

Introductory Remarks

The Healing Wisdom of Jay Katz

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I have known Jay Katz for over forty years, and I have been his colleague for nearly twenty. It is my great joy to welcome you all here and especially to thank Bob Levine and Alex Capron, Bo Burt, David Tolley, and Carol Pollard for putting this program together.

You all know Jay Katz's story. He was born in Germany and emigrated to the United States at the age of eighteen. He earned his doctorate at Harvard Medical School, which he followed with a medical internship at Mount Sinai. Next is the part of his resume that has always been the most exciting and mysterious to me: his service as Captain Katz of the United States Air Force. (Imagine what that must have been like!) He first came to Yale as an assistant medical resident more than fifty years ago, and then to the Yale Law School as Assistant Professor of Psychology of Law in 1958. In time, Jay became Professor of Law, Science, and Medicine; the John Garver Professor of Law and Psychoanalysis; and the inaugural Elizabeth K. Dollard Professor of Law, Medicine, and Psychiatry. He has received numerous honorary degrees and delivered many named lectures. His greatest works, of course, are his books: *The Family and the Law*,¹ with our beloved colleague, Joe Goldstein; *Psychoanalysis, Psychiatry, and Law*,² with Joe Goldstein and Alan Dershowitz; *Experimentation with Human Beings*,³ with Alex Capron and Eleanor Swift Glass; and his landmark work, *The Silent World of Doctor and Patient*.⁴ Reading the

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1. JOSEPH GOLDSTEIN & JAY KATZ, *THE FAMILY AND THE LAW: PROBLEMS FOR DECISION IN THE FAMILY LAW PROCESS* (1965).

2. JAY KATZ ET AL., *PSYCHOANALYSIS, PSYCHIATRY AND LAW* (1967).

3. JAY KATZ ET AL., *EXPERIMENTATION WITH HUMAN BEINGS: THE AUTHORITY OF THE INVESTIGATOR, SUBJECT, PROFESSIONS, AND STATE IN THE HUMAN EXPERIMENTATION PROCESS* (1972).

4. JAY KATZ, *THE SILENT WORLD OF DOCTOR AND PATIENT* (Johns Hopkins Univ. Press 2002) (1984).

introduction to that book, one can see that Jay's special skill lies in his ability to be both an outsider and an insider in the worlds of law and medicine. Upon reflection, the concept of "outsider-insider" is a description not just of Jay as a person, but also of the role that he defined for a doctor vis-à-vis his patient. On the one hand, Jay said, the doctor must be united with his patient in the act of healing and analysis; on the other, he must be sufficiently removed from his patient to retain his own objectivity.

Let me mention three recollections of Jay that, to me, exemplify his role as an "outsider-insider." The first time I met Jay, I was in junior high school here in New Haven with his children, Sally, Danny, and Amy. I met Jay when my parents and I visited their home. After greeting my parents, Jay reached out to me, smiling, his face absolutely aglow. I remember looking at him and thinking, "This man looks like a leprechaun—a German-Jewish leprechaun!" He was an immigrant. I was from a family of immigrants. He was the quintessential outsider-insider, welcoming another outsider into the fold. I remember his words most clearly. He said, "Harold, I want you to know that you are most welcome here."

My second memory is from the mid-1980s, when I first came to teach at Yale Law School. Jay was the most generous colleague that one could imagine. Only a year after I had arrived, our friend, the brilliant Professor Bob Cover, suddenly died of a heart attack in the early summer. School was not in session. We were all separated at the time, and we were all shattered. We were called together by then-Dean Guido Calabresi to Mory's, where we shared a sad, quiet meal together. As we sat together, Guido called upon Jay to say something. Jay stood and mused for a few minutes about what Bob had meant to our community. He spoke about what it meant that Bob had died, about what it meant for all of us to hear about his loss in this way, and about what it meant for all of us to think about his mortality—and our own. Then he sat silently, and we sat silently. I realized for the first time how comfortable Jay felt with silence. I felt a weight lifting from my own heart. I understood that, whatever was to happen, we were part of this community together. I felt for the first time Jay's unique healing touch.

My third recollection is of a time when Jay came to see me early in my tenure as a professor. I was about to start working very closely with someone Jay knew well, and he asked me if we could talk. He told me that this mutual friend wanted me to know something very personal—that person's sexual orientation. This person felt that if we were going to be working very closely together, I would soon learn this person's sexual orientation. Rather than coming out to me directly, the person wanted someone else to explain it to me and to assess my reaction. This person trusted one person to be the messenger and mediator, and that person was Jay Katz.

Two things stood out about the conversation. The first was that as soon as he had delivered his message, Jay sat back in his chair. He seemed totally relaxed, open to whatever I was going to say. He seemed completely responsive. Having told me this intimate information, he was ready to counsel me on how to receive it. I was deeply moved by the gesture. I was equally moved that the messenger was Jay. Second, I remember what he said as he got up to leave. Jay lit a cigarette (which was allowed in those days), and he said to me, "I know you will understand, Harold. I know you will empathize. I know you will be generous."

So these are the three lingering and powerful images that I have of Jay Katz: the welcoming leprechaun, the healer of communal sorrow, the messenger of intimacy. As we start this symposium to celebrate Jay's genuinely remarkable career, I hope we can all remember that, whatever we have done, we have known that Jay would understand, that Jay would empathize, and that Jay would be generous.

Jay has taught us that much goes on in the silent world of doctor and patient. In that world, there is humanity, grief, humiliation, anger and confusion. But what Jay has introduced into that silent world is compassion. What he has introduced is understanding. What he has introduced, most of all, into the silence is wisdom, and in that wisdom, healing.

I welcome you to this celebration of the healing wisdom of Jay Katz.