

5-2-2006

**Sidney Shainwald Public Interest Lecture: THE HONORABLE
STEPHEN G. BREYER, ASSOCIATE JUSTICE, UNITED STATES
SUPREME COURT**

New York Law School

THE 2006
SIDNEY SHAINWALD
PUBLIC INTEREST LECTURE

New York Law School
Tuesday, May 2, 2006

THE HONORABLE
STEPHEN G. BREYER
ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

PROGRAM

Richard A. Matasar

DEAN AND PRESIDENT

WELCOME

Sybil Shainwald

INTRODUCTORY REMARKS

Harry H. Wellington

DEAN EMERITUS AND PROFESSOR OF LAW

INTRODUCTION

THE HONORABLE

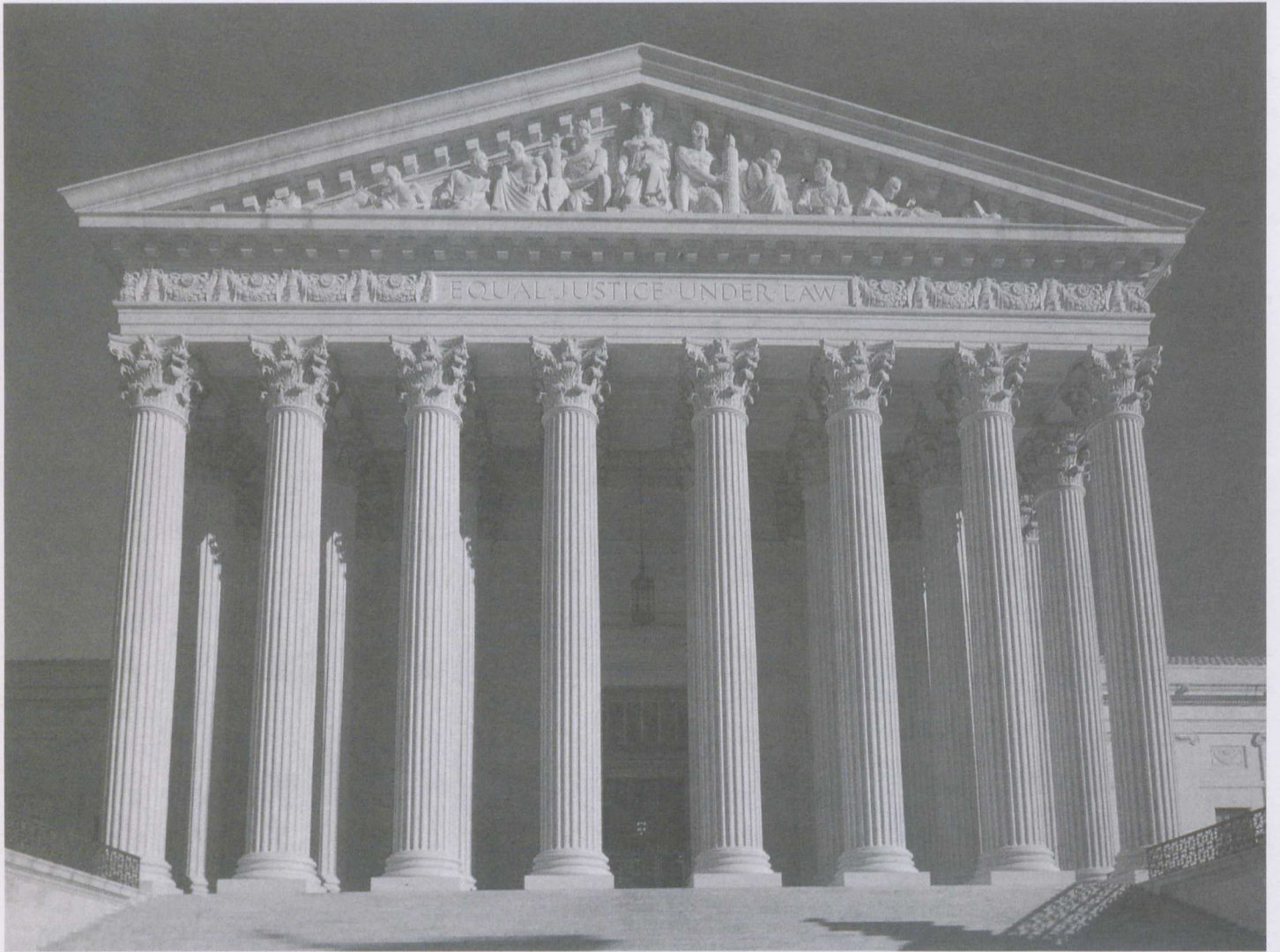
STEPHEN G. BREYER

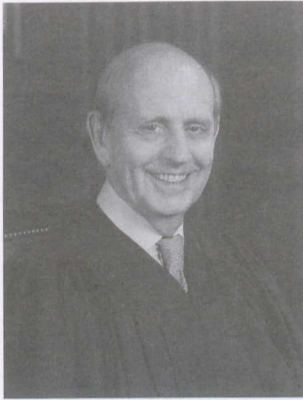
ASSOCIATE JUSTICE

UNITED STATES SUPREME COURT

SPEAKING ON

“REFLECTIONS OF A
SUPREME COURT JUSTICE”



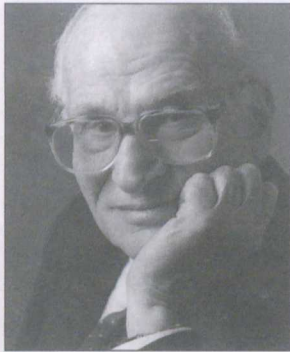


THE HONORABLE STEPHEN G. BREYER

Stephen Breyer, born in San Francisco in 1938, is a graduate of Stanford, Oxford, and Harvard Law School. He taught law for many years as a professor at Harvard Law School and at the Kennedy School of Government.

He has also worked as a Supreme Court law clerk (for Justice Arthur Goldberg), a Justice Department lawyer (antitrust division), an Assistant Watergate Special Prosecutor, and Chief Counsel of the Senate Judiciary Committee. In 1980 he was appointed to the United States Court of Appeals for the First Circuit by President Carter, becoming Chief Judge in 1990. In 1994 he was appointed a Supreme Court Justice by President Clinton.

He has written books and articles about administrative law, economic regulation, and the Constitution. His wife Joanna, a British citizen, is a clinical psychologist. They have three children (Chloe, Nell, and Michael) and two grandchildren.



REMEMBERING SIDNEY SHAINWALD

"The reasonable man adapts himself to the world: the unreasonable one persists in trying to adapt the world to himself. Therefore all progress depends on the unreasonable man."

— GEORGE BERNARD SHAW

If every man is the architect of his character, then Sidney Shainwald was a master builder — a man of vast integrity, humor, intellect, charm and kindness — with a life-long commitment to social justice. Sidney was that rare individual — idealistic, conscientious, dedicated — a man of many accomplishments who not only conceived and discussed ideas and ideals but attempted throughout his life to see that those ideals became a reality.

Sidney Shainwald loved his wife, his children and grandchildren, his friends, art, music, travel, a good pun, and a perfectly rhymed poem. A passionate man driven by his convictions, he was at once gracious and clever, dignified, principled, and loyal.

While still a student at City College but already an impassioned advocate for social justice he went to work for Consumer's Union in 1937 and spent almost fifty years there. Sidney Shainwald always viewed the organization as a vehicle that would promote economic justice and equality.

When he became one of the staff of ten, they worked in a total of 350 square feet of office space, sharing \$100 in salaries, the publication had 148 subscribers. The problems were many, the future was little more than a hope. But the Board and staff were comprised of idealists and iconoclasts who shared Sidney's lifelong commitment to what we know today as consumerism. In 1939, he wrote his thesis entitled *Consumer Product Testing Organizations; A Comparative Analysis*. By that time, *Consumers Union Reports* — as it was then known — had acquired 4,000 subscribers.

After passing his CPA exam, and serving in the South Pacific during World War II, Mr. Shainwald became a partner in a public accounting firm, but retained Consumers Union as a (frequently non-paying) client. Deeply committed to the arts, he represented some of the greatest artists and entertainers of the 20th century, including Marc Chagall, Jacques Lipschitz, Maum Gabo, George Grosz, Peggy Guggenheim, Mike Todd, Zero Mostel, David Merrick, Albert and Mary Lasker, Dinah Shore, Eddie Albert, London Film Productions, and Magnum Photos. He also was the accountant for, and an astute investor in, numerous Broadway shows and movies, including *Around the World in Eighty Days*, which he liked to say paid for his family's house. Yet he missed the public service orientation of CU and — when asked to work exclusively for the organization — returned to full time work there in 1960 at a substantial reduction in pay.

Shainwald was an ex-officio member of the Consumers Union Board of Directors, their liaison with the Consumer Association of Canada, a representative to the Consumers Federation of America, and to the International Union of Consumers Unions. During his tenure, CU established three advocacy offices, became involved in the environmental movement, and launched *Penny Power*, a magazine for children, and continued to expand its interest and expend its considerable resources on vital economic, social and health issues.

Mr. Shainwald said it best: "Consumers Union was never just a job; it always was and always will be a way of life with me. As far back as my college days, I was interested in Consumers Union not only as an organization for which I worked, but as the major force in the consumer movement. I am pleased to have had the opportunity to serve CU... and would like to think that I have made some contribution to its growth, direction, and policies."

Social benefit was the desired result; CU was the mechanism through which it could be achieved. Consumerism today is a household word, and Consumers Union, which has been termed a unique social invention, is now inextricably woven into the fabric of society. Seventy years after its founding, Consumers Union is the only social reform organization born in the Great Depression to have survived. By the time Sidney Shainwald retired, the American prototype had been copied in over forty-six countries.

Even after his retirement, Mr. Shainwald continued his work on behalf of consumers, at one point testifying as an expert witness in cases where the Red Cross had given people contaminated blood that there had been ample funds to test the blood. "This is a very rich organization," he wrote in a report commissioned by *Money* magazine. "If it were a public company, I'd love to own stock in it."

Sidney paid a tribute to the founding president of CU, with whom he had worked for more than forty years. He wrote "If *Consumer Reports* were to make a product evaluation of Colston Warne, it might read something like this: 'A unique model, a once-in-a-lifetime production, exceedingly efficient... Definitely top-rated and the best buy ever'." The same can be said for Sidney Shainwald.

It is a great privilege to have the Honorable Stephen G. Breyer, Associate Justice of the United States Supreme Court, as the 2006 Sidney Shainwald Public Interest Lecturer.

INAUGURAL SHAINWALD LECTURER

April 22, 2004

KENNETH R. FEINBERG, ESQ.

Special Master, September 11th Victim Compensation Fund
The Feinberg Group, LLP

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SECOND SHAINWALD LECTURER

June 1, 2005

SENATOR EDWARD M. KENNEDY

Senior Senator from Massachusetts

The Justice Action Center

A CRITICAL INQUIRY INTO PUBLIC INTEREST LAW

The Justice Action Center brings together New York Law School faculty and students in an ongoing critical evaluation of public interest lawyering. Through scholarship and fieldwork, the Center seeks to evaluate the efficacy of law as an agent of change and social betterment. The Center fosters collaborative efforts by faculty and students to engage the specific problems presented in the fields of Anti-Discrimination Law and Economic Justice, Civil Liberties, Criminal Law and Death Penalty, Environmental Law, Family Law, Immigration Law, Labor and Employment Law, and Mental Disability Law. In addition to a focused curriculum, symposia, and research opportunities, students have the opportunity to gain direct exposure to the field of cause lawyering through externships, clinics, and workshops.

Through these initiatives, the Center seeks to instill in students a deeper intellectual understanding of the law regardless of their final career goals, and to present opportunities to maintain their ties to the social justice community beyond law school. Recognizing that students will pursue varied careers, the Center aims to provide a framework for analyzing the pervasive questions and contradictions relating to social justice in American society, irrespective of the context in which they may arise.

New York Law School

LEARN LAW. TAKE ACTION.

Founded in 1891, now one of the oldest independent law schools in the nation, New York Law School early on established itself as a place of opportunity, committed to keeping the doors of the legal profession open to a diverse population of students. The evening division, established in 1894, is a cornerstone of that mission, making it possible for a large number of students already in the workforce to pursue a legal education.

Over the decades, New York Law School has attracted a faculty renowned for its engagement in public life, and for treating the law as a tool for social action, not just scholarly inquiry. Among them:

Arthur Leonard, an expert on sexual orientation law and gay family law, has chronicled the legal aspects of the lesbian and gay community in scholarly as well as popular publications.

Nadine Strossen, who joined the faculty of New York Law School in 1988, has served as president of the American Civil Liberties Union since 1991 and is regarded as one of the nation's most influential lawyers.

Michael Perlin, an expert on mental health law, has devoted his career to championing legal rights for people with mental disabilities.

Peter Strauss, a pioneer in the field of elder law and author of the most respected textbook in the field, founded the school's Elder Law Clinic.

Seth Harris, a former senior advisor to two U.S. secretaries of labor, trains students and educates the public about the laws and public policies pertaining to the American workforce, through his Labor & Employment Law Program.

While the faculty are illustrative of New York Law School's commitment to social activism, the school is equally defined by its unique approach to training its students, many of whom go on to be leaders in their fields as well. Outside programming, including externships and clinics, gives students a chance to contribute to the social justice agenda while gaining practical lawyering skills. Six academic centers, including the Justice Action Center (described on the preceding page), provide a locus of learning where students and faculty can study and work together as colleagues.

The Law School's **Office of Public Interest and Community Service**, created to focus and coordinate the efforts of students, staff, faculty, and alumni for the public good, directs students toward volunteer opportunities with entities such as the Unemployment Action Center, immigration help desks, the Legal Aid Society, and the Domestic Violence Project. Students who complete a requisite number of volunteer work hours earn the Public Service Certificate upon graduation.

These factors, an accomplished faculty of scholars committed to law as a useful tool for social change; a curriculum designed to instill those values in our students and to provide them with opportunities to make their own contributions through public service; and six academic centers engaged in research and activities to further the public good and contribute to the improvement of the legal profession, demonstrate New York Law School's commitment to the advancement of justice.

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