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In Memoriam: The Honorable J. Daniel Mahoney: A Total Joy

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IN MEMORIAM
THE HONORABLE J. DANIEL MAHONEY

A TOTAL JOY

The Honorable Frank X. Altimari*

J. Daniel Mahoney, you loved Lady Justice's blindness and you gave her your heart so that her truth had a home. You placed your honor as a gift upon her scales, the scales she holds but cannot see, and we love you for the voice you gave her.

Judge Mahoney's accomplishments as a judge, student and scholar are important and worthy of detailed recital. Surely they will be well-reviewed by others. History will record him as an extraordinary and outstanding jurist and scholar. Because I knew and loved him so, I address the man, the humanist and the humorist.

For more than ten years I knew Dan as a dear and trusted friend. I was privileged to sit with him on many occasions. Early on it became clear that he was a good lens. Just as a good lens draws light and makes possible vision, so good men like Dan draw the affirmation of their peers and become a focus of our hope. The affirmation of Judge Mahoney's peers is resounding and unanimous.

My affirmation is of joyful sorrow. Joyful because the daily communicant is where he prayed someday to be. Sorrowful because we no longer are in each other's presence, a feeling shared by all of his colleagues.

Dan always acknowledged his existence as a creature of God, a husband, father, and grandfather. He was able to see goodness and humor in everything that came before him. He brought this vision to the bench, to the consultation table after argument and especially to personal dialogues. His laughter simply made your day. Along with his humor, he understood the weakness of the human condition, the long-accepted concept that justice is God's idea and man's ideal. He believed that a lawsuit is neither a game nor a matter of prideful

* Senior Judge, United States Court of Appeals for the Second Circuit.
chance. It is a search for truth with some degree of adherence to accepted trial procedure.

To paraphrase Thomas More, Dan's philosophical idol, God made angels for their splendor, flowers for their simplicity, animals for their innocence—and created man to serve him in the tangle of his mind. For Dan, truth was too precious to be easily found; it needed to be searched and fought for.

God does not demand splendor—that is for the angels; or simplicity—that is for flowers; or innocence—that is for animals. He asks only that we serve Him wittily—in the tangle of our minds.

It is said that God gives us memory so that we can have roses in December. My memories of Dan Mahoney are so full of joy and wonderful days that my Winters will be resplendent with roses.

Judge J. Daniel Mahoney was a total joy.