



The “Let Freedom Ring!” exhibit is now installed at the Anthony M. Kennedy Library and Learning Center in Sacramento.

PHOTO: CALIFORNIA JUDICIAL CENTER LIBRARY

Creating a Chronology of Freedom

“LET FREEDOM RING!” EXHIBIT, FIRST PRESENTED IN 2013, GETS A NEW LIFE

BY FRANCES M. JONES*

IN 2013 AMERICA celebrated the 150th anniversary of President Abraham Lincoln’s Emancipation Proclamation and his Gettysburg Address, and the 50th anniversary of Rev. Dr. Martin Luther King’s “I Have A Dream” speech on August 28, 1963. The “Let Freedom Ring!” exhibit, one element of the Third Appellate District’s 2013 State Fair program,¹ supported community outreach — an official judicial function — to increase public understanding of the court system.² Now, newly installed in the Anthony M. Kennedy Library and Learning Center in Sacramento, the exhibit continues

to honor these three major events in the struggle for civil rights, particularly for African Americans. It also celebrates the struggles and triumphs of many brave and dedicated Americans.

Linking the Emancipation Proclamation, the Gettysburg Address, and the “I Have A Dream” speech presented a storytelling challenge — a challenge taken on by the Sacramento-based media and research company e.Republic³ and the staff of the California Judicial Center Library,⁴ who worked together to compose and design the exhibit. Measuring 40 feet in length and 10 feet in height, it was installed in the California Building at the 2013 State Fair and on view for more than 750,000 fairgoers.

Although each of the anniversaries celebrated in 2013 marked a critical and influential event in American life, none of the events occurred in an historical vacuum. Library staff members selected images and wrote stories of events that claimed or expanded civil rights in California and in the nation, creating a chronology of freedom. The team at e.Republic — a company whose work focuses exclusively on state and local

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government and education — designed and presented the exhibit.

THE EXHIBIT'S CHRONOLOGY

FREEDOM'S PROMISE, 1789–1865. California's 1849 Constitution prohibited slavery, and California entered the Union as a free state. But the freedom guaranteed to Californians had limits, and some slaves accompanying their masters from other states found they were not free in California. Bridget "Biddy" Mason was among the first African Americans to claim freedom for herself and her family. They came to California in 1851 with their master. When he decided to return to a slave state, Mason won her family's freedom in court in 1856.⁵ She continued to live in Los Angeles, where she has been commemorated as a highly successful entrepreneur and philanthropist. Seven years later, President Lincoln issued the Emancipation Proclamation, declaring that persons held as slaves were forever free.

CHALLENGES TO FREEDOM, 1868–1967. Certain basic rights — the right to attend the schools of their choice, to marry the spouse of their choice, and to reside in any neighborhood they chose — were limited or denied to African Americans and some others.

School segregation severely restricted the freedom to learn. Mary Frances Ward was 11 years old in 1872 when her parents attempted to register her to attend the school closest to their home. When the school principal refused to register her, she and her parents asked the court to admit her. Although the California Supreme Court regarded education as a substantial right, it refused the request in 1874 on the grounds that schools for "colored" children, although separate, provided equal education opportunities.⁶ In 1880, California law was amended to provide that every school, unless otherwise provided by law, must be open for the admission of all children between six and 21 years of age residing in the district.⁷ In 1888, Arthur Wisinger and his father went to register at the public school in Visalia, where they were told to take the boy to the "colored" school. The California Supreme Court ruled that the school had no power to refuse enrollment to a child of African descent after the adoption of the 1880 statute.⁸

The practice of separate public schools did not end there, however. *Westminster v. Mendez*⁹ was brought in Orange County to assure equal educational opportunity for children of Mexican descent. Regarded as the case that ended school segregation in California, this critical decision precedes by seven years the U.S. Supreme Court's landmark decision in *Brown v. Board of Education*.¹⁰

Andrea Perez and Sylvester Davis met while working in the World War II defense industry and fell in love. They decided to marry and applied for a marriage license with the county clerk in Los Angeles. Their

application was refused on the grounds that the California Civil Code provided that "all marriages of white persons with Negroes, Mongolians, members of the Malay race, or mulattoes are illegal and void," and prohibited issuing a license authorizing "the marriage of a white person with a Negro, Mulatto or Mongolian or member of the Malay race."¹¹ Perez, of Mexican descent and classified as white, and Davis, a Negro, were refused a marriage license. They asked the California Supreme Court to require that their marriage license be issued. Deciding *Perez v. Sharp*, the court ruled that marriage is a fundamental right that cannot be denied to persons on the basis of race.

When Frank Drye, a decorated veteran of World War II, purchased a house in an upscale Los Angeles neighborhood, white neighbors tried to keep his family from moving into their new home. The neighbors cited a restrictive covenant in the property deed that prohibited occupancy by African Americans. In 1947, Los Angeles Superior Court Judge Stanley Mosk ruled the

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restrictive covenant unconstitutional and unenforceable. In 1948, the U.S. Supreme Court ruled restrictive covenants unconstitutional and prohibited in all states.¹²

FREEDOM TO PLAY, AFRICAN AMERICAN LEADERS IN SPORTS, 1930–1950. During the first half of the 20th century, African American athletes were restricted from playing in major league sports. The leadership of Jesse Owens, Joe Louis, and Jackie Robinson changed the way the games were played.

Jesse Owens was the first American to win four gold medals in the Olympic Games, a record set at the 1936 Berlin Olympics and not matched until 1984. Born in Alabama and later educated in Detroit, Joe Louis knew poverty. As a very young man he studied cabinetmaking, but soon learned that boxing was his talent and his calling. He reigned as world champion from 1936 until 1949, defending his title successfully in 25 bouts.

Jackie Robinson, the first African American to play in Major League Baseball, was a superb athlete who rose to the challenge of integrating the sport. In 1945 Robinson signed with Branch Rickey to play with the Montreal Royals. Rickey had a lifelong engagement with baseball as a player, a manager, and an owner and a keen interest in civil rights. After a year with the Royals, Robinson moved to the Dodgers and played in six World Series

in his 10-year career, compiling a lifetime .311 batting average.

FREEDOM'S DREAM, TRAGEDY, AND TRIUMPH, 1955–PRESENT. The struggle for freedom and equality continued in the years that followed. Rev. Dr. Martin Luther King Jr. emerged as the leader of non-violent protest in America. Despite the many tragedies of the civil rights movement, his belief in peaceful protest engaged hundreds of thousands of Americans of all races who joined together to work for justice and harmony, leading to the enactment of major civil rights legislation. The stories of 20th century heroes and martyrs in the cause of freedom continue to be told: Medgar Evers and civil rights workers James Chaney, Andrew Goodman, and Michael Schwerner in Mississippi; and four young girls, Denise McNair, Cynthia Wesley, Carole Robertson, and Addie Mae Collins, who died in the bombing of the 16th Street Baptist Church in Birmingham. Many others, including those whose stories may not be known, have been dedicated to the cause of civil rights, upholding the constitutional guarantees of freedom for all Americans.

THE STORY CONTINUES

Although designed specifically for the 2013 State Fair, the exhibit has taken on a continuing role in educating the public. In January 2014 it was installed at the Anthony M. Kennedy Library and Learning Center in Sacramento¹³ during the annual Martin Luther King Jr. Celebration Dinner. Supported by the Sacramento Federal Judicial Library and Learning Center Foundation, the library develops programs for elementary and secondary teachers and their students — as well as the general public — that promote public understanding of an independent judiciary and the rule of law. Exhibits, school tours, and public lectures help illuminate the constitutional context in which the judiciary operates as the nonpolitical branch of government.¹⁴

Promoting public understanding of the rule of law and the judiciary's unique role has become more important in recent years. In California, the focus on these goals was sharpened with the establishment of the Commission for Impartial Courts by former Chief Justice Ronald M. George and the commission's final report in 2009.¹⁵ The report encouraged the judicial branch to take a leadership role in advancing civic education.

The Civic Learning California Summit, under the leadership of Chief Justice Tani G. Cantil-Sakauye, took place in February 2013. The summit gathered a broad range of representatives and interests, including education, civil rights, labor, and the bar. Courts interacting daily with a broad range of Californians depend on an informed public that understands the importance of a fair and impartial judiciary as well as their own roles as jurors, litigants, or witnesses. Because it is impar-

tial, the judiciary has been well positioned to serve as a catalyst for the identification of common interests and the formation of new partnerships, all with the common goal of extending and improving civic education in California.

At the conclusion of the summit, the Chief Justice and State Superintendent of Public Instruction Tom Torlakson formed the California Task Force on K-12 Civic Learning, an historic partnership between the judiciary and the schools. The task force report, *Revitalizing K-12 Civic Learning in California: A Blueprint for Action*, was issued in August 2014.¹⁶

The Third Appellate District's 2013 State Fair program presented a mosaic of learning opportunities, with the exhibit but one piece. Many of the stories told in the exhibit explore the role of the judiciary in the preservation of civil rights. All tell of heroes and their dedication to the rule of law and to the principles that underlie constitutional guarantees of civil rights. Its role at the 2013 State Fair has ended, but the exhibit has a new location and a new role in civic education for voices of the future that will proclaim: "Let Freedom Ring!"

ENDNOTES

1. *California Supreme Court Historical Society Newsletter*, Fall/Winter 2013, pp. 22-24.
2. Standards for Judicial Administration, Standard 10.5, http://www.courts.ca.gov/documents/standards_of_judicial_administration.pdf.
3. See <http://www.erepublic.com/about/>. The "Let Freedom Ring!" project would not have happened without the support of Dennis McKenna, co-founder and chief executive officer of e.Republic. Patty Cota and Lane Carol Kight of e.Republic coordinated work on the exhibit, of which Heather Whisenhut was the designer.
4. The California Judicial Center Library serves the California Supreme Court and the Court of Appeal, First Appellate District.
5. *Mason v. Smith*, First District Court, Los Angeles, 1856 (not published).
6. *Ward v. Flood*, 48 Cal. 36 (1874).
7. 1880 Amendments to the Political Code, ch. 44, §26.
8. *Wysinger v. Crookshank*, 82 Cal. 588 (1890).
9. *Westminster v. Mendez*, 161 F. 2d 774 (9th Cir. 1947).
10. *Brown v. Board of Education*, 347 U.S. 483 (1954).
11. *Perez v. Sharp*, 32 Cal. 2d 711 (1948).
12. *Shelley v. Kraemer*, 334 U.S. 1 (1948).
13. Located in the Robert T. Matsui Federal Courthouse at 511 I Street in Sacramento.
14. <http://www.sacjlc.org/about-the-sfjll-foundation>.
15. <http://www.courts.ca.gov/4040.htm#tab15970>.
16. <http://www.cde.ca.gov/eo/in/documents/cltffinalreport.pdf>.