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INTRODUCTION

Dedication to the Honorable William Hughes Mulligan

John D. Feerick*

It is with great honor and sadness that I join the Editors of the *Fordham Intellectual Property, Media & Entertainment Law Journal* in remembering the late William Hughes Mulligan.

Bill Mulligan was a true Gaelic giant, who left his mark with the brush strokes of a gifted master. He was extraordinarily accomplished in everything he did. To some, Bill Mulligan was a brilliant lawyer and jurist; to others, he was an outstanding educator and public speaker; but to all, he was a man devoted to his faith and country.

Most especially, Bill Mulligan was a dedicated family man, who adored his wife, children, and grandchildren, and whose definition of family extended not only to the far boundaries of his community, but also to the complete range of his fellow citizens. To those of us at Fordham Law School, Bill Mulligan was larger than life. More than anyone else, he helped to define Fordham's place in the modern world and made possible the realization of many dreams.

Born to Stephen Mulligan and the former Jane Donahue, Bill Mulligan was raised in the Bronx. He graduated *cum laude* from both Fordham College (Class of 1939), where he was the Sports Editor of the student newspaper, *The Ram*,

* Dean, Fordham University School of Law. This Dedication was originally presented as a Tribute to Judge Mulligan by Dean Feerick on October 23, 1996 at the United States Court of Appeals for the Second Circuit.

and Fordham Law School (Class of 1942), where he served as Business Editor of the *Law Review*. He then served with distinction during World War II in the Counter-Intelligence Corps of the United States Army. The *New York Times* later noted that his military service “was also rewarded with a wife[.]”¹ because he fell in love with the colonel’s assistant, Roseanna Connelly, whom he married on October 20, 1945.

In 1946, Bill Mulligan returned to Fordham as a professor of law. For the next twenty-four years, he taught a great many courses, including criminal law, criminal procedure, equity, trade regulation, and insurance law. He also wrote many significant articles and lectured extensively at the bar.

In 1954, he was appointed Assistant Dean and Ignatius M. Wilkinson Professor of Law. This was also the year in which he made his first, and only, venture into elective politics, which he described as follows:

I ran for the office of Village Trustee of North Pelham. Many of you, I am sure, will recall what an active, arduous, and at times bitter campaign that was. The office, in addition to its obvious prestige, also involved an annual salary of \$250—which is now roughly equivalent to the salary of a federal judge.

I ran for office in a village which had a Republican registration which was three times greater than that of the Democrats. I ran as a Republican and [was ignominiously defeated by an intelligent electorate]. That election night, I cried for the first time since 1928, when Al Smith was defeated by Herbert Hoover.

That occasion gave me the first inkling of my true vocation for the federal bench which is attained by presidential appointment, with the advice and consent of the Senate, for a lifetime tenure. This process

1. *Dean of Districting: William Hughes Mulligan*, N.Y. TIMES, July 13, 1964, at 23.

eliminates the intervention of the electorate—it is a decent and gentlemanly method of carrying out matters of this import. However, I harbor no ill feelings for the electorate of North Pelham—time has eroded any bitterness. Those rotten people voted against me because I was born and brought up in the Bronx. Even the Republicans voted against me because they could not believe that anyone named Mulligan from the Bronx was really a Republican. In any event, I moved my wife and family out of North Pelham, and have never returned—even for a haircut.

Despite this electoral setback, two years later, Bill Mulligan was appointed Dean of Fordham Law School by Fordham's President, Reverend Lawrence J. McGinley, S.J. His deanship, which spanned the period of 1956 to 1971, was extraordinary: he was instrumental in greatly strengthening the Law School's educational programs, developing its physical plant, and building its national reputation. To this end, he recruited an outstanding faculty, including Judge Joseph McLaughlin; served as a mentor to thousands of students, including myself; invigorated the curriculum by adding twenty-one new courses; assisted in establishing a renowned educational program in European Community Law; opened the doors of Wall Street law firms to the School's students; and helped plan and guide the school when it built its first permanent home at the Lincoln Center campus in 1961.

In 1984, at a dedication ceremony of a major addition to the Law School building he had once developed, he commented upon his earlier accomplishments as a master builder:

I planned every feature of the . . . building of 1961, including the size and number of classrooms, the faculty offices, the library facilities, and the student areas. And this planning foresaw every conceivable

need of the School for well into the Twenty-First Century. It was planning like this that made today's ceremony inevitable.

During his tenure, Bill Mulligan took on many important public service responsibilities, such as becoming Counsel to the New York State Constitutional Convention, chairing the State Commission on Reapportionment of the Legislature, and serving as a member of both the New York State Law Revision Commission and the New York State Commission on the Revision of Legislative and Judicial Salaries.

Dean Mulligan's formidable presence was felt throughout the Law School; he could always summon his charming wit as a capstone for any occasion. He once said, "For the Irish, martinis are like impure thoughts—we can't help having them, but when we begin to enjoy them, we get into trouble." On another occasion, he noted, "Except for the ugly ones, the Irish are the most handsome people on earth."

Of his youth in the Bronx, Dean Mulligan said, "I did not grow up in a cottage but an apartment house, which I now understand is properly referred to as a townhouse. Our heat was steam and not peat, and we had it when the boiler was working and the Super was sober, conditions which seldom coincided."

He once recalled the beginning of his teaching career as follows:

I wanted to teach law, and applied for a full-time job as a professor at Fordham. Ignatius Wilkinson was the Dean, and asked me what my qualifications were—I told him that I had high marks, made the *Law Review*, and had spent three years as an agent in the United States Army's Counter-Intelligence Corps. Wilkinson said to me, 'Mulligan, I am running a law school, not a detective agency.'

Of his wartime service in Counter-Intelligence, Judge Mulligan made the following comment several years ago, as

he presented the Fordham Law Alumni Association's Medal of Achievement to Judge Lawrence W. Pierce:

We have a great deal in common, and our lives seem to be running in parallel. Both of us are members of the Second Circuit Court of Appeals, both of us attended Fordham Law School, and both of us served overseas during the Second World War—he in Italy, and I in Staten Island.

On another occasion, Judge Mulligan noted that his Counter-Intelligence service required him to wear civilian clothes. He said that his mother was horrified, fearing that people would think that he was a draft dodger. On Sundays, therefore, she would make him wear his uniform whenever he took her to mass.

Commenting on the cramped quarters of Fordham Law School before its move to Lincoln Center, he observed, "Fordham lawyers who were educated at 302 Broadway were so good on their feet because there weren't enough chairs to go around." I know that Judges Pierce, McLaughlin, Duffy, and Keenan, all of whom are also graduates of Fordham Law School, can affirm the literal truth of that opinion.

Bill Mulligan's Gaelic wit continued to be a hallmark when he left our school for the Second Circuit in 1971. Few will ever forget his assertion, based on circumstantial evidence, that America had been discovered by a red-headed Irishman named Lynch. Of his evidence, he explained, "Gentlemen, we have convicted men of serious crimes in the federal court on less evidence than we have here, and my court has affirmed them." Always sensitive, he added, "Lest my Italian friends take offense, I assure them I intend no disrespect at all, and on October 12, I will attend the annual Lynch Day parade, at Lynch Circle, and watch with pride as the Knights of Lynch pass by."

Though celebrated for his humor, which lightened every

occasion and brought cheer to all, Judge Mulligan was loved even more for his compassion and humanity. To an entire generation of Fordham Law students and professors, he became a dear friend and mentor, role model, and hero. He was our prince among men. One member of our senior faculty called him “my second father;” another noted, “I was impressed by his calmness, as well as his firmness, [and] I tried to imitate those qualities in my own dealings. . . .” Judge Joseph McLaughlin notes, in a forthcoming issue of the *Fordham Law Review*:

I was fortunate—blessed would be a better word—to know Bill Mulligan in his many incarnations: teacher, Dean, Judge, and most memorably, friend. [He was] a superb teacher, a fine administrator, and then a gifted judge. . . . He touched all who knew him with his kindness and his unforgettable wit.²

In his lifetime, Judge Mulligan received wide recognition and a multitude of awards from numerous prestigious institutions and associations, including every honor his *alma mater* can confer on a graduate. He was proud of his Fordham heritage, often boasting that he was a collateral descendant of Archbishop John Hughes, the founder of Fordham University.

Bill walked on the stage of life with the most famous of Americans, but one would never know that from anything he said in his conversations. He treated each of us as an equal, as a next-door neighbor. There was a warmth and basic decency about him—never hurting, condemning, condescending, calling attention to himself, or seeking his own advantage and advancement. He taught us the law, pointed the way to how we should conduct ourselves as lawyers, and brought great honor to Fordham and the legal profession.

2. Joseph M. McLaughlin, *In Memoriam: William Hughes Mulligan*, 65 FORDHAM L. REV. 15, 15 (1996).

This year, our school marks the fortieth anniversary of his appointment as Dean. He is still foremost in our hearts, and his presence is manifest in all that we do. Our students compete in the William Hughes Mulligan Moot Court Competition, and a Chair in International Legal Studies has been established at Fordham in his honor.

Some here today will speak of Judge Mulligan's gifts and legacy in other areas of his wonderful life, but for those of us at Fordham Law School, it is enough to say how grateful we are that he stayed with us for so long and that he made each of those twenty-five years a joy.

On the wall of London's magnificent St. Paul's Cathedral, there is a plaque honoring the great architect, Christopher Wren. The inscription says, "Reader, if you seek his memorial, look all around you." In recalling the magnificent life and career of Bill Mulligan, we are reminded of these words. Like many great persons, he built his own memorial—in everything he did and in every life he touched. To see it, we have only to look around.