

*Douglas G. Baird*†

By the time I came to the Law School, Abner Mikva was firmly ensconced as a judge on the DC Circuit. He was one of the white-haired legal giants standing beside the likes of Judges Skelly Wright and David Bazelon, someone who looked as if he had always worn a judicial robe. He was a loyal and distinguished alumnus of the Law School, someone who would occasionally reach out to urge us to hire a particularly promising law clerk (such as a young lawyer named Elena Kagan).

But it was quite another Abner Mikva that I came to know later. That he might not be someone who lived entirely on Mount Olympus first suggested itself when I saw a movie comedy starring Kevin Kline and noticed that the actor playing the chief justice swearing in a new president was Abner Mikva. Most judges did not do comedy.

More was revealed shortly after he left the bench and became White House counsel. A group of friends of the Law School gathered at a lunch to hear him provide a cogent account of the challenges that the executive branch was confronting. Before he delved into the details, however, he began with the observation that, in taking his current job, he had disregarded the advice that his former partner (and later Supreme Court justice) Arthur Goldberg gave him as a young lawyer. Ab was warned that he should never have a practice that was too dependent on one client. And he had not followed that advice. “After forty years,” he told us, “look at where I am. I have only one client. He is a lawyer. And his wife is a lawyer. And they both live above my office.”

A cheerful idealism and boundless optimism never left the eager young law student who, on arriving on Chicago’s political scene, found that nobody wanted someone nobody sent, and this is the Abner Mikva I came to know when he returned to the Law School after his time putting out fires in the Clinton White House.

Ab was a happy warrior who lived comfortably in multiple worlds. When he was back at the Law School, he was completely at home as a teacher and a mentor, and he never took his finger

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off the pulse of the body politic. You could learn more about what was happening in local and national politics while standing in line with Ab in the Green Lounge than you could from reading any newspaper. What about a reform politician with an impeccable record and long experience? “You can’t support him,” Ab would say. “He just isn’t going to win.”

During Barack Obama’s long primary campaign for the United States Senate, Ab was beaming with confidence. The confidence mystified us. Obama was in an eight-person field. He had been running a distant third just a few weeks before the election, but Ab was completely confident. Then the two candidates in front of Obama imploded, just as a perfectly timed advertising campaign hit the airwaves. Early on the morning after Obama’s victory, we again found a beaming Ab standing in line in the Green Lounge. How did Ab know that he was going to win? It was simple. “Barack has the gift that every politician needs—he’s lucky!”

The same wisdom and optimism was present during Ab’s last visit to the Law School. The occasion was Obama’s return to the Law School. We had to wait for a long time, but the time passed quickly for those of us who found ourselves again in line with Ab, this time for security. It was a long wait, but Ab was as upbeat as ever, as connected as ever, and looking forward, not backward. We were lucky to have him with us.