THE BLACK BAR ASSOCIATION AND CIVIL RIGHTS*

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INTRODUCTION

The history of Black lawyers and particularly Black bar associations has been neglected. This is unfortunate because Black lawyers labored to secure this nation's constitutional framework and stimulated a sense of pride and trust of Blacks in the legal process.

Bar associations wield great power and influence. Until the early 1950’s the American Bar Association and many state and local bar associations excluded Black lawyers from their groups, thus denying to the legal profession and the public a diversity of thought and policy for consideration by the judicial, legislative, and executive branches of government. It is no wonder that, until recently, law as a profession was ignored by large numbers of Black men and women. Thus it is appropriate to assess the extent to which Black bar associations, born out of necessity as a direct result of racial exclusion from the majority bar, have had an impact on the law as an institution in America.

This article will focus primarily on the National Bar Association, which for over half a century has represented the interests of American Black lawyers and Black people. The purpose of this article is to contribute to the knowledge of the legal profession regarding the National Bar Association and its development as an association of predominantly Afro-American lawyers dedicated to the rule of law and the constitutional security of this nation.

BLACK BAR ASSOCIATIONS AND THE “GREENVILLE MOVEMENT”

Between 1890 and 1900 the number of Black lawyers in the nation, particularly in Tennessee, Kentucky and Mississippi, began to grow and take on the trappings of legal organizations. The

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Colored Bar Association of the State of Mississippi, the first bar association organized by "colored lawyers," held its first annual meeting in the city of Greenville. Josiah T. Settle made the keynote address at the inaugural meeting.\footnote{Settle graduated from the Howard College Department of Law (now Howard University School of Law) in 1875, and was admitted to the D.C. Bar before he left to practice law in north Mississippi.}

Settle and those associated with the Greenville Movement felt that their meeting would have a permanent impact upon a nation which excluded Black lawyers from the mainstream of society and from the profession. Settle stated in his keynote address that they organized in "the present and prepared to meet the demands of the future. . . . I think I may safely say that never in the history of the race has there been a meeting fraught with more significance."\footnote{Settle, \textit{The Colored Bar Association} in \textit{THOUGHTS DOINGS AND SAYINGS OF THE RACE} 60 (J. Haley ed. 1895).}

The survival of the Black lawyer required association and scholarship. The survival of "colored citizens" required Black lawyers capable of judicial agitation and creative jurisprudential thought. Josiah T. Settle's words recognized that this . . . first annual meeting, marks the advent of the colored citizen into a new field of labor. It evidences the existence of a sufficient number of colored lawyers in Mississippi engaged in active practice of the law to form a State organization to promote their interests individually and collectively and in doing this they cannot fail to promote the interests of the entire race and to contribute to the general welfare of our common country, for we are as much a part of our composite nationality as any element it contains.\footnote{Id.}

The access to legal training in the early days of the Black lawyer may be no less than it is today. Today, many of our black youths are discouraged from entering the legal profession because they do not see the Black lawyer in corporate law firms or as general counsels of major and small corporations. Josiah T. Settle and the lawyers of the Greenville Movement knew that the legal profession would be slow to assimilate the Negro into the profession. Settle stated,

Many of our friends and all of our enemies discouraged us by saying that this was one profession in which we could not hope to succeed. . . . We realized in the beginning that the undertaking to become practical lawyers, and to acquire such a mastery of the law as to enter favorably
upon its practice, was a serious one and doubly so to us.\textsuperscript{4}

Settle concluded that "few men ever reach distinction in the law who were not thorough scholars." The legal profession requires more than an "oily tongue and vivid imagination. It requires real earnest work."\textsuperscript{5}

The Greenville Movement was initiated because the participants believed that the established bar associations were not concerned about the "masses of [Black] people" yet, they knew that "[t]he bar has necessarily exercised the whole judicial power of this country."\textsuperscript{6}

The National Bar Association grew out of the Greenville Movement and the 1924 convention of the Iowa Colored Bar Association. Black lawyers from several states attended.\textsuperscript{7} At least twelve Black lawyers attended organizational sessions: Wendell E. Green, C. Francis Stradford, Jessie N. Baker, William H. Haynes, and George C. Adams from Chicago; L. Amasa Knox, and Charles H. Calloway from Kansas City, Missouri; and Gertrude E. Rush, Charles P. Howard, George H. Woodson, James B. Morris, and S. Joe Brown from Des Moines.\textsuperscript{8}

The National Bar Association is a product of the midwestern values of the Black lawyer. George H. Woodson is given credit for organizing the "Colored or Negro Bar Association" into the National Bar Association. Woodson was born in Wytheville, Virginia in 1865, and graduated from Howard Law School in 1895. He went to Iowa where he practiced law until his death on July 7, 1933. Woodson was the first president of the Iowa Colored Bar Associa-

\begin{thebibliography}{9}
\bibitem{4} Id. at 51.
\bibitem{5} Id. at 52.
\bibitem{6} Id. at 55.
\bibitem{7} Brown, \textit{Our Founder}, 2 NAT'L B.A.J. 263, 264 (1944). Lawyers from Nebraska who may have been in attendance included Silas Robbins, the first Black lawyer in Nebraska (1889), H.J. Pinkett, John Adams, Sr., John Guilford Pegg, Charles S. Davis, A.B. McCall, Ray Williams, E.H. Hall, and a Mr. Green. I am indebted to Ms. Bertha Calloway, Director of the Black Plains Museum in Omaha, Nebraska, for providing me with these names of possible attendees. Ms. Calloway's reference comes from an unpublished manuscript by H.J. Pinkett, An Historical Sketch of the Omaha Negro 41, 75 (1937). See also F. Dixon, \textit{Negroes of Nebraska} 35 (Urban League of Nebraska, 1939) (also on file at the Black Plains Museum in Omaha, Nebraska). \textit{But see} E. Toles, \textit{History of the National Bar Association} 23 (50th Anniversary Convention Program of NBA, 1975). Toles reports that the first action to form a National Bar Association was taken by George Woodson in Chicago. S.J. Brown, who was a founder of the NBA and present during all of the initial meetings has written that the second, not the first meeting to organize the NBA occurred in Chicago. The first occurred in Des Moines, Iowa. Id. at 264.
\bibitem{8} See, e.g., McNeil, The National Bar Association, Incorporated (manuscript pending publication by Greenwood Press for inclusion in \textit{Encyclopedia of Black American Voluntary Organizations} (T. Martin ed.)).
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tion and the National Bar Association, and served as Deputy Collector of U.S. Customs for the Port of Des Moines. He became the first Black citizen of Iowa nominated by Republicans as a state representative, and served as a U.S. Commissioner to the Virgin Islands.

THE NATIONAL BAR ASSOCIATION: ITS PURPOSE

The National Bar Association was founded in 1924 and incorporated in August 1925. The purpose of the NBA was stated in its constitution:

The advancement of the science of jurisprudence, and in addition to form a nationwide organization of practicing attorneys of the Negro race in an endeavor to strengthen and elevate the Negro lawyer in his profession and in his relationship to his people; to improve his standing at the bar of the country, and to stress those values that would serve to enhance the ethics of his practice and conduct, to condemn actions that have a tendency to lessen respect for the lawyer and to create a bond of true fellowship among the colored members of the Bar of America for their general uplift and advancement and for the encouragement of the Negro youth of America who will follow their choice of this profession.9

In 1925 the question raised by some members of the bar was, “Should the Negro lawyer encourage and organize a separate bar association?” This question remains relevant.

In 1930 there were about 1100 Black lawyers in America.10

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9. Alexander, The National Bar Association—Its Aims and Purposes, 1 NAT’L B.A. J. 1 (1941). The current statement of purpose of the NBA has been modified. Article II of the NBA Constitution reads as follows:

The objects of the Association shall be to advance the science of jurisprudence, improve the administration of justice, preserve the independence of the judiciary of our cities, states, and nation; to uphold the honor and integrity of the legal profession; to promote professional and social intercourse among the members of the American Bar and the International Bar; to promote legislation that will improve the economic condition of all of the citizens of the United States; to aid all citizens regardless of race, sex or creed in their efforts to secure a free and untrammeled use of the franchise guaranteed by the Constitution of the United States; to protect civil and political rights of the citizens and residents of the several states of the United States.

Another version of the NBA “Constitution [Article II] and By-Laws” (probably adopted in the late 1940’s) contains the following language:

The objects of the association shall be to advance the science of jurisprudence, uphold the honor of the legal profession, promote social intercourse among the members of the American Bar, and protect the civil and political rights of all citizens of the several states of the United States.

10. Id. at 2.
1940 that figure had increased by only 300 lawyers, raising the number of Black lawyers in America to 1400. In 1970 the number totalled approximately 4,000. Today there are 11,000 to 13,000 Afro-American lawyers. In 1925, the National Bar Association was concerned about the small number of Black lawyers vis-a-vis the number of Black people in the nation and the lack of adequate representation in certain geographical regions. The concern over the dearth of Black lawyers today is no different than it was in 1925. The Black lawyer's future requires vigilance in which an organization like the NBA plays a direct role. This is especially true in the area of law school admissions policies. In 1930, racial exclusionary policies were sanctioned by the courts. Today, racial exclusion from schools of higher education has diminished. However, despite the implementation of affirmative action programs to increase the number of minorities in the legal profession, there is a marked decline in the number of Black and Hispanic applicants being admitted to several of the nation's major law schools.

In 1930 the National Bar Association was concerned, inter alia, about private and municipal law libraries excluding Black lawyers from their premises solely on the basis of race. Today, the number of Black lawyers in private practice has declined so drastically that most communities do not have to worry about Black lawyers using the library facilities. The decline of the private practitioner should be of concern to the legal profession and especially the National Bar Association. Its membership base has shifted from the private lawyer to a corporate and government lawyer base. Unless decline in private practice is reversed it may drop below the current estimated figure of 1,500, leveling off to approximately 1000 by the year 2000.

The judicial appointment climate in 1925 was appalling as Black men and women were presumed, based on race alone, to be incompetent to judge the racial majority. The Federal judiciary was segregated until 1937, when the late William Henry Hastie was appointed as the nation's first Black federal judge.

Historically, the National Bar Association has been dedicated

13. Id.
to the notion that this nation cannot be governed legitimately without diversity in the third branch of government. This philosophy has frequently been expressed in resolutions passed by the NBA during its annual meetings. Such a resolution was passed in Chicago in 1945 during the 19th Annual Convention which stated in part:

We recognize as a fundamental precept of our American democracy that no Negro should be denied public office anywhere, elective or appointive, on account of his race or color. Negroes should be integrated into the government structure of our nation on the same basis and equally with other citizens.

We recognize further that when the executive and legislative branches of our government fail to accord to all citizens their just rights, it is to the Courts that they must turn for the protection of the rights of minorities.

To a large extent Courts reflect in their interpretation of the law the attitudes of the judges who preside over their deliberations, and their attitudes to a great degree are the product of their background and experience.

It is important, therefore, to the approximately 14 million Negroes of the United States of America—as about one-tenth of the population of this nation—that their attitudes be represented in our Federal Courts through the appointments of some Negro lawyers as judges.

We therefore urge that Negro lawyers be given an opportunity to make their contribution, drawn out of their native ability, training and experience, to our judicial administration through appointment by the President of the United States to the various Federal courts of our land, from the Supreme Court on down; and that the President of the United States of America appoint some Negro lawyers to the federal departments requiring attorneys, and particularly as assistant attorneys general.

We recommend that a committee be named by the president of the National Bar Association to confer with the President of the United States of America to bring this matter to his direct attention. Such a step taken by the President of this Nation would go a long way toward assuring Negroes generally that they could secure real justice in our federal courts and would inspire increased confidence in our whole American system.14

Today, the Bench is occupied by several capable Black federal and

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state judges, who sit on the United States District Courts, various United States Courts of Appeals, and state supreme courts. The Honorable Thurgood Marshall, who sits as the first and only Black member of the United States Supreme Court is revered and respected. However, some federal judicial nominations by Presidents, even when supported by the Senate, have met opposition.\(^1\)

The National Bar Association has been the force to integrate the judicial branch of government. The NBA can proudly take credit for the significant gains made not only for minority citizens of the nation, but for the majority citizens whose rights have been protected by American judges who happen to be Black. By its efforts to increase the number of Blacks in the legal profession and to increase the number of Blacks in the judiciary, and by its agitation for social change by invocation of the rule of law, the NBA has never veered too far, or for too long, from its purpose.

**BLACK LAWYERS: CHARTING THE COURSE FOR UNIVERSAL EQUALITY**

Black lawyers were proud to assume responsibility over litigation directly relevant to minorities in America. The NBA recognized that the dearth of Black lawyers made it impossible for it to fight on all the legal fronts. Those who have opposed the quest of Blacks to participate fully in every aspect of American life know that unless nonminority lawyers assist in the cause of freedom it will grind exceedingly slow for Black Americans. Therefore, the NBA has never objected to the offer of assistance from people of good will who volunteered to join Black lawyers in their fight for justice and equality, and this is so today.

However, a thread of pride runs through the literature which speaks of the obligation of Black lawyers to chart their own course. Sidney R. Redmond addressed this issue in 1941 when he wrote:

> All of the early cases involving the rights of Negroes were handled by white lawyers, but in recent years practically all of them have been handled by Negro lawyers. The tide has turned, it is up to us to fight our own battles if we want to eliminate these illegal disadvantages. Those who suffer the wrong must surely bring the action and prosecute it

Because of discriminatory conditions in the country, the Black lawyer was viewed by some, including many Blacks, as a liability. Great odds faced Black defendants charged with crimes against white people, tried before a white judge and a white jury. These conditions drew Blacks to white lawyers at the expense of struggling Black lawyers. Observing the dilemma, Sidney R. Redmond said: "The sooner Negroes realize that every time they retain a colored lawyer and pay him a fee, they are paying a premium on their civil rights insurance, the sooner we will get justice and equality of opportunity. The matter rests with the people."17

The Black lawyer tried to reeducate Black Americans "conditioned to believe that, in the fields where the white man competes with the Negro for the Negro clientele, he is safer with the white man."18 These "false notions" created "obstacles" which had to be overcome.19

These efforts often placed the Black lawyer's life on the line. In 1974 the late Judge William Henry Hastie talked on the subject

16. Redmond, National Bar Day, 1 NAT'L B.A.J. 87, 89 (1941) (Sidney R. Redmond was the NBA president from 1939 to 1940). I generally concur with Redmond's statement, but it is not totally accurate. Many Black lawyers, at great risk to their lives, had handled "early cases," whatever "early cases" meant to Redmond. Robert Morris, the second Black lawyer in the nation's history, played an important role in the celebrated Boston case of Roberts v. City of Boston, 59 Mass. (5 Cush) 198 (1850). See J.C. Smith, One Lone Kid in Boston, The Washington Star, Sept. 5, 1975, at Editorial page A-12, col. 3, reprinted in 121 Cong. Rec. 31270 (1975) (introduced by Rep. Charles B. Rangel, N.Y.). However, Redmond's reference to "early cases" might reflect the fact that the Black lawyer voluntarily yielded his cases to white lawyers because of racist jury systems and the hope that white lawyers would fare better for their clients before some of these juries; and yet, by 1941, this impediment to justice remained. But see Booker T. Washington, Negroes in Business 233 (1907) and J.C. Smith, Black Lawyers in the United States (1849-1900), 121 Cong. Rec. E2758, 2759 (1975) (not all Black lawyers were discriminated against, according to Booker T. Washington). For current thinking on the need for minority lawyers to assume a greater role in litigation, see Burns, Black People and the Tyranny of American Law, 407 ANNALS 156, 165 (1973). See also Ortique, The National Bar Association—Not Just An Option, 53 JUDICATURE 390, 392 (1970) (Ortique was president of the NBA from 1965 to 1968: "Only through professionally trained advocates can Black people hope to achieve full citizenship rights, and even more to be accorded human dignity"); Robert L. Harris, President Speaks, 11 NAT'L B.A. BULL. 2 (Sept. 1979) ("As the legal arm of the Black community, the Black bar must become more vocal and visible in the struggle for equal justice and for civil rights. Trained in the art of advocacy and intellectual reasoning, who in the Black community is better prepared to examine these critical issues and expose inherent contradictions in policies of this country which affect the lives of Black Americans?"). See also Howard University Commencement Address of Judge A. Leon Higginbotham, Jr., Time to Plead Our Cause, 7 NEW DIRECTIONS (Howard University Magazine) 12 (July 1980).


19. Id.
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of Black lawyers risking their lives for their clients. Hastie, referring to Dr. Charles Houston, commented that "there was no other way to demonstrate the presence of the Black lawyer, except being seen by the jury." Judge Hastie continued, "Colored lawyers either had to go into the court without regard to threats or be rendered ineffective by their own people . . . it was as simple as that." Hastie recalled that he and Charles Houston defended a gruesome murder case in Virginia in the early 1940's. The mood of the town was hostile. Charles Houston was lead counsel in the defense, but others assisted. The defendant was found guilty and the Black lawyers argued for a life sentence; the state argued for the death of the defendant. The verdict resulted in a life sentence. This, Hastie said, "was viewed as a victory." The Black community viewed the trial as a huge success, and the Black lawyers were acclaimed. However, the white community was up in arms about the lenient sentence.

Arthur D. Shores tells how he was physically abused "while in the corridor of the Court House" during a trial in the late 1930's or early 1940's. Officers of the court often harassed Black lawyers. Shores reports, "An attorney for the [NAACP] was struck, without provocation, by a white deputy sheriff in a courtroom in Tennessee. The lawyer, who was from Washington, D.C., had just finished arguing a case to compel Tennessee officials to admit a Negro to the University of Tennessee. . . ." Shores reports:

Black lawyers leaving the courthouse have faced uncontrolled mobs, and have been confronted even in the well of the courthouse itself. For example, Shores reports:

In Missouri, down near the Arkansas line, Attorney W.A. Cole of St. Louis was chased out of the courtroom and severely beaten for representing Negro defendants who had formed an organization to improve conditions of Negro sharecroppers. His clients were badly beaten in the courtroom immediately after the judge "conveniently" took a recess. . . .

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21. Id.
22. Id.; see accounts of this case in G. Segal, In Any Fight Some Fall 47-51 (1975). Regarding Houston, see also G. McNeil, Groundwork: Charles H. Houston and the Struggle for Civil Rights (to be published by the University of Pennsylvania Press in 1983.)
23. Shores, supra note 18, at 270.
24. Id. at 270, n.3. See also Note on Judge Armond W. Scott, Washington Afro-American, Oct. 16, 1979, at 5, col. 3.
25. Id.
The physical presence of the Black lawyer is the greatest deterrent to authoritarian rule. The founders of the NBA and its membership have faced death for the cause of justice and freedom. This philosophy is the legacy bequeathed to the contemporary members of the NBA and the Black lawyers of America.

THE NBA, THE COURT, AND THE ATTORNEY GENERAL

That Black people in America never yielded to foreign influence or propaganda was due in part to their reverence amounting to almost blind faith in the judicial branch. The NBA advocated that Black people resolve their grievances within the system rather than in the streets, and vigorously opposed its members joining organizations whose purposes were contrary to the constitutional precepts Black lawyers were sworn to uphold.

Poverty, racism, and unemployment among Blacks posed potential sources of disaffection in the late 1930's and 1940's as the nation engaged in war. However, the National Bar Association's leadership and members echoed a solid pro-American theme. Euclid Louis Taylor, president of the NBA from 1941 to 1942, delivered a speech entitled, "Unite for Freedom" at the American Legion Convention in Milwaukee, Wisconsin, in 1941. Taylor coupled the Black bar's public support of the national cause during war time with a reminder that the slogan, "Unite for Freedom," would be tested against demands for equality in the armed services, democratic suffrage, freedom from race discrimination by unions, parity in salaries, and political presence in the country.26

The faith placed in the judicial system by Black people and Black lawyers was derived in part from their lack of confidence in the executive and legislative branches of government when it came to protecting the rights of minorities. There is some evidence to validate this debatable perception. Eugene Washington Rhodes (NBA president from 1933 to 1934) wrote in 1937, in the foreword to *Negroes and the Law*, by Fitzhugh Lee Styles:

The cause of the race will be advanced in exact proportion to the strength and militancy of the bar. Disfranchisement, segregation and discrimination are issues which must be fought in American courts. The hope of colored Americans for a square deal depends almost entirely upon the proper interpretation of the law. *The sole bulwark of protection for negroes are courts of the law. There is no other way out.*27

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27. FITZHUGH L. STYLES, NEGROES AND THE LAW xi (Christopher Publishing
As to the legislative and executive branches, Arthur Shores has written:

Legislators, elected, as they are, every two years, may under the pressure of the times, enact certain laws without regard to the fundamental law of the state, namely the constitution. The only recourse the people have then is to the courts.

The executive or administrative branch of the government may become arbitrary and oppressive in performing its function. Here again the only relief for the people is to appeal to the courts. The courts thereby become the chief assurance of the people of majority rule under the constitution with adequate protection to the minorities.\(^2\)

The Black lawyer is and has been the legal conscience of America. America continues to present a challenge to the Black lawyers similar to the challenge that Charles W. Anderson outlined before the NBA in 1945: "The Negro lawyer must continue to meet and attempt to solve the many problems that daily confront his race, and which retard the development of his people."\(^2^9\) The philosophies of Euclid Louis Taylor, Arthur D. Shores, and Charles W. Anderson, Jr., all NBA leaders, are relevant today. The debate of the supremacy of the United States Supreme Court and blind faith in the judicial system may need periodic re-evaluation. The presidency yields much power and must be prodded to recognize the power of the Black bar. Persuading Congress is more difficult because of its numbers, but that should not deter the creativity of the Black lawyer to guide and provide advice to legislators on vital questions which have an impact on the future of Black people in America. The words that Charles W. Anderson, Jr., wrote in 1945 continue to have force: "[w]henever the Negro has political power, he has suffered less of the various forms of discrimination."\(^3^0\)

Recognizing that the executive branch of government could be "arbitrary and oppressive" to Black Americans, the National Bar Association sought a close relationship with the Attorney General and the Deputy Attorney General of the United States. Black lawyers believed that the Attorney General—regardless of politics—should exercise the powers of the executive branch of government when the rights of Black people hung in the balance. The notion that the Black lawyers' primary interest in seeking a relationship

\(^2^8\) Shores, supra note 18, at 277-78.


\(^3^0\) Id. at 35.
with the Attorney General was to secure judicial appointments for Black lawyers is unfounded.\textsuperscript{31}

Since its founding, the NBA has recognized the need to diversify the legal system and to diversify the systems controlling the judicial process. Hence, the litigation brought by Black lawyers to open the legal system to new concepts of law has greatly benefited more than just Black people. The efforts of the members of the NBA have given new life to our nation's constitutional order; these efforts now facilitate the equality of all groups who claim exclusion from America because of race, creed, religion, color, sex, and national origin.

Because of the relationship that the NBA has had and, in some cases, demanded from the executive branch, the NBA is now on the list of those who the Attorney General and the President of the United States must consult on matters of governance and not solely on the issue of judicial appointments.

An example of the NBA's continuing vigilance concerns the resurgence of the Klu Klux Klan shortly after Francis Biddle had been appointed Attorney General of the United States in 1941. Raymond Pace Alexander, a former president of the NBA, wrote Biddle that

\begin{quote}
We trust that Attorney General Biddle will quickly and thoroughly investigate the rebirth of the infamous Klu Klux Klan and find out what, if any, connection it has with other associations that have as their purpose the persecution of the Negro, the Catholic and the Jew. We want to know who it is who has suddenly given high sums to finance this most satanic of all anti-racial and anti-religious organizations.\textsuperscript{32}
\end{quote}

In April 1980, Robert L. Harris, another NBA president, wrote a letter to Attorney General Benjamin Civiletti. The letter could have been authored forty years ago by Raymond Pace Alexander, concerning the Klu Klux Klan. Harris wrote:

\begin{quote}
This letter is to request that your office take immediate legal steps to ban the Klu Klux Klan (KKK) as an organization.

For more than 100 years, the KKK has not only advocated, but has in fact murdered thousands of Black Ameri-
\end{quote}

\textsuperscript{31} See NBA Meets with Top Federal Administrators, 8 Nat'l B.A. Bull. 3 (April/May 1976); Attorney General Griffin Bell Addresses The Judicial Council of the NBA, 9 Nat'l B.A. Bull. 6 (March 1977); Dunn, NBA Meets with Justice Department Re LEAA, 9 Nat'l B.A. Bull. 8 (Sept. 1977); Character, The President Speaks, 9 Nat'l B.A. Bull. 2 (Jan. 1977).

\textsuperscript{32} Alexander, Attorney General Francis Biddle, 1 Nat'l B.A.J. 146, 148 (1941).
cans solely because of the color of their skin. It is time that this nation take affirmative steps to halt the operation of this group of killers. As you know, there is no constitutional right to organize a group with the specific purpose of murdering a race of people as has been the case with the KKK.\textsuperscript{33}

A final concern of the NBA’s relationship with the Justice Department has been affirmative action in the employment of Black lawyers in responsible positions in the federal sector.

At the NBA’s 50th convention in Washington, D.C., in 1975, Deputy Attorney General Harold Tyler addressed the assembly and admitted that “progress in the federal government for the Black lawyer is not what it should be.”\textsuperscript{34} Tyler not only indicated that “cronyism” is an obstacle to getting more Blacks into government legal positions, but said that the millenium has not arrived regarding the appointment of Black judges and lawyers to elevated posts in the government.\textsuperscript{35}

Thus, for over forty years the NBA has sought to broaden the sensitivity of the Department of Justice regarding Black Americans. That effort continues today through the dedication of the NBA to preserve the rule of law and human rights for all Americans and the corresponding response of the federal government to do the same.

\textbf{THE NBA AND THE LEGAL AID DIVISION}

The National Bar Association’s advocacy of “poverty law,” which included funding legal clinics for the poor, predated “the War on Poverty” programs of the 1960’s. National Bar Association members were leaders of the pro bono movement at a time when they could least afford to provide free legal services to the poor, and, as Professor Herbert O. Reid, Sr., has stated, “before poverty law became profitable.”\textsuperscript{36}

\begin{footnotesize}
33. Letter from Robert L. Harris, President of the NBA, to The Honorable Benjamin Civiletti, United States Attorney General, April 24, 1980. See Resolution No. 10 of the NBA Board of Governors adopted on May 16, 1980, calling for the \textit{Legal Abolition of the Klu Klux Klan} 17, which states, “The acceptance of the continued existence of this criminal organization by the Justice Department of the United States makes a mockery of our justice system. . . .” See also Riley, \textit{Board Seeks to Ban Klan}, 12 Nat’l B.A. Bull. 2 (April, May, June 1980).


35. \textit{id}. (Charles P. Howard, Jr., was president of the NBA in 1975).

36. This remark was made by Professor Reid during a speech before the Annual Meeting of the National Conference of Black Lawyers on June 21, 1980, Washington, D.C. Professor Reid is the Charles Hamilton Houston Distinguished Professor at the Howard University School of Law, Washington, D.C.
\end{footnotesize}
In the 1940's, even though the number of Black lawyers nationwide barely exceeded 1000, the National Bar Association attempted to establish "free legal clinics in all cities with a colored population of 5000 or more." The purpose of clinics was to "advise and assist indigent persons in need of competent legal advice. These clinics also render assistance to Negroes accused of crime who are unable to retain a lawyer and especially if the case is one in which the defendant will likely suffer because of the facts involved." Legal clinics, established in twelve states, were managed by a cadre of Black lawyers. Henry J. Richardson, Jr., the National Director of the NBA Legal Aid Division, declared in the first report: "If we have the indomitable courage and cooperative morals required to put over the Legal Aid Program, it will be referred to in generations to come as the threshold of the Negro's honorable status as a citizen."

Moreover, by legal activism, the NBA's legal aid program would foster a unique approach to solving race problems. Richardson stated:

The united effort of the National Bar Association as a unit and local bar activity supported by and reaching all groups and classes of citizens in need of legal aid will distinguish our principle of democratic jurisprudence from the related though woefully limited activities of other militant organizations.

Thus, contemporary poverty law and legal clinics, designed to aid the poor and to provide a sense of security for the Black community, can be traced to the legal aid movement initiated by the NBA in 1940.

39. Id.
40. California (Thomas L. Griffith, Jr.-Los Angeles); Florida (S.D. McGill-Jacksonville; L.E. Thomas-Miami); Georgia (A.T. Walden-Atlanta); Southern Illinois (Louis F. Orr-East St. Louis); Northern Illinois (Loring B. Moore, Horace E. Galloway, McHenry Kemp, Jesse Mann, and Thomas E. Hunter-Chicago); Indiana (Mercer M. Marice, Howard R. Hooper); Maryland (A.C. Hughes, Jr.-Baltimore); Michigan (Percivil R. Piper-Detroit); Missouri (R.L. Witherspoon and Sidney R. Redmond-St. Louis); New York (Julian J. Evans-Buffalo); Ohio (Harry E. Bonaparte-Columbus); Oklahoma (J.J. Bruce-Oklahoma City); Tennessee (A.A. Latting-Memphis). Richardson, Report of the Legal Aid Division of the National Bar Association, Inc., 1 Nat'l B.A.J. 130 (1942).
41. Id.
42. Id. at 132. Samuels, The New Legal Services Program, A Promise or a Threat, 9 Nat'l B.A. Bull. 6, 7 (April 1977).
THE NATIONAL BAR ASSOCIATION JOURNAL

A goal of the first constitution of the NBA and each revised constitution was "to advance the science of jurisprudence..." The National Bar Journal was established in 1941 by the NBA to implement this vital concept. It was a tenet of the Greenville Movement that lawyers should write scholarly articles for educating the "colored lawyer." The Journal became a platform for Black lawyers from which to challenge legal principles contrary to the interests of Black Americans. It was an instrument to articulate, mold, structure, and create "the science of jurisprudence." The founders of the Journal were aware that courts often referred to law journals to formulate opinions. The NBA Journal provided the courts an alternative scholarly view on matters of race.

Raymond Pace Alexander from Philadelphia, founded the National Bar Journal. Alexander, a 1923 graduate of Harvard Law College who was president of the NBA from 1931 to 1932, made the original recommendations at the Annual NBA Convention in Pittsburgh, Pennsylvania in 1938. The first Board of Editors of the NBA Journal, chaired by Editor-in-Chief Freeman Lenore Martin of St. Louis, acknowledged Raymond Pace Alexander for his invaluable assistance... whose collaboration made this National Bar Journal possible; his great ability, unselfish service and fine spirit of co-operation were used to achieve a standard of highest rank in the dissemination of legal information and diffusion of gainful knowledge so essential to the general welfare and progress of Negro Lawyers everywhere and our racial group.44

Sidney R. Redmond was president of the NBA when the Journal was issued in July 1941. In his National Bar Day speech, he stated: "In order to consolidate our gains, to promote interest in

43. The first Board of Editors included Dr. Charles Hamilton Houston (Washington, D.C.), George W. Crockett, Jr. (Washington, D.C.), Sadie Turner Mossell Alexander (Philadelphia, Pa.), Harry J. Capenhart (Welch, West Virginia), Perry Jackson (Cleveland, Ohio), Sidney Redmond (St. Louis, Mo.), Oscar W. Baker (Bay City, Mich.), William T. Garvin (New York, N.Y.), A.A. Latting (Memphis, Tenn.), and S.D. McGill (Jacksonville, Florida). Each of these lawyers was a person of prominence in his or her community and was (and some are now) considered a national figure. For example, George W. Crockett, Jr., is now a U.S. Congressman representing a district which includes Detroit, Michigan. See Crockett, Reagan Appointments... Retreat on Rights, 127 CONG. REC. H 8652 (1981). Each of these lawyers was oriented toward both the practice of law and excellence in the development of scholarship in the law.

44. 1 NAT'L B.A.J. 92 (1941).

45. Redmond, from St. Louis, was president of the NBA from 1939 to 1941. He received his A.B. from Howard University in 1926 and his LL.B. from Howard Law College in 1929. At the time, he was also president of the St. Louis Chapter of the NAACP.
this fight for equality, to enable colored lawyers to contribute to the jurisprudence of our country, and to bring lawyers in closer contact, the National Bar Association is publishing a bar Journal..."46

For nearly ten years the National Bar Association issued Journals on a broad range of subjects. Waning membership interest and insufficient cash flow in membership dues hampered publication. The situation was aptly described by J.R. Booker in his president's message to the NBA membership in May 1950. Booker stated:

Unfortunately, the interest of the membership is not fully pointed toward the importance of the National Bar Journal. Not only does the Journal depend upon continued membership and the payment of the membership dues punctually, but it also depends upon noteworthy and interesting articles being transmitted to the editor of the Journal for publication. We have been derelict in the performance of our duty toward this valuable aim of our associational activities.47

By 1952 only ten issues of the National Bar Journal had been published.48 It was not until the presidency of Junius W. Williams that Volume 10, No. 1 was published.49 No Journal has been published since.50

47. Note, 8 NAT'L B.A.J. 69 (1950) (Booker (Little Rock, Ark.) was president of the NBA from 1949-1950). See also Letter from Scovel Richardson, Secretary of the NBA to the Membership, 8 NAT'L B.A.J. 72 (1950).
48. Fortunately, in January 1954, the Howard University School of Law, Washington, D.C., began to publish The Howard Law Journal, closing the scholarship gap among Black lawyers and providing the legal community with legal ammunition to balance the thought process in the jurisprudential matrix. Today, The Howard Law Journal continues to play a significant role in journal scholarship for Black lawyers, and the judiciary, the legal profession, and Black Americans.
49. Junius W. Williams (Newark, N.J.) served as president of the NBA from 1978 to 1979.
50. This statement is qualified to the extent that in 1960 the NBA did re-establish an NBA Journal and News during the presidency of Elmer C. Jackson, Jr. However, it was apparently never intended to replace the National Bar Journal because it was published as a new Volume One. Its format was entirely different; it focused on news and pictures of the membership and the business meetings of the NBA, and it contained hardly any scholarly articles similar to those in the previous Journals. The NBA Journal and News has since been replaced with the current NBA Bulletin, cited herein as NAT'L B.A. BULL.

As late as 1970, Revius O. Ortique, Jr., a former president of the NBA, wrote that the NBA Bulletin was "not a satisfactory substitute" for the NBA Journal. Ortique throws some light on the plight of the Journal. He said, "Prior to the high cost of printing, NBA published the NBA Journal, which presented scholarly writings relative to problems affecting the rights of blacks throughout the country. About 1962 or 1953 it became necessary to discontinue this publication and to resort to a newslet-
Many of the issues which faced Black Americans that were identified in the National Bar Journal in the 1940's are present today. Such issues include equal pay for equal or comparable work,\(^{51}\) racism by unions,\(^{52}\) the general status of Blacks as citizens,\(^{53}\) the right to vote,\(^{54}\) legal aid for the poor,\(^{55}\) racism in the armed services and inequities in the draft,\(^{56}\) race restriction on the use and sale of land,\(^{57}\) difficulties by Blacks in passing bar examinations,\(^{58}\) and police brutality.\(^{59}\) The Journal demonstrated the Black lawyers' interest and concern for world peace\(^{60}\) and telecommunications policy.\(^{61}\) Other important concerns of the Black bar

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55. Richardson, *The Legal Aid Division of the National Bar Association*, 1 NAT'L B.A.J. 130 (1941).
included a review of the trends of the United States Supreme Court, federal jurisdiction, licensing revocation as a remedy to enforce civil rights laws, and the promotion of the arts and sciences.

This sampling of scholarship reflects an abiding faith by Black lawyers in the principle of free speech, the unyielding fidelity to the rule of law, and the use of law as a tool for social engineering.

THE NBA AND THE AMICUS BRIEF

The National Bar Association recognized early in its existence that significant decisions by the courts would enhance or inhibit the political, social, and economic future of Black America. The NBA recognized that unless it participated as amicus curiae before the courts, the voices and the interests of Black people would not be heard. The NBA has rallied dedicated volunteers to prepare these briefs which in many instances have altered the course of American jurisprudence and American history. In 1941, Sidney R. Redmond was proud to indicate that the NBA "[had] filed briefs amicus curiae before the United States Supreme Court and other
courts in matters of vital interest to the race.”\textsuperscript{67} Redmond emphasized that “the lawyers who are leading the crusade for equality of rights for Negroes are active members of the National Bar Association.”\textsuperscript{68} While some members of the United States Supreme Court pay special deference to NBA amicus curiae briefs, the impact of such filings are matters for future research.\textsuperscript{69}

**THE NBA AND THE AFRO-AMERICAN WOMAN LAWYER**

Women have participated in the affairs of the National Bar Association\textsuperscript{70} from its inception. Moreover, Gertrude E. Rush, from Des Moines, Iowa was a cofounder of the NBA. In 1908, Ms. Rush began the study of the law with her husband, James B. Rush, as her instructor in Des Moines, Iowa. In 1918 Ms. Rush passed the Iowa Bar examination, becoming the first black woman admitted to practice in the state of Iowa.\textsuperscript{71}


\textsuperscript{68} Id.


\textsuperscript{70} The Women’s Division of the NBA was approved in October 1972. Various chapters of the division have been initiated throughout the United States. They are involved in a host of activities including the honoring of the achievements of Black women lawyers. See Trescott, *Firm Acclaim for Women in Law*, The Washington Post, June 24, 1980 at C-4, col. 1.


\textsuperscript{71} Gertrude E. Rush was born on August 5, 1880 in Navasota, Texas and died in Iowa in 1962. She attended Parson Kansas High School from 1895 to 1898 and was graduated with an A.B. degree from Des Moines College in 1914. She taught school
Dr. Sadie Tanner Mossell Alexander, Secretary of the NBA for nearly a decade, was one of the most influential women in the Association. Dr. Alexander, though married to Raymond Pace Alexander, was distinguished in her own right. Admitted to the Pennsylvania Bar in 1927, she was involved in the National Association of Women Lawyers as well as the National Bar Association. During the National Bar Journal's first decade only one article was written by a woman, and it was a speech given before the 1939 Juridical Congress of Lawyers of the Republic of Haiti, in which Dr. Alexander discussed the distribution of the fifty-seven Black woman lawyers who constituted five percent of the Black bar in America.\footnote{22}

Women have held key committee assignments, served on the Resolution Committee, the Nominations Committee, as officers and on the Board of Governors, and as presidents of the association and have filed amicus briefs before the United States Supreme Court.\footnote{73}

in Des Moines for many years before becoming a lawyer. Ms. Rush practiced law in Des Moines at 907 Walnut Street. She participated in numerous civic groups in Des Moines, including the Charity League and Protection Home (which she founded), the Des Moines Playground Association and the Des Moines Health Center, both of which she was a charter member. She was president of the Iowa State Federation of Colored Women's Clubs (1911-15), chairman of both the Mother's Department and the Legislature Department of the National Association of Colored Women, and secretary of the Des Moines Comfort Station Commission (1924-26).

In 1912 when Ms. Rush organized the Charity League, a welfare organization for Blacks, the League influenced the appointment of a "colored probation officer" in the Juvenile Court in Des Moines. See I WHO'S WHO IN COLORED AMERICA 1927 175 (J. Boris ed.); J.C. Smith, Gertrude E. Rush, Co-Founder of the National Bar Association, 13 Nat'l B.A. Bull. 1 (June/July 1981).

\footnote{72} Alexander, Women as Practitioners of Law in the United States, 1 Nat'l B.A.J. 56, 61 (1941). See also Moore, Overdue Honor for Sadie Alexander, Philadelphia Inquirer, March 25, 1979 at 3-B, col. 3.\footnote{73}


Women attorneys who held significant posts in the NBA include Ollie May Cooper, H. Elsie Austin, Allie Latimar Weeden, Ruth Harvey Charity, Jewel Stradford Rogers LaFontant, Wilhelmina Jackson Rolark, Georgia Jones Ellis, Arthenia L. Joyner, Renee Jones Weeks, Arnette Hubbard, Lucia T. Thomas, and Leona Pouncey Thurman. There are several other women who have contributed to the growth and development of the NBA over the years. A review of many of the articles cited in this paper will prove helpful for further research on this subject. In
NBA ENCOURAGEMENT OF BLACK YOUTH TO CHOOSE LAW AS A PROFESSION

The pioneers of the NBA recognized that to increase the number of Black lawyers in this nation young people must be encouraged to consider law as a career. This goal was considered so important that it was included in the NBA's original constitution. Nearly twenty years later NBA convention resolutions continued to contain statements concerning the encouragement of Negro youth to enter the profession. During the 18th Annual NBA Convention held in Baltimore, Maryland, the NBA passed a resolution consistent with the policy set forth in 1925. The resolution stated: "Encouragement should be given the Negro youth of the country to enter the field of law. To this end, we recommend the appointment of a committee to contact the colleges of the nation. The personnel of the committee [are] to be drawn from various sections of the country."
The theme of this resolution was adopted again in 1945 at the Cleveland, Ohio meeting of the NBA. This resolution clearly specified why Black youth must be encouraged to enter the legal profession. It stated: "Since there is a direct relation between the number of representatives in the courts and the measure of protection afforded colored American citizens, the National Bar Association urges more and more young colored Americans to pursue the study of law. . . ." 

In 1972, during the 46th Annual NBA Convention in Atlanta, the NBA tried to organize a student division. Law students for the first time were officially invited to the NBA convention to organize their own division.77 The number of Black law students equaled the number of Black lawyers in the nation. Most of these students were enrolled in predominantly white schools. The student division concept failed in the face of the generation gap, militancy, and opposition by Howard law students to the Black American Law Student Association78 majority which would have dominated the Division. The NBA leadership may have feared losing control of the NBA to a student group79 and thereby lost the opportunity to incorporate the student population. The obligation of the NBA to formulate programs encouraging minority youth to consider law as a career and to formulate programs within the NBA law students is as vital today as it was in 1925. There is now a growing student division of the NBA and over time it may enhance the membership base of the NBA.

THE NBA, THE NCBL, AND OTHER BLACK LEGAL ORGANIZATIONS

The National Bar Association has not been free from competitive forces. In December 1968, seventeen Black lawyers, dissatisfied with the direction of the NBA, established another group: The National Conference of Black Lawyers (NCBL).80 The NCBL


76. NBA Resolution, 4 NAT'L B.A.J. 91, 97 (1946).
78. Id. at 23.
79. As Dreyfuss pointed out, "The challenge of sheer numbers poses a threat to the very makeup and orientation of the NBA . . ." Id.
80. The Declaration of Concern and Commitment establishing NCBL was issued on December 7, 1968, in Capahosic, Virginia and states in part: Today as virtually never before in our history, Black communities across the nation face a crisis of racism which threatens not merely our constitutional rights but our homes, our safety, and our survival. . . . If the Black resolution demands that Black attorneys organize for a mutual exchange of plans and programs for a major effort to achieve dignity and a fair share of
founders felt the NBA had lost its mission as an advocacy organization and had been converted to a country club environment, at a time when the nation was living in the post-Martin Luther King, Jr. era and in the midst of the Vietnam War, and "law and order" politics. The NBA, of course, disputes this contention. The NCBL continues to be considered by some as a more activist organization.

The NBA and NCBL Boards of Directors have had inconclusive discussions about reunification. Both the NBA and the NCBL actively court membership of Black graduates from major American law schools and support programs to increase the number of Black and other minority lawyers.

In recent years the leadership of the NBA and NCBL has stabilized, and it has become customary for the Executive Director or co-chairperson of NCBL to be given deference at NBA functions; the NCBL reciprocates. In fact, concerning some legal issues (as in the Bakke case) the NCBL and NBA worked closely together in the preparations of their independent filings. The National Bar Association Bulletin has provided space for the NCBL to report on its activities. Junius W. Williams diplomatically expressed the cooperative spirit during the NBA Mid-Winter Conference in New York City, where the NCBL's National Headquarters is situated. Williams said:

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82. Both NCBL and the NBA have supported the Council on Legal Education Opportunity (CLEO), created in 1968 to increase the number of lawyers from economically and educationally disadvantaged backgrounds. See Senate Hearings Before the Committee on Appropriations, Fiscal Year 1976, Second Supplemental Appropriations on H.R. 13172, 94th Cong., 2d Sess. at 451-569 (1976) (funding for CLEO). Both the NBA and the NCBL view the members of the Black American Law Students Association, Inc. (BALSA) and graduates from the Howard and North Carolina Central Law Schools as potential members. Dreyfuss, supra note 81, at 22. BALSA was founded in 1967 at New York University Law School, and now has chapters in many American law schools. The NCBL has traditionally allowed the National BALSA chairperson to sit as a member of its Board. Likewise, the NBA has allowed BALSA leadership access to Board participation. See Harris & Burke, NBA Reaches Out to New Bar Admittees, 9 Nat'l B.A. Bull. 11 (Jan. 1977).
This conference was also testimony to the working partnership between the National Bar Association and the National Conference of Black Lawyers (NCBL), the fulfillment of one of the goals of this Administration. Many of the panelists and strategists were members of both organizations, and it did not go unnoticed that a spirit of cooperation existed between NBA and NCBL.86

It is difficult to estimate the impact of the proliferation of Black legal organizations in America when the number of Black lawyers remains so small.87 In the not too distant future it may be necessary to review the growth of interest-oriented Black legal organizations, and decide whether multiple groups hinder or promote the creation of a unified legal agenda for the next century. Without sound financial membership bases, the ability of these organizations to provide services to a growing new breed of Black lawyers in this nation may be severely undercut. This possibility must be carefully watched by all who cherish the survival of the Black lawyer.88

86. Williams, The President Speaks, 11 NAT'L B.A. BULL. 2 (March 1979). In its TEN YEAR REPORT, A DECADE OF CHANGE OF HUMAN RIGHTS 35 (1978), the NCBL lists the NBA as one of 15 or more groups with which it has "linkages" and "is working cooperatively."

87. E.g., The Black lawyer is usually a member of The National Bar Association, The National Conference of Black Lawyers, The Affiliate Chapters of the NBA, The National Association of Black Women Attorneys, NBA Woman's Division and Judicial Council and pays dues to the NBA, and national chapter dues to the NCBL and the NBA. Indeed, dues to belong to these groups do not include the dues Black lawyers pay for membership in other bar associations, nor do they traditionally include memberships in groups such as the NAACP and the Urban League. In addition, there is overlap about the issues with which each of these groups is concerned. The organizational structures of some are quite similar. In Cleveland, Ohio, for years there were at least five bar associations composed of Black lawyers, yet, there were no more than 300 Black lawyers in the city. Black lawyers have formed other groups which are not affiliated with any other bar groups. Recognizing the problem of duplication of activity and dilution of strength in the legal community with so many bar groups, a merger of these Cleveland bar groups has been effected recently. See also Myer, Young Lions Split Black Legal World, Washington Post, April 14, 1976, at A-5, col. 4.

88. This is particularly so when one carefully reviews social indicators on the decline in the admission of Black students in American law schools. See White, Law School Enrollment Continues to Level, 66 A.B.A.J. 724, 725 (1980), where the following information is noted:

In 1979 the total enrollment of black students decreased by 1.74 percent, or 93 students, from 5,350 enrolled in Fall, 1978, to 5,257. Black students constituted 4.26 percent of the total 1979 enrollment, compared with 4.4 percent of the total 1978 enrollment. (As of fall, 1979, Black Americans constituted 11 percent of the population of the United States). This is the second academic year since 1975 in which black enrollment declined. In Fall, 1977, black enrollment declined by 198 students from Fall, 1976. The growth rate for black enrollment was 2.64 percent in 1975, 7.33 in 1976, and 8.48 in 1978.
CONCLUSION: PROJECTING THE UNIVERSALITY OF HUMANKIND

The history of the civil rights movement and the quest for justice in America clearly establishes that the National Bar Association and its affiliates\(^8\) are protective shields of Black America.\(^9\) Revius O. Ortique, Jr., a former president of the NBA, has written: "the NBA is a symbol of emancipation."\(^9^1\) The quest for liberty is tied to the very existence of the NBA. Its mission is to assist in the eradication of race distinction, and to provide Black lawyers a fo-

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First-year black student enrollment declined from 2,021 in Fall, 1978, to 2,002 in Fall, 1979. These statistics suggest that the negative growth rate of first year black student enrollment was a little more than one-half the negative growth rate of total black student enrollment. Attrition of previously enrolled students accounts for part of this negative growth rate.

Id.


See also Barbash, ABA Won't Require Law Schools to Widen Opportunities for Admission of Minorities, Washington Post, Feb. 6, 1980, at B-7, col. 4; Greenhouse, A.B.A. Defers on Minority Admissions Plan, New York Times, Feb. 6, 1980, at A-13, col. 3. The articles report that the American Bar Association refused to require law schools to adopt affirmative admissions policies as a condition of accreditation. Recent attacks on affirmative action concepts and ABA policies should cause the NBA, NCBL and other groups to come to the table for future planning sine die. Note, The Black "Philadelphia Lawyer," 20 VnL. L REV. 371, 394 (1974-75). See also note 12 supra.

89. The National Bar Association is a direct product of the colored state bar associations. Most of these bar associations, along with more recently formed bar associations, are now affiliated with the National Bar Association. Several of these bar associations are named after prominent black lawyers. See Appendix A for a list of NBA affiliates.


91. Id. at 392. The presidents of the NBA have usually been strong advocates for civil rights and fundamental justice for all people of the nation and particularly for the civil rights of Black Americans. For a list of NBA presidents since 1925 see Appendix B.

The Executive Directors have been most valuable in keeping the national office functioning, as well as acting as spokespersons for the presidents and for the national organization. Prior to 1973, Elmer C. Jackson, Jr., a former president of the NBA, was deemed to be the Executive Director of the NBA. During the time that Jackson acted in this capacity, the national office of the NBA was located in Kansas City, Missouri, where Mr. Jackson practiced law. Since 1970, there have been five paid Executive Directors, all residing in Washington, D.C., the current site of the national office. The five directors were Messrs. Donald M. Stocks (1970-1973), Charles E. Smith (1973-1975), Elihu M. Harris (1975-1977), Philip L Johnson (1977-1978), and John L. Crump (1977-). Regarding comments of or data concerning the above, see 9 NAT'L B.A. BULL. 5 (July 1977) (Philip L. Johnson); 9 NAT'L B.A. BULL. 6 (May 1977) (Elihu Harris); 7 NAT'L B.A. BULL. 1 (June 1975) (Charles E. Smith). Concerning the NBA Foundation, see E. Toles, Fifty Years of Progress for Black Lawyers—The History of the National Bar Association 5 (50th Anniversary Program 1975). See also Weston, President Speaks, id. at 6.
rum. Ortique has proclaimed that "the NBA is the soul of the black community." 92

Presidents of the NBA continue to echo this view. Former president of the NBA Mark T. McDonald stated, "Full freedom for Black Americans cannot be achieved without the full-scale involvement of the organized Black bar." 93 Another former president, Robert Harris, asked "What other group is better prepared to deal with the very structure of this country—the legal structure is the very foundation—than [the NBA]?" 94

As the National Bar Association and the Afro-American lawyer enter a new decade, as they evaluate the challenges of a new century, they must decide how to carry out the mandates of the Greenville Movement. These are new times which bring new challenges, but many of the conditions and questions of yesteryear remain constant in our society: Are we as brave as the women and men who brought us out of the house of bondage? Can we still comprehend the roots of our legal origin? Is it possible that we are now incapable of understanding the problems confronting the new minorities of the land? Where is the creative spirit of the Black bar and where is the feeling of companionship, brotherhood, and sisterhood which we have shared together over the years as a matter of common survival? Why have we allowed our sense of history to escape us? Without this knowledge how can we plan the sojourn into the new century? 95

It is time for the Afro-American lawyer and the National Bar Association to again touch the roots of their beginning, and nurture their scholarship. By so doing they will discover their personality, self worth and purpose as Black lawyers, and they will better understand the meaning of the jurisprudential revolution which projects the universality of humankind.

92. Ortique, supra note 90, at 394.
APPENDIX A: NBA AFFILIATES

APPENDIX B: PRESIDENTS OF THE NBA SINCE 1925

George H. Woodson, Esq. 1925
Des Moines, Iowa

Charles Calloway, Esq. 1926
Kansas City, Missouri

Homer G. Phillips, Esq. 1927
St. Louis, Missouri

C. Francis Stradford, Esq. 1928
Chicago, Illinois

Raymond Pace Alexander, Esq. 1928 & 1929
Washington, D.C.

Jesse S. Heslip, Esq. 1931 & 1932
Toledo, Ohio

Eugene Washington Rhodes, Esq. 1933 & 1934
Baltimore, Maryland

George W. Lawrence, Esq. 1935 & 1936
Chicago, Illinois

William L. Houston, Esq. 1937 & 1938
Washington, D.C.

Sidney R. Redmond, Esq. 1939 & 1940
St. Louis, Missouri

Euclid Louis Taylor, Esq. 1941 & 1942
Chicago, Illinois

Charles W. Anderson, Esq. 1943 & 1944
Louisville, Kentucky

Earl B. Dickerson, Esq. 1945 & 1946
Chicago, Illinois

Thurman L. Dodson, Esq. 1947 & 1948
Washington, D.C.

James R. Booker, Esq. 1949 & 1950
Little Rock, Arkansas

Scovel Richardson, Esq. 1951 & 1952
New York, New York

Harold Flowers, Esq. 1953
Pine Bluff, Arkansas

Harold Bledsoe, Esq. 1954
Detroit, Michigan

Richard Atkinson, Esq. 1955 & 1956
Washington, D.C.

William S. Thompson, Esq. 1957 & 1958
Washington, D.C.

Elmer C. Jackson, Jr., Esq. 1959 & 1960
Kansas City, Kansas

Nashville, Tennessee

Theodore Coggs, Esq. 1963 & 1964
Milwaukee, Wisconsin

Revius O. Ortique, Esq. 1965 & 1966
New Orleans, Louisiana

Billy Jones, Esq. 1967
East St. Louis, Illinois

Charles M. Waugh, Esq. 1968
Muskegon Heights, Missouri

William F. Peterson, Esq. 1969
Chicago, Illinois

Edward F. Bell, Esq. 1970
Detroit, Michigan

James W. Cobb, Esq. 1971
Washington, D.C.
<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>1974</td>
<td>Charles Howard, Esq.</td>
<td>Baltimore, Maryland</td>
</tr>
<tr>
<td>1975</td>
<td>W. George Allen, Esq.</td>
<td>Fort Lauderdale, Florida</td>
</tr>
<tr>
<td>1976</td>
<td>Carl J. Character, Esq.</td>
<td>Cleveland, Ohio</td>
</tr>
<tr>
<td>1977</td>
<td>Mark T. McDonald, Esq.</td>
<td>Houston, Texas</td>
</tr>
<tr>
<td>1978</td>
<td>Junius W. Williams, Esq.</td>
<td>Newark, New Jersey</td>
</tr>
<tr>
<td>1979</td>
<td>Robert L. Harris, Esq.</td>
<td>San Francisco, California</td>
</tr>
<tr>
<td>1982</td>
<td>Warren H. Dawson, Esq.</td>
<td>Tampa, Florida</td>
</tr>
</tbody>
</table>