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Letter to the Editor, August 9, 1991

Are Black Conservatives Hypocrites?

Black conservatives as the heirs of Booker T. Washington and Marcus Garvey? You can't be serious.

I write regarding two recent articles about Clarence Thomas, Supreme Court nominee, and black American conservatives ("The Marshall Seat: Bush's Court Nominee, a Black Republican, Is Deft Political Choice," July 2; "Against the Grain: Black Conservatives Wield Growing Clout Beyond Their Number," July 3). Your writers refer to the black conservatives as being characteristically in favor of black self-reliance and against government support programs. Unfortunately, the two articles, which are otherwise excellent, slip into endorsing the way black conservatives describe themselves without adequate indication that the self-description is open to question.

As alluded to in the article of July 3, almost all black American leaders and organizations stress black self-reliance and self-respect as the necessary foundation for alleviating dreadful conditions in the black community. These leaders include people as diverse as Jesse Jackson, Doug Wilder and Benjamin Hooks.

There are, indeed, important differences between black conservatives and black leaders who describe themselves as liberal, progressive or radical. It is not, however, the view of anyone other than the black conservatives that they uniquely stand for the principle of black self-reliance. In fact, it is a matter seriously open to question whether the black conservatives have any significant commitment to, or prescription for, improving the life prospects of the majority of black Americans. For example, an article in the *Los Angeles Times* recently describes Clarence Thomas's heartless attitude toward his own sister who, unlike Mr. Thomas, has been unable to escape poverty.

Heated discussion concerning the proportion of the black community's responsibility for the situation in which it finds itself will continue until the remnants of American-style apartheid have been eradicated.



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repression since the 1870's and the collapse of Reconstruction, we the ex-slaves seemed doomed to never be really free. For most of us, our own solace became religion and the promise of freedom in the great beyond. No wonder, then, that the core of our local leadership was the clergy and the language of our plaint was largely Biblical.

But Marshall revived the language of law. He joined the moral righteousness of our cause with the state-sanctioned rectitude of the law. Thirty-two times as a NAACP lawyer, he argued before the Supreme Court, the highest tribunal of the land. Twenty-nine amazing times, he walked away with victory. He showed that there was a common resonance between the informed legal consciousness of White America and the articulate moral consciousness of Black America. Marshall taught all but the most desperate of us to dare to dream the American dream.

Thurgood Marshall taught us hope.

But most of all, Attorney Marshall, Federal Judge Marshall, Solicitor Marshall, Mr. Justice Marshall personified and manifested our love. Our love of ourselves. Our love of the country, this Pharaonic land where we learned to make the bricks of our peoplehood from the straw of our servitude. Our love of learning, embodied in our belief that equality of educational opportunity was the nodal point of all social equality. Our love of our children for whose future we would struggle in the courts, in the streets, and — once we retrieved the right to vote — in the rough and tumble of politics. And, perhaps most of all, Thurgood Marshall personified our love of simple justice.

Now Justice Marshall is retiring at 83 years old. Thirty-six years his junior, I find myself teaching at the University at Buffalo Law School, trying to adjust to the scholarly life after almost thirty years of civil rights and social justice activism of my own. I think often of Marshall when pondering what to tell my students about law and why law matters. I remember what America was like before the revolution in law led by Marshall and his cohorts. And then I know. I must say to my students that law, real law, is first and foremost a labor of love. ■

Visiting Associate Professor Muhammad I. Kenyatta graduated from Williams College in 1966 and from Harvard Law School in 1984. He was a Merrill Fellow, Harvard Divinity School, from 1973-74. At UB Law since 1988, he teaches Constitutional Law II.; Democratic Theory; Martin Luther King and the Law; and Racism and American Law

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