



2004

Sid McMath Tribute

Phillip McMath

Follow this and additional works at: <https://lawrepository.ualr.edu/lawreview>



Part of the [Legal Biography Commons](#)

Recommended Citation

Phillip McMath, *Sid McMath Tribute*, 26 U. ARK. LITTLE ROCK L. REV. 531 (2004).

Available at: <https://lawrepository.ualr.edu/lawreview/vol26/iss3/5>

This Essay is brought to you for free and open access by Bowen Law Repository: Scholarship & Archives. It has been accepted for inclusion in University of Arkansas at Little Rock Law Review by an authorized editor of Bowen Law Repository: Scholarship & Archives. For more information, please contact mmserfass@ualr.edu.

Sid McMath Tribute

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.

SID MCMATH TRIBUTE

*Phillip McMath**

Sidney Sanders McMath was without a doubt the greatest man I have ever known or will ever have any hope of knowing. He was my hero, example, and very best friend. The greatest honor of my life has been to call him my father. Like a lot of people who lose loved ones, I find it is very difficult to accept that he is gone. In a sense, I thought he was immortal—and in a way, he is.

Most people are familiar with the outlines of his life. He came into this world on Flag Day, June 14, 1912, born in a dogtrot cabin at the McMath homeplace, near Magnolia, Columbia County, delivered by his grandmother. He was not expected to live and was set aside to die. According to his father, “Pap,” young Sidney simply had to save himself. Pap said that Sidney did so by fighting hard, and “he’s been fighting ever since.”

He indeed was a fighter and fought up to the very last moment of his life. Sid McMath expressed himself through doing, and while he had a philosophical side, he was the quintessential man of action—surrender, retirement, and resignation were simply not in his vocabulary.

Will Durant, the great historian, once observed that the difference between great people and others is that the latter try to adjust themselves to the world, while the former adjust the world to themselves. Sid McMath was clearly in the greatness category—it was important, as he was so fond of saying, to “make a difference.” He quite literally spent his life doing that.

His early life was fraught with all of the difficulties and joys of growing up in the rural South, a South very much in the long, hard shadow of Civil War and so-called Reconstruction. He picked cotton at age eight, did not see his first paved road or electric light until he was ten. These luxuries were unknown until he moved to Hot Springs in 1922, where his alcoholic father went in search of work.

While Dad had experienced the happiness almost unique to the American South, growing up in the country with a close-knit and extended family, he also saw something else: poverty, ignorance, and injustice visited on both black and white by the legacy of slavery and defeat. Rather than adjust to it, as most attempt to do, Sidney McMath vowed to do something about it. And he did.

When he got to Hot Springs, like South Arkansas, he also experienced something that was quite good, but it was a different kind of good. He found a relatively cosmopolitan community with a fine public school and library

* Phillip McMath is a partner with McMath Woods, P.A., a writer, and son of Sidney McMath.

system. Hot Springs proved a great turning point, revealing a new and sophisticated world, heretofore only dreamed of. The high school there opened his eyes to the pages of history, English, rhetoric, and drama, and he was able to take the next step to a university education at Henderson and Fayetteville. But, while at Hot Springs, like Columbia County, he also saw the bad. He saw the corruption of a political system utterly dominated by the dark forces of organized crime. Early on he also vowed (“promised”) to do something about that, too. And he did.

But first there was the military, a life-long passion—even a kind of romance. He was commissioned in 1936 and began service with the Marines at Philadelphia, Pennsylvania. Here he met his famous company commander, Lewis “Chesty” Puller, a legend who became his Marine mentor. But his roots were deep, and young Sidney returned to Hot Springs to marry his childhood sweetheart, Elaine Braughton. He practiced law, but his eyes were always on the world horizon, and on it he saw war, so he returned to uniform in 1940. Pearl Harbor found Captain McMath training lieutenants, a job he said was the most rewarding of his military service. Finally, he was assigned to the new Third Marine Division, was promoted to major, and was eventually given command of the Jungle Warfare School in Samoa, in the South Pacific. From there he went to Guadalcanal, led a secret landing at Villa LaVella, served on New Georgia, and was the S-3 staff officer of the Third Marine Regiment during the Bougainville Campaign. During the latter he was awarded the Silver Star for bravery. His commanding general stated in his after action report:

Having landed on the beach . . . Major McMath proceeded alone, without protection of any kind, and under heavy enemy fire, to the foremost elements of the assault troops which, immobilized by fire from (Japanese) rifles, automatic weapons and mortars, had become intermingled and confused.

He immediately reorganized these troops and instituted an attack upon the Japanese positions, the success of which contributed materially to the destruction of enemy resistance. His bravery and disregard for his own safety, to an extent above and beyond the call of duty, as well as his outstanding leadership, served as an inspiration to the officers and men who observed him.¹

For this, in addition to the Silver Star, he was also honored with a battlefield promotion to lieutenant colonel and the Legion of Merit. He would retire as a reserve major general and was every inch a Marine’s Marine.

1. Brigadier General Oscar R. Cauldwell, USMC, Commander of the 3rd Marine Regiment, and Assistant Division Commander of the 3rd Marine Division, during the Bougainville Campaign, as quoted in the ARK. GAZETTE, Mar. 5, 1944.

However, family tragedy shadowed him. After the premature death of Elaine (the mother of his eldest child, Sandy), he married my mother, Anne Phillips, who would be his partner for fifty years and have the remainder of his children: myself, Bruce, Melissa, and Patricia. Then tragedy struck again with the violent death of his drunken father. But Sid and Anne held things together, recovered, and continued a successful "GI Revolt" which cleaned up Hot Springs and propelled them into the governor's office in 1948. Mother built the mansion and was First Lady at the age of 28, while Dad, 36, fulfilled his dream of reforming the New South. It was quite an odyssey for a poor Columbia County cotton picker.

Ernie Dumas, in a recent editorial assessing Dad's career said, "Sid McMath might have laid legitimate claim to have been the most courageous and far-sighted Southern leader of the 20th century."²

His political success led to two terms in office, and during his tenure he paved more roads than any governor in history; built a medical school; fought for civil rights when it was difficult; defeated the Dixiecrats; repealed the "whites only" rule for the Democratic Party; supported Arkansas AM&N college; integrated the medical and law schools; consolidated school districts; fought for workers' rights; and promoted rural electrification at a time when a third of the state was still living in darkness.

But his insistence on bringing electricity to these poor counties ran afoul of special interests, and they conspired to defeat him for a third term. Arkansas Power and Light Company was interested in power of a different kind, so it marshalled all of its forces to defeat Arkansas's promising young governor. A completely bogus highway audit was created by the utilities' political cronies just before the election. This was a failure except for its main goal—to destroy Sid McMath's political career. Here it was entirely successful. This episode, this reactionary opposition to progressive government, pushed Arkansas backward into "Faubusism" and all that it has come to mean—bigotry, corruption, and special interest hegemony.

Later Dad ran against Faubus in 1962, in what he knew was a completely quixotic campaign, but he wanted to make a point. He had opposed Faubus' demagoguery in the 1957 Central High crisis and his sell-out to the "big boys" who wanted to control state government. Of course, the struggle against Faubusism has long since been vindicated. Like Lincoln, who actually lost the Senate race to Douglas, Sid McMath won something more precious—the satisfaction of being judged right by history. In politics, there is a difference between compromise and selling out, and Sid McMath, unlike some, had no difficulty in telling them apart.

Eventually, the things that my father fought for were ultimately achieved, and while he "lost the battle," he did, indeed, as they say, "win the

2. Ernest Dumas, ARK. TIMES, Oct. 10, 2003.

war." As time has passed, his reputation has steadily ascended, and now he is considered one of our very greatest governors. In this respect, fate was, in the end, kind to him, allowing him to rejoice in this gift in life, rather than receiving it as a cold present of posthumous vindication.

But if the Marine Corps were an early romance, law was a later marriage, and after leaving the governor's office, he formed the most successful personal injury firm in our state with his two good Hot Springs friends, Henry Woods and Leland Leatherman. In the courtroom, Henry and Dad complimented each other magnificently. There is no doubt that Henry Woods was one of the great legal scholars of his generation, and this, combined with Dad's trial skills, made them almost unbeatable. Together they revolutionized the plaintiff's practice in Arkansas. In the law, as in politics, Sid McMath relentlessly pursued his idealism under the banner of his favorite scripture: "To do good, seek justice, correct oppression; defend the fatherless, plead for the widow."³ In a sense, it was not only his motto as politician and advocate, but it has become the motto of our firm. Isaiah is our mentor as much as Blackstone and the common law.

Countless lawyers have indicated to me how much Sid McMath has meant and how much he has helped their careers. And Sam Laser, one of the very best advocates Dad ever faced, told me, "Your father and I tried hundreds of cases together; we gave and expected no quarter; and yet we never had a cross word." This is an ideal that all of us should strive to follow. We lawyers can always represent our clients steadfastly and accurately without rancor. This is the measure of the highest form of advocacy and is the mark of a true barrister.

Sidney Sanders McMath loved the law, the Marines, his family, Arkansas, the South, and his country. Yet, for a modern politician, he possessed too much virtue to be greatly famous and too much courage not to be truly great. He had the heart of a lion and the soul of a saint—and was a hero in an age that is increasingly unheroic.

3. *Isaiah* 1:16–17, RSV.