

THE JOURNAL AT 30: AN INSIDER'S VIEW

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I. INTRODUCTION

It has been my good fortune to have been associated with the *Houston Journal of International Law* (the “*Journal*”) for the past thirty years. Beginning as a contributing author, then a member of the Advisory Board, and now as its Chairman, I have been given opportunities to witness and participate in many of the steps along the road to the growth and maturity of the *Journal*. The purpose of this Article, therefore, is to share the insights I have gained regarding the establishment of the *Journal* and its many stages and phases of development and improvement. It is my hope that this process of memorializing the efforts of those many individuals who have devoted their time and energy to make the *Journal* a success will inspire others to follow in their footsteps.

II. GETTING STARTED

The first volume of the *Journal* was dated Spring 1978. Volume 1, Number 1, was rather slim, consisting of a mere seventy pages, but it was quite a remarkable achievement. As John Brentin, the first Editor in Chief, predicted in the Editor’s Foreword, “Given the phenomenal pattern of growth Houston has been experiencing in international business and commerce, the *Journal* will become an important medium of communication for practitioners, students, and scholars within the international community.”¹ This statement has proven to be a prophetic and accurate reflection of the development of the international legal practice in Houston, in which the *Journal* has played an active role.

The Introduction to that initial publication was written by the Dean of the College of Law, George W. Hardy III.² Dean Hardy revealed some background information about the *Journal*’s humble beginnings as follows: “I think it is extremely important for readers to be aware that this publication is the product of interest, labor, and persistence of a small group of dedicated students. Their industry has produced not only its

1. John O. Brentin, *Editor’s Foreword* to 1 HOUS. J. INT’L L. (1978).

2. George W. Hardy III, *Introduction* to 1 HOUS. J. INT’L L. (1978).

contents but the major portion of its funding.”³ The Dean was referring to the International Law Society’s pivotal role in raising funds and finding publishable articles, especially the efforts of the Society’s former president, Walter Wright. I was made aware of the details of those efforts when I met Walter at New York University (N.Y.U.) Law School in September 1977, where we were enrolled in the LL.M. course of study in International Legal Studies. Walter regaled me with tales about the hours he and his fellow members of the International Law Society spent working the hallways of the College of Law in pursuit of financial assistance for the *Journal*. In fact, John Brentin referred to Walter in the Editor’s Foreword, saying that his “vision and determination have brought us to this point.”⁴ Indeed, Walter Wright made the establishment of the *Journal* his personal crusade and should be viewed as its founder.

Professor Jordan Paust was the only Faculty Advisor listed in Volume 1, Number 1, in which he contributed a brief but intriguing commentary regarding two jet fighter aircraft incidents between the Soviet Union and the United States.⁵ Professor Paust was the first professor who was asked to help create the *Journal*, and he has continued tirelessly in his advisory role, always making himself available to assist the law students as well as suggesting scholarly articles for the *Journal*. Being a prolific author, it is not surprising that he has contributed a dozen articles over these thirty years.⁶

3. *Id.*

4. Brentin, *supra* note 1.

5. Masthead, 1 HOUS. J. INT'L L. (1978); Jordan J. Paust, *Of Secrets, Planes, and Property: A Scenario*, 1 HOUS. J. INT'L L. 51 (1978).

6. Paust, *supra* note 5; Jordan J. Paust, *Oil Exploitation in Occupied Territory: Sharpening the Focus on Appropriate Legal Standards*, 1 HOUS. J. INT'L L. 147 (1979); Jordan J. Paust, *The Mexican Oil Spill: Jurisdiction, Immunity and Acts of State*, 2 HOUS. J. INT'L L. 239 (1979); Jordan J. Paust, Symposium, *Litigating Human Rights: A Commentary on the Comments*, 4 HOUS. J. INT'L L. 81 (1981); Jordan J. Paust, *Litigating Human Rights Under U.S. Domestic Law*, 4 HOUS. J. INT'L L. 137 (1981); Jordan J. Paust, *Draft Brief Concerning Claims to Foreign Sovereign Immunity and Human Rights: Nonimmunity for Violations of International Law Under the FSIA*, 8 HOUS. J. INT'L L. 49 (1985); Jordan J. Paust, *Contragate and the Invalidity of Pardons for Violations of International Law*, 10 HOUS. J. INT'L L. 51 (1987); Jordan J. Paust, *Universality and the Responsibility to Enforce International Criminal Law: No U.S. Sanctuary for Alleged Nazi War Criminals*, 11 HOUS. J. INT'L L. 337 (1989); Jordan J. Paust, *Foreword to*

III. GAINING MOMENTUM

By the time Volume 1, Number 2, was published in the spring of 1979, Professor Stephen Zamora was on the scene at the College of Law and had become the *Journal's* second Faculty Advisor. Professor Zamora has also served untiringly as an advisor since that time and has provided consistently invaluable counsel to the editorial boards. He not only became the Director of the Mexican Legal Studies Program but also served as the Dean of the Law Center from 1995 to 2000.⁷

The lead article in Volume 1, Number 2, was written by Professor Ved Nanda, who provided an interesting insight into the self-determination of Bangladesh.⁸ Other articles included the first of several that I submitted to the *Journal*. This first one set out a recommended approach for the United States to ratify the United Nation's international covenants on human rights.⁹ Having recently obtained my LL.M. from N.Y.U., I was eager to use some of the research materials I had acquired at N.Y.U. to set out my ideas about certain contemporary international issues, such as those related to human rights. Not surprisingly, Professor Paust managed to contribute another thoughtful note on standards for oil exploitation in occupied territories.¹⁰

Symposium, *Legal Responses to International Terrorism*, 22 HOUS. J. INT'L L. 1 (1999); Jordan J. Paust, *Human Rights Purposes of the Violence Against Women Act and International Law's Enhancement of Congressional Power*, 22 HOUS. J. INT'L L. 209 (2000); Jordan J. Paust, "Equal Treaty Rights," *Resident Status & Forum Non Conveniens*, 26 HOUS. J. INT'L L. 405 (2004); Jordan J. Paust, *Discrimination on the Basis of Resident Status & Denial of Equal Treatment: A Reply to Professor Weintraub's Response*, 27 HOUS. J. INT'L L. 253 (2004).

7. News Release, Univ. of Houston, Mexico's Aztec Eagle Award Bestowed on UH Law Center Professor Zamora (Dec. 5, 2006), <http://www.uh.edu/news-events/archive/nr/2006/12dec/120506zamora.html>; University of Houston Law Center Faculty, <http://www.law.uh.edu/faculty/main.asp?PID=46> (last visited Apr. 4, 2008).

8. Ved P. Nanda, *Self-Determination Outside the Colonial Context: The Birth of Bangladesh in Retrospect*, 1 HOUS. J. INT'L L. 71 (1978).

9. James W. Skelton, Jr., *The United States Approach to Ratification of the International Covenants on Human Rights*, 1 HOUS. J. INT'L L. 103 (1979).

10. Paust, *Oil Exploitation*, *supra* note 6.

Thus, the first volume of the *Journal* was completed at 152 pages.¹¹ The Board of Editors for Volume 1, Number 1, had a total of fourteen editors, whereas the new Board of Editors for Volume 1, Number 2, was comprised of twenty-three editors and ten staff members.¹² (As a result of having two editorial boards working on the first volume over a period of two years, the current year's board is number 31 instead of number 30.) This increase in the number of the law student participants revealed that it had taken only one year for the *Journal* to become recognized and accepted as an important periodical at the University of Houston College of Law.

The third Board of Editors, led by Scott Cramer as Editor in Chief, was responsible for the publication of Volume 2, Numbers 1 and 2, which were dated Autumn 1979 and Spring 1980, respectively. For the first time, the *Journal* had accomplished its goal of publishing two issues in a single school year. These were substantial issues as well, each with more than 200 pages of text. Equally important, the initial issue registered another first by being dedicated to a symposium on the "Role of Private Enterprise in Outer Space," and the introduction to the symposium was written by the well-known author, James A. Michener.¹³ This generated a lot of attention for the *Journal*, which proved there definitely was a niche for this type of publication at the College of Law.

The *Journal* has produced several other symposia and special issues through the years, covering such topics as immigration, exchange controls, the use of force against terrorists, the Iran-Contra affair, investment in Mexico, the Mexico-U.S. free trade agreement, the Russian petroleum legislation project, and intellectual property.¹⁴

11. 1 HOUS. J. INT'L L. (1978).

12. Masthead, *supra* note 5.

13. Symposium, *The Role of Private Enterprise in Outer Space—International Legal Implications*, 2 HOUS. J. INT'L L. 1 (1979).

14. 5 HOUS. J. INT'L L. (SPECIAL ISSUE: IMMIGRATION) (1983); 7 HOUS. J. INT'L L. (SPECIAL ISSUE: EXCHANGE CONTROLS) (1984); Symposium, *The Use of Force Against Terrorist Bases*, 11 HOUS. J. INT'L L. 307 (1989); Symposium, *Legal and Policy Issues in the Iran-Contra Affair: Intelligence Oversight in a Democracy*, 11 HOUS. J. INT'L L. 1 (1988); Symposium, *The New Environment for Trade and Investment in Mexico*, 12 HOUS. J. INT'L L. 181 (1990); 14 HOUS. J. INT'L L. (SPECIAL ISSUE) (1991) (containing

Notably, Volume 2 included sections on Current Documents and Book Reviews for the first time.¹⁵ Of course, Professor Paust had crafted an article for the first issue covering jurisdictional issues surrounding an oil spill in Mexico.¹⁶ For the second issue of Volume 2, I gathered additional sources together to write an article that compared standards of international procedural due process to the practice of preventive detention.¹⁷ The *Journal's* Articles Editors were of great assistance in adding footnotes and suggesting modifications to the text that made this comparative study more complete and scholarly. As a result of such close cooperation, my knowledge of and relationship with the *Journal* was developing by leaps and bounds.

The Board of Editors for Volume 3 duplicated the feat of the prior board by publishing two issues in the same school year, Autumn 1980 and Spring 1981. Another first was accomplished by the announcement, on the fourth page of Volume 3, Number 1, of the appointment of the *Journal's* initial Advisory Board, which included Walter Wright and Professors Paust and Zamora.¹⁸ Mont Hoyt and I are the only practicing lawyers from that original list who continue to serve on the Advisory Board.¹⁹ Judge Lynn Hughes' name appeared on the Advisory Board list in Volume 3, Number 2, and he has been actively involved ever since.²⁰

articles discussing the Mexico-U.S. free trade agreement); Symposium, *The Russian Petroleum Legislation Project at the University of Houston Law Center*, 15 HOUS. J. INT'L L. 263 (1993); Symposium, *Intellectual Property*, 16 HOUS. J. INT'L L. 441 (1994).

15. Current Documents, 2 HOUS. J. INT'L L. 227 (1979); Book Reviews, 2 HOUS. J. INT'L L. 255 (1979).

16. Paust, *Mexican Oil*, *supra* note 6.

17. James W. Skelton, Jr., *Standards of Procedural Due Process Under International Law vs. Preventive Detention in Selected African States*, 2 HOUS. J. INT'L L. 307 (1980).

18. Advisory Board, 3 HOUS. J. INT'L L. (1980). The full list of the original members of the Advisory Board was as follows: John Barrett, Professor Keith Blinn, Lyon Brinsmade, Kevin Cunningham, Steven Handel, Mont Hoyt, Dean Michael Johnson, Raymon Marks, Professor Jordan Paust, James Skelton, Judge Woodrow Seals, William Weiland, Walter Wright, and Professor Stephen Zamora. *Id.*

19. Compare *id.* (listing the members of the 1980 Advisory Board), with Advisory Board, 29 HOUS. J. INT'L L. (2007) (listing the members of the 2007 Advisory Board).

20. Advisory Board, 3 HOUS. J. INT'L L. (1981); see Advisory Board, *supra* note 19

Although only in its third full year, the *Journal's* Volume 3 attracted a variety of engaging articles covering such subjects as OPEC pricing agreements, production payments in the U.K., flags of convenience and oil pollution, the European patent as an agent of technology transfer, and international bankruptcy.²¹ In addition, the articles were sourced from many diverse places like the University of Virginia, Illinois State University, the United Kingdom, and France, as well as from law firms around the State of Texas.²² The *Journal* was quickly making a name for itself and was gaining respect as an international legal periodical with each new issue.

Through the years, the *Journal* has gained a national reputation among other elite law school periodicals. I believe this is one of the factors that has served to improve the Law Center's rank among other U.S. law schools to number sixty in 2007 and a tie for fifty-fifth this year, according to the *U.S. News and World Report's* rankings.²³

IV. BUDGETARY AND OTHER CHALLENGES

Throughout its history, indeed from its inception, the *Journal* has been beset by budgetary issues. The reasons are

(listing Judge Hughes as an Advisor).

21. See Table of Contents, 3 HOUS. J. INT'L L. (1980-81) (listing the articles published in this volume).

22. See Anwar-i-Qadeer, *A Multilateral Agreement in Oil*, 3 HOUS. J. INT'L L. 1 (1980) (author has an LL.M. from the University of Virginia); Richard Payne, *Flags of Convenience and Oil Pollution: A Threat to National Security?*, 3 HOUS. J. INT'L L. 67 (1980) (author is on the faculty at Illinois State University); Geoffrey Lewis & Geoffrey Willoughby, *Production Payments in the United Kingdom*, 3 HOUS. J. INT'L L. 51 (1980) (both authors are solicitors in London); Joanna Schmidt, *A New Instrument of Technology Transfer: The European Patent*, 3 HOUS. J. INT'L L. 185 (1981) (author is a professor of law at the University of Lyon in France); Arthur W. Zeitler, *Foreign Investment in the United States—Reporting Requirements*, 3 HOUS. J. INT'L L. 221 (1981) (author is an attorney at a law firm in Corpus Christi, Texas); Stephen B. James, *International Bankruptcy: Limited Recognition in the New U.S. Bankruptcy Code*, 3 HOUS. J. INT'L L. 241 (1981) (author is an attorney for a law firm in San Antonio).

23. *UHLC Climbs 10 Spots in the US News & World Report Rankings*, HJIL NEWSLETTER (Hous. J. Int'l L., Houston, Tex.), Spring 2007, at 1 (on file with Author); AMERICA'S BEST GRADUATE SCHOOLS 2009, U.S. NEWS & WORLD REP., Mar. 26, 2008, available at <http://grad-schools.usnews.rankingsandreviews.com/grad/law/search/page+3>.

many, but the administration's policy for funding the law journals has appeared to follow a minimalist path, and the *Journal's* endowment fund never reached the levels required to allow a worry free financial existence.

The most chronic problem has been the call for new computers. There were both minor and major crises associated with the incessant quest for better computer equipment. I vividly recall one minor crisis that was discussed at an Advisory Board meeting held at my office in the late 1990s, after which I stood in the parking lot and wrote a check that would make up the difference between the balance of the *Journal's* bank account and the total cost of a replacement computer for the one that had just imploded two days before a publishing deadline. Making ends meet often proved to be more of a test for the members of the Editorial Board than they were prepared to face.

In the spring of 1996, the Board of Editors carried out a fund raising campaign to raise the money required to purchase several new computers. These computers were being acquired to enhance the *Journal's* ability to engage in desktop publishing. When it was announced at the Spring Banquet that the campaign had fallen short by \$5,000, I suggested that the Advisory Board should create a Computer Fund and attempt to make up the shortfall by seeking donations from the members of the Advisory Board. Because the membership of the Advisory Board had swollen to forty at that time, I was convinced that we could raise the funds needed. After much haranguing and reminding by letter (e-mail had not yet become the preferred mode of communication), we were able to collect \$3,125 for the new computers. Although it was a bit disappointing not to reach our goal, the amount raised was sufficient to make a very positive impact on the *Journal's* budget.

In June 2001, the wrath of tropical storm Allison dealt a devastating blow to the entire campus at the University of Houston,²⁴ causing severe flooding in those buildings with

24. See Allan Turner & Lisa Teachey, *After the Deluge, Recovery*, HOUS. CHRON., June 12, 2001, at A1 ("The University of Houston reported most of the 105 buildings on its main campus suffered flood damage.").

basements, such as the Bates Law Building. Dean Nancy Rapoport reported that “[w]e suffered the largest loss of books and mortar in American legal education history.”²⁵ Astonishingly, the Law Center’s total loss from Allison was estimated to be \$70 million!²⁶

The offices of both the *Houston Law Review* and the *Journal*, which were located in the basement, were heavily damaged. The *Journal* lost all copies of back issues, and, of course, all of its furniture and computer equipment was ruined. During the reconstruction project, the student organization offices had to be moved to temporary quarters in mobile trailers located adjacent to the Bates Law Building, which is where the new Board of Editors 25 found itself in the fall of 2001. Following its meeting on October 16, 2001, the Advisory Board toured the *Journal’s* assigned trailer, which was sparsely furnished, and talked about a possible severe budget cut. The budget for the prior year had been \$34,000, but the administration had tentatively proposed \$24,000, a 30% decrease. Joy Anderson and her Board stayed positive and tried to make the best of a difficult situation, and ultimately they were granted \$27,000 and employed enough belt-tightening techniques to carry them through the year.

V. THE RUSSIAN PETROLEUM LEGISLATION PROJECT

In July 1991, the Law Center became involved in a daring undertaking called the Russian Petroleum Legislation Project (the Russian Project) between Western academic and industry representatives and their Russian counterparts. The goal of the Russian Project was to recommend a legislative framework for a new Law on Oil and Gas based on then current practices and laws in the international petroleum industry.²⁷ Former Dean George Hardy was named as the director of the Russian Project, and Professors Jacqueline Weaver, Gary Conine, and William

25. Letter from Nancy B. Rapoport, Dean, University of Houston Law Center, to Author (June 9, 2002) (discussing progress made in dealing with the aftermath of tropical storm Allison) (on file with Author).

26. *Id.*

27. James W. Skelton, Jr., *Drafting the Russian Law on Oil and Gas: An Industry Lawyer’s Perspective*, 15 HOUS. J. INT’L L. 463, 464 (1993).

Streng served as reporters in various working groups.²⁸ I was fortunate enough to be named as one of the three reporters for the E & P Licensing Working Group, which was responsible for drafting the proposed Licensing Code.²⁹

Given the representation of three faculty members and a former dean who were participating in the venture, it is no surprise that there was a lot of pressure on the *Journal* to publish a symposium issue on the Russian Project within a short timeframe. That symposium issue was produced in Volume 15, Number 2, dated Winter/Spring 1993, and it contained nine articles that set out every viewpoint imaginable.³⁰ This issue included a wonderful history of the Russian Project that was written by Professor Weaver³¹ and an incredibly scholarly and thorough (nearly 150 pages) treatise on petroleum licensing that was written by Professor Conine.³²

If that was not impressive enough, the *Journal* published a companion symposium issue on the Russian Project in Volume 15, Number 3, which was also dated Winter/Spring 1993.³³ The contents of this issue included a summary of the background of the Russian Project as viewed by Dean Robert Knauss,³⁴ and the texts of the Proposed Petroleum Code on Licensing,³⁵ Conservation and Environmental Protection,³⁶ and Oil Pipeline Transportation.³⁷

28. See Jacqueline Lang Weaver, *The History and Organization of The Russian Petroleum Legislation Project at the University of Houston Law Center*, 15 HOUS. J. INT'L L. 271, 276-85 n.17 (1993) (listing those involved in the Russian Project).

29. Gary B. Conine, *Petroleum Licensing: Formulating an Approach for the New Russia*, 15 HOUS. J. INT'L L. 317, 321-22 n.6 (1993).

30. *The Russian Petroleum Litigation Project at the University of Houston Law Center*, *supra* note 14.

31. Weaver, *supra* note 28, at 271.

32. Conine, *supra* note 29, at 317.

33. *The Russian Petroleum Litigation Project at the University of Houston Law Center*, *supra* note 14.

34. Robert L. Knauss, *University of Houston Russian Petroleum Legislation Project*, 15 HOUS. J. INT'L L. 633 (1993).

35. *Proposed Petroleum Code of the Russian Federation: Part I—Licenses*, 15 HOUS. J. INT'L L. 641 (1993).

36. *Proposed Petroleum Code of the Russian Federation: Part II—Conservation and Environmental Protection*, 15 HOUS. J. INT'L L. 705 (1993).

37. *Proposed Petroleum Code of the Russian Federation: Part III—Oil Pipeline*

These were not the first symposium issues that had been fashioned by the *Journal*, but they were, and continue to be, the most extraordinary and noteworthy ones it has produced. With such a high quality and high profile product under its belt, it appeared that the *Journal* was prepared to compete with the elite law school periodicals.

VI. SPONSORSHIPS

In 1991, the *Journal* launched a program to encourage law firms, corporations, and graduates of the Law Center to make contributions through sponsorships into what was called the H.J.I.L. Fund. Thus began the tradition of soliciting sponsorships to support the publishing efforts of the *Journal*. Soon thereafter, different categories of sponsors were created, such as patrons, fellows, friends, and the like.³⁸

Early in 1993, in a flyer under its banner, the *Journal* announced the beginning of the HJIL Endowment Campaign, which was intended to be separate from the general sponsorships. The purpose of the campaign was to become financially self-sufficient and protected from damage caused by cuts in state education funding. The stated goal of the campaign was to raise \$100,000, and pledges could be paid over a three year period. This campaign was relatively successful in raising over \$30,000. The problem is that each year only a very small portion of the endowment funds is made available to be drawn down, which makes the fund of marginal value in providing incremental enhancements to the *Journal's* budget.

In the fall of 1995, the first list of Writing Awards Sponsors was included among the general groups of sponsorships.³⁹ These awards are presented annually at the *Journal's* Spring Banquet to those law students whose papers are judged to be the best in various categories of international law. The list of sponsors has grown over the years to eight separate writing

Transportation, 15 HOUS. J. INT'L L. 809 (1993).

38. Sponsors, 15 HOUS. J. INT'L L. (1992).

39. Sponsors, 18 HOUS. J. INT'L L. (1995). The first list of Writing Award Sponsors was as follows: Judge Lynn N. Hughes; Gus A. Schill Jr.; Conoco Inc.; and Royston, Rayzor, Vickery & Williams. *Id.*

awards, of which the most sought-after is the James Baker Hughes Prize, which was endowed by Judge and Mrs. Lynn N. Hughes.⁴⁰ Professor Paust and I have been pleased to underwrite Writing Awards every year since 1996.

Currently, there are four types of sponsorship programs that are solicited from time to time by the *Journal*, which are as follows: Issue Sponsor, Lecture Series Sponsor, Writing Award Sponsor, and Awards Banquet Table Sponsor.⁴¹

VII. THE LECTURE SERIES

The Advisory Board played an important role in initiating what has become the *Journal's* annual Lecture Series. Since there has always been a need to obtain interesting and topical articles to publish, I suggested in the spring of 2002 that the *Journal* should endeavor to sponsor lectures once every semester as a means of acquiring publishable articles and of raising the organization's profile in the legal community.

Carlie Bishop, the Editor in Chief for Board of Editors 26, embraced this idea and asked for help in lining up the first speaker. As if to prove her solidarity, Carlie and her Executive Board immediately named a Lecture Series Editor to work on the project. Judge Hughes and I undertook to attempt to gain the agreement of Jim Baker to give the inaugural presentation. After several tries, it became apparent that Mr. Baker's schedule would not permit him to accept our offer. It quickly became obvious to me that the next best choice was Judge Hughes, so I asked him to consider giving the speech and, as they say, the rest is history!

On February 12, 2003, Judge Hughes delivered a fantastic speech entitled *Realism Intrudes: Law, Politics, and War* in the Heritage Room at the Law Center. The presentation provided a very thoughtful, and thought provoking, review of the rule of law and how it relates to war, nations, and sovereignty. The

40. Houston Journal of International Law Submissions, <http://www.hjil.org/submissions.asp> (last visited Apr. 4, 2008).

41. HJIL NEWSLETTER, *supra* note 23, at 3.

Editorial Board worked with Judge Hughes to convert his speech to an article, which was published in the spring of 2003.⁴²

Simultaneously, Tim Tyler, another member of the Advisory Board, was able to provide much needed assistance in obtaining the agreement of Professor Philip Bobbitt of the University of Texas to agree to present the second lecture on April 2, 2003.⁴³ Unfortunately, Professor Bobbitt did not want to publish his fine speech entitled *Understanding International Security in the 21st Century*.

On April 8, 2004, Ewell E. Murphy, Distinguished Lecturer at the Law Center, presented an excellent paper on the relationship of transnational law, free trade agreements, and globalization, which was published in 2004.⁴⁴ The publication of a second paper from the Lecture Series proved we were on the right track.

Another Advisory Board member, Gus Schill, was instrumental in obtaining the agreement of David W. Leebron, President of Rice University and former Dean of Columbia Law School, to present the fourth lecture in the spring of 2005.⁴⁵ The speech was named *From Trade to Torture: Why International Law Matters*. Some frustration was caused by the failure to publish the speech even though it was supposed to have been scheduled for publication in the spring of 2006.

Professor Zamora scored a home run when he was able to help the Lecture Series Editors arrange for Dr. Peter Eigen, Chairman of the Advisory Council of Transparency International, to make the Fourth Annual Lecture on April 12, 2006.⁴⁶ This time the *Journal* had struck it rich with an internationally recognized speaker from Europe, so the Board

42. Lynn N. Hughes, *Realism Intrudes: Law, Politics and War*, 25 HOUS. J. INT'L L. 415 (2003).

43. *For the Record*, UTLAW MAG., Summer 2003, at 22, 23, available at <http://www.utexas.edu/law/depts/alumni/utlaw/UTLAWSummer03.pdf>.

44. Ewell E. Murphy, *Charting the Transnational Dimension of Law: U.S. Free Trade Agreements as Benchmarks of Globalization*, 27 HOUS. J. INT'L L. 47 (2004).

45. Press Release, Univ. of Houston, Rice University President Leebron to Lecture at UH about the Importance of International Law (Apr. 11, 2005), <http://www.uh.edu/news-events/archive/nr/2005/04april/041105leebronlect.html>.

46. Peter Eigen, *Fighting Corruption in a Global Economy: Transparency Initiatives in the Oil and Gas Industry*, 29 HOUS. J. INT'L L. 327 (2007).

of Editors rented the ballroom at the Magnolia Hotel and gave MCLE credit in an attempt to attract members of the legal community. This plan worked well, except there was not quite enough money on hand to cover the expenses. Despite having to cure that recurring problem, the presentation was a great success, and Dr. Eigen's speech on fighting corruption in the oil and gas industry was published in 2007.⁴⁷

On April 26, 2007, the *Journal* was able to repeat its success by returning to the Magnolia Hotel for the Fifth Annual Lecture, which was presented by Dr. Philip Zelikow, Professor of History at the University of Virginia and former Executive Director of the 9/11 Commission.⁴⁸ Dr. Zelikow presented a controversial speech entitled *Legal Policy for a Twilight War* in which he questioned U.S. policy and the role of lawyers in the war on terror and criticized the methods of interrogating prisoners. The nature of his remarks garnered sufficient national attention to merit articles in the *New York Times*⁴⁹ and *Harper's Magazine*,⁵⁰ all of which were posted on the *Journal's* website. In addition, the lecture was recently published in Volume 30, Number 1, of the *Journal*.⁵¹

The conversion into publishable articles for four of the six lectures represents an excellent result for this new venture. It is hoped that the Lecture Series will be maintained for many years and that captivating, and sometimes even controversial, speeches will continue to be given and so memorialized.

47. *Id.*

48. Philip Zelikow, Professor of History, Univ. of Va., Annual Lecture for the Houston Journal of International Law: Legal Policy for a Twilight War (Apr. 26, 2007), available at <http://www.hjil.org/lecture/2007/lecture.pdf>; News Release, Houston Journal of Int'l Law (Jun. 1, 2007), <http://www.hjil.org/news4.asp>; Nat'l Comm'n on Terrorist Attacks Upon the U.S., Biography of Philip D. Zelikow, http://www.9-11commission.gov/about/bio_zelikow.htm (last visited Apr. 4, 2008).

49. Scott Shane & Mark Mazzetti, *Advisers Fault Harsh Methods in Interrogation*, N.Y. TIMES, May 30, 2007, at A1.

50. Scott Horton, *The Zelikow Speech*, HARPER'S MAG., May 30, 2007, available at <http://www.harpers.org/archive/2007/05/hbc-90000191>.

51. Philip Zelikow, *Legal Policy for a Twilight War*, 30 HOUS. J. INT'L L. 89 (2007).

VIII. INTERNATIONAL ENERGY ISSUE

From time to time, the members of the Editorial Board and the Advisory Board engaged in debates over the wisdom of dedicating one issue of the *Journal* each year to a specific topic, other than in the format of a symposium. It always seemed like a good idea, but such discussions got sidetracked when we were reminded there were more pressing issues to consider. Then, during a meeting of the Advisory Board in the spring of 2005, we all finally agreed it was time to attempt to publish an annual issue dedicated to international energy topics. To show my support for this endeavor, I obtained the issue sponsorship of my employer, ConocoPhillips, for the first four years of the publication of what was to be called the International Energy Issue. In turn, an Energy Editor was designated to be appointed for the 30th Board of Editors.

The initial publication of the International Energy Issue was in Volume 28, Number 1, dated Spring 2006. The lead article in the inaugural issue presented a comprehensive survey of the legal framework and ramifications of the international unitization of oil and gas fields and was written by experts in the field.⁵² The members of the Board of Editors and the Advisory Board had to work hard behind the scenes in order to convince the Association of International Petroleum Negotiators, which owned the right to publish the article on its website, that it should share the right to publish the article.

As stated by Stephen F. Gates, the then Senior Vice President and General Counsel of ConocoPhillips, in the Introduction to the International Energy Issue,

By making the decision to devote one issue each year to topics in the international energy arena, the *Journal* has opened the door to a dynamic area of law and commerce. By focusing on international energy matters and giving comprehensive treatment to related topics, the *Journal* will have within its grasp the leading role in energy matters among international

52. Jacqueline Lang Weaver & David F. Asmus, *Unitizing Oil and Gas Fields Around the World: A Comparative Analysis of National Laws and Private Contracts*, 28 Hous. J. Int'l L. 3 (2006).

legal periodicals.⁵³

The second International Energy Issue was published in Volume 29, Number 2, dated Winter 2007, and featured the noteworthy article written by Dr. Eigen, as mentioned above.⁵⁴ Interestingly, the second article in this issue was an actual continuation of the inaugural International Energy Issue article on unitization.⁵⁵ Whereas the first article presented a comparative survey of the unitization of oil and gas fields, the companion article provided an international view of cross-border unitization and joint development agreements.⁵⁶ This substantial contribution completed what many consider to be the definitive work on international unitization.

If the *Journal* is able to continue finding such top notch international energy articles, the International Energy Issue will be regarded as a significant resource in the field of international energy law. I believe this particular endeavor of the *Journal* will “contribute in an important way to the understanding and appreciation of the opinions and ideas regarding the international energy topics to which it will be annually dedicated.”⁵⁷ In addition, the considerable responsibility of publishing this issue every year will challenge both the Lecture Series Editor and the Energy Editor to seek out renowned speakers for the Lecture Series and recognized international energy legal experts for the International Energy Issue to provide timely and high quality speeches and articles for publication.

IX. ADVISORY BOARD

The purpose of the Advisory Board, as expressed in the Bylaws of the Board of Advisors, is as follows: “To assist in the establishment and maintenance of the *Journal* as an institution of international legal scholarship, the Board of Advisors

53. Stephen F. Gates, *Introduction* to 28 HOUS. J. INT'L L. 1 (2006).

54. Eigen, *supra* note 46.

55. Ana E. Bastida et al., *Cross-Border Unitization and Joint Development Agreements: An International Law Perspective*, 29 HOUS. J. INT'L L. 355 (2007).

56. Weaver & Asmus, *supra* note 52; Bastida et al., *supra* note 55.

57. Gates, *supra* note 53, at 2.

(“Advisory Board”) exists to provide continuity and perspective through counsel to the students on policy, management, and development.”⁵⁸ In my view, providing “continuity and perspective” is the most fundamental and crucial responsibility of the members of the Advisory Board. The element of continuity was enhanced in April 2004 when the Board of Editors amended the Constitution of the *Journal* to require the election of a graduating member of its board to serve as a member of the Advisory Board for a term of two years.⁵⁹ This rotating position provides continuity from the students’ point of view and has proved to be a valuable addition to the knowledge base of the Advisory Board.

Although the Advisory Board has been in existence for twenty-eight years, there have been only five chairmen of the group. Gus A. Schill Jr. served as the first chairman, having been so designated in Volume 6, Number 2, dated Spring 1984.⁶⁰ Gus had joined the Advisory Board when it was expanded from fourteen to twenty members in the fall of 1983 as a result of the encouragement of Dean Robert Knauss, who also became a member.⁶¹ Gus continued to contribute his valuable time and exceptional ideas to the *Journal* for more than twenty years until he retired and became one of the Emeritus Members of the Advisory Board.⁶²

In the fall of 1985, Walter Wright was rightfully elevated to the position of Chairman and served for two years,⁶³ during which time he convinced me to become more active. Fred Murray was named to replace Walter in 1987 for another two year term.⁶⁴ Then, in 1989, Judge Lynn Hughes was named the Chairman of the Advisory Board, a position that he would hold

58. HOUSTON JOURNAL OF INT'L LAW CONST., app. A (amended 2004) (on file with the Houston Journal of International Law).

59. *Id.* art. VII.

60. Advisory Board, 6 HOUS. J. INT'L L. (1984).

61. Compare Advisory Board, 5 HOUS. J. INT'L L. (1983) (listing fourteen members on the advisory board), with Advisory Board, *supra* note 60 (listing twenty members on the advisory board).

62. See Advisory Board 2006-07, <http://www.hjil.org/advisors.asp> (last visited Apr. 4, 2008) (listing Gus A. Schill Jr. as an Emeritus Member of the Advisory Board).

63. Advisory Board, 8 HOUS. J. INT'L L. (1985).

64. Advisory Board, 10 HOUS. J. INT'L L. (1987).

for a period of ten years.⁶⁵ Judge Hughes proved time and again that he was truly interested in and devoted to the *Journal*, making time in his busy schedule to hold meetings in his office at the U.S. District Court building. He also went out of his way to make internships available to members of the Board of Editors for many years, as well as sponsoring and attending many of the *Journal's* events.

I functioned as the President of Judge Hughes' board from 1997 to 1999, filling a role as his assistant and possible successor. When he announced his retirement as Chairman in February 1999, I was named the acting chairman in March and continued in that role until the following November when the Board of Editors formally elected me as the Chairman.⁶⁶ I have proudly held the position ever since and have attempted to live up to the high standards set by Judge Hughes. To his credit, Judge Hughes has remained a very active member, always attempting to include meetings of the Advisory Board and events of the *Journal* on his crowded calendar.

One of my initial tasks was to determine how many members of the Advisory Board were actually active and how many we really needed. In 1999, Judge Hughes and I agonized over the existing list of the thirty-six members and finally decided to ask those who had not been actively involved whether they desired to continue while simultaneously informing them that being active would be a prerequisite of maintaining membership. As a result, I was able to assemble a group of twelve active members, five of whom were new to the Advisory Board.⁶⁷ This type of approach to membership has helped to make the Advisory Board much more manageable and stable.

65. Advisory Board, 12 HOUS. J. INT'L L. (1989).

66. Advisory Board, 21 HOUS. J. INT'L L. (1999); Advisory Board, 22 HOUS. J. INT'L L. (1999).

67. Compare Advisory Board, 21 HOUS. J. INT'L L. (1999), with Advisory Board, 23 HOUS. J. INT'L L. (2000).

X. BOARDS OF EDITORS

There have been 31 Boards of Editors thus far, and each one has been comprised of individuals who have taken a keen interest in and devotion to both the task at hand and the ultimate work product. They have kept their eyes on the prize and have made every effort to improve the *Journal* in every way possible. A listing of most of the Boards of Editors is contained on the *Journal's* website, and a listing of the Editors in Chief is set out below.⁶⁸

68. Houston Journal of International Law Previous Boards, <http://www.hjil.org/previousboards.asp> (last visited Apr. 4, 2008). The Editors in Chief have been as follows:

1. John O. Brentin, 1978;
2. W. Austin Barsalou, 1979;
3. Scott S. Cramer, 1979–80;
4. Kurt R. Grimm, 1980–81;
5. Philip Stagg, 1981–82;
6. Karen Russell Gammill, 1982–83;
7. Steven Richard Dunn, 1983–84;
8. Pedro F. Andariso, 1984–85;
9. Russell Rains, 1985–86;
10. Christopher Thomas Griffith, 1986–87;
11. Eileen Curreri, 1987–88;
12. George A. Kurisky, Jr., 1988–89;
13. Susan Harvin Lawhon, 1989–90;
14. Bradley W. Paulson, 1990–91;
15. Brent W. Sadler, 1991–92;
16. William M. Welch, 1992–93;
17. Trevor R. Jefferies, 1993–94;
18. Joe Villarreal, 1994–95;
19. James E. Hildebrandt, 1995–96;
20. JoeDaniel Horne, 1996–97;
21. Antroy Arreola, 1997–98;
22. J. Christopher Malley, 1998–99;
23. Jane Ray, 1999–2000;
24. Amanda G. Snowden, 2000–01;
25. Joy Anderson, 2001–02;
26. Carlie Bishop, 2002–03;
27. Christopher A. Shield, 2003–04;
28. Jeffrey S. Dietz, 2004–05;
29. Franklin O. Ballard, 2005–06;
30. Martha M. Hopkins, 2006–07;

I have my favorite Editors in Chief, of course, especially those who have served while I have been Chairman of the Advisory Board, but perhaps the most challenging situation arose in connection with Board 22. What was tantamount to an inquiry into the relevance of the Advisory Board occurred while I was acting as the President of the Advisory Board in the fall of 1998. I became concerned that we had not been able to engage the new Board of Editors, so I put in a call to the Editor in Chief, Chris Malley. After a brief introduction, I mentioned our concerns and Chris responded to the effect that he and the members of his Executive Board had questioned whether the Advisory Board was providing enough assistance. They thought there were too many advisors and that not enough of them were taking an active role. Although I agreed with him, I assured him that we were enormously relevant and invited him to meet with me to discuss the details of what the Advisory Board had done and could do for the *Journal*. Our discussions were cordial, and after a second meeting and sharing of suggestions about modifying the membership of the Advisory Board, Chris began to view the Advisory Board's contributions in a positive way and decided to open his Board's processes and communications in a way that proved to be beneficial to both sides.

Since then, the relationships between the new Boards of Editors and the Advisory Board have been positive from the beginning, which has resulted in improvements and cooperative efforts that enhance the significance of the *Journal*. For example, in the spring of 2006, I suggested that the Editorial Board should consider adding a section on Recent Developments to its issues because competing law school periodicals appeared to be using that format to attract shorter pieces from legal experts. Martha Hopkins took the idea and ran with it, and in less than a year Volume 29, Number 2, was published with a new section on Recent Developments that included three outstanding articles.⁶⁹

31. Robyn R. Goldstein, 2007–08. *Id.*

69. Table of Contents, 29 HOUS. J. INT'L L. (2007).

One of my repeating themes to the members of the various Boards of Editors is that I believe they are involved in a particularly vital endeavor that goes far beyond meeting deadlines and staying within budget limits. The first time I expressed this opinion in detail was by means of a brief statement that was read in my absence at the *Journal's* Spring Awards Banquet in April 2002. This year, I included the theme in my speech at the Spring Awards Banquet, as follows:

I applaud your hard work and commend you for your efforts in making the *Journal* a priority in your law school experience. Of the four sources of international law, custom, treatises, writers and judicial decisions, you are involved in the most dynamic and important source, which is the publication of scholarly articles about international legal issues. To the extent these publications relate to public international law, you are engaged in a very high calling as the editors and publishers of international legal concepts and theories that may well be used someday to settle an international legal dispute or serve as guidance for an international problem. So, take a moment to feel proud of yourself and your colleagues because you are involved in an extremely important endeavor that is valued very highly by the legal community in Houston.⁷⁰

Those words of commendation are applicable to every past and succeeding Board of Editors and are reflective of the underlying nature of their contributions to the advancement of the *Journal*.

70. James W. Skelton Jr., Chairman, Houston Journal of Int'l Law Advisory Board, Keynote Address at the Houston Journal of International Law Spring Awards Banquet (Apr. 3, 2008).

XI. CONCLUSION

My rewarding affiliation with the *Journal* for the past 30 years has been based on alliances with the law students, professors and the other professionals who have dedicated so much of their time and effort for the benefit of the organization. I am privileged to have had a minor role in the process that has led to numerous enhancements of the publication.

In the final analysis, the *Journal's* reputation has been built more by the character and quality of the individuals who have worked on its Boards of Editors than by the quantity and substance of the articles they have published. As a result of their conscientious commitment to improving their own organization and its productivity, the Boards of Editors have taken great strides toward making the *Journal* one of the best international legal periodicals in the country. This is a momentous accomplishment about which they should be proud and for which the legal community should be most grateful.