

TWO TRAILBLAZERS:  
ANN CLAIRE WILLIAMS  
(LEFT) WITH HER JUDICIAL  
HERO, CONSTANCE BAKER  
MOTLEY, IN 2004. PHOTO  
COURTESY OF ANN CLAIRE  
WILLIAMS.

# She Lifted Her Voice

**ALTHOUGH SHE LOVED MUSIC, SHE COULD NOT SING.** She was such a bad singer that, as a little girl growing up in New Haven, she was asked to leave the choir. Judge Constance Baker Motley could not carry a tune, but she spent her life singing songs of equal justice in perfect harmony.

When I reflect on Judge Motley's incredible life, I think not of her singing voice, but of the commanding voice that resonated in depth, strength, and precision in courthouses throughout America, in the New York Senate, in the Manhattan Borough, and in her own courtroom. Thousands of us celebrated her distinctive voice in a memorial service for her 14 years ago. The celebration of her life opened with a song she loved, *Lift Every Voice and Sing*.

James Weldon Johnson wrote *Lift Every Voice and Sing* as a poem, and his brother, John Rosamond Johnson, set it to music. The song was first performed

at a segregated school on February 12, 1900, by 500 children celebrating the anniversary of President Abraham Lincoln's birth. The song's lyrics, which we sang together in the iconic Riverside Church in New York City as we celebrated my friend and mentor, begin:

*Lift every voice and sing  
Till earth and heaven ring,  
Ring with the harmonies of Liberty;  
Let our rejoicing rise  
High as the list'ning skies,  
Let it resound loud as the rolling sea.  
Sing a song full of the faith that the  
dark past has taught us,  
Sing a song full of the hope that the  
present has brought us;*

*Facing the rising sun of our new day  
begun*

*Let us march on till victory is won.*

Constance Baker Motley's voice rang with the harmonies of liberty and justice. Because Constance Baker Motley lifted her voice and sang, African Americans, persons of color, women — indeed, all Americans — have a voice. We are all the beneficiaries of her great civil rights and judicial legacy.

**I FIRST HEARD JUDGE MOTLEY'S VOICE IN PERSON IN 1989.** She was one of my idols as a young girl, and I loved reading about her in *Jet* magazine as a teenager and college student. ►

**CONSTANCE BAKER MOTLEY** (1921–2005)  
U.S. DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

*By Ann Claire Williams*

Reading about Judge Motley and her mentor, Thurgood Marshall, had, in part, inspired me to go to law school.

When I met Judge Motley for the first time at a judicial conference 30 years ago, I had only been on the district court a few years. Judge James “Skiz” Watson, whose seat she took in the New York State Senate, introduced us. I could barely speak. I was in awe. I had never imagined that I would be face to face with this legal giant when I was curled up on my parents’ couch reading *Jet* magazine. Judge Motley asked me a question, and I managed a short answer. Sensing that I was a little intimidated, she asked me about my parents and my family, and I began to feel more at ease. Despite her insistence, it still took me several years before I could call her “Connie.”

Judge Motley’s ability to make others feel at ease was one of her many strengths. She was a person of compassion, kindness, and thoughtfulness. She connected with people from all walks of life, from cleaning people to Supreme Court justices and presidents. She learned as a teenager the importance of compassion and developed then a belief that one committed person can make a difference in the world. Indeed, Clarence Blakeslee, a wealthy white New Haven businessman, changed her world. Blakeslee fully funded her undergraduate and law school education after hearing Connie speak on an important community issue as a teenager and learning that she did not have the money to attend college. Connie lifted her voice with compassion and commitment throughout her legal, political, and judicial careers, and she undoubtedly made a difference.

I first heard Connie tell her story at the first Just The Beginning conference in 1992. The conference honored Judge

“The kind of person who would not be put down.” Those words have sustained me and many others who have walked through the federal courthouse doors she opened. Fifty-seven African-American women judges, 212 African-American judges, and 433 women judges have been confirmed since Connie took the bench in 1966.

James Benton Parsons as he retired from the federal district court in Chicago and celebrated the integration of the federal judiciary. Nominated by President John F. Kennedy in 1961, Judge Parsons was the first person of color to serve as a United States District Court judge.

In addition to Connie and James Parsons, legends, including Judges Leon Higginbotham, Nathaniel Jones, Damon Keith, and Skiz Watson, shared their stories at the conference. Most of the African-American federal judges in the country were present, along with hundreds of other judges, lawyers, and students. We were moved to tears as we heard the stories of incredible lives.

Connie took us back to Birmingham, Alabama, in the 1950s when, as the first female attorney at the NAACP Legal Defense Fund, she was counsel to Autherine Lucy in her struggle to become the first African-American student to attend the University of Alabama. Connie described her stay at civil rights attorney Arthur Shores’s home, which had been bombed several times. As she later recounted in her autobiography, *Equal Justice Under Law*:

When Thurgood and I arrived, the garage door was wide open. Inside were six or eight black men with shotguns and machine guns who had been guarding the house since the last bombing. It was the first time I had ever seen a real shotgun or machine gun. I had bought my son a toy shotgun for Christmas, so I knew what one looked like, but the real thing sent shivers up my spine. . . . When we went to court the next day, the driver of our car and one other man in the front passenger seat carried guns.<sup>1</sup>

Connie was also the lead attorney for James Meredith, who, in 1962, courageously became the first African American admitted to the University of Mississippi. Connie made 22 trips to Mississippi in connection with Meredith’s case alone, where she encountered opposition from the highest levels. Even after Supreme Court Justice Hugo Black issued an order prohibiting the university from blocking Meredith’s admission, the Mississippi governor declared on television that no school in Mississippi would be integrated while he was governor.



But Connie prevailed, and Meredith attended and graduated from the University of Mississippi. She later said that “[t]he *Meredith* case effectively put an end to massive resistance in the Deep South.”<sup>2</sup>

Many of the African-American judges in attendance at this conference were still the only judges of color serving in their districts, circuits, or states. We had all faced difficulties with colleagues, lawyers, or litigants. We each recognized that we were often held to a higher standard than other judges as we performed our duties.

While we may have faced challenges on the bench, when Connie lifted her voice, her life was on the line. Yet time and time again, she lifted her voice higher and higher, arguing cases in hostile towns, against hostile lawyers, and before hostile judges in the pursuit of equal justice.

**IN 1966, CONNIE BECAME THE FIRST WOMAN JUDGE OF COLOR TO SERVE ON THE FEDERAL BENCH**, one of many times in her career that she was a trailblazing “first.” She was a brilliant, fair jurist whose commitment to equal justice never faltered. She was also the first woman of color to become chief judge of a federal district court. And Connie led the district court with the most judges in the country, the Southern District of New York.

She still faced indignities. At a national judicial seminar, a fellow federal judge introduced her as simply having “served on the board of United Church Women and the board of trustees of the YWCA.” Former Supreme Court Justice Tom C. Clark, who was co-chairing the event, was so astonished that he took the microphone and proceeded to give a full account of the ten cases she had argued before him while he served on the Supreme

Court. Her voice, the voice of the first African-American woman to argue before the Supreme Court, won outright nine of the ten cases she argued there. In the one she lost, *Swain v. Alabama*, 380 U.S. 202 (1965), the prosecutor had struck all the African-American venirepersons in a county where no African American had served on a petit jury since about 1950. The Court ruled the petitioner had not met the burden for challenging the use of peremptory strikes as a violation of equal protection. The Supreme Court eventually overturned *Swain* in *Batson v. Kentucky*, 476 U.S. 79 (1986), so she really won ten out of ten cases.

One of my favorite stories about Connie has its roots in the then-traditional dinner at the Century Club in New York City following judges’ meetings in her district. The Century Club did not allow women above the ground floor. Yet she was able to attend the upstairs dinners at the club with her fellow judges, and she often brought flowers to brighten up the room. Sometime later she learned her fellow judges had figured out a way to get her upstairs. One of the judges told the club that Connie was their secretary and that her presence was necessary so she could take notes. That was technically true because the junior, most newly appointed judge was responsible for taking notes. And that was how she got upstairs.

In response to the many indignities she endured, Connie believed that one of the most critical lessons she learned from Thurgood Marshall was to laugh off most affronts. Her voice, in laughter and in humor, permeated her personality, and I learned from her example.

She similarly rebuffed those who actively discouraged her from studying law. As she said, “[I]t never deterred me. . . . [T]he effect was just the oppo-

site. I was the kind of person who would not be put down. I rejected the notion that my race or sex would bar my success in life.”<sup>3</sup>

“The kind of person who would not be put down.” Those words have sustained me and many others who have walked through the federal courthouse doors she opened. Fifty-seven African-American women judges, 212 African-American judges, and 433 women judges have been confirmed since Connie took the bench in 1966. Following her lead, we have tried not to let any “ism” keep us from pursuing our dreams or from taking on leadership positions in the judiciary or in our communities. Justice Sonia Sotomayor has said that she made a list of pros and cons when her name was mentioned as a potential Supreme Court justice. Although the list of cons was longer, she recalled the words of Connie, her former colleague: “When you have a chance to open the door for others, you don’t have a right to say no.”<sup>4</sup>

The rich history and storytelling at the conference in 1992 led to the creation of Just The Beginning—A Pipeline Organization, which is dedicated to developing and nurturing interest in the law among young students from groups underrepresented in the legal profession. Its pipeline programs, offered to all students free of charge, include middle school and high school Summer Legal Institutes, school-year programs, and law school support programs. Its Summer Judicial Internship Diversity Project places law students in summer internships with federal judges, and it coordinates the Share the Wealth federal clerkship referral program. The organization also holds conferences that bring together leaders committed to increasing diversity in the legal profession. ►

Connie attended the first four of Just The Beginning's 11 conferences until her health prevented her active participation. Her love of history and belief in education inspired us to create a high school curriculum featuring her and other judges of color as role models, as these judges are true American heroes for people of all races. We also celebrated Connie's iconic life and legacy at the 2016 Just The Beginning conference, the 50th anniversary of her appointment to the federal bench.

#### CONNIE'S LIFE LIFTED ALL SHE TOUCHED WITH HER UNIQUE VOICE.

She demonstrated that being a lawyer does not require leaving one's femininity at the courthouse steps. President Lyndon B. Johnson brought her to the White House in 1966 for what she thought was just a meeting. To her surprise, he nominated her for the bench. In describing that day, in addition to recounting the honor and thrill of the nomination, she said, "Fortunately, I had on my new Lord & Taylor hat and my favorite black dress."<sup>5</sup> She was a woman after my own heart.



**ANN CLAIRE WILLIAMS** served as a judge of the U.S. District Court for the Northern District of Illinois from 1985 to 1999 and of the U.S.

Court of Appeals for the Seventh Circuit from 1999 until her retirement in 2018. She was the first woman of color to serve as a district judge in the three-state Seventh Circuit and the first (and only) judge of color to sit on the U.S. Court of Appeals for the Seventh Circuit. She received the Devitt Award, the federal judiciary's highest honor, in 2010. She is now Of Counsel at Jones Day, where she leads the firm's efforts to advance the rule of law in Africa.

Connie also helped teach the proper balance between family and career. She cherished her dear husband Joel, a real estate broker in New York, who was unwavering in his support. They were married nearly 60 years, and their partnership was extraordinary. Unlike many men of his generation, Joel gladly took on the responsibility of caregiver for their son when Connie's work took her out of town for long periods, and he relished seeing Connie's light shine. Connie's love for her son, grandchildren, and family also knew no bounds. She believed firmly in knowing the foundation upon which one stands and in honoring those roots. Connie's parents had emigrated from Nevis, an island in the Caribbean. She took her son Joel there for the first time when he was a young boy, where they researched family history.

She also took her son to the March on Washington, and both her husband and son went south with her during her NAACP days. She took tremendous pride in her grandchildren and their accomplishments, and she was always telling me about their latest exploits. Her granddaughter is now a lawyer who graduated from law school at Yale, the very place where Connie's father worked as a chef for undergraduate student societies while Connie was growing up.

I was fortunate to visit Connie in Nevis with my daughter Claire during her freshman year in college. We sat on the porch, with Connie's distinctive voice resounding as clearly and forcefully as the rolling seas. We visited Connie's family's church and gravesites, and we met some of her many friends on the island. These friends included everyone from the

lady who sold her vegetables, to the woman who made a special vegetarian meal for me, to Justice Steven Breyer, his wife, and sister-in-law, whom we met on Sunshine Beach for lunch. There, as everywhere, I felt that I was in the presence of royalty when I was with Connie. Everyone held Connie in awe, and with good reason.

I had asked Claire to read *Equal Justice Under Law* on the plane to Nevis, which she did. In those evenings on the porch, Connie answered Claire's questions about her life, family, and career. Her voice sang a song of faith, hope, and light. It was a special time I will always treasure.

I think everyone Connie touched became part of her extended family. I feel blessed to be one of the many judges, law clerks, colleagues, neighbors, and friends that she supported, helped, and inspired to pursue individual dreams and to march on, till victory is won. During these challenging times for our country, I hope that we all will keep Judge Motley's voice and legacy alive in our hearts, minds, and actions. We must lift every voice and sing till earth and heaven ring, ring with the harmonies of liberty. Facing the rising sun of our new day begun, let us march on, till victory is won. We must march on, till victory is won.

<sup>1</sup> CONSTANCE BAKER MOTLEY, *EQUAL JUSTICE UNDER LAW: AN AUTOBIOGRAPHY* 123 (1998).

<sup>2</sup> *Id.* at 187.

<sup>3</sup> *Id.* at 41-42.

<sup>4</sup> Dave Eisenstadter, *At Amherst College, Supreme Court Justice Sonia Sotomayor encourages students to listen, work hard and be passionate*, AMHERST BULLETIN (Sept. 9, 2015), <https://www.amherstbulletin.com/Archives/2015/09/s11Am-Sotomayor-hg-090915>.

<sup>5</sup> MOTLEY, *supra* at 213.

*The views and opinions set forth herein are the personal views or opinions of the author; they do not necessarily reflect views or opinions of the law firm with which she is associated.*

Vinson&Elkins

V&E IS A PROUD  
SPONSOR OF  
*JUDICATURE*

As a global law firm, Vinson & Elkins handles disputes, transactions, investments, and projects for clients worldwide.

**Vinson & Elkins LLP Attorneys at Law**

Austin Beijing Dallas Dubai Hong Kong Houston London  
New York Richmond Riyadh San Francisco Tokyo Washington

[velaw.com](http://velaw.com)



**Pillsbury** is proud to support **Judicature** and its commitment to providing insight into the issues and ideas that are shaping the judiciary and the administration of justice.

**pillsbury**

Pillsbury Winthrop Shaw Pittman LLP  
31 West 52nd Street | New York, NY 10019 | 212.858.1000  
[pillsburylaw.com](http://pillsburylaw.com)