

A Friendship Built on Lunch, Licorice, and Slivovitz*

Joan S. Howland**

¶1 I remember very clearly the last time I saw J. Myron Jacobstein. It was a few years ago when I was in Palo Alto visiting my family for the holidays. I stopped by the home that Mike shared with his lovely wife Belle, located conveniently and appropriately across the street from the Stanford Law School. I arrived with lunch—two large grocery sacks filled with the foods that, although forbidden by our doctors, we both loved—pastrami sandwiches, potato salad swimming in mayonnaise, equally glutenous cole slaw, and cheesecake so dense that it had to be eaten with both a knife and fork. Mike’s eyes lit up as I unpacked the bags and, without uttering a word, his trademark “hmmm . . .” let me know that he approved of the cholesterol-laden repast spread out on the table.

¶2 As we dove into our sandwiches, with much gluttony and a complete absence of either Jewish or Catholic guilt, I tried to engage Mike in a conversation about our usual favorite topics—mutual acquaintances, developments in legal education, politics, and the demise of the idyllic traffic-free Bay Area that we both remembered from the 1960s. I had been warned by colleagues in the law library profession that Mike, who was well past his eightieth birthday and not in the best of health, was “not quite his old self.” I could tell that he was a little tired and distracted, and I was not sure that he was following my chatter. Just as I was beginning to sense that the mentally agile and astute man whom I had idolized for more than three decades might no longer be with us, Mike reached over and pointed wordlessly to the deep fresh scratches on both my hands. Hoping to capture his attention, I immediately launched into the terrible tale of the two, not even remotely cute, kittens that I had recently rescued from certain death at a Minneapolis animal shelter. Having just returned from London, I had named one of the kittens Hodge after Samuel Johnson’s much referenced feline.¹ The second kitten had been christened with the obvious moniker Boswell. Both kittens had within days morphed into pathological terrorists, destroying anything that caught their interest from window blinds to Persian rugs to vases (Lalique being their crystal of choice). Due to the fact that they had a tendency to strike and then somehow fade away into the woodwork, Hodge and Boswell were soon renamed Osama and Saddam.

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1. JAMES BOSWELL, *LIFE OF JOHNSON*, 1216–17 (R.W. Chapman ed., Oxford Univ. Press 1980) (1791).

¶3 Suspecting that I had sparked Mike's interest, I continued my diatribe about their near Satanic activities, including, ironically, the destruction of a paperback copy of *Webster's Dictionary*. As I was specifically focusing on Saddam's misdeeds, Mike spoke for the first time and, with his famous dry sense of humor and deadpan expression, said, "It sounds like your house is just like the Middle East, Saddam gets blamed for everything, but it really appears to be Osama's fault." At that moment, I realized that the Mike Jacobstein I knew was still very much in top form.

¶4 The rest of the two hours we spent together included shared conversation and much laughter. For the first time I realized that, although I will always look on Mike as my mentor and the man to whom I owe almost everything that I have achieved professionally, at some point our relationship had become a friendship. When it was time for me to go, I pulled a small bag of licorice jelly beans, another one of our shared vices, from the grocery sack, said my goodbyes, and walked toward the door. As I was about to leave, Mike looked up from the bag he had just opened, popped a jelly bean in his mouth and said, "Joan, thanks for the lunch and the licorice, but next time remember the slivovitz." As I closed the door, we were both laughing because those three words—lunch, licorice, and slivovitz—truly summed up the basis of our friendship.

¶5 Just as I remember the last time I saw Mike, I vividly remember our first lunch together. In the summer of 1973 I had just started working at the Stanford Law Library as a paraprofessional while I completed my library science degree. I knew Mike, or Professor Jacobstein as he was known to me at that point in my career, only by sight as the director of the law library that employed me. Although he was always pleasant to me when we passed in the halls of the law school, I wasn't sure that he actually knew my name or my position in the library. One day I was walking across campus from the original Stanford Law School building on the Quad. I was with a college friend, Joe Mason, who was a patient at the nearby Veterans' Hospital. He had been severely injured in Vietnam the previous October and was recuperating from multiple surgeries. I had picked him up at the hospital and was taking him to lunch and on a tour of the university. As we approached the student union, I caught sight of Mike heading in the same direction. I assumed he would nod and keep walking. Instead he headed straight toward us and greeted me. He then turned to my friend, who was dressed in regulation Army fatigues with a crutch under his left arm, his right arm in a sling, and a bandage across his forehead. Without waiting for an introduction, Mike shook my friend's hand and said, "Well, young man, it looks like you are having a hell of a summer. Let's get some lunch." Mike proceeded to take us to the Faculty Club, where he and Joe exchanged both serious and humorous stories about their military experiences (including Mike's often repeated lament about being fed hot dogs on Thanksgiving while serving in the Army during World War II, a story his son Bennett mentioned

during his touching eulogy at Mike's memorial service²). Having little to add to the conversation, I had the opportunity to closely observe, for the first time, Mike's wonderful sense of humor and storytelling abilities, as well as his compassion toward this young man who was obviously going through a tough time. Over the next several months, Mike would regularly stop by my desk to ask me how Joe was doing. He frequently gave me a mystery or a history book that he thought Joe might like. It was my initial insight into the caring and thoughtful aspects of Mike's personality, traits that I was to discern on so many occasions in the future.

¶6 During the following nine years that I worked at Stanford, Mike and I had many lunches, sometimes planned but usually spontaneous. Unfailingly generous with his time and wisdom, Mike used these lunches as an opportunity to counsel me on my selection of courses in law school, my evolving career path, or professional activities. He often incorporated thoughtful observations about the human foibles he witnessed in the law library and at the law school to provide lessons about administrative strategy and handling life's challenges in general. Even when discussing the most serious of subjects, there was always a healthy dose of humor in Mike's analysis. However, he never let nastiness or pettiness creep into his humor. And, of course, at the end of every joke, there was the inevitable "hmmm . . ." that was the signal that he had reached his punch line.

¶7 I know that I am not unique in having had the opportunity to learn from Mike in this manner. His calendar was filled with lunchtime appointments with his faculty colleagues, other members of the library staff, and students. Despite his busy schedule he was invariably generous with his time, knowledge, and support. Even during especially hectic periods of his life, such as the final stages of the move of the library to the new law school building in 1975 or the year when he was AALL president, he always found the time to initiate contact with others. Mike's work was incredibly important to him, but it never consumed him. He cared deeply for his colleagues, friends, and family, and they, in turn, cared deeply for him.

¶8 About four years into my tenure at Stanford, Mike and I discovered our mutual fondness for licorice jelly beans. If I remember correctly, we ran into each other one afternoon at the candy counter that no longer exists in the Stanford bookstore. Thereafter, Mike often left bags of jelly beans on my desk during particularly busy times, such as the week when first-year moot court briefs were due. Mike would also occasionally summon me to his office late on Friday afternoon at which time we would close the door, surreptitiously eat our jelly beans, and chat about whatever was on our minds. As with our lunches, Mike would use these late afternoon conversations to share his knowledge about law libraries and

2. See Bennett Jacobstein, *Eulogy for My Father*, 97 LAW LIBR. J. 629, 2005 LAW LIBR. J. 36.

legal education, and to subtly guide me in the pursuit of a successful career in law librarianship. More often than not, his remarks would turn to the importance of scholarship for law librarians as a way to stay mentally engaged, as well as an avenue to gain credibility with one's faculty colleagues. He also was adamant about the importance of full tenure for academic law library directors. He often repeated stories about how he and his contemporaries, including Roy M. Mersey, Dan Henke, and Julius Marke, stood firm in requiring tenured or a tenure-track position when offered a law library directorship. And, of course, he always interspersed in his conversation the latest news about his beloved children Ellen and Bennett, as well as his cherished wife Belle.

¶9 As so often happens, one vice, in this case jelly beans, leads to another. About mid-point in my career at Stanford, I took a vacation to Greece and Yugoslavia. In this beautiful corner of the world I was introduced to slivovitz, a potent plum-based brandy that resonates with hints of anise. Although definitely an acquired taste, I soon became quite fond of slivovitz and suspected that Mike might like it also. Upon my return to the law library, I presented a bottle of slivovitz to Mike, offering effusive praise about the liquor's many fine and distinct qualities. Just as the law library opened the next morning, I received a call from Mike who, in an exasperated and louder than usual voice, said, "Joan, what are you trying to do—kill me? That hooch you gave me tastes like butane." I plaintively responded, quite worried that perhaps I really had made a misstep, "But it tastes like licorice." After a pause, Mike corrected himself by stating, "Well, O.K. then. It tastes like butane laced with licorice." Then, after another pause, I heard the familiar "hmmm . . ." and I knew that all was well. I don't think Mike ever gained a true appreciation for the subtle, if potentially corrosive, attributes of slivovitz. However, in the years after I moved on from Stanford to other professional positions, whenever we got together for dinners at AALL or AALS meetings, we usually ended our meals with glasses of slivovitz and a toast to good friends.

¶10 Although I know that he is now at peace, I selfishly wish there was still the opportunity to share lunch or a bag of jelly beans with Mike. I know that is not possible. However, I would like to raise a final lonely glass of slivovitz in a toast to Mike—a devoted husband, a loving father, a brilliant law librarian, a productive and creative scholar, a true and generous mentor, an individual who knew that life should never be taken too seriously, and, perhaps most importantly, a genuinely decent human being. We are all better people for having known Mike. Let us now all try to be more like him.