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Judge A. Leon Higginbotham, Jr.: The Man, the Jurist, the Scholar

Toni M. Jackson* and Helen J. Kim**

On January 31, 1991, Judge A. Leon Higginbotham, Jr., took senior status on the United States Court of Appeals for the Third Circuit. Judge Higginbotham began his distinguished career on the bench in 1964 when President Lyndon B. Johnson appointed him to the District Court for the Eastern District of Pennsylvania. In 1977, Judge Higginbotham was elevated to the Third Circuit and became Chief Judge in 1990. In this career, which spans twenty-seven years to date, Judge Higginbotham has become renown for his legal insight, compassion, empathy, and ability to champion his causes while respecting the bounds of precedent and judicial impartiality.

In addition, Judge Higginbotham has earned a distinctive place in the legal community as a scholar, teacher, and lecturer, holding over fifty honorary degrees from various colleges and universities, numerous awards, and other honors. He has published articles in legal journals throughout the country as well as a noteworthy book, *In the Matter of Color: Race and the American Legal Process*. Judge Higginbotham's forthcoming book, *Shades of Freedom*, promises to equal the scholarship and success of his first book.

Judge Higginbotham attributes his decision to enter the legal profession to an experience he had as a sixteen-year-old freshman at Purdue University.¹ He went to the office of Purdue University President Edward Charles Elliot to ask him if anything could be done to improve the uninhabitable accommodations that he and his fellow black students were given. President Elliot replied, "Higginbotham, the law doesn't require us to let colored students in the dorm, and you either accept things as they are or leave the University immediately."²

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1. A. Leon Higginbotham, Jr., *The Dream With its Back Against the Wall*, Yale L. Rep., Spring 1990, at 36.

2. A. Leon Higginbotham, Jr., *In the Matter of Color: Race and the American Legal Process* viii (1978)

Judge Higginbotham's experience at Purdue left an indelible mark both in his brain and in his heart. President Elliot's cold words prompted the young Higginbotham to take the path that would lead him to challenge a legal system that permitted Purdue University to house twelve young men in an unheated attic, simply because of the color of their skin. Not only did Judge Higginbotham succeed in challenging the legal system, he has challenged all those in and out of the legal community to achieve a heightened awareness of how the "Law" can be used to oppress those not in power.

Judge Higginbotham understands how the legal process can be perverted and diverted to ignore (or create) the problems faced by minorities and women in the United States. For more than four decades, Judge Higginbotham has used his life experiences and his learned legal talent to "remember those who are bound as [if] bound with them."³ Judge Higginbotham's unwavering commitment to "do the right thing" makes him an inspiration for us all. We are honored to pay him tribute.

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