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Judge George Howard, Jr.: A Personal Ruminatiion

Cover Page Footnote

The Honorable George Howard, Jr., passed away on April 21, 2007, at the age of eighty-two. He was a man of many firsts, and the University of Arkansas at Little Rock Bowen School of Law is proud to have an endowed professorship in his name and honor. What follows is one of the essays from a collection of tributes to the late Judge Howard, written by some of his strongest friends, colleagues, and admirers. Given the impact of Judge Howard's civil rights work in the state of Arkansas, it is altogether fitting that this tribute to his legacy is included in this Law Review issue that also commemorates the 50th Anniversary of the integration of Central High School as well as other continuing legal efforts in civil rights.

JUDGE GEORGE HOWARD, JR.: A PERSONAL RUMINATION

*Honorable Morris S. Arnold**

Judge George Howard, Jr.'s impressive résumé and his long list of accomplishments will doubtless be rehearsed in detail elsewhere in these pages, as well they should be. He was a pioneer in so many respects and his deeds as a path-breaker deserve to be recorded. But I will leave these matters to others and will offer instead a more personal rumination on my attachment to Judge Howard. People need reminding that the road on which Judge Howard struck out so many years ago was perilous and the outcome of his journey was uncertain. In retrospect, the present often looks inevitable and makes the past appear as a kind of fumbling for a preordained result. But the struggle was real and the future was unreadable. I know because I remember well what things were like here in Arkansas when I was growing up.

One of my very early memories is of my mother's efforts to assure equal treatment for African Americans who lived in Texarkana, our home town. She and a young attorney named Henry Woods involved themselves in the NAACP's effort to register Black voters in Miller County, Arkansas, in the late 1940s and early 1950s. (Most readers will know that Henry went on to become a renowned United States District Judge and a colleague of Judge Howard's on the bench). As part of this effort, my mother received Mrs. John Jones, a Black lady who was a local NAACP leader, as a guest in our house to help plan strategy and logistics. I'm embarrassed to say that Mrs. Jones's entry through our front door and respectful reception in our living room scandalized some of our neighbors, a scorn that my mother wore as a badge of honor.

Judge Woods told me once that my mother was "involved in every righteous cause." Her good works indeed were many. I recall, for instance, a memorable poem that she published in the *Texarkana Gazette*, at some personal risk, during a recrudescence of Ku Klux Klan activity that occurred around 1950. In that poem, she shamed so-called Christians who attended church on Sunday, sang Negro spirituals, listened to the writings of Jews—and then donned the robe and the hood and attended hateful displays. I still have pictures in my head from that poem, left there almost sixty years ago.

I tell these stories not to lay claim to any moral high ground for myself, but because these are the things that have connected me to Judge Howard in my mind over the years. I always intended to ask Judge Howard if he had at

* United States Circuit Judge for the Eighth Circuit.

least known my mother, and now, alas, the question comes too late, as such questions often do. I never mentioned these reminiscences to him, partly because I found the subject somewhat awkward, partly because I wanted the bond between us to remain unspoken. Somehow, the connection seemed more real, more dignified that way, and George was a very dignified man. I do not mean that he was stiff or forbidding or aloof: He simply had a manner and a presence that earned attention. He knew, without me telling him, how I felt about equal rights. I felt, and feel, the same way he did. He was fond of quoting the first Mr. Justice Harlan's simple and eloquent dictum: "There is no caste here," Harlan wrote. "In respect of civil rights, all citizens are equal before the law." When Judge Howard ascended the judgment seat, he "made it crystal clear" that he was "a judge for the people—not the black people or red people or yellow people, but all the people. I am color blind." Exactly.

Judge Howard's robust attachment to this uncomplicated principle was matched by a faith that what he always called "this great nation" would someday right itself. It bears emphasizing that he maintained that faith in the face of considerable contrary evidence and the severest kinds of provocation—not just grave insults but physical violence as well. Despite all this, Judge Howard resisted the blandishments of more strident voices and kept his eyes fixed firmly on the prize.

The last time that I spoke with Judge Howard at any length was at the UALR Law School when a distinguished professorship bearing his name was inaugurated. Professor J. Thomas Sullivan, the chair's first incumbent, and a most worthy one, spoke feelingly in accepting the appointment. Judge Howard then gave a brief talk, humbly expressing his gratitude for the honor that the law school had done him, speaking in his deliberate and measured way, choosing his words carefully, turning each phrase quietly over in his mind before he let it go. It was admirable. When I talked to him afterwards, he told me of the help and encouragement that my brother had been to him both before and after he had become a judge, and in his rather shy way he expressed his thanks and his connection to me and my family.

One of the many encomia that Judge Howard received after his death deftly captured his patient sure-footedness and the gravitas that I have attempted to describe. "We have tried but failed," the editorialist wrote, "to picture George Howard ever saying anything without weighing it first." The writer continued:

Well, maybe in the family circle, or at the height of a sermon at the New Town Baptist Church he served so well and faithfully, or in some other intimate setting we are not properly privy to, but otherwise? We can't picture the judge any time, anywhere except in suit and tie—unless he was in robes. In a time when it's almost fashionable for judges to be politicians or showboats, or good ol' boys, or spreadeagle orators haran-

guing some crowd, George Howard, Jr. was . . . a judge in and out of the courtroom. They used to call it judicial temperament and no more had to be said. From the moment he ascended to the bench, he personified it. Perhaps because, long before, he'd always been judicious.¹

Someday it will not seem a remarkable thing that a Black, or Hispanic, or Asian, or Native American person has been appointed to the federal bench. I do not think that it is too much to hope that people will at some point learn to emphasize their common humanity while at the same time valuing their own particular brand of it. When that day comes, and it surely will, people will look back on us and wonder both why we were not like them and how we managed to make as much progress as we did, slow and painful though it was. Judge Howard's world view and his perseverance will allow them to see how powerful ideas and ideals can be, and how their single-minded, dogged, and determined pursuit can lead to respect and to victory.

1. Editorial, *Dignity in Action: The Legacy of George Howard Jr.*, ARK. DEMOCRAT-GAZETTE, Apr. 25, 2007, at 18B.

