

INTRODUCTION TO THE FESTSCHRIFT IN HONOR OF HENRY J. RICHARDSON III

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It is with great pleasure that we dedicate this issue of the Temple International and Comparative Law Journal to a festschrift celebrating the life and work of Henry J. Richardson III. The authors and the Journal honor Professor Richardson for his many contributions to the field of international law, and in particular his analysis of the relationship between international law and African-Americans and Africans, including the anti-apartheid movement, development, and self-determination, as well as the international protection of human rights. We are also indebted to him for pioneering the interpretation of international law through critical race theory and playing a central role in developing Third World Approaches to International Law (TWAIL) theory.

It is particularly fitting that this festschrift should be hosted by the Temple International and Comparative Law Journal (TICLJ). In 1985, four years after Professor Richardson joined the Temple faculty, he co-founded TICLJ, and remains a faculty advisor to the journal to this day. He has demonstrated his support for the journal in a variety of ways, including publishing ten articles in its pages.¹ Introducing TICLJ's inaugural edition, Professor Richardson elaborated his hope that the journal play a role in improving international law in order "to more effectively preserve international peace and security, support and enhance the earth/space environment, expand and protect international human rights, and foster development for all the world's peoples, which goals we all share."² The

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1. See, e.g., Henry J. Richardson, III, *U.S. Hegemony, Race, and Oil in Deciding United Nations Security Council Resolution 1441 on Iraq*, 17 TEMP. INT'L & COMP. L.J. 27 (2003); Henry J. Richardson, III, *Reverend Leon Sullivan's Principles, Race and International Law: A Comment*, 15 TEMP. INT'L & COMP. L.J. 55 (2001); Henry J. Richardson, III, *Symposium, A Critical Thought on Self Determination for East Timor and Kosovo*, 14 TEMP. INT'L & COMP. L.J. 101 (2001); Henry J. Richardson, III, *Commentary, The Execution of Angel Breard by the United States: Violating an Order of the International Court of Justice*, 12 TEMP. INT'L & COMP. L.J. 121 (1998); Henry J. Richardson, *John M. Lindsey, Professor Emeritus, 1932-1998*, 12 TEMP. INT'L & COMP. L.J. ix (1998); Henry J. Richardson, "Failed States," *Self-Determination, and Preventive Diplomacy: Colonialist Nostalgia and Democratic Expectations*, 10 TEMP. INT'L & COMP. L.J. 1 (1996); Henry J. Richardson, III, *Recent Struggles for Democracy Under Protocols I and II to the Geneva Conventions*, 6 TEMP. INT'L & COMP. L.J. 13 (1992); Henry J. Richardson, III, *International Law and the Continuation of Sanctions against South Africa*, 3 TEMP. INT'L & COMP. L.J. 249 (1989); Henry J. Richardson, III, *The Obligation to Withdraw Recognition from Pretoria as the Government of South Africa*, 1 TEMP. INT'L & COMP. L.J. 153 (1987); Henry J. Richardson, III, *The Advent of the Temple International and Comparative Law Journal*, 1 TEMP. INT'L & COMP. L.J. 1 (1985).

2. Henry J. Richardson, III, *The Advent of the Temple International and Comparative Law Journal*, 1 TEMP. INT'L & COMP. L. J. 1, 1-5 (1985).

symposium authors have contributed a bountiful array of thoughtful and innovative work around these themes, celebrating Professor Richardson's impact on the development of international law in these directions.

The festschrift volume begins with several articles that explore central themes of Professor Richardson's work: human rights, self-determination, intervention, the International Criminal Court and its relationship to Africa, and economic justice. These pieces draw foundations and inspiration from Professor Richardson's scholarship, offering rich analyses of cutting-edge contemporary issues and problems and original insights into potential solutions.

The two opening articles focus on the international protection of human rights, specifically exploring the enduring challenge of slavery. These pieces, by Antony Anghie and Karen Bravo, engage with Professor Richardson's work and raise themes discussed throughout the volume.³ Professor Anghie takes as a jumping-off point Professor Richardson's magnum opus, *The Origins of African-American Interests in International Law*.⁴ He examines Professor Richardson's concept of "outside law," and uses it to explore three questions about slavery.⁵ He asks first an agency question, wondering what role slaves played in their own liberation.⁶ Professor Anghie then wonders whether international law would have been different had it been written by slaves, who were, in his words, "'outsiders' whose oppression was justified precisely by all these systems."⁷ Finally, Professor Anghie asks about the ongoing impact of slavery, and the role of law in responding to it.⁸ This is where Professor Bravo's piece steps in, examining the oft-noted parallels between slavery and human trafficking.⁹ She wisely resists efforts to answer the question of whether trafficking is indeed slavery, noting that the act of labeling alone will not redress the harms inflicted by these acts.¹⁰ Professor Bravo instead conceives the term "today's slaveries," which enables her to shift her analysis to focus on the ways in which each of us benefits from contemporary forms of exploitation.¹¹ Guided by Professor Richardson's spirit, Professor Bravo coins the concept of "everyperson" to investigate the role of each of us in facilitating "today's slaveries."¹²

3. Antony Anghie, *Slavery and International Law: The Jurisprudence of Henry Richardson*, 31 TEMP. INT'L & COMP. L. J. (2017); Karen Bravo, *Interrogating Everyperson's Roles in Today's Slaveries*, 31 TEMP. INT'L & COMP. L. J. (2017).

4. See generally HENRY J. RICHARDSON, III, *THE ORIGINS OF AFRICAN-AMERICAN INTERESTS IN INTERNATIONAL LAW* (2008).

5. See, e.g., *id.* at 442–45; Anghie, *supra* note 3 (manuscript at 4).

6. Anghie, *supra* note 3 (manuscript at 4).

7. *Id.* (manuscript at 4–5).

8. *Id.* (manuscript at 5).

9. Bravo, *supra* note 3.

10. See *id.* (manuscript at 12–19) (analyzing definitions of slavery and whether human trafficking constitutes slavery, ultimately concluding labeling human trafficking as slavery will not redress wrongs caused by slavery or human trafficking).

11. See *id.* (manuscript at 6, 24–26) (describing the benefits "everyperson" derives from today's slaveries).

12. See *id.* (manuscript at 1, 1 n.1, 4–5, 20–27) (exploring everyperson's roles in facilitating today's slaveries).

The next two articles engage with another central theme of Professor Richardson's work: self-determination. Danny Bradlow's contribution discusses the outdated nature of the doctrine of functional immunity for international organizations.¹³ He argues that as international organizations have expanded the scope of their activities and human rights law has created standing for individuals under international law, the original justifications for functional immunity are no longer valid.¹⁴ As Professor Bradlow explains, "IOs are now engaged in activities that involve decisions and actions that can directly influence the policies, projects and governance of their member states . . . [and] directly affect[ing] the communities and citizens of these states."¹⁵ The doctrine of functional immunity stands in the way of full self-determination for these states, communities, and citizens.

Natsu Taylor Saito takes a similarly original and insightful approach to the theme of self-determination. Drawing from the Black Internationalist Tradition that Professor Richardson discusses in his scholarship, she explains that the Black Lives Matter concept has undergirded all of Professor Richardson's work.¹⁶ She notes two aspects of his scholarship that have particular salience for domestic liberation struggles: his situating of Black freedom struggles in the historical context of colonialism and his insistence that African-Americans have a right to self-determination.¹⁷ Professor Taylor Saito's essay "addresses the creative potential of these precepts for the liberation of people of color in the United States."¹⁸ She discusses Professor Richardson's analyses of the Los Angeles riots in the context of the histories, ills, and trends in colonial territories by empire's end, and the colonial parallel of criminalizing potential political demands by the colonized.¹⁹ Jumping off from this analysis, Professor Taylor Saito unbundles the concept of self-determination, in which she locates a new approach to racial justice that goes further than the prevalent anti-discrimination method.²⁰ She argues that encapsulated or internally colonized peoples struggling for racial justice in the United States (U.S.) have claims to a better "outside law"—one that presses for structural change.²¹

The related topic of intervention and the use of force was, perhaps unsurprisingly, a popular one for festschrift authors, some of whom agreed with Professor Richardson's misgivings about intervention, while others challenged

13. Daniel D. Bradlow, *Using a Shield As a Sword: Are International Organizations Abusing Their Immunity?*, 31 TEMP. INT'L & COMP. L. J. (2017).

14. *Id.* (manuscript at 2).

15. *Id.* (manuscript at 8).

16. Natsu Taylor Saito, *All Peoples Have a Right to Self-Determination: Henry J. Richardson III's Liberatory Perspective on Racial Justice*, 31 TEMP. INT'L & COMP. L.J. (2017) (manuscript at 2–3).

17. *Id.* (manuscript at 3).

18. *Id.*

19. *Id.* (manuscript at 3–11).

20. *Id.* (manuscript at 16–18).

21. *Id.*

those concerns. In an interesting parallel with Professor Taylor Saito's arguments, Mary Ellen O'Connell's article links the excessive use of force in the international arena with domestic militarism and violence.²² She begins by foregrounding values that she and Professor Richardson share: human rights, peace, non-violence, and the promotion of international law to those ends.²³ Professor O'Connell argues "since the Second World War, American politicians have shown more confidence in war than in international law."²⁴ This mindset has given rise to modern militarism, resulting in excessive violence both in wartime and in peacetime and consequent violations of the human right to life.²⁵ With respect to Article 2(4) of the United Nations (U.N.) Charter, Professor O'Connell argues that the only exception to this international legal prohibition on the use of force can be found in Article 51's right to collective and individual self-defense.²⁶ She explains that the International Court of Justice has held that such acts "may only be exercised against a significant attack and only when the response in self-defense is necessary and proportionate."²⁷ After convincingly linking targeted killings through drone strikes in Yemen and in Dallas, Professor O'Connell argues that "[i]nternational lawyers bear some responsibility for the acceptance of violence as a means of change that has grown over the decades."²⁸ In contrast, she describes Professor Richardson as a man of integrity who has consistently countered the use of force by promoting the rule of law, human dignity, and peace in his work.²⁹

Jordan Paust, in contrast, challenges Professor Richardson's concerns about intervention, focusing on the Responsibility to Protect (R2P) as a justification for the "use of outside military force to stop atrocities within a foreign state."³⁰ In response to Professor Richardson's argument that "humanitarian intervention" might be used to further entrench existing patterns of global power, Professor Paust offers three safeguards for the use of protective intervention.³¹ First, he argues that the U.N. Charter requires the U.N. Security Council to respect international human rights law.³² Second, Professor Paust suggests that actions by regional organizations might be more appropriate than unilateral intervention as a method of protective intervention.³³ Finally, he approaches Article 2(4) from the

22. Mary Ellen O'Connell, *Ending the Excessive Use of Force at Home and Abroad*, 31 TEMP. INT'L & COMP. L.J. (2017).

23. *Id.* (manuscript at 1).

24. *Id.* (manuscript at 5).

25. *See id.* (manuscript at 3, 7–8, 13–17) (describing how modern reliance on the use of force has led to an over confidence in military force abroad and on the home front in incidents like the police-involved death of Michael Brown in Ferguson, Missouri and the death of an African-American suspect killed by Dallas police using a robot-deployed bomb).

26. *Id.* (manuscript at 10); U.N. Charter art. 51.

27. O'Connell, *supra* note 22 (manuscript at 11).

28. *Id.* (manuscript at 17).

29. *Id.* (manuscript at 18).

30. Jordan J. Paust, *R2P and Protective Intervention*, 31 TEMP. INT'L & COMP. L.J. (2017) (manuscript at 1).

31. *Id.* (manuscript at 4).

32. *Id.* (manuscript at 5–9).

33. *Id.* (manuscript at 9–12).

opposite direction from Professor O’Connell, claiming that it authorizes force to protect individuals from human atrocities.³⁴ Professor Paust characterizes self-determination as the right of peoples rather than of states, and argues that protective intervention can therefore be justified in the face of governmental atrocities.³⁵

Maxwell Chibundu’s article rounds out the discussion of intervention and the use of force, raising concerns about the role of international law in legitimating intervention.³⁶ He creates a typology of interventions, focusing on motivation, method, and consequence.³⁷ Professor Chibundu then asks whether international law and norms take these factors into account. He seeks the answer to this question by tracing the history of the expansion of acceptable grounds for American intervention from invitation and self-defense to humanitarianism, democracy, and atrocity prevention.³⁸ Professor Chibundu concludes by raising concerns about these “emerging trends in the customary law of intervention”, in particular “those now being justified under the rubric of ‘regime change’ for ‘humanitarian,’ ‘democratic,’ and ‘rule of law’ purposes.”³⁹ He discusses the contemporary risks of expanded justifications for intervention as U.S. hegemony declines, and suggests that the time is ripe for “refashioning [the international system’s] approach to questions of interventionism.”⁴⁰

Related concerns underlie the two articles discussing the role of the International Criminal Court (ICC) in Africa. In his article, Bartram Brown examines the ICC’s use of the principle of complementarity in Africa, and finds it lacking.⁴¹ He begins with an exploration of the false dichotomy between impartiality and politics that the ICC has maintained in its work.⁴² Professor Brown argues that politics necessarily have a place in international institutions, and that the ICC should follow the principle of “prudence,” or considering the political consequences of its actions, in pursuing international criminal justice.⁴³ He then explores the concept of complementarity in depth, arguing that it was a cornerstone of the negotiations that created the ICC.⁴⁴ Drawing on the case studies of Kenya and the African Union backlash against the court, Professor Brown argues that a positive complementarity approach would have increased perceptions of the ICC’s legitimacy and credibility, and should be incorporated into the ICC’s prosecutorial

34. *Id.* (manuscript at 12–18).

35. *Id.* (manuscript at 19–24).

36. Maxwell Chibundu, *International Law and the Legitimation of External Coercive Measures in Aid of Internal Change*, 31 TEMP. INT’L & COMP. L.J. (2017).

37. *Id.* (manuscript at 2–4).

38. *Id.* (manuscript at 6–10, 12–13).

39. *Id.* (manuscript at 2).

40. *Id.* (manuscript at 12).

41. Bartram S. Brown, *The International Criminal Court in Africa: Impartiality, Politics, Complementarity and Brexit*, 31 TEMP. INT’L & COMP. L.J. (2017).

42. *Id.* (manuscript at 5–7).

43. *Id.* (manuscript at 7).

44. *Id.* (manuscript at 9–10).

strategy going forward.⁴⁵

Obiora Chinedu Okafor and Uchechukwu Ngwaba explore the impact of domestic and global power matrices on international criminal justice norms.⁴⁶ Their examination of the use of the ICC as the primary mechanism to address mass violence in Africa underscores the importance of the court as well as the genuine objections to its legitimacy.⁴⁷ Professor Okafor and Mr. Ngwaba reject the binary approach to international justice in Africa, introducing the concept of the “sliding scale” to demonstrate that there are options beyond the poles of ICC trials and no response at all.⁴⁸ In the same vein as Professor Brown, the authors suggest that complementarity should be possible even in countries with weaker domestic criminal justice institutions.⁴⁹ Professor Okafor and Mr. Ngwaba argue that global and domestic power matrices exert a strong influence on the circulation of international criminal normativity and how the ICC praxis plays out.⁵⁰ In conclusion, they note that, “[j]ust because we have the ICC hammer does not mean that every gross human rights abuse problem is a nail.”⁵¹

The final two pieces drawing on themes of Professor Richardson’s scholarship focus on economic justice. Ruth Gordon’s contribution, *Development Disrupted: The Global South in the 21st Century*, explores the development angle.⁵² Crediting Professor Richardson with sparking her interest in colonialism, which led her to neocolonialism and then development, Professor Gordon offers a discussion of three cutting-edge contemporary topics in the field: South-South development, philanthrocapitalism, and technology.⁵³

Chantal Thomas links Professor Richardson’s work with international trade and the global political economy.⁵⁴ Using the case study of cotton production, she tells the stories of African cotton farmers and African-American farmers to reveal structural causes, both domestic and global, of socioeconomic inequality. After providing an overview of the history of the cotton trade,⁵⁵ Professor Thomas describes African cotton-exporting countries’ largely unsuccessful efforts in the early 2000s to use the international trade system to decrease U.S. cotton subsidies, thereby increasing their access to the global cotton marketplace.⁵⁶ She juxtaposes

45. *Id.* (manuscript at 25–28).

46. Obiora Chinedu Okafor & Uchechukwu Ngwaba, *Between Tunnel Vision and a Sliding Scale: Power, Normativity and Justice in the Praxis of the International Criminal Court*, 31 TEMP. INT’L & COMP. L.J. (2017) (manuscript at 1–2).

47. *Id.* (manuscript at 2–9).

48. *Id.* (manuscript at 10–13).

49. *Id.* (manuscript at 11–12).

50. *Id.* (manuscript 14–18).

51. *Id.* (manuscript at 19).

52. Ruth Gordon, *Development Disrupted: The Global South in the 21st Century*, 31 TEMP. INT’L & COMP. L.J. (2017).

53. *Id.* (manuscript at 10).

54. Chantal Thomas, *International Trade and African Heritage: The Cotton Story*, 31 TEMP. INT’L & COMP. L.J. (2017).

55. *Id.* (manuscript at 2–5).

56. *Id.* (manuscript at 5–11).

this history with the history of African-American farmers seeking to challenge their exclusion from U.S. farm subsidies just a few years earlier, in the late 1990s.⁵⁷ Professor Thomas draws on Professor Richardson’s work on African-American interests to ask, “[h]ow to reconcile the interests of the economically dispossessed and excluded in the United States with those in the developing world?”⁵⁸ She closes by underscoring the need for an “ethics of global economic justice” that can overcome these competing positions on subsidies to enable the empowerment of the poor and vulnerable everywhere.⁵⁹

The second group of articles focuses directly on Professor Richardson’s scholarship, describing his substance, method, and genius. This section begins with Makau Mutua’s comprehensive overview of “the Richardson Escuela,” describing Professor Richardson’s life work “as an intellectual, an actor in the discipline, and as a teacher and mentor.”⁶⁰ Describing this “fierce intellect” and “quintessential academic,” Professor Mutua provides a unifying principle for Professor Richardson’s scholarship: “knowledge as power in liberation.”⁶¹ In thoughtful detail, he walks the reader through Professor Richardson’s publications on Africa, on African-Americans and civil/human rights, and the legacy and impact of African-Americans on international law.⁶² Professor Mutua closes by describing Professor Richardson as a “TWAAIL pioneer” who connected theory and practice, and has lived his life as an example for and counsel to students and scholars of color.⁶³

In a similar vein, Ziyad Motala tours the reader through the various themes of Professor Richardson’s work, focusing on the core concept of human empowerment.⁶⁴ He distills Professor Richardson’s scholarship into a theory of international law that demands that the law must serve the interests of the marginalized.⁶⁵ Professor Motala ambles through Professor Richardson’s analyses of law and politics, critiques of excessive formalism in international law, his promotion of the right to property and socioeconomic rights, and his support for institution building and African integration. He explains Professor Richardson’s dynamic conception of the rule of law through African concepts such as Ubuntu.⁶⁶ Professor Motala weaves all of these themes together by explaining that Professor Richardson offers a value-based theory of international law.⁶⁷

57. *Id.* (manuscript at 11–14).

58. *Id.* (manuscript at 15).

59. *Id.* (manuscript at 28).

60. Makau Mutua, *The Richardson Escuela: Law as Politics*, 31 TEMP. INT’L & COMP. L.J. (2017).

61. *Id.* (manuscript at 2–3)..

62. *Id.* (manuscript at 3–6).

63. *Id.* (manuscript at 6–7).

64. Ziyad Motala, *International Law and Human Empowerment: Moving Beyond a Paradigm of Subordination*, 31 TEMP. INT’L & COMP. L.J. (2017).

65. *Id.* (manuscript at 2).

66. *Id.* (manuscript 16–17).

67. *Id.* (manuscript at 19).

Two authors focus on Professor Richardson's magnum opus, *The Origins of African-American Interests in International Law*.⁶⁸ Rafael Porrata-Doria provides a helpful synopsis of the book, explaining central concepts in Professor Richardson's scholarship that recur throughout the festschrift contributions.⁶⁹ He first discusses the idea of "outside law," which is in essence the conception and articulation by Blacks of the rights to freedom and equity.⁷⁰ Having been denied those rights under domestic law, African-Americans demanded to be governed by better "outside law," which Professor Richardson recognized as a claim to international law.⁷¹ Professor Porrata-Doria also describes the Black International Tradition that surfaces throughout Professor Richardson's scholarship as well as Black jurisprudence.⁷² In short, Professor Porrata-Doria explains that Professor Richardson's discussion and analysis of these previously unrecognized efforts by African-Americans fills a crucial historical gap.⁷³

Relatedly, Jeremy Telman draws on the central idea of Professor Richardson's book to discuss African-American interests in higher law at the U.S. Supreme Court.⁷⁴ He pits Justice Marshall against Justice Thomas, explaining that Marshall's jurisprudence was grounded in a detailed understanding of the impact of law on people who reside at the intersection of race and poverty, while Thomas emphasizes abstract principles to the exclusion of real-world consequences.⁷⁵ In short, Professor Telman argues that, "[a]ppeals to higher law can bend the [moral arc of the universe] towards or away from justice, but the victories are more likely to occur when higher law informs positive law grounded in social realities."⁷⁶

Jeremy Levitt engages in particular with Professor Richardson's work on Martin Luther King, Jr., asking whether King was a Pan-Africanist.⁷⁷ He offers a comprehensive exploration of King's experiences that may have impacted his Pan-African ideals, drawing on Professor Richardson's scholarship in a variety of ways. Professor Levitt looks closely at Dr. King's global ministry, particularly his nonviolent direct action philosophy, to draw out lessons about King's "beloved Pan-Africanism."⁷⁸ His article concludes by examining how this new understanding of Dr. King's Pan-Africanism might be used to influence a variety of factors in contemporary Africa, including the rule of law, democratization, social justice, and

68. Richardson, *supra* note 4.

69. Rafael Porrata-Doria, Jr., *The Lawyer as Historian: Professor Henry Richardson and THE ORIGINS OF AFRICAN-AMERICAN INTERESTS IN INTERNATIONAL LAW*, 31 TEMP. INT'L & COMP. L.J. (2017).

70. *Id.* (manuscript at 5–8).

71. *Id.*

72. *Id.* (manuscript at 9–13).

73. *Id.* (manuscript at 13).

74. D.A. Jeremy Telman, *The African-American Interest in Higher Law in the Supreme Court: Justices Marshall and Thomas*, 31 TEMP. INT'L & COMP. L.J. (2017).

75. *Id.* (manuscript 3–16).

76. *Id.* (manuscript at 16–17).

77. Jeremy Levitt, *Beyond Borders: Martin Luther King, Jr., Africa and Pan Africanism*, 31 TEMP. INT'L & COMP. L.J. (manuscript at 3) (2017).

78. *Id.* (manuscript at 7–14).

peace processes.⁷⁹

The next two articles foreground Professor Richardson's method, in particular the connections he draws between marginalized people across the globe and his focus on everyday people. In his contribution, James Gathii hones in on the Black Internationalist Tradition, highlighting connections that Professor Richardson draws in his scholarship between oppressed people throughout the world.⁸⁰ He aptly describes one of the defining traits of Professor Richardson's work: It combines an unsparing critique of the role of international law in creating oppressive conditions with a determined assertion of international law's obligation and potential to redress oppression.⁸¹ In the same vein as other contributors, Professor Gathii explains that Professor Richardson propounds a value-laden theory of international law that condemns apartheid and inequality and champions economic rights alongside political rights as well as self-determination.⁸² After highlighting the critical role of Professor Richardson's Black Internationalist Tradition in bringing to the fore the role of Black people in developing international law, he discusses the role that Professor Richardson himself has played in mentoring and promoting Black legal scholars.⁸³ Professor Gathii closes by noting that Professor Richardson's scholarship "does not hide behind the finer details of international legal doctrine or the often overstated formality of international legal rules."⁸⁴ Rather, Professor Richardson's "primary concerns are the normative commitments embodied in international law and how they can and should be mobilized to address the plight of Black peoples everywhere."⁸⁵

Jeffrey Dunoff draws a delightful parallel between Professor Richardson's work and Aaron Copeland's *Fanfare for the Common Man*.⁸⁶ He lays out three methodological signatures of Professor Richardson's work. First, Professor Richardson rejects the conceptualization of international law as an elite project, offering an alternative vision of international law that foregrounds non-elites and everyday people.⁸⁷ Second, Professor Dunoff notes that Professor Richardson skillfully takes familiar and iconic events and figures to recast them within the idiom of international law.⁸⁸ Finally, Professor Richardson's work focuses its attention on marginalized communities, as illustrated by the Black Internationalist Tradition.⁸⁹ Professor Dunoff closes his essay by describing Professor Richardson

79. *Id.* (manuscript at 40–44).

80. James Gathii, *Henry J. Richardson III: The Father of Black Traditions of International Law*, 31 TEMP. INT'L & COMP. L.J. (2017).

81. *Id.* (manuscript at 2).

82. *Id.* (manuscript at 2–5).

83. *Id.* (manuscript at 5–10).

84. *Id.* (manuscript at 20).

85. *Id.* (manuscript at 20).

86. Jeffrey L. Dunoff, *Fanfare for the Common Man: An Appreciation of Professor Henry Richardson's Scholarship*, 31 TEMP. INT'L & COMP. L.J. (2017).

87. *Id.* (manuscript at 14–20).

88. *Id.* (manuscript at 10–12).

89. *Id.* (manuscript at 12–14).

as a poet in the broad sense of the word, placing him in the group of “all creative individuals who muster the courage, intelligence and imagination to conceive of a different world, and who use bits of this imagined world to attempt to transform our current reality into something just a bit closer to the world that they imagine.”⁹⁰

Michael Van Alstine picks up this thread of the genius of Professor Richardson’s work, foregrounding in particular his prescience and insight.⁹¹ Using the case study of the consular notification cases, he explains Professor Richardson’s prescience in identifying the “monumental portents” of the U.S. Supreme Court’s *Breard v. Greene*⁹² decision and its implications for separation of powers.⁹³ In this brief *per curiam* opinion that upheld the authority of domestic law to mitigate international law obligations, Professor Richardson foresaw a dangerous step towards American exceptionalism, and one that eventually played out in ways that he had predicted.⁹⁴ In terms of insight, Professor Van Alstine describes Professor Richardson’s scholarship as unearthing the shadowy underpinnings of non-self-execution doctrine.⁹⁵ In conclusion, he presents one of Professor Richardson’s central contributions to international legal scholarship: “Better than any other scholar of our age he has convincingly explained that, in purpose and effect, some significant blame for [the disconnect between international human rights law and the actual, enforceable law of the United States] falls to the doctrine of non-self-executing treaties.”⁹⁶

The final two articles describe Professor Richardson as a person: a pioneer, a man of integrity, and a “race man.” Many of the contributors offered heartfelt homage to Professor Richardson as a mentor and a friend, but both Kevin Brown and Adrienne Wing devoted their entire article to important aspects of his life. Professor Brown highlights Professor Richardson’s role as the first African-American faculty member at Indiana University Maurer School of Law, and the painful professional and personal consequences of the racism that he faced there.⁹⁷ As for Professor Wing’s article, which uses the critical race narrative technique to describe Professor Richardson as a race man and a mentor, it is impossible to do justice to the power and joy of the piece in this brief introduction.⁹⁸ You must read it yourself in full, dear reader, but that, of course, is true of all of the contributions to this comprehensive, rich, thoughtful, and loving celebration of the life and work of Henry J. Richardson, III.

90. *Id.* (manuscript at 21).

91. Michael P. Van Alstine, *Prescience and Insight in International Law Scholarship*, 31 TEMP. INT'L & COMP. L.J. (2017).

92. 523 U.S. 371 (1998).

93. Van Alstine, *supra* note 91, (manuscript at 6–8).

94. *Id.*

95. *Id.* (manuscript at 10).

96. *Id.* (manuscript at 24).

97. Kevin Brown, *Benefiting From Breaking the Color Barrier: Tribute to Professor Richardson for Being the Pioneer at Indiana University Maurer School of Law*, 31 TEMP. INT'L & COMP. L.J. (2017).

98. Adrienne Katherine Wing, *Henry J. Richardson III: A Critical Race Man*, 31 TEMP. INT'L & COMP. L.J. (2017).