No. 12-96

IN THE

Supreme Court of the United States

SHELBY COUNTY, ALABAMA,
Petitioner,

v.

ERIC H. HOLDER, JR., ATTORNEY GENERAL, *et al.*,
Respondents

On Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

BRIEF FOR THE VETERANS OF THE MISSISSIPPI CIVIL RIGHTS MOVEMENT AS *AMICUS CURIAE* IN SUPPORT OF RESPONDENTS AND INTERVENOR-RESPONDENTS

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WILSON-EPES PRINTING CO., INC. – (202) 789-0096 – WASHINGTON, D. C. 20002

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INTEREST OF *AMICUS CURIAE*

Amicus Curiae, Veterans of the Mississippi Civil Rights Movement, Inc. ("Veterans"), is a Not-For-Profit organization with the mission of documenting and telling the stories of Civil Rights Veterans to empower the next generation to continue the quest for freedom, justice and equality.[1] We are part of a long and continuing campaign to fulfill the promise of the 13th 14th and 15th amendments to our Constitution that all the people of the United States would be full partners in our national democracy and given the respect and political voice that democratic citizens are due. Years ago, before passage of the Voting Rights Act of 1965, when many of us were barely out of our teens, we worked through such institutions as the Student Nonviolent Coordinating Committee (SNCC), the Congress for Racial Equality (CORE), the National Organization for the Advancement of Colored People (NAACP), the Council of Federated Organizations (COFO), the Mississippi Freedom Democratic Party (MFDP), and Freedom Schools throughout the Deep South to help register disenfranchised African-American citizens in Mississippi and other Southern states. The work was difficult and dangerous and some of our number were assassinated trying to carry it out, but it helped bring about enactment of the Voting Rights Act.

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[1] Pursuant to Supreme Court Rule 37, this brief is filed with the written consent of all parties. The parties' consent letters are on file with the Court. This brief has not been authored, either in whole or in part, by counsel for any party, and no person or entity, other than *amicus curiae* or their counsel has made a monetary contribution to the preparation or submission of this brief.

Our stories as veterans of the movement are as diverse as our races, religions, economic backgrounds, and ancestral origins. Some of our ancestors were slaves and sharecroppers.[2] Some of our ancestors were immigrants escaping oppression elsewhere in the world. Some of us are children of the Deep South whose lives were touched by lynchings and other forms of racial terror. Some of us traveled to the Deep South as students inspired by civil rights protesters' brave claims of the right to occupy public spaces, to register and vote and to take their civic roles as people of the United States. The common thread that runs through our lives is a desire to "provide leadership in the ongoing pursuit of human rights." In that spirit we urge the Court to affirm the decision of the United States Court of Appeals for the District of Columbia Circuit and uphold the constitutionality of Section 5 of the Voting Rights Act of 1965.

SUMMARY OF ARGUMENT

The original framers of our Constitution committed federal power to protect "[t]he right to traffic in [human property] as if it were an ordinary article of merchandise." *Dred Scott v. Sanford*, 60 U.S. 393, 451-52 1856). We fought the Civil War to transform the federal government from a guardian of human property to a protector of human freedom. *See Ex parte Virginia*, 100 U.S. 339, 344-45 (1879). *Dred*

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[2] Selected biographical sketches of the veterans are reproduced in the Appendix at the conclusion of this brief and are available in the form of video recordings at http://www1.law.nyu.edu/davisp/neglectedvoices/index.html. A complete archive of their stories stories have been collected in an Oral History Project at http://www.mscivilrightsveterans.com/oralhistory.html.

Scott's exclusionary description of our national family was fully repudiated by the Civil War Amendments. Never in our reconstructed nation will people of African descent—or people of any description—stand without rights that the Nation is bound to respect and enforce.

In a vast, complex and diverse nation, it is inevitable that factions will seek to suppress the political and civic expression of groups that have—or appear to have—opposing interests. Since the Civil War, the federal government has been empowered to counter this dangerous tendency and assure all Americans full access to the political process.

Petitioners and its supporting *amici* argue that for the sake of state sovereignty, this Court should retreat from its repeated constitutional endorsements of the Voting Rights Act of 1965 and its longstanding role in protecting voting rights for all Americans. The Court has appropriately struggled to honor both its function in policing the boundaries of federal power and its fundamental duty as guarantor of the dignity and public roles of national citizens. Petitioner's claims elevate deference to states' rights over careful respect for the role of the federal government in protecting the dignity and political voice of all Americans. We did not spill "the precious blood" of our people, nor waste "the hard-earned substance of millions" just so that "the governments of the individual States might enjoy a certain extent of power, and be arrayed with certain dignities and attributes of sovereignty." The Federalist No. 45, at 289 (James Madison) (Clinton Rossiter ed., 1961). We did so in the cause of human freedom.

ARGUMENT

I. EVERY PERSON AND EVERY GROUP WITHIN OUR NATIONAL FAMILY DESERVES FEDERAL PROTECTION AGAINST THE SUPPRESSION OF POLITICAL VOICE

In *Dred Scott v. Sandford*, this Court ruled that Congress lacked the power to outlaw slavery and declared that "the Constitution brought into existence" "a political family," from which African Americans were excluded. 60 U.S. 393, 406 (1857).

The Reconstruction Amendments repudiated *Dred Scott*'s doctrine of an exclusive political family. These Amendments broadened our definition of the American political family, deepened our understanding of federal citizenship, and changed the relationship between the federal and state governments. In this reconstructed national family every person, and every group, has the right to participate fully in civic and political life. Congress has the power—and the duty—to protect these basic rights and liberties.

Taken as a whole, the Reconstruction Amendments opened the doors of political and civic life to all the Nation's people and made the federal judiciary a guardian of freedom. The story of post-Reconstruction jurisprudence is the story of the federal government in general and this Court in particular standing time and time again to protect the rights of a free, democratic people. Notwithstanding its respect for state sovereignty, this Court has struck down state laws that posed undue

infringements on liberty (*Meyer v. Nebraska*, 262 U.S. 390 (1923); *Pierce v. Society of Sisters*, 268 U.S. 510 (1925)); compelled social subjugation (*Brown v. Board of Education*, 347 U.S. 483 (1954)); infringed an individual's right of intimate association (*Loving v. Virginia*, 388 U.S. 1 (1967)), or prevented full access to the democratic process (*Louisiana v. United States*, 380 U.S. 145 (1965); *United States v. Mississippi*, 380 U.S. 128 (1965)). Three years after *Brown*, when nine children attempted to exercise their right to equal public education in Little Rock Central High School, and when the Governor of Arkansas deployed the Arkansas National Guard to block the schoolhouse door, it was the federal government that escorted them to school. In *Boynton v. Virginia*, 364 U.S. 459 (1960), *Peterson v. City of Greenville*, 373 U.S. (1963), and *Garner v. Louisiana*, 368 U.S. 157 (1961), this Court protected our rights as free citizens to be accommodated in public spaces without fear of eviction and prosecution by state officials. In *United States v. Price*, 383 U.S. 787 (1966), this Court affirmed the federal government's power to prosecute Mississippi men who murdered three of our number for exercising their rights under the Fourteenth and Fifteenth Amendments.

These events merely confirmed what Justice Strong long ago explained in *Ex parte Virginia*, that the Reconstruction Amendments "were intended to be, what they really are, limitations of the power of the States and enlargements of the power of Congress." 100 U.S. 339, 345 (1879).

A central question in this case is whether Section 5 of the Voting Rights Act gives the federal government inordinate power *vis a vis* its state and local constituent governments. We who have fought to define

and strengthen our rights as citizens of the Nation urge the utmost care in deciding this important question of state versus federal rights.

II. HEALTHY FEDERALISM REQUIRES A DELICATE BALANCE OF POWERS RATHER THAN REFLEXIVE OPPOSITION TO FEDERAL OVERSIGHT

In the mythology of our constitutional origin, the Framers, having cast off Britain's oppressive monarchy, were wary of the tyranny of centralized power and thus saw the federal government as a necessary evil—an ever-present threat to liberty that, if not restrained, would trample the rights and liberties of the People. But to understand federalism as a principle that begins and ends with limiting federal power sacrifices complicated truth for deceptive coherence.[3] The messy truth is not simply that powers which "'concern the lives, liberties and properties of the people' [should be] held by governments more local and more accountable than a distant federal bureaucracy." The Federalist No. 45, at 293 (J. Madison). American federalism properly understood is an on-going effort to reconcile the ambiguous and conflicting principles upon which this Nation was founded. It is an effort to achieve the strength of unity without sacrificing liberty and difference and to turn our collective and diversified strengths to the service of the People.

The Federalist Papers, which often serve as the authoritative source for the narrative of limited federal power, were published at a time when leaders of the early Republic struggled to assert an identity distinct from the British system they had so recently

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[3] Janet Malcolm, *The Crime of Sheila McGough*, 3-4 (New York: Alfred A. Knopf, 1999).

rejected. These documents were never intended to be the definitive expression of the Framers' original intent, but were instead part of an effort to garner political support for constitutional ratification by quelling anti-federalist fears that the Congress would be an oligarchy and the President a king. *See* Federalist Papers No. 84, A. Hamilton; Debates of the Federal Convention of 1787, Notes of J. Madison. But even though they are political discourse rather than doctrine, the Federalist Papers show plainly that the Framers did not believe that limiting Federal power and broadening State power were invariably necessary to protect the interests of the People.

Alexander Hamilton's support of strong central government is documented in his contributions to the Federalist Papers and to the Federal Convention of 1787, where he proposed an exclusively national government. *Id*. Specifically, Hamilton believed that "there is no absolute rule on the subject" of balancing federal and state power, and that efforts to prove such a rule were "the cause of incurable disorder and imbecility in the government." Federalist Papers No. 9 at 53, (A. Hamilton).

James Madison, for his part, was chiefly concerned with the liberty of the People. As he explained: "Were the Union itself inconsistent with the public happiness, it would be, Abolish the Union. In like manner, as far as the sovereignty of the States cannot be reconciled to the happiness of the people, the voice of every good citizen must be, Let the former be sacrificed to the latter." Federalist Papers No. 45, at 229 (J. Madison). He therefore expressed dismay that the sovereignty of the States would be seen as an end in itself:

> Was, then, the American Revolution effected, was the American Confederacy formed, was the precious blood of thousands spilt, and the hard-earned substance of millions lavished, not that the people of America should enjoy peace, liberty, and safety, but that the government of the individual States, that particular municipal establishments, might enjoy a certain extent of power, and be arrayed with certain dignities and attributes of sovereignty? . . . It is too early for politicians to presume on our forgetting that the public good, the real welfare of the great body of the people, is the supreme object to be pursued; and that no form of government whatever has any other value than as it may be fitted for the attainment of this object.

Federalist Papers No. 45, at 288-89 (J. Madison).

The notion that state sovereignty is a virtue for its own sake, even when it prevents the federal government from acting in the defense of liberty, is inconsistent with our nation's story. The Founders may have had reason to fear concentrated federal power, but they were equally mindful of the dangers of a too assiduous protection of states' rights. Thus, where, as here, Congress makes a reasonable judgment that it is acting in defense of individual liberty and equality it should fall to those who would challenge Congressional authority to explain why and how limiting federal power will serve the cause of human liberty.

III. THE NEED FOR FEDERAL PROTECTION AGAINST VOTER SUPPRESSION IS NEITHER TEMPORARY NOR EXTRAORDINARY BUT NECESSARY TO GUARD AGAINST THE PERPETUAL TENDENCY OF "POLITICAL FACTIONS" TO EXCLUDE REAL OR PERCEIVED "MINORITIES" FROM OUR NATIONAL POLITICAL FAMILY

The founders of this Republic would have shared our understanding, as civil rights activists, of the need for federal protection of meaningful political participation by all members of the national family. James Madison identified the "propensity" of democratic governments to the "dangerous vice" of political factions, and the problem that "measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority." The Federalist No. 10, at 49 (James Madison). These problems, Madison contended, are inherent in republican government, as they are "sown in the nature of man." *Id*. at 50, 54. Madison's solution was a republican form of government in which "[t]he influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States." *Id*. at 54. The sober judgment of a nation must at times stand against more selfish local passions. The civil rights movement has consistently relied—and insisted—on national protections against factious suppression of political participation by any group within the American family.

For a brief shining moment following the conclusion of the Civil War, the federal government assured that African-American citizens of former

confederate states would have full access to the political process. *See generally* Eric Foner, *Reconstruction: America's Unfinished Revolution: 1863-1877* (1988). "The Census of 1870 showed that African Americans made up a majority of the population in three of the former Confederate states, Louisiana, Mississippi, and South Carolina. They were over 40% in Alabama, Florida, Georgia, and Virginia; and more than a third in North Carolina. In no former confederate state were African Americans less than a quarter of the population." *See* Gabriel J. Chin & Randy Wagner, *The Tyranny of the Minority: Jim Crow and the Counter-Majoritarian Difficulty*, 43 Harv. C.R.-C.L. L. Rev. 65, 89 (2008). This translated into political power: In states such as Louisiana, Mississippi, and South Carolina, African-Americans outnumbered whites in voter registration. *Id*. In others, such as Alabama and Georgia, African-Americans constituted nearly forty percent of registered voters. *Id*.; *see also* Peggy Cooper Davis, *Contested Images of Family Values: The Role of the State*, 107 Harv. L. Rev. 1348, 1357-58 (1993-94). As Professor Foner, the foremost historian on Reconstruction, has shown, "[b]y the early 1870s, biracial democratic government, something unknown in American history, was functioning effectively in many parts of the South, and men only recently released from bondage were exercising genuine political power." Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction 129* (2006).

This ended with the withdrawal of federal power. Between 1890 and 1908, every former confederate state adopted a number of voter suppression methods, including poll taxes, literacy tests, property requirements for municipal voters, and outright violence by the Ku Klux Klan and other

vigilante groups. *See* William Gillette, *Retreat From Reconstruction: 1869-1879*, xiii (1979). And, by 1880, blacks had been stripped of virtually all the state and federal political power they had achieved during Reconstruction. *See* J. Morgan Kousser, *Colorblind Injustice: Minority Voting Rights and the Undoing of the Second Reconstruction 322* (1999).

In the face of post-Reconstruction hostility to universal franchise, this Court struggled between its legitimate role in policing the boundaries of federal power and its fundamental duty as guarantor of the dignity and public roles of national citizens.

At times, the Court has believed itself lacking in the requisite grant of constitutional or statutory power to stop what were plainly attempts by state officials to deny the political franchise to African-Americans. *See e.g., United States v. Reese*, 92 U.S. 214, 218 (1875) (holding that Congress lacked the power under the Fifteenth Amendment to require state election officials to count the ballots of all qualified voters); *United States v. Cruikshank*, 92 U.S. 542 (1876) (finding that the Fourteenth Amendment did not provide federal authority to indict of a mob of private citizens for the killing of freedmen in the disputed 1872 Louisiana elections); *Giles v. Harris*, 189 U.S. 475 (1903) and *Giles v. Teasley*, 193 U.S. 146 (1904) (upholding good character clauses); *Love v. Griffith*, 266 U.S. 32 (1924) and *Grovey v. Townsend*, 295 U.S. 45, 55 (1935) (declining to outlaw white primaries); *Lassiter v. Northampton Cnty Bd.*

of Elections, 360 U.S. 45, 51 (1959) (upholding the constitutionality of literacy tests).[4]

But at its best, in the years between Reconstruction and passage of the Voting Rights Act of 1965, this Court refused to permit claims of state sovereignty to trump demands for full national citizenship. Ten years after ratification of the Fifteenth Amendment, the Court made it clear that the Amendment rendered inoperative provisions in any existing state constitution that explicitly limited the right to vote to whites. *Neal v. Delaware*, 103 U.S. 370 (1880). Then, little by little, and step by step, but inexorably and relentlessly, the Court cast aside state policies and practices designed "to thwart equality in the enjoyment of the right to vote by citizens of the United States regardless of race or color." Thus, the court outlawed grandfather clauses and held state officials civilly liable for enforcing them, *Guinn v. United States*, 238 U.S. 355, 360 (1915), *Myers v. Anderson*, 238 U.S. 368, 383 (1915), and *Lane v. Wilson*, 307 U.S. 268, 269 (1930); it invalidated de jure and de facto white primaries, *see Nixon v. Herndon* 273 U.S. 536, 541 (1927); *Nixon v. Condon*, 286 U.S. 73, 82 (1932), *Smith v. Allwright*, 321 U.S. 649 (1944) and *Terry v. Adams*, 345 U.S 461, 476 (1953); and it held racial gerrymandering unconstitutional, *Gomillion v. Lightfoot*, 364 U.S. 339, 341 (1960).

In those years, what the Court learned was that, as soon as it struck down one method of voter suppression, states would quickly respond with

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[4] *See also generally* Robert M. Goldman, *Reconstruction and Black Suffrage: Losing The Vote In Reese And Cruikshank* (University Press of Kansas 2001).

"schemes intended to emasculate constitutional provisions or circumvent [the Court's] constitutional decisions." *Harrison v. NAACP*, 360 U.S. 167, 182 (1959) (Douglas, J., dissenting). Decisions such as *Neal v. Delaware*, *Guinn v. United States*, *Myers v. Anderson*, *Lane v. Wilson*, *Nixon v. Herndon*, *Nixon v. Condon*, *Smith v. Allwright*, *Terry v. Adams*, and *Gomillion v. Lightfoot*, show, if nothing else, that this Court's own precedent served as the jurisprudential justification for the Voting Rights Act. For if, as Chief Justice Roberts explained barely four years ago, the Voting Rights Act is grounded in a judgment by Congress that it needed to have preemptive measures "[r]ather than continuing to depend on case-by-case litigation," it was in no small part the work of this Court between 1915 and 1964 that provided the incontrovertible evidence that nothing short of a permanent federal presence would ever be a sufficient corrective to the "dangerous vice" of political factions.

CONCLUSION

The story of the Voting Rights Act of 1965 in general and Section 5 of the Act in particular is not, as petitioners would have it, an extraordinary departure and temporary diversion from federalism principles, requiring the Court, in the name of state sovereignty, to step back from its historic role in defending voting rights.

Rather, it is the story of Congress discharging its duties under its Reconstruction powers to protect the basic rights and liberties of every person and every group in our national family to participate fully in civic and political life. It is also the story of this Court's continuing struggle to honor both its function in policing the boundaries of federal power and its

fundamental duty as guarantor of the dignity and public roles of national citizens.

And, not least of all, it is the story of young men and women who, in the teeth of violence and terror and sometimes at the price of their own lives, made sure our Nation would honor the dignity and political voice of all Americans. They were determined "to make [freedom] happen," believing that "insofar as they can make it real for themselves, they will make it real for all of us."[5] Though today some may have been "made weak by time and fate,"[6] these veterans and their work, past and present, remain vital testimony to the continuing need for the Voting Rights Act of 1965 and its Section 5 preclearance provisions.

Respectfully submitted,

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February 1, 2013

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[5] James Baldwin, *They Can't Turn Back*, collected in *The Price of the Ticket* 228 (St. Martin's Press 1985).

[6] Alfred Lord Tennyson, *Ulysses*, in *The Poems of Tennyson*, 560, 562-66 (Christopher Ricks ed., Longmans, Green & Co. Ltd. 1969).

APPENDIX

APPENDIX

Description of *Amicus Curiae*

Amicus Curiae, the Veterans of the Mississippi Civil Rights Movement, is a large organization with a membership crossing state lines, and religious, educational, professional and economic backgrounds. Some of their stories have been collected in an Oral History Project at http://www.mscivilrightsveterans.com/oral-history.html, and http://www1.law.nyu.edu/davisp/neglectedvoices/index.html. While a full accounting of their membership cannot be usefully catalogued in this brief, the selected sample below is representative of the diversity of their membership, the sacrifices they made in helping all Americans gain meaningful access to the political process, and their continuing commitment to the cause of human freedom:

Hollis Watkins is the great-grandson of an African slave on his father's side and a Choctaw Native American and White Jewish plantation owner on his mother's side. Now the Chair of the Veterans, Mr. Watkins began his voting rights work as a seventeen-year old member of the youth chapter of the NAACP. At nineteen he became a Mississippi field secretary for SNCC with the responsibility of going door to door throughout the state to register African-Americans to vote. For that he was arrested and sent to work on a chain gang. He was then transferred to the State Penitentiary where he was locked in the maximum security death row unit. For singing freedom songs, he was placed in solitary confinement, a six by six foot concrete box called "the hole" where the only access to air was the small crack between the bottom of the door and the floor. A native of Mississippi, Mr. Watkins has lived in the state all his life and today

continues to work on behalf for equal rights for all Americans.

Jesse Harris' ancestors came from the Bahamas, where his grandfather worked on a plantation before immigrating to South Carolina, and Mississippi, where his grandmother grew up on a Choctaw Reservation. The year Harris turned seventeen, a local white mob lynched Mack Charles Parker, a twenty-three year old Black man, accused but not tried or convicted of sexually assaulting a white woman. Two years later, Harris joined the Freedom Rides when they arrived in Jackson, Mississippi. He was arrested and sent to the Mississippi State Penitentiary. There, he recalls, his education began. His cellmates were James Farmer, a co-founder of CORE, James Lawson, an early adherent of Gandhi and non-violent protest, and James Bevel, a member of SNCC. He remembers listening to and learning from these activists and, even though in prison, feeling for the first time in his life like a free man. On his release, he became a field secretary for SNCC, working on voter registration in Mississippi and organizing direct protests to desegregate public accommodations in Jackson, Mississippi.

Robert (Bob) Moses' paternal grandparents, William Henry Moses and Julia Trent Moses, met while students at Virginia Seminary late in the 19th century. William was a former officer in General Robert E. Lee's army of Northern Virginia who, in time, would become a Vice President of the National Baptist Convention and a supporter of Marcus Garvey. Moses's maternal grandmother was raised in Richmond, Virginia, and traces her family to a slave plantation in Richmond where her grandfather appears as an item of property on the will of the

plantation owner. Moses was raised in Harlem. He attended public schools in New York and earned his Bachelor's degree at Hamilton College in 1956, and his Master's in Philosophy at Harvard University in 1957. In 1958, Moses was working as a math teacher in New York when the sit-ins broke out in the Deep South. Fascinated, that April he visited Virginia to experience the sit-in movement first hand. He marched with Hampton students to Newport News and then worked in Harlem to gather support for Dr. Martin Luther King, Jr. Bayard Rustin, who eventually would organize the 1963 March on Washington, sent Moses to work with Ella Baker of SCLC in Atlanta. In the SCLC Atlanta office Moses discovered SNCC and began a SNCC scouting trip through Alabama, Mississippi and Louisiana. In Mississippi, Moses met Amzie Moore, president of the Cleveland, Mississippi NAACP, who aid out the concept of student-led voter registration organizing among Blacks of the Mississippi Delta. Moses spent the next four years working on the "SNCC/Amzie Moore" voter registration strategy. These days, Moses applies the lessons learned in the Mississippi voter registration work to establish math as an indispensable aspect of twenty-first century literacy for the nation's students

Owen Herman Brooks was born in 1928 in New York City of parents who emigrated from Jamaica. His family moved to Boston, Massachusetts, where he began his political education working on the municipal campaign of Edward Brooks, who would in time serve as a the first African-American in the United States Senate since Reconstruction. He recalls his first journey south in 1951, chartering an integrated bus to drive to Richmond, Virginia to observe the trial of the so-called Martinsville Seven,

a group of young African-American men who were tried, convicted, and executed for the alleged gang rape of a white woman. He came to Mississippi for the first time in 1964. That year, the National Council of Churches, an ecumenical partnership of Christian faith groups, formed the Delta Ministry to hold grassroots training of black sharecroppers in Mississippi on the importance of voting and political activism. Brooks became a field representative of the Ministry in 1965 and has remained in the state to the present day working on political empowerment of disenfranchised groups.

Ellen Lake's ancestors were Jews; some came from Germany while others fled Eastern Europe at the turn of the 20th century to escape anti-Jewish pogroms and forced draft into the Tsar's army. Her family settled in New York City. Her first involvement with civil rights work came as a high school student when she picketed a landlord in Rye, New York who would not rent to blacks. In 1964, after her sophomore year in college, she travelled to Mississippi for Freedom Summer, where she worked on voter registration. The following summer, she co-founded *The Southern Courier*, a weekly civil rights newspaper in Alabama. After Lake went south for Freedom Summer, her father became the treasurer of the local Friends of the Mississippi Freedom summer while her mother wrote letters to her congressmen, senators, and the Justice Department, demanding protection for the volunteers and local civil rights activists.

Willie Edward Blue is a native of Charleston, Mississippi, whose grand-parents worked as share-croppers on a plantation in Louisiana. Growing up, he recalls two neighbors being run of town, their

houses burned and their lands seized for trying to organize a local chapter of the NAACP for Tallahatchie County. After discharge from the United States Navy in 1963, he returned to Charleston, planning to use his veteran benefits to spend time home before college. However, at the time Mississippi vagrancy laws required that he be employed or deemed a vagrant and subject to arrest and imprisonment. The only employment open to a young Black man was work in cotton fields, so, he hitchhiked to Greenwood, Mississippi, where he joined the local SNCC office, first as a volunteer and then as a staff member in the organization's voter registration campaign. Like many of his colleagues, he suffered jailings and beatings, the physical scars of which he carries to this day. And, like many of his colleagues, he recalls back in those days of protests turning to the Federal Bureau of Investigation and other federal agencies for protection, only to be told that it was not the place of the federal government to interfere with state business.

Doctor Leslie Burl McLemore was born in 1940 in Walls, Mississippi. He obtained a Bachelor's Degree from Rust College, a Master's Degree in Political Science from Atlanta (now Clark) University and a Ph.D in government from the University of Massachusetts at Amherst. After a post-doctoral fellowship at John Hopkins University, he joined the faculty at Jackson State University. Since his retirement from Jackson State as Professor Emeritus in Political Science, Dr. McLemore has served as Director of the Fannie Lou Hamer National Institute on Citizenship and Democracy. Founded in 1997 and named after a pioneer of the civil rights movement, the Institute works with local school boards, colleges, state agencies and national organizations to promote

civic engagement and popular sovereignty. Dr. McLemore began his civil rights work as a student in 1961 when he helped organize protests to integrate the lone movie theater and lunch counter in Hollis Springs, Mississippi. Rather than integrate, the movie theater closed down, while the drug store removed all seating at its lunch counter. He helped found a local branch of the NAACP at his college. Approximately a year before he would be assassinated in his driveway, Medgar Evers installed Dr. McLemore as an officer of the local NAACP. Dr. McLemore's grandfather was one of the first African-American men to own land in Walls, Mississippi, but he was not permitted to vote. Today, Dr. McLemore continues his civil rights work through the Fannie Lou Hamer Institute.