

didacy and so far is unopposed. It was widely believed, even within the ABA, that Grey and Archer had come together to allow the more high-profile Archer to become president first.

But Grey denies that, asserting that by the ABA's own rules, he could not have started a run for the presidency until now, two years after the end of his chairmanship of the House of Delegates. "There is no gentleman's agreement," says Grey. "I always knew Dennis wanted to be

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president as soon as he could, and he picked now. I'm fine about it."

Former ABA president Martha Barnett, a partner at Holland & Knight in Tallahassee, says the combination of Archer and Grey underlines the association's dedication to equality.

"It is a significant statement to have the first African American as president," says Barnett, who was the ABA's second female president. "But to have two in a row, it's a commitment." ■

The ABA and African Americans

From a time when no blacks need apply, the ABA has been transformed.

The American Bar Association's history with regard to African American lawyers is a story of dramatic though tardy transformation. For more than thirty years following the Association's 1878 founding, the ABA admitted no black members at all. In 1910-11, three African American lawyers, including William Henry Lewis of Boston, who in 1911 was named Assistant Attorney General of the United States by President William Howard Taft, were admitted to membership.

However, when word of this spread, many white attorneys called for their expulsion. Former ABA president Moorfield Storey, who had served as the first president of the National Association for the Advancement of Colored People (NAACP), denounced the ouster campaign as "a monstrous thing," but in August 1912 the ABA's executive committee announced that the three men had been admitted only "by inadvertence," since "it has never been contemplated that colored men were to be members of this Association." The black lawyers were not expelled, but the executive committee announced that any future recommendations of membership for "colored" attorneys must explicitly identify their race. As historian Jerold Auerbach later wrote, the Association had "elevated racism above professionalism."

African American lawyers founded their own National Bar Association in 1925, but in 1943 the ABA repealed the policy it had adopted in 1912 and forthrightly declared that membership "is not dependent upon race, creed or color." At least two African American lawyers were admitted in 1943-44, yet as Geraldine

Segal concluded in *Blacks in the Law*, "the elimination of formal admission barriers...did not quickly bring about any substantial involvement of black lawyers" in ABA activities.

Former NBA president Revlus O. Ortique, Jr., recalled in a 1970 article in *Judicature* that only in "about 1956" were black lawyers "not merely tolerated but welcomed into the ranks" as ABA members. The decade of the 1960s, Ortique said, witnessed "a metamorphosis" in the ABA that was "unparalleled in the history of traditional professional organizations." Most notably of all, nine different ABA presidents lent their support to the 1963 launch of the new Lawyers' Committee for Civil Rights Under Law, which with direct encouragement from the Kennedy Administration began providing crucial representation for southern black activists.

But even in the mid-1960s, African American attorneys themselves remained a rare sight not only at ABA meetings. Equal Employment Opportunity Commission chairman William H. Brown III noted in 1970 that as of 1967, a survey of New York City's thirty largest law firms showed that they employed a grand total of three black lawyers and that the ten largest firms in Washington, D.C., employed zero.

Within the ABA, it was the 1966 creation of the new Section on Individual Rights and Responsibilities that played the largest role in drawing black attorneys into active participation in the Association's work. Starting in 1969, future federal Circuit Judge Cecil F. Poole of California served as the first African American vice-chairman, chairman-elect, and chairman of an ABA section as a result of his work with Individual Rights.

The ABA's internal transformation picked up speed in the late 1970s and early 1980s. In 1979 the Young Lawyers Division created a Minorities in the Profession Committee, but a few years later an informal survey carried out by that committee's members concluded that "minority lawyers for the most part felt that they were not welcome in the Association," ABA staff member Rachel Patrick reported. In response, the ABA's Board of Governors in 1983 set up a Task Force on Minorities in the Legal Profession and asked it to prepare a comprehensive report addressing obstacles to greater minority involvement in the organized bar.

Following submission of that Task Force report in 1986, the Association adopted a formal goal of attaining "full and equal participation" of minorities and women in the ABA and created a new Commission on Opportunities for Minorities in the Profession. Taking a leading role in the work of that Commission in the late 1980s was then Michigan Supreme Court Justice Dennis W. Archer, and Archer's success in that venue began his progression up the ABA's leadership ladder. African American lawyers today may constitute only some 2.3 per cent of the ABA's membership, and only 3.3 of the overall American bar, but Dennis Archer's election as ABA president-elect suggests that the Association's upward trajectory of the past forty years will continue and indeed accelerate. ■

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