

Max Gitter[†]

I'm a former student of Joe Goldstein.

Joe Goldstein was my teacher when I was a second and third year law student in 1967 and 1968. Joe Goldstein was my teacher in 1969. Joe was my teacher in 1970 and 1971. He was my teacher throughout the 1970s. He was my teacher throughout the 1980s. And he was my teacher throughout the 1990s.

When I was in law school, Joe was my teacher primarily in the classroom. And what a gifted classroom teacher he was! Actually, I shouldn't say classroom but seminar room. I had two or three seminars with him. One of them—he taught it with Al Solnit, Anna Freud, and Jay Katz—was the most memorable experience in my twenty years of going to school. Joe was the master of the seminar. And I hope a seminar room will be named after him.

Joe taught by the Socratic method. Not the Socratic method of the notorious professor in the "Paper Chase" who humiliated students in class. But what I imagine was the Socratic method of Socrates himself. Constantly asking questions—asking questions of not only his students but of himself. All designed to draw out students—and he drew me out, although I had never spoken in class before. (That's not literally true: In Ralph Winter's torts class I sat in the back next to my roommate and we talked to one another the entire semester.)

Joe loved his students—many became his friends. I was fortunate enough to be one of them (and for over thirty-two years). He loved to teach, and it showed.

And what he taught us in those seminar rooms was not so much the stated subjects of his seminars—criminal law, family law, psychoanalysis and the law, and later constitutional law; rather he taught how to *think* about those subjects, about law, and about problems generally. And he also taught how to teach.

Toward the end of my third year, I began to work with Joe on a couple of articles. And in that work we did together he taught me how to write. He taught me how to write in the same way he taught everything else—not by lecturing or hectoring; by asking questions:

"Do you think we should begin with this idea?"

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“Do you think we should move this paragraph over here?”

“Do you think we should use this word rather than that?”

After I graduated from the law school, he taught me—rather, I should say, he tried to teach me—by a different method: by his example. And as I prepared for this occasion and thought about what Joe taught me by example, so many things came to mind that I knew I would not have time to mention most of them. Let me therefore share with you just a few:

1. Joe was my teacher about the joys of married life—actually it was Joe and Soni both.

In the summer after I graduated law school, I'd been thinking about marrying the girl I had been seeing for about a year. But I was ambivalent and apprehensive. The idea of marriage and permanent commitment created a certain amount of anxiety.

In late August, 1968, Joe invited us to dinner at his house. I was so moved by the warmth and devotion of Joe and Soni that right after dinner—on the drive home to New York on the Merritt Parkway—I overcame my apprehension and proposed to my wife, Betsy.

And we stopped at a gas station on the Merritt to call our parents. I don't remember whether I also called Joe from that gas station, but I certainly called him the next day to tell him. He was of course so thrilled. He was certainly more thrilled than my prospective in-laws were.

2. Joe was my teacher (by his example) on how to be a good parent.

I saw and heard Joe as a parent on many occasions and in many ways. He loved his children deeply. He was so proud of them in everything they did and in everything they were. He was also supportive of them. He taught me how to be a parent—how to be a supportive parent—and maybe in the most important way: how to be a supportive parent by doing nothing.

I remember one occasion in the early 70s—before I had children—when an issue arose about one of Joe's children and school. I don't remember exactly what the issue was, but I do remember asking him, “What are you going to do?” And I vividly remember his answer: “Nothing. He needs to work it out for himself, and I'm sure he will.”

And I also remember thinking (and saying to my wife) that when a similar occasion arises in my life as a parent, I hope I'll have the courage and wisdom to do the same thing with my child.

And of course Joe's son did work out the issue by himself.

Max Gitter's Tribute to Joseph Goldstein

3. *Joe was my teacher (by his example) on how to take pleasure in very small things.*

Joe loved a bargain—a “metzihah” as we both would call it in Yiddish. Long before *New York Magazine* had a “bargains” section, Joe and I traded the names of places where we could get bargains on clothes, tools, and gadgets.

Joe had a Peugeot and I had a Peugeot. Now if you ever had a Peugeot you know that it was a wonderful car to drive but was always in the shop. It was the car that broke your heart. And Joe called me one day with great delight to say that he'd found a garage that could fix Peugeots. Unfortunately, that garage was in New Haven and my car was in New York.

And I remember the pleasure—the relish—Joe took in the wood-burning furnace he installed at his house in Maine. When we visited him in Maine, he gave me what must have been a half-hour tour of his wood-burning furnace. At least it seemed like a half-hour. Not too long after I bought a wood-burning stove for my house in the country—and I've gotten almost as much pleasure from it as Joe got from his wood-burning furnace.

4. *Joe was my teacher (by his example) on what it means to be a good Jew.*

I don't mean the term “a good Jew” in any religious sense—although Joe belonged to a synagogue in all the years I knew him. And I don't mean it in any chauvinistic sense—although he loved the State of Israel and he loved being a Jew.

Indeed, Joe used to poke fun at people who tried to shy away from being identified as Jewish.

Now when I say “poked fun”—he did not poke fun in any malicious sense. There was no malice in him. He poked fun with the same impish, puckish, irreverent sense of humor that marked his entire personality, a sense of humor that is suggested by the wonderful smile in the photo that's in your program.

One story we both heard captured his fancy and captures his sense of humor. We both heard it on a PBS program. It's the story about a successful businessman named Goldwater who was trying to join an exclusive country club in Connecticut. But he was turned down. And he was crushed. So he went to see the head of the membership committee to find out why. And the head of the committee said, “Mr. Goldwasser, we don't admit your kind of people.” And Goldwater responded: “Where did you get the idea that I'm ‘one of those kind of people’? And, what do you mean Goldwasser. My name is *Goldwater*. My name has always been Goldwater. My father's name was Goldwater. My grandfather's name was Goldwater. And my great-grandfather—*Olev v'Shalom*—his name too was Goldwater.”

I believe Joe would have been tickled pink to know that the country has matured to the point that we may well have a Vice President of the United

States whose name is Lieberman and whose wife is named . . . Hadassah! And he is also a graduate of Yale Law School! How delighted Joe would have been.

So, I mean “a good Jew” as the term of art that it is. It means, in part, pride in being a member of a community. Just as Joe reveled in being part of the community of Yale Law School.

But the principal meaning of “being a good Jew” is living a life that is an example to all people—Jews and gentiles alike. Leading an exemplary life. Leading a life that is a credit to the Jewish people.

And that life Joe most certainly led.

Perhaps above all, it means living a life that is an example of good values: caring about your family; caring about the less fortunate; caring about ideas; caring about the life of the mind and of the book; living life for all its pleasures, large and small.

And at the bottom that is what Joe Goldstein was my teacher about. By his example, he was a teacher of values.

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No, I’m not a former student of Joe Goldstein. I’m a perennial student of Joe Goldstein.

Joe, I miss you deeply as a friend.

But you will always be with me as a teacher.