

Abraham S. Goldstein[†]

Joseph Goldstein and I had so many convergences besides bearing the same last name. We were both articles editors of the *Yale Law Journal*, both law clerks to Judge Bazelon on the D.C. Circuit, both members of a cohort of 12 who came to the faculty of Yale Law School in 1956. We both taught Criminal Law, taught Criminal Procedure together for several years, collaborated on a book of readings. For almost 45 years, we participated together in the life of Yale Law School.

Joe was the prototype of teacher and scholar. He loved teaching, loved developing teaching materials, loved using the Socratic method of teaching—always questioning, always pressing for presuppositions and for fundamentals. Joe valued greatly his role as guide and mentor and friend to his students. He loved the intimacy of the first term small groups. He loved working with his students in tutorial fashion on their research and writing.

Joe was never content to take the law as he found it. Again and again, he expanded the boundaries of legal scholarship to encompass other disciplines—to explore the sources of law and the manner in which it was applied. His collaborations with psychiatrists (first with Jay Katz, then with Anna Freud and Al Solnit), with sociologists (Richard Schwartz), and with colleagues from abroad (particularly Justice Aharon Barak) were legendary and bore rich fruit in scholarship and in law reform.

Joe's writings were remarkable for their prescience. His article on "Police Discretion" early provided a rich portrait of how difficult it would be to regulate police conduct. His articles (with Jay Katz) questioning the utility of the insanity defense opened new vistas in that much-visited area of criminal law. And his work with Anna Freud, Al Solnit, and Sonja Goldstein on child custody—and what is in the best interest of the child—had world-wide impact.

Joe was preeminently a teacher and a scholar. But he was also a man of affairs. For most of his years here, he sat on the Board of the Vera Institute of Justice (with Burke Marshall and Dan Freed), playing a major role in demonstration projects of major significance in criminal law—addressing problems of bail, counsel for the indigent, victims assistance, corrections and myriad others. He served on Attorney General Robert Kennedy's Committee on Poverty and the Administration of Justice—which produced our federal system on counsel

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for indigent accused. And he was the godfather of the Neighborhood Legal Assistance Program which grew into New Haven Legal Assistance.

Joe and Sonja were warm and hospitable to so many—to colleagues and students and friends of great variety. They knew the riches of an extraordinarily close family life in New Haven and in Maine—of the joys of many children and many grandchildren and many household guests.

Joe often seemed bemused and quizzical, perhaps even avuncular. Yet it would be a mistake to forget that he was fiercely independent, tenacious in support of his views and values. And he had them aplenty. No casual onlooker he on the dance of life. Joe was in all respects—for family and friends and institutions—a caring man, a loving man. He was determined to leave the world better than he found it. And he did. He left his mark on his time and on each of us.