

I n M e m o r i a m

In Memory of

WILLIAM J. CURRAN

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In the summer of 1979, a group of experts on law, medicine, and ethics assembled in Siracusa, Sicily, under the auspices of the International Commission of Jurists and the International Institute of Higher Studies in Criminal Science. The group was drafting guidelines on the rights of persons with mental illness. Sitting across the table from me was a quiet, proud man of distinct intelligence, William J. Curran, Frances Glessner Lee Professor of Legal Medicine at Harvard University. Professor Curran was one of the principal drafters of those guidelines. Many years later in 1991, after several subsequent drafts by UN Rapporteur Erica-Irene Daes, the text was adopted by the United Nations General Assembly as the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care.^{1,2} This was the kind of remarkable achievement in the field of law and medicine that Professor Curran repeated throughout his distinguished career. As one prominent voice in American jurisprudence long ago observed: "Name almost any controversial medical-legal topic over the last quarter of a century and Mr. Curran has been pivotal in shaping it."³ To many of us, he was the father of modern health law.

Professor Curran was already a ubiquitous influence in mental health law by the time he came to Siracusa. With Dr. Timothy Harding he had recently written the influential text, *Law and Mental Health: Harmonizing Objectives*.⁴ This book reported results of an international survey of mental health legislation for the World Health Organization (WHO) and precipitated worldwide reform of mental health laws. In his home state of Massachusetts, USA he helped draft the Mental Health Act, together with many pieces of health legislation in that state. *The New York Times* wrote, "In Massachusetts, whose laws became models for national and international legislation, he left his fingerprints on so many statutes dealing with issues like psychiatric commitments, qualifications of physicians' assistants, minimum professional standards for medical examiners, patients' rights and drug addiction rehabilitation, that the state's health and medical laws could be called the Curran code."⁵

Consider almost any defining event in the history of health law, and Professor Curran's influence can be felt. As early as 1968, he pioneered a new definition of brain death, as part of the Harvard Project on Irreversible Coma.⁶ He was still leading intellectual discourse on cutting-edge issues in health law in the 1980s and 1990s. He conducted the first survey of AIDS legislation for the U.S. Assistant Secretary of Health, then conducted a worldwide survey of AIDS legislation for the World Health Organization's Global Programme on AIDS.^{7,8} Professor Curran followed that effort with a similar global survey of drug and alcohol-dependency treatment legislation.⁹

Perhaps Professor Curran is best known for his law and medicine columns in the *New England Journal of Medicine*, which he began writing in 1957. He seemed to write effortlessly on topics ranging from organ transplantation and forensic medicine, to human subject research and the infamy of Nazi doctors. He possessed a remarkable capacity to express himself in a way that reached out to health professionals, even while writing with a rigor that commanded respect from the most accomplished legal scholars. In fact, his columns were so highly regarded that they were published by the journal in a separate volume.¹⁰

Professor Curran wrote also a similar column for the *American Journal of Public Health*, beginning in 1972. In his prolific career, he wrote or edited more than a dozen books and wrote nearly 100 professional articles. Professor Curran displayed almost inexhaustible energy, working both globally and locally for human rights in health. At the global level, he worked closely with the WHO and other United Nations agencies. Most importantly, in 1986 he established the first WHO collaborating center for health legislation at the Harvard School of Public Health.

While he commanded admiration from his colleagues worldwide, he could still be seen in his Harvard office on Boston's Longwood Avenue. He contributed richly to the Harvard School of Public Health—chairing the Institutional Review Board; examining research protocols for their ethical values; chairing continuing education courses on risk management and biotechnology; and establishing the first program for attorneys in a school of public health in the United States. One of his most endearing qualities was to invite his students every week to his office for tea and biscuits. Each year, he would invite all his students to his Newton home for a traditional New England supper of turkey and baked beans. Many of today's most respected names in health law and ethics began their career under Professor Curran's tutelage.

In 1991, Professor Curran retired after an extraordinary career in which he inspired many in their professional and personal lives. Professor Curran was, to be sure, a tireless worker. Few, however, knew that he escaped to his Falmouth, Cape Cod retreat many weekends and during the summer. It was there that he would write his law-medicine columns and enjoy his wonderful family—his wife Doris and children Sheila, Brian, Keith, and Geoffrey.

Professor Curran died at his Cape Cod home on September 21, 1996, but he did not leave us. What endures is his brilliant writing, his passion and advocacy for human rights and public health, his genuine affection for his colleagues and students, and the love of his wife, children, and friends. That legacy continues, and it will guide generations of schol-

ars, teachers, students, and policy makers in the conduct of their professional and personal lives.

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[Professor Curran served as a member of the Editorial Board of Health and Human Rights from its inception until his death.]

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