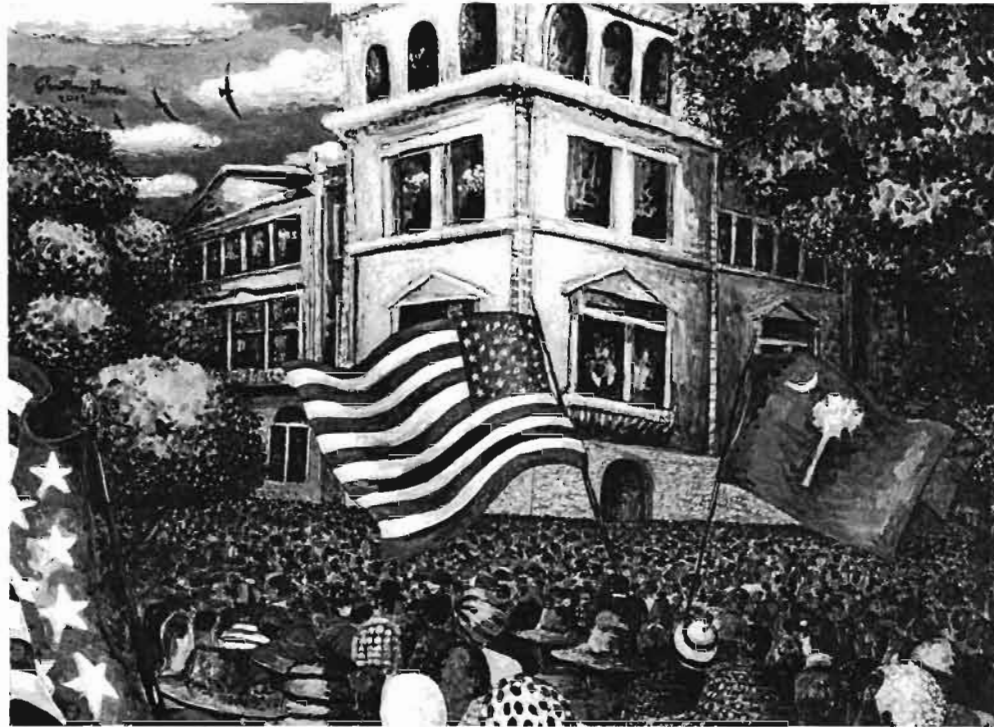




*"Breath of Freedom" by Jonathan Green*

## JUDGE J. WATIES WARING STATUE DEDICATION

April 11, 2014



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*April 11, 2014*

Hollings Judicial Center Garden  
Charleston, South Carolina



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*“The people of my group have thanked God for you in the past. America will thank God for you in the future and at some later date the South will raise a monument to you.”*

— A. J. Clement Jr., President Charleston NAACP, to Judge Waring, June 26, 1951.

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SCULPTOR RICHARD WEAVER lives in Charlottesville, Virginia, where he maintains a studio for both sculpture and painting. He earned a master of fine arts from the University of North Carolina-Greensboro, and received his formal art training in New York at the National Academy of Design, the New York Academy (now known as the Graduate School for Figurative Art), and the Art Students League.

Mr. Weaver has shown his work in a number of venues, including galleries in Chicago, Washington, D.C., and New York City. He has received recognition for both his sculpture and painting. Awards have included grants from the Bader Fund, the George Sugarman Foundation, and a fellowship from the Virginia Commission for the Arts.

Of the Waring sculpture, he has said, “My intent was to create a sculpture of the Hon. J. Waties Waring that would not only serve as a remembrance of the man and his deeds, but one that would also honor the moral strength he displayed in doing what he knew was right—despite the opposition of many of his peers, friends, and family. His example makes that kind of courage seem a little more accessible to each of us.”

Judge J. Waties Waring, by Richard Weaver.  
Photo by Rick Rhodes.

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## SCHEDULE OF EVENTS

Welcome	Thomas S. Tisdale Chair, Waring Statue Committee
Judge J. Waties Waring and his path to the "Dissent that Changed America"	Richard M. Gergel United States District Judge
Remarks	Terry L. Wooten Chief United States District Judge District of South Carolina
	William B. Traxler Chief Judge, United States Court of Appeals for the Fourth Circuit
Reflections on Judge Waring and his Legacy	Eric H. Holder Jr. Attorney General of the United States
	Jean Hoefler Toal Chief Justice, South Carolina Supreme Court
	Joseph P. Riley Jr. Mayor, City of Charleston
The Artistic Vision: "Breath of Freedom" by Jonathan Green	Margaret B. Seymour Senior United States District Judge
Dedication of Historic Marker	Arthur C. McFarland Member, Waring Statue Committee
	James E. Clyburn Member, United States Congress
The Artistic Vision: The Waring Statue by Richard Weaver	Charlton deSaussure Jr. Vice Chair, Waring Statue Committee
Unveiling the Waring Statue	P. Michael Duffy Senior United States District Judge
	Ernest F. Hollings United States Senator, retired
	Richard E. Fields South Carolina Circuit Court Judge, retired
America the Beautiful	D'Jaris Whipper-Lewis



Portrait by Fabian Bachrach. Courtesy of the South Caroliniana Library,  
University of South Carolina, Columbia.

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## JUDGE J. WATIES WARING

By Richard M. Gergel  
United States District Judge

J. WATIES WARING (1880-1968) was nominated to serve as a United States district judge by President Franklin D. Roosevelt and held that position from 1942-52, assigned to the Federal Courthouse in Charleston. A native of Charleston and the son of a Confederate veteran, with a long and distinguished career as a Broad Street corporate attorney and litigator, nothing in Waring's background suggested that he would emerge on the bench as a fiercely independent and courageous civil-rights pioneer. Yet, nine years after going on the bench, Judge Waring described segregation in a landmark dissent in *Briggs v. Elliott* (1951) as "per se inequality" and "an evil that must be eradicated." Judge Waring was the first federal judge in America to take that position since the United States Supreme Court declared in *Plessy v. Ferguson* (1896) that "separate but equal" was the law of the land. Three years later a unanimous United States Supreme Court adopted Judge Waring's position and reasoning in *Brown v. Board of Education* (1954), the most important civil-rights decision in United States history.

### ENFORCER OF "SEPARATE BUT EQUAL"

Judge Waring was raised in Charleston, attended the University School, and graduated from the College of Charleston (1900), from which he would later, in 1945, receive an honorary doctor of laws degree. He read law with local attorney J. P. Kennedy Bryan and from 1914-20 he served as assistant U.S. attorney for South Carolina's eastern district. Active in the Democratic Party, Waring held the position of corporation counsel (city attorney) under Mayors Burnett Maybank and Henry Lockwood. In 1913 he married a Charleston native, Annie Gammell, and they moved into a home she had previously purchased at 61 Meeting Street, where they raised their daughter, Ann. The couple divorced in 1945 (the papers were filed in Florida as South Carolina did not allow divorce) and soon after that he married Elizabeth Avery Mills Hoffman. After making financial settlement with his first wife, Judge Waring continued to live at 61 Meeting Street, now with his second wife.

When Judge Waring assumed the bench in 1942, state and local governments in South Carolina vigorously enforced racial separation in all aspects of public life. However, there was little commitment to the second portion of the *Plessy* doctrine which required providing equal resources and treatment for black citizens. Much of the civil-rights litigation of the 1930s and '40s in-



61 Meeting Street, home of Judge Waring.  
Photo by Rick Rhodes.

volved challenges to governmental programs and actions in which black citizens were denied equal pay, benefits, or public facilities. NAACP Legal Defense Fund attorneys routinely relied on *Plessy* as their primary authority for the principle that if such programs and actions were to be separate they at least had to be equal. Civil-rights litigants won a number of those cases before the United States Supreme Court and the various Circuit Courts of Appeal, but few federal district judges in the South provided any relief to civil-rights plaintiffs.

When attorneys appeared in Judge Waring's courtroom in 1944 to argue an equal-pay case involving a Charleston County teacher, *Duvall v. Seignous*, they fully expected that he would uphold the race-based salary schedule that paid black teachers significantly less than their white counterparts, even if they were similarly educated and experienced. The plaintiffs' attorney, Thurgood Marshall, who was encountering Judge Waring for the first time, expected "the usual legal head-whipping before I went along to the Court of Appeals." Instead, Judge Waring stunned Marshall and the Charleston City School Board lawyers by pointedly asking the district's lawyers how they could justify the existing pay scale when the Fourth Circuit had already ruled in a 1940 Virginia case that such a race-based pay system was unconstitutional. Marshall would later describe the *Duvall* case as "the only [one] I ever tried with my mouth hanging open half the time. Judge Waring was so fair. ..." The Charleston case was settled quietly, but a year later, in *Thompson v. Gibbs* (1945), Judge Waring struck down a nearly identical race-based pay system in Richland County.

Several years later, the University of South Carolina Law School denied admission to John Wrihten, a twenty-one year-old African American. The state of South Carolina provided no legal-education program for its black citizens, though the United States Supreme Court had ruled in an earlier case from Missouri, *Gaines v. Canada* (1938), that the state must admit black students to the historically white state university or offer a separate-but-equal facility for its black students. Again referencing the *Plessy* doctrine of separate but equal, Judge Waring, in *Wrihten v. Board of Trustees of University of South Carolina* (1947), gave the university three options: admit Wrihten to the University of South Carolina Law School, close the law school, or create a separate-but-equal law school for black students. The state of South Carolina elected to open and fund, at considerable expense, a new law school for black students at South Carolina State College.

### JUDGE WARING'S EVOLVING APPROACH TO RACE

Judge Waring's enforcement of the rights of black litigants to equal pay and equal access to higher education placed him at the progressive end of white southern mainstream thought, but these decisions did not challenge the foundational principles of racial segregation. Many observers during Judge Waring's time, and historians still today, find remarkable Waring's decisions in 1947 and 1948 vigorously enforcing black voting rights and his 1951 dissent concluding that government-enforced segregation was incompatible with the Fourteenth Amendment. What factors contributed to his transformative views on race and the American Constitution?

A major shift in Judge Waring's views on race followed his experience presiding over a criminal case involving a Batesburg, South Carolina, police officer charged with using excessive force in

the arrest of a returning black World War II veteran, Isaac Woodard Jr. The government accused the officer of using excessive force against Woodard after a dispute with a Greyhound bus driver led to his arrest. The morning after Woodard's release from the local jail he was admitted to the Veterans Administration hospital in Columbia, where it was determined that he had been brutally beaten and permanently blinded. The case became a national *cause célèbre*. After a brief and, according to Judge Waring, poorly tried case by the U.S. Justice Department, an all-white jury acquitted the officer. Judge Waring later described the Woodard case as his wife Elizabeth's "baptism in racial prejudice," but the evidence suggests the experience had a profound impact on him as well.

Soon after the Woodard case, Judge Waring tried another racially charged case, *Elmore v. Rice*. George Elmore, the black owner of a small grocery in Columbia, brought suit against the South Carolina Democratic Party, challenging the party's prohibition against black participation in the only election that really mattered at the time. (The South Carolina Republican Party was so weak that it often could not field candidates for office.) The United States Supreme Court had ruled in *Smith v. Allwright* (1944) that similar rules of the Texas Democratic Party were unconstitutional. By the time the *Elmore* case was filed every southern state except South Carolina had ended its prohibition against black voters participating in party primaries.

Judge Waring appreciated the potentially explosive nature of the *Elmore* suit and warned his wife that if he ruled with the plaintiff their lives would never be the same. He concluded, however, that his first duty was to his judicial office and he and his wife would simply have to live with the consequences. Judge Waring ruled that the Democratic Party was not a private club exempt from the requirements of the Fourteenth Amendment because private clubs "do not vote and elect the President of the United States, and the Senators and members of the House of Representatives of our national congress." Judge Waring concluded his order with language that rocked the white political establishment when he stated that it was "time for South Carolina to re-join the Union. It is time to fall in step with the other states and to adopt the American way of conducting elections." The Fourth Circuit swiftly and unanimously affirmed Judge Waring's decision. A year later, when the Democratic Party adopted rule changes which Judge Waring concluded were an attempt to evade his ruling in *Elmore*, he issued an injunction in *Brown v. Baskin* (1948) threatening to incarcerate any party officials he found in contempt of his order.

Judge Waring's decisions in *Elmore* and *Brown v. Baskin* ignited a political firestorm in South Carolina. A

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*"I wish we had more Federal Judges like you on the bench."*

—President Harry Truman  
to Judge Waring, December 10, 1948.

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U.S. Federal Courthouse in Charleston. Courtesy of the South Caroliniana Library, University of South Carolina, Columbia.



cross was burned in the yard of the Waring's home, rocks were thrown through a window, and numerous threats were made against the judge. Members of the South Carolina congressional delegation filed articles of impeachment against him, and a resolution was proposed in the South Carolina General Assembly offering Judge Waring and his "yankee wife" one-way tickets out of the state. In private correspondence with Fourth Circuit Chief Judge John J. Parker of North Carolina, Waring confided, "It's awfully unpleasant for me to have all of this vilification going on." Ironically, while Waring was socially isolated and attacked in his native state, he had considerable stature nationally and was invited to meet privately with President Harry S. Truman in the White House to discuss the desegregation of the United States Army. After that meeting, President Truman wrote Waring, "I wish we had more Federal Judges like you on the bench."

### "SEGREGATION IS PER SE INEQUALITY"

In the years following the *Elmore* decision, Judge Waring privately began to question whether *Plessy v. Ferguson* had been wrongly decided. Did government-mandated and -enforced racial segregation violate the Fourteenth Amendment? This was, of course, apostasy to the white political establishment. Two major 1950 United States Supreme Court decisions, *Sweatt v. Painter* and *McLaurin v. Oklahoma Board of Regents*, persuaded Waring there were "grave doubts" whether *Plessy* was still good law. A case on Judge Waring's docket arising from Summerton, South Carolina, *Briggs v. Elliott*, gave him a chance to test his theory.

*Briggs* was originally brought as a conventional *Plessy* case, seeking a school bus for black children since a bus had been provided for the district's white children. Following a status conference in the case with Judge Waring and counsel for the parties, the lawyer for the plaintiffs, Thurgood Marshall, dismissed the original school-bus suit and refiled the case as a constitutional

challenge to public-school segregation. Comments from the bench by Judge Waring, questioning the NAACP's advancement of the *Plessy* doctrine following the *Sweatt* and *McLaurin* decisions, appear to have influenced Marshall's actions. Further, once the new suit was filed, Waring insisted on the case being heard by a three-judge panel, rather than by himself alone, which guaranteed mandatory review by the United States Supreme Court.

The three-judge panel appointed to hear the *Briggs* case consisted of Judge Waring, Chief Judge John J. Parker of the Fourth Circuit, and District Judge George Bell Timmerman Sr. On the opening day of trial, May 28, 1951, a large group of black citizens, mostly from the rural community of Summerton, arrived early in the morning hoping to find



The plaintiffs in *Briggs v. Elliott*. From Benjamin F. Hornsby, Jr., *Stepping Stone to the Supreme Court: Clarendon County* (Columbia: South Carolina Department of Archives & History, 1992). Courtesy of the South Carolina Historical Society.

seats in the courtroom of the Charleston Federal Courthouse. They lined up at the door of the federal courthouse on Broad Street shortly after dawn, patiently waiting for admission. Judge Waring, watching the crowd from his office window, found the scene inspiring and dramatic. He later described the hundreds queued up to enter the courthouse that morning as humble people who had come on a "pilgrimage . . . because they believed the United States District Court was a free court, and believed in freedom and liberty." Thurgood Marshall was similarly moved by the unexpectedly large crowd that appeared for the first morning of the trial; he said they were "neither prosperous nor highly educated" but displayed a "greatness in human spirit."

The *Briggs* trial opened with a dramatic admission by the school district defendants: The Summerton schools were unequal and in violation of the *Plessy* separate-but-equal doctrine. They requested time to remedy this inequality and noted that the General Assembly had recently adopted a sales tax that would be devoted to equalizing educational opportunities for black children. The three-judge panel denied the defendants' motion to adjourn the trial, and Marshall began calling his witnesses.

Among the experts called to the stand by the plaintiffs was a young African American psychologist, Dr. Kenneth Clark, who had been studying the impact of racial segregation on black children by using black and white dolls. In the week before the trial, Dr. Clark had conducted interviews in Summerton with a number of local children. Their responses mirrored results he had received in other communities: Black children identified the white doll as "nice" and the black doll as "bad." Dr. Clark concluded that this indicated a profound sense of inferiority created by racial segregation. Dr. Clark's testimony regarding his "doll studies" may have been the first instance in which such social-science testimony had ever been offered in an American courtroom.

After a two-day trial, the panel adjourned to make its decision. Judge Parker indicated that the admission by the defendants that they were violating the law but needed time to equalize educational facilities in the segregated black schools seemed to him a reasonable result. He proposed that he prepare an order to that effect. Judge Timmerman, whose son was South Carolina lieutenant governor at the time, agreed to join that order. Judge War-



Rev. Joseph De Laine Sr., organizer of the plaintiffs in the *Briggs* case, and his family look over the ruins of their Summerton home, which was burned to the ground in 1950 while their case was moving through the courts. Photo courtesy of the South Caroliniana Library, University of South Carolina, Columbia.

ing advised his colleagues that he believed the *Plessy* doctrine was not good law and he intended to file a dissent.

Less than a month later, the panel issued its decision. The majority decision, citing *Plessy*, stated that it was “well settled that there is no denial of equal protection of the laws in segregating children of different races” and it was “outside their constitutional function” for federal courts to require states to provide an integrated educational system. Thus, the majority granted the plaintiffs’ request for injunction to “equalize educational facilities” but denied an injunction “to abolish segregation.”

In his twenty-page dissent, Judge Waring asserted that South Carolina’s laws mandating public-school segregation were in “conflict with the true meaning and intendment of [the] Fourteenth Amendment.” Referring to Dr. Clark’s testimony, Judge Waring stated that the evidence showed that “the humiliation and disgrace of being set aside and segregated as unfit to associate with others of different color had an evil and ineradicable effect upon the mental processes of our young. .

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*“Segregation in education can never produce equality and . . . it is an evil that must be eradicated.”*

—Judge Waring’s dissent, *Briggs v. Elliott* (1951).

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. . .” Waring then concluded that “segregation in education can never produce equality and that it is an evil that must be eradicated. . . . Segregation is per se inequality.”

Judge Waring was aware that following the filing of the *Briggs* suit, many of the individual plaintiffs and their supporters were subjected to severe reprisals, including the loss of jobs, denial of loans, and refusal by local businessmen to gin their cotton or purchase their crops. Most notable was the systematic campaign of retaliation against Rev. Joseph DeLaine, the

leader of the community group that organized the plaintiffs, who ultimately had his house burned down while local firemen refused to provide assistance. Judge Waring mentioned in his dissent the “unexampled courage” of the plaintiffs “in bringing and presenting this cause” and later nominated Reverend DeLaine for a national award for his heroic actions.

The Waring dissent received little immediate notice in the press but it resonated throughout the civil-rights community. Local NAACP leader A. J. Clement Jr. declared after reading the Waring dissent that “Americans will thank God for you in the future and at some later date the South will raise a monument to you.” Judge Herbert Delaney of New York, then one of the nation’s few black judges, wrote Waring that the dissent was written with “clarity, wisdom, and courage”; he described Waring as “one of the great souls America has produced.”

Having issued the *Briggs* dissent and grown tired by the social ostracism he and his wife lived with every day in Charleston, Judge Waring in early 1952 announced his intention to retire and move to New York City. He explained to one friend that he longed to have the opportunity as a retired judge “to speak my mind . . . without being handicapped because a case is pending before me.” Upon moving to New York, Waring was treated as an icon of the civil-rights cause and became active in various organizations advocating equal justice.

Eventually, *Briggs* and three other school segregation cases, from Kansas, Delaware, and Virginia, were consolidated before the United States Supreme Court into a single case titled *Brown*

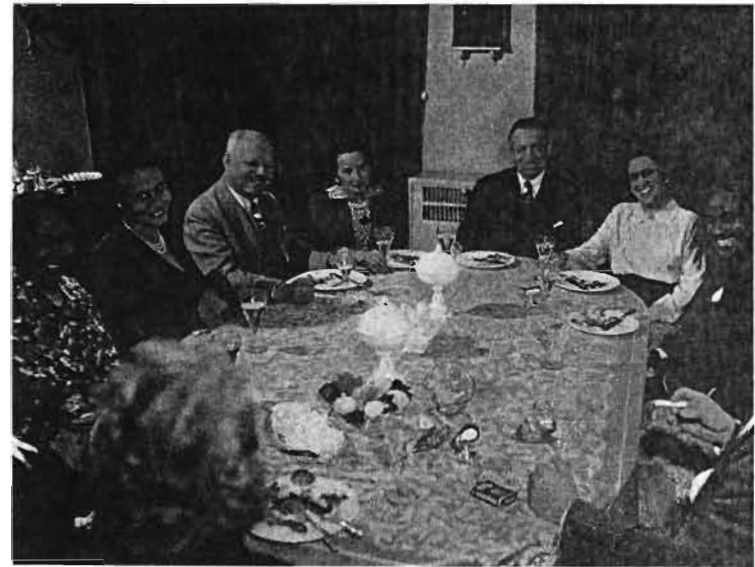
*v. Board of Education*. On May 17, 1954, the Supreme Court issued its unanimous decision in *Brown*, echoing the words of Judge Waring's dissent that "[s]eparate educational facilities are inherently unequal." The Court referenced the "modern authority" regarding the psychological damage inflicted by racial segregation, citing as its first authority Dr. Clark's landmark doll study. The Court concluded, "in the field of public education the doctrine of 'separate but equal' has no place."

On the night of the *Brown* decision, NAACP national president Walter White and other prominent civil-rights leaders journeyed to Judge Waring's small Upper East Side apartment to thank him personally for his courage and vision. Rev. J. A. DeLaine, the leader of the *Briggs* plaintiffs, wrote Judge Waring shortly after the *Brown* decision that his dissent "was the most important decision ever handed down by a United States District Judge."

Soon after the *Brown* decision, Judge Waring spoke to Chief Justice Earl Warren, the author of *Brown*, and expressed gratitude for the decision since he had been "very lonely up to that time." The chief justice responded to Waring, then essentially living in exile in New York City: "Well, you had to do it the hard way."

Judge Waring participated in a series of in-depth interviews with Columbia University historians in 1957 about his judicial service. Toward the end of his interviews, Judge Waring addressed the personal sacrifices he had made because of his various civil-rights decisions. While acknowledging some "very unpleasant repercussions," he stated, "I'm enormously fortunate because you don't often in life have an opportunity to do something that you really think is good. . . . I think it was a great stroke of fortune that came down my alley. . . . The other penalties don't amount to anything. They're offset by what I think is really an important contribution to the history of our country."

Judge Waring died on January 11, 1968. He lived long enough to witness many of the triumphs of the civil-rights movement, including the March on Washington and the adoption of the 1964 Civil Rights Act and 1965 Voting Rights Act. Shortly after his death, Dr. Kenneth Clark, by then one of America's preeminent psychologists and a close confidant of Judge Waring after his move to New York City, wrote a moving tribute to the jurist. He described Judge Waring as "a great historic figure" who had taught him "that life could not be lived without courage. . . . He lived what he believed. He risked and, therefore, lived."



Socially isolated by former friends of the judge, the Warings entertained African American associates in their Meeting Street home. This photograph, including family friends Septima P. Clark and Ruby Cornwell, appeared in a 1950 story on Judge Waring in *Collier's Magazine*.

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## EXCERPTS FROM JUDGE WARING'S DISSENT, BRIGGS V. ELLIOTT (1951)

THIS CASE has been brought for the express and declared purpose of determining the right of the State of South Carolina, in its public schools, to practice segregation according to race. . . .

[T]he plaintiffs brought many witnesses, some of them of national reputation in various educational fields. It is unnecessary for me to review or analyze their testimony. But they who had made studies of education and its effect upon children, starting with the lowest grades and studying them up through and into high school, unequivocally testified . . . the mere fact of segregation, itself, had a deleterious and warping effect upon the minds of children. These witnesses testified as to their study and researches and their actual tests with children of varying ages and they showed that the humiliation and disgrace of being set aside and segregated as unfit to associate with others of different color had an evil and ineradicable effect upon the mental processes of our young which would remain with them and deform their view on life until and throughout their maturity. This applies to white as well as Negro children. These witnesses testified from actual study and tests in various parts of the country, including tests in the actual Clarendon School district under consideration. They showed beyond a doubt that the evils of segregation and color prejudice come from early training.

And from their testimony as well as from common experience and knowledge and from our own reasoning, we must unavoidably come to the conclusion that racial prejudice is something that is acquired and that that acquiring is in early childhood. When do we get our first ideas of religion, nationality and the other basic ideologies? The vast number of individuals follow religious and political groups because of their childhood training. And it is difficult and nearly impossible to change and eradicate these early prejudices, however strong may be the appeal to reason. There is absolutely no reasonable explanation for racial prejudice. It is all caused by unreasoning emotional reactions and these are gained in early childhood. Let the little child's mind be poisoned by prejudice of this kind and it is practically impossible to ever remove these impressions however many years he may have of teaching by philosophers, religious leaders or patriotic citizens. If segregation is wrong then the place to stop it is in the first grade and not in graduate colleges.

From their testimony, it was clearly apparent, as it should be to any thoughtful person, irrespective of having such expert testimony, that segregation in education can never produce equality and that it is an evil that must be eradicated. This case presents the matter clearly for adjudication and I am of the opinion that all of the legal guideposts, expert testimony, common sense and reason point unerringly to the conclusion that the system of segregation in education adopted and practiced in the State of South Carolina must go and must go now.

Segregation is per se inequality.

As heretofore shown, the courts of this land have stricken down discrimination in higher

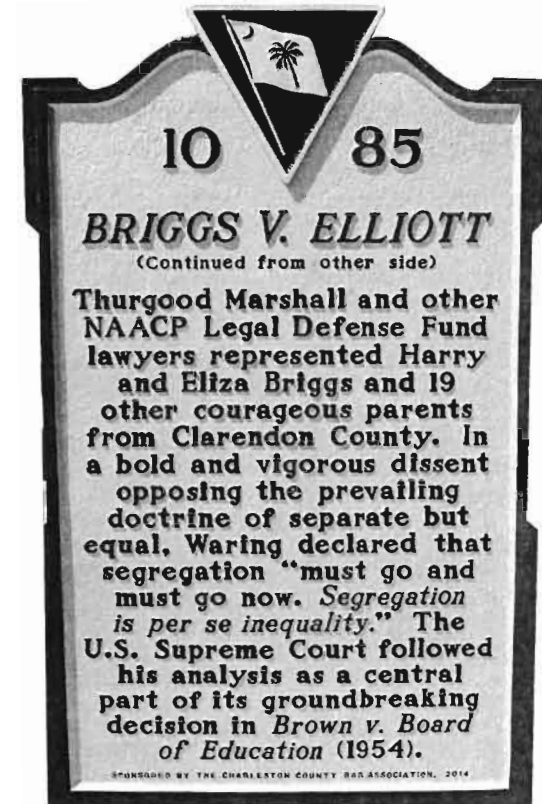
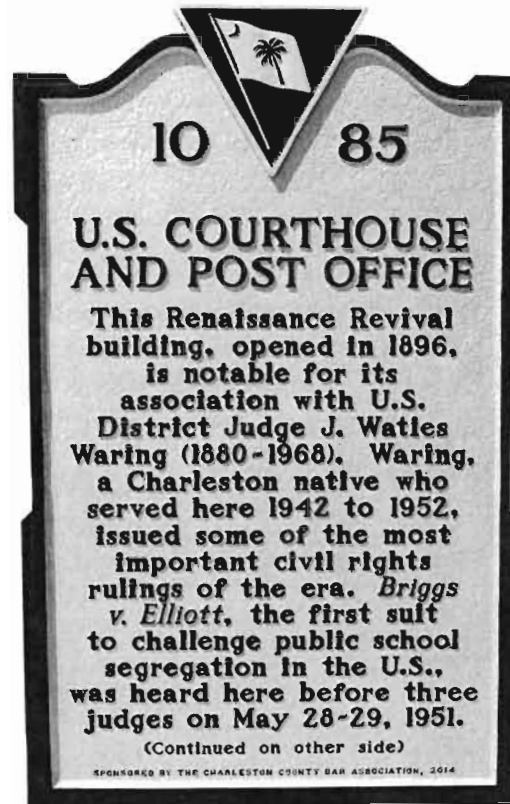
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education and have declared unequivocally that segregation is not equality. But these decisions have pruned away only the noxious fruits. Here in this case, we are asked to strike its very root. Or rather, to change the metaphor, we are asked to strike at the cause of infection and not merely at the symptoms of disease. And if the courts of this land are to render justice under the laws without fear or favor, justice for all men and all kinds of men, the time to do it is now and the place is in the elementary schools where our future citizens learn their first lesson to respect the dignity of the individual in a democracy.

To me the situation is clear and important, particularly at this time when our national leaders are called upon to show to the world that our democracy means what it says and that it is a true democracy and there is no under-cover suppression of the rights of any of our citizens because of the pigmentation of their skins. And I had hoped that this Court would take this view of the situation and make a clear cut declaration that the State of South Carolina should follow the intent and meaning of the Constitution of the United States and that it shall not abridge the privileges accorded to or deny equal protection of its laws to any of its citizens. But since the majority of this Court feel otherwise, and since I cannot concur with them or join in the proposed decree, this opinion is filed as a dissent.

98 F. Supp. 529, \*548; 1951 U.S. Dist.

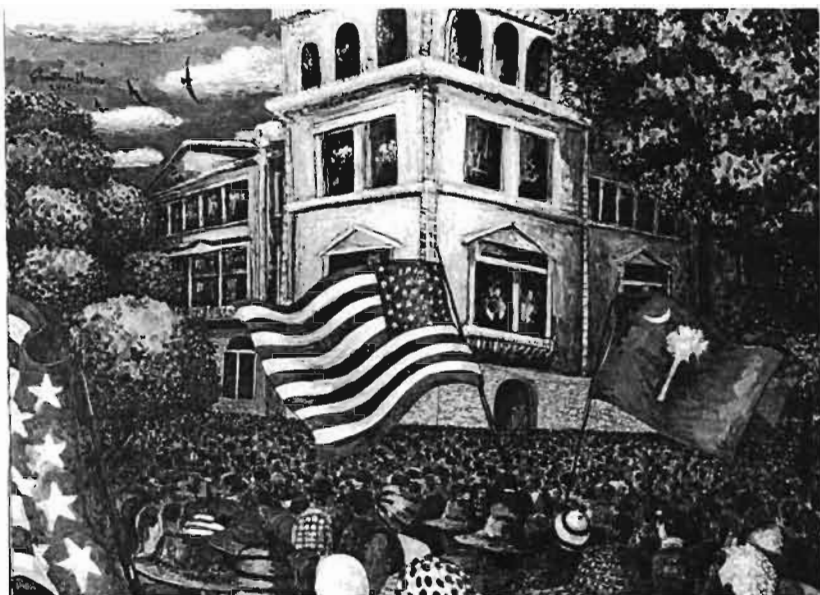


A state historic marker, sponsored by the Charleston County Bar Association, has been placed beside the courthouse on Meeting Street. It recognizes the contributions made by Judge Waring, the NAACP Legal Defense Fund attorneys, and the 21 courageous plaintiffs who brought *Briggs v. Elliott*. Photos by Rick Rhodes.

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## “BREATH OF FREEDOM”

THIS PAINTING, by nationally renowned artist Jonathan Green, marks an important moment in American history: the opening day of the *Briggs v. Elliott* trial on May 28, 1951, at the Charleston Federal Courthouse. The *Briggs* case, brought by twenty-one courageous citizens of Summerton, South Carolina, was the first legal challenge in modern history to public-school racial segregation.



The painting depicts the large crowd that gathered at dawn at the corner of Broad and Meeting streets, hoping to gain admission to the limited courtroom seating. Judge J. Waties Waring, a Charleston-based federal judge assigned to a three-judge panel to hear the case, described the crowd as citizens who had come on a “pilgrimage” seeking “freedom and liberty.” “To me, it’s awfully heartening,” he said, when people “suddenly sniff a little breath of freedom.”

The gathering in the painting looks remarkably like the actual crowd in Charleston, as seen in the photo on the left that appeared in the June 6, 1951, *Afro American* newspaper. The article’s headline read, “This Is Not A Ball Game Crowd.” Mr. Green painted his remarkable work before ever seeing



this photograph.

In painting this image, Mr. Green has sought to capture the dignity and character of those in attendance, many of whom descended from the highly sophisticated West African rice culture. Mr. Green was raised in Gardens Corner, South Carolina, where he developed a strong feeling for his cultural heritage. After completing military service, he attended the Art Institute of Chicago and earned a bachelor’s degree in 1982. Art critics and reviewers consider Jonathan Green one of the most important contemporary painters of the southern experience. His work, which has been exhibited in major venues nationally and internationally, reflects an intrinsic sense of history and place. He lives now in Charleston.

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## AMERICA THE BEAUTIFUL

*Words by Katharine Lee Bates,  
Melody by Samuel Ward*

*O beautiful for spacious skies,  
For amber waves of grain,  
For purple mountain majesties  
Above the fruited plain!  
America! America!  
God shed His grace on thee,  
And crown thy good with brotherhood  
From sea to shining sea.*

*O beautiful for heroes proved  
In liberating strife,  
Who more than self their country loved,  
And mercy more than life!  
America! America!  
God mend thine every flaw  
Confirm thy soul in self control,  
Thy liberty in law.*

*O beautiful for patriot dream  
That sees beyond the years  
Thine alabaster cities gleam  
Undimmed by human tears!  
America! America!  
God shed his grace on thee,  
And crown thy good with brotherhood  
From sea to shining sea.*

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