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TRIBUTE

**Professor Goler Teal Butcher: A Core of the Nation's
Civil Rights Specialists**

By Professor J. Clay Smith, Jr.
Howard University School of Law
October 27, 1992

I am honored to speak to those assembled on this auspicious occasion which highlights the redirection of the day-to-day activities of Professor Goler Teal Butcher, who served on the faculty of the Howard University School of Law from 1981 to 1992.

In some ways, Professor Butcher is leaving the faculty in the tradition in which she found it when she arrived on the campus of Howard University School of Law in 1954, the year that Brown v. Board of Education outlawed the separate but equal doctrine in public education at the elementary school level.¹ When Professor arrived at the law school she was greeted by Dean George Marion Johnson, a 1929 graduate of Boalt Hall Law School, at the University of California. She retires from the law school under Dean Henry Ramsey, Jr., a law graduate of Boalt Hall, and just when George R. Johnson, Jr., no relation to George M. Johnson, assumed the associate deanship of the law school. Professor Butcher was one of the first students to attend the newly constructed law school at seventh and Georgia Ave., in Northwest, Washington, D.C.

¹ Brown v. Board of Education of Topeka, Kansas, 347 U.S. 483 (1954) (Brown I), and Brown v. Board of Education of Topeka, Kansas, 349 U.S. 294 (1955) (Brown II).

This was the first and only law school building constructed by Howard University to date. The construction of that law school building began in October, 1954, and was completed prior to her graduation as the ranking and sole female student in 1957.² Professor Butcher leaves the law school, though it occupies a different building than the one that she attended, as our current facility undergoes substantial renovations. On June 30, 1992, she retired from the law school five days before the United States Supreme Court's decision in United States v. Fordice, a case which for the first time extended Brown v. Board of Education to public higher education.³

Professor Butcher attended a law school in what Dean Johnson described as an "historical setting." Dean Johnson stated that the historical setting in which the law school was "conceived, dictated that there should develop in the Law School a special interest in...civil rights." Dean Johnson took pride in the fact that the conceptual setting of the law school had produced "the core of the nation's civil rights specialists."⁴

Professor Butcher was influenced significantly in the environment of Howard University's law school because when she graduated from the law school she joined the core of the nation's civil rights specialists, not immediately as a practicing lawyer,

² See, George M. Johnson, The Law School, 1 How. L. J. 86 (1955), and Annual Report of the Howard University School of Law, 1956-1957, at 83, June 30, 1957.

³ United States v. Fordice, 112 S. Ct. Rpts. 2727 (1992).

⁴ George M. Johnson, The Law School, 1 How. L. J. 86 (1955).

but as a graduate law student at the University of Pennsylvania Law School concentrating in the area of International Law. It is to the credit of the University of Pennsylvania School of Law and to the merit of Professor Butcher that she was awarded a fellowship to study in the field of International Law.⁵

Professor Butcher is an extraordinary woman: that was true also when as a law student she commuted from 2641 Myrtle Ave., Northeast Washington, D.C., to the law school, probably with George Butcher at her side. As a student, Professor Butcher was endowed with a brilliant mind and a ferocious appetite for knowledge. Her competitive nature was manifested when she earned the highest marks in Agency, Bills and Notes, Private Corporations, Constitutional Law, and Wills. Fortunately for Professor Butcher and her other classmates, the "university's social objective" in its admissions policy was "to develop educational opportunity [which took into account] a restricted social, economic and educational background," as well as legal aptitude.⁶

Professor Butcher's legal aptitude landed her the editorship of the Howard Law Journal during the 1956-1957 academic year. Although Professor Butcher was the first woman editor-in-chief of the Journal, Harriette W. Batipps in 1955 has the honor of being the first woman editor. She is also the first woman to publish in

⁵ Annual Report of the Howard University School of Law, 1956 to 1957, at 83, June 30, 1957.

⁶ Id. at 91.

the Howard Law Journal.⁷ Building on Batipps's achievements, as editor-in-chief of the Howard Law Journal, Professor Butcher produced two superior issues of the Journal. She also published two student articles of her own.⁸ Professor Butcher did not lead without lifting as she climbed. Ellen R. Smith was the assistant business manager of the Howard Law Journal when Professor Butcher was chief.

In closing, there are just a few more observations about Professor Butcher that should be noted. She had wonderful instructors: Howard Jenkins, Jr., Charles W. Quick, Herbert O. Reid, Sr.,⁹ Dorsey E. Lane, and James Aaron Washington, Jr., to name a few. She was no doubt nurtured by Ollie May Cooper,¹⁰ who was secretary to the dean, and aided by Cynthia Straker, the Law Librarian, who is now a law instructor at St. Johns University School of Law in New York.

Professor Butcher's career has been in the pursuit of human rights for all people. She has been an advocate against the apartheid system in South Africa, when others around her did not

⁷ Batipps published her first student notes in 1955: Sales-Warranties-Implied Warranty of Fitness Does Not Cover Trichinosis, 1 How. L. J. 86 (1955), and Federal Taxation-Net Worth Method of Proof-Evidence Requirements, 1 How. L. J. 225 (1955).

⁸ Class Actions-Classifications Under Rule 23 of the Federal Rules of the Federal Rules, 2 How. L. J. 111 (1956), and Tidewater in Review, 3 How. L. J. 96 (1957).

⁹ J. Clay Smith, Jr., Retirement of Herbert Ordre Reid, Sr., 3 The Jurist 18 (Summer 1989).

¹⁰ J. Clay Smith, Jr. Ollie May Cooper: The "Real Dean" of Howard University School of Law, 23 How. L.J. 368 (1980).

know what the word meant. Prior to and since she joined the law faculty under the deanship of Wiley Austin Branton, Sr., she has spread her indignation against apartheid in scholarly journals, and other public forums. In 1985, Professor Butcher appeared before the House of Delegates of the American Bar Association and urged "the pre-eminent association of American lawyers [to] go on record opposing apartheid."¹¹ In 1988, in her article "The Immediacy of International Law for Howard University Students,"¹² published in the Howard Law Journal, she wrote: "Howard University is unique in that its students have long come with a commitment borne out of their history to be change agents in their community...The challenges posed by the concept of human rights for all are awesome...It is our students of today who as heirs of the sacred trust of the Howard University Law School [who] must spearhead the drive towards the development of a more equitable society for all people."¹³

Professor Butcher, on behalf of the Senior Faculty of the law school, we salute you and George for all that the both of you have done in the field of education. It has been written that morals often exert "a spell upon individuals enjoying a special grace." You are such a special person because you have "reached for norms of conduct more elevated than those that prevailed in the market

¹¹ Goler Teal Butcher, The Resolution of the American Bar Association Against Apartheid, 28 How. L. J. 649 (1985).

¹² 31 How. L. J. 435 (1988).

¹³ Id. at 452.

place." You "have acted beyond the call of duty," and you have "marked human progress in the scale of moral improvement."¹⁴ As Dean George Marion Johnson said nearly forty years ago, Professor Butcher, you are a "core of the nation's civil rights specialists."

¹⁴ Simon H. Rifkind, The Law as a Moral Force, 4 How. L. J. 7-8 (1958).