H-Net Reviews
in the Humanities & Social Sciences

Anna R. Hayes. *Without Precedent: The Life of Susie Marshall Sharp.* Chapel Hill: University of North Carolina Press, 2008. xvi + 559 pp. $35.00 (cloth), ISBN 978-0-8078-3214-1.

Reviewed by Natasha Thompson (University of North Carolina, Greensboro)
Published on H-SAWH (October, 2010)
Commissioned by Antoinette G. van Zelm

A Life of Accomplishment and Contradiction

Without Precedent thoroughly details the professional and personal experiences of Susie Marshall Sharp (1907-96), North Carolina's first female judge and the first woman in the nation to be appointed a justice on a state supreme court and subsequently elected chief justice (p. xiii). Anna R. Hayes effectively chronicles Sharp's public and private personas, exploring not only Sharp's professional achievements but also the degree to which Sharp's family and love interests helped shape her experiences. Drawing from a variety of journals and correspondence produced by Sharp, Hayes provides readers with a detailed account of the facts of Sharp's life and with an understanding of the justice's own thoughts and feelings about her experiences. Additionally, Hayes's work reveals social and political attitudes present within North Carolina throughout much of the twentieth century.

The book follows Sharp's life chronologically, detailing her childhood and teenage experiences, including the Sharp family's financial difficulties during her early years, as well as the responsibilities that Sharp took on as the oldest of seven children. Hayes explores Sharp's educational background, which included attendance at the North Carolina College for Women and later law school at the University of North Carolina. The bulk of the book explores Sharp's legal career, focusing on her initial experiences as a partner in her father's law firm; her eventual appointment as an itinerant judge to the North Carolina Superior Court in 1949; and her experiences as a justice on the North Carolina Supreme Court, which began with an appointment in 1962 and culminated with her election to the position of chief justice in 1974. Hayes then briefly details Sharp's life after her retirement in 1979, noting that Sharp endured both declining health and family tragedies during this period.

Early in the book, Hayes describes Sharp as "a mass of contradictions," and in several instances Hayes explores some of the conflicting aspects of Sharp's character and actions (p. 2). Sharp's racial views and her judicial actions served as such a contradiction. Hayes argues numerous times that Sharp, having been born in the South in 1907, was very much a product of her time and location with regard to racial sentiment. Throughout her life, Sharp privately espoused racist views about African Americans, but Hayes asserts that despite this prejudice, Sharp's overwhelming respect for and faith in the rule of law led her to support positions and issue rulings that were fair to African Americans. For example, Sharp ruled in 1956 that African Americans should be allowed to play on a segregated golf course in Charlotte, North Carolina. Sharp made this decision in spite of her own segregationist views and the fact that the ruling was unpopular with whites in the state, asserting that legal precedent required her to do so. While Sharp acknowledged in a private letter that she was not pleased with the ruling, she also recognized that it was correct legally.

Hayes also demonstrates how Sharp's stance on the proposed Equal Rights Amendment (ERA) of the 1970s can be viewed as contradictory. Sharp opposed the ERA despite the fact that she was a woman who had managed to not only attain a law degree but also rise to very prominent positions within the North Carolina judiciary at a time when such achievements were virtually unheard of for women. Hayes asserts that Sharp did not advocate restricting women's professional roles and had many times expressed frustration with women for their lack of political involvement and for avoiding their jury duty responsibilities. Despite her commitment to women's political participation, Sharp did not believe that American women needed the ERA, instead arguing that the Fourteenth Amendment provided them with adequate legal protection and that the proposed amendment would strip away protective legislation that benefited women. Hayes also contends that Sharp's opposition to the ERA reflected her bitterness in the aftermath of federal civil

rights legislation. According to Hayes, Sharp "held the belief that the federal government had no right to try to legislate changes in long-standing social attitudes" (p. 395).

Through its examination of Sharp, *Without Precedent* reveals some of the challenges that North Carolina women faced in pursuing careers in law. Recounting Sharp's law school experiences, Hayes stresses the point that few women in the early decades of the twentieth century trained as lawyers. While Sharp was not the first woman to attend the University of North Carolina School of Law, she was the only woman in her class. First as a lawyer and later as both a superior court judge and state supreme court justice, Sharp found herself under scrutiny and as the subject of public curiosity simply because she was a woman working in a field overwhelmingly dominated by men. In several instances people came to her father's law office, and later to courtrooms where Sharp presided, simply for the purpose of viewing a female lawyer or judge. Although the number of women attending law school did increase significantly from the late 1920s when Sharp was a law student to the late 1970s when she retired, Hayes stresses that the overall percentage of women practicing law in North Carolina remained low. When Sharp began her career in 1930, less than 2.1 percent of lawyers in the state were women, and the percentage had only increased to about 6.5 when Sharp retired.

Hayes explores the ways in which Sharp strove to conform to societal gender norms despite her chosen career in law. Hayes highlights, for example, that as a trial lawyer Sharp purposefully avoided the "bombastic" style of male lawyers when addressing the jury and instead developed her own more reserved approach so as not to alienate the jury by appearing too masculine. Hayes also underscores the feminine style of dress Sharp maintained as a justice, noting that the press focused on Sharp's appearance. Sharp continued to add feminine touches to her clothing even after ascending to the state supreme court, attaching a bit of lace to the collars of her robes. In the 1960s and 1970s, Sharp also expressed her disapproval of women's rights activists who rejected societal standards of feminine beauty, and she contended throughout her career that women, while deserving equal professional opportunities, should not try to emulate men.

Hayes's work also reveals Sharp's own beliefs regarding acceptable roles for women. While Sharp certainly did not believe that women should automatically be excluded from pursuing a career simply because of their sex, she also did not believe that it was possible for a woman to be effective both as a professional and as a wife and mother. Sharp, who never married and had no children, believed that women had to choose between a professional life or marriage and motherhood.

Without Precedent addresses political changes taking place in North Carolina and, to a lesser degree, in the United States throughout much of the twentieth century. Hayes traces perceptions of the civil rights movement in the eyes of southern whites through her discussions of Sharp's own racial attitudes and legal rulings. In exploring the life of Sharp, whose loyalty to the Democratic Party helped her attain positions on North Carolina's superior court and supreme court, Hayes also addresses the changing nature of politics within the state from the 1950s through the 1970s. Hayes, noting the loyalty of North Carolina voters to the Democratic Party since the late nineteenth century, calls attention to the political shift beginning in the middle of the twentieth century that would help create a true two-party system within the state. Such factors as the 1954 *Brown v. Board of Education* decision and whites' growing disaffection with the Democratic Party following President Lyndon B. Johnson's Great Society and civil rights policies propelled the state away from the Democratic Party and toward the Republican Party, which created a challenge for Sharp when she ran for the position of chief justice. By examining Sharp's legal decisions and political causes, Hayes reveals Sharp's impact on the justice system in North Carolina, noting that Sharp's actions helped facilitate both prison reforms and budget changes for the judiciary.

Hayes engaged in thorough research, drawing largely from a collection of Sharp's journals, scrapbooks, and private correspondence found in her apartment after her death. Additionally, Hayes conducted interviews with several of Sharp's surviving relatives in order to piece together Sharp's life more fully. The personal nature of the sources Hayes used provides readers with insights into the motives and emotions of Sharp, as well as access to facets of Sharp's life that might not otherwise have been uncovered, such as her various love affairs, of which she kept meticulous records.

Without Precedent provides a comprehensive and thoroughly detailed examination of Sharp. Hayes approaches Sharp in a balanced manner, highlighting her achievements and also several of her less flattering traits, including her lifelong racism. Readers exclusively seeking broad insights into North Carolina's social and political history may find themselves distracted by the sheer amount of detail that Hayes includes, especially in re-

gard to some of Sharp's more private matters. Readers may also take offense at some of Hayes's assessments of Sharp's physical appearance as a teenager and young woman, which include descriptions like "not a beauty," "lumpy," and "pudgy" (pp. 21, 187, 367). On the whole, the book is an effective and useful work for understanding not only the experiences and accomplishments of Sharp but also social and political attitudes in North Carolina throughout much of the twentieth century.

If there is additional discussion of this review, you may access it through the list discussion logs at:
http://h-net.msu.edu/cgi-bin/logbrowse.pl.

Citation: Natasha Thompson. Review of Hayes, Anna R., *Without Precedent: The Life of Susie Marshall Sharp*. H-SAWH, H-Net Reviews. October, 2010.
URL: http://www.h-net.org/reviews/showrev.php?id=30211

This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.