

ORAL HISTORY T-0264
INTERVIEW WITH FRANKIE M. FREEMAN
INTERVIEWED BY WILLIAM S. VAUGHN
BLACK COMMUNITY LEADERS PROJECT
APRIL 11, 1973

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My name is William S. Vaughn. My guest today, April 11, 1973, is Mrs. Frankie M. Freeman, presently a practicing attorney in the City of St. Louis and a city judge.

VAUGHN: Mrs. Freeman, would you begin by telling something about your early life? Were you a native St. Louisan?

FREEMAN: No, I am not a native St. Louisan. I am a native of Danville, Virginia. I was born in Danville, Virginia, attended public schools there, went to college at Hampton Institute, and I guess that's enough of my early life. I am the oldest of eight children. My parents lived in Danville from the time that we were born. Even my grandparents are from Virginia. My mother had taught school before she was married, and before my birth, she stopped teaching. She was in the home during the entire time of our lives. I believe that this probably is responsible for the fact that of the six children who grew to be adults have at least the undergraduate degree and four of us have our graduate degree. Only one has a Ph.D. Two of us are lawyers.

VAUGHN: What prompted you to pursue a law degree...career?

FREEMAN: As long as I can remember, I wanted to be a lawyer. I, my father was a person who thought I could do anything that I wanted to do if I would at least work for it. He was sometimes a little distressed because we, he said, were too lazy to do things, and I think that I pursued a law career because some members of our family were already lawyers. There was a judge in our family at the time that I was growing up. I have four brothers and one sister—four boys and two girls in the family, who grew up. And our parents never could have chores divided on the basis of sex. There was nothing that one child could not do because he was a boy, or a girl. And we grew up that way, without any sex-orientated roles, in terms of jobs, so there was no con-fusion in my family. So when I said that I wanted to be a lawyer, they said that they guessed I knew this would take a lot of hard work.

VAUGHN: Did you experience any difficulty as a black female, seeking a law career? And, if so, what were some of your experiences?

FREEMAN: Well, I think I would like to break it down in what a career is. I did not seek any difficulties in getting admitted to law school, because I'm a graduate of Howard University and I'm proud to say that Howard University, which is a predominantly black university, in Washington, D.C., never has discriminated against women in its law school, or

any other division of the university, so I did not encounter any difficulties there. I was afraid that I would encounter difficulties in getting into law school, so before I went to law school, I went to see Dean Hastings who was Dean of the law school, and I told him that I wanted to know if I would have any problem because of my sex, and he asked me if I had applied and I said, "No, I have not." He said, "Well, how do you expect to know whether you will have any difficulties if you have not applied? First of all, you have to make an application." I relate that story because, really, that has been the crux of what my parents taught me and what my own philosophy was...do your best, do your homework, get prepared, and the difficulties will go away, because if you don't accept them in many instances, they will not be there. I have been engaged in the practice of law here in St. Louis since June of 1949. When I went into the courts, I was aware that there were some people who were probably not expecting me...I'm not sure whether because of my race or my sex...probably, in many instances, it was both. I took the position that it was their problem if they did not expect to see a black female lawyer. So, to that extent, I think using that philosophy, I'm not going to say that I experienced any difficulties, because I think that most people have difficulties...encounter difficulties, but I was determined that I was not going to let prejudice or discrimination stop me from being successful or doing the best that I could.

VAUGHN: What type of clients did you have? What were some of the cases that you handled?

FREEMAN: In the beginning, I was in the general practice of law, with a very few criminal cases, although there was a period that I did quite a number of criminal cases. But most of my cases were in civil cases, and in the early practice of law, I handled Civil Rights cases. From the beginning, I handled Civil Rights cases. I was one of the lawyers that handled all of the NAACP cases here in Missouri from about 1949 until 1955-56. I handled...I was a lawyer that worked with Robert Witherspoon, Constance and Thurgood Marshall in the suit that we filed in/court to desegregate the low-rent housing projects here. Now, I think that anyone who sees Pruitt Igoe and Carr Square Village and Cochran now will probably not remember in 1952 and before then, all of the low-rent housing projects in the City of St. Louis, as well as most of the places in the country, were all operated on a strict policy of racial segregation. It was the position of the NAACP and its lawyers that that was unconstitutional. We filed a suit in federal court, it was tried, I argued the case in October of 1954 and I believe that Constance who is now a Judge in New York, was my co-counsel then, and it was decided at the end of that year...no, it was decided...yes, it was decided in December of 1954 which was after the Brown case. I think that probably that would be my most significant victory, in terms of Civil Rights' cases that I have handled. Other Civil Rights cases have represented persons who filed complaints against police officers before the Board of Police Commissioners, and have represented some private individuals who were seeking to, maybe, venture into situations which they had not ventured into before.

VAUGHN: Who were some of the other personalities that maybe you encountered in this field? In Civil Rights?

FREEMAN: In St. Louis? Well, actually, before I came to St. Louis, I had come to know Thurgood Marshall, who is now a Justice of the Supreme Court, because when I was in law school, he...when I was in my junior and senior years of law school, and the NAACP lawyers would be coming to Washington to argue their cases, they would come over to the law school

and, sort of, try their arguments out on the students. I guess it was during this period that I got to be interested in working as an aid to the lawyer. When I first came to St. Louis, the first lawyer that I met was David Grant...who, I hope, you are interviewing because he is a brilliant lawyer who has really made an outstanding contribution. In one of the cases that was filed, I worked with Sidney Redman, Henry Estey, Robert Witherspoon. Robert Witherspoon was my co-counsel in the housing case. He was not as actively involved in the arguments because he was handling another very significant case at the same time. But he was...but we were co-counselors on the case. Among the black lawyers, the ones that I have mentioned, during the early days, of course, now, there are other lawyers... Clyde Cahill is one that has made an outstanding contribution in terms of Civil Rights activity. I think that this is something that a lot of people don't realize, and that is the role of the black lawyer in protecting and preserving and asserting the basic rights of minorities. What we have found is that the cases which have been won have benefited not just the minorities, but they have, in many instances, benefited the majority. And, I think, it is time that a lot of people realize that.

VAUGHN: Tell me about your experiences with the United States Civil Rights Commission. Did you find that the Commission made a significant contribution to black and other minority Civil Rights' issues?

FREEMAN: First of all, I think that I want to give you some of the background of the Commission. I am still a Commissioner with the U.S. Civil Rights Commission, and I have been a Commissioner since...for the past nine years. I was appointed by President Johnson in 1964. The Civil Rights Commission is an independent agency of the Federal Government. It was created by the Civil Rights Law of 1957 and is charged with the responsibility of appraising the laws and policies of the United States to determine to what extent its programs were available to all persons without regard to race, creed, color, or national origin. Since October 16th of last year, our jurisdiction has been extended to include jurisdiction over sex discrimination which means that this small agency of six commissions, we have one vacancy, and a staff of about two hundred, has jurisdiction over a potential 65% of the entire population in respect to whether they are receiving equal protection under the laws. The Commission...we have subpoena power...and we hold hearings around the country. We subpoena witnesses to determine the facts in particular areas. Recently, in last November, we held two hearings, one in New Mexico and one in Arizona, on the problems of Indians. We have held hearings in many communities on the problems of minorities and, particularly, on the problems of black people. The first hearing in which I was involved was in Jackson, Mississippi, was in February of 1965. We were there for two weeks, and we received testimony in just two areas, in local administration of justice and denial of voting rights. You may recall that prior to that time there was a great deal of turmoil in the country about denial of rights of black people to vote in the South. We, the Commission, recommended what is now the Voting Rights Act of 1965. Of course we were not the only group to recommend it, we were...the Federal Agency recommended it...but many other groups recommended similar legislation. We were pleased that, as a result of this legislation...and the Commission did have something to do with it...not only many black people are now voting in the South, but many of them are elected to office. We now have two black members of Congress from the South who, but for this legislation, would not have been there. The Commission has published its reports...I suppose we have published many, many more reports than people will ever read...we have on the problems as we have seen them. We have published reports on housing, on education; we published a very significant report on racial isolation in the public

schools, and most recently, we have sort of combined/on a report on the Federal Civil Rights enforcement effort. I have given you a copy of that report. That is our fourth report on that subject. We believe that it was not enough to just study the Department of Agriculture and find it wanting and make our recommendations to the President and then wait for something to be done and have

HEW say, "It's too bad about them, but it doesn't affect us." But, as we were going from agency to agency, we would sort of make one step or two steps, a determination was made that we ought to at one point in time appraise the entire Civil Rights Act. And so this is what we did. In October of 1970, we published a report which was the result of about a year and a half of work, and we assessed about forty agencies and what they were doing to carry out the law, the Civil Rights law. In summary, we found that they were not carrying out the laws. We found, in my opinion, a dual standard in this country. We said at that time that we were going to have a follow-up report. We have had two follow-up reports...we've had three. This one that we have just released a month ago is our fourth report and our third follow-up report. What it says is that the Federal Government itself has not been carrying out the law. It has not been following the law with respect to Civil Rights, and we found that this was rather disturbing because we believe that leadership is with the Federal Government. We believe that leadership is with the Executive Branch. We believe that leadership is with the Presidency, and where you find an imbalance in attitude with respect to which laws can be administered, we feel that this is part of the problem that we are now encountering.

VAUGHN: Well, Mrs. Freeman, I want to thank you for sharing your reminiscences with me. I think you have helped me with your own interest to recapture and preserve an important part of Black History. Thank you, again.