



*Aaron D. Twerski, L'65, and
Professor James D. Ghiardi, L'42,
on the occasion of last year's
Boden Lecture.*

marquette lawyer at the helm of hofstra

Marquette University Law School alumni have achieved prominence in many venues and through many career paths, but few have taken the route of Aaron D. Twerski, L'65. Twerski, most recently at the Law School in the fall of 2004 to deliver the Boden Lecture, was installed as Dean of Hofstra University's law school in New York on August 30, 2005.

"Dean Twerski is not the first alumnus of the Law School to serve as dean of another school," said Dean Joseph D. Kearney, noting the service of Patrick K. Hetrick, L'71, as Dean at Campbell University from 1987 to 1998. "But it is a capstone of an extraordinary career for Aaron, and I am looking forward to having him as a wise colleague with whom I can consult on matters affecting legal education and the profession today."

Dean Twerski, a nationally renowned scholar in the area of torts and products liability, says that Marquette Law School looked out for him not only during his education at the school, but through-

out his subsequent career. That career has encompassed 39 years of teaching, along with scholarship that includes five books and more than 70 articles in scholarly journals about torts, products liability, and conflicts of law. During the 1990s, Twerski served as one of the two co-reporters for the *Restatement (Third) of Torts: Products Liability*.

“It was Marquette that set me on this path,” Twerski said during a recent interview. “I owe Marquette a debt not only for my educational experience, but for watching over my career.”

Twerski grew up in Milwaukee, the son of a Hasidic rabbi. His father, Jacob, was a charismatic, caring individual who was actively involved in the lives of Jews in Milwaukee.

It was a commonplace occurrence, when someone of the Jewish faith came into court with a problem, that the Milwaukee County judges would ask whether the person had seen Rabbi Twerski yet, his son recalled. During the 50th year of his rabbinic service in 1970, the Milwaukee judges gave Twerski’s father a plaque making him an honorary judge because they had sent him so many cases to resolve.

“Part of my interest in the law came from the fact that he was an amateur judge,” Twerski said of his father. “Perhaps more than amateur.”

When he was 13, Aaron Twerski went to Chicago where he attended a preparatory school for Hebrew Theological College. He stayed there with his twin brother, Michel (now rabbi at Congregation Beth Jehudah in Milwaukee), for three years, then went on to Ner Israel Rabbinical College in Baltimore. From there, Twerski went to Beth Medrash Elyon Talmudic Research Institute in New York, where he received an A.B. in Talmudic Law.

Twerski came back to Milwaukee and earned a B.S. in Philosophy from the University of Wisconsin-Milwaukee. From there, he attended Marquette, where he served as an editor of the *Marquette Law Review*. While at

Marquette, Twerski fell in love with torts during Professor James D. Ghiardi’s class.

“I knew three weeks into torts that I wanted to be a law professor and that I wanted to teach torts,” Twerski said.

He recalls Ghiardi’s enthusiasm for the topic, his high expectations, and his sense of humor. In addition to Professor Ghiardi, Twerski remembers his education as shaped by Professors Robert F. Boden, Ray J. Aiken (civil procedure), John M. Winters (property), Robert J. O’Connell (contracts), and Dean Reynolds C. Seitz (constitutional law).

Twerski served as a research assistant for Ghiardi and Aiken, but the relationship did not end when Twerski graduated with honors in 1965. As his career progressed, they were there for him. “They were enthusiastic, and they pitched hard for me,” Twerski said. “Given the fact that I was a Hasidic Jew and that doors didn’t open that easily, their enthusiasm really made a difference in my career.”

Ghiardi has remained in touch with Twerski over the ensuing 40 years. He recognized the law student’s potential and has watched him achieve that potential in the academy.

“He was an excellent student,” Ghiardi said during a recent interview. “He was interested, prepared, worked hard, and got good grades. That’s why I took him as my research assistant.”

Another faculty member also helped change the course of Twerski’s career. After graduating from Marquette, Twerski took a position with the Civil Rights Division of the United States Department of Justice. After one year in Washington, D.C., he received a letter from Harvard Law School offering him a teaching fellowship. That proposal was spawned by a letter from Professor William J. Kiernan, an adjunct professor at Marquette, who had contacted Harvard and urged it to offer Twerski a position as a teaching fellow. Twerski recalls regularly

challenging Kiernan during his Conflicts of Law class at Marquette.

After finishing the one-year teaching fellowship at Harvard, Twerski says, he faced a challenge finding a teaching position that his peers did not encounter. Wearing the traditional dark attire of a Hasidic Jew, he stood out from his colleagues.

“Every one of my other teaching fellows had multiple teaching offers,” he recalled. “I was told that I was the only teaching fellow who did not and that it was because of my appearance.”

He became concerned about finding a teaching position. Several Marquette professors offered encouragement and made recommendations on his behalf. Eventually, he received a position at Duquesne University School of Law in Pittsburgh, another Catholic institution.

Throughout his time at Marquette, Twerski says, his faith was never an issue at the Jesuit school. Quite the opposite: he believes that the school was more accepting of his religious convictions because of its own roots.

“I found Marquette to be extraordinarily hospitable,” Twerski said. “It was an orthodox religious faith, and

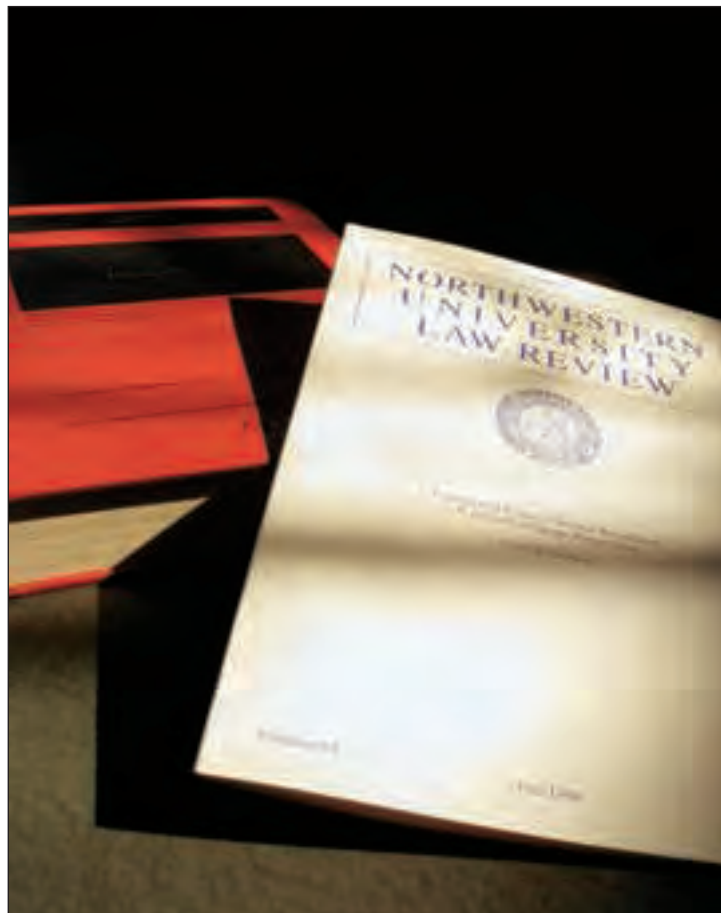
they understood, not only my appearance and the rest, but that, if there was a religious demand made on me, it came first.”

Following four years of teaching at Duquesne, he accepted a teaching position at Hofstra University School of Law in 1972. The law school had opened its doors two years earlier in 1970. He remained at Hofstra until 1986, serving as associate dean from 1975 to 1977 and as interim dean from 1977 to 1978. In 1986, he became a professor of law at Brooklyn Law School, where he remained until this year when he returned to Hofstra as its dean.

Throughout the years, Twerski has become renowned for his legal scholarship in the areas of torts, products liability, and conflicts of law. His recent articles include contributions to law reviews at

Columbia, the University of Michigan, Northwestern, and Yale. Along with Professor James A. Henderson, Jr., of Cornell Law School, Twerski wrote the leading textbook, *Products Liability: Problems and Process*, now in its fourth edition.

One of the crowning achievements of his career was being the co-reporter (along with



Henderson) for the *Restatement (Third) of Torts: Products Liability*. The work on that project, which lasted from 1992 to 1998, went beyond the theoretical aspects of a law review article, Twerski recalls. When they pushed the envelope, there was an insistence from others that they justify the position.

“It was the most exhausting and demanding process that I’ve ever been involved in as an academic—and also the most rewarding,” Twerski said. “We were communicating with the bench and bar at a level that was very important to them. Every word that we wrote was subject to scrutiny.”

Reflecting on his own writing, Twerski indicates that he hopes his scholarship has been useful. He allows that good legal scholarship should challenge. But he is quick to observe as well that, when it becomes too theoretical, it may no longer be useful to practicing lawyers and judges.

“When the scholarship loses touch with the reality of litigation, with the reality of anything that is going on out there, that is disturbing,” Twerski observed. “I’m not the first to say it. The judges have complained about it. The practitioners have complained that law review literature has become daunting, philosophical, and not addressed to the realities of the world out there.”

That desire for legal scholarship and legal education to have a practical aspect is one of the driving philosophies Twerski brings to his new role as Dean of Hofstra. He plans to advocate an educational approach based on sophisticated skills teaching, so that new lawyers will leave the law school with an understanding of elements such as business transactions or the interdisciplinary aspects of family law.

“My goal is not to turn law students into sociologists or into social counselors,” Twerski said. “I don’t think that is what their role ought to be. But they ought to understand enough of it so that they can perform their

role in a sophisticated manner.”

Although the formal investiture was held August 30, Twerski returned to Hofstra in June to begin developing some of the initiatives he wanted to implement, such as making international law a required first-year course and having the school approve a master’s program in family law. The school has already acted on both of these initiatives, and they will be implemented in fall 2006.

Coming back to Hofstra has brought Twerski together with a number of his colleagues who were there during his first tenure at the school—including Hofstra President Stuart Rabinowitz, who was a law professor at Hofstra with Twerski. Rabinowitz thinks that Twerski is an “ideal choice to lead our excellent law school to even greater stature.” He terms Twerski “a nationally and internationally renowned scholar and a revered teacher, who possesses tremendous energy, leadership ability, enthusiasm, and integrity.”

Ghiardi recalled his response when Twerski told him about the new role as Hofstra’s dean.

“I thought he was crazy to take the job, and I told him so,” Ghiardi joked. “Administration is for younger guys.”

On a more serious note, Ghiardi observed that Twerski “will bring a human quality to that job and a dedication for hard work.” Both he and Twerski have no doubt as well that Twerski will maintain his connections with Marquette.

“My continuing relationship with Marquette has just been wonderful,” Twerski said. “I had the opportunity of being back there last year as the Boden Lecturer, and it was a marvelous experience, not only renewing old acquaintances, but getting to know Dean Kearney, the faculty, and some of the students. I think that Marquette is headed in the right direction.”

The same should be said of Hofstra. •