

# Linda Silverman Kahan

**“It was never about her”** by Mark Kahan

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Linda (Silverman) Kahan, born July 8, 1947 in New York City, died on March 29, 2012 (7 Nisan 5772) at home after a four-year battle with ovarian cancer. Notwithstanding enormous gifts and achievements, Linda was a modest and quiet person, uncomfortable with praise. Linda herself would likely have defined her legacy in a conventional way, based primarily upon her role as mother, wife, daughter, and grandmother. For her, success was being the best nurturer, adviser, confidante, listener, advocate, caregiver, friend, or protector that she could be. And she surely did excel in those roles. It was, for example, a given that she was home for supper and homework, even if it meant long hours with the briefcase after bedtime. To Linda, as so many that knew her have recognized, “it was never about her.” Everything that follows should be read in that context.



Linda graduated with the very highest honors from Abraham Lincoln High School in Brooklyn, Vassar College, and Georgetown University Law Center. Along the way, she was also a Faculty Fellow in Columbia University’s Department of History, completing all but her Ph.D. dissertation with great distinction before pausing to begin a family. Linda thus had the credentials to do whatever she chose, in academia or the law, and was highly recruited by the private sector throughout her career. But the opportunity to do public service and, more importantly, to work close to home and family, was infinitely more important than status, prestige, or money. That she did not seek or require credit perhaps contributed to her rise to the top echelon of the Food and Drug Administration, the agency that regulates more than a third of the nation’s economy. Linda was trusted by all, because her personal welfare never figured even remotely in any action she took or advice she gave.

Space permits just the merest outline of her FDA career, which began after graduation from GULC in 1985. Within a few years, she became the agency’s lead authority on the Freedom of Information Act. Switching gears, Linda authored regulations in 1993 which still govern the practice of mammography in the United States. Appointed Deputy Director of FDA’s Center for Devices and Radiological Health in 1999, she supervised over 1300 employees and made or influenced decisions on matters ranging from Band-Aids to breast implants to artificial hearts. She testified before Congress on

numerous occasions, especially when women's health was involved. Her last years were consumed—sometimes around-the-clock—with overseeing the reform of FDA's financing for medical devices, a complex assignment that required harmonizing the interests of taxpayers, patients, large device manufacturers, small and new entrant device manufacturers, together with Congressional committees, the Office of Management and Budget, and advocacy groups. The process she spearheaded led to the passage of three statutes between 2002 and 2007, all of which brought safer and more effective medical devices to the market.

While this record at the cutting edge of modern regulation made the limelight unavoidable, I am convinced that Linda would still rather have her career remembered for these words I received from one of her colleagues shortly after her death, even if she would quarrel with some of the phrasing:

*I joined FDA directly from Harvard Law School where I was an average student... After a couple of years in [FDA's] litigation practice I was floundering under a new and difficult manager. I switched [sections] and in a stroke of luck/grace began to work for Linda. Linda was very well respected for her legal abilities and was regarded as a classy and nice person. Linda was very kind to me: she encouraged and taught me; she presumed I knew what I was doing. Looking back I have no doubt that being able to work with Linda was not just my good fortune, it was a divine gift.... I see Linda and her life and her impact on me as evidence of God's grace in the world....*

These words reflect a pattern of behavior that flows not from achievements but from values and a spiritual core that really was always more concerned about the welfare of others than about herself.

Where did these values come from? Although Linda did not grow up in an observant household, she had a close childhood friend who did, and her interest in Judaism and textual study grew steadily, beginning in her college years, after which she spent a summer at the Jewish Theological Seminary. Linda's field at Columbia was American Jewish History. Her Master's essay was entitled "Ludwig Lewisohn: Jewish American Identity in the 1920's." Lewisohn, obscure today, was well-known in mid-twentieth-century Jewish letters as among the first immigrant intellectuals to question the virtues of assimilation and Jewish disappearance into the American melting pot, ultimately embracing Zionism as the only guarantee of Jewish survival. Throughout the essay, one feels her ruminations about the limitations of secular culture and the need to preserve a strong Jewish identity. Her connections to that identity intensified throughout her life, not only in her choices as to family and community but through intensive independent study, leadership in several study groups, and, following her retirement, attendance at numerous classes and lectures.

By the same token, while Linda viewed Jewish identity as absolutely critical, she did not view it uncritically. Perhaps the best example of this lies in a significant

contribution to Jewish life Linda made decades ago. In a Note for the Georgetown Law Review (October, 1984), "Jewish Divorce and Secular Courts," she reviewed a then recent decision of the New York Court of Appeals, *Avitzur v. Avitzur*, enforcing the prenuptial agreement composed by Professor Shaul Lieberman that sought to ameliorate the problem of agunah by compelling attendance before a Bet Din if necessary to obtain a get. The decision was notable because it was the first time that prenuptial language associated with a Ketubah had been upheld by an American court. In the course of her article, which ranged widely throughout Jewish and American law, Linda argued that every Jewish marriage should be accompanied by some form of prenuptial agreement; and respectfully but firmly admonished those who mixed denominational politics with religious doctrine: "[t]he tragedy of the agunah should not be compounded by the failure of organized rabbinic authorities to respond to the judicial opportunity the secular courts have presented." This article was, at the time, widely praised for its scholarship and force, and can reasonably be viewed as a significant contribution to an emerging if fragile consensus in modern Orthodoxy in favor of requiring prenuptial agreements. It is equally clear that even her closest friends were unaware of this contribution during her lifetime, because "it was never about her."

When Linda retired from the FDA in 2007, it was to spend more time with her family and especially her ailing mother. The deadly diagnosis followed all too quickly, yet even in sickness and in contemplation of death her first thoughts were always for family and friends. Linda felt that she had achieved what she could and lived a meaningful and fortunate life; there was no reason why anyone she cared for should suffer more than absolutely necessary.

Here is my confession: even though her life on this earth has ended, I do not quite know how to end this tribute to this woman whom I loved. Here, then, are some nostrums from *Pirkei Avot* that seem obvious:

*Who is rich: She who is content with her lot. Who is honored: She who honors others. Make your Torah study a fixed practice; say little and do much; and receive everyone with a cheerful face. Be not like servants who serve their master for the sake of receiving a reward; instead be like servants who serve their master not for the sake of receiving a reward; and let the awe of Heaven be upon you.*

I would once again like to thank the entire community for all the support it has extended to Linda and me.