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# JULIUS LEVONNE CHAMBERS, CLASS OF 1962:

## IN MEMORIAM\*

JOHN CHARLES BOGER\*\*

The University of North Carolina School of Law, blessed by over 10,000 living alumni, cannot readily offer tributes in the pages of its *North Carolina Law Review* to each graduate upon his or her death. Though many have earned deep and enduring gratitude and respect for exceptional contributions to their communities and the legal profession, only a few have built careers that will be remembered by historians in coming centuries. Julius Chambers, member of the UNC Law Class of 1962, is the rarest of graduates, someone whose legacy is all but certain to endure as among the greatest American civil rights lawyers of the twentieth century.<sup>1</sup> His life and, sadly, his recent death, invite a special moment of reflection.

Julius Chambers was born in 1936 in Mount Gilead, North Carolina, a small, rural community in Montgomery County, just east of the Yadkin River, some fifty-five miles from Charlotte. The son of an enterprising automobile mechanic, Chambers grew up amid the inflexible racial segregation and discrimination that shaped life in the 1940s and 1950s in the American South. His desire to challenge such discrimination as a lawyer sharpened as a teenager, when a regular white customer mockingly refused to pay a bill to his father for substantial services rendered, and no white lawyer in Montgomery County or the surrounding area would agree to accept his father's case.<sup>2</sup> This uncompensated loss cost his father the dream of sending his son Julius to Laurinburg Academy for a superior secondary school

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1. See, e.g., Mary C. Curtis, 'In the Presence of Justice': Remembering Julius Chambers, WASH. POST (Aug. 9, 2013), <http://www.washingtonpost.com/blogs/she-the-people/wp/2013/08/09/in-the-presence-of-justice-remembering-julius-chambers/>; Douglas Martin, *Julius Chambers, A Fighter for Civil Rights, Dies at 76*, N.Y. TIMES (Aug. 6, 2013), <http://www.nytimes.com/2013/08/07/us/julius-chambers-a-fighter-for-civil-rights-dies-at-76.html?pagewanted=all>; Danye Romine Powell & David Perlmutter, *Pioneering Civil Rights Lawyer Julius Chambers Dies*, CHARLOTTE OBSERVER (Aug. 4, 2013), [http://www.charlotteobserver.com/2013/08/04/4211103/civil-rights-leader-julius-chambers.html#.UiYv0X\\_y2jc](http://www.charlotteobserver.com/2013/08/04/4211103/civil-rights-leader-julius-chambers.html#.UiYv0X_y2jc).

2. FRYE GALLARD, *THE DREAM LONG DEFERRED* 30–31 (1988).

education.

Julius Chambers was thus educated in an elementary school without indoor plumbing and a poorly funded, all-black high school that lacked even a library.<sup>3</sup> An excellent student nonetheless, he graduated in May 1954, the very month the United States Supreme Court announced its landmark ruling in *Brown v. Board of Education*.<sup>4</sup> He entered North Carolina Central University (then North Carolina College) in the fall of that year, where he studied history and became president of the Student Government in his senior year. He received his B.A. degree *summa cum laude* and then went on to earn an M.A. degree in history from the University of Michigan.

In 1959, he was admitted to the University of North Carolina School of Law as part of what Professor Charles Daye called “the second wave of pioneers,” following a first wave of African American students admitted to the School of Law in the early 1950s under the pressure of litigation.<sup>5</sup> A brilliant and determined law student, Chambers was elected Editor in Chief of the *North Carolina Law Review* in his third year, becoming the first African American to hold this title at any historically white law school in the South. He graduated in 1962, ranking first in his class of 100 students. Thereafter, he studied and taught at Columbia University Law School while earning an L.L.M. degree.

In 1963, Chambers was tapped as the first intern in a new program of the NAACP Legal Defense and Educational Fund, Inc. (the “LDF”), designed to provide promising African American law graduates with twelve months of training in civil rights litigation before sending them home to open civil rights law practices in areas of need.<sup>6</sup> Julius Chambers became one of a new generation of “LDF cooperating attorneys” who began their legal careers working with Jack Greenberg and other leading advocates at the LDF in New York.

In June 1964, Chambers opened his law practice in a cold-water walkup on East Trade Street in Charlotte. His one-person law practice eventually became the first integrated law firm in modern North Carolina history. In its first decade, that firm did more to

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3. DAVISON M. DOUGLAS, *READING, WRITING, & RACE: THE DESEGREGATION OF THE CHARLOTTE SCHOOLS* 108 (1995).

4. 347 U.S. 483 (1954).

5. See Charles E. Daye, *African American and Other Minority Students and Alumni*, 73 N.C. L. REV. 675, 677–81, 684–85 (1995).

6. JACK GREENBERG, *CRUSADERS IN THE COURTS* 375–76 (1994).

influence evolving federal civil rights law than any other private law practice in the United States. Chambers and his founding partners, James E. Ferguson II and Adam Stein, worked with lawyers at the LDF to litigate a vast range of civil rights cases that changed the face of the nation.

In scores of school desegregation, employment discrimination, voting rights, health care, and public accommodations cases, Chambers and his partners challenged the deeply entrenched regime of Jim Crow segregation and white supremacy that had prevailed in North Carolina and the South for nearly 100 years following the short-lived experiment in racial equality during Reconstruction.<sup>7</sup> These legal challenges met fierce resistance in some quarters. Julius's office was firebombed, his home was attacked, and his automobile was burned up in a church parking lot while he was inside at a community meeting with clients.<sup>8</sup> Yet he persisted against all efforts to intimidate or deter him, eventually arguing and winning landmark Supreme Court rulings in such cases as *Swann v. Charlotte-Mecklenburg Board of Education*,<sup>9</sup> the most pivotal school desegregation case after *Brown*, as well as *Griggs v. Duke Power Co.*<sup>10</sup> and *Albemarle Paper Co. v. Moody*,<sup>11</sup> two of the early, pivotal employment discrimination cases interpreting Title VII of the Civil Rights Act of 1964.<sup>12</sup> His firm was based in Charlotte, but his practice took Chambers to literally every corner of the state and beyond. Hundreds of African American ministers and community leaders knew that Julius Chambers would willingly drop everything, drive four or five hours on short notice, and meet with poor or disenfranchised individuals or community groups who had nowhere else to turn.

In 1984, Chambers was invited to leave his North Carolina firm to become Director-Counsel of the LDF. He was its third Director-Counsel, following Thurgood Marshall and Jack Greenberg.<sup>13</sup> At the LDF, he became the field marshal for twenty-four staff attorneys and approximately 400 cooperating attorneys around the nation. With offices in New York City, Washington, D.C., and Los Angeles, the LDF has maintained an active caseload of more than 1,000 cases,

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7. See DOUGLAS, *supra* note 3, at 109.

8. See GAILLARD, *supra* note 2, at 34–35, 82–83.

9. 402 U.S. 1 (1971).

10. 401 U.S. 424 (1971).

11. 422 U.S. 405 (1975).

12. 42 U.S.C. §§ 2000e to 2000e-17 (2006).

13. See GAILLARD, *supra* note 2, at 183.

covering such areas as education, voting rights, capital punishment, employment, housing, and prisons. Under Chambers's leadership, the LDF became the first line of defense against the political assault on civil rights legislation and affirmative action programs that began in the 1970s and 1980s. He also initiated a "Poverty & Justice" program, focusing on the legacy of racial segregation and ongoing discrimination that continued to trap millions of African American families and individuals in segregated neighborhoods lacking good schools, adequate police and fire services, high-wage employment, and amenities that other largely white and middle class communities took for granted.

In 1993, at the invitation of then-President of the University of North Carolina system, C.D. Spangler, Julius Chambers returned to North Carolina to become Chancellor of his undergraduate alma mater, North Carolina Central University. Under his leadership, the University launched a \$50 million capital fundraising campaign and established its first ten endowed chairs, including the one-million-dollar Charles Hamilton Houston Chair at the university's school of law. He also oversaw creation of a biotechnology/biomedicine institute that now bears his name.

Chambers could not and never did give up his work as a lawyer. In 1986, he argued and won a unanimous decision in a key Voting Rights Act case, *Thornburg v. Gingles*.<sup>14</sup> In 1995, he was one of three lawyers who argued *Shaw v. Hunt*,<sup>15</sup> another landmark redistricting case defending the creation of congressional districts under the Voting Rights Act, before the Supreme Court. This case forced the Court to decide the constitutionality of two North Carolina congressional districts that were redrawn after the 1990 census according to provisions in the 1965 Voting Rights Act to ensure equitable minority representation.<sup>16</sup>

Julius retired from his position as Chancellor of North Carolina Central University on June 30, 2001, and reentered private law practice with the firm he started in 1967. That same year, he accepted the invitation of then-Dean of UNC Law, Gene Nichol, to become the inaugural director of the UNC Center for Civil Rights. Julius conceived of a UNC-based Center that would carry out three missions simultaneously: (1) training a new generation of law graduates who would be committed to civil rights advocacy in the

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14. 478 U.S. 30 (1986).

15. 517 U.S. 899 (1996).

16. *Id.* at 901-02.

twenty-first century; (2) providing a place where sophisticated socialscientific and other research would be commissioned, examined, and shaped to address issues of racial and economic injustice and inequality; and (3) offering strategic legal counsel and services to lower-income and non-white communities in North Carolina and the Southeast.

Chambers was able to attract a steady array of support from major regional and national funders, including The Ford Foundation, the Z. Smith Reynolds Foundation, the Jesse Ball DuPont Fund, the Knight Foundation, and the Fletcher Foundation, among many others. With those funds, he built a civil rights “law firm” at the UNC Center that engaged in advocacy at state, regional, and national levels. The Center began its life in collaboration with the Harvard Civil Rights Project on a conference about the threat of Southern school resegregation that led to a special issue of the *North Carolina Law Review*<sup>17</sup> and a UNC Press volume.<sup>18</sup> In subsequent years, the Center focused national attention on the problems of “municipal underbounding,” the exclusion of African American communities from the city limits of the towns of which they had been historically a part, thereby limiting the voting rights and municipal services of black residents. It also pressed to end statewide school inequities by participating in North Carolina’s *Leandro v. State*<sup>19</sup> lawsuit and the recently retried Pitt County school desegregation lawsuit.<sup>20</sup>

The Center under Julius Chambers filed a brief in *Grutter v. Bollinger*,<sup>21</sup> a case in which he argued that the Supreme Court should preserve affirmative action in law school admissions because of the compelling governmental interest in assuring that a law school could train the future leaders of its society. Nearly every year from 2002 to 2010, Chambers also shared his knowledge of civil rights law with Carolina law students in a course similar to one he had offered in previous decades to law students at Harvard, Michigan, and the University of Pennsylvania. During his nearly ten years as director,

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17. Symposium, *The Resegregation of Southern Schools? A Crucial Moment in the History (and the Future) of Public Schooling in America*, 81 N.C. L. REV. 1375 (2003).

18. SCHOOL RESEGREGATION: MUST THE SOUTH TURN BACK? (John Charles Boger & Gary Orfield eds., 2005).

19. 346 N.C. 336, 488 S.E.2d 249 (1997), *aff'd sub nom.* Hoke Cnty. Bd. of Educ. v. State, 358 N.C. 605, 599 S.E.2d 365 (2004).

20. See *Everett v. Pitt Cnty. Bd. of Educ.*, 678 F.3d 281 (4th Cir. 2012) (remanding the case back to district court for retrial). The retrial began July 22, 2013. See Order, *Everett v. Pitt Cnty. Bd. Of Educ.*, No. 6:69-CV-702-H (E.D.N.C. Apr. 10, 2013). At the time this Issue went to press, the district court had yet to decide the case.

21. 539 U.S. 306 (2003).

Chambers received dozens of national and state awards for his lifetime of service. When he announced his retirement from the Center in 2010, he was honored at a festive celebration at the Carolina Inn, where featured speakers included Governor Deval Patrick of Massachusetts and then-Governor Beverly Perdue of North Carolina. President Barack Obama also provided a three-minute video tribute to Julius Chambers's life and work.

In recent years, Chambers had returned to Charlotte and continued his legal work insofar as his failing health would permit. In the spring of 2012, the death of his dear wife and life partner, Vivian Chambers, came as a blow; more recently, he lost his ninety-six-year-old mother.

To the end, Julius remained the thoroughly decent, devoted, modest but relentlessly principled champion of those who most desperately needed his services—African American families, communities, and institutions, poor people of every background and heritage, and women who had been oppressed by social constraints. I remember one afternoon when I was in Charlotte, preparing to meet with Julius and other lawyers on an important, countywide school challenge. We needed to go to lunch to confer before the meeting. In the main waiting room of his office, as we headed out, Julius spotted a middle-aged, black woman, humbly dressed. He went over to her, as he so often did to those visibly without power or influence, and asked with real interest why she sat waiting in the firm's office. She hesitated at first, but finally explained that her son had special educational needs, that he had been locked in a supply closet by school officials without justification, that school officials seemed indifferent, and that she hoped he might be of help. "Come on to lunch with us," he said without hesitation, "and tell us about your son's problem." We spent that hour not plotting a countywide litigation, but listening to the individual plight of this brave but powerless woman and her mentally challenged young son. They don't make lawyers, or human beings, any finer than the Mount Gilead native whom this state and nation lost to death on August 2nd.