

IN THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

# Presentation of Portrait

of

**THE HONORABLE ANTHONY J. CELEBREZZE**

to the  
United States Court of Appeals  
for the Sixth Circuit

**Presiding:**

THE HONORABLE PIERCE LIVELY  
Chief Judge, United States Court  
of Appeals for the Sixth Circuit

Wednesday, June 12, 1985  
Cincinnati, Ohio  
2:00 P.M.

# Proceedings

---

JUDGE PIERCE LIVELY: It is a genuine pleasure to welcome all of you to this very happy event in the life of the Sixth Circuit Court of Appeals. We are gathered in special session today to take note of a most unusual public career and to honor a truly extraordinary man. For anyone to be elected five times the Mayor of a great American city, to serve in the cabinet of two presidents, and to sit on the United States Court of Appeals is an achievement. But for one born in another land with all the hardships that attain to that, to do this is truly remarkable. In many ways the life of Judge Celebrezze is the American dream come true.

It is my pleasure now to introduce members of Judge Celebrezze's family who are here with us today. First of course, Anne Celebrezze. Anne is the beloved wife of Tony Celebrezze and a beloved member of this Court family. The Celebrezzes have been blessed with three children, one son and two daughters. Their son is the Honorable Anthony J. Celebrezze, Jr., Attorney General of Ohio, his wife, Louisa, and their five children, Anthony J. Celebrezze, III, Katherine Celebrezze, Charles Celebrezze, David Celebrezze, and Maria Clare Celebrezze, their daughter, Jean Porto, of Washington, D.C. and her husband, Ben. The Portos have two sons who are not with us but we want to mention them, Joseph Porto and Brian Porto. The other daughter is Susan Sullivan, who is the Librarian at Boston College. Susan, her husband, David, and their daughter, Maria.

Judge Celebrezze's brother, Joseph Celebrezze, of Cleveland and his sister-in-law, Mary Jane, are here. Would you please stand? Judge Celebrezze's nephew, Rocco, and his wife, Dixie, and his nephew, Christopher, and his wife, Beth Anne.

There are several particular friends of Judge Celebrezze who are here today and we would like to recognize Magistrate Charles Laurie and his wife, Laverne, from Akron. Myron Stoll and his wife, Kathy, from Cleveland. Mr. Stoll was Judge Celebrezze's first law clerk when he came to this court. Mr. and Mrs. Joseph Ventura of Washington, D.C., who are longtime friends of the Celebrezzes.

At this time I would like to call on Mr. Richard Kuhn from Cleveland, Ohio to make a presentation.

RICHARD KUHN: May it please the Honorable Court. We are here today not just to honor Judge Anthony J. Celebrezze but also

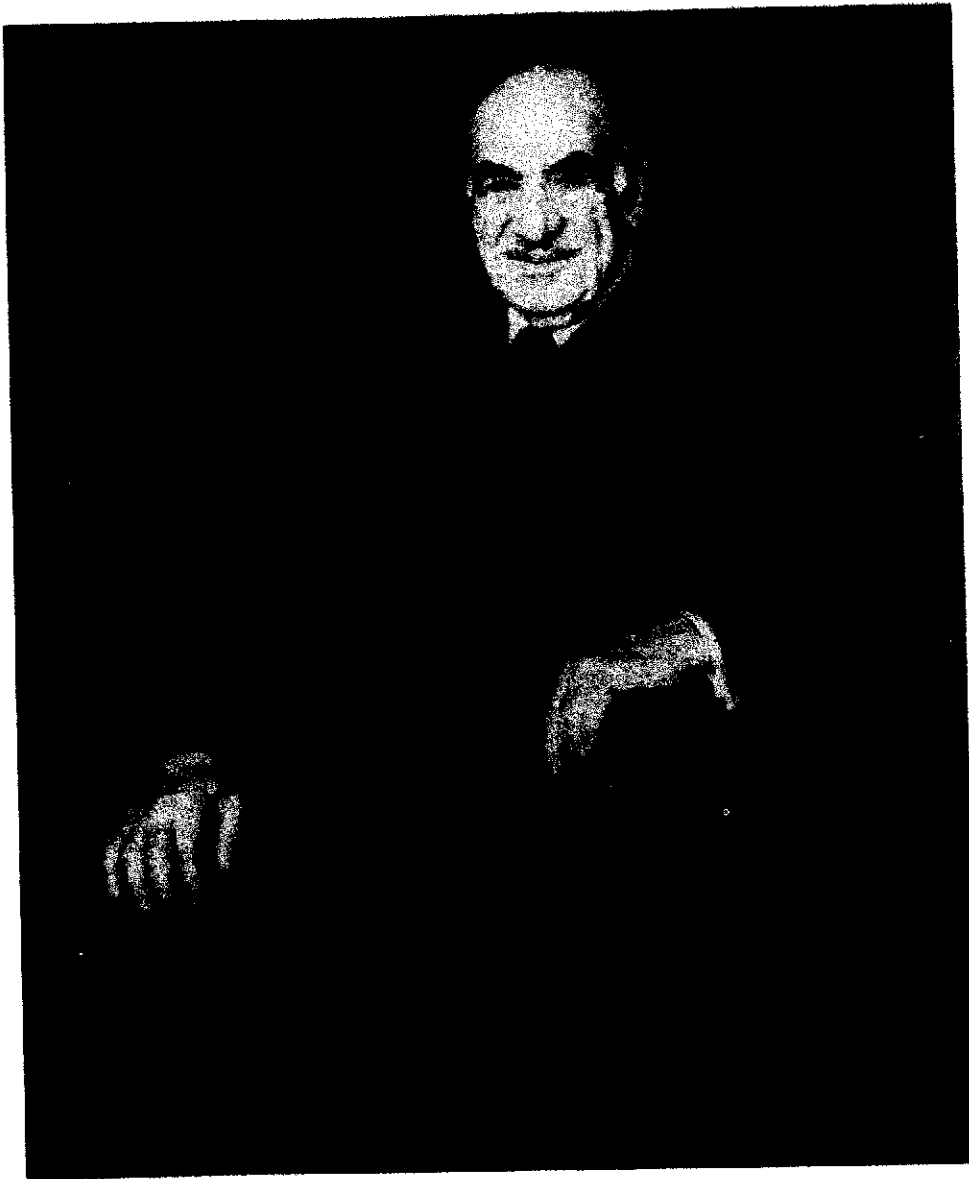
## PRESENTATION OF PORTRAIT

to recognize his many achievements and also his dedication to public service. Starting from a humble background through much hard work to State Senator and many terms as mayor of a great city and member of the Cabinets of two presidents. And then on to serve for twenty years on the United States Court of Appeals for the Sixth Circuit. Judge Celebrezze has few, if any, peers in Ohio or the Sixth Circuit and one wonders what the secret of success in addition to conscientious hard work may be. Some years ago I spoke with a man who also had been very successful in his chosen field and in response to my question he said he thought whatever success he had achieved resulted from the fact that he liked people and always tried to help them. I am sure that this in some measure is part of Judge Celebrezze's secret. It is with great personal pleasure that I present this portrait on behalf of the lawyers from Cleveland and Ohio; and if the Artist Ruth Nestor will give me a hand, we will now unveil the portrait.

JUDGE PIERCE LIVELY: Thank you Mr. Kuhn. It is a genuine pleasure to accept this portrait on behalf of the Court of Appeals for the Sixth Circuit. It will be hung in a place of honor along with the portraits of Judge Celebrezze's many illustrious predecessors.

I would like to call on Mr. John Strauch, President of the Cleveland Bar Association, at this time. Mr. Strauch.

JOHN STRAUCH: Thank you, Your Honor. Members of the Court, family of Judge Celebrezze, fellow members of the Bar, and friends. I am truly proud to be here today representing the Cleveland Bar Association in celebrating the outstanding achievement not only on this court, but in other arenas as well, of one of Cleveland's truly great figures and of one of the truly outstanding members of our Bar. He has compiled a record of achievement which in terms of breadth, of quality, and of the sustaining nature is really one which is rarely equalled and which, prior to his service on this Court, I think prepared him in a very unique way for the task of judging. If I may be permitted an outsider's observation on that task, I observe that the task is one which involves bringing to bear on human problems in wisdom and in empathy for others born of an experience and direct involvement with the problems of others and with their hopes and their needs and of their aspirations, an experience which persuades one of the ultimate nobility of man but which recognizes his imperfections and which allows one to bring to bear on the task of resolving disputes an informed sense of fairness and justice and attainability. There is a need and a skill to be sure in marshalling authorities and in perusing cases and in parsing out the language of the statutes, all of which all members of our Court do quite well, but the essential core of the judging experience, the



HONORABLE ANTHONY J. CELEBREZZE

## HONORABLE ANTHONY J. CELEBREZZE

real essential nature involves being able to deal with that ambiguity, that gap, those shades, that are still there and then one has to bring to bear his experience, his empathy and his love and appreciation for others on deciding what society really ought to do to be fair and what an informed Congress really must have meant and what a living constitution ought to mean. And when you look at the life of this man and when you see the extent to which his experience has paralleled the growth and development of the societies whose values he is asked to impose upon these problems, one is struck by the unique nature of the passage of this man in the judicial annals of this country.

As Judge Lively has noted, we have here a man who was born in another country and who came here at the age of two in 1912 and became part of that great immigration melting pot experience which our nation so correctly and so proudly identifies as one of the sources of its real strength. I can't think of any experience which would bring to someone a greater appreciation of the need for the tolerance of diversity in a free society and of the need for harmonizing conflicting points of view and background. Educated in the public schools of Cleveland and educated at John Carroll University and Ohio Northern Law School, he entered the job market in 1936 in the depths of the Great Depression, one of this country's sad but challenging and molding experiences, and I think there learned the greatness of individuals, the ability to rise to challenges at the same time the extent to which that can be limited by forces greater than the individuals. He then embarked upon a political career which was so noteworthy and so outstanding that all of you know of it—preparing him once again to wrestle with the kind of problems he would have to face as a judge.

Running through his many opinions, and if you look at simply his dissents which have been adopted by the Supreme Court and there are at least nine of them that I know of, which is an outstanding record of accomplishment, you see running through there an essential faith in common members of society, a liberal application of the idea of the review of decisions of executives and representatives of the people as truly inspiring. This is a record of great achievement. This is a great man. I am proud as a Clevelander of his accomplishments as Mayor of our city. I am proud as a citizen of this country of his achievements as Secretary of Health, Education and Welfare, a unique and fitting position for a man of his appreciation and love of people. As a member of this Bar, I am proud of his achievements on the United States Court of Appeals for the Sixth Circuit, and as simply a human being who, as he grows older, comes to know even better the need for love and understanding among people, I am proud of this man.

## PRESENTATION OF PORTRAIT

JUDGE PIERCE LIVELY: Thank you very much Mr. Strauch. I would now call on Stan Fisher, President-Elect of the Cleveland Chapter of the Federal Bar Association. Mr. Fisher.

STAN FISHER: May it please this Honorable Court, Honorable Chief Judge, other distinguished members of the Bench, the distinguished family of Judge Celebrezze, our Ohio Attorney General, and other distinguished guests. I am particularly honored to have the opportunity to be here today on behalf of the Federal Bar Association which serves as the national representative of the federal legal profession and which is dedicated to advancing the science of jurisprudence in both the welfare interest in education and professional growth in development of the members of the federal legal profession. We feel that Judge Celebrezze exemplifies those standards and we are very pleased to be here today to honor him. As a former attorney in private practice, as a member of the Ohio Senate (if I may just say that that's one thing that Judge Celebrezze and I share in common, we both have sons that became members of the Ohio Senate and I often counsel with Judge Celebrezze about my son's entry into the arena of politics), as the Mayor of the City of Cleveland, as a member of President Kennedy's Cabinet, Secretary of Health, Education and Welfare, and as a distinguished member of this Court, Judge Celebrezze has coupled a life of legal and public service with a distinguished career as member of this Court. Judge Celebrezze has been a devoted member of the Sixth Circuit with dedication to its tradition for excellence and integrity. Judge Celebrezze has had an illustrious career. That career continues. He continues to serve this Court. He continues to serve the community. He continues to be available to his colleagues in the Bar and in the political and civic arena.

There are more than one hundred federal bar association chapters within the federal judicial circuits. They all join, and particularly the Federal Bar Association chapters of Cincinnati and Cleveland, in which Judge Celebrezze is an honorary member, with me in bestowing our thanks for his distinguished service, our honor on his distinguished career. We wish he and his family the best of happiness and health for many, many more years.

JUDGE PIERCE LIVELY: Thank you Mr. Fisher. The Honorable John W. Peck, a senior judge of this Court, and Judge Celebrezze have been friends so long that neither will admit when it all began. We would like to call on Judge Peck to introduce Judge Celebrezze.

JUDGE JOHN W. PECK: Most of my remarks have already been made today, but I continue in the hope that I may turn some ground that has not been previously plowed.

## HONORABLE ANTHONY J. CELEBREZZE

In preparation for my assignment this afternoon, I asked Judge Celebrezze's office to send me a biographical sketch but instead I received a pen and ink portrait competitive in its own way to the magnificent oil which we dedicate this afternoon. The resumes of most men fit comfortably on one sheet of foolscap with wide margins at that. Not so a compilation of the Celebrezze accomplishments. A simple listing of his honors and awards which have been extended to him cover four full pages and I am advised that only achievements of major importance were set forth in that document. The ten honorary degrees which Judge Celebrezze has received from a wide variety of colleges and universities include a half-dozen honorary doctorates of law, doctorate of humanities, and one of humane letters, and one I never heard of before, honorary Ph.D.

All of these honors and scores more, too numerous to mention, have showered like a gentle rain from heaven upon this humble man born at Anzi, Italy in 1910, one of thirteen children. Brought to this country at the age of two, Judge Celebrezze attended the public schools at Cleveland and John Carroll University, then Ohio Northern College of Law from which he graduated in 1936. He later turned from the private practice of law to public life and, while serving his second term in the Ohio Senate in 1953, was elected Mayor of Cleveland. He held that office for an unprecedented five terms. Judge Celebrezze was appointed Secretary of the Department of Health, Education and Welfare by President Kennedy in 1962 and upon a succession to the presidency by Lyndon Johnson, who subsequently appointed him to the Sixth Circuit Court of Appeals in 1965. Judge Celebrezze is one of only a small handful of federal judges who previously served as members of a presidential cabinet and is the only judge of the Sixth Circuit Court of Appeals in its entire history to have held such an exalted office. Senator, Mayor, Secretary, Judge Celebrezze has served with distinction in all the high offices which he has occupied. In the Ohio Senate he served as Chief Spokesman for then Governor Frank J. Lausche and the Democratic Minority. As Mayor of one of America's greatest cities he brought divergent and antagonistic factions together to accomplish dramatic improvements which will always remain as prominent reminders of his administrations. As Secretary of the department upon which centered the most important programs of President Kennedy's New Frontier and President Johnson's Great Society, he was on the cutting edge of those efforts in public relations nationally and he was particularly effective in congressional liaison where his personal charm won many friends for the administration. Just to understand something of the magnitude and complexity of the job of Secretary of the

## PRESENTATION OF PORTRAIT

Department of Health, Education and Welfare, consider that Judge Celebrezze sat on some 215 advisory committees and the Department's budget was second only to that of the Department of Defense.

To mention only three out of a dozen important pieces of legislation for which he gained critical support, Judge Celebrezze was instrumental in securing the passage of the Medicare Act, the Economic Opportunity Act, and the Civil Rights Act of 1964. As a judge of this Court, Judge Celebrezze has not only participated in a substantial number of key decisions, but also has written a number of dissents in important cases on grounds adopted by the Supreme Court in reversing the result here, much to the chagrin of a number of judges, including myself. I am, thus, among the Sixth Circuit judges who are inclined to take another look when our honoree indicates a divergence of view.

It would be entirely futile for me to pretend total objectivity while discussing Judge Anthony J. Celebrezze. The simple fact is that I regard Tony with unlimited admiration and affection. The long and close friendship to which Judge Lively has referred began many years ago when we were both earning our daily bread as employees of the State of Ohio. While I was working as a member of the Governor's Cabinet, Tony was exhibiting his rollicking good humor as an articulate and eloquent Senator.

That same unfailing good humor has stood Tony in good stead down through the years and, indeed, may be regarded as a hallmark of his many faceted character. I hope I am not betraying a Court secret when I confess that there are infrequent tense moments within these hallowed walls, but I do so in order to point out that on such occasion it is invariably Tony who saves the day by a lighthearted comment or a well-placed wisecrack. Asked to list Tony's personal attributes in the order of their preeminence, I would be compelled to bracket wisdom and humor in a dead heat for first place.

I cannot close without mentioning Anne, whom all of us on the Court love and who shares Tony's happy capacity for humor. This was beautifully exemplified when Anne was asked her view of an electoral race when Tony was on one occasion opposed for the office of the Mayor of Cleveland by a woman. Anne's response was "May the best man win."

I have indicated that Tony was a great Senator, a great Mayor, a great Secretary, and is a great Judge and Humanitarian. Above all, ladies and gentlemen, and I say this with all of the sincerity of which I am capable, Anthony J. Celebrezze is, in every sense of the phrase, a truly great American. It is entirely fitting that the



## HONORABLE ANTHONY J. CELEBREZZE

outstanding portrait artist to this part of the world, Mrs. Ruth Nestor, has so adroitly captured Tony's wisdom and humor on a canvas which will be in this courtroom in perpetuity. I present Judge Anthony J. Celebrezze to you with affection and pride.

JUDGE PIERCE LIVELY: Judge Celebrezze, may we hear from you.

JUDGE ANTHONY J. CELEBREZZE: If it pleases the Court and the many, many friends assembled here today, I am grateful to Mrs. Nestor for the patience she had in painting this portrait for getting me to sit still for a half-hour is a chore in itself.

I am reminded as I listen to all these fine statements by these distinguished people of the widow who was burying her husband. When they got to the church she was listening to the pastor say these wonderful things about her husband. She leaned over to her son, Johnny, and said "Johnny, sneak up and look in the casket and see if that's really your father."

My gratitude, of course, to Judge Peck and the other speakers for their kind remarks. I may say that it has been a long and somewhat treacherous road from a small village on top of the mountain in southern Italy to this podium. The fact that I am here exemplifies the greatness of America, and may it ever be so. My appreciation to the Cleveland Bar Association and the Federal Bar Association, with particular thanks to Myron Stoll, my first law clerk, and Richard Kuhn who was law clerk to Florence Allen of this Court, for making this presentation possible. A hand to my children for their kindness, patience, and understanding throughout my public career. To my son, Anthony, Jr., for carrying on the family tradition of public service. To my parents and brothers and sisters for their aid, their comfort and help in shaping my career. To the judges of this Court and the judges of the Northern District of Ohio for their many courtesies and help in the twenty years that I have been a member of this Court. With particular thanks to Judge Weick and the late Judge Cecil for their guidance in the early years of my coming on the Court. Anne and I express our thanks to those of you who made the trip from Cleveland to be here today. And may we just say, thank you all and God bless you.

JUDGE PIERCE LIVELY: On the inside cover of the program there is a brief biographical sketch of the artist, Ruth Nestor. She is fast becoming the official portrait painter for the Sixth Circuit. Would you stand Ruth so everyone can see you.

We want to say that Judge Harry Phillips is in Indianapolis this week and he sent his sincere regrets. He is with us in spirit, though, because no one holds Judge Celebrezze in higher esteem than Judge Harry Phillips.

†

To Richard Wares  
with best wishes.  
Judge Andrew Carnegie  
US Court of Appeals  
6th Cir.  
12/11/86