

Geoffrey Hazard Abroad

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It is a great pleasure and a privilege for me to take part in this Symposium in memoriam of Geoffrey Hazard, not only for the high level of his cultural and human personality, but also because of several decades of sincere friendship. Among the number of things that may be said—and actually are said—in praise of Geoff, I would like to stress an important dimension of him, that is his international fame.

Our common story began in the Eighties, when I met Geoff at Yale, with the purpose not only to make his acquaintance, but also to ask him to write a book on American civil justice for non-American readers. Geoff accepted, but under the condition that the two of us had to make the book. So we did, working actually together in the various phases of the writing, until the final revision of the text, which we completed in Geoff's room at Yale. The book¹ was an important step in the growth of Geoff's international prestige, because it was published not only in Spanish and Italian, but also in Japanese and Chinese.

After publishing the book, which was a very nice experience, we began thinking of a further opportunity to continue working together. During a good dinner in Pavia (near my university), the idea came to us, but mainly to Geoff, that an interesting topic could be that of looking for transnational rules of procedure. In that time Geoff was beginning to think in terms of a globalizing world, while in all countries the attention was still devoted mainly to “national” procedural systems, and I shared his interest in this kind of problems. Then we began exchanging ideas and hypotheses, by mail and meeting together in various places, in the United States and outside. The moment came when Geoff told me: “Listen: what we were able to think we already thought of. Now it's time to broaden the work”. We ultimately submitted a project to the American Law Institute and, with our great surprise, the project was approved and sponsored.

Then we went on working in this new perspective. The main purpose was to find out a set of procedural rules that could be applied in any country when a transnational case needed to be decided. The problem was that such cases ended up to be dealt with in different ways depending on the various national jurisdiction and this was the origin of many problems. A possible solution could

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1. GEOFFREY C. HAZARD, JR. & MICHELE TARUFFO, *AMERICAN CIVIL PROCEDURE. AN INTRODUCTION* (1993).

have been just to apply the same rules in any national system. The purpose was not of compelling the lawgivers of several countries to reform their procedural codes in a uniform and general way, but just to suggest the adoption of the same procedural rules for transnational cases. The method we followed was not that of proposing the American procedural system as a model for all the rest of the world, since Geoff was perfectly aware of the problems and the defects of that system. On the contrary, we selected a series of relevant procedural topics and began looking for the best possible solution for any problem. This required a continuous and complex analysis of the answers that the most important systems of common law and of civil law provided for those problems. When we found a good one, we tried to state in general terms, in order to make it applicable in all the countries. Sometimes we did not find good solutions existing in any system, and then we try to invent a new kind of rule possibly applicable in every procedural system. Geoff was extremely curious about the rules existing out of the United States, and we spent hours and hours collecting information and discussing whether and how to use them for our purpose.

But the most interesting and demanding aspect of such a work was that, mainly under Geoff's suggestion, we decided to organize a series of meetings aimed at discussing our ideas with experts living in several countries. Eventually, meetings were set up in many places, from Paris to Beijing, from Moscow to Tokyo and in several other places like Singapore and Bologna. Usually a meeting lasted two or three full days, with the participation of several dozens of professors, lawyers, judges and arbitrators. In each meeting a version of our project was submitted for remarks and criticisms, and we answered questions, of course taking into account all the interventions. Then we worked modifying and updating our project to prepare it for the following meeting. Once a year we submitted our text of the moment to discussion in the general ALI meetings.

It was an extremely interesting experience, in which the Geoff's international authority emerged in an extremely clear way. On the one hand, his name worked as a sort of key to open a lot of doors all around the world. On the other hand, the two of us were co-reporters on the project, but it was clear to everyone that Geoff was the real leader of the whole enterprise.

At the end of several years of a rather difficult work, a final outcome of our enterprise was approved by the ALI, and then UNIDROIT joined the project. Therefore, we concentrated mainly on principles, although several rules were also stated, and Geoff became the general reporter of the whole project (while I was the reporter for ALI). The conclusion of all this came in 2006, when the ALI-UNIDROIT *Principles of Transnational Civil Procedure* were published. Correspondingly, the international prestige of Geoff continued, since the *Principles* were translated into several languages, such as Spanish and Farsi. Since the moment of its publication this text circulated all around the world, and is a basic reference for discussion, comparison and even procedural reforms. A recent example of its importance is that the *Principles* inspired a large

investigation concerning the principles of civil procedure in most Ibero-American countries, the outcome of which is published in a huge volume.²

Another important aspect of Geoff's prestige out of the United States derived from his friendship and cooperation with Angelo Dondi, a well-known Italian professor of civil procedure and comparative law. With Dondi, Geoff wrote an important book about professional ethics³ that was also published in Italy. Moreover, Dondi translated some of Geoff's essays into Italian, and the two published together some essays in various legal journals in Europe and in the United States. Correspondingly, the University of Urbino awarded Geoff an honorary degree in 1998.

It is clearly impossible to draw up a list of the people who met Geoff and appreciated his high culture, and of the many places where he was invited for meetings and lectures all around the world. Suffice it to say, as these examples hopefully may show, that Geoff's international fame and prestige has been for decades an important aspect of his cultural and human personality; an aspect that will ensure the memory of him long into the future.

2. Michele Taruffo, Daniel Mitidiero, Eduardo Oteiza, Jordi Nieva Fenoll, Giovanni Priori, Diana María, & Ramírez Carvajal, *Los Principios Procesales de la Justicia Civil en Iberoamérica* (2018).

3. GEOFFREY C. HAZARD, JR. & ANGELO DONDI, *LEGAL ETHICS. A COMPARATIVE STUDY* (2004).
