REFLECTIONS

on the Integration of Georgia Law and the Impact of Brown v. Board of Education



lmost 50 years after the landmark *Brown v. Topeka Board of Education* decision was handed down by the U.S. Supreme Court, Georgia Law hosted a program to reflect on the past, evaluate the present and discuss the future, which included the 97th Sibley Lecture, a discussion panel and commemorative dinner.

To review the impact of this unanimous decision that ruled that "in the field of public education, the doctrine 'separate but equal' has no place," the school invited several of its African-American pioneers to come back to the institution and share their experiences. Those pres-

ent were: Robert Benham (J.D.'70), the law school's second African-American graduate; Chester C. Davenport (LL.B.'66), the law school's first African-American graduate; Sharon "Nyota" Tucker (J.D.'74), the law school's first African-American female graduate; and Horace T. Ward, the first African American to seek admission to the law school. Also joining these trailblazers on the discussion panel was current third-year student Francys Johnson, and leading the discussion was Georgia Law Associate Professor Larry E. Blount, the institution's first African-American professor.

Delivering the Sibley Lecture, which started the day's program, Davenport, now a successful entrepreneur, described how innocently his desire to attend law school at Georgia Law was first vocalized. The native-Athenian was in fourth grade when Ward sought admission to Georgia Law in 1950. He said news of



At the commemorative dinner, Black Law Students Association President Jadun McCarthy announced the renaming of the school's BLSA chapter for the integration trailblazers, Chester Davenport (LL.B.'66) and Robert Benham (J.D.'70). The Georgia Law chapter will now be referred to as the Davenport-Benham BLSA chapter. Above (l. to r.) Benham and Davenport are congratulated on the chapter's renaming by BLSA Parliamentarian Francys Johnson and McCarthy.

Ward's admissions denial was a big local and national story. "When I asked why [Ward] could not attend the university, I was told they did not want black people at the University of Georgia, unless they were cooks or waiters, not students," Davenport said. "At the tender age of nine, I thought this was not fair. I told my parents and teachers that if they had not let Horace Ward into Georgia by the time I got ready to go to law school, I was going to go. To my great surprise, 13 years later, I had the great pleasure of keeping that promise."

In the fall of 1963, Davenport

and his classmates were struggling not only with the trials of first year law school but also with integration. In addition, they also grappled to understand the assassination of President John F. Kennedy and the strife in our nation during this period. According to Davenport, this time of conflict served to strengthen the bond between him and his fellow students. "We were all pleased when [our first year] was over. I was pleased because I was not only doing well in the classroom, but I had made friends in the process," he said.

Although friendships were made, Davenport recalled eagerly going to greet each new entering class to find another face of color. Each year he was unsuccessful, because none were enrolled. Davenport was the sole African-American student during his three years of legal study at Georgia Law.

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Brown v. Board of Education panel participants were:

- 1- Associate Professor Larry Blount, the law school's first African-American professor
- 2- U.S. District Court Judge Horace Ward, the first African American to apply to Georgia Law
- 3- Georgia Supreme Court Justice Robert Benham (J.D. 70), the second African-American Georgia Law graduate
- 4- Georgetown Partners Managing Director Chester Davenport (LL.B.'66), the first African-American Georgia Law graduate
- 5- Albany State University Assistant Professor Sharon "Nyota" Tucker (J.D. 74), the first female African-American Georgia Law graduate
- 6- Current third-year student Francys Johnson

Photographs courtesy of UGA Public Affairs.

fellow students of color between classes. However, she said they were seldom social outside of the law school environment.

Tucker states the climate at the school represented the best and worst in extremes. "There were those who actively embraced our presence and who were genuine and consistent in behavior. There were others who were openly hostile and relished in mispronouncing the word Negro, even openly during class discussions. ... It is my one great regret that I didn't use my voice to speak out against racism, ignorance and bigotry. While learning how to be



It was 1967 before the law school admitted its second African American, Benham, a participant on the day's *Brown v. Board* panel and currently a sitting justice on the Supreme Court of Georgia. Benham was attending Tuskegee University when a UGA professor/recruiter approached him about attending law school in his home state. He said, "You are a native Georgian and Georgia's problems are your problems. If you are unwilling to solve the problems in your own state, who else do you think will be willing?" Benham said he found this challenge a difficult one to resist and chose to forego attending law school at one of the other universities where he was accepted.

His law school experience was similar in nature to Davenport's. He searched for other students of color but found none in his entering class. He noted that there were friendly faces and unfriendly faces and that there were classmates who never spoke to him. Benham referred to his overall law school experience as enjoyable but stated it was filled with frustrations and agonizing moments. He said it was a period of "growth" for the law school and the state.

Four years later, Sharon Tucker, now an assistant professor at Albany State University, chose to attend law school because she believed studying law would arm her with "the tools capable of making change" regarding our country's Civil Rights challenges. After being accepted to the both the universities of Pennsylvania and Georgia, the Dublin-native chose Georgia because she wanted to be closer to home.

Her entering class included eight African Americans out of 238 first-year students. With the enrollment of this class, there were finally "enough" minority students to start a Black Law Students Association chapter at UGA. Tucker recalls the upper level African-American students providing support – offering outlines, used books and insights on professors – and gathering with her

an advocate for others, I failed to advocate for myself," she said.

Advance to today where the law school's first-year African-American student enrollment has averaged approximately 11 percent over the last five years, the law school has a thriving Black Law Students Association with more than 70 members. Current third-year student Francys Johnson described a more consistent, friendly and accepting environment at the institution. He recalled his first-year Torts Professor, Thomas A. Eaton, telling him, "Whatever it takes, I am a partner with you in your law school education."

Blount, the panel's moderator and law school faculty member, confirmed Johnson's sentiments by stating that the law school's faculty, administration and staff are extremely committed to diversity and have worked hard to make progress in this area.

The fifth panelist was Ward, currently a U.S. District Court senior judge and the man who was the first African American to dare to apply to attend the all white law school in 1950. Ward stated that his experience was very different from the other panel participants because he was not admitted to Georgia Law and was not one of the beneficiaries of *Brown*. However, he said, "I do appreciate the *Brown* decision as it set as a matter of national policy, at least national judicial policy, that black people were equal citizens ... the *Brown* decision simply opened the door. I believe it is the most important decision in the 20th century."

In conclusion, Davenport stated his experience at Georgia Law enabled him to learn not only about the law but most importantly how to interact with people in difficult circumstances. "I learned a lot from my classmates, and hopefully they learned a lot from me. My hope is that the students at the law school today will be as successful as we were in dealing with each other as human beings," he said.

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