

**A TRIBUTE TO KEITH HIGHET**  
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As one of my first duties as a member of the Inter-American Juridical Committee, it is a true pleasure to stand before you this morning and say a few words in tribute to my predecessor as the United States member of this Committee, Keith Highet, whose passing a year ago is still greatly felt not only by this Committee, but by the international legal community in the United States and throughout the world. Dr. Highet was a giant in the world of international law, but, more importantly, he was, as an individual, a great friend and mentor to the many people whose lives he touched, and a role model for many others. I unfortunately did not have the opportunity to know Mr. Highet personally, although I of course knew him by reputation. But in the past few months, I've spoken with many of his friends and colleagues, and it seems safe to say that, as a person, as well as a lawyer, Keith Highet was larger than life.

Gilbert Keith MacInnes Highet was born in Oxford, England. His parents were both noted writers. His father was a Professor of Latin, and his mother was the famous writer of mystery novels, Helen MacInnes. When Keith was young, the family moved to New York, where his father took a position on the faculty of Columbia University. Keith graduated with honors from Harvard College. He then joined the United States Marine Corps, where he served for three years. Ever since then, he would be known to revert on occasion to "Marine mode," shouting questions at students or shouting orders at associates in his booming voice (half-jokingly, of course). He was also known to conduct meetings with what might be described as a military rigor.

After the Marines, he went to Oxford as a Fulbright Fellow, and after that he went to Law School at Harvard. His subsequent legal career is well known. I can only mention here a very few of the many high spots. He was first and foremost a litigator, and by all accounts he was without peer as a litigator in international fora. His first case was the one against South Africa, in which his clients, Liberia and Ethiopia alleged that South Africa had violated its Trusteeship obligations with

respect to South-West Africa by maintaining a system of apartheid. Although he did not prevail in that case, he went on to develop a practice of which most international lawyers only dream. In fact, he represented a larger number of nations before the International Court of Justice in The Hague than any other American lawyer.

In addition to being a superb international lawyer, he was a dedicated and indefatigable public servant. He pursued a position on the Inter-American Juridical Committee as a tribute to his great friend Eduardo Jimenez de Aréchaga. He was elected to the Committee from 1996 until his death last year, at which time he was the President. Others are of course better situated to comment on his valuable work for the Committee, and I understand that Dr. Trejos will say a few words in a moment. In addition, Keith Highet was the President of the American Society of International Law in the late 1980's, and afterwards he was a vocal proponent of United States engagement with the international community and respect for international law. He was highly critical of the United States' decision to withdraw its consent to the compulsory jurisdiction of the International Court of Justice. Mr. Highet also taught law at numerous law schools, including George Washington University, where he was a very popular teacher despite the fact that he prohibited his students from wearing baseball caps to class. As a professor at Georgetown University, I suspect that, had any other professor imposed such a rule, there would have been an uproar, but the students at GW considered it a small price to pay for the opportunity of studying with Keith Highet.

I could speak all morning and afternoon about Keith Highet's professional accomplishments, but instead I'd like to say a few words about Keith Highet the person. He was by all accounts a very colorful figure, beloved by all he met. He was tall, with an impressive silver mane and booming, authoritative voice. He could be quite formal, as suggested by the fact that he deplored baseball caps in class. He cut quite a spiffy figure. On the other hand, he was not pretentious. I was told that, once, at The Hague, the lawyers were all offered limousines to the Peace

Palace. Highet politely declined and took a bicycle instead. He was also once seen wearing cowboy boots in Rio. And he had a fondness for wearing Groucho Marx glasses and making faces at passersby.

He was also a great practical joker. One of his associates at his law firm told me the story of a very elaborate practical joke he played on a friend of his who was visiting him from the Middle East. As part of this joke, he went to great lengths to create an official-looking fax from a Middle Eastern government, with all the necessary stamps, and fake signatures in Arabic (Highet was apparently an expert forger.) The fax was written as though it were urgently seeking to retain Highet's friend to represent the country in an important legal dispute. The date on the fax was mid-June, and the fax said that the client would need an answer within a week, or they would seek representation elsewhere. The next month, when Keith's friend arrived at Keith's house, Keith had the fax sent to his house from the Middle East, and he also arranged for his friend's secretary to call from England, explaining that she had been receiving many phone calls from this potential client but she had insisted that Keith's friend was on vacation and could not be disturbed. Needless to say, Keith's friend was exasperated at having lost such a seemingly important client – that is, until Keith delivered the punch-line.

Although I did not have the good fortune to know Keith Highet, it was made apparent to me by everyone I spoke to that this man was not only admired and respected, but also adored and loved by everyone who knew him. Perhaps the most touching story I heard occurred after he learned that he had cancer. He did not think that he could continue to serve as President of this Committee, and so he wrote and sent in a letter of resignation. When the letter was seen by the ladies who work on the Committee staff – “las chicas del Comité” – they wrote and sent him their “resolution” refusing to accept his resignation. He went on to serve the Committee with distinction for almost two more years. Prof. Thomas Franck noted that, shortly after Keith was diagnosed with cancer, Prof. Abe Chayes of Harvard and Franck himself, both of whom were also prominent American international

lawyers and scholars, were also diagnosed with cancer. Keith convened a remarkable tripartite support group. Franck went on to note that Keith was a lovely and loving man.

It is fitting that this Course dedicated to the human being in international law should begin with a tribute to Keith Highet. Keith Highet was not just the international lawyer par excellence, he was also a great humanist and a great humanitarian, both in his professional career and in his personal life. He will be deeply missed.