Belgium, and is now a Judge at the Court of Justice of the European Communities.

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<sup>1</sup> 2 NW. J. INT'L L. & BUS. 336 (1980).

<sup>2</sup> Professor Rahl's other casebooks on torts include: L. GREEN, W. PEDRICK, E. THODE, C. HAWKINS & A. SMITH, *CASES ON THE LAW OF TORTS* (1968); L. GREEN, W. PEDRICK, E. THODE, C. HAWKINS & A. SMITH, *CASES ON INJURIES TO RELATIONS* (1968); L. GREEN, W. PEDRICK, E. THODE, C. HAWKINS, A. SMITH & J. TREECE, *CASES ON THE LAW OF TORTS* (2d ed. 1977); L. GREEN, W. PEDRICK, E. THODE, C. HAWKINS, A. SMITH & J. TREECE, *ADVANCED TORTS: INJURIES TO BUSINESS, POLITICAL AND FAMILY INTERESTS* (1977).

<sup>3</sup> See *Special Symposium Commemorating the 25th Anniversary of the Founding of the European Economic Community*, 3 NW. J. INT'L L. & BUS. 287-661 (1981); *Transnational Issues in American Antitrust Law*, 2 NW. J. INT'L L. & BUS. 334-83 (1980).

## II. LAW TEACHER

Reference to Jim Rahl's influence on students as thesis and Senior Research Supervisor naturally brings to mind his reputation as a law teacher. The definition of a great teacher will vary among students and faculty, but Jim Rahl surely is one of them. He stands out as the master of the Socratic Method. Jim's ability to pose questions and direct answers has long intrigued and sometimes intimidated his students. What emerges is the picture of a teacher who is able to communicate a wealth of information while at the same time eliciting active student participation.

As part of his faith in the importance of the Socratic teaching process, Jim Rahl continues to insist on class preparation and attendance. It is well known among the law school student body that enrollment in a Rahl course requires effort from the student. Nevertheless, the best Northwestern students regularly choose the Rahl courses. Student enthusiasm was well illustrated one year, well before the Law School's Childres Award for Excellence in Teaching was created, when the student body acted spontaneously to declare Jim Rahl the best teacher in the Law School.

## III. ACADEMIC ADMINISTRATION

As Dean Rahl's successor and as his colleague for many years before that, I am uniquely aware of his contributions to the overall academic success of Northwestern University School of Law. In the late 1960s, Jim served as Chairman of the Objectives and Curriculum Committee, and spearheaded preparation of a long-range planning document for the School. He foresaw a school with a faculty dedicated to research, high standards for promotion and tenure, a student body receiving individual attention through law journal and senior research experience (Jim proposed and implemented the Senior Research Program), a significant and well-supervised graduate program, an enlarged and active legal clinic, and a student body containing increased percentages of women and minorities. All of these plans bore fruit during Jim's term as Dean, and provided me with a strong plan for the continued pursuit of institutional excellence.

In my view, the modern day improvement in Northwestern's Law School began with Jim Rahl's vision, was initiated by him when he was Dean, and has been continued by his successor Deans and colleagues. Credit Jim Rahl with the Law School's success.

#### IV. PERSONAL

The personal side of Jim Rahl is not easy to characterize. He is constantly in pursuit of excellence in all things, and his attributes surely include integrity, humor, dedication, and courage. In the latter category, I wonder how many of us would have continued as Dean after experiencing a heart attack during our first months in office. Jim called it a "mild infarction." A few years ago I talked with the Dean of the Medical School about Jim's then recently completed heart by-pass surgery. The Dean told me that Jim knew immediate surgery had been recommended, but that he had postponed the operation about six weeks so that he could finish his classes and grade his exams.

On behalf of his many friends, colleagues, and former and current students, I join in the enthusiastic dedication of this issue of the *Northwestern Journal of International Law and Business* to Professor James A. Rahl.