

Burke Marshall—Civil Rights Leader

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Measuring the life, work, accomplishments, and meaning of Burke Marshall is like taking a thimble and trying to empty an ocean. It is like measuring the expanse of the heavens with the span of the human hand. Something vast and noble has passed from among us. It is as if a mighty oak has fallen, leaving an empty and gaping and glaring space against the sky where he stood.

The Book of Samuel says it better: “Know ye not that there is a prince and a great man fallen this day in Israel?”¹

I have collected and read the numerous obits and commentaries on Burke Marshall’s life in which he is consistently described as a lawyer, teacher, corporate executive, humanitarian, academician, and Assistant Attorney General for Civil Rights. When he left government service, President Johnson wrote below his formal resignation letter, “I have never known any person who rendered a better quality of public service.” But nowhere have I seen Burke Marshall described in terms of what he was for me and thousands of others. Burke Marshall was a civil rights leader with all the rights, privileges, and responsibilities appertaining thereto. For whatever reason, the media reserves the term “civil rights leader” for black people only. But the term transcends race. The white abolitionists were civil rights leaders. Charles Sumner and Thaddeus Stevens were civil rights leaders. Ruth Standish Baldwin, a white woman and cofounder of the Urban League, was a civil rights leader. Arthur Spingarn and Kivie Kaplan, white volunteers in the NAACP, were civil rights leaders. Clifford Durr, a white Montgomery, Alabama lawyer, Rosa Parks’s first counsel, was a civil rights leader. And yes, our friend Burke Marshall was a civil rights leader.

An antitrust lawyer with responsibility for civil rights at Justice, he took his responsibilities seriously and pursued justice and equality with vigor

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1. 2 *Samuel* 3:38 (King James).

and passion, reason and moderation, courage and determination—moving with lightning speed between Governor George Wallace in the morning and Dr. Martin Luther King, Jr., in the afternoon; between Medgar Evers and Bob Moses in one part of Mississippi and Governor Paul Johnson in another.

Leslie Dunbar, formerly of the Southern Regional Council and the Field Foundation, told me that his best memory of Burke Marshall's stewardship at Justice is that the Student Nonviolent Coordinating Committee (SNCC) contingents in the hotbeds of Mississippi, Alabama, and Georgia had great admiration and respect for Burke, even when they believed him wrong and when he did not accede to their demands or needs. He always took their phone calls from McComb, Mississippi; Wilcox County, Alabama; Albany, Georgia; and other bastions of segregation and resistance. There is little doubt that during his time at Justice, he probably ate more soul food than any white man in America, dining out with freedom fighters in colored cafes across the South.

His work at the Justice Department was heroic and well-known. But lest we forget, let us also recall that after leaving government he was appointed by President Johnson as chairman of the National Advisory Commission on Selective Service, where he insisted on black participation. As a result, I was privileged to serve on the Commission with the late Dr. Jean Noble of New York University and John Johnson, founder and publisher of *Ebony* magazine. Burke, as chairman, appointed Charles Rangel of New York as the Commission's first general counsel.

Each of us remembers a special moment with Burke Marshall. Mine took place in the early spring of 1968 when I was presented with a unique opportunity of service. Burke called to encourage me and suggested a visit. I flew from Atlanta to New York and took the train to Bedford, for dinner with Violet and Burke. It was a beautiful, quiet, and memorable evening of good food, great wine, and instructive and inspiring conversation. Burke was at his best—gentle, sympathetic, unyielding, persuasive, and encouraging. I shall never forget his wise counsel and his genuine friendship.

Burke Marshall—civil rights leader—has taken his leave, yet his life, his work, his spirit, remind us that the battle is not over, nor the victory won. They remind us that:

We are soldiers in the army
We have to fight although we have to cry
We have to hold up the blood stained banner
We have to hold it up until we die.²

2. *We Are Soldiers* (Freedom Song).