

TRINITY CHAPEL MEMORIAL REMARKS

Eli was my closest and dearest friend for some sixty-six years, and I believe that I was his closest friend for all those years as well.

I met Eli in October 1950 within a few days of my arrival in Cambridge. Still caked with the salt of a rough English Channel crossing, I promptly called on his father, the then Whewell Professor of International Law, at his tiny office in the Squire Law Library. He invited me to lunch at his house on Cranmer Road the following Saturday. The company consisted of Professor Lauterpacht, his wife Rachel, Eli and myself.

I do not recall details of that first of so many meals at the Lauterpachts, but I do recall that after lunch Eli and I went upstairs. He undertook to tell me something of the study of law at Cambridge which he had completed, with the highest honors, a year before. He impressed upon

me that the study of law was “great fun”. Eli had an aptitude for finding the fun in life.

Eli then was 22 years old. He was slim, straight, suave, exceptionally good looking and exceptionally sure of himself. He spoke elegant English a bit slowly in a beautiful voice. He loved to joke, and one of his favorite expressions was, “you must be joking”. His dark eyes sparkled. He found the world amusing and full of folks who were subject to slightly depreciatory but indulgent evaluation. He was fashionably dressed in the dark suited, bowler-hatted style of young men at the Bar of those days. He never overlooked a pretty girl and the numbers of them that he attracted was remarkable and remarked upon.

I was fresh from Harvard, and had no legal training. I was to study international law with his father and other Cambridge luminaries such as Robbie Jennings and Clive Parry. Professor Lauterpacht quickly perceived that I

needed a tutor and he selected Eli to be my tutor. Eli came up to Cambridge most every weekend and we would meet. His other early tutee was Nagendra Singh. The odd thing is that both us eventually became judges and presidents of the International Court of Justice.

Eli's progress at the Bar was not only rapid. It was rocket like. He became a member of chambers at 3 Essex Court in the Temple and began to advise major clients on major questions of international law. He did it so well that, when the Anglo-Iranian Oil Company was expropriated in 1951, it was Eli who appeared in court to argue for the company that became BP that the "hot oil" that Iran sent onto international markets belonged not to Iran or its buyers but to BP. Iranian Prime Minister Mossadegh was overthrown and the Shah restored to power and negotiations to bring Iranian oil back to international markets ensued. BP agreed with its sister major oil companies on the formation of a consortium to market

Iranian oil whose good Iranian title was to be recognized. The “majors” sent their general counsel to Tehran for months of demanding negotiations. For the international law elements of the Consortium Agreement, BP sent Eli, who was some thirty or forty years younger than his colleagues. Eli delighted them all. He flew into the overheated somnolence of Tehran and electrified the proceedings. Years later I lunched with the general counsel of Exxon, then called “Jersey”, and he recounted that Eli “was a breath of fresh air”. Eli’s success not only reflected his powers of analysis and exposition, and his legal imagination; it was social, for he charmed all he encountered.

Eli married an American ballerina, Judy Hettinger, who recast herself as a law student and the Anglicized wife of a Cambridge academic. They bought a fine house in Cambridge on the evocatively named Herschel Road. Lord McNair remarked that his house and that of Eli’s father were slum-like in comparison. Three

children, Rachel, Gabrielle and Michael, were rapidly born and much loved. Eli's wife died prematurely and eventually Eli and Cathy were married. His second son, Conan, was born and brought the family much joy.

The Institute of International Law met in Cambridge in the early 1980's. Eli and Cathy engaged two cooks for the whole period of some ten days and every day, lunch and dinner, they successively entertained members of the Institute. After one of those glorious dinners, Professor Ustor of Hungary on departing was heard to remark, "Comes the Revolution, all professors will live like this!"

Eli carried a full schedule of Cambridge University lectures and Trinity College supervisions. His lectures were wildly popular. I returned to Cambridge for a term in 1956 and taught a seminar with Eli and Robbie Jennings and was able to hear a few of Eli's lectures; they were superb. At the same time, Eli's practice at the Bar flourished.

Between 1960 and 2015, Eli frequently argued before the International Court of Justice. As an advocate, he was unsurpassed in the acuity of his analysis and the style of his argument. He enjoyed arguing before the Court and the Court enjoyed listening to him.

Eli was full of constructive and progressive ideas. His many contributions to the development and practice of international law live on. He lives on as well in the hearts of his family and his friends, who were many and devoted. In this gathering there are several of his students and colleagues who were profoundly affected and assisted in their lives and careers by his inventiveness, his generosity and support. I was lucky to be among them.

In the period of his extended illness, Eli expressed his appreciation for his care by the Addenbrooks hospital “on his doorstep,” as he would say, for his care by George, and the constant visits of his children and grandchildren. The birth of

the boys of Conan and Jennifer brought him and Cathy a cascade of happiness. On my last visit to Eli, bedridden as he was, he was grateful above all for the loving and unendingly patient care of Cathy.

Eli lives on in our hearts. His father treated me as a second son; Eli was my brother; and I shall miss him acutely to the end of my days.