

Across the years, Noyes' deep and precise scholarship in public international law has helped me to untangle knots in work on the private side of international law—uniform rules for international trade.

Qualities of intellect can be quickly seen, but devotion to human values calls for the test of time. Noyes' conviction that people must be treated as individuals led to action during his student days. First-hand accounts in these pages tell what Noyes and a few classmates did here, a decade before the *Brown* decision when effective action against discrimination called for special courage and skill.² Time did not erode his devotion to this principle even during times of stress and conflict.

One could mention other facets of Noyes' devotion to the School. His musical talents came to the fore in his role as "Producer" of one of our happiest annual events—the Holiday-time "Christmas Carols and Channuka Chyms," with contributions by the "Airs at Law" and other enthusiastic domestic music-makers.

Temptation to enlarge on these themes is blocked by memories of Noyes' comments on drafts of my writing that I brought to him for criticism. (His comments on a preface that I had put through several drafts led to a very different text, one that was leaner and more precise.) I must not go on: On this occasion, above all others, I must respect Noyes' distate for romantic effusion. Now it is time to think of the future: of added time for Noyes' family and for the cello. On the selfish side, I can look forward to the prospect of finding him in his office on the Balcony-Shelf that we share, available for counsel and perhaps even a little small talk. Noyes (if he will forgive one flowery touch) is a bit like Alpine edelweiss—it is necessary to seek him out. I can assure current faculty and students that a few minutes with Noyes Leech is well worth the climb.

TRIBUTE TO NOYES E. LEECH

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The *University of Pennsylvania Law Review* justly dedicates this issue to Noyes E. Leech, who is to my mind the model law professor. A great law professor is a superb scholar, a wise and inspiring teacher,

² See Professor Wolfman's comments, *infra*.

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and a concerned and active citizen in the University community. The great law professor knows that the faculty of the law school has been entrusted with the power to set its standards and to steer its course; and the great law professor takes that responsibility seriously. No one I know exhibits all of these qualities better than Noyes.

Noyes Leech is a true "red and blue." He graduated from the College at the University of Pennsylvania in 1943 and from the Law School in 1948. He was elected Editor-in-Chief of the *University of Pennsylvania Law Review* in his third year of law school. After a short period in private practice in Philadelphia, Noyes spent the balance of his professional career as a member of the Pennsylvania Law School faculty.

In his quiet, understated way Noyes has been a powerful force at the Law School and the University. I personally think of Noyes first as a teacher. A few months ago I listened to members of the Class of 1986 and a few other recent graduates of the Law School reminiscing about Noyes. They mentioned that he did not lecture, but asked questions so that we were "left to find our own way." They concluded "he inspired us to be the best that we could be—and he cheered us on our successes." How better could they have summed up an important hallmark of a great educator?

The University of Pennsylvania Law School always has prided itself on the scholarly attainments of its faculty. Noyes has made many important scholarly contributions. By that, I do not mean that Noyes published a flood of material; but, for example, his article on the sale of control, *Transactions in Corporate Control*,¹ was and is a classic. It contains a carefully balanced handling of material and a topic chosen because it poses a major question of enduring significance. Two of Noyes' major contributions to scholarship are his casebooks: one, *The International Legal System*, and the other, *Corporations*. Again, although the materials in these books are not overwhelmingly long, the analytical threads are clear and concise. It is for these reasons that I found teaching from his *Corporations* casebook such a joy.

Of course, there is more to Noyes' bibliography than the works I have briefly mentioned. I think that Noyes' *International Banking: Effects of Nationalization and Exchange Controls*² is a beautiful example of a mature scholar's ability both to articulate complex issues so that they may be understood and to develop arguments that are fair, precise, and balanced. The article reminds us that the scholar's work

¹ 104 U. PA. L. REV. 725 (1956).

² 8 J. COMP. BUS. & CAP. MKT. L. -- (1986).

differs materially from the advocate's—a point that is not always fully appreciated in modern scholarship.

To a fellow faculty member, collegueship is of primary importance. Teaching is essentially a lonely profession, and the support of colleagues makes an enormous difference. I first met Noyes Leech in 1965 when I came to this Law School. Noyes' influence on me was critical. I remember that his door was always open and that, if I had spent time thinking about an issue, he willingly served as my sounding-board and as my advisor. He did not pursue me. Noyes felt that a senior colleague ought not to suffocate a junior colleague, but that he always should be there if the junior needed support. When I gave him a draft of my article on suitability,³ he read it promptly and was ready with questions which helped me to better understand the problem with which I was dealing. He forced me to articulate the solutions and the reasons for those solutions in a succinct and clear fashion so that, as Noyes likes to say, "now it sings." Noyes helped to shape *my* ideas; he did not deliver a lecture on *his* ideas.

Building and maintaining a first-rate faculty is an important and continuing item on the Law School's agenda. Senior faculty play an important role in how well that function is performed. Noyes Leech chaired the Appointments Committee of this Law School in 1959-60, 1961-62, 1963-64, 1976-77 and 1981-82. He served as a member of that crucial committee for more years than could reasonably be demanded of a faculty member. Service on the Appointments Committee means reading the scholarly works of others and being willing to make difficult decisions even when the comfortable choice is to go along with popular sentiment. The fact that dean after dean asked Noyes to serve on the Appointments Committee is a testament to the confidence each of the deans had in his judgment.

Service on the Appointments Committee did not exhaust the list of Law School committees on which Noyes was asked to serve. Indeed, during his deanship, Dean Fordham asked Noyes to chair so many committees that he simply called him "Mr. Chairman."

Noyes Leech has served the Law School in other ways. For example, he is the co-founder of the International Faculty for Corporate and Capital Market Law—a group of seventeen academics from nine countries who have usually met at least once a year for the last thirteen years. As a result of his work this group, including its organization of a series of conferences on major issues in corporate law, securities regula-

³ Mundheim, *Professional Responsibilities of Broker-Dealers: The Suitability Doctrine*, 1965 DUKE L.J. 445 (1965).

tion, and the law governing financial institutions, recognized the need for a journal to publish the writings of the International Faculty and others. As a consequence, Noyes and a colleague founded *The Journal of Comparative Business and Capital Market Law* and both served as its general editors. That journal, now known as *The University of Pennsylvania Journal of International Business Law*, has published eight volumes and has become a fixture at this Law School. With over forty members on its Board of Editors, it serves as a second law review at the Law School, and makes an important contribution to the School's intellectual liveliness. The final issue of Volume 8 of the *Journal* is dedicated to Noyes Leech, who becomes the only member of the faculty to whom two issues of this Law School's journals have been dedicated.

A full life at a law school involves more than concentration on legal studies. For example, it is traditional at this Law School for the students and faculty to mount a Gilbert & Sullivan production each Spring. Noyes Leech has not only performed in that production, but he has also had an important role in the development of that tradition. Some time ago a young faculty member wanted to provide an opportunity for students and faculty to serenade the Law School during Christmas time. That young faculty member turned to his colleague, Professor Leech, and asked for help. That request was the moment of conception for the Airs-at-Law. This group of serenaders was greeted with such resounding applause that a Christmas tradition was born and a concert for the Spring, which included a medley of songs from *Trial by Jury*, was launched. Student enthusiasm for the concerts evolved into our full-scale Gilbert & Sullivan productions.

A law school such as the University of Pennsylvania Law School also feels itself very much a part of the University. In turn, the University looks to the Law School and its faculty for help in meeting its governance needs. Not surprisingly, the University has turned to Noyes Leech when it needed wise counsel and balanced leadership. The faculty elected him Chairman of the Faculty Senate in 1959-1960. In addition, he served on two major University task forces on University Governance: one, formalizing the faculty's consultative role concerning appointments to various positions within the University, and the other, which worked out procedures for tenure review.

All of us at the University of Pennsylvania Law School believe it is a great Law School. The special qualities that engender our feeling are not the products of accident. These qualities flow from the efforts of individuals who have helped shape the institution, and who care deeply about the Law School and about the values it should foster. In my twenty years at the Law School I have never known anyone who cared