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Constance Baker Motley, 84, Civil Rights Trailblazer, Lawmaker and Judge, Dies

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Constance Baker Motley, a civil rights lawyer who fought nearly every important civil rights case for two decades and then became the first black woman to serve as a federal judge, died yesterday at NYU Downtown Hospital in Manhattan. She was 84.

The cause was congestive heart failure, said Isolde Motley, her daughter-in-law.

Judge Motley was the first black woman to serve in the New York State Senate, as well as the first woman to be Manhattan borough president, a position that guaranteed her a voice in running the entire city under an earlier system of local government called the Board of Estimate.

Judge Motley was at the center of the firestorm that raged through the South in the two decades after World War II, as blacks and their white allies pressed to end the segregation that had gripped the region since Reconstruction. She visited the Rev. Dr. Martin Luther King Jr. in jail, sang freedom songs in churches that had been bombed, and spent a night under armed guard with Medgar Evers, the civil rights leader who was later murdered.

But her metier was in the quieter, painstaking preparation and presentation of lawsuits that paved the way to fuller societal participation by blacks. She dressed elegantly, spoke in a low, lilting voice and, in case after case, earned a reputation as the chief courtroom tactician of the civil rights movement.

Gov. George C. Wallace of Alabama and other staunch segregationists yielded, kicking and screaming, to the verdicts of courts ruling against racial segregation. These huge victories were led by the N.A.A.C.P.'s Legal Defense and Education Fund, led by Thurgood Marshall, for which Judge Motley, Jack Greenberg, Robert Carter and a handful of other underpaid, overworked lawyers labored.

In particular, she directed the legal campaign that resulted in the admission of James H. Meredith to the University of Mississippi in 1962. She argued 10 cases before the United States Supreme Court and won nine of them.

Judge Motley won cases that ended segregation in Memphis restaurants and at whites-only lunch counters in Birmingham, Ala. She fought for King's right to march in Albany, Ga. She played an important role in representing blacks seeking admission to the Universities of Florida, Georgia, Alabama and Mississippi and Clemson College in South Carolina.

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She helped write briefs in the landmark school desegregation case *Brown v. Board of Education* in 1954 and in later elementary-school integration cases.

Judge Motley was a tall, gracious and stately woman whose oft-stated goal was as simple as it was sometimes elusive: dignity for all people. Her personal approach was also dignified. When a reporter wrote that she had demanded some action by the court, she soon corrected him:

"What do you mean 'I demanded the court'? You don't demand, you pray for relief or move for some action."

Charlayne Hunter-Gault, whose admission to the University of Georgia was engineered by Mrs. Motley's legal finesse, described her courtroom cunning.

"Mrs. Motley's style could be deceptive, often challenging a witness to get away with one lie after another without challenging them," she wrote in her book *"In My Place,"* published in 1992. "It was as if she would lull them into an affirmation of their own arrogance, causing them to relax as she appeared to wander aimlessly off into and around left field, until she suddenly threw a curveball with so much skill and power it would knock them off their chair."

As a black woman practicing law in the South, she endured gawking and more than a few physical threats. A local paper in Jackson, Miss., derided her as "the Motley woman."

In 1966, President Lyndon B. Johnson appointed her as a judge on the United States District Court for the Southern District of New York at the urging of Senator Robert F. Kennedy of New York, a Democrat, and with the support of Senator Jacob K. Javits, a Republican. The opposition of Southern senators like James O. Eastland, a Mississippi Democrat, was beaten back, and her appointment was confirmed. She became chief judge of the district in 1982 and senior judge in 1986.

Constance Baker was born on Sept. 14, 1921, in New Haven, the ninth of 12 children. Her parents came from the tiny Caribbean island Nevis at the beginning of the 20th century.

Her father worked as a chef for various Yale University student organizations, including Skull and Bones. She attended local schools in what was then an overwhelmingly white community.

One of her first experiences with discrimination came at 15, when she was turned away from a public beach because she was black.

She read books dealing with black history and became president of the local N.A.A.C.P. youth council. She decided that she wanted to be a lawyer, but her family lacked money to send their many children to college. After high school, she struggled to earn a living as a domestic worker.

When she was 18, she made a speech at local African-American social center that was heard by Clarence W. Blakeslee, a white businessman and philanthropist who sponsored the center. He was impressed and offered to finance her education.

She decided to attend Fisk University, a black college in Nashville, partly because she had never been to the South. In Nashville, she encountered a rigidly segregated society, and brought her parents a poignant souvenir: a sign that read "Colored Only."

After a year and a half at Fisk, she transferred to New York University. After graduation in 1943, she entered Columbia Law School, where she began to work as a volunteer at the N.A.A.C.P.'s Legal Defense and Education Fund, an affiliate of the National Organization for the Advancement of Colored People that Mr. Marshall and his mentor, Charles Houston, had created in 1939.

After she graduated in 1946, she began to work full time for the civil rights group at a salary of \$50 a week. She

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worked first on housing cases, fighting to break the restrictive covenants that barred blacks from white neighborhoods.

Also in 1946, she married Joel Wilson Motley Jr., a New York real estate broker. He survives her, as does their son, Joel III, who lives in Scarborough, N.Y.; three grandchildren; her brother Edmund Baker of Florida; and her sisters Edna Carnegie, Eunice Royster and Marian Green, all of New Haven.

Mr. Marshall had no qualms about sending her into the tensest racial terrain, precisely because she was a woman. She said she believed that was why she was assigned to the Meredith case in 1961.

"Thurgood says that the only people who are safe in the South are the women -- white and Negro," she said in an interview with Pictorial Living, the magazine of The New York Journal-American, in 1965. "I don't know how he's got that figured. But, so far, I've never been subjected to any violence."

Mr. Meredith's admission to the University of Mississippi in September 1962 was a major victory for the civil rights movement. Mrs. Motley worked on the case for 18 months before Mr. Meredith's name was even seen in the papers.

She made 22 trips to Mississippi as the case dragged on. Judge Motley once called the day Mr. Meredith accepted his diploma in 1963 the most thrilling in her life.

She said her greatest professional satisfaction came with the reinstatement of 1,100 black children in Birmingham who had been expelled for taking part in street demonstrations in the spring of 1963.

In February 1964, Mrs. Motley's high-level civil rights profile drew her into politics. A Democratic State Senate candidate from the Upper West Side was ruled off the ballot because of an election-law technicality. She accepted the nomination on the condition that it would not interfere with her N.A.A.C.P. work and handily defeated a Republican to become the first black woman elected to the State Senate. She was re-elected that November.

She remained in the job until February 1965, when she was chosen by unanimous vote of the City Council to fill a one-year vacancy as Manhattan borough president. In citywide elections nine months later, she was re-elected to a full four-year term with the endorsement of the Democratic, Republican and Liberal Parties.

As borough president, she drew up a seven-point program for the revitalization of Harlem and East Harlem, securing \$700,000 to plan for those and other underprivileged areas of the city.

After becoming a federal judge in 1966, Judge Motley ruled in many cases, but her decisions often reflected her past. She decided on behalf of welfare recipients, low-income Medicaid patients and a prisoner who claimed to have been unconstitutionally punished by 372 days of solitary confinement, whom she awarded damages.

She continued to try cases after she took senior status. Her hope as a judge was that she would change the world for the better, she said.

"The work I'm doing now will affect people's lives intimately," she said in an interview with The New York Times in 1977, "it may even change them."

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CORRECTION-DATE: October 5, 2005

CORRECTION: An obituary on Thursday about Constance Baker Motley, the first black woman to serve as a federal judge, misstated the given name of her surviving brother and the means by which she was named to fill a vacancy as Manhattan borough president. Her brother is Edward Baker, not Edmund; she took office by a unanimous vote of the City Council members from Manhattan, not of the Council as a whole. The article also misstated part of the name of the civil rights organization that was then the parent of the Legal Defense and Educational Fund, for which Judge Motley began volunteer work in 1943. It is the National Association for the Advancement of Colored People -- not National Organization.

GRAPHIC: Photo: Mayor Robert F. Wagner swore in Constance Baker Motley as Manhattan borough president in 1965. (Photo by Edward Hausner/The New York Times)

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