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Tribute to Sid McMath

Cover Page Footnote

The UALR William H. Bowen School of Law and the UALR Law Review would like to bestow a special debt of gratitude on Governor Sidney S. McMath for his distinguished service to our nation and the State of Arkansas as a military officer, governor, attorney, and icon in the legal community. The essay that follows is one of six in this issue that pays tribute to Governor McMath's accomplished life and illustrates the impact of his legacy. He will be forever remembered in the hearts and minds of those whose lives he touched.

TRIBUTE TO SID MCMATH

*Bill Wilson**

Sidney Sanders McMath was valiant, whether dodging bullets in the South Pacific or enduring the slings and arrows flung by those who wanted to deny educational opportunities and civil rights to minorities. I thought Ernest Dumas' opening paragraph in a eulogy of Sid McMath for the *Arkansas Times* was particularly apt:

The wonderful thing about the life of Sid McMath, who died over the weekend at the age of 91, was that he lived long enough to receive the smiling judgment of history on the thankless work of his youth.¹

His last campaign for public office—for governor in 1962—has been described as “quixotic.” Perhaps. But he and his partner, Henry Woods (later a United States District Judge) had a master plan to force Governor Orval Faubus into a runoff in the hope that the runoff itself would turn the tide against Faubus. The scenario required a serious candidate from each area of the state. The plan was put into action, but went awry when one of the candidates suddenly withdrew from the race. Both McMath and Woods later acknowledged that the withdrawal rendered the campaign plan a “dead duck.”

It is said that, in ancient Greece, when Demonethes addressed a public gathering, the people would exclaim, “My what a pretty speech!” But when Cato spoke, the people would say, “On to Carthage!” Sid McMath's speeches were both beautiful and motivating. There is no question that, when it came to felicity of expression, he had been brushed with celestial fire.

Henry Woods told me that, as a young teenager, Sid McMath was a truant, and something of a street tough. A speech and drama teacher at the Hot Springs High School saw something in the pugnacious, handsome youth that others did not. Under her tutelage, he became the state declamation champion, and an accomplished amateur actor and he was imbued with the thought expressed by Sam Houston, “I wanted my life to matter.”

His gentle, genteel manner made it hard for one to believe that he was a genuine World War II hero, and that he helped defray his college and law

* Judge Wilson was a practicing lawyer from 1965 until he became a district judge for the United States District Court for the Eastern District of Arkansas on October 1, 1993, save for three and one-half years he served in the United States Navy during the Vietnam matter. From 1974 until lawyer Henry Woods became Judge Henry Woods, he was “of counsel” with the firm of McMath, Leatherman & Woods, and tried many cases with Judge Woods and his partner, Sidney S. McMath.

1. Ernest Dumas, *The Best and the Bravest*, ARK. TIMES, Oct. 10, 2003.

school expenses by boxing in the fight clubs in Fayetteville and surrounding cities.

There is another story—harking back again to ancient Greece—that one Athenian said to another, “I think Hercules is a god.” His friend asked why he had such a thought. The man replied, “Because, when I am in his presence, I feel so good.” If this is the test, it would deify Sidney Sanders McMath. Whether it was in the law office, at a lunch, or at a gathering of lawyers or politicians, he made one feel good.

Jim Jeans, the renowned trial lawyer and trial advocacy teacher from Missouri, once marveled that, at a legal seminar in Hot Springs, Sid McMath sat through the entire day listening intently to the speakers. The Governor was in his eighties at the time. Jeans was amazed. This puts one in mind of the story about a friend of Justice Oliver Wendell Holmes who visited him when Holmes was in his nineties and found him re-reading *Plutarch's Lives*. The friend asked the great justice why he was engaged in such a laborious task. Holmes snapped, “To improve my mind, sir, to improve my mind.”

The Governor was an avid reader and had a life long love affair with poetry. When a friend had sailed through troubled waters, he would often send her or him Robert Browning Hamilton's *Along the Road*:

I walked a mile with Pleasure,
She chattered all the way;
But left me none the wiser,
For all she had to say.
I walked a mile with Sorrow
And ne'er a word said she;
But, oh, the things I learned from her
When Sorrow walked with me!²

Once, during closing argument, defense counsel made light of plaintiff's injuries. In rebuttal, the Governor quoted from the Holy Writ: “He jests at scars who never felt the sword.”³ As we were driving home after the trial, I asked the Governor if that quote didn't come from Shakespeare, rather than the Bible. With a twinkle in his eye, he replied, “They all spoke Elizabethan English back then, and sometimes I get them mixed up.”

When he was well into his seventies, we tried a grueling case in south Arkansas. We finished mid-afternoon on a Friday and started the drive home. I was exhausted, and I am sure he was. Along the route, however, we

2. Robert Browning Hamilton, *Along the Road*, FIRST LOVES: POETS INTRODUCE THE ESSENTIAL POEMS (Apr. 2002).

3. WILLIAM SHAKESPEARE, *ROMEO & JULIET*, act II, scene ii.

drove by a fish fry. He asked me to stop the car so that we could drop in and say hello. There were 150 to 200 people there. Inside an hour, he had shaken every hand and delivered an upbeat message to each. When we resumed our drive home, he was obviously invigorated and said, "You gotta get out amongst the troops if you're going to lead."

Governor McMath shared a sterling, unusual virtue with Judge Woods. They apparently had a constitutional inability to hold a serious grudge. They wasted precious little time during their long and productive lives, worrying about past grievances—even after more than 80 winters had "besieged their brows," their watchword was always, "Onward."

In Felix Markham's biography of Napoleon, there is this passage, "When Junot's father wrote suspiciously to his son, shortly after the siege of Toulon, 'Who is this unknown General Bonaparte?' Junot replied, 'He is the sort of man of whom nature is sparing and appears on earth only in intervals of centuries.'"⁴ It is easy to think of Sid McMath in this light. When in his presence, you knew you were in the presence of greatness.

It is painful to realize that this wonderful man is no longer with us. But, in the words of another on a battlefield of yesteryear, "Good soldier, faithful friend, great heart, hale and farewell."⁵

4. FELIX MARKHAM, *NAPOLÉON* (Mentor Books/New Am. Library 1963). Junot was one of Napoleon's favorite subordinates.

5. SHELBY FOOTE, *STARS IN THEIR COURSES: THE GETTYSBURG CAMPAIGN* (Random House, Inc., 1994).

