

AN ORAL HISTORY

with

EDWARD BLACKMON JR.

*This is an interview for the Mississippi Oral History Program of The University of Southern Mississippi. The interview is with Edward Blackmon Jr. and is taking place on June 26, 2009. The interviewer is D'Andra Orey.*

**Orey:** This is D'Andra Orey conducting an oral history interview with attorney Ed Blackmon, representative in the House of Representatives in the state of Mississippi. The interview is taking place in Canton, Mississippi, at 907 West Peach Street at Attorney Blackmon's law office. Attorney Blackmon, for the record, can you state and spell your name?

**Blackmon:** My name is Edward Blackmon, that's E-D-W-A-R-D.

**Orey:** Where and when were you born?

**Blackmon:** I was born here in Canton, Mississippi, July 21, 1947.

**Orey:** And what are the names of your parents?

**Blackmon:** My father's name is Edward Blackmon, Sr.; my mother's name is Molly Blackmon.

**Orey:** Where did you grow up?

**Blackmon:** I grew up in Canton, Mississippi.

**Orey:** How long have you lived in the state of Mississippi?

**Blackmon:** Except for three years of law school, I've lived here all my life.

**Orey:** And what is your religious affiliation?

**Blackmon:** Baptist.

**Orey:** Will you tell me just a little bit about your childhood growing up in Canton, Mississippi?

**Blackmon:** Well, the first memories that I have in Canton is over on North West Street, which is where I grew up, and that was a house that had a central heating system with a stove, wood-burning stove, and an outhouse in the back of the house, and gravel roads in a black community.

**Orey:** And can you tell me just a little bit about your education background, starting with elementary school?

**Blackmon:** Well, I attended the Catholic School here in Canton, which is Holy Child Jesus School until the fourth grade; from first through the third. Then fourth grade was in the public schools at McNeil Elementary School, and for after that into Rogers Junior and Senior High School here in Canton.

**Orey:** And in terms of your high school undergrad experience?

**Blackmon:** Well, high school of course was Rogers High School. College was Tougaloo College. And while enrolled at Tougaloo before going to Tougaloo, I attended Tuskegee Institute for a semester and decided that I'd be better off at home, came to Tougaloo College, while there did a summer semester at Emory University at Atlanta, got my bachelor's degree in science, political science at Tougaloo.

**Orey:** OK. And you went on to get a law degree?

**Blackmon:** I got my law degree at George Washington University which is a law school there in Washington, DC.

**Orey:** And what year did you finish law school?

**Blackmon:** In 1973.

**Orey:** OK, and this interview focuses primarily on your political career. What inspired you to go into politics and when did you begin your career in politics?

**Blackmon:** Well, I was inspired in my early practices of law here (brief interruption) in Canton because of—it was the nature of the times when a lot of the relief that we needed, that people needed here in this town was, involved election laws. This was still very much an oppressed political system here in Canton, where you still had to file suits to get some people registered, you still had to file lawsuits involving virtually every election because it was bound to be irregularities that were going on as the majority—the minority, that is, at that time which was the white population of the city and the county, at that time, sought to maintain the status quo. So being involved from a lawyer's standpoint in that, I felt the urge to not just be a legal representative of citizens who were being denied their franchise and candidates who were being cheated out of elections, I decided to involve myself. And I believe I first ran for office in 1975, I believe, and I ran

for the legislature at that time, lost, came back a few years later, 1979, won. That was a special election. And after that, I lost in the general election. Came back in 1984, won, and been there ever since.

**Orey:** OK, and in your role as state legislator, can you, would you indicate whether or not if some issues can be couched as black interest issues that the Legislative Black Caucus was undertaking, or are they just general issues that are broadly sort of defined for, say, poor or some other category?

**Blackmon:** Well, Mississippi is a special place. There are many issues which are clearly along racial lines, such as the issue involving the flag and that was some years ago, but even this year we had a resolution where we had to vote on the Thirteenth [Tenth?] Amendment, state sovereignty, where some legislators thought it would be good to have the legislature pass a resolution to be passed on to Congress regarding this state's interest in maintaining state's rights in terms of not having the federal government directing and dictating what we thought or what they thought was clearly state activities, but the members, many of the white members failed to understand that just bringing that subject up was an irritant to the black members based on this state's history, and that became a black/white issue. And there are lots of things that, involving education, for instance, whether or not you're going to have elected, all elected superintendents or some are going to be appointed or a combination of the two. That can become a racial issue when on the surface it would appear not, but the fact is that in majority black areas you have, where you have an elected system, you elect black superintendents. They don't want to give—black citizens and their representatives don't want to give up that power to an appointed authority because their experience is that blacks don't usually get treated fairly in an appointed system, so it becomes a racial issue when on the surface it might appear that it is not.

**Orey:** So overall in the state of Mississippi, how would you describe race relations over time? Clearly things are different when compared to the 1960s and early 1970s, but overall and by extension, how would you compare race relations in the state legislature compared to when you were first elected?

**Blackmon:** Let me explain it this way. When I started practicing here in Canton in 1974, it was racially polarized voting. In the past municipal election here in 2009, it was racial, racially polarized voting. To that extent there has been virtually no change. What has happened, though, with the Voting Rights Act and rulings by the court concerning that, the barriers for, to exercise that right to vote has been broken down. The attitudes concerning the vote have remained unchanged in Mississippi. Black candidates, except for a precious few instances, cannot hope to win an election unless there's a substantial majority of black votes there, and that's been the way it always has been, and for the foreseeable future, I think it will remain that way.

**Orey:** Well, let's continue this topic as it relates to racially polarized voting within the

context of redistricting. You arguably played a major role or you did play a major role in redistricting in the early 1990s. Can you describe for us your role as legislator in the redistricting process during the 1990s?

**Blackmon:** Let's start with the 1970s.

**Orey:** OK.

**Blackmon:** All right. That's where my experience came from which dictated what I would do in the '90s. When I returned to Mississippi, all elector districts were at large and they were at large for a reason. It would dilute black voting strength if there were no election districts that were defined by lines. From the city elections to the county to legislative elections were all at large. And the first thing that, the biggest challenge was to file lawsuits under the Voting Rights Act alleging that—well, also the Fifth and Fourteenth Amendments to the Constitution, equal protection where you have—where you—one man, one vote was the basis of the lawsuits and that at large we'd have to show that at large voting actually diluted black voting strength. And one of the main components of the proof was that there was racial polarized voting and that—and it was—that's easy to show. And we started out by filing lawsuits here in Canton in the '70s to change those at large districts to voting by districts, precincts, wards, and was successful with that. That went over into the '80s when we really got going on that. And then we sued the county because this county was doing the same thing, and we ended up getting single member districts out of that. And then we went around to virtually all the counties as far as—well, virtually all over the state filing those same type of lawsuits, and this occurred all across the '80s on the same principle, and was successful in getting those cities and counties redistricted into single member districts. And as a direct result of all of that, you got black elected officials because blacks were able to vote for the person of their choice and get them in office. There was not a change in attitude, social mores, the way people were thinking, it was simply the rule of numbers where if you had a sufficient number of black voters present in that particular ward or district, they voted for the person of their choice and more likely than not, that was a black person. And the rule of thumb at that time was that you had to have at least a 65 percent black voting age majority which translated into a 70 percent populated district in order to get elected. That number, the one thing that has changed over time is that number has gone from the super majority black districts to now 60 or 62 percent black districts and that's occurred based on the sophistication of the voter, the black voter, and the erasing of boundaries that were there and the fear that many blacks had early on of voting. So, that has been the predominant, not the exclusive change that's allowed black elected officials to blacks to become black—uh, elected officials. And I don't think any attitudes have been changed substantially along racial lines from the beginning until now.

**Orey:** In 1990 as in the state legislature.

**Blackmon:** All right, that's during that time. An incident, dynamic occurred, I

remember when I was elected and took office in 1984, I was appointed to the Apportionment and Election Commission, Committee. And I'm absolutely certain that when I was appointed to that committee, no thought was given as to any of my background; if there had been, I would not have been on that committee. And when I was appointed, I was thinking, "Wow, what an opportunity." And this is some years before redistricting and I had a plan that I formulated as I thought through the process that I did not discuss with anybody. I knew that at the State level for my observations of the efforts that took place in 1979, when they did some redistricting and you got some majority black districts, that if you sought to redistrict as a single interest, like my only interest in redistricting is black districts, you were doomed to fail because every house in the legislative redistricting process is connected to every other house in the district. If you're going to move one house, you've got to move all the houses. So I understood that and when we began that process after the census, my thought was that I had to take on a plan, a full plan which would mean that I would have to get enough people to agree with that plan, my plan, for it to become law which was almost, I guess, an impossibility. I remember meeting with Frank Parker in Washington, DC, shortly before we began the process. And I knew Frank from his work with the Lawyers' Committee for Civil Rights and the Law when he was here in Jackson—was in Jackson, and Henry Kirksey, who worked with him at that time and is now deceased, but it was well known in his efforts to redistrict in a manner in which blacks would have a chance of electing a person of their choice. I met with Frank and laid out to him what my plan was, and Frank was an excellent lawyer, a very smart guy. He had done yeomen's work and litigation here in this state. When I laid it out to him, he did not believe that it could be done; he simply didn't believe that I—it could be done through the legislative process as opposed to the legal system, and which is where they had enjoyed success in the past. What little success we had, it came from there. But I wasn't discouraged by his thoughts on that; I didn't know if it would work either, I knew it was a shot, worth a shot. So I formulated a plan first to get all of my black colleagues that were there, some sixteen, to buy into the plan and to my surprise, I met with resistance, a lot of resistance first. So it wasn't encouraging that the first group that I thought would naturally buy into that, which was the black members, would do so. I had about half, a little more than half; nine who decided to side with me in that process, the others were flat out against me and, which, well, made it more difficult. But I began to draw, draft my own plan. I was on the Redistricting Committee so I had all the access to all the machinery, I had the computers, I had the staff to formulate because any member can draft his own. It's just another piece of legislation, but you really have to know what you're doing. And I separately drew a district for every member there; all 122 in the House. And then I went over to the Senate later on to do the same thing. Everything comes together; history, sometimes, you have to act. But fortunately for us we have a speakers' fight going on here, too. We had Tim Ford who had just taken the seat after there was a coup of Buddy Newman, who had been a very authoritarian type of speaker, and we had Ed Perry out of Oxford, who had one faction going, trying to seize power of the speaker, and you had Tim Ford seizing it, and they were also involved in redistricting each side because whoever got elected would determine who was going to be the next speaker. And I was in the middle drafting a plan

that was neutral in terms of who was going to be speaker; it truly was neutral. That goal was to get as many black districts as we could and we went through a process whereby the first plan that came out of committee, my plan was defeated but I was able to present it, and the House plan which was adopted by the Tim Ford group, because they had the majority, went to the Justice Department and it was rejected. And the primary reason it was rejected because with my plan I had created substantially more majority black districts than their plan, thus the argument that their plan diluted black voting strength, that they could've created—the argument was, they could've created more compact and cohesive districts and they failed to do so solely because of race. It was that, because of race, and so that plan was rejected. Now, jump forward for a second. That puts us back into the House of Representatives and in the Senate and the power struggle. I had went to each side, Ed Perry's group and I went to Tim Ford's group and said it to each side, "I don't really care who is speaker; I do care about how many blacks we're going to have down here or have a chance to have down here, and that we be treated in this process once and for all." I had my plan up so everybody knew what my plan looked like. I met with Ed Perry, and actually it's not true what I just said, I actually told Ed Perry, I wanted his side to win, but I didn't want his side to win bad enough that I would disenfranchise the black citizens of the state. And I went to Tim Ford's folks, and I told them that I really don't care who wins, I just need, I want, I want the districts. And the contest for speaker was really tight. I only had nine committee black votes to stick with me; the rest of the blacks actually were with Ed Perry. And Tim Ford called me one day in the heat of that battle, and he asked me did I really mean what I said about the black districts, just wanted to get the black districts, and I said, "Yes, I do." He said, "Will your nine voters commit to me if I promise you all that?" I said, "Absolutely." But I had a larger agenda, it was just that I had laid out a plan for both sides, too. I wanted the speaker pro tem position, I wanted blacks hired in legal positions in the House to become lawyers, I wanted black committees' staff people, the ladies who actually handle the thing. How long is—I wanted X-number of chairmanships that were going to be black, I wanted at least one of the money positions, Ways and Means or Appropriations; I had a long list of things. Tim Ford said, "OK, you got a deal." And he signed off on every one of those. And the promise was that for our nine votes that we would get every single district that had been originally laid out by me and that not a single, single precinct could be moved, by House moved, by anybody, unless I approved of it in the process. We committed our nine votes, he became speaker, he kept—well, he actually thought I wanted to be speaker pro tem. I didn't want to be speaker pro tem. I told him I wanted Robert Clark, which meant that for every vote he got for speaker, he had to get us one vote for Bob Clark, that same vote. He kept his promise; we got every single district, Bob Clark became speaker pro tem, we got every single chairmanship that we demanded. Lisa Davis, who is now the deputy clerk down there who is out front, I said, "We want a black face out there. I'm tired of looking at TV and every time you turn on the TV, the only people you see back with the speaker are white folk." I said, "We need somebody black." So we got Lisa. And he kept every promise except one; he begged off of the money committee at that time. He came to us and said, "I just can't do it." And he promised us the world after that; we'd get so many committee chairs on Ways and Means, and an extra seat on Rules

Committee. And, well, after we'd gotten everything, the election was over with, we got the best we could out of that trade off with that thing. Later on, of course, Percy Watson was to become chairman of Ways and Means. But that's how we ended up getting what we wanted. We had a plan to do a full redistricting to, the events, history came, it was in our favor. There was a speaker's race that nine votes meant the difference between one faction getting power. Now, now, in order for Tim to win that, he had to get many of his Delta white members to agree, to sacrifice themselves knowing, to vote for a plan, knowing that they would never make it back. In fact some of the speeches that day from some of the members acknowledged that they wouldn't be back, but they were supporting that plan. He had more members willing to die on the floor than Ed Perry. Ed Perry did not want to give up the speaker pro tem position. He did not want to give up the black majority districts that we wanted because they would displace some of the people who were supporting Ed, so he couldn't deliver on that. He wanted us to maintain the status quo which would be sixteen members. Now, of course, we couldn't do that; this is Mississippi and all the attitudes were the same. When issues came upon that board, well, that were clearly and purely black, Tim Ford's folks voted against us and Ed Perry's folks voted against us. They were just a lot more polite and friendly to us, but on matters of substance, they were all the same. So it was quite easy for us to make that switch and, of course, the rest is now proven to be, I think, the right decision, because we have a huge delegation of black members down there. We do, for instance right now, we have thirty-five, we have twenty—how many, twenty-seven, twenty-nine—twenty-six chairmen of committees that are black in the House. (phone ringing) Just a minute. In the House of Representatives, right now, every black member you see is either chairman of a committee or vice chair; every one, *every* single one. We have, I think, thirty-six—I mean twenty-nine, twenty-six chairmen and maybe ten, I think it's ten vice chair. So you have quite a profound change and without the redistricting efforts in the '90s, that wouldn't be possible. Now, I don't think we've reached our full potential because, you know, we have, governance is more than just assuming the office, I think it does take an acceptance and development of a culture of leadership; we don't have it yet.

**Orey:** And how important are those chairmanship positions?

**Blackmon:** The chairmanships are very important because you determine what legislation will be considered, reported out of their committee, what legislation will be called up for a vote, so it's very—those are very powerful positions and they're not just token positions. I've said, you know, the speaker, this current speaker made sure that every single black down there took a leadership position. In fact, on the day that he was announcing it, it took a long time for me to hear a white member's name called as a chairman.

**Orey:** Along those same lines, speaking of the—you spoke extensively about the Speaker of the House and the role of the Black Caucus with Tim Ford. Can you fast forward us to current Billy McCoy? Arguably, the Legislative Black Caucus, who made the deciding vote, if you will, in choosing Speaker McCoy, and privately.

**Blackmon:** It was. Billy McCoy was old, old school. Billy was a product of the '70s, '80s. He was a leader under Buddy Newman. And he came out of a period of time in which you would not expect a man coming from that period to do what he did. But Billy McCoy is a North Mississippi politician, and I think he really loves this state, and he became educated in this process. He really did, he went from being a part of a leadership that was very unkind to black members in that House to being a champion of that leadership, of that membership now. And the reason, what happened, I think, is that Billy saw that his enemies were our enemies; you know they didn't want Billy McCoy any more than they wanted us, and they worked like hell to get rid of him; to defeat him at his election, to talk about him and his family, they called him a bait farmer, a worm farmer, demeaning derogatory terms that affected him, it affected his family. And out of that, he learned and was more sensitive to the fact of who was supporting him. I think all of that led to Billy doing something that not even a black chairman could do, and he did so without suffering the kind of criticism and scrutiny that a black chairman commits. I cannot imagine a black person being elected Speaker of the House and being able to unload the way he did that day by naming everybody either a chairman or vice chairman who happened to be black. In fact, the signal to us was during his election this last time for speaker, the speaker's election which was very close, one-vote margin. When he set up his leadership team to assemble it for his election, the speaker, in a meeting that day that we had with his leadership team, he listed the players on that day, who they would be. He listed me as his candidate for temporary speaker because the temporary speaker position is always the test vote.

**Orey:** Could you describe that for us?

**Blackmon:** What happens, each candidate for speaker will have somebody running for temporary speaker, that's a signal to how the vote will go with the speaker, because if you're a shadow speaker, the temporary speaker serves one day, the temporary speaker opens the House up for the election of speaker and conducts that election. After that, your role as temporary speaker is over with. Obviously you want your person doing that. So he chose me to be his candidate for temporary speaker, because he knew that if I got the votes, then he would get those same votes. The opposition, Jeff Smith, chose Robert Johnson, another black member to be his temporary speaker candidate and the reason being is that everybody needed a black vote to win. He wanted Robert to draw and pull black votes to his side, and it was working at first, except that black members who were thinking about that thought better of it. By the end, only two people ending up voting for Jeff Smith that were black and that was Robert and Chuck Espy. Others who had gave them some time to believe that they would vote for the change. And everybody who participated that day, except one person, was black for Billie McCoy. In fact, in that meeting one question was raised by, one of the black members said, "Mr. Speaker, don't you think we need to have some white members participating?" And Billy appeared across the desk from me and looked and he said, "I thought about this and this is the way I want to do it." So he chose black members who he knew was his most loyal following



to lead his election campaign, but none of us expected him to do what he did after he was elected. I mean it was some kind of day when every name, even his, even the members who voted against him, were named to chairmanships or vice chairmanships, the two members.

**Orey:** If I recall, he won by one vote.

**Blackmon:** One vote.

**Orey:** But originally an African-American female—

**Blackmon:** Linda Coleman, my desk mate.

**Orey:** OK.

**Blackmon:** Linda and I had had a talk the night before. Linda had committed to vote for Robert Johnson as for temporary speaker position, and after I talked to her, Linda and I had been seat mates for sixteen years, and after I talked to her about the importance of what we were about to do. Now, during the first two votes, you will remember, that her vote went with Jeff Smith; well, that's how the tie came about. On the third vote, she switched and voted for me and broke the ice.

**Orey:** Can you describe the first two votes for us?

**Blackmon:** The first two votes. There is no provision for breaking a tie, you simply vote and vote and vote until somebody wins.

**Orey:** And this was out of the entire House?

**Blackmon:** Out of the entire House. And their names were called individually; each member's name is voted, you say the name of the person you're voting for; it was Johnson in this case or Blackmon. And everybody had that list and was checking it out. You had to call 122 names.

**Orey:** Sixty-one, sixty-one times?

**Blackmon:** Every time for two times, and it was tense, it was tight, it was about as high a drama, political drama that you will ever face where the future of the state was at hand. And also the future of what we were going to be like, because we had worked for fifty years to get where we were as black members and we were going to suffer a severe setback if things hadn't turned out the way they did. And that vote, every vote and everybody listen to every name, and everybody knew where the votes were coming from, so when Linda Coleman's very clear and strong voice said "Blackmon," you could hear one half of the house just go numb, they grew numb, it was a loud numbness, if you get

that. And they knew it was over with at that point. And of course I was elected, and then after I opened the House up for a nomination and vote from the speaker, Billy got the same vote that I got, and that's why the temporary speaker's race is so important, and he won, of course. There was a lot of horse trading that went on before that, there were a number of Democratic members who had committed themselves to Billy backed out under pressure, white members that is, and it was just one of those moments in time and history that if you were there, you remember forever.

**Orey:** Representative Blackmon, I've got really one last issue, really one and a half. But I'd like for you to speak to the Kirk Fordice era, specifically when Kirk Fordice, if you can recall when Kirk Fordice attempted to staff the—

**Blackmon:** College Board?

**Orey:** College Board with white males and the role of the Legislative Black Caucus, if you will.

**Blackmon:** Well, Kirk Fordice is this. Now, when Kirk Fordice got elected, he was our first experience with a Republican governor, and Mississippi had never really been a partisan-divided state. It's always been racially divided. And we knew it was racially divided, it was Hill versus Town, North Mississippi versus South Mississippi, the kind of things that you really could—you could resolve those things and have common ground on many on other issues. Racial divides are, can be bridged, generally, on certain racial issues. But I can tell you what is absolutely never brought together is a purely partisan politics. So the quo, test for us was whether or not Fordice was there, we went and met with Fordice. A group of us went right after the election and went and met with him. And Fordice was a Republican, but he wasn't partisan. I have no doubt that he was a Republican all of his life, but he was not partisan. He was, to our relief, he was just a good old Mississippi boy who saw things through the prism of his racial culture, things that we're used to seeing in Mississippi. And that's what guided Fordice in his decision-making with the College Board. It's not only race but his gender; he's an old school gender, genderologist. He's the guy who probably loved and admired women but thought they had their certain place; that's where he was, and you could tell that when you talked to him. I don't know if you remember this when Fordice came to office, Fordice was—had all of these ideas about, you know, term limits and he was upsetting a lot of folks. And I remember we staged walkouts of his state address and during that first term, and we had a key word and the key phrase had to do with term limits, and we, all the black members agreed we'd get up and walk out, and we did. As soon as he mentioned that, everybody stood up and walked out except one member and I can understand why that one member didn't walk out. And I remember Fordice saying, "I don't care, let them walk out." But I only bring this up to say that the fights with Fordice was much more pleasant. As you recall with the College Board thing, when we began to raise hell about, you know, not stacking it with white males, no women in the group, Fordice actually appeared to be surprised at people's focus on that. I don't think he gave us a thought; this

is who he was. And now, of course, you know he went back after they had been rejected, him and Frazier and others on the board on the Senate side, helped engineer the defeat of his candidates, and he was forced to go back. Now, let's compare that to our current Republican governor, Governor Barbour who is to his heart and to his bone and every molecule in his body a partisan politician. And if you're a Mississippi partisan politician, that means that you only can relate to the white community. Fordice is very quiet—not Fordice but Barbour has very quietly appointed thirty judges to the Appellate and to the State court bench either through resignation or through creating a vacancy or death; not a single black has been appointed, not a single one, not one. And the reason is twofold; race you could say is a factor, but the other factor is that you don't find people identified as Republicans that he can identify who are black, so you'll never get where he's going. He demands absolute loyalty and control among Republicans. If you claim you're a Republican, then you better act like you're one or either I'm coming after you, which is what his position is. So Republicans are living that mortal political fear that they don't toe the line, and I saw grown men cry during tort reform who didn't believe in what they were doing, who went screaming and kicking in a direction that they didn't want to go to, go in. But the overwhelming fear that he cast over that body was so pressurized that you had men and women doing things that they never would do, because it was not a vote against, for race, it was not north and south. A lot of the vote had to do with things they cared, really cared about as human beings, and he went and did it up for them. And now in the House and Senate, the Republicans are like robots. I mean literal robots, like the budget crisis we're in now, that's not a budget crisis, that's something that some years ago we would've saw months ago going on. But you have a governor who is for the hell of it, just for the hell of it, just because this is the way Republicans or parties do each other. He's decided that he wants to impose, where in this case it's the funding of Medicaid, my way or the highway. And the Republicans are fearful to do anything about it, so you get this prolonged and extended stalemate that's purely partisan, and for us in Mississippi, it becomes racial, racial because you have only white Republicans and you have black Democrats, so we see it as race, they see it as (inaudible), I'm sure, but that's the way it is in Mississippi.

**Orey:** You spoke briefly, and this is probably the last question, you spoke briefly about Fordice's perception of race and gender. And your wife is actually a senator in the state legislature.

**Blackmon:** She was.

**Orey:** She was a senator in the state legislature. Do you perceive women as being treated equal in the state legislature or can you comment just—

**Blackmon:** No, and they never have been. The closest to equality that women have gotten in the legislature is to Billy McCoy, on his side. Women in the legislature, black and white, are an afterthought except for the efforts made, the conscientious efforts made by Billy McCoy to reach across that, and he intentionally thinks about it, it comes to

mind. You know, I've been in his presence where he's forced that thought out, "You know, we got to get some women involved." And you have to really think like that, just like you do that we've got to get blacks involved. Other than that, women are shut out of the—first they were shut out of the process except for their individual votes. And we got female chairmen, influential chairmen in that House, but on the Senate side, that doesn't exist and never has existed. In fact, back when Alice Harden was appointed by Lieutenant Governor, what's her name?

**Orey:** Tuck.

**Blackmon:** Amy Tuck, appointed chairman of Education, for the first time she was appointed a co-chair, (laughs) which was a guy out of Vicksburg who is now insurance commissioner. And even a female, and she was a black female to do it, so a white female that didn't appreciate what they—how the symbolism of what she was doing. So, no, women are not treated anywhere close to being equal in the legislative process.

**Orey:** In particular, white women have been elected at lower rates compared to black women.

**Blackmon:** Yeah.

**Orey:** I mean there are only four of them, if my memory serves me correctly. There were four white Republicans and four white Democrats, and this might've been in 2001, though, but I don't think those numbers have improved much.

**Blackmon:** No, they haven't. And the reason for it is that, you know, this state still has a myth about the place of women and that's white women, too. And the shame of it is that white women don't seem to mind that, you know. I don't see a great push; I've not seen a great push in them to change that. You know this is like antebellum South when women had their place, too, and I think that may be a key to changing things overall if white women ever exercise their franchise independently of white men. That might be a scary thing to confront.

**Orey:** Representative Blackmon, this concludes my questions for you. Do you have any closing comments or anything that you'd like to leave us with? This is your legacy that we'll be left with. Any closing comments based on your experience in the House?

**Blackmon:** Well, the only thing I—I guess I would add this to that. After all the years and the decades that I've been involved in this, I've always, I guess a little bit surprised that you see repeated many of the ghosts of the past that are still here, and that's the fact is that without these majority black, super black districts that were created under the Voting Rights Act, the voting patterns would dictate that you would have precious few blacks elected to office and that's really the disappointing thing about being a Mississippi politician or citizen in the state, that I don't feel that there's going to be an appreciable

change. It doesn't matter the kind of candidates that we have, it's going to be the same. We can have a local Barack Obama, and we'll still be the same. So that's disappointing and the major disappointment is that I know it won't change; it just will not change. You'll get a Tate Reed elected as treasurer who has, who came in with probably the weakest credentials of anybody ever aspiring to that office, but he got elected for only one reason, he was a white male running against a black male, and that was a well-qualified black male, and they didn't care. White voters absolutely didn't care about that and didn't examine anybody, his qualifications. So you get a Tate Reed—Reeves who was elected to office merely because he had—the accidental birth; he was born a white male and that's it, and that's unfortunate and that's the way it is in Mississippi and that's the way it's going to be for the foreseeable future.

**Orey:** All right, Attorney Blackmon, thanks a lot.

**Blackmon:** OK.

(brief interruption and interview continues)

**Blackmon:** Henry Kirksey, who I met in 1971 when I did an internship, at the Lawyers Committee for Civil Rights, on the law in Jackson where he was there. Henry Kirksey, who is not a lawyer, he was a self-taught draftsman; and Frank Parker, the lawyer there, and Connie Sloan was there, and Angius Brown came in and out of the office all of the time, so I was around all these great minds at the time. And I met Kirksey through that process, and he was really involved with Frank Parker and all the redistricting efforts going on. But in 1991, Henry Kirksey came to see me in my office at the Capitol and he had an armful of maps he had drawn of individual black districts. And the reason I'm sure he did that because that's the way it used to be; let's try to get us a few districts. I took his maps, but I understood that his maps wouldn't work for what I wanted. I wanted to redistrict the whole state and I wanted to do it in a way where I normally do their districts, our districts, I do their districts, too. And so Kirksey left his maps with me, and I told him I'd try to work them in, but as I've said before, you can't just start putting, you just can't start putting districts on top of districts, it won't work. You got to move and have them fit in and you got to have your—you got to make sure you adhere to, you know, one person, one vote. It has to be cohesive and, you know, it has to not look funny. So Kirksey was thinking just like Parker.

**Orey:** So you were thinking before your time—I mean you were thinking before *Johnson v. Miller*, *Shell v. Raymond*, which was before.

**Blackmon:** The whole, yes.

**Orey:** So you predicted that, basically.

**Blackmon:** I thought it would work. And the next year, you know, we followed that up

with judicial redistricting.

**Orey:** Right.

**Blackmon:** And the advantage I took of that, which is a whole different thing, the advantage I took of judicial redistricting because you had four black trial judges in Mississippi at a time. So we went from, I think, sixteen blacks in the House the year before and we went to thirty-two. We went from four senators to, I think, ten as a result of redistricting. And the goal then, the next goal was to, the next year was judicial redistricting and do the same thing. We had an advantage, though, because we didn't have to worry about one person, one vote. You could draw any district the way you wanted to. So I came up with the idea of subdistricts, and I got everybody to buy into the concept—I had to get a majority to buy in the concept of subdistricts. I had to—the only thing I had to give up was a concept called running from post. And then there were some districts which were, you ran in a herd. I went back to at-large voting (laughs), which is ironic. And the rule of thumb was that you could not have posts in any district that was—any county, (inaudible), that was 30 percent or more black with black population. Well, I had been watching this whole thing before then with Ronnie Grenier(?), who's—

**Orey:** Um-hum.

**Blackmon:** You know who she is?

**Orey:** Yes, (inaudible).

**Blackmon:** OK. All right. The at-large thing really was not at-large.

**Orey:** (Inaudible)

**Blackmon:** Except that my concept—you go back and look at the legislation we passed then. In the herd, if you allow—if there were three or more candidates, you—it was not a majority vote, it was who got the largest number of votes, you were out no matter what that was, you were in, and the two highest voters behind you—(inaudible)—had to have a runoff. But the way that you could prepare yourself to number one, if you were in a district of 30 percent or more black, is that you get all the black voters that there was to vote for you and don't vote for anybody else. If you got two positions there, you got two judgeships, you vote only for candidate A, don't vote for candidate B and C. Your vote for candidate A had more of an impact than B and C because B and C, the folks that were voting for them were dividing their vote up and you were the only person being—if you only voted for candidate A, then your vote had a greater impact. Now, all of that's in that—I got all of that in that legislation, all those crazy concepts.

**Orey:** When was this?

**Blackmon:** The following year, this would be '93.

**Orey:** And this was a deal that expounded on judgeships (inaudible).

**Blackmon:** Judgeships. Now, what I had to give up with that—what I had to give up was partisan election for judges. As you know right to this day, judicial elections are not partisan, but in my mind what I was thinking, you know, given the racial makeup and racial voting in this state, motorized voting, hell we know already. If you're trying to elect a black judge, you know, they're black, they stand out, you don't have to deal with that, you know primarily that they're going to be coming from Democratic political leanings. And I was able to get all of those concepts which was—I mean if you think about it now, subdistricts where you don't have to have a proportion of representation. You had posts where you could run for a designated post and run at-large from a post, and then you had the herd, which we called the herd, which is three or four different means, means for electing a candidate, yes. I got all of that package in there with all of those folks, but the irony of that is that not a single black used the herd and the reason being because blacks were running in the black subdistricts. And to show you how disproportionate it is, there's a district over in Warren County and Issaquena County, and that makes up their district over there. This little patch of district has twenty-something thousand black voters in it, this subdistrict. The other subdistrict has sixty-something thousand voters in it, where the white judge is elected. It was just a mix and match of all kinds of good stuff so you could just—you say I want a black—what it came down to, "I want a black judge over here."

**Orey:** Because you didn't have a prior one person, one vote.

**Blackmon:** That's right. So therefore you got all these black circuit and chancery judges around the state now and they came as a direct result—I think we went from, what, four to sixteen or something like that really quick. That happened as a direct result of that redistricting process. And the irony of the herd where you were saying, you know, if you got a 30 percent or more black population in a district, you get a candidate and get your folks to just vote for you and you'll win, you're in. Not a single black used that, that, um, the herd. Only one candidate, a white candidate used it, Judge Morgan who's a judge now up in Attala County, around up in that area. Came to my office, after we passed that legislation, with his campaign manager and he said, "Ed, tell me about the herd and how I can use it." He had heard something about it and I told him what he could do. It applied—it's not just blacks, but any particular interest group. It could be one county trying to get their local boy elected against all the other counties in the district or it could be women or it could be a fraternity or a sorority or whatever special group (inaudible). And I told him all he really had to do was get everybody in his county to vote for him and not for his opponents, that he would be—he'd end up being the top vote-getter and the other guys would be in the runoff; that's exactly what happened and that's how he got elected the first time, he used it. Now, when we came back and did redistricting the second time around, judicial redistricting this last time, we took the herd out, it wasn't of no use. We

allowed many districts to go to the post that couldn't go, like a 30 percent threshold you couldn't go to post. It was of no use; blacks were not taking advantage of it, didn't want to take advantage of it, and we eliminated that. So essentially now we have post and subdistricts; that's the only two methods. So we eliminated two of the other restrictions this last time around. But the first order of business was to increase the number of blacks on the bench. We accomplished that and now we're trying—I tried. In fact, we passed a bill the governor vetoed last year, in which we were increasing, I think, by four, by four of the number of black judges. In fact, there's a bill that we passed a couple of years ago that allowed for—and there are two new judgeships coming on line that will not take effect until this next election that are already in that piece of legislation and those are subdistricts. So we've resolved now that the way you get black—I mean the safest way is to have subdistricts. For instance here in Madison County we had a subdistrict in the bill vetoed by the governor that was comprised of north—it was Rankin County and Madison County make up our judicial district, Twenty-first Judicial Circuit District here. And what I did was, I had two judges to be elected from the subdistrict of the southern part of Madison County and all of Rankin County, which is Republican, let them have their judge, but I had a subdistrict that we comprised of supervisory districts four and five, which is a black majority district and involving Canton and then going all the way up to Pickens. We didn't have to worry about population. It was put in the bill, that subdistrict comprised of the fourth and fifth supervisory districts of Madison County, and we would have—if that ever becomes law, we're going to try it again. Of course you'll end up getting a black elected here for the Madison and Rankin County area. The problem that some whites had is that they didn't like the thought of a black judge sitting and hearing cases that they didn't have a chance to vote on. And my response was, "Hell, y'all not going to vote for them." I explained to them that they do that already; it's called the Supreme Court Districts. Those are subdistricts; it's divided, this state's divided. You will—not everybody votes on all the judges; you vote on only the judges in that Supreme Court District. They then sit in judgment on all cases all around the state. And I had to get them to say, "Oh, I see now." Because that's the same thing that we would be doing with the subdistrict in Madison County, if and when we can get it.

**Orey:** All right, thank you.

(end of interview)



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