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Justice and Peace

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Justice and Peace*

I am deeply honored that this evening the Washington Bar Association has bestowed upon me The Charles Hamilton Houston Medallion of Merit. In recent days since several white Los Angeles police officers were acquitted for the excessive beating of a black motorist, Rodney G. King, by an all-white jury in Simi Valley, California, we have heard the chant, the echo of which will linger during the New Century: "No Justice, No Peace!" In 1936, just after Charles Hamilton Houston and other distinguished black lawyers had won some impressive civil rights cases before the United States Supreme Court, Houston warned us, and I now repeat his words, "Don't Shout Too Soon!"

Nearly fifty years have passed since Houston uttered the words "Don't Shout Too Soon!" Why, one must ask, did Houston surround his great legal victories with this admonition? What was in his mind? Could he see that the legal victories in the United States Supreme Court were fragile? Is it possible that Providence allowed Houston to glance at the future? I don't know the answers to these questions. All I know is that his admonition, "Don't Shout Too Soon!" was wise instruction.

Houston was peaceable man. He never, so far as we know, urged

* Response of Professor J. Clay Smith, Jr., on the occasion of receiving the Charles Hamilton Houston Medallion of Merit, the highest honor bestowed by the Washington Bar Association, on May 9, 1992, at the J.W. Merriott Hotel in Washington, D.C. Professor Smith teaches at the Howard University School of Law.

black people to do violence as a response to injustice. But, I have a hunch that Houston understood that without justice in the courts for black Americans there could be no peace. However, lawyers, such as Houston, James Madison Nabrit, Jr., Thurgood Marshall, Z. Alexander Looby, Oliver W. Hill, and Ollie May Cooper continued to seek peace, even though justice had not been won. Notice what I have said: even in the face of adversity, Houston and other black lawyers, many of whom were members of the Washington Bar Association, continued to seek peace, even though justice had not been won. Do you now see why Houston admonish black people in the 1930s not to shout too soon when he won a case or two in the United States Supreme Court? Houston knew that justice had not been won for the black citizens of the nation. He knew that the exclusion of blacks from the juries made justice and the appearance of justice aloof from the ordinary black citizen. Houston knew that until his people received a fair and equitable education that there could be no peace. Houston knew that as long as blacks were barred from upper level jobs because of their race, yes, even blacks with college degrees, there could be no peace.

Yet, Houston's objective was to win justice and to gain peace in America. What a goal. What an objective. What a virtuous man. What a high democratic strategy. What pain he must felt to have to tell his people "Don't Shout Too Soon!" Houston knew then as we know today that our appetites hunger for justice and for peace, as do our souls, and the souls of so many like Houston who have gone on.

It is because of men and women like Charles Hamilton Houston that I am humbled that the Washington Bar Association has singled me out to receive The Charles Hamilton Houston Medallion of Merit. Many of you deserve the recognition that Houston Medallion of Merit represents because of your efforts to seek justice and peace. You have spoken out when others remained moot. You have taken risks to secure justice for the underprivileged. You have written meaningful words for generations to read. You have volunteered your time without pay for the benefit of your community. You have stood fearless in the face of adversity. You have made significant efforts to restore the confidence in those who have lost hope.

It is because of your good work, and those legal brief cases held in the hands of black lawyers and others of good will that I shall cherish the high honor that the Houston Medallion of Merit represents. The Houston Medallion of Merit is a symbol of justice and peace as one. Justice and peace are one. When our nation learns what Houston knew and taught us long ago, then we can shout. In the meantime, all of us, and many more of us must join in the search and agitate for justice because until justice is available to everyone, peace is deferred to all.

In closing, I want to read to you a transcription of a 1949 recording of Houston's words just before his death. I ask you to pretend that Charles Hamilton Houston spoke these words to Rodney G. King minutes after the policemen who beat him were acquitted of their lawless deeds: "...I can't see how we can avoid a crisis...and I don't see how [things] can avoid getting worse

because we are in a situation where we have got to have an expanding economy and our markets are contracting and we are losing our markets...I am...concerned about... the fact that the Negro shall not be content simply with demanding an equal share in the existing system. It seems to me that his fundamental responsibility and his historical challenge is to use his weight, since he has less to lose in the present system than anybody else or any other group, to make sure that the system which shall survive in the United States of America...shall be a system which guarantees justice and freedom for everyone." (From G.R. McNeil, **Groundwork, Charles Hamilton Houston and the Struggle for Civil Rights** 208 (1983)).

J. Clay Smith, Jr.

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