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Celebrating Black History in the Legal Profession: The Life and Legacy of the First Black Attorney in America

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Macon Bolling Allen (1816-1894)

If you dive deep into American history, you will discover that our great country has oftentimes been cruel and inhumane to black lives. Even looking past the horrors of slavery, black people in the United States have been forced to suffer through public and private lynchings well through the 1960's, legalized racial segregation, routine discrimination, and the lingering effects of institutionalized racism. However, despite the many hardships presented before them, African Americans have displayed unmatched resilience to not only survive, but to also achieve success in the United States. In honor of Black History Month, we celebrate the life, legacy, and achievements of Macon Bolling Allen – a man whose story is a true example of how African Americans can overcome adversity to display their true intelligence, strength, and willpower.

When slavery was at its peak and wildly unchecked in the United States, Macon Bolling Allen defied the odds and achieved the impossible to become who is believed to be the first African American to receive a license to practice law in the United States. He accomplished this feat at a time when black people were seen as inferior, less than human, and mere property that could be damaged, disposed of, and destroyed. In 1844, 16 years before the start of the Civil War Mr. Allen set the stage for African Americans to begin excelling in the legal profession. As a true pioneer in the profession, Mr. Allen would later go on to become the first African American to hold a position as a judicial officer and one of the first African Americans to open their own legal practice.

Macon Bolling Allen was born in the “free state” of Indiana. However, black people were not welcomed in the state and were not considered citizens either.

In 1844, Mr. Allen moved to Maine to work as an apprentice under a local abolitionist and attorney, General Samuel Fessenden. Within four years, Mr. Allen had become so well versed in the law that General Fessenden celebrated him before the District Court and recommended that Mr. Allen be granted a license to practice law in the state of Maine. However, he was denied admission to the Maine Bar because, as a black person, Macon Allen was not considered a citizen. This rejection did not deter Mr. Allen from pursuing his dream, and he soon thereafter requested to be admitted to the Maine Bar by examination. Upon passing the bar exam and securing a positive letter of recommendation from his mentor, Mr. Allen was declared a citizen and admitted to practice law on July 3, 1844, at the age of 27. Mr. Allen used his law license to provide representation to African Americans in court, thus filling a major void in the country's legal system.

Although Macon Allen's work began to reform society, he struggled as a lawyer in Maine because a large majority of white Americans were unwilling to be represented by an African American in court. In response, Mr. Allen traveled over 50 miles from Maine to Worcester, Massachusetts to sit for the Massachusetts bar exam. He was admitted to the Massachusetts bar in May of 1845 and settled in Boston where he opened the first African American law office in the United States with his partner Robert Morris Jr. The two soon realized that the community in Massachusetts closely resembled that of the community in Maine in that African American lawyers received little to no respect. Refusing to settle for less, Mr. Allen completed yet another exam to receive appointment as Justice of the Peace in Middlesex County where he oversaw court cases and managed local administrative applications within the county. The appointment made him the first African American to hold judicial office in the United States.

In 1868, after the Civil War, Macon Allen continued to excel in the legal profession. He helped established the first known African American law firm in Charleston, South Carolina, he was elected Judge of the Charleston County Criminal Court, and he was later elected as the Probate Judge in Charleston County. After establishing himself in Charleston, Mr. Allen moved to Washington D.C., where he worked for the Land and Improvement Association until his passing in 1894. After his death, the National Bar Association honored Mr. Allen for his many accomplishments and disruptive work as the first African American attorney and the first African American to hold judicial office.

Macon Allen's life story and legacy have had lasting effects on American society, the legal profession, and other African American attorneys. His professional achievements in the legal profession inspired many African Americans across the country to overcome circumstances of negativity and to pursue careers in law and politics. His work also motivated reform in the United States and greatly contributed to the resistance against corrupt societal practices that limited black people. Despite facing routine instances of racial prejudice throughout his career, he persevered and continually demonstrated his capacity to succeed as a lawyer and politician in this country. Macon Bolling Allen was the catalyst in the movement for diversity within the legal community and is a large part of the reason why African American attorneys, like myself, can establish successful legal practices in the United States today.

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