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## In Memoriam: Rafael C. Benitez

Cami Green

*University of Miami School of Law*

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## CAMI GREEN\*

Rafael C. Benitez was global before this became the buzzword in legal education. He was compassionate before politicians usurped that term. Above all, he was a “*mensch*,” regardless of the ethnic connotation of the term. Together, these words portray a man who was ahead of his time and a true pioneer in American legal education. He was the founder of the Graduate Program for Foreign Lawyers (initially called the Foreign Student Program) at the University of Miami School of Law.

I met Professor Benitez (“Rafe” or “Benny”) in April of 1970. My American husband and I were two young lawyers in Birmingham, Alabama, searching for the place that would support our desire to reach beyond the provincial to an emerging international arena. California beckoned with a scholarship, but Miami had Professor Benitez! He promised me a place in the graduate program so we hitched our belongings behind our ‘69 Mustang Convertible and headed for Miami. At that time the Law School was a low, unassuming, colorless building that to my Scandinavian eye resembled a warehouse rather than an academic institution. It surely belied our vision of a place that was in its fourth year of educating civil-trained lawyers.

Professor Benitez possessed an unlikely physique for a man of his credentials. A graduate of Annapolis Naval Academy, a decorated submariner, a rear admiral, and a noted Inter-American scholar, his stature was short with a charming gap-toothed smile that barely hid his seriousness of purpose. He commanded instant respect, although inside that persona used to giving orders and instructions was a bleeding heart for a plethora of social causes. What started as true devotion towards the Miami Chapter of Recording for the Blind grew into complete dedication to it and other organizations such as Habitat for Humanity and Big Brothers. The State of Maryland would later recognize him as one of its outstanding volunteers for those achievements, including his success in establishing a day-care

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\* Master of Comparative Laws, University of Miami School of Law (1971). The author was the Associate Director of the Graduate Program for Foreign Lawyers from 1985 to 1993. Currently a Ph.D. candidate, she consults on majority rule for non-profit corporations.

center in Easton, his contributions to the local libraries, and his commitment to the migrant workers.

Dean Benitez—he was also Interim Dean and the designation fittingly lived on—was also a family man. He and Nancy, his wife of over fifty years, were the parents of three children (Chris, Peggy and John) and the grandparents of three grandsons. Theirs was a story of fairytales, replete with the romantic “how-we-met” angle. When young Rafe was assigned to a submarine headed for the Philippines, his doctors grounded him. Tonsillitis was taken much more seriously back then. Upon learning that his intended shipmates had been sunk and the survivors condemned to the Bataan death march, he vowed to call on their loved ones during each of his shore leaves. Thus, it came to be that he called on Nancy’s family in Eaton, Maryland, and the rest is history as they say.

Others will expound on Rafe’s professional achievements both as an executive for Pan American Air and as a teacher with many academic innovations such as the Inter American Law initiative. What I will always remember is Rafe the person. When he mentored me, a woman, for the position of Associate Director of the program, he had to work hard at convincing the Law School that one of its own graduates was capable of walking in his administrative shoes. My initiation consisted of a few brief meetings with Rafe, wherein he primarily spoke of the moral obligation of educating foreign lawyers. This conviction had just been honored by the Fulbright organization when it picked him as one of only a few U.S. law school representatives to visit with select law faculties in Germany. He also spoke with me of protecting the students; those with lesser skills must never be assigned classes taught by faculty with little sympathy for the “foreign cause.” Some of his colleagues on the faculty affectionately called him “Mother Hen.” Indeed, he shaped the Law School’s thinking of foreign lawyers for years to come.

It has been said that if you seek the truth about a leader you should consult staff. Jeannette Evans, long-time Registrar at the School, depicts Professor Benitez as the “ultimate gentleman” and “always standing by his word.” How fitting, then, that he would go on to author a book of ethical and practical maxims, appropriately called ANCHORS, for the incoming classes at the Naval Academy. Indicative of Rafe’s person, he never sought

glory for himself. Room 112 of the Law School had been dedicated as the Foreign Students Room where a plaque of the professor hung prominently among the flags from each country ever represented in the program. "Take care of those flags," he often admonished me. "We want the students to feel at home." And at home they felt, at least under his watch. Billy Shoo would be the first to testify to that. Arriving from Taiwan he found no place to stay. Telling Nancy that he had a student in need of "a little help," Rafe opened their house to a grateful young lawyer. Mr. Shoo ended up living with the Benitez family for a whole year, and their hospitality became legend. Neighbors still speak of such events as the Bicentennial block party with the Admiral in full dress uniform and *abuela* in her wheelchair wrapped in red-white-and-blue crepe-paper. Thanksgiving dinners for all these lawyers became standard fare. For the wedding of one of his daughters, Professor Benitez even invited all his students to come in native costumes.

I stayed in touch with Rafe as he and Nancy retired to Easton. He reveled with me in my personal triumphs and suffered in my losses. He was the first one to agree with my vision of organizing colleagues at the fifty-some other law schools with similar programs into a national division of the Association of American Law Schools. He was saddened when I left the program for an out-of-state opportunity, but thrilled when I met my true soul mate. And he even asked *me* for advice! Not on personal matters for in that realm he and Nancy had proven true ingenues, but in my area of expertise—majority rule. A consummate public servant, he clearly recognized democracy in action and had little patience with dogma for its own sake. Rafe was not a man with an attitude.

Many a sitting judge from another country went through the graduate program, making them ideal candidates for the International Moot Court. In times when Professor Benitez would have to explain judicial majority rule to some overly opinionated student from another culture, he always did so kindly and with great tact. In fact, cultural and gender sensitivity *was* Rafe. A Puerto Rican himself, he never accepted intolerance for speakers of foreign languages. With an immense understanding of students who struggled in English, he privately held language classes and counseled them on personal matters. His children often came home to find their father in the living

room with a crying student or two. It was he who initiated the successful integration of the foreign lawyers into the local legal community. No year at the University of Miami Graduate Program was complete without Burton Landy's holiday receptions at his law office.

This past Christmas Professor Benitez wrote that he had "some heart trouble." Little did I know that congestive heart failure would claim his life just three months later. Strong to the end, he turned down any life-prolonging measures. Rafael C. Benitez died with dignity at the age of eighty-one and is buried in Easton, Maryland.

In the epilogue to his book, ANCHORS, Rafe counsels his readers that "you alone are responsible for what you are or will be." All of us who had the good fortune of having Professor Benitez touch our lives know that he shared that responsibility with us. And *that* is his greatest legacy.