

## Profile / Profil

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### Shepard Forman

CESARE P.R. ROMANO\*

Shepard Forman is my hero. Granted, he is the Director of the Center on International Cooperation at New York University, where I work, but that has absolutely no affect on my judgment. Quite the contrary, working with Shep for the past five years, seeing him in times of crises (such as September 11) and in times of celebration has given me the opportunity to get to know him on many levels.

Shep's approach to international problems reflects his ability to interact with people on a very personal, human level. Like ancient medicine men, Shep can whisper to horses; he can heal with words. These might be innate qualities, but in my opinion they are the result of a life spent talking to people and listening. To me his greatest quality is his gift for putting human beings and their problems at the center of his focus.

I met Shep in the Fall of 1996, when he had just left the Ford Foundation and was about to establish the Center. I remember I came back home from the NYU Law School and there was a message from a person I did not know asking whether we could meet for lunch to discuss certain ideas. I met this tall, distinguished gentleman, who spoke clearly and smoothly. He told me about how he wanted to shape the Center and that he planned to develop, together with Philippe Sands, then at University of London and NYU School of Law, a project to study the phenomenon of the multiplication of international judicial bodies and the issues, in particular those of financing and access, arising therefrom. He asked me whether I could carry out some preliminary research and sketch a project-development plan. Five years later, that plan has become the Project on International Courts and Tribunals (PICT), and I am still proudly managing the New York end of that endeavor.

When I was asked to write Shep's profile, I was excited by the opportunity to share, not only the accomplishments of a friend, but such an unexpected story as well. Indeed, when asked how he became involved in international relations and law, and what shaped his curriculum, he gives a surprising and unstudied answer: serendipity. His walk towards international law and international relations has been,

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indeed, long and rather circuitous, but listening to his account of his own life, one cannot but doubt his modest self-portrayal. One must recognize fortune when it passes by.

Shep was born in 1938, in Boston, Massachusetts. The son of East European Jewish refugees (from Ukraine and Latvia), Shep is in essence a first generation American. These origins have played a central role in his life, giving him a sense of history as well as an understanding of the devastating effects of conflicts and the importance of fundamental human rights that have oriented his career.

He did his undergraduate work at Brandeis University, in Waltham, Massachusetts. During Shep's sophomore year, James Duffy, a scholar teaching the history of Portuguese Africa, asked him to carry out research on a little known Portuguese colony in Southeast Asia: East-Timor. The assignment sparked in him a keen interest in colonialism and politics, and raised the question of how larger economic and political forces affect marginalized peoples. That was the beginning of a life-long relationship with the island and her people, but it was not until later on in his life that he met them.

In 1960 he moved to New York. While working towards an M.A. in comparative literature at New York University, Shep applied for a National Defense Foreign Language grant to study Portuguese and Brazilian language and literature. He received the award; however, because of a clerical error, was instead assigned to social sciences which led to an M.A. in Latin American history and a subsequent Fulbright Fellowship to study a 1930s labor dispute in Sao Paulo, Brazil. The day before he was supposed to leave for Brazil, he met a woman named Leona Shluger, who had lived in Brazil before moving to the United States. Leona was herself the daughter of Jewish refugees, who had fled first Russia, through Siberia and Manchuria, settled in China, lived through the Communist revolution and eventually were resettled in Brazil. She gave him the contact information for her parents in Rio de Janeiro. Seven years later, the two were married. They have been together ever since, and traveled throughout the world together with their two children.

Once in Brazil, Shep lost his scholarly zeal and, as he tells me with a broad smile, "got distracted by the lure of the beaches of Rio." Eventually, the Fulbright Commission decided to call him back because he was not fulfilling the provisions of the grant. While he contemplated a sudden and melancholic return home in one of the bars of Copacabana, Charles Wagley, a professor of Anthropology at Columbia University, walked in. That was another of his life-changing flukes. Wagley asked Shep to accompany his expedition to the Northeast of Brazil to conduct anthropological research.

Shep joined the mission and found his first vocation. Wagley advised him to apply to Columbia for a Ph.D. in Anthropology and Latin American studies, a

suggestion Shep was quick to heed. He returned to New York, completed his curriculum requirements, and set sail again for the Northeast of Brazil to write his dissertation about a community of fishermen in Coruripe, in the state of Alagoas. His focus was the complex of economic, legal, socio-political and ecological factors that effected decision-making in peasant communities. Much of 1961 was spent with peasants. These were the years of tense social conflict immediately before the military coup of 1964; land reform was opposed by land-owners by way of killing squads. The experience pushed Shep more strongly in the direction of a specialization in social and economic conflicts and the implications of U.S. foreign policy on the protection of human rights around the world.

After finishing his research in Brazil and publishing his dissertation (*The Raft Fisherman: Tradition and Change in the Brazilian Peasant Economy*, Indiana University Press, 1970), Shep started an academic career in Anthropology, teaching first at the Indiana University (1967-69), and then at the University of Chicago (1969-1973), and finally at the University of Michigan (1973-1980). During that time, he wrote an historic account of The Brazilian Peasantry, Columbia University Press (1980). Yet, the call of the field was too strong to resist.

In 1973, Shep received a telephone call from the Portuguese consulate. They found an application he had filed ten years earlier for a visa to go to East Timor and asked him if he still wanted it. Once again, Shep followed fate's suggestion. He moved to East Timor with his family and lived there from 1973 to 1974 studying the relationship between Portuguese colonial rule and the cultural traditions of the Makassae, one of East Timor's major indigenous ethno-linguistic groups. This was the beginning of his flirtation with law and his chance to learn about the decolonization process from within.

Yet, while Portugal was swept by the Carnation Revolution, East Timor was invaded by Indonesia. Many of the people with whom Shep and his family lived and worked suffered the brutality of military occupation or moved into hiding to fight a guerrilla war. Obviously Shep could not return to the island to help. Instead, he testified before the Congressional Committee on International Affairs on the situation in East Timor and become a long-time supporter of the exiled independence movement.

In 1977, Shep was asked by William Carmichael of the Ford Foundation to go to Brazil to provide support to Brazilian universities in the social sciences and economics. Shep and his family had just begun to resettle in Ann Arbor and did not plan to move again. Though he resisted, Shep finally agreed to go to New York to discuss the matter. Shortly after, he and the family were en route to Brazil again. Ford's Representative in Brazil at the time, an international lawyer by the name of James Gardner, had just completed a book entitled "Legal Imperialism" and

together they began to carry out work on the rule of law and the process of democratization as the country was contemplating its first tentative steps away from military rule.

Three years later, he was asked back to New York to advise the Foundation on programs in Latin America. At that point, he gave up tenure at the University of Michigan and started a 15 year stay at the Ford Foundation, eventually rising to Director of International Affairs Programs. He brought to the Foundation all his humanity and experience in the field among the peasantry and the marginalized.

In 1981, he was invited to start a new division on Human Rights and Governance at Ford, which included the Foundation's programs in domestic civil rights, and, when the Cold War ended, to refashion the Foundation's International Affairs program, as well as to oversee the Foundation's emerging portfolio of work on Russia and Eastern Europe. Shep also started the Foundation's first program on HIV/AIDS. In 1990, as the new Director of Ford's International Affairs program, he assumed responsibility for the Foundation's work in international law. In that capacity he received several visits that shaped his next course. Two in particular should be mentioned: one by the UN Secretary General, Javier Perez de Cuellar, and another by the President of the International Court of Justice, Sir Robert Jennings. Perez de Cuellar was seeking the Foundation's financial help to implement the painstakingly negotiated peace agreements in El Salvador. Similarly, Jennings visited him while seeking funds to help the Court carry out its functions. Shep was struck by the idea that, in both instances (and in many other cases he witnessed) the provision of an essential public good, such as peace, was not adequately assumed by the community of states, which could field enormous resources, but was ultimately depending on the good will of a private, philanthropic organization.

With this in mind, and a generous grant, he left the Ford Foundation in 1996 to establish the Center on International Cooperation to study the economic, political, legal and institutional foundations of effective international cooperation. The Center, which was established under the auspices of NYU, focuses on such diverse sectors as international justice, humanitarian assistance, development aid and peace-building, assessing current needs and financing sources and, as necessary, exploring the appropriateness and feasibility of alternative sources of funding and institutional arrangements.

Since Shep started CIC, he has not stopped writing. In addition to the Paying for Essentials policy paper series on the management and financing of multilateral commitments, Shep has co-edited with CIC colleagues: *Promoting Reproductive Health: Investing in Health for Development* (Rienner); *Good Intentions: Pledges of Aid for Post-Conflict Recovery* (Rienner); and, most recently, *Multilateralism and US Foreign Policy: Ambivalent Engagement* (Rienner).

While Shep believes that international law is the bedrock of international relations and the surest guarantor of equity amongst nations in a very imbalanced world, he sees much room for improvement. Indeed, to carry out fully its beneficial effects, international law needs to be more widely understood. Knowledge of it should be enlarged beyond the current elites and power groups. Moreover, there is still much to do to open up the process of the formation and implementation of international law to non-state entities. International law, in his view, should be the language of people, not simply of inter-state relations.

When I asked him what he plans to do in the future, I got a big smile and he told me that, besides seeing the Center fully and firmly established, he has two plans that, in a way, epitomize his incredible life. First, he intends to go to East Timor on the day independence will be declared (May 20, 2002), and celebrate with his friends the victory of democracy and the conclusion of the long march of those people from colonialism to the family of nations. Second, he wants to write the social history of his farmhouse in Ashfield, Massachusetts, which has been owned by eight families in 240 years.