Tribute to Patricia Wald

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We are gathered here today to honour a true legend in the law, a woman who has made an immeasurable contribution to both domestic and international law and practice. It is an honour to be asked to provide a tribute to Judge Patricia Wald, a woman I consider a mentor, a role model, and a very dear friend. Here, I will merely highlight a few of the contributions she has made over her lifetime to the law and to humanity, and briefly explore the unique path that took a young girl from a poor, working class family to ultimately sit on two of the highest courts in the world.

Patricia McGowan grew up in a manufacturing town in north-western Connecticut. She never knew her father, and was an only child raised by a single mother in the 1930s. She grew up in an extended family made up largely of factory workers. No one in her family had ever been college, but her relatives must have recognised Pat’s genius early on. They supported her ambitions to forge a better life for herself and for others.

The only lawyer she had met as a child was a classmate’s father, a local judge. She’d heard rumours that there was actually a female lawyer over in Bridgeport, Connecticut, but she never met her. During college, Pat worked summers alongside family members in the local factories, where she became involved in the labour movement. Through union work, she decided that law school would be a good way to help protect underprivileged, working class people.

Upon graduating first in her class from the Connecticut College for Women in 1948, she packed her bags and headed for Yale Law School. Most other law schools, including Harvard, didn’t allow female students at that time, so she entered alongside ten or eleven other young women. All the law professors were of course male.

In a “Legends in the Law” interview with the Washington, DC Bar in 1995, she mentions the importance of having had other female classmates:

Yale Law School was one big integrated complex, and the men lived in the big stone dormitories, but the women were required to live off campus in this dinky old house that was
falling down near the railroad tracks. … [L]iving in that house really wasn’t any great deprivation. It made the women a cohesive unit. By sticking together we managed to weather the storm.¹

But when you’re a female in a man’s world, you rarely have other female colleagues to weather the storm with, so you go it alone and blaze the trail for others. That is precisely what Pat has done throughout much of her career.

In post-war Europe in the late 1940s, not many young women were travelling around on their own. But during one law school summer, Pat and a girlfriend began a grand adventure: they took off together for Europe, exploring new cultures, new cities, and new ideas.

Rather suspiciously, at least to my mind, another Yale law student apparently just happened to be travelling around Europe at the same time with his own friends. His name was Bob Wald.

Returning to law school at the end of the summer, Pat earned a coveted place as editor on the law journal; she made good grades, and reportedly let her new boyfriend know she wasn’t attracted to slouches. Bob’s grades began to make marked improvement. When he graduated from law school, he was called to enter the Navy Reserves.

When Pat graduated, she soon discovered that finding a job as a female lawyer in a profession that had been reserved exclusively for men for centuries, had endless challenges. But not surprisingly, after some frustrations with law firms who had already hired their token female, she was offered a job by Judge Jerry Frank on the second circuit. Pat was the sole woman clerking on the second circuit at that time, nor were there any other females even on the district court in the southern district of New York.

At the age of 23, Patricia McGowan married Robert Wald, who was then stationed with the Navy in Norfolk, Virginia. She moved to Washington, D.C. to be closer to her husband, and became an associate at Arnold & Porter. There she was again the only female lawyer in the firm at the time.

From the beginning, the union of Pat and Bob Wald was an unconventional match: Bob was born into an affluent Jewish family; Pat was born into a poor Irish Catholic home. They had different styles, different interests, different backgrounds. Yet both shared a love of the law and a passion for justice, both had eloquent and persuasive writing styles which managed to make complex issues understandable and even interesting, both had that rare ability to weed through the masses to hone in on the most significant details, and both would prove to be outstanding lawyers. Significantly, they also shared integrity, intellectual curiosity, loyalty, and a wonderful sense of humour.