

Howard University

## Digital Howard @ Howard University

---

Selected Speeches

J. Clay Smith, Jr. Collection

---

2-1-1991

### Ten or A Tnousand Times His Force

J. Clay Smith Jr.

Follow this and additional works at: [https://dh.howard.edu/jcs\\_speeches](https://dh.howard.edu/jcs_speeches)



Part of the [Legal Commons](#)

---

#### Recommended Citation

Smith, J. Clay Jr., "Ten or A Tnousand Times His Force" (1991). *Selected Speeches*. 135.  
[https://dh.howard.edu/jcs\\_speeches/135](https://dh.howard.edu/jcs_speeches/135)

This Article is brought to you for free and open access by the J. Clay Smith, Jr. Collection at Digital Howard @ Howard University. It has been accepted for inclusion in Selected Speeches by an authorized administrator of Digital Howard @ Howard University. For more information, please contact [digitalservices@howard.edu](mailto:digitalservices@howard.edu).

Ten or A Thousand Times His Force

By J. Clay Smith, Jr.  
Professor of Law  
Howard University School of Law

Called to this occasion\* to give a reasoned account about the contributions of Associate Judge Theodore R. Newman, Jr. to the National Bar Association and to legal education, I do so with the greatest sense of appreciation for his unselfish devotion to Howard University School of Law and to law groups of all persuasions. It took minimal effort to recount Judge Newman's dedication and service to the Washington Bar Association and the National Bar Association between 1973 to date because his dedication to service in these areas have been so very generous.

Before I chronicle Judge Newman's most significant accomplishments in the National Bar Association and legal education, I wish to recount the conditions of the world at the National Bar Association Convention in 1932, just two years before Judge Newman was born. At that convention, held in Indianapolis, Indiana, C. Francis Stradford, of Chicago, gave the key note address on the subject of "Social Unrest And The Law." During this convention, Mr. Stradford said, "The most outstanding characteristic of the present age is social unrest [i]n Northern

---

\*Portrait Presentation Ceremony of the Honorable Theodore R. Newman, Jr., on the occasion of his retirement as Associate Judge of the District of Columbia Court of Appeals, Friday, February 1, 1991, in the Courtroom of the District of Columbia Court of Appeals.

and Central Europe...in Berlin [and] Prussia...in Spain...in Russia...in Japan...in South Africa...in [America's] financial machinery...[and in] education...."

C. Francis Stradford was a visionary. Curiously, as they relate to world affairs, his words may ring an accord today as we stand here honoring Associate Judge Newman. One might ask: what is the point of quoting C. Francis Stradford at this auspicious occasion? What is the connection of Mr. Stradford to Judge Newman? Perhaps, the connection is not as immediately apparent as I'd would like it to be, but you see, Stradford, a Chicago lawyer, was extremely dedicated to the National Bar Association and served as its president. The NBA named its highest award for C. Francis Stradford, an award which was bestowed on Associate Judge Newman in 1984. The NBA bestowed the C. Francis Stradford Award on Judge Newman because he shared his time, energy and knowledge with lawyers of that group in the pursuit of the study of the science of jurisprudence, so as to assure that the rule of law, rather than arbitrary state action, would govern in the resolve of social unrest in America. The C. Francis Stradford Award is bestowed on members of NBA who have demonstrated the highest level of integrity, leadership in NBA and to persons who have inspired lawyers to use the rule of law as the tool for the solution of social unrest in our Democratic State.

Judge Newman has held many positions in the National Bar

Association, but the position that stands out the most is his chairmanship of the Judicial Council, the council of judges in NBA. Little did C. Francis Stradford know in 1932 that a person with his vision and energy, a Judge Theodore R. Newman, Jr., would ascend to carry on his work in NBA so admirably.

Judge Newman began his service as law instructor in 1988 during my deanship at Howard University School of Law. Today, he teaches Evidence at Howard's law school and at the Georgetown University School of Law. Judge Newman was destined to be an educator because at the age of two years old he moved to Macon County, Alabama, within the rigorous academic environment of Tuskegee University, founded by Booker T. Washington, in 1881.

In 1902, thirty-two years before Judge Newman was born, Booker T. Washington raised this question: "Will The Education of the Negro Solve The Race Problem?" Mr. Washington's answered this question in the affirmative. I invite you to listen to Mr. Washington's words. He said, "I speak of education as a solution for the race problem [but I do not] confine myself to the education of the Negro." Mr. Washington continued, "Many persons in discussing the effect that education will have in working out the Negro question, overlook the helpful influence that will ultimately come through the broader and more generous education of all the race elements...."

Perhaps, now we can understand why Judge Newman teaches law at Howard and Georgetown, and why he has an interest in the broader issues of legal education. Judge Newman's quest for knowledge, his restlessness for the assertion of that knowledge, so often exercised within the walls of the Court, now send draconian chills down the backs of innocent law students. Yes, at Howard, and Georgetown, Judge Newman carries forth the philosophy of Booker T. Washington that the "broader and generous education of all the race elements" will solve the race question in America.

Judge Newman, I leave you with the words of Ralph Waldo Emerson. In 1837, Mr. Emerson delivered an oration at Cambridge University, entitled, "The American Scholar," in which he said: "Free should the scholar be, - free and brave. Free ever to the definition of freedom, without any hindrance that does not arise out of his own constitution. Brave; for fear is a thing which a scholar, by his very function, puts behind him." Judge Newman, on the bench, at the NBA and in the classroom has been what a scholar is suppose to be - free and brave.

Judge Newman has mixed two vital components in his life while serving as a judge on the District of Columbia Court of Appeals - service to the bar and an interpreter of knowledge. Since his birth in 1934, Judge Newman has, as Emerson stated at Cambridge University in 1837, "multiplied ten times or a thousand times his force."