



Theodore Eisenberg

October 26, 1947 – February 23, 2014

Theodore Eisenberg was the Henry Allen Mark Professor of Law. Ted was a respected teacher, prolific scholar, and beloved colleague for over thirty years at the Law School. He taught subjects as diverse as bankruptcy, debtor-creditor law, constitutional law, civil rights, contracts, and federal income taxation. His scholarship was equally distinctive, including in bankruptcy, civil rights, the death penalty, and especially empirical legal studies, in which he was a leading figure here and abroad.

Ted followed a stellar path through school, earning a B.A. in 1969 from Swarthmore College (where he met his wife, Lisa) and a J.D. in 1972 from the University of Pennsylvania Law School (where he served on the law review). He next spent a year clerking for the U.S. Court of Appeals for the District of Columbia Circuit, and another as law clerk to the retired U.S. Supreme Court Chief Justice Earl Warren. As was then typical for an aspiring legal academic, he embarked on a stint of private practice, working for the celebrated firm of Debevoise & Plimpton in New York City from 1974 to 1977.

Ted then started his professorial career at UCLA School of Law. Enticed to Cornell Law School in 1981, he worked his way up the ranks to become the Henry Allen Mark Professor, and also a proud Cornell University Adjunct Professor of Statistical Sciences. However, in reality Ted was a citizen of the academic world. He served repeatedly as a visiting professor here—at Harvard Law School (twice), Stanford Law School, and NYU School of Law—and at Fondazione Collegio Carlo Alberto in Turin, University of St. Gallen in Switzerland, Haifa University, and Tel-Aviv University. He was a superstar on the world stage, and so could have gone anywhere. But he loved Cornell and Ithaca.

Labeled the grandfather of empirical legal studies for his pioneering work in that methodology, Ted authored or co-authored more than 125 scholarly articles and edited or contributed to more than twenty books. A major achievement was his founding and nurturing of the Journal of Empirical Legal Studies, which under his editorial leadership has become one of the leading journals worldwide in law and social science. Ted regularly taught master classes and mini- courses around the world in empirical legal studies, including two weeks before his death at National Law University Delhi. Ted was a fellow of the American Academy of Arts and Sciences and the Royal Statistical Society, and served on more than 25 editorial boards and outside committees. After his untimely death, the Law and Society Association awarded Ted the Harry J. Kalven, Jr. Award for outstanding scholarship in law and society. An endowed Theodore Eisenberg Memorial Fund in Empirical Legal Studies has been established in his memory at Cornell Law School, and the National Law University Delhi has established the Theodore Eisenberg Centre for Empirical Legal Research.

Beyond Ted's brilliance and academic success, he was a wonderful human being. Most important, he was a loving and supportive husband, father, and grandfather. Despite all of his professional commitments, Ted's exceptional family always came first. Ted loved to chat about their activities, including their world-wide travel and professional accomplishments. Consistent with his love of family, Ted also took great joy in hearing about and supporting his colleagues' family endeavors.

Ted had a wonderful sense of humor and was never hesitant to laugh at himself. His colleagues marveled at how such an accomplished person could be so modest and self-effacing.

Ted also was a loyal friend whose support was valued and unconditional. While at the Debevoise law firm, he spent lots of time and effort helping others with legal and other issues. At Cornell, Ted had a wonderful and rare combination of high standards and generosity with colleagues. He was always happy to support his colleagues by enticing them into coauthored works, reading their manuscripts, discussing ideas for papers, and sharing his expertise in the processes of empirical research. Ted had more than 40 published co-authors around the world.

Ted was an inspiration to everyone who knew him and we at Cornell sorely miss him. But we are grateful that Ted was our colleague for over thirty years.

Robert A. Hillman, Chair; Kevin M. Clermont; Stewart J. Schwab