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## MAKING A DIFFERENCE: Alumni Profile

BY ROBERT M. VILES

### William O. Hennessey '86 Forging a Path in Cross-Cultural Education



William O. Hennessey '86 earned a bachelor's degree in biology from Brown University in 1968, a master's degree in the Chinese language in 1976 and Ph.D. in Far Eastern Languages and Literature in 1980 from the University of Michigan, and a JD degree from Pierce Law in 1986. Hennessey has supervised the Master of Intellectual Property (MIP) Degree Program since it was founded in 1986 as well as the Intellectual Property Summer Institute (IPSI) initiated one year later. He joined the faculty in 1989 as director of graduate programs and professor of law. Hennessey is also of counsel to Hayes, Soloway, Hennessey, Grossman & Hage in Manchester, NH, where five Pierce Law graduates now practice. In 1998, Hennessey was a Senior Fulbright Lecturer at Tsinghua University in Beijing. His casebook, entitled *International Intellectual Property Law and Policy*, was published in 2001 by Mathew Bender.

Today's graduate program students have come from 88 countries, with approximately 1,000 graduates (including the Intellectual Property Summer Institute) living and working outside the United States. The number of JD students and their families who come from outside the United States has climbed. In 2001-2002, over thirty percent of the entire enrollment at Pierce Law was either from abroad or from minority communities within this country. In the summer of 2002, Hennessey will direct the Intellectual Property Summer Institute at Tsinghua University in Beijing, China. The five-week program will offer four intellectual property courses and a tour of historic sites in and around Beijing.

*The late Robert M. Viles, former dean and president of Franklin Pierce Law Center, interviewed Hennessey for this profile on July 30, 1998 in Concord, NH. It is one of twenty-five interviews Viles conducted for his book entitled Making A Difference which was to feature profiles of alumni he believed would make a positive impact on society. Two profiles will be included in every edition of The Advocate until they all have been published.*

**RMV:** *From building the graduate MIP and LLM programs and IPSI,*

*how do you assess the difference you have made at Franklin Pierce Law Center?*

**WOH:** When I came here as a student in 1983 because of the school's patent law program, I felt that the institution had a pretty narrow world view. For someone who had spent years working in an international environment, it was sort of bucolic. There had been a couple of visitors from Taiwan—Roger Liao from the Taiwanese Patent Office and Professor Cheng Ch'en Ming-Ju from Taiwan National University who worked closely with [Professors] Tom Field and Bob Shaw—before my time. But in occasional frustrating moments, I would gaze out Bob Shaw's window across to White Park and say to him that the frogs in the pond over there lived in a broader world than a few of the people I had met at the Law Center.

To the extent that I have made a small difference, it has been to help the school become more outward looking. It's been a long, slow road integrating international students into the fabric of the Law Center community. The American students have been much enriched, and now, unlike in those early years, many of them have come to recognize the value of international relationships and of looking beyond New Hampshire or even the USA to the world. Seeing others who are different helps to understand better who we are. The rapid pace of globalization over the past 16 years has certainly worked in our favor.

An "outward-looking" approach could be said about IPSI, but with a different twist. Students from over half of the other ABA law schools in the U.S. have enrolled in our summer IP program. Many have departed telling us of the positive feelings they have about their experiences here, and assured us that we're doing a good job of educating young lawyers. That's different from us telling ourselves we are doing a good job. Hearing students from other schools say that Pierce delivers a solid legal education is a boost for our own students' self-esteem as well as for that of the institution.

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**RMV:** *What kind of difference have the graduate programs made in the students enrolled in it, especially the majority who come from other countries?*

**WOH:** Professor [Emeritus] Homer Blair started the MIP program when he was the Director of the Law Center's Germeshausen Center for the Law of Innovation and Entrepreneurship in 1986 with the precept that if people are really to understand American society, they must live in an America community. For learning about what makes Americans tick, the character of New Hampshire as a slice of American society and the size of Concord as a community are close to ideal. This is a unique environment. It is not a metropolitan area with ethnic enclaves; it's a really friendly community that has been very welcoming to foreign students. A recent student from Sudan, a country not often perceived as friendly to the United States, was shocked that people he didn't know would say hello to him on the streets of Concord. The atmosphere is rather different in a small town than in a large city.

A second precept from Homer is that if you don't understand a people's value system, you won't understand their legal system. International students have to learn for themselves how the legal system and society go together here. On arrival, landlord-tenant problems, getting a car since we don't have a bus system, living with American roommates. Later on, working in law firms and corporate IP departments as interns.

**RMV:** *So you're saying that our foreign students have lived U.S. law, not just learned it. How has this made a difference when they have returned to their home countries?*

**WOH:** It's hard to generalize. They've paid quite a bit of money, generally worked very hard, and gained a legal education. To continue the previous point, what you can say is that most of the graduate students have come to accept the rationale of U.S. ways and our legal system even if they do not like it or buy into it. With understanding comes some degree of acceptance. We're not here to proselytize or propagandize but instead to help people understand. It's important for foreign students to understand how imperfect the U.S. legal system is, too. They realize that their own system is not in every respect qualitatively different from ours. To paraphrase a Chinese saying, "a full moon is just as round from anywhere you see it."

MIP students make friends in America, but they're not always American friends. It's part of the fabric of their education here because students come from so many places (31 countries in 2001). International friendships—and even international marriages—carry the label "Made in Concord." Our "provincial" environment has now proven an advantage. The smallness of the institution and the town has a lot to do with getting people to know one another.

**RMV:** *Did you plan to direct something like the MIP program when you decided to come here to law school?*

**WOH:** In a way, yes. The late Howard Curtis, secretary of the Law Center corporation during the 80's, a neighbor from Narragansett and friend from his days in the administration at Brown, put the bug in my ear to come to Pierce. That was in 1980. Although I was learning about the

Chinese interest in patent law at the time from my work as a Chinese interpreter for the AAAS, I had no present intention of becoming a patent lawyer.

But after five years of struggling to raise a family on a literature professor's salary, law school in general and patent law in particular seemed like a natural fit. I always have enjoyed teaching. It was a progression to move from teaching western theories of literature to Chinese students and thereby contributing something to their understanding of their own culture to teaching western

legal systems to Chinese and other foreign students and watch them work it out within the context of their own values and legal systems.

**RMV:** *What do you think has been your greatest contribution as a teacher?*

**WOH:** I have tried to bring about recognition that there are many ways to look at the world. Virtually every one of them has a lesson for each of us. There is much to learn about your own culture and legal system when you study another's. Comparative education is good for foreign law students in the U.S. It is equally good for us Americans. We're all part of the same species.

Cross-cultural learning is even more effective when you don't necessarily have to capitalize on it right away. Just set the stage and let it happen. Forcing it interferes with what should happen spontaneously and makes learning more difficult. Having had a New Hampshire-based law practice has been a plus for teaching in an international and comparative program. It brings my teaching back down to earth to have had local clients with local problems.

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– William O. Hennessey '86

**RMV:** *Do you think our American JD students have received this message and improved their legal education as a result?*

**WOH:** It has affected some of them but not all. I think some of our own minority students in particular may have been buoyed by the presence of many more people of color in the Law Center community than would otherwise be the case in a state like New Hampshire. They don't feel as isolated when they can interact with people of color who are accomplished professionals in their own societies to boot.

**RMV:** *How, if at all, do you think the MIP and IPSI programs have improved the curriculum at FPLC?*

**WOH:** Well, because it is not confined to lawyers, the MIP program may have been helpful as we expand the notion of interdisciplinary legal education to include law programs for educators and think of intellectual property management as a separate program with a business school approach. IPSI has helped us as a curriculum laboratory for future IP offerings during the regular academic year.

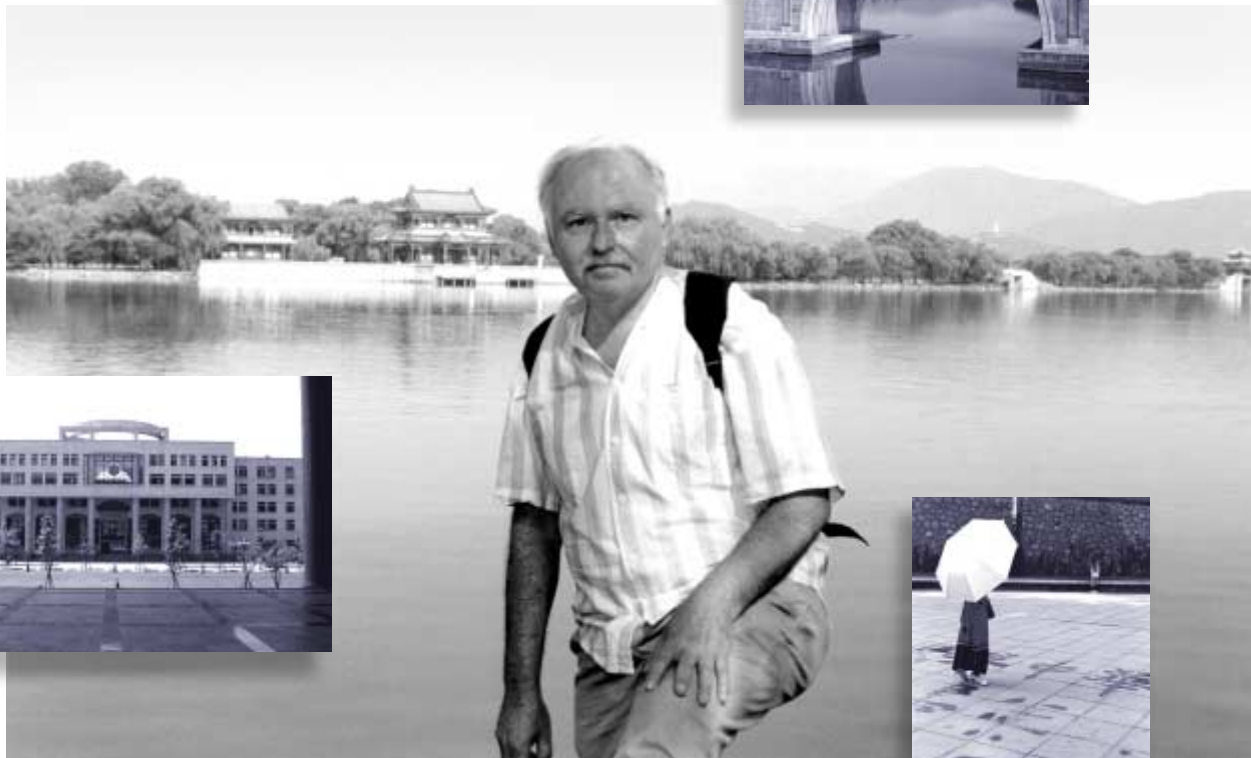
**RMV:** *Has IPSI had an impact on U.S. legal education?*

**WOH:** Probably not. As a law school program, however, it is more like "foreign study" than summer school. It's really an immersion experience, like Middlebury College's summer language institute which I attended in the mid 70's. A student spends seven or eight weeks totally immersed in intellectual

property law and business. It is a very draining experience. The "unstuffy" atmosphere of the school's culture helps. Then there's something about the summer up here, the beach and lake trips, mountain-climbing, and the barbecues that creates the informality that helps make IPSI successful. The combination of the intensity and the informality allows people to gear up to a higher level. It sparks some synapses.

**RMV:** *Do you expect to apply what you've learned as a faculty member and administrator of the graduate program (and of IPSI as well) to what you will be doing when you are in China at Tsinghua University as a Fulbright Lecturer, and beyond?*

**WOH:** Absolutely. I'll be teaching American contract law to the "best and the brightest" of China's next generation. I will do a better job there after having taught here, because the pervasive international presence at the Law Center has affected the way virtually all of us on the faculty teach our courses. There may be larger and better-funded international programs around the country. But we are so small and yet so international that perhaps no other American law school has been so thoroughly transformed by the cross-cultural experience. Now that we've established this experience in Concord, there's room for lots more of it in other institutions.



Professor William O. Hennessey in Beijing, China. Tsinghua University is pictured on the left.