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THE BLACK LAWYER AS NON-PERSON IN
THE MEDIA, OR "IS YOU DA ALLIGATOR
OR DA ALLIGATEET"

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Hap Washington

THE BLACK LAWYER AS NON-PERSON IN THE MEDIA, OR "IS YOU DA ALLIGATOR OR DA ALLIGATEE?"

America calling.
negroes.
can you dance? sing?
play basketfoot/baseball?
nanny?
cook?
needed now. negroes
who can entertain
ONLY.
others not wanted.
(& are considered extremely
dangerous).

(Don L. Lee, 1969)*

HAVE YOU ever wondered why the only two Black lawyers to have been regularly portrayed on national television were Algonquin J. Calhoun, the stereotypical shyster on "Amos 'n' Andy" and the pretty, young "air-head" played by Judy Pace on the "Young Lawyers"? Beginning with "Beulah," the premiere program about a Black maid, we have been portrayed in roles which span the spectrum of occupations from servant, to teacher, to preacher, to the occasional medical doctor, to the ubiquitous cop and nurse, to the sometimes humorous junkman, to the never-funny "uptown businessman." We've also been junkies, unemployed and "muscle" for the "syndicate." We are often students (even law students in "Paper Chase") or basketball coaches (and players, nachully). We have come full circle with a "new" show about a maid, "Flo," albeit the up-dated version is a *head*-maid.

Even when portrayed as the "super-bright darcy," we have no legal training. (The aborted role of the congressman that would have been played by Cleavon

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Little was not that of a lawyer.) Benson, the sole “intellectual” of “Soap” and later “Benson,” is a butler; Bill Cosby was a “trainer” (read “servant”) and the “bright” member of the “I Spy” team. (Barney, the screw-driver whiz of “Mission Impossible,” never actually had a profession—he was the original Jack of all trades.)

The character of Algonquin J. Calhoun, the fast-talking shyster featured in “Amos ‘n’ Andy” became the media’s leading stereotype of the Black lawyer. (“Dere is a legal angle here. Dis comes under da Maritime Board. When you marries a woman, you gots to gives her some time, or she’ll git bored. Dat’s da Maritime Board, all right, dat’s da Maritime Board”; or, “Yo’ hona—if da witnis is tru wit me, she can git down off da stand!”) He was always available to assist Kingfish with get-rich-quick schemes that inevitably flopped. As a lawyer, he was forever just one step away from breaking the law himself.

The character played by Judy Pace in the “Young Lawyers” provided the quasi-comic relief felt needed in the series that attempted to demonstrate the concern of young lawyers for the poor and “down-trodden.” Ms. Pace somehow always managed to show more concern for her designer clothes and her sports-car than for her clients.

I am not directing any jeremiad at the communications industries; the white media has its priorities and it does not number the projection of positive Black images among them. I am directing my concerns at the Black community, which has adopted the distorted principle, presented by Calhoun, that the Black lawyer is not capable of the level of performance that white lawyers attain: “the white man’s ice is colder” theory. The pathology projected to Black communities, by the electronic media especially, has become the norm.

The images projected by Calhoun and Ms. Pace would not be as sharp if there were counterimages to blunt them. Black lawyers are either never portrayed or presented in the role of anti-hero. The negative image presented of the Black lawyer is intended to belie the history of a beleaguered, courageous and effective group of men and women. The Black lawyer is not even projected as a functioning cog in the civil rights movement by the mass-directed media. The “news-gathering” (news-making?) component of the media projects the F. Lee Baileys and Bill Kunstlers as the protectors of the public liberties and civil rights, failing to mention the Conrad Pearsons, Harold Boulewares, Herb Reids, and Constance Motleys who were in the vanguard of Black lawyers whose concern for the “movement” outweighed their quest for fame or self-aggrandizement.

Conrad Pearson, the “Dean” of civil rights activists, was the attorney on the first school desegregation suit in the 20th Century. For the past fifty years, Mr. Pearson, a Howard Law School graduate, has been involved at some level in

every major law suit concerning the rights of Black people. Judge Harold Bouleware, another Howard graduate, was counsel on the South Carolina law suit that became the focal point for the 1954 school desegregation decision. Herbert O. Reid, Sr. has taught at Howard Law School for the past 35 years and has been mentor, catalyst and participant in many legal aspects of the "movement" during that period.

Although known and revered in the Black legal community, these and other Black lawyers have not been recognized by the white media, which, unfortunately, molds perception in the greater Black community. The sole Black legal personality projected through the white media has been Justice Thurgood Marshall. To paraphrase Eldridge Cleaver (during his more productive days), the white press will only permit one positive Black legal personage on stage at a time.

There is no law without lawyers. Laws, after all, are *not* divine dispensations from on high, but merely inventive devices for the perceived ordering of society, from the dominant culture's perspective. It is the trained specialist (the lawyer) who rationalizes the letter of the law. It is the lawyer who is in the position to "professionally" influence the shape and application of the law. Lawyers are symbols of power in this society. To project an image of Black, intellectual power within the group that controls the power base of the capitalistic economy might well prove antithetical. The dissemination of certain symbols by the mass media often expresses the prejudice and unconscious complexes of those who manipulate public opinion. Quite often the masses will emotionally grip the distorted symbols as reality, bringing forth Algonquin J. Calhoun.