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

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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. 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."
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." Judge Higginbotham's unwavering commitment to "do the right thing" makes him an inspiration for us all. We are honored to pay him tribute.

PUBLICATIONS of A. Leon Higginbotham, Jr.
December 30, 1990


"Rather than Free": Free Blacks in Colonial and Antebellum Virginia, Harvard Civil Rights-Civil Liberties Review, (date to be announced). (with G. Bosworth)


Lectures One, Two and Three: “The Legitimization of Racism in Virginia.”

Lectures Four and Five: “States' Rights and States' Wrongs: Apartheid, Virginia and South Africa Style”

“Race, Values and the American Legal Process,” (J.I.C. Taylor
Law and Inequality

Memorial Lectures, 1984). Delivered at the Faculty of Law, University of Lagos, Nigeria.


Lawyers, Values and Commitment, En Banc December 1980.


Process, an analysis of the use of the law to perpetuate and eradicate racial injustice and Documents on Race and the American Legal Process, an anthology.


Cobblestones or Diamonds? (speech upon presentation of Yale Citation of Merit) October 18, 1975, reprinted in Yale Law Report, Winter 1975-76.


To the Scale and Standing of Men, 60 The Journal of Negro History, (1975).


Now is the Hour, address to Fellowship Commission, Brotherhood Week, 1973.

So Many Deeds Cry Out to be Done, American College Testing Program, Monograph Nine: College/Career Choice: Right Stu-
Can We Avoid Riots in Prison if We Fail to Eradicate Racism on the Outside?, The Institute of Contemporary Corrections in the Behavioral Sciences, Sam Houston State University (1972).

Racism and the American Legal Process: Many Deeds Cry Out to be Done, Progress in Africa and America, Scholars and Statesmen Lecture Series, Number Three, Dillard University, New Orleans, La., 1971-72.


As If I Bound With Them, The Hourglass, Center for Interfaith Studies (Fall edition), Number 12, Volume 4, 1971, Lincoln University.


From Presidential Fact Finding Commissions to Justice for Blacks - Can We Bridge the Gap?, The Pursuit of a Culture and Human Dignity, Scholars/Statesmen Lecture Series, Number Two, 1970-71, Dillard University, New Orleans, La.

From the Outside Looking In: Is Yesterday's Racism Relevant to Today's Corrections?, Outside Looking in, Law Enforcement Assistance Administration, April 1, 1970, Washington, D.C.


From Riot Study Commissions to Justice in the Ghetto - Will We Bridge the Gap?, in Social Unrest, Crime & Delinquency, University of Maryland, College Park, MD, Center of Adult Education.

Contributor as a Commissioner to the following publications:
- White House Conference - “To Fulfill These Rights”
- Final Draft - Federal Criminal Code - Commission on Reform of Federal Criminal Laws