The next book in the 2021 Alternative Reading List is Unlikely Heroes by Jack Bass. The book is published by the University of Alabama Press and was first published in 1981.

This book gives you an unprecedented view of the Civil Rights struggle in this country during the 1950s and ‘60s from the perspective of the federal judges who faced the challenge of implementing the Supreme Court’s decisions in the South. These judges – who sat on the United States Court of Appeals for the Fifth Circuit in its pre-split form (the split of the Fifth Circuit into the present Fifth and Eleventh Circuits is discussed at the end of the book) – and the District Court judges who sat at the trials and hearings of the cases that ultimately were heard by the Fifth Circuit, faced enormous personal, professional, and sometimes political pressures and acted with integrity and courage to make sure that the Supreme Court’s decisions were not ignored in states where they were deeply unpopular.

As lawyers, we rarely read about how courts reach their decisions. This book gives you the chance to see a lot more of that process than we usually see and gives you a chance to learn about the Civil Rights struggle from a new vantage point, one that is extremely important to lawyers.

This book was selected by Professor James E. Baker, formerly a judge on the U.S. Court of Appeals for the Armed Forces. Judge Baker has suggested a book about judges, in this case some of the critical judges during the civil rights era. Baker notes, Jack Bass set out to write a book about judges during the Civil Rights era, not a history of the Civil Rights Movement or its principal actors - men and women like Martin Luther King, John Lewis, Rosa Parks, Thurgood Marshall, and so many other heroic, brave, and in most cases anonymous actors. For additional reading, Baker recommends King’s “Letter from Birmingham Jail,” which he assigns in all his ethics courses and views as essential reading for any student of law, government, and ethics. He also recommends, Jon Meacham’s, His Truth is Marching On: John Lewis and the Power of Hope. For a study of one of the principal but lesser known civil rights lawyers of the era, he recommends Matthew J. Perry: The Man, His Times, and His Legacy by William Lewis Burke. Judge Perry was the second judge to sit on Baker’s court who was African American. Perry went on to become the first African American to serve as a judge on the
Federal District Court for South Carolina. The courthouse in Columbia, South Carolina, is named in his honor. When Baker retired from the U.S. Court of Appeals for the Armed Forces in 2015, he was succeeded by his Chief Clerk of 15 years, John Sparks. Sparks is the first African American to serve as a judge on the court since Matthew Perry thirty-five years earlier. Baker notes, 'Judge Sparks' favorite book about the civil rights era is Simple Justice, a history of Brown v. Board of Education by Richard Kluger. His second favorite book is Unlikely Heroes.’

A list of focus questions designed to help you get the most out of “Unlikely Heroes” is available as a separate document.