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Remarks, Introduction of Professor E. Donald Shapiro, Bar-Ilan University Reception

Roger J. Miner '56

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-Pre-Introduction Remarks-

It is a pleasure, a privilege and a great source of satisfaction for me to introduce to you my good friend, Don Shapiro. I could say that he needs no introduction, but if that were true, I wouldn't be here. I could also say that Don is a quiet man, a modest man, a humble man. I could say those things, but they wouldn't be true either.

As I begin this introduction, I want you to know that I love, respect and admire this man and am honored to call him friend. Some of you may know that Don tried his hand at criminal law practice early in his career. He visited a client who was in jail awaiting trial on various counts of burglary, robbery and assault. Don said: "I am sure we can win this case on a plea of temporary insanity. I'll be back to see you in a few days. Meanwhile, try to escape!" When a seventy-five year old client said he could not survive to serve the thirty-year sentence imposed on him, Don advised: "Do as much as you can." He is known as a loving father to his four children, but when one came to him and said: "I can't find myself," Don replied: "Why don't you look in California?" A great believer in prayer, Don spent many hours praying to win the lottery. He never won, but he continued to pray. An Angel finally came to him and said: "You are an honest, charitable and kind man. You are a devout and good-hearted man. You are most deserving of that which you seek. But give us a break - BUY A TICKET!"

Roger J. Miner
U.S. Circuit Judge
Second Circuit Court of Appeals
Albany, New York

Introduction of Professor E. Donald Shapiro
Bar-Ilan University Reception
City Athletic Club, New York City
December 15, 1986

The appointment of E. Donald Shapiro as Distinguished Visiting Professor of Law at Bar-Ilan University is the occasion of our celebration this evening. And while this appointment brings another honor to Don Shapiro, it confers a special distinction upon Bar-Ilan, because Don is a world-class teacher and scholar. Shem Ho-laych Lih-fah-nahv. "His reputation precedes him." He is recognized internationally as an authority in health law and legal medicine. It is indeed a rare lawyer, judge or physician whose consciousness has not been expanded by a book or an article by Don Shapiro on the subject of his expertise.

Don has been in the vanguard of those who have recognized the need for law to keep pace with rapidly evolving changes in medical science. He has succinctly described the modern dilemma in the following words, which I quote from an article he wrote last year:

In the past few decades, we have seen such innovations as organ transplants, artificial organs, laser surgery, and highly sophisticated diagnostic and life sustaining equipment, just to name a few. Physicians now have the technology to sustain, often for long periods of time, the lives of patients who

only a few years ago would have died in a matter of days or hours. Breakthroughs in reproduction and artificial conception, such as in vitro fertilization, embryo transplants, and sperm and ova banking have brought a new dawn of hope to thousands of infertile couples.

Law and morality, however, have not evolved in tandem with science. The state of the law has remained virtually unchanged from biblical times. This has in many areas limited or precluded entirely the efforts of medical scientists and in some instances continues to do so.¹

What is the relationship between law and medicine? When are legal responses to changing medical technology appropriate? What are the societal duties of physicians and health researchers? How can forensic medical science be most effective? When do ethical and moral concerns affect medical problems? These are some of the questions upon which Don Shapiro has focused his formidable intellect -- in his authoritative and frequently quoted textbook, Law, Medicine and Forensic Science,² now in its third edition; in his important article, New Innovations in Conception and their Effects Upon Our Law and Morality,³ published in the Law Review of New York Law School, where he now holds the Joseph Solomon Distinguished Professorship and where he served as Dean for ten years; in the widely acclaimed Lecture entitled Birth, Law, Medicine and Morality,⁴ which he delivered at the Center for Postgraduate Hebraic Studies at Oxford University, where he regularly teaches as Supernumerary Fellow of St. Cross College; and in many, many other articles, books and publications relating to medical-legal issues.

One of our Sages has written: "Let the honor of thy disciple be as dear to thee as thine own, and the honor of thine associate be like the reverence for the teacher, and the reverence for thy teacher like the fear of Heaven."⁵ Don Shapiro is much revered as a teacher, and it is as a teacher that he comes to Bar-Ilan. He has lectured and taught at many of the world's greatest educational institutions -- Oxford University; Harvard Medical School; Buckingham School of Law; Fordham University School of Social Services; New York Law School; Hebrew University; the Schools of Medicine and Social Work of the University of Michigan; Detroit College of Law; Boston University School of Law; University of Denver Law Center. The list goes on and on. In each of these places he is beloved as well as revered, and it will be the same at Bar-Ilan. This is so because of his personal concern for each student, his mastery of the teacher's art, and his commitment to the law. I know from those who have been his students, including my son, that he imparts a high sense of morality, professional ethics and responsibility along with understanding of legal principles. He also has the rare professorial gift of exciting in his students a desire for more learning.

Don Shapiro teaches by example, as well as by precept, and his entire life and professional career provide a lesson we all are taught but seldom learn -- the lesson of our obligation to each other. It would take many hours to recite and recount the details of this lesson as taught by Don Shapiro -- the charitable

and philanthropic activities he has engaged in; the work he has performed for governmental commissions and public service organizations; the assistance he has rendered to the schools and institutions of learning he has served as trustee; his accomplishments as a leader of bar association committees and professional advisory boards charged with improving the law and the system of justice; the honors he has accumulated by reason of service to his profession and his fellow man.

Don Shapiro has challenged us to understand that "the law must not disregard its responsibilities to confront the issues that science presents."⁶ When he comes to Bar-Ilan next year, Don will bring this challenge to the bench, bar and law students of Israel, along with his unparalleled understanding of the critical medical-legal issues facing modern civilization. He also will bring to the legal community of Israel his special message that concern for humanity must inform not only scientific innovation but all the aspects and activities of life. As an added bonus, as I understand it, he will also bring his lovely wife, Merle, truly a "woman of valor."

Rabbi Simeon described three symbols of distinction and then referred to a fourth. He said: "There are three crowns: the crown of learning, the crown of priesthood, and the crown of royalty; but the crown of a good name excels them all."⁷ Don Shapiro wears the crown of learning and the crown of a good name. Tov Shem, Mih-sheh-men Tov. "A good name is better than riches." Even Rabbi Simeon would say that two crowns out of four isn't bad.

It is a pleasure to introduce Don Shapiro and to say to him:
Ah-lay Vih-hatz-lahch. ("Good luck, all the best.")

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Footnotes

1. Shapiro, The Cutting Edge -- Emerging Medical Issues and the Law: Overview, 3 N.Y.L. Sch. Hum. Rts. Ann. 7, 8 (1985).
2. W. Curran & E.D. Shapiro, Law, Medicine & Forensic Science (3d ed. 1982).
3. Shapiro, New Innovations in Conception and their Effects Upon Our Law and Morality, 31 N.Y.L. Sch. L. Rev. 37 (1986).
4. E.D. Shapiro, Birth, Law, Medicine and Morality (May 24, 1984) (Eleventh Sacks Lecture).
5. Sayings of the Fathers 4:15 (Rabbi Elazar).
6. Shapiro, supra note 1, at 12.
7. Sayings of the Fathers 4:17 (Rabbi Simeon).