

Eulogy:
Jonas Robitscher, JD, MD
Oct. 28, 1920 - March 25, 1981

Delivered by Loren H. Roth, MD, MPH
at the Glenn Memorial Methodist Church, Emory University Campus,
Atlanta, GA, March 29, 1981

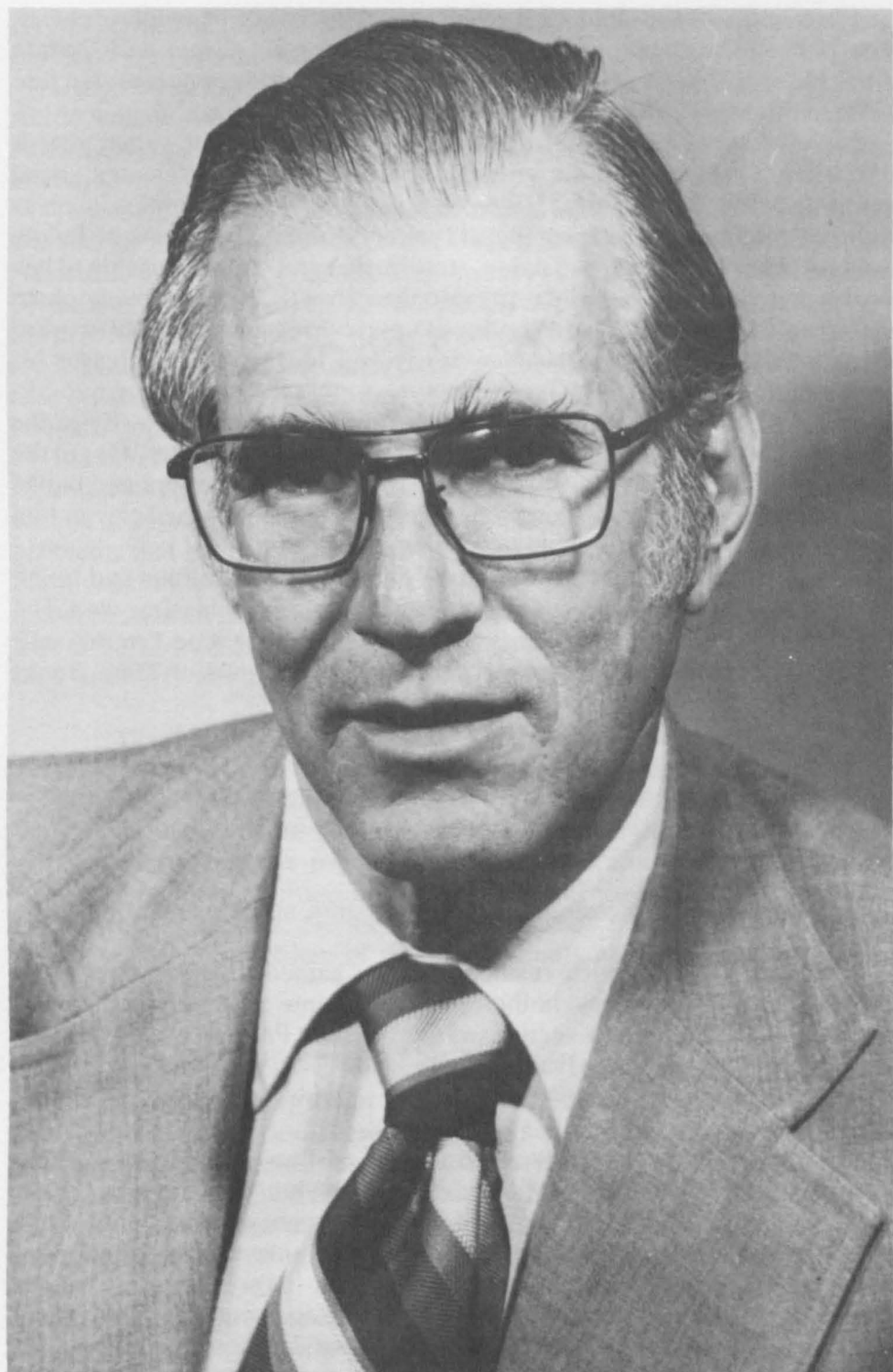
Mine is a heavy responsibility. I must summarize in a few minutes the many accomplishments and achievements of a **lovely, sensitive, bright** man who was my teacher, friend and colleague—a man known to all in our field of law and psychiatry as a leader and outstanding person.

My contacts with Jonas were largely professional, and it is these that I will highlight, but I never remember meeting Jonas when we did not, both at the beginning and the end of our conversations, discuss **family**. Jonas was proud of and loved Jean, Jan, Chris and John. Jonas also never failed to inquire about my family and to wish them well. He was that kind of man.

Let me briefly mention Jonas's professional training, which was remarkable both in its scope and depth.

Jonas graduated from Brown University in 1942, where he was editor of the student newspaper. He worked for the **Wall Street Journal** as a Washington bureau reporter from 1944-46. He attended the George Washington University School of Law and graduated in 1948. From 1948-51, he worked as an attorney for the Federal Trade Commission. He attended the George Washington University School of Medicine and graduated in 1955. From 1956-59 he was a resident in psychiatry at the Institute of the Pennsylvania Hospital. His was a lifetime of learning. Jonas practiced psychoanalysis, and he was certified in psychoanalysis in 1977 by the American Psychoanalytic Association.

Now some people with as much training as Jonas had subsequently accomplish little. Some say too much training can deaden the spirit, but Jonas was different. He took from his education (and he brought to it) the perspective of a humanist. Jonas had a point of view. He understood that while nature distributes its bounty inequitably, all human beings are equal in their dignity and uniqueness—whatever their creed or mental makeup. Jonas' understanding of the human condition gave him the perspective necessary for creativity; also and perhaps because Jonas was exposed to several professional socialization experiences, he saw more clearly than others the limits of the belief system of any one profession. In his work he thus became a spokesman for the interdisciplinary approach, an approach which gave his work great relevance for our confusing times.



JONAS ROBITSCHER, JD, MD

He pioneered the field of forensic psychiatry with its philosophical, moral and ethical questions, pursuing the problems, but always with the fate of the individual in mind. "In the midst of world-shaking concerns, the fate of the individual, at least in our society, is still paramount."¹

Jonas' Curriculum Vitae runs 14 pages, and I cannot summarize it adequately.² He was a prolific writer in the area of law and psychiatry, social policy and biomedical ethics. His work touched upon many topics, such as civil commitment of the mentally ill, patients' rights, problems of family violence, abortion, death and dying, sterilization and the relationship of law to psychiatry generally. He wrote more than 80 articles and three books.³

How can I best characterize Jonas' outpouring of important works? Perhaps first to say that Jonas' writings and ideas were much like his personality—**elegant**.

In his writings and in his person, Jonas manifested the curiosity of the child, the wisdom of the statesman and the instincts of a reporter. He got the story right, and he told it in an engaging manner. Jonas' papers and books rivet the reader. They are, therefore, today part of the standard curriculum in many law schools and medical schools.

Perhaps prophetically, and because Jonas was so ambitious and tough on himself, some of his writings reflect his perception that his time would be insufficient to accomplish his purpose. In his 1974 paper, **Can Professionals Talk With Each Other?** one paragraph heading is **Limits of Time**. Jonas wrote:

"Time is a chief limiting factor. Our fields of knowledge have grown to be so multiple and each field has grown so large that encompassing various fields becomes increasingly difficult."⁴

Jonas had many professional accomplishments, and I can mention only a few.

Following his psychiatric residency, Jonas gained considerable experience in the practice of psychotherapy. He became a lecturer in law and psychiatry at Villanova University and an Assistant Professor of Psychiatry at the University of Pennsylvania, where he directed a program on Social-Legal uses of Forensic Psychiatry for the National Institute of Mental Health.

The Henry R. Luce Chair as Professor of Law and the Behavioral Sciences at Emory in Atlanta followed. He was in your midst for nine years.

At Emory, Jonas taught law students and psychiatric residents. Each year he planned and presented his well-known interdisciplinary **Emory Symposia in Law and the Behavioral Sciences**. Noted scholars and famous persons journeyed to Atlanta to participate in these symposia. These Symposia dealt with topics such as the Rights of Mental Patients and the Rights of Children.

In 1976, Jonas was honored by the American Psychiatric Association.

He received its highest award for a lifetime of contributions to law, psychiatry and jurisprudence—the Isaac Ray Award.

Other awards from George Washington University (the Alumni Achievement Award) and an award for lifetime contributions from the American Academy of Psychiatry and the Law (the Golden Apple) followed.

Together, Jonas, Alan Stone, Browning Hoffman, myself and others worked on many legal briefs to the United States Supreme Court for the American Psychiatric Association. Jonas worked on the APA brief in **O'Connor v. Donaldson**, 1975, the first US Supreme Court case to address the problems of involuntary civilly committed mental patients. Now before the US Supreme Court are other cases where Jonas played a role. One such case is **Estelle v. Smith**, which deals with the misuse of psychiatric testimony in death penalty cases.

In 1980, Jonas published his last and most important book, **The Powers of Psychiatry**. The book is trenchant criticism and critique of the potential misuse of psychiatric power. It discusses many important moral and ethical problems that have been a derivative of our psychological society. Jonas's book touches a sensitive nerve that many psychiatrists would prefer to ignore; however, it was not only psychiatrists or mental health professionals whose behavior Jonas queried. He eschewed **all** who potentially misuse their authority at patients' expense. Listen to Jonas:

“Teaching legal psychiatry has taught me that most psychiatrists are almost totally uninterested in questioning the legitimacy of their psychiatric power. Many lawyers are interested, but often their interest comes from a desire to wrest control of the psychiatric machinery from the psychiatrists and run it along lines they feel would be more appropriate, but which I feel would possibly not be helpful to patients. Neither psychiatrist nor lawyer has carefully addressed the problem of the proper limits of psychiatric authority.”⁵

The Man

Let me say something about Jonas's style. He was in some respects a shy man. He was a keen observer with a good sense of humor. He was at once very much in the world, yet somehow above it.

Jonas had the gift of the therapist. He accepted and responded to all, while nonetheless having the capacity to evaluate behavior objectively. Jonas was more avid for the battle in print than for the battle in person. He was a considerate man. He also had a secret weapon; he told the truth. This quality made him an excellent teacher while disarming his critics. Jonas was always polite, even to persons with whom he disagreed. This gave him occasional pain and placed him under great stress. At times Jonas needed reassurance and cheering up. These things Jean and his children did for him.

I will miss Jonas terribly. I know all of you will also. My thoughts on this sad day, of course, turn to the corpus of work Jonas has left us and to the times we spent together, but I also cannot help but think of many boxes (many piles of newspaper clippings and articles in the Robitscher home on a variety of subjects) that Jonas collected and was still collecting until the day he died. The story in these many boxes of papers will never be told—certainly not the way Jonas would have told it, but all of us who were inspired by Jonas will remember and try to carry on with his work. Whatever uncertainties he had, Jonas used his allotted time very well.

Today we come to mourn, to cry and to remember, but the life of Jonas Robitscher was one for celebration, not for tears.

References

1. Robitscher, J.: PURSUIT OF AGREEMENT: PSYCHIATRY AND THE LAW, J. B. Lippincott, Phila., PA, 1966, p. 242.
2. Jonas Robitscher's Curriculum Vitae, listing all of his papers, books and presentations is available from Jean Robitscher, 779 Clifton Rd., NE, Atlanta, GA 30307.
3. The three books are:
PURSUIT OF AGREEMENT — Psychiatry and the Law, J. B. Lippincott Co., Phila., PA, 1966.
EUGENIC STERILIZATION, Charles C. Thomas, Springfield, IL, 1973.
THE POWERS OF PSYCHIATRY, Houghton Mifflin Co., Boston, 1980.
4. Robitscher, J.: Can Professionals Talk With Each Other? Journal of the Medical Association of Georgia, August, 1975, pp. 302-307, 310.
5. Robitscher, J.: THE POWERS OF PSYCHIATRY. Houghton Mifflin Co., Boston, 1980, pp. xvi-xvii. □