

A Tribute to Our Colleague Jon Van Dyke, An Intellectual Warrior

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Our colleague, Jon Van Dyke, a person who possessed a keen intellect and undying curiosity, used his gifts over four decades to educate law students, policy makers, and citizens alike. An intellectual warrior, he fought injustice and worked for peaceful solutions to problems at the local, state, national and international levels. He wore so many hats: the sage counselor for students near and far, the kind uncle, the selfless friend, the prolific scholar, the world-renowned expert, the institutional memory of the Law School, the mentor for young and not-so-young colleagues in Hawai'i and around the world.

From its inception, Jon supported the William S. Richardson School of Law's Environmental Law Program (ELP), teaching key certificate courses in ocean law. He also brilliantly taught Constitutional Law, International Law, and International Human Rights. His reputation attracted many students to the ELP as well as the Law School in general. Because Constitutional Law is a required course, thousands of students enjoyed the opportunity to learn from this remarkable man. Upon graduation, they left knowing him as an excellent teacher who related to them so well that they fondly referred to him as "JVD."

Whenever we traveled across the country or around the world, virtually everyone asked, "Do you know Jon Van Dyke?" and we were proud to say, "Yes, he's my colleague." His work in founding and sustaining the Law of the Sea Institute reached all corners of the earth. He loved sharing his scholarship with others—and often our inboxes would contain a new article by Jon with a little note "thought you'd be interested." He wrote on an amazing array of topics from domestic and international environmental law and human rights to constitutional law and the jury system.¹ Most recently

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¹ See, e.g., Jon M. Van Dyke et al., *Self-determination for Nonself-governing Peoples and for Indigenous Peoples: The Cases of Guam and Hawai'i*, 18 U. Haw. L. Rev. 623 (1996); Jon M. Van Dyke, *Sharing Ocean Resources - In a Time of Scarcity and Selfishness*, in *LAW OF THE SEA: THE COMMON HERITAGE AND EMERGING CHALLENGES* (Harry N. Scheiber ed., 2000); Jon M. Van Dyke, *The Privacy Rights of Public School Students*, 32 U. HAW. L. REV. 305 (2010); Jon M. Van Dyke, *The Role of Customary International Law in Federal and State Court Litigation*, 26 U. Haw. L. Rev. 361 (2004); Jon M. Van Dyke, *The Fundamental Human Right to Prosecution and Compensation*, 29 DENV. J. INT'L L. & POL'Y 77 (2001); Jon M. Van Dyke, *Legal Issues Related to Sovereignty over Dokdo and Its*

he was working with his wife, Sherry Broder, on the climate change issue regarding black carbon emissions from the international shipping industry and the dispute over the islands in the South China Sea.

He viewed scholarship as more than an intellectual exercise. He applied his research to furthering social and environmental justice in Hawai'i and beyond. His unflagging devotion to community service had a real world impact. He contributed his energies to issues as diverse as novel international environmental law claims and Hawaiian water rights on the island of Molokai.

He particularly enjoyed engaging with the students involved in moot court, coaching the law school's highly successful Jessup International Law Moot Court team up until his passing. He also gave generously of his time to ELP's National Environmental Law Moot Court Team and our International Environmental Law Moot Court Team. Often students would exclaim after starting their research on the briefs: "I read JVD's articles on this topic!" He served many years as advisor to the University of Hawai'i Law Review. Although shy by nature, he regularly attended functions put on by law student organizations, sometimes being the sole representative of the faculty. He had an open-door policy and would happily stop what he was working on to talk with whoever stopped by.

His office was a veritable treasure trove of writing projects with layers of legal history piled on his floor and filling his bookshelves. He could find any document in seconds, whether it was a law review article or an arcane document on the construction of the law buildings. He never hoarded his research or his scholarship, choosing instead to share widely his articles and works of others from his archives. In his unique style, Jon's sharing came from a genuine interest in engaging others in intellectual discourse, not from a need for self-promotion.

Jon approached issues, whether involving a judge's question in oral argument or a contentious faculty governance issue, with "polite persistence." He never lost his cool and never gave up—he kept asking questions and offered his opinion without bluster or volume. Rarely did he lose the argument. He had a phenomenal ability to multi-task; he never walked around with empty hands. Constantly reading or working on projects and class preparation, he often gave the appearance of an absent-minded professor. He would line edit articles during faculty meetings, yet always follow and participate in the discussions, serving as a font of institutional knowledge. He never wasted a minute of time. He was simply passionate about his work.

Jon exceeded all the expectations of a faculty member in scholarship, teaching, and community service. He brought a personal touch to his role as a senior faculty member. We fondly remember that he and his wife Sherry opened their beach home in Waimanalo for periodic gatherings to celebrate the opening of the school year and other special events. His caring for Hawai'i, its people and culture arose from his generous and remarkable spirit as well as his unparalleled intellect. We miss him greatly and will always treasure our memories of him as a colleague and friend.