

In Honor of Jack Kernochan

by Morton L. Janklow*

Little did I know, back in 1951, that the lanky, tweed-jacketed instructor in some no longer remembered course (could it have been Legal Method?) would one day be my friend and colleague, Jack Kernochan. He was then very serious, a little austere and only just beginning to find his way through the thickets of teaching at the Law School.

Over the years as a practicing lawyer involved seriously in the world of the arts, I kept running into his name and occasionally even his person, but almost always in the context of his work as an expert in the field of copyright law. I have, I must confess, always considered the details of copyrights as a somewhat arcane mystery, and I would occasionally call on his expertise to deal with issues beyond my copyright competence.

There is no doubt whatever that he has been in the forefront of the copyright community as a teacher, as a practitioner and as a leading advocate for uniformity and rationality in international copyright laws. His is the voice universally admired and followed and for that we are all grateful.

Having disclaimed my deep interest in the technical side of copyright law, however, it is for another reason that I treasure my involvement with him. Jack, you see, is a passionate lover of the arts and of their incredible significance to the welfare of our country. He is a man who knows and loves the creative process and is a sworn defender of cultural values and of the artists who bring them to life. It was he who inspired me and many others with the belief that it was our duty to defend and protect the interests of people who worked in the world of ideas as distinguished from the world of commerce. He roped us in in a variety of ways. First there would be that quiet call to join him for lunch to discuss "things of interest to the Law School which you might advise us on." Who among us could resist such simple flattery? His twinkle-eyed and smiling manner, appearing almost diffident across a lunch table, soon had us entrapped. That one would be a contributor was a foregone conclusion. What none of us realized was how he was offering us an opportunity to share his vision

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of what a great law school in a great city with a great cultural heritage could do if it focused on the development of a program for law and the arts.

Jack Kernochan's vision was simplicity itself. All he wanted to do was to train young lawyers in the art of advocating the interests of artists. He thinks that's a great way to spend a career, and he's right. The next thing I knew I was endowing a program and lecturing in his Seminar in Intellectual Property Law. A group of us were then meeting with some regularity to help define and shape the program and to try to find the funds to establish a serious permanent program within the Law School which would take advantage of the talent available among Columbia alumni and their contacts and friends in many other areas and disciplines to the end that we could expose our young and interested law students to the wide variety of ideas and institutions which together comprise the art world in all its manifestations.

It must be understood that this was a unique vision for a law school professor to be advancing. Before him almost all lawyers who worked in the field of the arts stumbled into it and learned as they went. There was no systematic effort to teach the techniques and, more importantly, the psychological approach that is necessary to deal successfully and effectively with the artistic temperament. Jack understood the need and it has now begun to bear fruit. In the future it will be even more significant.

There is no greater legacy that a great professor can leave behind than programs developed by him and an army of disciples to carry them forward. Jack has done this and done it in a way that leaves many of us in the Columbia legal community full of gratitude to him for opening our eyes to a wonderful professional life and for offering us his leadership, his warmth of personality, his generosity of spirit and his friendship.