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A good judge must be a master of the craft. He or she must be able to comprehend the complexities of a problem in its entirety, make a tentative judgment about its resolution, analyze each component part, and then fuse the matter back into a coherent whole that will not only resolve the immediate controversy but also provide guidance for the future. A great judge is something more.

Chief Justice Donald R. Wright is a fine craftsman. His opinions are marked by careful and impartial analysis of difficult issues and wise elaboration of basic principles. But he is something more.

“Is this the kind of country we want to live in?” That question, reports a friend of the former Chief Justice on the superior court bench, embodies Chief Justice Wright’s whole judicial philosophy. This could be a troubling approach. Who is a judge to decide “the kind of country we want to live in”? It is particularly troubling for one who began law study, as I did, in the tradition of Learned Hand—a tradition of deep skepticism about the reach of judicial power.

Chief Justice Wright is also a skeptical man. He realizes that the California Supreme Court cannot reform society, that the pinions of any court’s legitimacy are fragile. But his skepticism goes to more than the limits of judicial competence. He realizes that other parts of government are also administered by human beings and that there are necessary limits to their power. His concurring opinion in *People v. Disbrow*¹ is illustrative. Relying on the California Constitution, and notwithstanding the contrary decision of the United States Supreme Court under the federal Constitution, the court ruled that statements obtained from criminal defendants in violation of their *Miranda v. Arizona*² rights could not be used for purposes of impeachment. “*Miranda*,” wrote Chief Justice Wright, “is still the law of this land. I now recognize that rule is eviscerated when police officers can ignore the duty to give warnings, or, as in the instant case, violate *Miranda* . . . knowing full well that illegally obtained statements may be admissible”³

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1. 16 Cal. 3d 101, 545 P.2d 272, 127 Cal. Rptr. 360 (1976).

2. 384 U.S. 436 (1966).

3. *People v. Disbrow*, 16 Cal. 3d 101, 116, 545 P.2d 272, 282, 127 Cal. Rptr. 360, 370 (1976).

Chief Justice Wright joins his skepticism with a deep belief in the inherent worth of the individual and the inherent promise of society to improve itself. That combination produces a profound humanitarianism. A well-known instance of those qualities is the Chief Justice's decision in *People v. Anderson*,⁴ which held that capital punishment is impermissibly cruel. Recall his closing words in that opinion: "Our conclusion that the death penalty may no longer be exacted in California . . . is not grounded in sympathy for those who would commit crimes of violence, but in concern for the society that diminishes itself whenever it takes the life of one of its members."⁵ The concern of the Chief Justice for the individual and for society is apparent in scores of his other decisions. They ensure that his impact as a judge will be permanent. For example: *People v. Duran*,⁶ in which he recognized the "affront to human dignity" and the "disrespect for the entire judicial system" that was incident to the unjustified use of physical restraints on criminal defendants at trial; *People v. Bracamonte*,⁷ in which he held that "the integrity of an individual's person is a cherished value of society" that cannot be violated by forced administration of an emetic to obtain evidence of a crime; *In re Lisa R.*,⁸ in which he recognized the right of a plaintiff to offer evidence that he was the natural father of a minor child despite a statutory presumption to the contrary, and, quoting the United States Supreme Court, stressed that the due process clause was "designed to protect the fragile values of a vulnerable citizenry from overbearing concern for efficiency and efficacy."⁹

Chief Justice Wright has also had a profound personal impact on the lives of those who are lucky enough to know him as a bibliophile, art collector, traveler, raconteur, and—most of all—as a friend. I came to know him when I was at Stanford Law School. When he was appointed, a deep and dangerous cynicism about government and the legal system pervaded many universities. This disillusionment was greatest at the time of Watergate but it went far beyond that incident. I watched, listened, and learned while Chief Justice Wright talked with students at Stanford and elsewhere. As much as anyone I know, his presence, his kindness, and his deep sense of humanitarianism enabled students and others to see what the legal system can be. He has made us feel that there was, in fact, a chance that the law would help realize a better society.

4. 6 Cal. 3d 628, 493 P.2d 880, 100 Cal. Rptr. 152 (1972).

5. *Id.* at 656, 493 P.2d at 899, 100 Cal. Rptr. at 171.

6. 12 Cal. 3d 834, 545 P.2d 1322, 117 Cal. Rptr. 437 (1976).

7. 15 Cal. 3d 394, 540 P.2d 624, 124 Cal. Rptr. 528 (1975).

8. 13 Cal. 3d 636, 532 P.2d 123, 119 Cal. Rptr. 475 (1975).

9. *Id.* at 651, 532 P.2d at 133, 119 Cal. Rptr. at 485 (quoting *Stanley v. Illinois*, 405 U.S. 645, 656 (1972)).