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DR. J. CLAY SMITH, JR.
COMMISSIONER, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
before the
THIRD ANNUAL GRADUATION BANQUET
of the
GEORGE WASHINGTON UNIVERSITY
BLACK AMERICAN LAW STUDENTS ASSOCIATION
Washington, D. C.

May 17, 1980

THE BLACK LAWYER: OLD CHALLENGES IN A NEW DECADE *

I am honored that the Black American Law Students Association of the George Washington University has invited me to speak at its third annual graduation banquet. This banquet is to honor Afro-American graduates from George Washington National Law Center. This dinner, and your commencement are the first in the decade of the 1980's. It is with this important fact in mind that I have chosen as a theme for this auspicious occasion: "The Black Lawyer: Old Challenges in a New Decade."

Many of you are fully aware of a sobering fact: upon your graduation you will enter the legal profession at a critical time. Combined inflation and budget restrictions are having a devastating effect upon the poor of the nation. The poor cannot get poorer. Most of the poor are now at rock bottom. Their screams of despair are now being drowned out by the voices of despair of the middleclass, who, in certain quarters, are considered the new poor of the nation. Hunger,

* Part III, series on Black lawyers.

and the lack of health care, and loneliness are universal shortcomings of all societies. It matters not whether a child is born within or outside of the iron curtain. When a child is born without food to eat, without a warm place to sleep, humankind must not merely mourn, it must protest.

You are being graduated when the aged of our land are imprisoned in the inner city. The aged worked hard to raise and to educate their children and to save what they could so that their last years could be lived in peace and with a modest check from social security. Many of the aged sold their homes and banked the money as security to pay for future rent in modest apartments, only to awake one morning to discover that their \$250 apartment was being converted into a condominium at a sale price of \$70,000 and a mortgage payment of \$700 per month.

You are being graduated at a time when the streets of our industrial centers are filled with young people and old people who are unemployed and unable to guarantee the next generation a better way of life and whose last will and testament is a tear for their failure and a sigh of hope for the legatees of tomorrow. Unemployment and race discrimination of and against minorities during this decade will stabilize the growth and development of Black America as the nation closes the century. A child born today will be twenty years old when year 2000 is ushered in. The progress of the parents of this child may be severely restricted. If these parents or children are Black, many of these families will disintegrate

before this century closes.

As law students, you are neither blind nor insensitive to the plight of the underclass. You are the progeny of families who struggled and sacrificed to bring you to this critical path of your education. However, I submit to you that from this point forward in your life, you are and will be considered to be different. You are now entering the ranks of the legal profession; you will soon be certified with the power to file law suits to redress grievances; to file for injunctive relief for your clients. This is a turning point in your lives.

What does it mean to be a lawyer in the democracy? The meaning of a lawyer's life depends on the blueprint you design for your total life as an advocate and as a person.

As a Black lawyer you must commit yourself never to separate your life from Black people who, as Dr. Martin Luther King, Jr. said, ". . . remain hidden in the caves of despair in this nation." You must accept the role of leadership which is yours by virtue of your chosen profession. Yes, you must seek to lead and accept leadership when it is offered.

As one of fewer than 11,000 Black lawyers in America, you must never tire from serving your people. You cannot assume that you are a prototype of the community. The privilege to be a lawyer - a Black lawyer - makes you an exception to those who are less fortunate than you. Yes, you must be superpersons. And, you must be prepared to pick yourself up from rejection which will surely face you as you

enter the legal profession.

You graduates will enter the legal profession in the District of Columbia at a time when no Blacks are on the Board of Governors; when the American Bar Association's House of Delegates has sidestepped the issue of requiring law schools to have affirmative action programs as a condition to being accredited; when the number of Black lawyers in private practice nationwide has dipped to approximately 1,500 lawyers; when new trends in specialization may compel you to adjust your career options to become gainfully employed; when the concepts of affirmative action are quietly slipping into a state of neutrality, leaving Black people in a state of the status quo.

These are the times you will face as lawyers at the bar in the immediate years. The challenges of days gone by for Black America remain the dogged challenges of today. It is my intent to place the burdens of the poor, the restless hearts and wounded souls of the land squarely upon your shoulders. You have now reached the point in your life where these challenges - which echo the voices of Frederick Douglass, Ollie May Cooper, Robert Ming, Charles Hamilton Houston, Frank D. Reeves, Leon Ransome, The Honorable William Henry Hastie, The Honorable A. Leon Higginbotham, The Honorable Constance Baker Motley, Otis Smith and Herbert O. Reid, Sr. -- are now your own.

Except for Frederick Douglass, the names mentioned above are those of Black lawyers and jurists whose legal acumen has provided a climate of hope in this land. You graduates must

now fill the ranks of advocates who must stand ready, willing and able to combat the resurgence of the klu klux klan, the assault against the survival of Black colleges, the demise of young creative minds trapped in a world of hallucination.

I bring you greetings on your achievement as graduates of the George Washington National Law Center. I respect each of you for the perserverence displayed during the long road. There will be many great moments of joy and happiness in your career as a lawyer. However, I want you to be prepared for those times when - as Black lawyers - you will be called upon to convert straw into brick, to construct pyramids without a blueprint.

Hence, you are being graduated to search for your mission in a hostile world. I challenge you to seek justice in every nook and corner of the land. Make the law a tool for social engineering. Let your profession be one which speaks out with force. Let your profession be one which restores hope in the sundry communities of this great land. For Black lawyers, these are old challenges in a new decade. *

* Dr. Smith received both his LL.M. (1970) and S.J.D. (1977) degrees from the George Washington National Law Center, and his J.D. (1967) from Howard Law School.