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2023 MARTIN LUTHER KING, JR. KEYNOTE LECTURE; Celebrating the Legacy of Dr. Martin Luther King, Jr., Answering the Call to Public Service

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2023]

2023 Martin Luther King, Jr. Keynote Lecture

CELEBRATING THE LEGACY OF DR. MARTIN LUTHER KING, JR.
KEYNOTE LECTURE
*ANSWERING THE CALL TO PUBLIC SERVICE**

PRESENTED BY: REGINALD SHUFORD**

[Introduction omitted.]

REGINALD SHUFORD, NORTH CAROLINA JUSTICE CENTER: Thanks, Dean Alexander, for the generous introduction and for hosting me.

Thanks, Dean Ravenell, for the invitation to speak.

And thanks to Kassem Lucas and Troutman Pepper Hamilton Sanders LLP for sponsoring this evening's event and to you all for taking time out of your busy schedules to be here.

Good to see some friends and familiar faces in the audience.

It is really good to be back in Philadelphia. As has been mentioned, last month, after eleven years at the helm of the American Civil Liberties Union (ACLU) of Pennsylvania, preceded by fifteen years at the national ACLU, I began a new job as Executive Director of the North Carolina Justice Center, an organization whose mission is to eliminate poverty in North Carolina by ensuring that every household in the state has access to the resources, services, and fair treatment it needs to achieve economic security.

For reasons that will become clear later, this is a mission that is close to my heart. It is the only reason I left the ACLU after twenty-six wonderful years.

So, these are strange times, right? The madness extends far beyond March.

First, neither the Villanova men's basketball team nor the University of North Carolina Tarheels men's team, my alma mater—both

* The 2023 Martin Luther King, Jr. Keynote Lecture took place on March 21, 2023 at Villanova University Charles Widger School of Law. This transcript has been edited and excerpted.

** Executive Director, North Carolina Justice Center and former Executive Director, American Civil Liberties Union of Pennsylvania. Some of my other writings may be found at: Reggie Shuford, MEDIUM, <https://reggieshuford.medium.com/> [<https://perma.cc/3Y5L-KQZK>] (last visited Dec. 11, 2023). This lecture is dedicated to my late mother, Barbara A. Shuford, who remains my primary inspiration.

powerhouses, annual contenders, and recent national champions—are even playing in this year’s NCAA Tournament. The madness!

But huge props to the Villanova women’s team, advancing to the Sweet Sixteen for the first time in twenty years! Woohoo!

And Donald Trump getting arrested/indicted?! Whodathunkit?! What time is it? It’s not too late!

It’s been a strange past several years, starting with the presidential election of 2016; the ensuing, perpetual pandemic; the summer of 2020, also known as the Summer of George Floyd, Freedom Summer, or the Summer of Racial Reckoning; the presidential election of 2020; the January 6 Capital Riots; the Russian-Ukraine War; and widespread financial insecurity. It’s been a lot. A pretty destabilizing time for most everybody, with some semblance of stability arguably emerging only recently.

There’s a lot we could talk about:

- A bloated and inequitable criminal justice system that targets Black people and people of color from school to prison;
- The criminalization of poverty and the disparate response to crack cocaine vs. opioid addiction;
- The continuation of officer-involved killings of Black men and women;
- The proliferation of “Don’t Say Gay,” anti-critical race theory and anti-trans legislation in communities across the country—all “solutions” in search of a problem;
- The repeal of *Roe v. Wade*;
- The climate crisis;
- The rise in anti-Semitism and anti-Asian hate crimes;
- A broken immigration system;
- The ongoing ramifications of a prolonged pandemic that exposed and confirmed deadly disparities in our healthcare system;
- Economic and wage inequality;
- Redistricting and voter suppression, to name a few things.

There is a saying that, when America catches a cold, Black America catches pneumonia. So, while each of these issues does not disproportionately impact Black Americans, most of them do.

There is just a lot going on. So much to talk about. But our time together is limited. So, I thought I would use that time, in the tradition of Dr. King, to talk about “Answering the Call to Public Service.”

I was actually six years old when I decided I would become a lawyer. True story. Even as a little kid, I recall having visceral reactions to *any* instance of injustice, whether large or small. I felt it in my bones and to my core.

I was an inquisitive kid. They called it “nosey” back then. Whenever people would visit our home, I would get them in a corner and pepper them with questions: What is your favorite color? Do you get along with your siblings? What is your father like? Do you like to read? More than

one of our guests said to me, “Slow down, kid. You sure ask a lot of questions. You sound like a lawyer.” And long before the world was introduced to the inestimable Oprah Winfrey, I had my own “aha moment” and declared I would become a lawyer when I grew up, notwithstanding the fact that I didn’t know any lawyers or really what they did beyond ask questions.

I grew up in the 1960s and 1970s in Wilmington, North Carolina. I was the third son of five children, born to a single mother, who never married and raised us on government assistance—welfare, as we knew it at the time—which she supplemented with work as a domestic. My mother had her first child at age fifteen, at a time when you were required to drop out of school if you became pregnant. Mom had five children by age twenty-four. She was deeply intelligent, but—a poor Black woman at a time and in a town reluctant and slow to integrate—she was never able to return to school and realize her dreams. The system—multiple systems—failed her.

We experienced food and housing insecurity. We ate by candlelight when we couldn’t pay the electric bill. After dark, we would sneak over to our neighbor’s house with empty milk jugs to cart home water in which to bathe or flush the toilet when we couldn’t pay the water bill.

I witnessed my mother make futile trips to the courthouse seeking child support from an absentee father in a system that never prioritized her or our interests. I saw her fall victim to domestic violence for most of my childhood at the hands of a mean-spirited, drug-addicted, often-incarcerated boyfriend, who finally stopped beating her and terrorizing us when we became teenagers—old enough to back up our threat that we would kill him if he ever laid hands on her again. That wasn’t very King-like, I know, and I am truly mostly a pacifist.

As a young child, I observed and felt the disdain in which poor Black people, women especially, were held. I witnessed and experienced the limited opportunities and soft bigotry of low expectations, for example, of my seventh grade homeroom teacher, Miss Hobbs, who expressed shock when I, who lived in a notorious housing project, made the honor roll my first semester of junior high school.

My hometown was home to the “Wilmington 10”¹ and the Massacre of 1898.² After the Civil War, it had been a Reconstruction-era success story, with a prosperous Black middle class, led by a multi-racial fusion government. That proved too much for white supremacists, who overthrew that government during a municipal election in November 1898, massacring dozens of Black residents and chasing an untold number of

1. Ctr. for Se. N. Carolina Archives & Hist., *The Wilmington Ten of 1971: Summary*, UNIV. N.C. WILMINGTON, WILLIAM MADISON RANDALL LIBR., https://libguides.uncw.edu/friendly.php?s=the_wilmington_ten_of_1971 [<https://perma.cc/RTG4-289F>] (last visited Dec. 11, 2023).

2. See generally DAVID ZUCCHINO, *WILMINGTON’S LIE: THE MURDEROUS COUP OF 1898 AND THE RISE OF WHITE SUPREMACY* (2020).

others out of town. It became the blueprint for white supremacy campaigns throughout the South. The city has never fully recovered.

I did not learn this history—not a peep of it—until I was in my thirties, living in New York City, and it came up in casual conversation. It certainly was not taught in public schools, and it was never otherwise spoken of. Nor did I learn it at Cape Fear Academy, the private school I transferred to and integrated during my junior year of high school on an academic scholarship. I did not know until after I transferred that the school had been founded as a segregation academy, designed to avoid integration. The school mascot—the Rebels—should have been a clue. Haha. Guess I was slow on the uptake.

When I graduated in 1994, I became the school's first Black graduate. Prior to graduation, I was called the n-word more than once. During graduation, while giving the salutatory address, I was catcalled by racist alumni. Three years later, Jesse Helms, a personal friend of one of the graduates, was invited to deliver the commencement address.

This history—even that part of it that was unspoken and unknown to me but nonetheless permeated the air—and these experiences informed my decision to become a civil rights lawyer.

While many, probably most, people were shocked by the events of January 6, I was not. The Wilmington Massacre of 1898 is the only successful coup on American soil, and likewise centered around manipulating or overturning the outcome of an election.

Students of history know that history repeats itself. Throughout American history, every instance of social, political, or economic progress achieved by Black Americans has been followed by white resentment and backlash. It often takes the form of voter suppression and violence.

After the end of slavery, Black Americans made great progress under Reconstruction. But that period was followed by Jim Crow and the growth of violence and lynching, as demonstrated by my hometown. Following the successes of the Civil Rights Movement, for decades we have experienced the New Jim Crow—characterized by an unnecessary war on drugs and the overpolicing and mass incarceration of Black people. After the historic election of Barack Obama, the country's first Black president, Americans elected the most unqualified and temperamentally unfit person ever to succeed him, someone who dedicated himself to undoing President Obama's legacy. He was aided and abetted, of course, by voter suppression laws, redistricting, and gerrymandering as a direct reaction to President Obama's election, twice, which continue to wreak havoc as we speak.

Say what you want about Trump, he knew enough about history to know that stoking racial animosity and resentment, what Van Jones called "whitelash," was his ticket to the White House.³

Trump was—is—obviously a symptom of a larger problem. His embrace, notwithstanding or perhaps because of his open racism and

3. Van Jones, *Van Jones Discusses "Whitelash" Comments*, YOUTUBE (Nov. 9, 2016), <https://www.youtube.com/watch?v=ISGKonidUpY> [<https://perma.cc/TDP7-5YQD>].

bigotry, by nearly half of American voters is the real issue. Again, he did as he always does—found an area of vulnerability or sickness in the American corpus and exploited and manipulated it to his own ends. His election was a steep price to pay, given, among other things, his handling of the early days of the pandemic, downplaying its importance, denying science, and politicizing the wearing of masks. The demonization of immigrants and the separation of over a thousand children from their families is another shameful policy for which we are still paying.

To the victors go the spoils. For a century, the winners of the Massacre of 1898 controlled the narrative. They lied about the reasons behind the massacre—(1) that Black people were too incompetent to be leaders, (2) that Black men were planning to sexually assault white women, and (3) that Blacks were planning to commit violence against the town's white people—and they prevented the truth of what happened from being known, taught, or even discussed for decades. Even what to call it—a riot (implying mutual responsibility) or the massacre that it actually was—was controversial until just recently. Sound familiar? It evokes the anti-critical race theory nonsense proliferating today. An attempt to control the narrative, to control what we learn, to whitewash American history. I recently heard someone say, “It is not Black history they don't want to be taught, it's shameful white history.” Whatever the reason, it's maddening. And the backlash continues.

As we contemplate 2024 and have recently marked the third anniversary of the pandemic, it is important to assess what, if anything, we learned over the past several years.

I don't have all the answers, but the inquisitive kid in me, with the visceral reaction to all forms of injustice, still has lots of questions:

- Have the glaring disparities in access to healthcare been resolved?
- Did the “racial reckoning” that seemed so promising during the summer of 2020 ever materialize?
- Did we capitalize on the promise of a multi-coalition of folks from all racial, ethnic, and socioeconomic backgrounds, braving the early, scary days of the pandemic, risking their lives, and demanding accountability and a different way forward?
- Or was it a moment rather than a movement?

I remember reading that “Black Lives Matter” was less popular after the murder of George Floyd than before. Again, that is in keeping with our country's history—no protest for racial justice has ever met with popular support by white Americans. That was as much the case with the now revered, lionized, and sanitized image of Dr. King and the Civil Rights Movement as it is today with the Movement for Black Lives. Colin Kaepernick took a knee and was never allowed to stand up again and resume his football career. I am reminded of the quote that: “Racism is so American that when you protest it, people think you are protesting America” itself.

Simply put, are we more free now since the summer of 2020?

For me, answering the call to public service is not completely selfless. I recognize that my own liberation is inextricably tied to the liberation of others. If, as Isabel Wilkerson posits in her book, *CASTE: THE ORIGINS OF OUR DISCONTENTS*, I am to remain a member of the subordinate caste from birth to death, by virtue of my skin color, I won't do so quietly.⁴ I refuse to be complicit in my second-class citizenship. Dr. King once said: "We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."⁵

March is about more than basketball—and, yes, other—types of madness. It is also Women's History Month. I would be remiss if I did not mention the particular intersection of race and gender and the ongoing challenges confronting Black women in particular. The repeal of *Roe v. Wade* will disproportionately impact poor Black women and women of color. Maternal mortality is a serious issue. Just as is housing insecurity.

Inadequate healthcare, combined with the stereotype that Black women can somehow endure more pain, further jeopardizes their health and well-being. And, yet, Black women have proven the most reliable demographic as guardians of our democracy, pulling it from the brink time after time. They've also been the backbones of our families and the caretakers of our communities. Yet, I cringe at the strong Black woman stereotype. Sure, Black women are strong and resilient—they have had to be. But they shouldn't have to be stronger than anyone else. They should be nurtured and supported like everyone else. And the rest of us need to step up our game and do our part to ensure a better future for our country and the world.

During a recent interview, I was asked the question, "What keeps you going when the work becomes so difficult?"

For one thing, particularly as a student of history, I take the long view. Dr. King's belief that "[t]he arc of a moral universe is long, but it bends toward justice" sustains me.⁶ But the arc won't bend on its own. It needs to be nudged in the right direction, by people of good will, coming together, taking to the streets, being part of the resistance, as we witnessed in the summer of 2020. As President Obama has said, "freedom still needs fighters."⁷ And the only way to truly guarantee you will lose the fight is if you are not even in the fight.

4. See generally ISABEL WILKERSON, *CASTE: THE ORIGINS OF OUR DISCONTENTS* (2020).

5. Martin Luther King, Jr., Letter from a Birmingham Jail (Apr. 16, 1963), https://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html [<https://perma.cc/ZBH7-GFYS>].

6. Martin Luther King, Jr., Remaining Awake Through a Great Revolution: Sermon to the National Cathedral, Washington, D.C. (Mar. 31, 1968), reprinted in *A TESTAMENT OF HOPE: THE ESSENTIAL WRITINGS AND SPEECHES OF MARTIN LUTHER KING, JR.* 277 (James M. Washington ed., 1991).

7. Barack Obama, Remarks by the President at Afternoon Hanukkah Reception (Dec. 14, 2016), <https://obamawhitehouse.archives.gov/the-press-office/2016/12/14/remarks-president-afternoon-hanukkah-reception> [<https://perma.cc/2AK9-GTVF>].

I also strongly agree with noted death penalty and civil rights lawyer Bryan Stevenson, founder of the Equal Justice Initiative, that, in order to move beyond race, America must undergo a process of truth and reconciliation, and that one—truth—must occur before the other. Reconciliation can only happen when America is ready to deal with its racist past. The point, Stevenson says, is not to punish America by talking about its past. Rather, “[his] interest is in liberation. . . . But to achieve it, we can’t be silent about this past.”⁸

I’ve been heartened to see reparations for African-Americans gain some traction in parts of the country.

The great John Lewis once said:

Freedom is not a state; it is an act. It is not some enchanted garden perched high on a distant plateau where we can finally sit down and rest. Freedom is the continuous action we all must take, and each generation must do its part to create an even more fair, more just society.⁹

And, as discussed, there is so much to do:

- Reduce the number of people in prisons, jails, and detention centers;
- Minimize police and other law enforcement interaction with Black and brown communities that all too often escalate to deadly encounters;
- Protect and expand voting rights and access, eliminate barriers that disenfranchise voters, and increase civic engagement;
- Fight for economic prosperity for all—safe conditions and fair wages, equity in medical access and care, combat housing insecurity, challenge predatory lending practices;
- Support second-chance legislation and reentry policies for system-involved individuals; and
- Keep legislators out of classrooms, limiting teacher autonomy about what they can teach, and criminalizing non-serious student behavior.

Given all the issues our society is confronting, inaction is not an answer. Inaction equals complicity. Because I never met a Dr. King quote I did not love, here is another one:

Vanity asks the question—is it popular? Conscience asks the question—is it right? There comes a time when one must take the position that is neither safe nor politic nor popular, but he [or

8. Stevenson made this statement in a 2019 interview with the HUFFINGTON POST. Sarah Ruiz-Grossman, *This Death Row Lawyer Says Americans Won’t Be Free Until We Face Our Racist History*, HUFFINGTON POST (June 23, 2019, 8:00 AM) (second alteration in original), https://www.huffpost.com/entry/bryan-stevenson-hbo-documentary-true-justice_n_5d07cff1e4b0953278382385 [<https://perma.cc/Y89Q-YYB6>].

9. JOHN LEWIS, *ACROSS THAT BRIDGE: A VISION FOR CHANGE AND THE FUTURE OF AMERICA* 8 (2017).

she or they] must do it because conscience tells him [or her or them] it is right.¹⁰

Dr. King further said: “If you can’t fly, run; if you can’t run, walk; if you can’t walk, crawl; but by all means keep moving.”¹¹ The time is always right to do what is right. That time is clearly now.

My final quotes from Dr. King:

[We] all [want to live] well-adjusted li[v]e[s] But on the other hand, I am sure that we will recognize that there are some things in our society, some things in our world, to which we should never be adjusted. There are some things [to] which we must always be maladjusted if we are to be people of good will. We must never adjust ourselves to racial discrimination and racial segregation. We must never adjust ourselves to religious bigotry. We must never adjust ourselves to economic conditions that take necessities from the many to give luxuries to the few. We must never adjust ourselves to the madness of militarism, and the self-defeating effects of physical violence.¹²

And so we need maladjusted men and women where these problems are concerned. . . . Men and women who will be as maladjusted as the prophet Amos, who in the midst of the injustices of his day cried the words that echoed across the centuries, “Let justice roll down like waters and righteousness like a mighty stream.” . . . And through such maladjustment, we will be able to emerge from [this] bleak and desolate midnight . . . into the bright and glittering daybreak of freedom and justice.¹³

Whatever you do, whatever your issue, and however you do it, it’s important to answer the call to be engaged in civic life. The issues are calling us. John Lewis is calling us, advising us to get in good and necessary trouble. And, of course, Dr. King is calling us. I am certainly committed to getting in good trouble, in my mother’s memory, keeping in mind that only love can conquer hate. Hope you are, too.

Thank you.

10. King, *supra* note 6, at 276–77.

11. Martin Luther King, Jr., Address at Spelman College (Apr. 10, 1960), <https://kinginstitute.stanford.edu/king-papers/documents/keep-moving-mountain-address-spelman-college-10-april-1960#:~:text=In%20this%20Founder's%20Day%20address,getting%20aspects%20of%20capitalism%20%80%9D%20and> [<https://perma.cc/U47LJE5G>].

12. Martin Luther King, Jr., Address at the 75th Annual Convention of the American Psychological Association (Sept. 1, 1967), <https://www.apa.org/topics/equity-diversity-inclusion/martin-luther-king-jr-challenge> [<https://perma.cc/8DSP-R46T>].

13. Martin Luther King, Jr., Address at Southern Methodist University (Mar. 17, 1966), <https://www.smu.edu/-/media/Site/AboutSMU/2022/MLK/MLK-03171966-Speech-Transcript.pdf> [<https://perma.cc/H9TY-7ARR>].