

IN TRIBUTE

This issue of the California Western International Law Journal is respectfully dedicated to Chin Kim, Professor of International, Comparative and Asian Law, who retired from our faculty in July 1995.

*The Laws of Nations; the Ways of a Man:
Understanding and Chin Kim*

Marilyn J. Ireland*

Professor Emeritus Chin Kim is a scholar of the first rank. But to focus upon this scholarly work in isolation ignores the coherent beauty of the kind and vibrant human being who both produced a library of his own work and directed the law library at California Western School of Law. Only someone of Professor Kim's intellect and dedication could have mastered so many different fields of law, in so many languages, and respecting so many legal cultures. His many books and articles are a prodigious legacy that substantially contributes to understanding among legal scholars in Asia, Europe, and the Americas. But the unique gift of this scholarship does not stand in isolation from the man. It is an integral part of his character and soul. His scholarship gives the same gift as all his endeavors; the gift of understanding.

The theme of understanding defines Chin Kim's work not only as a scholar but also as a librarian. A library is, or should be, a repository of the kind of information that leads to the understanding from which wisdom can be attained. Chin Kim created a library at California Western Law School that is such a place. It is not a collection of books and computer terminals. It is not staff or shelving. It is a coherent system that is far more than its excellent and well chosen parts.

One of Chin's true geniuses is his ability to devise and manage systems. A personal story will perhaps illustrate how well Chin's library functioned even in the early days when the library budget was particularly small. I was in need of a copy of a German fairy tale which, for obvious reasons, was not in the law school collection. (Honestly, there was a legitimate scholarly purpose behind my search.) My citation was to a sixteen-volume German encyclopedia of folk tales. Without question and as smoothly as if I had asked for something totally routine, the appropriate volume appeared on my desk within three days, along with the name and phone number of a potential translator. (*Ich spreche nur ain bißchen Deutsch.*) As I later learned, there were only two copies of that encyclopedia in the United States. At most major universities my search would have been a difficult one. At California

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Western School of Law, Chin designed a library in which the researcher glides to his or her destination.

Chin managed other systems just as well; systems of shared understanding among United States and Mexican judges; systems of professionalism and competence among judges in South Korea. Under his management, the Master of Comparative Law program at CWSL seemed to run automatically.

I have just enough experience with MCL programs to know that they inherently run as smoothly and are as easily handled as a cholla cactus, and are only slightly more prickly. Problems abound with protocol among foreign dignitaries. Evaluation of applicants with foreign educational credentials as to their professional and language competence is only slightly easier than judging their motivation. There are also the mundane problems of insuring payment of tuition, of seeing to the safety of foreign students in a strange urban culture, and of doing business with the Immigration and Naturalization Service.

Chin's MCL students always succeeded and most often excelled. They were well recruited and meticulously selected. I often wondered why Chin persisted in the time consuming and financially unrewarding task of almost singlehandedly administering the law school's MCL program. Then I understood. It was just another way for him to spread multi-cultural understanding; something for him to do when not otherwise occupied as a scholar doing exactly the same thing.

Would California Western's faculty be as diverse as it is today without the years of leadership of Chin Kim? He raised his voice for women, for African Americans, and finally, for another Asian on a faculty which, when he joined it, was dominated by one ethnic, gender, and racial group. One can only guess the many contexts in which Chin, over the years, found himself to be "other." He has done very well in the role because he has the ability to empathize beyond his particular experience of race, gender, and ethnicity to see the relevance of every person and every culture's experience. I do regret that I never sat in on Professor Kim's Comparative Law class. That I also missed the chance to audit his Jurisprudence class is a criminal oversight, but other parts of my life intruded on my time. Some things, if you put them off until tomorrow, are lost forever. Still, in a small way I was a student of Professor Kim, for I had the good sense sometimes to listen to him. In the process, I enjoyed observing his mind at work.

Some scholars are hawks; they see their prey and swoop down like the swift bolt from a crossbow, striking their target with a quick and penetrating wit. Others are moles, digging deeper and deeper for the root source of their inquiry.

Chin encircles his conceptual prey from a great distance. When he is sure that there are no outliers, he circles like a wolf pack, capturing the totality of a concept as well as its central core. We live in a swift era which values the drama of the hawk. We live in a conflicted era, which enjoys debating the dirty and simple answers of the mole. Often we would rather not understand, at least not totally.

Chin Kim is honorable in his pursuit of wisdom; he truly does want to understand totally. He is honorable as a teacher and scholar; he truly wants

to help us follow our own road to understanding. He is wise enough to have searched for understanding wherever he could find it, and persistent enough to have made that search the difficult and exhausting work of a lifetime.

We, Chin's colleagues, celebrate his decision to retire from California Western School of Law with mixed emotions. His routine and daily absence from our lives is a loss that is only partly tempered by our pleasure that he will now have more time, well earned and deserved indeed, to devote to his personal interests.

Tribute to Professor Chin Kim

Frankie Fook-lun Leung*

Professor Chin Kim is a scholar and a gentleman in the fullest sense of both designations. As a scholar, he possesses the extremely rare ability to read and research in Chinese, Korean and Japanese materials. His writings on Asian law place him on a first order of serious scholarship.

When he lectured at the University of Hong Kong, School of Law, I received an excellent report about him from my former colleagues at that institution. When he was running the Master's Degree in Comparative Law program at California Western School of Law, he showed genuine concern to his students, most of whom came from civil law countries. He contacted me on many occasions, seeking placement for these foreign graduates in order to acquaint them with American private legal practice. I was honored to have been able to refer them to the appropriate Los Angeles law firms, including our own, where interns were suitably accommodated.

I have been impressed by Professor Kim's prolific writings, on subjects ranging from the death penalty in traditional China to service of process under the Hague Convention. Professor Kim provides an invaluable bridge between American legal culture and those of diverse civil law countries. Asian law presents a mysterious facade to many American juris doctorate candidates. Having taught that subject myself, at both Loyola Law School in Los Angeles, and Stanford University, I have found Professor Kim's articles an indispensable source of reading materials for my law students.

Professor Kim will always be remembered as a doyen on Asian, comparative and international law. His intellectual influences will continue to be felt on more than one continent, to be sure. I can confidently predict that his retirement from California Western School of Law will only open another chapter in his continuing efforts in international and comparative legal scholarship.

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Craig M. Lawson*

I first met Chin Kim in the summer of 1977, when I began a graduate teaching fellowship in the law school at the University of Illinois, Chin's prior posting, where he was an Associate Law Librarian. Chin was introduced to me early that summer as a person I should know. I had expressed an interest in Comparative Law (which I was later to teach), and Chin was Illinois' resident Asian Law scholar and teacher. Someone ushered me into Chin's office, where he climbed out from behind a pile of papers to greet me with a warmth I have still not forgotten. I no longer remember my guide on that early tour of the law school, but I remember Chin's smiling face as if our introduction were yesterday. His manner today is still that warm; whenever we speak by telephone I vividly see his characteristic smile. Toward the end of that summer eighteen years ago in Illinois, I enrolled in the Asian Law seminar which he taught there every year.

I remember Chin for many things from that important year. I remember meetings in his office. The work-in-progress of many projects always seemed to surround him. At any given time, three or four of these projects were usually laid out on his desk and on the shelves by his side. Chin would often draw me into conversation about one of them, leaving me to wonder now what I conceivably had to contribute, given his expertise and my relative ignorance. Like the great teacher he was, he always left me feeling that those conversations meant as much to him as they did to me, though I realize today how much more significant the flow must have been from him to me, and how much less I must have returned.

I remember how much I learned in that seminar, which for me was a Western-educated lawyer's first exposure to the vast differences between Eastern and Western legal thought. In Chin's seminar those differences appeared to be vast, yet manageable. We began with a careful attempt to be faithful to the spirit of Eastern legal system, and hence began with what was genuinely characteristic of Asian legal thought, and therefore genuinely different from law in the West. We finished with the confident knowledge that a Western lawyer could nonetheless understand Asian law, different as it might be. If this was sometimes a struggle, it was a worthy one. In this struggle Chin was a supportive teacher, and a fine one. At the end of that seminar, Chin offered to work further with me on my paper to turn it into something publishable. I accepted his offer, and that paper became my first professional academic publication.¹

And finally I remember from the first year in our long friendship one occasion when Chin invited my wife and me, with one or two other

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1. Kim & Lawson, *The Law of the Subtle Mind: The Traditional Japanese Conception of Law*, 28 INT'L & COMP. L.Q. 491 (1979).

Ireland: IN TRIBUTE: to Chin Kim, Professor of International, Comparative colleagues, to his home, where he and his wife, Bok Lim, graciously made us welcome. Not realizing I was visiting a genuinely Eastern home or at least not realizing what that implied, I wore a favorite pair of socks; my finances were those of the typical graduate student, and those socks had holes in them. We arrived, only to be invited to remove our shoes in the entry hall. Seeing the hole in my socks, and sensing how this might embarrass me, Chin immediately, and with the utmost tact, offered me a pair of his own. Many students have metaphorically attempted to fill their professor's shoes, but how many of them have literally worn their socks? I can say that I have.

There are many former students, now professors and lawyers themselves, who have similar memories, whose lives and careers Chin Kim positively touched. I know they think of him as fondly as I do.