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Abner J. Mikva

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Remembering Skelly Wright

Abner J. Mikva†

Becoming a judge on the same court with Skelly Wright was something like joining the Yankees while Lou Gehrig was on the team. From my earliest days as a young lawyer and legislator in Illinois, I had heard about Judge Wright, then holding forth as a District Judge in Louisiana. I read with admiration and respect about his repeated bouts with the Louisiana establishment to uphold the rule of law of *Brown v. Board*. He had taken on his colleagues, his community, and many of his home-state friends to carry out his obligations as a judge. I had learned by that time that the most important measuring-stick by which to rate public people was their courage. For Judge Wright you needed a big stick.

By the time I joined the Court of Appeals for the District of Columbia many years later, “Chief Judge” Skelly Wright headed up this great court. The battles of *Brown v. Board* were long past. It was very respectable to bespeak the virtues of integrated education. But Skelly Wright was still doing his job the same way. He still thought a judge ought to expect, if not court, unpopularity. Whether it was treatment of inmates of the jails, or war protestors, or the homeless, Judge Wright saw no reason to hesitate in doing what he thought judges ought to do. It was that “joie de vivre,” or more appropriately, that “joie de guerre,” that made Judge Wright so unique in the annals of reformer-judges. He was no dour moralist who solemnly proclaimed the evils of sin from on high. He was no reluctant reformer, doing his sacred duty. Skelly Wright loved his role. He once told me that becoming a judge was the best thing that ever happened to him. Most of us thought it was good for the country too.

Perhaps that enthusiasm about judging caused some to think that Judge Wright on some occasions breached the line between policy-maker and judge. He respected that line and the constitutional limitations that should constrain an Article III judge from trying to make policy in a democracy. But he never saw any purpose in apologizing or being timorous about doing what judges should do.

In the Chicago vernacular with which I grew up, “He seen his duty and he done it.” Great game Skelly—you were the Iron-man of the bench. We will never forget you.

† Judge, United States Court of Appeals for the District of Columbia Circuit.

