

# Soia Mentschikoff

1915–1984

*Soia Mentschikoff, who taught at the Law School from 1951 to 1974, died at her home in Coral Gables, Florida on June 18. She was buried in Chicago on June 21.*

*Miss Mentschikoff had one of the most distinguished legal careers in the country. During her more than twenty years at the University of Chicago, she proved to be an extraordinary teacher, colleague, and friend. Her work on the Uniform Commercial Code and in the areas of international trade law and jurisprudence is of lasting importance. By any standard, Miss Mentschikoff was one of the great law teachers of her generation who inspired students and colleagues alike.*

*Miss Mentschikoff was appointed Dean of the University of Miami Law School in 1974. At the time of her retirement from that post in 1982, Edward H. Levi made the following remarks:*



## **I have come to praise Soia.**

My wife Kate and I and Soia have been through a lot together.

It began almost thirty years ago when I, as a new dean of a law school, asked the law faculty what scholar above all others they wished to invite to become a member of the faculty. In their ignorance, they answered at that point with a single name—a single response for which I hope Soia has now forgiven them. They said *Karl Llewellyn*. That being the case, as a lawyer, I made my plans. The Law School scheduled a conference on the proposed Uniform Commercial Code, and of course we invited the Reporter, Karl Llewellyn, and the Associate Reporter, Soia Mentschikoff, to speak. They accepted. The projected conference having been arranged, I realized my preparations were incomplete. So I started to find out who this Soia Mentschikoff was and what she was like.

As luck would have it, just about that time I was invited to give a speech at a conference at the University of Wisconsin. I was to speak on the small subject "One Hundred Years of the American History of Monopoly and Competition." Karl Llewellyn was also on the program.

He was to speak, I think, on "Commercial Law Through Eternity"—a title he probably made up. I worked terribly hard preparing a scholarly paper beyond my depth. I am quite sure Karl Llewellyn didn't work on his paper at all. Mine was long, boring, and, in fact, terrible. I gave it in a large auditorium where a band was rehearsing offstage. Frequently the horn shouted derisively at me. When I finished the horn stopped in relief. There was almost dead silence—a long dead silence. Then Karl got up. He wowed the more or less octogenarian audience. He stroked them in all the proper places. They fairly shouted with glee. He taught me a lesson I have never been able to use because it takes a very special talent. Later when I grudgingly expressed my admiration to Karl, he replied: "But you should hear Soia—my gal can sail ships."

At this conference my wife and I, who had thought we were going to see the beauties of Madison, Wisconsin and its lake, were perched in a small room in the center of town, far from any of Madison's charms. Where were the Llewellyns—Karl and Soia? They were far away in another place with a magnificent lake-front room. "Those Llewel-

lyns," Kate said to me, "they go first class." So our education about both Llewellyns had begun.

I did check up on Soia at Columbia and at Harvard. The answer I got from everyone I asked was very simple. "You should get both Llewellyns on your faculty," they all said. Then they would add gleefully, "But of course you can't because you can't have a husband and a wife on the same faculty." This, of course, was the usual rule in those days. My problem was how far I could go toward breaking that rule. I went to see Hutchins, then president of the University of Chicago. He liked to break rules. He said, "Well, you can make one of them a research associate with the rank of full professor." So, in a way, when the Commercial Code Conference was held, I was prepared. I sent Karl a note while Soia was speaking. "Is there any chance of getting you to join this faculty?" it said. He wrote on the note and had it conveyed back to me. His note said, "One or both?" I scribbled back, "Both." And so it was done. The law faculty voted, with the independence which law schools always claim to have, that so far as it was concerned Soia was a full professor, "plain and simple." Indeed,

the Law School, in the fashion which law schools have always followed, immediately began to brag about her as was appropriate. We said she was the first woman law professor ever to be appointed a full professor in a major law school. What a thing to say! Yet as we all came to know in later years when students marched with outrageous demands, it is not what you say that's important; it's what you mean. And we meant "Soia is unique and we have her." And we did. I have always felt slightly guilty, as Soia knows, about that research associate tag and artifice. Why shouldn't a husband and wife both be members of the same faculty. The answer is simple. "Because together they will have too much influence." That really didn't apply to Soia. As one person she already had all the influence. Anyway, in 1962 the tag was removed. The world moves on.

To prepare for the Llewellyn's arrival, we had found what we thought was the perfect house for two people. But they scoffed at the idea of an eight room house and proceeded to buy one almost three times that size. Then they moved in Soia's parents, two nieces, two cats, and a miniature poodle named Happy. The house was down the street from ours and we could see almost everything. Every day we could see Soia, whose basic structure was then as it is now, clad in her usual slacks and sneakers followed by or chasing after a three-inch dog. One could tell from looking at them that they owned the world.

The Llewellyn's house was always open to students and friends. For some reason, the Llewellyns did not consider the two terms incompatible. Doughnuts and cider were always available. Sometimes apples. Sometimes a larger spread. This involved a lot of work. But not necessarily for Soia. Soia, as you all must know, can charm anyone into doing anything. We all worked for her. In fact, we were her slaves. We were part of a magic circle, which knew no boundaries, of Soia's slaves. At any one time, one might see a federal judge pushing her car

out of the snow; or a visiting theologian walking her dog; or a busy trial lawyer, whose time could have bought the whole block, feeding her cats. The rule for the members of this circle was then and still is now "do what she tells you to do." That is why I am here tonight.

Soia is a perfectly magnificent lawyer. She knows people. She knows how to move them. More than that she is interested in them. She can communicate with anyone. She understands situations. She can move into a situation. She can devise a remedy. Then she can make you think that *you* devised the remedy. And she always knows, although you may not, what she is doing. But I must also add that she believes in law and she believes in justice. She also believes in a higher power. I know that from having traveled with her in a plane being hit repeatedly by lightning. I am sure her special communications with a higher power—and she communicated quite a bit—brought us through safely.

Soia is a perfectly magnificent teacher. She *can* sail ships. She can also sell them. Indeed, she could sell anything. It is a good thing for our society that she doesn't want to sell anything. She believes in standards. She really has wanted to create lawyers—lawyers with skill, the ability to be of service, and dedication. She believes in education. She knows how to do it. She knows how to bring theory and reality together. She knows how to create theory that brings understanding.

Her career is a great one. Not the least of her accomplishments is the extraordinary progress of the University of Miami Law School under her leadership. Under the slacks and sneakers she is filled with honors. And all the honors are deserved.

She is at home in almost any place in the world. I have seen her take charge in Stockholm, or in the Hague, or among a circle of Third World envoys. And always there is the circle of friends.

And we will always do what she says. ■