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Retirement of Herbert Ordre Reid, Sr.

by J. Clay Smith, Jr.
Professor of Law

The retirement of Herbert Ordre Reid, Sr. as an active member of the Howard University School of Law closes a forty year historical era at the Law School. Professor Reid joined the faculty in 1947. Retiring on September 1, 1988, there is little doubt that he has taught more students than any other professor in the 120 year history of the Law School and has exceeded the thirty-eight year teaching record of Professor William H. Richards by three years.

Professor Reid is the linchpin of our past and the present. His lectures, laced with the creative jurisprudential legal ideas of Charles Hamilton Houston has kept the memory of Houston alive. Without the persistence of Reid that students know who Houston was, the legacy and the principles of Houston at Howard University Law School and beyond might have been lost.

The Houston legacy has not been lost, but rather personified by Professors Reid, Jeanus Burrell Parks, Jr. who has also recently taken Emeritus status, and the late Frank D. Reeves.

From Brown v. Board of Education to Adams v. Richardson, to Bakke and beyond, Professor Reid has been on legal guard duty on matters which restricted the full participation of the slave

progeny in the American Dream. Like David, the biblical character, Professor Reid has hurled many black and white law student towards the world to replace fallen soldiers in the march to expand the meaning of the United States Constitution. He picked us up and polished us off at Howard University School of Law when other law schools could not see or refused to look for the diamonds beneath the ruffe.

The career of Professor Herbert Ordre Reed, Sr., stands as a model to the law faculty, students and to an untold number of alumni. The "Reid Brigade" has been graduated and has carried to the bench and bar and to Federal, state and local governments, corporate board rooms and to foreign lands the notion "that law is a tool for social engineering." That law is a tool for social engineering was the philosophy of Charles Hamilton Houston which has survived the test of time in large measure because Professor Herbert Ordre Reid, Sr., incorporated this theme in his teaching.

Professor Reid has been one of the few among law teachers in this nation to initiate litigation and defend persons whose civil rights hung in the breach. He has participated, counselled, or offered advice in nearly every major law suit touching the lives of Black Americans in the past forty years, including Bolling v. Sharpe, which was the District of Columbia School desegregation case decided in 1954 with the landmark Brown v. Board of Education of Topeka, Kansas, and Powell v. McCormack,

the 1969 Supreme Court case where the court ruled that Congressman Adam Clayton Powell, Jr. had been unconstitutionally excluded from the 90th Congress when Powell was denied the right to take his seat in the House of Representatives. Professor Reid served as counsel in Ruiz v. Delgado while teaching for a year at the University of Puerto Rico where the judge-prosecutor system was held unconstitutional. The result of his joint participation in Dixon v. Alabama is referred to in most administrative law texts. In Dixon the court held that prior to expulsion of students from a state college for participating in civil rights demonstrations, a hearing was constitutionally mandated. The amicus brief in Adams v. Richardson has historical significance because the court referring to this brief, agreed that black colleges have made a significant contribution to America and continue to produce most of the black professionals entering the workforce.

Jesse Louis Jackson the first serious contender for the presidency of the United States will no doubt give credit to persons such as Herbert O. Reid, Sr. and Frank D. Reeves for their primary effort to expand the rights of blacks in the political process. Professor Reid's words of 1951 are relevant today:

"It is apparent that Negroes have secured the least amount of protection in the enjoyment of their civil rights at the state and local

levels in those states in which they have been limited in their right to vote... If [the right to vote] is intelligently exercised ...there will be a corresponding increase in protective civil rights legislation."

The civil rights legislation was adopted but it was written in the blood of black men and women who were lynched while trying to exercise their rights under the constitution. Such repressive conduct caused Reid to proclaim in 1982 that "The Houston-law approach issurely needed today...." The approach that Professor Reid was referring to was the present need to focus on "strategies and goals in the field of education before Blacks are effectively eliminated from the educational process under the rubric of desegregation." Reid's concern was not in opposition to the Brown decisions, but a desire to assure that desegregation would become a reality in his time.

Perhaps Professor Reid's zeal over the years was to assure that equality of opportunity had a reasonable chance to be achieved in this century. Reid, the skeptic, hedged his bets on his students to effect the Houston-Reid tradition during the next century. In fact, as the Charles Hamilton Houston Distinguished Professor at Howard University Law School, Professor Reid has declared that "The future of [Black] people, indeed of all who are oppressed will be determined...by the degree to which we will

answer the urgent call of our times to keep alive the ideas of ... Houston."

Professor Reid has kept the Houstonian flame burning as a law teacher, as acting dean of the Law School, as counsel to Marion Barry, Jr., mayor of the District of Columbia, as a member of the Executive Committee of the Association of American Law Schools, and as counsel to the Black Panthers, the Hanafi Muslims, the late Julius Hobson, Sr., William Borders and to so many other individuals and groups that a more detailed treatment is required to fully assess his contribution to the University, the Law School and to American law.

For the hundreds of students who have had been fortunate to sit in Professor Reid's classroom, to listen to his hearty laugh, to receive his good counsel, and who had the nerve to give him counsel as students and friends that he did not follow, we wish him God's speed as he settles into Emeriti status, and also say-- thanks for the knowledge.