

IN MEMORIAM

TRIBUTE TO ARTHUR MURPHY

*Sam Salganik**

Professor Murphy taught me first-year torts in the fall of 2007, near the end of his teaching career. I will never forget the first day of class. He limped slowly into the small seminar room in the basement of Warren Hall—probably eighty-five years old at the time—sat down at a table next to the podium, then shuffled through a pile of loose leaf paper with handwritten notes. He started: “At some point soon the Dean will likely ask you all if I am still up to teaching. All I can ask is that you please lie.”

I did not get the joke, because I did not know Professor Murphy yet. I have not read the other tributes as I write this, but I will bet my law degree that they all mention his relentless sense of humor. Nearly always joking, he was not afraid to have some fun at someone else’s expense (including the occasional overenthusiastic student, or even other faculty), but he mostly made fun of himself. For most of the semester, for example, he referred to his wife as “what’s her name.” (I will mention Jean below, but he most certainly knew her name.)

I also did not get that first-day joke because I did not yet know the extraordinary teacher that Professor Murphy would be and the impact he would have on me. His most impressive gift was in keeping things simple. I remember a set of model answers he distributed for his practice exam that were half the length of the model answers circulating for all my other courses. Asked if these were “A” answers, he said he hoped so, since he had written them. It was not that he ignored law’s squishy complexity, but more that he was a master at building that complexity up from a solid foundation.

Professor Murphy also imparted a humble approach to the law and to the role of lawyers. He was an expert on mass torts (nuclear catastrophes and the like) and was named to a National Science Foundation commission studying weather modification technology.¹ As he recounted

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1. Press Release, Columbia Law Sch., Professor Emeritus Arthur W. Murphy ’48 LL.B., Expert on Wills, Estates, Science and the Law, Dies (Jan. 20, 2016), <http://>

it, they asked him, the lawyer, for an opinion on an appropriate legal framework for deploying this type of new technology. He told them to ask someone else: a politician, a priest, a community leader, anyone but a lawyer. He strongly believed that the law should be a reflection of community standards and priorities, matters over which lawyers have no monopoly.

Professor Murphy's personal life saw both ups and downs. His first wife died young, leaving him a single father at the beginning of his career. I believe he had two children at the time, and he uprooted himself from Washington, D.C., and a job at the Justice Department, to be closer to his in-laws in New York. He was a working single father, and he needed help with his kids. With a wife and two little kids of my own now, I occasionally think about how difficult that must have been for him.

But he soon met and married Jean and continued to add to his family. Spending time with the two of them, it was clear that he found great happiness with her. When visiting their apartment for drinks, they would tell stories about their time in India, their children and grandchildren, the past fifty years of Columbia Law School faculty drama, and even about the first (and last) time Professor Murphy tried a Coors (on a business trip out West in the 60s). They just always seemed to be having so much fun together.

Professor Murphy was a rare specimen: both brilliant and humble, appreciative for what he had because he knew what life could throw at him, and above all, a serious person who never took himself too seriously. My condolences to Jean and the rest of his family. May he rest in peace.