

SUPREME COURT OF THE UNITED STATES

Plessy v. Ferguson (No. 210)

163 U.S. 537

ERROR TO THE SUPREME COURT OF THE STATE OF LOUISIANA

No. 210 Argued: April 18, 1896 --- Decided: May 18, 1896

The statute of Louisiana, acts of 1890, c. 111, requiring railway companies carrying passengers in their coaches in that State, to provide equal, but separate, accommodations for the white and colored races, by providing two or more passenger coaches for each passenger train, or by dividing the passenger coaches by a partition so as to secure separate accommodations; and providing that no person shall be permitted to occupy seats in coaches other than the ones assigned to them, on account of the race they belong to; and requiring the officer of the passenger train to assign each passenger to the coach or compartment assigned for the race to which he or she belong; and imposing fines or imprisonment upon passengers insisting on going into a coach or compartment other than the one set aside for the race to which he or she belongs; and conferring upon officers of the train power to refuse to carry on the train passengers refusing to occupy the coach or compartment assigned to them, and exempting the railway company from liability for such refusal, are not in conflict with the provisions either of the **Thirteenth Amendment** or of the **Fourteenth Amendment** to the Constitution of the United States.

This was a petition for writs of prohibition and certiorari, originally filed in the Supreme Court of the State by Plessy, the plaintiff in error, against the Hon. John H. Ferguson, judge of the criminal District Court for the parish of Orleans, and setting forth in substance the following facts:

That petitioner was a citizen of the United States and a resident of the State of Louisiana, of mixed descent, in the proportion of seven eighths Caucasian and one eighth African blood; that the mixture of colored blood was not discernible in him, and that he was entitled to every recognition, right, privilege and immunity secured to the citizens of the United States of the white race by its Constitution and laws; that, on June 7, 1892, he engaged and paid for a first class passage on the East Louisiana Railway from New Orleans to Covington, in the same State, and thereupon entered a passenger train, and took possession of a vacant seat in a coach where passengers of the white race were accommodated; that such railroad company was incorporated by the laws of Louisiana as a common carrier, and was not authorized to distinguish between citizens according to their race. But, notwithstanding this, petitioner was required by the conductor, under penalty of ejection from said train and imprisonment, to vacate said coach and occupy another seat in a coach assigned by said company for persons not of the white race, and for no other reason than that petitioner was of the colored race; that, upon petitioner's refusal to comply with such order, he was, with the aid of a police officer, forcibly ejected from said coach and hurried off to and imprisoned in the parish jail of New Orleans, and there held to answer a charge made by such officer to the effect that he was guilty of having criminally violated an act of the General Assembly of the State, approved July 10, 1890, in such case made and provided.

That petitioner was subsequently brought before the recorder of the city for preliminary examination and committed for trial to the criminal District Court for the parish of Orleans, where an information was filed against him in the matter above set forth, for a violation of the above act, which act the petitioner affirmed to be null and void, because in conflict with the Constitution of the United States; that petitioner interposed a plea to such information based upon the unconstitutionality of the act of the General Assembly, to which the district attorney, on behalf of the State, filed a demurrer; that, upon issue being joined upon such demurrer and plea, the court sustained the demurrer, overruled the plea, and ordered petitioner to plead over to the facts set forth in the information, and that, unless the judge of the said court be enjoined by a writ of prohibition from further proceeding in such case, the court will proceed to fine and sentence petitioner to imprisonment, and thus deprive him of his constitutional rights set forth in his said plea, notwithstanding the

unconstitutionality of the act under which he was being prosecuted; that no appeal lay from such sentence, and petitioner was without relief or remedy except by writs of prohibition and certiorari. Copies of the information and other proceedings in the criminal District Court were annexed to the petition as an exhibit. Upon the filing of this petition, an order was issued upon the respondent to show cause why a writ of prohibition should not issue and be made perpetual, and a further order that the record of the proceedings had in the criminal cause be certified and transmitted to the Supreme Court.

To this order the respondent made answer, transmitting a certified copy of the proceedings, asserting the constitutionality of the law, and averring that, instead of pleading or admitting that he belonged to the colored race, the said Plessy declined and refused, either by pleading or otherwise, to admit that he was in any sense or in any proportion a colored man.

The case coming on for a hearing before the Supreme Court, that court was of opinion that the law under which the prosecution was had was constitutional, and denied the relief prayed for by the petitioner. *Ex parte Plessy*, 45 La. Ann. 80. Whereupon petitioner prayed for a writ of error from this court, which was allowed by the Chief Justice of the Supreme Court of Louisiana.

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The American Reader: Words That Moved a Nation

"The March On Washington Address" by Martin Luther King, Jr.

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MARTIN LUTHER KING, JR.

March on Washington

I have a dream.

On August 28, 1963, more than 200,000 Americans gathered in the nation's capital, demonstrating in peaceful assembly on the mall between the Lincoln Memorial and the Washington Monument on behalf of equal Justice for all. In a day of stirring speeches. Martin Luther King, Jr.'s "I have a dream" speech was electrifying. His soaring eloquence and his conscious fusing of religious rhetoric and familiar patriotic symbols conveyed a prophetic and uplifting sense of a world that might yet be. The "I Have a Dream" speech quickly entered the American language and national consciousness as a pithy evocation of the goals of the civil rights movement.

Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity.

But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation's Capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of now. This is not time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial

justice. Now is the time to open the doors of opportunity to all of God's children. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquillity in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright thy of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?"

We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.

We can never be satisfied as long as our bodies, heavy with fatigue of travel, cannot gain lodging in the motels of the highways and the cities.

We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one.

We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote.

No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our Northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident; that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state sweltering with the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning, "My country 'tis of thee, sweet land of liberty, of thee I sing. Land where my father died, land of the Pilgrims' pride. From every mountainside, let freedom ring."

And if America is to be a great nation, this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania!

Let freedom ring from the snowcapped Rockies of Colorado! Let freedom ring from the curvaceous peaks of California! But not only that; let freedom ring from Stone Mountain of Georgia! Let freedom ring from Lookout Mountain of Tennessee!

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring.

When we let freedom ring, when we let it ring from every village and every hamlet, from

every state and every city, we will be able to join hands and sing in the words of the old Negro

speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last! Free at last! Thank God Almighty, we are free at last!"

WE SHALL OVERCOME

"We Shall Overcome" was known as the anthem of the civil rights movement in the 1960s. Whenever civil rights workers gathered, or whenever mass demonstrations were convened, people inevitably held hands, swaying side to side, and sang "We Shall Overcome." It was the theme song of the March on Washington, August 28, 1963, the day that Martin Luther King, Jr. gave his famous "I Have a Dream" speech. The song originated as a black spiritual in the nineteenth century. Like so many folk-protest songs, the lyrics were varied to fit the occasion, and there are many other verses.

We shall overcome,
We shall overcome.
We shall overcome,
Someday.
Oh, deep in my heart,
I do believe, that
We shall overcome
Someday.

We'll walk hand in hand,
We'll walk hand in hand,
We'll walk hand in hand,
Someday.
Oh, deep in my heart,
I do believe, that
We shall overcome
Someday.

We are not afraid,
We are not afraid,
We are not afraid.
Oh, no, no, no,
'Cause, deep in my heart,
I do believe, that
We shall overcome,
Someday.

O FREEDOM

This was one of the leading folk-protest songs of the 1960s. It originated in the nineteenth century among blacks as a folk spiritual. Some sources think that it is a freedman's song, since the lyric express personal freedom in the present rather than freedom in the next life. During the 1960s, the song was adapted for the situation, and it can be found in many different versions.

O Freedom!
O Freedom!
O Freedom over me!
And before I'd be a slave,
I'd be buried in my grave,
And go home to my Lord and be free!

No more mournin'
No more weepin'
No more misery over me.
And before I'd be a slave,
I'd be buried in my grave,
And go home to my Lord and be free.

Malcolm X, "Not Just An American Problem, but a World Problem..."

FIRST, brothers and sisters, I want to start by thanking you for taking the time to come out this evening and especially for the invitation for me to come up to Rochester and participate in this little informal discussion this evening on matters that are of common interest to all elements in the community, in the entire Rochester community. My reason for being here is to discuss the Black revolution that is going on, that's taking place on this earth, the manner in which it's taking place on the African continent, and the impact that it's having in Black communities, not only here in America but in England and in France and in other of the former colonial powers today...

...So I'm not here tonight to talk about some of these movements that are clashing with each other. I'm here to talk about the problem that's in front of all of us. And to have—and to do it in a very informal way. I never like to be tied down to a formal method or procedure when talking to an audience, because I find that usually the conversation that I'm involved in revolves around race, or things racial, which is not my fault. I didn't create the race problem. And you know, I didn't come to America on the Mayflower or at my own volition. Our people were brought here involuntarily, against our will. So if we pose the problem now, they shouldn't blame us for being here. They brought us here.

[Applause]

One of the reasons I feel that it is best to remain very informal when discussing this type of topic, when people are discussing things based on race, they have a tendency to be very narrow-minded and C.) get emotional and all involved in—especially white people. I have found white people that usually are very intelligent, until you get them to talking about the race problem. Then they get blind as a bat and want you to see what they know is the exact opposite of the truth. [Applause]

So what I would rather we try and do is be very informal, where we can relax and keep an open mind, and try and form the pattern or the habit of seeing for ourselves, hearing for ourselves, thinking for ourselves, and then we can come to an intelligent judgment for ourselves.

To straighten out my own position, as I did earlier in the day at Colgate, I'm a Muslim, which only means that my religion is Islam. I believe in God, the Supreme Being, the creator of the universe. This is a very simple form of religion, easy to understand. I believe in one God. It's just a whole lot better. But I believe in one God, and I believe that that God had one religion, has one religion, always will have one religion. And that that God taught all of the prophets the same religion, so there is no argument about who was greater or who was better: Moses, Jesus, Muhammad, or some of the others. All of them were prophets who came from one God. They had one doctrine, and that doctrine was designed to give clarification of humanity, so that all of humanity would see that it was one and have some kind of brotherhood that would be practiced here on this earth. I believe in that.

I believe in the brotherhood of man. But despite the fact that I believe in the brotherhood of man, I have to be a realist and realize that here in America we're in a society that doesn't practice brotherhood. It doesn't practice what it preaches. It preaches brotherhood, but it doesn't practice brotherhood. And because this society doesn't practice brotherhood, those of us who are Muslim—those of us who left the Black Muslim

movement and regrouped as Muslims, in a movement based upon orthodox Islam—we believe in the brotherhood of Islam.

But we also realize that the problem facing Black people in this country is so complex and so involved and has been here so long, unsolved, that it is absolutely necessary for us to form another organization. Which we did, which is a nonreligious organization in which—is known as the Organization of Afro-American Unity, and it is so structured organizationally to allow for active participation of any Afro-American, any Black American, in a program that is designed to eliminate the negative political, economic, and social evils that our people are confronted by in this society. And we have that set up because we realize that we have to fight against the evils of a society that has failed to produce brotherhood for every member of that society. This in no way means that we're antiwhite, antiblue, antigreen, or antiyellow. We're antiwrong. We're antidiscrimination. We're antisegregation. We're against anybody who wants to practice some form of segregation or discrimination against us because we don't happen to be a color that's acceptable to you.... [Applause]

We don't judge a man because of the color of his skin. We don't judge you because you're white; we don't judge you because you're black; we don't judge you because you're brown. We judge you because of what you do and what you practice. And as long as you practice evil, we're against you. And for us, the most—the worst form of evil is the evil that's based upon judging a man because of the color of his skin. And I don't think anybody here can deny that we're living in a society that just doesn't judge a man according to his talents, according to his know-how, according to his possibility—background, or lack of academic background. This society judges a man solely upon the color of his skin. If you're white, you can go forward, and if you're Black, you have to fight your way every step of the way, and you still don't get forward. [Applause]

We are living in a society that is by and large controlled by people who believe in segregation. We are living in a society that is by and large controlled by a people who believe in racism, and practice segregation and discrimination and racism. We believe in a—and I say that it is controlled, not by the well-meaning whites, but controlled by the segregationists, the racists. And you can see by the pattern that this society follows all over the world. Right now in Asia you have the American army dropping bombs on dark-skinned people. You can't say that—it's as though you can justify being that far from home, dropping bombs on somebody else: If you were next door, I could see it, but you can't go that far away from this country and drop bombs on somebody else and justify your presence over there, not with me. [Applause]

It's racism. Racism practiced by America. Racism which involves a war against the dark-skinned people in Asia, another form of racism involving a war against the dark-skinned people in the Congo ... as it involves a war against the dark-skinned people in Mississippi, Alabama, Georgia, and Rochester, New York. [Applause]

So we're not against people because they're white. But we're against those who practice racism. We're against those who drop bombs on people because their color happens to be of a different shade than yours. And because we're against it, the press says we're violent. We're not for violence. We're for peace. But the people that we're up against are for violence. You can't be peaceful when you're dealing with them. [Applause]

They accuse us of what they themselves are guilty of. This is what the criminal always does. They'll bomb you, then accuse you of bombing yourself. They'll crush your skull, then accuse you of attacking him. This is what the racists have always done—the criminal, the one who has criminal processes developed to a science. Their practice is criminal action. And then use the press to make you victim—look like the victim is the criminal, and the criminal is the victim. This is how they do it. [Applause]

And you here in Rochester probably know more about this than anybody anywhere else. Here's an example of how they do. They take the press, and through the press, they beat the system.... Or through the white public. Because the white public is divided. Some mean good, and some don't mean good. Some are well meaning, and some are not well meaning. This is true. You got some that are not well meaning, and some are well meaning. And usually those that are not well meaning outnumber those that are well meaning. You need a microscope to find those that are well meaning. [Applause]

So they don't like to do anything without the support of the white public. The racists, that are usually very influential in the society, don't make their move without first going to get public opinion on their side. So they list' the press to get public opinion till their side. When they want to suppress and oppress the Black community, what do they do? They take the statistics, and through the press, they feed them to the public. They make it appear that the role of crime in the Black community is higher than it is anywhere else.

What does this do? [Applause] This message—this is it very skillful message used by racists to make the whites who aren't racists think that the rate of crime in the Black community is so high. This keeps the Black community in the image of a criminal. It makes it appear that anyone in the Black community is a criminal. And as soon as this impression is given, then it makes it possible, or paves the way to set up a police-type state in the Black community, getting the full approval of the white public when the police come in, use all kind of brutal measures to suppress Black people, crush their skulls, sic dogs on them, and things of that type. And the whites go along with it. Because they think that everybody over there's a criminal anyway. This is what—the press does this. [Applause]

This is skill. This skill is called—this is a science that's called "image making." They hold you in check through this science of imagery. They even make you look down upon yourself, by giving you a bad image of yourself. Some of our own Black people who have eaten this image themselves and digested it—until they themselves don't want to live in the Black community. They don't want to be around Black people themselves. [Applause]

It's a science that they use, very skillfully, to make the criminal look like the victim, and to make the victim look like the criminal. Example: In the United States during the Harlem riots, I was in Africa, fortunately. [Laughter] During these riots, or because of these riots, or after the riots, again the press, very skillfully, depicted the rioters as hoodlums, criminals, thieves, because they were abducting some property.

Now mind you, it is true that property was destroyed. But look at it from another angle. In these Black communities, the economy of the community is not in the hands of the Black man. The Black man is not his own landlord. The buildings that he lives in are owned by someone else. The stores in the community are run by someone else. Everything in the community is out of his hands. He has no say-so in it whatsoever, other than to live there, and pay the highest rent for the lowest-type boarding place, [Applause]

pays the highest prices for food, for the lowest grade of food. He is a victim of this, a victim of economic exploitation, political exploitation, and every other kind.

Now, he's so frustrated, so pent-up, so much explosive energy within him, that he would like to get at the one who's exploiting him. But the one who's exploiting him doesn't live in his neighborhood. He only owns the house. He only owns the store. He only owns the neighborhood. So that when the Black man explodes, the one that he wants to get at isn't there. So he destroys the property. He's not a thief. He's not trying to steal your cheap furniture or your cheap food. He wants to get at you, but you're not there.

[Applause]

And instead of the sociologists analyzing it as it actually is, trying to understand it as it actually is, again they cover up the real issue, and they use the press to make it appear that these people are thieves, hoodlums. No! They are the victims of organized thievery, organized landlords who are nothing but thieves, merchants who are nothing but thieves, politicians who sit in the city hall and who are nothing but thieves in cahoots with the landlords and the merchants. [Applause]

But again, the press is used to make the victim look like the criminal and make the criminal look like the victim. . . . This is imagery. And just as this imagery is

practiced at the local level, you can understand it better by an international example. The best recent example at the international level to bear witness to what I'm saying is what happened in the Congo. Look at what happened. We had a situation where a plane was dropping bombs on African villages. An African village has no defense against the bombs. And an African village is not sufficient threat that it has to be bombed! But planes were dropping bombs on African villages. When these bombs strike, they don't distinguish between enemy and friend. They don't distinguish between male and female. When these bombs are dropped on African villages in the Congo, they are dropped on Black women, Black children, Black babies. These human beings were blown to bits. I heard no outcry, no voice of compassion for these thousands of Black people who were slaughtered by planes. [Applause]

Why was there no outcry? Why was there no concern? Because, again, the press very skillfully made the victims look like they were the criminals, and the criminals look like they were the victims. [Applause]

It's imagery. They use their ability to create images, and then they use these images that they've created to mislead the people. To confuse the people and make the people accept wrong as right and reject right as wrong. Make the people actually think that the criminal is the victim and the victim is the criminal.

Even as I point this out, you may say, "What does this all have to do with the Black man in America? And what does it have to do with the Black and white relations here in Rochester?"

You have to understand it. Until 1959 the image of the African continent was created by the enemies of Africa. Africa was a land dominated by outside powers. A land dominated by Europeans. And as these Europeans dominated the continent of Africa, it was they who created the image of Africa that was projected abroad. And they projected Africa and the people of Africa in a negative image, a hateful image. They made us think that Africa was a land of jungles, a land of animals, a land of cannibals and savages. It was a hateful image.

And because they were so successful in projecting this negative image of Africa, those of us here in the West of African ancestry, the Afro-American, we looked upon Africa as a hateful place. We looked upon the African as a hateful person. And if you referred to us as an African it was like putting us as a servant, or playing house, or talking about us in the way we didn't want to be talked.

Why? Because those who oppress know that you can't make a person hate the root without making them hate the tree. You can't hate your own and not end up hating yourself. And since we all originated in Africa, you can't make us hate Africa without making us hate ourselves. And they did this very skillfully.

And what was the result? They ended up with 22 million Black people here in America who hated everything about us that was African. We hated the African characteristics, the African characteristics. We hated our hair. We hated our nose, the shape of our nose, and the shape of our lips, the color of our skin. Yes we did. And it was you who taught us to hate ourselves simply by shrewdly maneuvering us into hating the land of our forefathers and the people on that continent.

As long as we hated those people, we hated ourselves. As long as we hated what we thought they looked like, we hated what we actually looked like. And you call me a hate teacher. Why, you taught us to hate ourselves. You taught the world to hate a whole race of people and have the audacity now to blame us for hating you simply because we don't like the rope that you put all around our necks. (Applause)

When you teach a man to hate his lips, the lips that God gave him, the shape of the nose that God gave him, the texture of the hair that God gave him, the color of the skin that God gave him, you've committed the worst crime that a race of people can commit. And this is the crime that you've committed.

Our color became a chain, a psychological chain. Our blood—African blood—became a psychological chain, a prison, because we were ashamed of it. We believe—they would tell it to your face, and say they weren't; they were! We felt trapped because our skin was black. We felt trapped because we had African blood in our veins.

This is how you imprisoned us. Not just bringing us over here and making us slaves. But the image that you created of our motherland and the image that you created of our people on that continent was a trap, was a prison, was a chain, was the worst form of slavery that has ever been invented by a so-called civilized race and a civilized nation since the beginning of the world.

You still see the result of it among our people in this country today. Because we hated our African blood, we felt inadequate, we felt inferior, we felt helpless. And in our state of helplessness, we wouldn't work for ourselves. We turned to you for help, and then you wouldn't help us. We didn't feel adequate. We turned to you for advice and you gave us the wrong advice. Turned to you for direction and you kept us going in circles.

..So, since we see—I don't want you to think I'm teaching hate. I love everybody who loves me. (Laughter] But I sure don't love those who don't love me. (Laughter]

Since we see all of this subterfuge, this trickery, this maneuvering—it's not only at the federal level, the national level, the local level, all levels. The young generation of Blacks that's coming up now can see that as long as we wait for the Congress and the Senate and the Supreme Court and the president to solve our problems, you'll have us waiting on tables for another thousand years. And there aren't no days like those.

Since the civil rights bill—I used to see African diplomats at the UN crying out against the injustice that was being done to Black people in Mozambique, in Angola, the Congo, in South Africa, and I wondered why and how they could go back to their hotels and turn on the TV and see dogs biting Black people right down the block and policemen wrecking the stores of Black people with their clubs right down the block, and putting water hoses on Black people with pressure so high it tear our clothes off, right down the block. And I wondered how they could t-9; all that talk about what was happening in Angola and Mozambique and all the rest of it and see it happen right down the block and get up on the podium in the UN and not say anything about it.

But I went and discussed it with some of them. And they said that as long as the Black man in America calls his struggle a struggle of civil rights—that in the civil rights context, it's domestic and it remains within the jurisdiction of the United States. And if any of them open up their mouths to say anything about it, it's considered a violation of the laws and rules of protocol. And the difference with the other people was that they didn't call their grievances "civil rights" grievances, they called them "human rights" grievances. "Civil rights" are within the jurisdiction of the government where they are involved. But "human rights" is part of the charter of the United Nations.

All the nations that signed the charter of the UN came up with the Declaration of Human Rights and anyone who classifies his grievances under the label of "human rights" violations, those grievances can then be brought into the United Nations and be discussed by people all over the world. For as long as you call it "civil rights" your only allies can be the people in the next community, many of whom are responsible for your grievance. But when you call it "human rights" it becomes international. And then you can take your troubles to the World Court. You can take them before the world: And anybody anywhere on this earth can become your ally.

So one of the first steps that we became involved in, those of us who got into the Organization of Afro-American Unity, was to come up with a program that would make our grievances international and make the world see that our problem was no longer a Negro problem or an American problem but a human problem. A problem for humanity. And a problem which should be attacked by all elements of humanity. A problem that was so complex that it was impossible for Uncle Sam to solve it himself and therefore we want to get into a body or conference with people who are in such positions that they can help us get some kind of adjustment for this situation before it gets so explosive that no one can handle it.

Thank you. (Applause)

This Material is in the PUBLIC DOMAIN

**Statement issued by Cesar Chavez
after his twenty-five day fast, March 10, 1968**

I have asked the Rev. James Drake to read this statement to you because my heart is so full and my body too weak to be able to say what I feel.

My warm thanks to all of you for coming today. Many of you have been here before, during the Fast. Some have sent beautiful cards and telegrams and made offerings at the Mass. All of these expressions of your love have strengthened me and I am grateful.

We should all express our thanks to Senator Kennedy for his constant work on behalf of the poor, for his personal encouragement to me, and for taking the time to break bread with us today.

I do not want any of you to be deceived about the Fast. The strict Fast of water only which I undertook on February 15 ended after the 21st day because of the advice of our doctor, James McKnight, and other physicians. Since that time I have been taking liquids in order to prevent serious damage to my kidneys.

We are gathered here today not so much to observe the end of the Fast but because we are a family bound together in a common struggle for justice. We are a Union family celebrating our unity and the non-violent nature of our movement. Perhaps in the future we will come together at other times and places to break bread and to renew our courage and to celebrate important victories.

The Fast has had different meanings for different people. Some of you may still wonder about its meaning and importance. It was not intended as a pressure against any growers. For that reason we have suspended negotiations and arbitration proceedings and relaxed the militant picketing and boycotting of the strike during this period. I undertook this Fast because my heart was filled with grief and pain for the sufferings of farm workers. The Fast was first for me and then for all of us in this Union. It was a Fast for non-violence and a call to sacrifice.

Our struggle is not easy. Those who oppose our cause are rich and powerful and they have many allies in high places. We are poor. Our allies are few. But we have something the rich do not own. We have our own bodies and spirits and the justice of our cause as our weapons.

When we are really honest with ourselves we must admit that our lives are all that really belong to us. So, it is how we use our lives that determines what kind of men we are. It is my deepest belief that only by giving our lives do we find life. I am convinced that the truest act of courage, the strongest act of manliness is to sacrifice ourselves for others in a totally non-violent struggle for justice.

To be a man is to suffer for others. God help us to be men!

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In Our Own Words: Extraordinary Speeches Of Th "Leonard Peltier—Denounces The Judge..."

by Robert G. Torricelli And Andrew Carroll e1999 Kodansha

Pgs. 324-327

Native American Activist Leonard Peltier, on Trial for Murder, Denounces the Judge as a "Member of the White Racist American Establishment."

On June 26, 1975, two FBI special agents named Ronald Williams and Jack Cofer were shot to death at point-blank range on the Pine Ridge Sioux Reservation in South Dakota. These are the confirmed facts of the crime. What is fiercely debated is whether Leonard Peltier, a member of the American Indian Movement (AIM), and other tribal activists ambushed the agents and killed them without provocation. (The agents were on the reservation to arrest another man accused of theft and assault.) Indicted for murder, Peltier; who strenuously asserted his innocence, escaped to Canada but was apprehended and returned to the United States for trial. His defenders claim the prosecution's case was based on circumstantial evidence and excluded information that indicated Peltier's innocence, while the government argued that, among other things, the bullets that killed the two agents had been fired from a gun belonging to Peltier and that Peltier had been identified as the gunman by an eyewitness. On June 1, 1977, the day of his sentencing, Peltier lashed out at Judge Paul Benson not only for what he believed was his own mistreatment, but for the persecution of all Native Americans by white people.

There is no doubt in my mind or my peoples' minds you are going to sentence me to two consecutive life terms. You are and have always been prejudiced against me and any Native Americans who have stood before you. You have openly favored the government all through this trial, and you are happy to do whatever the FBI would want you to do in this case.

I did not always believe this to be so. When I first saw you in the courtroom in Sioux Falls, your dignified appearance misled me into thinking that you were a fair-minded person who knew something of the law and who would act in accordance with the law, which meant that you would be impartial and not favor one side or the other in this lawsuit. That has not been the case, and I now firmly believe that you will impose consecutive life terms solely because that's what you think will avoid the displeasures of the FBI. Neither my people nor myself know why you would be so concerned about an organization that has brought so much shame to the American people, but you are. Your conduct during this trial leaves no doubt that you will do the bidding of the FBI without any hesitation.

You are about to perform an act which will close one more chapter in the history of the failure of the United States courts and the failure of the people of the United States to do justice in the case of a Native American. After centuries of murder of millions of my brothers and sisters by white racist America, could I have been wise in thinking that you would break that tradition and commit an act of justice? Obviously not. Because I should have realized that what I detected was only a very thin layer of dignity and surely not of

fine character. If you think my accusations have been harsh and unfounded, I will explain why I have reached these conclusions and why I think my criticism has not been harsh enough:

[E]ach time my defense team tried to expose FBI misconduct in their investigation of this lawsuit and tried to present evidence of this, you claimed it was irrelevant to this trial.

But the prosecution was allowed to present their case with evidence that was in no way relevant to this lawsuit—fin example, an automobile blowing up on a freeway in Wichita, Kansas; an attempted murder in Milwaukee, Wisconsin, for which I have not been found innocent or guilty; or a van loaded with legally purchased firearms; and a policeman who claims someone fired at him in Oregon state. The Supreme Court of the United States tried to prevent convictions of this sort by passing into law that Only past convictions may be presented as evidence if it is not prejudicial to the lawsuit, and only evidence of said case may be used. This court knows very well I have no prior convictions, nor am I even charged with some of these alleged crimes; therefore, they cannot be used as evidence in order to receive a conviction in this farce called a trial. This is why I strongly believe you will impose two life terms, running consecutively, on me....

You do not have the ability to see that the government must suppress the fact that there is a growing anger amongst Indian people and that Native Americans will resist any further encroachments by the military forces of the capitalistic Americans, which is evidenced by the large number of Pine Ridge residents who took up arms on June 27, 1975, to defend themselves. Therefore, you do not have the ability to carry out your responsibility towards me in an impartial way and will run my two life terms consecutively....

I stand before you as a proud man. I feel no guilt. I have done nothing to feel guilty about. I have no regrets of being a Native American activist. Thousands of people in the United States, Canada, and around the world have and will continue to support me to expose the injustices which have occurred in this courtroom. I do feel pity for your people that they must live under such an ugly system. Under your system, you are taught greed, racism, and corruption—and most serious of all, the destruction of Mother Earth. Under the Native American system, we are taught all people are brothers and sisters, to share the wealth with the poor and needy. But the most important of all is to respect and preserve the Earth, who we consider to be our mother. We feed from her breast. Our mother gives us life from birth and when it's time to leave this world, who again takes us back into her womb. But the main thing we are taught is to preserve her for our children and our grandchildren, because they are the next who will live upon her.

No, I'm not the guilty one here. I'm not the one who should be called a criminal. White racist America is the criminal for the destruction of our lands and my people. To hide your guilt from the decent human beings in America and around the world, you will sentence me to two consecutive life terms without any hesitation....

[T]here are less than 400 federal judges for a population of over zoo million Americans. Therefore, you have a very powerful and important responsibility which should be carried out impartially. But you have never been impartial where I was concerned. You have the responsibility of protecting the constitutional rights and laws, but where I was concerned, you neglected to even consider mine or Native Americans' constitutional rights. But, the most important of all, you neglected our human rights.

If you were impartial, you would have had an open mind on all the factual disputes in this case. But you were unwilling to allow even the slightest possibility that a law

enforcement officer would lie on the stand. Then how could you possibly be impartial enough to let my lawyers prove how important it is to the FBI to convict a Native American activist in this case? You do not have the ability to see that such a conviction is an important part of the efforts to discredit those who are trying to alert their brothers and sisters to the new threat from the white man, and the attempt to destroy what little Indian land remains in the process of extracting our uranium, oil, and other minerals. Again, to cover up your part in this, you will call me a heartless, cold-blooded murderer who deserves two life sentences consecutively....

I cannot expect a judge who has openly tolerated the conditions I have been jailed under to make an impartial decision on whether I should be sentenced to concurrent or consecutive life terms. You have been made aware of the following conditions which I had to endure at the Grand Forks County Jail, since the time of the verdict: First, I was denied access to a phone to call my attorneys concerning my appeal; second, I was locked in solitary confinement without shower facilities, soap, towels, sheets, or pillow; third, the food was inedible, what little there was of it; fourth, my family—brothers, sisters, mother, and father—who traveled long distances from the reservation, were denied visitation.

No human being should be subjected to such treatment, and while you parade around pretending to be decent, impartial, and law abiding, you knowingly allowed your fascist chief deputy marshal to play stormtrooper. Again, the only conclusion that comes to mind is that you know and always knew that you would sentence me to two consecutive life terms.

Finally, I honestly believe that you made up your mind long ago that I was guilty and that you were going to sentence me to the maximum sentence permitted under the law. But this does not surprise me, because you are a high-ranking member of the white racist American establishment which has consistently said, "In God We Trust," while they went about the business of murdering my people and attempting to destroy our culture.

Leonard Peltier was, as he predicted, condemned to two life terms in prison, where he remains to this day.

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In our own words: Extraordinary Speeches of
Elizabeth Birch Appeals to the Members of the Christian Coalition”
By Robert G. Torricelli and Andrew Carroll (editor)
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Elizabeth Birch Appeals to Members of the Christian Coalition for Find “Common Ground” with Gays and Lesbians

In September 1995 the Christian Coalition, which describes itself as “the largest and most effective grassroots political movement of Christian activists in the /nation’s/ history,” held a conference in the Hilton hotel in Washington, D.C. The coalition’s executive director, Ralph Reed, was asked by Elizabeth Birch, director of a national nonprofit organization called the Human Rights Campaign (HRC), if she could speak before the coalition’s members. Reed’s office promptly denied the request, which came as no surprise to Birch; the Christian Coalition, which was founded by Pat Robertson, considers homosexuality a sin, and Birch’s HRC is one of the country’s most powerful gay rights organizations. (Birch herself is a lesbian.) Birch nevertheless went to the Hilton, reserved one of the banquet rooms, and proceeded to give a speech (attended mostly by the media and a handful of curious Christian Coalition members) in which she sought not to attack Reed, but to establish the common ground Birch believed existed between their two organizations.

Dear Members of the Christian Coalition:

An open letter was not my first choice as a way of reaching you. I would have preferred speaking to all of you directly, and in a setting where you would be most comfortable.

That was my motivation some weeks ago when I asked your executive director, Ralph Reed, for the opportunity to address the Christian Coalition’s “Road to Victory” conference. It is still my motivation today. And it is supported by a single, strong belief that the time has come for us to speak to each other rather than past each other.

It took Mr. Reed very little time to reject my request. Perhaps he misunderstood my motivation. But I can assure you that what has driven my request is this: I believe in the power of the word and the value of honest communication. During my years of work as a litigator at a major corporation, I was often amazed at what simple, fresh, and truthful conversation could accomplish. And what is true in the corporate setting is also true, I’m convinced, in our communities. If we could learn to speak and listen to each other with integrity, the consequences might shock us.

Although your podium was not available to me, I am grateful for those who have come today and will give me the benefit of the doubt and be willing to consider what I have to say. I will be pleased if you are able to hear me without prejudging either the message or the messenger. And I will be hopeful, most of all, if you respond by joining me in finding new ways to speak with honesty not only about one another, but also *to* one another.

If I am confident in anything at all, it is this: Our communities have inure in common than we care to imagine. This is not to deny the many differences. But out of our sheer humanity comes some common ground. Although the stereotype would have us believe otherwise, there are many conservative Americans within the nation's gay and lesbian communities. What's more, there are hundreds of thousands of Christians among us—

Christians of all traditions, including those represented in the Christian Coalition. And, like it or not, we are part of your family. And you are part of our community. We are neighbors and colleagues, business associates and friends. More intimately still, you are fathers of sons who are gay and mothers of daughters who are lesbians. I know many of your children very, very well. I work with them. I worry with them. And I rejoice that they are part of our community.

Part of what I want you to know is that many of your children who are gay and lesbian are gifted and strong. Some are famous. Most of them are not. But many are heroic in the way they have conquered barriers to their own self-respect and the courage with which they've set out to serve a higher good. All were created by God. And you have every right to be proud of each of them.

I begin by noting the worthiness of the gays and lesbians in your family and our community for a reason: It's hard to communicate with people we do not respect. And the character of prejudice, of stereotype, of demagoguery, is to tear down the respect others might otherwise enjoy in public, even the respect they would hold for themselves in private. By taking away respectability, rhetorically as well as legally, we justify the belief that they are not quite human, not quite worthy, not quite deserving of our time, of our attention, of our concern.

And that is, sadly, what many of your children and colleagues and neighbors who are gay and lesbian have feared is the intent of the Christian Coalition. If it were true, of course, it would be not only regrettable, but terribly hypocritical. It would not be worthy of the true ideals and values based, in love at the core of what we call Christian.

The reason I have launched this conversation is to ask you to join me in a common demonstration that this is not true. I make my appeal as an individual, Elizabeth Birch, and also as the executive director of the Human Rights Campaign Fund, America's largest policy organization for gay men and lesbian women.

This is such a basic appeal to human communication and common decency that I do not even know how to distinguish between what is personal and what is professional. But my appeal is sincere. I am convinced that if we cannot find ways to respect one another as human beings, and therefore to respect one another's rights, we will do great damage not only to each other, but also to those we say we represent.

I recognize that it is not easy for us to speak charitably to each other. I have read fund-raising letters in which people like me are assigned labels which summon up the ugliest of dehumanizing stereotypes. Anonymous writers have hidden under the title of "Concerned Christian" to condemn me with the fires of God and to call on all of you to deny me an equal opportunity to participate in the whole range of American life. I have heard of political agendas calling not merely for the defeat of those I represent, but for our eradication.

Such expressions of hatred do not—cannot—beget a spirit of trust. Nor do they pass the test of either truthfulness or courage. They bear false witness in boldface type. And I

believe that they must embarrass those who, like me, heard of another gospel—even the simple Gospel taught me as a child in Sunday School.

I would not ask that you, as members of a Christian group, or as supporters of a conservative political cause, to set aside either your basic beliefs or your historic commitments. The churches which many of you represent— Baptist, for example, and Pentecostal—were also the churches I attended as a young woman. In those days, I heard sermons about justice and sang songs about forgiveness. My greatest hope is not that you will give up your faith, but that it will work among all of us.

Neither of us should forsake our fundamental convictions. But we could hold those convictions with a humility that allows room for the lives of others. Neither of us may be the sole possessors of truth on every given issue. And we could express our convictions in words that are—if not affectionate, and if not even kind—then at least decent, civil, humane. We need not demonize each other simply because we disagree.

I came to my task in the campaign for human rights with this conviction: If we, in the name of civil rights, slander you, we have failed our own ideals as surely as any Christian who slanders us in the name of God has failed the ideals of Scripture....

Many of us in this community have a long history with the church. Gay men I have loved deeply and lesbians I've known well have talked long into the night about their love for God and for God's church. For some of them, the church had provided the one message of hope they knew as children. The promise of good news was seized gladly by adolescents who did not understand why they were different, or what that difference would mean.

For some, the deepest agony of life is not that they risk physical abuse or that they will never gain their civil rights, but that they have felt the judgment of an institution on which they have staked their lives: the church. What they long for most is what they once believed was theirs as a birthright: the knowledge that they are God's children, and that they can come home.

And it is not only those of us who are gay or lesbian who have suffered on the doorstep of some congregations. Parents, fearing what others at church might whisper, choose to deny the reality that their son is gay or their daughter is a lesbian. Brothers and sisters suffer an unhealthy, and unwarranted, and un-Christian shame. They bear a burden that cripples their faith, based on a fear that cripples us all.

This means, I think, that we are still a long way from realizing the ideal of America as a land of hope and promise, from achieving the goal of religion as a healing force that unites us, from discovering that human beings are, simply by virtue of being human beings, deserving of respect and common decency.

And so, I have come today—in person, bearing this letter, and in writing, to those who will only receive it—to make three simple, sincere appeals to those of you who are members of the Christian Coalition.

The first appeal is this: Please make integrity a watchword for the campaigns you launch. We all struggle to be people of integrity, especially when we campaign for funds. But the fact that we are tempted by money is no excuse. We need to commit ourselves to a higher moral ground.

I do not know when the first direct-mail letter was issued in your name that defamed gay men and abused gay women, that described us as less than human and certainly unworthy of trust. Neither do I know when people discovered that the richest return came

from letters that depicted gays and lesbians with intentionally dishonest images. But I do know—and I must believe that you know too—that this is dishonest, this is wrong.

I can hardly imagine that a money machine is being operated in your name, spinning your exaggerations as if they were truths, and that you do not see it. But perhaps you do not. In which case, I ask that you hear my second appeal: I ask that, as individuals, you talk to those of us who are gay or lesbian, rather than succumb to the temptation to either avoid us at all cost, as if we are not a part of your community, or to rant at us, as if we are not worthy of quiet conversation.

We are, all of us and those we represent, human beings. As Americans, you will have your political candidates; we will have ours. But we could, both of us, ask that our candidates speak the truth to establish their right to leadership, rather than abuse the truth in the interest of one evening's headline. We may work for different outcomes in the elections, but we can engage in an ethic of basic respect and decency.

Finally, I appeal to you as people who passionately uphold the value of the family. You have brothers and sons who have not heard a word of family affection since the day they summoned the courage to tell the simple truth. You have sisters and daughters who have given up believing that you mean it when you say, "The family is the basic unit of society," or even, "God loves you, and so do I."

Above all the other hopes with which I've come to you hovers this one: that some member of the Christian Coalition will call some member of the Human Rights Campaign Fund and say, "It's been a long time, son," or "I'm missing you, my daughter," and before the conversation ends, someone will hear the heartfelt words, "Come home. Let's talk to each other?"

In that hope, I appeal to each of you.