

Constance Baker Motley

New Haven, CT · New York · the federal bench, Southern District of New York

In Sixty Seconds

Origins. Constance Baker was born September 14, 1921, in New Haven, Connecticut, the ninth of twelve children of Rachel and Willoughby Baker, immigrants from the island of Nevis. Her father cooked for the Skull and Bones society at Yale. She finished New Haven High School near the top of her class in 1939 and could not afford college. She worked for two years until a local philanthropist who had heard her speak at a community meeting offered to pay her tuition.

Work. She graduated from New York University in 1943 and entered Columbia Law School, one of a handful of women in her class. She was hired by Thurgood Marshall at the NAACP Legal Defense and Educational Fund in 1945, before she had finished her degree. She worked at LDF for the next twenty years. She drafted the original complaint in *Brown v. Board of Education*. She argued ten cases before the Supreme Court and won nine.

Impact. In 1962 she argued *Meredith v. Fair* and forced the University of Mississippi to admit James Meredith, its first Black student. She argued trial and appellate cases that desegregated universities, lunch counters, interstate travel, and public accommodations across the South. In 1966 Lyndon Johnson nominated her to the U.S. District Court for the Southern District of New York. The Senate confirmed her after a seven-month delay. She was the first Black woman on the federal bench.

Legacy. She served on that court for thirty-nine years, the last twenty-three in active service and the remainder in senior status, until her death in 2005. In 1982 she became Chief Judge. The federal courthouse at 500 Pearl Street in Manhattan was renamed in her honor in 2021. Her rulings on prisoner civil rights, employment discrimination, and the First Amendment are still quoted in opinions issued by judges who were not yet born when she wrote them.

The Network

Thurgood Marshall

Mentor and boss at the NAACP Legal Defense Fund. Hired her as a law clerk in 1945 while she was still at Columbia and kept her on staff for twenty years. Trained her in the civil rights litigation strategy that produced *Brown v. Board of Education*. Later the first Black Justice of the U.S. Supreme Court.

Jack Greenberg

LDF colleague and successor. Succeeded Thurgood Marshall as Director-Counsel of the Legal Defense Fund in 1961 and ran the organization during Motley's most active Supreme Court years. Co-counsel with her on *Meredith v. Fair* and other desegregation cases.

Robert L. Carter

LDF colleague. Chief architect of the social-science brief in *Brown v. Board of Education*. Worked alongside Motley on trial and appellate strategy through the 1950s. Later a federal judge on the Southern District of New York himself.

James Meredith

Client. Air Force veteran whose 1961 application to the University of Mississippi she litigated through three levels of federal court. Admitted by federal marshals on October 1, 1962. Graduated in August 1963.

For Discussion

1. Motley argued ten Supreme Court cases and won nine. The one she lost, *Swain v. Alabama* in 1965, was effectively overturned twenty-one years later in *Batson v. Kentucky* using the standard her brief had argued for. What is the value of a losing brief that plants a doctrinal seed for later vindication, and how should a lawyer's track record account for that kind of delayed success?
2. Southern senators led by James Eastland held Motley's federal-judgeship nomination for seven months. What made the Southern bloc's resistance specifically focused on her, and how did Lyndon Johnson manage the confirmation path to the final vote?
3. When Mississippi moved to disqualify Motley as Meredith's counsel because she was not admitted to practice in the state, she sued for admission and won. Where else in American law has a jurisdiction used its bar-admission rules to exclude advocates from litigating within its borders, and what are the limits courts have placed on that exclusion?
4. Thurgood Marshall hired Motley at the NAACP Legal Defense Fund in 1945, before she had finished her degree. What does early institutional recognition of talent cost the hiring organization in short-term investment, and what does it return in long-term capacity?
5. The Judge Constance Baker Motley Federal Courthouse at 500 Pearl Street in Manhattan was renamed in 2021, sixteen years after her death. What forces produce the lag between a Black federal jurist's service and the public renaming of the space where she worked, and what should the response be when that renaming eventually comes?

Primary Sources

1. Motley, Constance Baker. *Equal Justice Under Law: An Autobiography*. Farrar, Straus and Giroux, 1998.
2. Brown-Nagin, Tomiko. *Civil Rights Queen: Constance Baker Motley and the Struggle for Equality*. Pantheon, 2022.
3. Ford, Gary L., Jr. *Constance Baker Motley: One Woman's Fight for Civil Rights and Equal Justice Under Law*. University of Alabama Press, 2018.
4. NAACP Legal Defense and Educational Fund. Archival records, 1945-1965. Library of Congress, Washington, D.C.



5. Federal Judicial Center. Constance Baker Motley oral history and biographical file. Washington, D.C.

