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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

FRANK M. JOHNSON JR. CENTENNIAL CELEBRATION

REMEMBERING JUDGE JOHNSON

A Service of Inspiration, Unity and Thanksgiving

Dexter Avenue King Memorial Baptist Church

454 Dexter Avenue

Montgomery, Alabama

Thursday, January 24, 2019

10:00 a.m.

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PARTICIPANTS

Mr. Robert D. Segall
Ms. Debbie Long
Cochairs of the Centennial Committee

The Honorable Emily C. Marks, District Judge
*United States District Court
for the Middle District of Alabama*

The Reverend Cromwell A. Handy, Pastor
Dexter Avenue King Memorial Baptist Church

Dr. Laurie Jean Weil
*Founding Director, Judge Frank M. Johnson Jr. Institute
Board Member, Dexter Avenue King Memorial Foundation*

The Honorable Joel F. Dubina, Senior Circuit Judge
*United States Court of Appeals
for the Eleventh Circuit
Former United States District Judge
for the Middle District of Alabama
Former United States Magistrate Judge
for the Middle District of Alabama*

Alabama State University Choir
Dr. Kristofer Sanchack, Director

Ms. Greta Lambert, Associate Artistic Director
Alabama Shakespeare Festival

Dr. Cordelia Anderson, Assistant Professor
Alabama State University

Dr. Jack Bass, Biographer
*Author of Taming the Storm: The Life and Times of Judge Frank
M. Johnson and the South's Fight Over Civil Rights*

Rabbi Scott Looper
Temple Beth Or

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1 JUDGE MARKS: Good morning.

2 ATTENDEES IN UNISON: Good morning.

3 JUDGE MARKS: It is my great honor and privilege to
4 welcome you all here to this historic church to reflect on the
5 legacy of Judge Frank M. Johnson Jr. Dr. Martin Luther King Jr.
6 often appeared in Judge Johnson's court, so it is only fitting
7 that we gather here in Dr. King's church to remember Judge
8 Johnson.

9 The intersection of the lives of three people, Rosa
10 Parks, Dr. King, and Judge Johnson, marks a pivotal point from
11 which lawlessness and injustice turned toward justice and the
12 rule of law. These three individuals left their footprints on
13 the heart of this city and beyond. And for that, we are forever
14 grateful. Thank you for being here today with us to remember
15 Judge Johnson.

16 And, Reverend Handy, thank you so much for welcoming us
17 into your lovely church. And I will now hand the program to
18 you.

19 REVEREND HANDY: Good morning.

20 ATTENDEES IN UNISON: Good morning.

21 REVEREND HANDY: God is good all the time, and all the
22 time, God is good. We are indeed honored ourselves to have you
23 among us here today. And thank you for the privilege of hosting
24 here today this special occasion.

25 I'm reminded here that as we are gathered together in

1 observance of what would be the 100th birthday of Judge Frank M.
2 Johnson Jr., I'm reminded here that we are reminded that we
3 should honor and give honor to whom honor is due, especially
4 those who -- by our own knowing and understanding, we are
5 especially honored today to honor one who always displayed one
6 of the most awesome attributes of God, and that is justice and
7 righteousness, by doing the right thing.

8 So now, as we begin our program here today, let us bow
9 in humble submission to Almighty God.

10 Eternal Father, our God, we again are gathered here on
11 yet another day that you have made. Lord God, through it all,
12 we will rejoice and be glad just for the opportunity to be here
13 on this day.

14 Father God, we thank you for the grace you've shown
15 already this morning. We thank you for the mercy, Lord God,
16 that you've shown by waking us up each and every day as we exalt
17 and observe, morning by morning, new mercies we see. And, Lord
18 God, we thank you now for your grace. We thank you for your
19 mercy; but more than anything, we thank you, Lord God, for your
20 love. You loved us, Lord, so much that You allowed that we
21 should be able to be here on this, another day that you have
22 made.

23 Father God, it is by your love that a movement took
24 place that involved three people already mentioned here today.
25 They were chosen by you, O God. And so now we come to give

1 honor to one of your special good and faithful servants.

2 Now, Lord, we ask in Jesus' name that you allow that
3 the blessing upon this place shall be one that is glorifying to
4 you, Lord, and one that is pleasing in your sight, one, Lord
5 God, that is one that is edifying and encouraging to all who are
6 here. Father God, we pray now all of these blessings as we go
7 throughout this day and this honor.

8 In your name, and let us all here say amen.

9 ATTENDEES IN UNISON: Amen.

10 DR. WEIL: A reading from Ecclesiastes.

11 "A season is set for everything, a time for every
12 experience under heaven: a time for being born and a time for
13 dying, a time for planting and a time for uprooting the planted,
14 a time for slaying and a time for healing, a time for tearing
15 down and a time for building up, a time for weeping and a time
16 for laughing, a time for wailing and a time for dancing, a time
17 for throwing stones and a time for gathering stones, a time for
18 embracing and a time for shunning embraces, a time for seeking
19 and a time for losing, a time for keeping and a time for
20 discarding, a time for silence and a time for speaking, a time
21 for loving and a time for hating, a time for war and a time for
22 peace."

23 I grew up friends with Johnny, Judge and Ruth Johnson's
24 only child; but it wasn't until Johnny and Ruth conspired to fix
25 me up in the summer of 1971 with Howard Mandell, who was

1 clerking for the judge, that my relationship with Judge and Ruth
2 began. I admired -- more truthfully, worshiped -- Judge Johnson
3 for his rulings that protected people's rights to equal
4 treatment under the law, for his persistence in doing so
5 regardless of the ostracism and dangers that he and his family
6 experienced as a result of these decisions.

7 There was a simple sign on the Judge's desk that quoted
8 Abraham Lincoln: "I do the very best I can. I mean to keep
9 going. If the end brings me out all right, then what is said
10 against me won't matter. If I'm wrong, ten angels swearing I
11 was right won't make a difference."

12 Neither a law clerk nor a lawyer in his court, I felt
13 unconditionally loved by him, though this did not spare me from
14 some well-timed jokes. The first time Howard took me to their
15 home, Judge asked me what I wanted to drink. I was so nervous I
16 asked for a gin and soda, which he delivered with a mischievous
17 twinkle in his eyes, as he knew this potion would be
18 undrinkable. Later, when he took up chewing tobacco, he asked
19 me if I wanted a chew. Rising to the challenge, I said, "Yes."
20 And he delivered it to me without showing me what to do with the
21 buckets of saliva that quickly flooded my mouth. I swallowed
22 the nasty mess, trying to avoid appearing the fool not knowing
23 what to do and, so, proved the point. Not one word but twinkly
24 eyes.

25 Judge and Ruth loved their dogs. When they took to

1 owning Great Danes, we naturally had to get one too. Judge and
2 Ruth came to dinner one night after the dog had reached full
3 size, about six feet tall when standing on his rear legs.
4 Coming in the door, Judge patted his own shoulders to encourage
5 the dog to jump up on him. Instinctively worried for his safety
6 as well as for the efficacy of my training, I said, "Judge,
7 don't do that." It sounded like a reprimand. I thought Howard
8 would pass out. The Judge laughed and respectfully said,
9 "Okay."

10 This federal judge who could leave recalcitrant lawyers
11 quaking in fear was so gentle with our sons, Josh and Charlie.
12 He and Ruth were godparents to Josh, whom he called Joshway.
13 He would sit at our piano with six-year-old Josh and, with one
14 finger, pick out the tunes to *She'll Be Coming Round the*
15 *Mountain* and *Clementine* and teach Josh the verses.

16 He loved shrimp, so when they came for dinner, I always
17 served a jumbo shrimp cocktail. When Charlie was three years
18 old, he got curious one night about those shrimp and held out
19 his hand to the Judge. Judge was amused and give him a shrimp.
20 I was sure Charlie wouldn't like it and the Judge could continue
21 to eat his appetizer undisturbed. But soon Charlie's chubby
22 hand shot out again, and Judge obliged again and again and,
23 delightedly, again.

24 We shared many meals, birthdays, and anniversaries with
25 Judge and Ruth, traveled with them, celebrated Thanksgiving with

1 them. Judge loved and depended on Ruth, who was tough,
2 independent, fearless, and entirely supportive of him, often
3 calling him Judgy. Whether ostracized early on or ultimately
4 admired as heroes as the nation grew to respect his respect for
5 the rule of law, they were the same people. Character is
6 manifested by how you treat people who can gain you nothing.

7 Judge Johnson was a gardener and a carpenter. He grew
8 roses and tomatoes. He made a music box for Ruth that they gave
9 to me on my forty-fifth birthday because Ruth didn't want it to
10 end up in an estate sale. Judge had rubbed the box to a silky
11 smooth, unvarnished finish, and the music he placed in it was
12 *Climb Every Mountain*. You know the words: "Climb every
13 mountain, ford every stream, follow every rainbow till you find
14 your dream."

15 JUDGE DUBINA: Because we are assembled this morning in
16 this historic church where love, forgiveness, and racial
17 reconciliation have been preached from this pulpit for many,
18 many years, I am going to share a story with all of you told to
19 me by Ruth Johnson and corroborated by Reverend Jay Wolf of the
20 First Baptist Church right up the street which emphasizes those
21 same biblical principles. Many of you have probably never heard
22 this story, but perhaps some of you have. This is a story that
23 has a sad beginning but a redemptive ending.

24 Judge Johnson was appointed to the United States
25 District Court for the Middle District of Alabama in 1955 by

1 President Eisenhower. Notwithstanding the Supreme Court's
2 decision in *Brown versus Board of Education* a year earlier,
3 Montgomery was still largely a segregated city.

4 When the Judge, Ruth, and their young son, Johnny,
5 moved to Montgomery from Birmingham, where the Judge had served
6 as United States Attorney, they joined First Baptist Church,
7 where Judge Johnson quickly became a Sunday School teacher. I
8 think it would have been fascinating to have Judge Johnson as a
9 Sunday School teacher, and I am told he was a marvelous student
10 of the Bible.

11 Shortly after he began issuing his desegregation orders
12 and opinions, there were some people in the church who
13 ostracized him and his family for his unpopular decisions. One
14 particular Sunday when the Johnsons went into the sanctuary for
15 church and sat down in their usual pew, people seated on the pew
16 as well as others around them got up and moved away from them.
17 When they got home from church that day, young Johnny looked at
18 his mother and said, "I thought Christians were supposed to love
19 one another, and I do not understand why we keep going to that
20 church where people dislike us and treat us so badly." Ruth
21 told me it was like putting a dagger in her heart.

22 Shortly thereafter, the Johnsons left First Baptist
23 Church, which was a loss to the church but also a loss for them.
24 The social wounds they suffered at church and in Montgomery
25 generally were deep and painful and lasted for many years.

1 Notwithstanding the fact they physically left the
2 church, their names were never removed from the church roll, and
3 they continued to receive the church's newsletter. In the
4 newsletter were posted pictures of new members. In 1991, Jay
5 Wolf became the senior minister at First Baptist Church. Jay
6 has always had a heart for racial reconciliation. It is his
7 view that God created all human beings in His image and no
8 matter the color of your skin, we are all God's children.

9 In 1992, Jay received a letter from Judge Johnson
10 saying that he was delighted to see in the church newsletter
11 that First Baptist Church now had African-American members. In
12 effect, he told Jay in his letter, it looks like everything down
13 there has changed. Enclosed with the letter was a sizable check
14 to the church making up for back tithes. Also in the letter,
15 Judge Johnson invited Jay to come by and visit with him and
16 Ruth. In fact, the Wolfs and the Johnsons lived very close to
17 each other, so it was nothing for Jay to get to the Johnsons'
18 house. From 1992 until the Judge's death, Jay Wolf made many,
19 many trips to visit the Johnsons.

20 After the Judge could no longer drive, my wife, Beth,
21 and I, after attending early church and Sunday School at our own
22 church, would go by and visit with the Johnsons as often as we
23 could when we were in town. I will never forget the first visit
24 when Ruth let us inside and we walked to the den, where the
25 Judge had the television on. He was watching Jay Wolf preach

1 his Sunday morning sermon at First Baptist Church. He then told
2 us to go into the kitchen and visit with Ruth because he did not
3 want to leave the television until Jay was finished preaching.

4 Judge Johnson and Ruth loved Jay, and Jay loved them. They were
5 literally joined at the heart right up until the Judge's death.

6 Jay preached Judge Johnson's funeral at First Baptist
7 Church, where Bobby Segall and Robert F. Kennedy Jr. also spoke.
8 At Judge's funeral, Jay also disclosed that in the late 1950s,
9 the Judge and his family had been treated badly by some members
10 of the church and stated how wrong it was for Christians to act
11 that way toward other people. As a result of Jay's reaching out
12 to the Johnsons, Judge Johnson's heart was changed and he was
13 able to forgive the people who had wronged him.

14 The Bible tells us we are to forgive others as Christ
15 forgave us. Of course, this reconciliation would have never
16 happened but for the love of Christ working in human hearts.
17 Thus the story that began with a disappointing and unhappy
18 beginning ended with a happy ending of love, forgiveness, and
19 reconciliation.

20 This leads me into the scripture that I want to
21 conclude with this morning, which is I John 4:7-8 and 19-21.

22 "Beloved, let us love one another, for love is from God
23 and whoever loves has been born of God and knows God. Anyone
24 who does not love does not know God, because God is love. We
25 love because he first loved us. If anyone says "I love God" and

1 hates his brother, he is a liar, for he who does not love his
2 brother, whom he has seen, cannot love God, whom he has not
3 seen. And this commandment we have from Him: whoever loves God
4 must also love his brother."

5 This is the Word of God. Thanks be to God.

6 ATTENDEES IN UNISON: Thanks be to God.

7 JUDGE MARKS: I would like to take a moment to
8 recognize our very distinguished guest, Ambassador Andrew Young.
9 Thank you.

10 (Applause)

11 JUDGE MARKS: Ambassador Young, we welcome you back to
12 Alabama. You honor us with your presence.

13 Ambassador Young was instrumental in advancing civil
14 rights here in Alabama and beyond. He served as a principal
15 advisor to Dr. Martin Luther King Jr. and was a member of the
16 U.S. House of Representatives until he was appointed by
17 President Jimmy Carter to serve as the United States Ambassador
18 to the United Nations. He subsequently served as the mayor of
19 Atlanta, Georgia. Since leaving the political arena, Ambassador
20 Young has continued to serve, working on issues of public policy
21 and human rights.

22 Ambassador Young, we look forward to hearing from you
23 later today at the Frank M. Johnson Jr. Federal Building and
24 U.S. Courthouse.

25 (Hymn sung by the Alabama State University Choir)

1 *Amazing grace! How sweet the sound that saved a wretch*
2 *like me. I once was lost, but now am found, was blind, but now*
3 *I see.*

4 *'Twas grace that taught my heart to fear, and grace my*
5 *fears relieved; how precious did that grace appear the hour I*
6 *first believed.*

7 MS. LAMBERT: The New York Times, July 24th, 1999.

8 Frank M. Johnson Jr., the legendary federal jurist from
9 Alabama whose historic civil rights decisions led to ostracism,
10 cross burnings, and death threats but helped to change the face
11 of the segregationist South in the 1950s and 1960s, died
12 yesterday. He was 80.

13 The Judge set standards in the South and often in the
14 nation on voting rights, employment discrimination, affirmative
15 action, the rights of mental patients to adequate care and
16 prison inmates to protection from inhuman conditions; but it was
17 his knell for Jim Crow that was revered and reviled.

18 For anyone old enough to remember, the terrible images
19 are indelible: the lynched Black men, the firebombed churches,
20 crowds shrieking hatred, a skirmish line of deputies on the
21 Pettus Bridge in Selma, Alabama, peaceful marchers attacked with
22 cattle prods and snarling police dogs in Birmingham, and a
23 defiant Governor George C. Wallace of Alabama vowing to stand in
24 the schoolhouse door to bar Black children.

25 In that turbulent era, with the national conscience

1 tottering and a few courageous men and women asking Americans to
2 decide what kind of people they wanted to be, Judge Johnson
3 loomed as a towering figure, an uncompromising defender of civil
4 liberties, who came to be known as the federal judiciary's most
5 influential, innovative, and controversial trial jurist.

6 (Hymn sung by Dr. Cordelia Anderson)

7 DR. ANDERSON: *Precious Lord, take my hand and lead me*
8 *on, let me stand. I am tired, I am weak, I am worn. Through*
9 *the storm, through the night, lead me on to the light. Take my*
10 *hand, precious Lord, and lead me home.*

11 *When my way grows drear, precious Lord, linger near.*
12 *When my, when my light is almost gone, hear my cry, hear my*
13 *call, take my hand lest I fall. Precious Lord, take my hand and*
14 *lead me home.*

15 *Precious Lord, take my hand and lead me on, let me*
16 *stand. I am tired, I am weak, I am worn. Through the storm,*
17 *through the night, lead me on to the light. Take my hand*
18 *Precious Lord, and lead me home.*

19 (Applause)

20 MS. LAMBERT: Judge Johnson was appointed by President
21 Dwight D. Eisenhower a year after the Supreme Court's
22 school-desegregation decision, *Brown versus Board of Education*.
23 Judge Johnson, a Republican in the Democratic South, arrived on
24 the bench in Montgomery, Alabama, on November 7th, 1955, just as
25 the storm of the Civil Rights Movement was about to break.

1 Three weeks later, on December 1st, Rosa Parks, a Black
2 seamstress, refused to give up her seat on a Montgomery bus to a
3 white rider, as required by city law. Her arrest prompted a bus
4 boycott led by the Reverend Dr. Martin Luther King Jr., a
5 26-year-old minister who had just arrived in Montgomery for his
6 first pastorate.

7 Judge Johnson's first major ruling was to join the
8 majority on a three-judge panel that struck down the Montgomery
9 bus-segregation law as unconstitutional, applying the principle
10 of *Brown v. Board of Education* that separate but equal
11 facilities were inherent violations of the due process and equal
12 protection clauses of the Fourteenth Amendment. He would use
13 that reasoning again and again to create a broad mandate for
14 racial justice in Alabama and across the South.

15 In a career that spanned almost four decades, Judge
16 Johnson ordered the desegregation of public schools and
17 colleges, parks, libraries, museums, depots, airports,
18 restaurants, restrooms, and other public places, as well as the
19 Alabama State Police.

20 In 1965, he issued another historic order that allowed
21 Dr. King to lead a 52-mile march from Selma to Montgomery to
22 protest the denial of Black voting rights.

23 (Hymn sung by the Alabama State University Choir)

24 *Didn't my Lord deliver Daniel, deliver Daniel, deliver*
25 *Daniel? Didn't my Lord deliver Daniel? And why not every man?*

1 *Didn't my Lord deliver Daniel, deliver Daniel, deliver*
2 *Daniel? Didn't my Lord deliver Daniel? And why not every man?*

3 *He delivered Daniel from the lion's den and Jonah from*
4 *the belly of the whale;*

5 *And the Hebrew children from the fiery furnace, and why*
6 *not every man?*

7 *Didn't my Lord deliver Daniel, deliver Daniel, deliver*
8 *Daniel? Didn't my Lord deliver Daniel? And why not every man?*

9 *The wind blows east and the wind blows west, it blows*
10 *like the judgment day;*

11 *And every poor soul that never did pray will be glad to*
12 *pray that day.*

13 *Didn't my Lord deliver Daniel, deliver Daniel, deliver*
14 *Daniel? Didn't my Lord deliver Daniel? And why not every man?*

15 *I set my foot on the gospel ship and the ship began to*
16 *sail;*

17 *It landed me over on Canaan's shore, and I'll never*
18 *come back no more.*

19 *God has set me free! I'll never go back!*

20 *Didn't my Lord deliver Daniel, deliver Daniel, deliver*
21 *Daniel? Didn't my Lord deliver Daniel?*

22 *Tell me why not, why not, tell me why not, Lord, tell*
23 *me why not, Lord, every man?*

24 *(Applause)*

25 MS. LAMBERT: Judge Johnson cleared the way for

1 registering Black voters, outlawed poll taxes, struck down state
2 laws barring Blacks and women from jury service, expanded the
3 right of the poor to court-appointed lawyers, and issued the
4 first court order for legislative reapportionment in the
5 nation's history, anticipating the Supreme Court's one-man,
6 one-vote rule.

7 The judge's voluminous, well-researched opinions often
8 spelled out details for standards in his reforms and, in some
9 cases, laid out specific quotas, timetables, and goals that he
10 called affirmative action.

11 But some of Judge Johnson's most important decisions
12 did not involve race. In 1971, he found horrific conditions in
13 Alabama's mental hospitals: thousands of warehoused,
14 tranquilized patients, poorly fed, unbathed for days, living in
15 reeking, overcrowded quarters and no semblance of treatment.
16 His sweeping changes detailed precise goals for care and
17 treatment, including staff-patient ratios. And over the next
18 six years, he forced mental health budget increases.

19 In 1976, Judge Johnson found Alabama's prisons unfit
20 for habitation, with inmates packed into unventilated cells,
21 exposed to filth and rampant violence and deprived of adequate
22 food, sanitation, and medical care. "The state has a right to
23 convict people for criminal offenses and send them to the
24 penitentiary," he said, "but they were not sent there to be
25 killed through starvation."

1 Judge Johnson insisted that he had intervened only when
2 state and local officials failed to perform their constitutional
3 duties. "My basic philosophy as a trial judge and as an
4 appellate judge is to follow the law and the facts without
5 regard to the consequences," he once said in a rare interview.
6 And to many, Judge Johnson was a hero.

7 (Hymn sung in the background by the Alabama State University
8 Choir)

9 MS. LAMBERT: Dr. King called him a jurist who had
10 given true meaning to the word "justice." *Time* magazine put his
11 portrait on its cover in 1967 and called him one of the most
12 important men in America.

13 CHOIR: *Mine eyes have seen the glory of the coming of*
14 *the Lord; He is trampling out the vintage where the grapes of*
15 *wrath are stored;*

16 *He hath loosed the fateful lightning of His terrible*
17 *swift sword; His truth is marching on.*

18 MS. LAMBERT: A stern, forbidding figure on the bench,
19 Judge Johnson -- tall, gaunt, with chiseled Lincolnesque
20 features -- never raised his voice in court and resisted wearing
21 a black robe and did not use a gavel, saying he did not need
22 such symbols of authority. He usually worked 11-hour days.
23 Peering over half-spectacles, the Judge, as one lawyer put it,
24 looked at you like he was aiming down a rifle barrel; but almost
25 every lawyer who tried a case before him attested to his

1 fairness.

2 Frank Minis Johnson Jr. was a back-country boy, and it
3 explained a great deal about his fierce independence and
4 stoicism. He was born in the small town of Haleyville on
5 October 30th, 1918, the oldest of seven children of Frank and
6 Alabama Long Johnson, who were farmers and teachers.

7 CHOR: *Glory! Glory! Hallelujah!*

8 *Glory! Glory! Hallelujah!*

9 *Glory! Glory! Hallelujah!*

10 *His truth is marching on.*

11 MS. LAMBERT: The Judge, who stepped down in 1992,
12 received the American Bar Association's first Thurgood Marshall
13 Award in 1993 as the person who most exemplifies Justice
14 Marshall's spirit on behalf of protecting civil rights. In
15 Montgomery, where Judge Johnson was once a pariah, the federal
16 courthouse was named in his honor.

17 CHOR: *I have seen him in the watch-fires of a hundred*
18 *circling camps; they have builded Him an altar in the evening*
19 *dews and damps;*

20 *I can read His righteous sentence by the dim and*
21 *flaring lamps, His day is marching on.*

22 MS. LAMBERT: In a 1989 address, Judge Johnson
23 reflected on an era that had changed the South. "I have come to
24 the firm conclusion that the American people revere the concept
25 of justice and that their conscience tells them to obey the law

1 once they understand what it is."

2 CHOIR: *Glory! Glory! Hallelujah!*

3 *Glory! Glory! Hallelujah!*

4 *Glory! Glory! Hallelujah!*

5 *His truth is marching on.*

6 MS. LAMBERT: Robert F. Kennedy Jr., whose father was
7 assassinated in 1968, went to Montgomery in 1977 to write about
8 Governor Wallace but switched subjects and, during a year in
9 Alabama, developed a close relationship with Frank and his wife,
10 Ruth Johnson. "I was awestruck," Mr. Kennedy said. "Here was a
11 man who utterly vindicated my family's central notion that a
12 single man can make a difference."

13 CHOIR (MALE SOLO): *In the beauty of the lilies, Christ*
14 *was born across the sea, with a glory in His bosom that*
15 *transfigures you and me;*

16 *As He died to make men holy, let us live to make men*
17 *free while God is marching on.*

18 CHOIR: *Glory! Glory! Hallelujah! Glory! Glory!*
19 *Hallelujah!*

20 *Glory! Glory! Hallelujah! His truth is marching on.*

21 *Glory! Glory! Hallelujah! Glory! Glory!*

22 *Hallelujah!*

23 *Glory! Glory! Hallelujah! His truth is marching on.*

24 *Amen! Amen!*

25 (Applause and standing ovation)

1 MR. BASS: I'm Jack Bass. And first let me say it's a
2 powerful experience being in this church.

3 I heard Dr. King preach only one time. It was in
4 Emanuel AME Church in Charleston, where the great tragedy
5 occurred a few years ago when Dylann Roof murdered the pastor
6 and with shooting of people there. And President Obama came
7 down and spoke afterwards.

8 But I remember at Dr. King's speech, his -- what he
9 spoke that day, what he preached that day. And it just sounded
10 like a preacher giving a sermon.

11 But I'm here primarily to talk about Judge Frank
12 Johnson. And I first met Judge Johnson when I did my book,
13 *Unlikely Heroes*. And that told the story of him at the time as
14 a very young federal judge. And he wrote three or four letters
15 at the time of the Montgomery Bus Boycott to the chief judge of
16 the then Fifth Circuit, which spread across six states of the
17 Confederacy, and finally got him to appoint a three-judge
18 district court whose appeals go directly to the U.S. Supreme
19 Court.

20 And Judge Richard Rives was on that court, and there
21 was a third judge, and Judge Rives was the circuit court judge.
22 And so as the newest member, Judge Johnson spoke first. And
23 basically, he simply said that, you know, he thought that
24 any kind of discrimination was unconstitutional. And he thought
25 that the bus boycott and the limits placed on not allowing

1 African-Americans, after Rosa Parks, to sit anywhere on the bus
2 was unconstitutional. He said, "That's about all I have to
3 say."

4 And then the other district court judge disagreed. He
5 just felt it was something that the Supreme Court might have to
6 rule on. And then Judge Rives said, "Well, I believe I agree
7 with Judge Johnson," and that was it. And so in my book
8 *Unlikely Heroes*, I wrote about the old Fifth Circuit, and Judge
9 Johnson later served on it.

10 And years later, I was working on an article about
11 George Wallace and how history would look at George Wallace.
12 And I spoke to John Hope Franklin, and I spoke to a
13 distinguished historian of the South from Princeton. And I just
14 called Judge Johnson and asked him, you know, how he thought
15 history would judge George Wallace. He said, "Well, you just
16 don't know. You just don't know." And then I spontaneously --
17 and hadn't really planned to say this. I said, "You know,
18 Judge, I might be interested in writing your biography one day."
19 He said, "Well, I wish you would."

20 So that's how my life went for the next three years or
21 so. And when I came to Montgomery the first time, I was then,
22 teaching at Ole Miss and came to see the Judge in chambers. He
23 said, "Now, who's going to edit this book?" And I told him
24 about my previous editor at Simon & Schuster, but she didn't
25 show a whole lot of interest. He kind of muttered and said,

1 "Jacqueline Onassis would like to edit this book." So I called
2 her and her publisher. Well, actually, I called my agent and he
3 made the contact. And yes, she did want to be the editor.

4 And then I spent, you know, most of my time, when I
5 wasn't in the classroom teaching at Ole Miss, working on the
6 book the next few years. And when I turned in the manuscript, I
7 got a really nice note from her how much -- she thought it was a
8 great book and so forth.

9 And then for book authors, the worst people tend to be
10 publishers. So the publisher at the time said he thought no
11 book should be more than 400 pages. I mean, it was sort of
12 nonsense. So I cut -- I was supposed to cut 25 percent of the
13 book. Well, I cut 17 percent, and I said I just couldn't do
14 anymore. And in thinking about it, you know, in the last few
15 days -- I actually started thinking about it and said, you know,
16 I wish I had just asked her if she would edit the other seven
17 and a half percent and do the final piece. And she probably --
18 she was a very good editor, best editor, I'd say, I ever had.
19 But anyway -- but that's how I ended up doing that book.

20 And as I think many of you know, Dr. King and Frank
21 Johnson sat in the same courtroom on a number of occasions, but
22 they only actually met once. They got on an elevator after a
23 court hearing once, and they were both on there. And Judge
24 Johnson said, "How are you, Dr. King?" He said, "Fine, Judge,
25 how are you?" And that was it.

1 But the legacy of both I think is very well-known. And
2 it gives me a really strong sense of feeling of being in a very
3 sacred place today being in this courtroom -- excuse me -- this
4 church room. And so I just want to thank everyone very much.

5 (Applause)

6 REVEREND HANDY: Before we leave and have our closing
7 prayer, I do want to acknowledge a couple of things before we
8 leave. And that is there are some Dexter Avenue King Memorial
9 Baptist Church members who are in the crowd today, some of which
10 were here when Dr. King was pastoring this church. I'd like to
11 ask all of the members of Dexter Avenue King Memorial Baptist
12 Church -- then was Dexter Avenue Baptist Church -- to please
13 stand.

14 (Applause)

15 REVEREND HANDY: For those who are not aware, if you
16 ever step downstairs and see the mirror on the wall down there,
17 the architect is right there, John Feagin. Stand up again,
18 John. You're getting your exercise back and forth.

19 (Applause)

20 REVEREND HANDY: Along with others who are
21 participating in that. I wanted to make sure I acknowledge
22 that.

23 And I do wear a couple of hats. As director of alumni
24 relations at Alabama State University -- I know we can all read
25 here, and I notice that -- you know, I took the stance of just

1 letting the program go and stay out of the way. But just in
2 case someone couldn't read, just in case, this is the Alabama
3 State University Choir. So let us give God a handclap of praise
4 for them.

5 (Applause)

6 REVEREND HANDY: And also we want to acknowledge
7 Ms. Anderson. Many of you may not be aware, but you may be
8 aware of the famous opera singer, Marian Anderson. This is --
9 where is she? This is -- what is your relation? She's your --

10 DR. ANDERSON: It's like great aunt.

11 REVEREND HANDY: Her great aunt. So that rendition you
12 heard was from a descendant of Marian Anderson, the famous opera
13 singer.

14 (Applause)

15 REVEREND HANDY: So again, I just wanted to acknowledge
16 those things and say to you, Judge, and all who are here, all
17 the honorables that are in our presence here today, that we are
18 honored to have had an opportunity to have you come here, but we
19 also look forward to this just being the first time, which means
20 that we need to do this every year to round out.

21 Just a few days ago, we stood in this place wall to
22 wall, packed, to celebrate the 90th birthday of Dr. Martin
23 Luther King Jr. right here in this place. So we end our week
24 with the celebration of the 100th birthday of our judge, a great
25 judge, which we know was a great servant of God, Frank M.

1 Johnson Jr. So we'd like to see this happen every year as we
2 round out our celebration of what God has done through three
3 good and faithful servants, Rosa Parks, Dr. King, and Judge
4 Frank Johnson.

5 So again, let's give God a handclap of praise just for
6 being here today as Rabbi Looper gives us our closing prayer.

7 (Applause)

8 RABBI LOOPER: First of all, I'd like to thank Reverend
9 Handy for the privilege of standing here this morning to
10 recognize the great work of Ambassador Young and to let you know
11 what a privilege it is for me to stand in your presence; to our
12 judges, who sit, it looks like, in the jury chambers at this
13 point; and to those who have planned this wonderful event.

14 The other day, I visited the National Memorial for
15 Peace and Justice with my son, who was in visiting from Chicago.
16 This time I was taken by the dedicatory words inscribed on a
17 concrete wall over which water flows: "For the hanged and
18 beaten; for the shot, drowned, and burned; for the tortured,
19 tormented, and terrorized; for those abandoned by the rule of
20 law, we will remember with hope because hopelessness is the
21 enemy of justice, with courage because peace requires bravery,
22 persistence because justice is a constant struggle, with faith
23 because we shall overcome."

24 We are gathered here in this sacred space, this
25 building's walls speaking to us, whispering oppression, crying

1 out justice, the voices of its congregants, its preachers, and
2 the many others who suffered under the yoke of Jim Crow and
3 threw it off. Two places, one historical, one which attests to
4 history, both essential, both of Montgomery, both testament to
5 the words of the prophet Amos: "Let justice roll down like
6 water and righteousness like an ever-flowing stream."

7 Water flows and softens that which is beneath, rounding
8 edges of rocks and riverbed stones. It cuts away banks, flows
9 with strong current, and ebbs a meandering pace. Water is
10 life-giving. From it we emerge. Water is cleansing dirt from
11 the skin, wrong from the soul. Water rolls down over gorges and
12 falls noisily. It is ever-flowing, quiet yet determined,
13 unstoppable. Water is movement. We can dam it up or, like
14 Judge Johnson, release it to its natural state.

15 Together we gather to celebrate the centennial of the
16 life of Judge Frank M. Johnson Jr. More so, the legacy of his
17 work, which began a short 63 years ago. Frank Johnson Jr. in
18 partnership and through individual courage helped to free the
19 current's push so that it washed up and over hatred and terror,
20 driving hundreds of years of injustice into the grave.

21 The Johnson Institute, its idea and its future of an
22 ongoing struggle for justice in our city, our state, our
23 country, and our world, is a legacy of Judge Johnson's reading
24 of the law, of his understanding "tzedek tzedek tirdof," justice
25 and only justice shall you pursue. Let us honor Frank Johnson

1 in celebration of his life. Let us honor Frank Johnson through
 2 the action of our lives. Let us honor Frank Johnson by
 3 continuing to teach, to reach out, and to inspire future
 4 generations.

5 Let us pray.

6 *Baruch atah Adonai, praise to You, source of justice*
 7 *and righteousness, for the gift of memory and movement, for*
 8 *people who stand up in threat of harm to wash away the sins of*
 9 *hatred, distress, division, and dehumanization, who, with*
 10 *courage, act faithfully to the ideals of our country's*
 11 *Constitution that all are entitled to equal treatment under the*
 12 *law; and who are a source, a wellspring of justice for all that*
 13 *was, is, and will be. Amen.*

14 ATTENDEES IN UNISON: Amen.

15 (Beethoven's *Hallelujah from Christ on the Mount of Olives*
 16 sung by the Alabama State University Choir)

17 (Applause and standing ovation)

18 JUDGE MARKS: That concludes our program. We have
 19 shuttle buses outside to transport you to the courthouse for
 20 lunch and for our afternoon program. We look forward to seeing
 21 you there.

22 (Session concluded at 11:01 a.m.)

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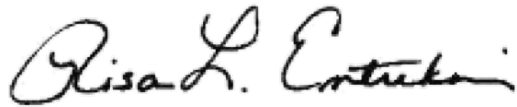
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REPORTER'S CERTIFICATE

I, Risa L. Entrekin, Registered Diplomate Reporter and Official Court Reporter for the United States District Court for the Northern District of Alabama, do hereby certify that the foregoing 29 pages contain a true and correct transcript of the "Remembering Judge Johnson: A Service of Inspiration, Unity and Thanksgiving" presented as part of the FMJ 100 Celebration held in the City of Montgomery, Alabama, on January 24, 2019.

In testimony whereof, I hereunto set my hand this 5th day of March, 2024.



RISA L. ENTREKIN, RDR, CRR
Official Court Reporter