

HAYWOOD BURNS PAPERS

**The New York Public Library
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HAYWOOD BURNS PAPERS, 1940 -1996.
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Biographical Sketch

William Haywood Burns, civil rights activist, lawyer, educator and dean, was born in Peekskill, New York on June 15, 1940. A graduate of Harvard College and Yale Law School, Burns was awarded the 1962 Lionel de Jersey Harvard Studentship at Emmanuel College, and attended Cambridge University in England as the Harvard Scholar in Residence where he conducted research on black Muslims, which he later turned into a book entitled: *The Voices of Negro Protest in America*, 1963. Burns was staunchly involved with the Civil Rights Movement. While a college student he was active in the Sit-In Movement and with the Freedom Riders in the early 1960s. He believed in the rights for all regardless of race and worked hard to push this agenda forward. Early in his career he was assistant to Marian Wright Edelman, the first African-American woman to practice law in the state of Mississippi, and later joined Paul, Weiss, Rifkind, Wharton and Garrison, a law firm in New York in 1966. From 1967-1969, he also served as legal counsel to the NAACP Legal Defense and Education Fund Inc.; however, Burns believed there needed to be a more radical and revolutionary legal entity in addition to organizations like the NAACP.

Consequently the National Conference of Black Lawyers (NCBL) was established, an organization deeply rooted in the ideologies of the Black Power movement; Burns was one of the founding members and became the first director (1970-1973) of the organization. The NCBL was created to protect the constitutional rights and safety of black people and communities nationwide. It helped to organized the defense of Angela Davis, successfully getting her acquitted of charges of murder and kidnapping, and was involved in the representation of other well-known black political activists, including Black Panther members and Vietnam War resisters. For example local chapters were responsible for investigating the murders of Panther members Fred Hampton and Mark Clark, and worked with the defense for the Panther 21 trials. While director Burns went full throttle tackling many issues including campaigning against the confirmation of judges Clement F. Haynesworth and G. Harrold Carswell to the U. S. Supreme Court, because of their political views against people of color. He also represented Cornell University students who faced criminal charges in connection with a campus demonstration in 1968, and most notably he used the support of the NCBL in the defense for the Attica trials. Burns helped to push forward NCBL's agenda, initiating programs that supported community issues, defended unpopular clients, monitored the activity of government branches that had direct impact on the black community and ensured that discriminatory actions against black students at the bar was addressed.

Burns is highly recognized for his work with the Attica prison uprising. While a professor of law at the State University of New York at Buffalo, he joined the Attica Legal Defense for the 62 inmates, branded the "Attica Brothers," who were implicated in the prison riot. Burns held Governor Nelson A. Rockefeller responsible for the tragedy, death and abuse that took place at the prison. In September 1971, prisoners of Attica arranged a non-violent rebellion to demand fair and humane treatment. The response by the governor was to use extreme force against unarmed prisoners; the state police, troopers and guards fired tear gas along with 2,500 rounds of ammunition in just 16 minutes against all prisoners and guards regardless of their involvement in the riot. Inmates were taken hostage, beaten and tortured, in total 43 people died and hundreds were wounded.

As a longtime advocate for civil rights, social justice and social change and as a longtime proponent of legal education for all, Burns spent much of his career working tirelessly to recruit more people of color into the legal

field, committed to educating lawyers on the complexities of representing underserved communities for the public good. From the late seventies to the late eighties, he held the director position at Max E. and Filomen M. Greenberg Center for Legal Education and Urban Policy and chaired the Urban Legal Studies Program. While holding these positions he remained focused and committed to train professionals to practice law in urban environments, to represent the urban poor. Burns deepened his influence even further when he was appointed dean and professor at City University of New York Law School at Queens College in 1988. He was the first African American to take such a position in New York State. Burns wrote and taught on the history of racism in American law, which set the foundation for his courses on critical race theory. His commitment persisted as he remained involved with many organizations dedicated to social change. During his career he functioned as director, advisor, counsel or trustee, to many entities, including the National Lawyers Guild, Vera Institute for Justice, National Prison Project and the Center of Constitutional Rights. Most notably in his earlier years Burns served as chief counsel to Martin Luther King, Jr.'s Poor People's Campaign.

Active in efforts against the system of apartheid for 25 years, Burns joined the International Association of Democratic Lawyers (IADL). He took his first trip to South Africa during the 1994 election as an official observer for Lawyers' Committee for Civil Rights Under Law, Southern Africa Project. He returned to Cape Town in the spring of 1996 to attend a conference on democracy and international law, organized under the auspice of IADL. While in attendance, he was struck by a speeding lorry and was killed. Burns was 55 years old.

Throughout Burn's life and career he was often recognized for his accomplishments. He received numerous awards and honors, including the National Emergency Civil Liberties Committee Tom Pain Award, the Legal Pathfinder Award from the Metropolitan Black Bar Association, the Human Rights Award from the Bronx Community College, the Prisoner's Legal Services of New York Service Award and the Founders Award from the National Conference of Black Lawyers.

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The Haywood Burns Collection is organized into seven series: **Personal, Correspondence – Personal/Professional, Legal, Writings, City University of New York CUNY, Subject Files and Organizations**. There is some overlap particularly in the Correspondence, Legal, Writings and CUNY files; correspondence that were coupled together with certain documents (i.e. legal papers, writings, etc.) were not separated into the **Correspondence** series and the notes that are in the **Writings** series relates to both his legal and class work. The majority of the Papers represent Burns' legal work and the various organizations with which he was connected.

The **Personal ca. 1955-1996 (1 lin. ft.)** series consists of primarily biographical materials and those relating to the Burns family. Of note are correspondence and legal papers concerning his second wife Marilyn Reynolds around their divorce, documents relating to their son Jeremiah Burns, as well as some family memorabilia relating to his parents and his sister. Also found here is biographical materials include a transcript of an interview from 1986 he did with Yehuda Ben-Dror, author of *Student Activism and Civil Rights in Mississippi: Protest Politics and the Struggle for Racial Justice, 1960-1965*, his curriculum vitae, certificates he received, childhood memorabilia, financial materials including royalty statements, articles, by or about Burns, and journals he kept while traveling to South Africa as an observer of the 1994 election along with his official ID card.

The **Correspondence ca. 1960s-1996 (2 lin. ft.)** series has been organized in chronological order and consists of personal and professional correspondence; however, both primarily relate to Burns' work as a lawyer and as Dean of City University of New York Law School at Queens College. Much of the content of those letters pertain to Burns' various speaking engagements, his writing and publications, letters from students asking for recommendations, from individuals asking Burns to proof or edit their papers, articles, manuscripts, etc., and congratulatory letters relating to Burns' legal work. A few discuss financial matters such as salary, housing and travel allowance. The bulk of the correspondences are from 1994 to 1996. Of note is a letter from 1974 by a lawyer named Conrad Lynn to Burns, Lennox Hinds (lawyer) and Ella Baker, civil rights activist, describing concern around compensation for legal work done for the Black Liberation Army trial which involved five men accused of murdering two police officers. In the letter, Lynn is blaming Hinds, a representative of the National Conference of Black Lawyers (NCBL), for which Burns was founder and former director, of some serious financial charges. Lynn expresses to Burns that Hinds mislead him, stating that the NCBL would financially support his position as legal counsel for the case.

The **Legal ca. 1960s-1996 (6 lin. ft.)** series consists of materials chiefly relating to Bernard Stroble (also known as "Shango Bahati Kakawana") who was an inmate at the Attica Correctional Facility's Prison D-yard during the riot which lasted from September 9-13, 1971 when prisoners, guards, and correctional officers suffered from injury and death due to the orders given by Governor Nelson A. Rockefeller. The inmates decided to sue New York State claiming that the use of excessive force against unarmed prisoners was an unnecessary response to the riot. Burns was the director for NCBL at the time, he attempted to see the prisoners after the assault but encountered many obstacles; lawyers and medical professionals were not given access to the prison, even after a court order was issued. All 62 defendants, otherwise known as the "Attica Brothers," had their own lawyer. Burns coordinated the legal defense team and joined the defense for Kakawana, which ended with a successful verdict. Within this series are general background materials relating to Attica including correspondence, news releases and other printed matter describing the circumstances around the riot and legal trials. There are legal documents that relate to two separate cases for Stroble. The first is in connection with the Attica defense for which there are court filings, correspondence, witness statements and background information on each witness. The second pertains to a suit filed by Stroble against the State Prison of Southern Michigan for abuse and misconduct. All other legal documents in this series have been organized either by last name of the person whom the materials pertain or by the name of the case. It is unclear if Burns worked on or was the legal representation for all of the cases that are listed here; additionally, there is research and printed matter concerning felony murder cases, capital punishment, kidnapping and prisoner rights.

The **Writings ca. 1960s-1990s (2 lin. ft.)** series consists primarily of notebooks and notes kept by Burns either for legal purposes, or in connection with his classes and/or personal research. There is also a substantial amount of miscellaneous writing and speeches (some annotated), which may not have been written by Burns. He edited

a lot of manuscripts and articles for other people, and those works may be mixed in with his own writing. Additionally, there is correspondence relating to his published works, consisting of several reviews of *Civil Liberties* and *Voices of Negro Protest*, as well as correspondence and printed matter in relation to an op-ed piece Burns' wrote for the *New York Times* commenting on the nomination of Clarence Thomas to the Supreme Court, which includes response pieces and many reviews by others (some published). Furthermore, there are pieces (published and unpublished) concerning his 1994 trip to South Africa, his work with the Attica trial, several on racism and American law, legal education in relation to the urban poor and underserved, civil rights and protest and social change. His writing and course work often coincided with another.

The **CUNY ca. 1987-1996 (2 lin. ft.)** series has been organized primarily by administration documents, correspondence and class materials. Of particular interest in the administrative files are reports relating to the bar exam. When Burns became Dean of the City University of New York Law School at Queens College the school had yet to receive its accreditation. Burns forged a campaign using the statistics of students in the program that passed and failed the bar in order to raise the standards of the program; subsequently, the school was approved for accreditation by the American Bar Association two years later. Many of the documents relating to his courses, e.g. syllabi, tests, class notes, grades, and student evaluations, represent his later years as an educator at the school, (1995-1996).

The **Subject Files ca. 1960s-1995 (3 lin. ft.)** series is organized by subject alphabetically, starting with materials relating to Burns' work and interests in Ethiopia, Namibia and South Africa, followed by files relating to civil rights, conferences attended and miscellaneous interests. Burns was involved with constitution and nation building abroad, for instance he worked with the Inter-Africa Group on the development of the Ethiopian constitution, was involved with the Fund for the University of Namibia, post-independence, and was an official observer for South Africa's first free election, for which the bulk of the files in this series predominantly document Burn's first trip to South Africa under the auspice of the Lawyers' Committee For Civil Rights Under Law.

The **Organization ca. 1980s-1996 (11 lin. ft.)** series represents a substantial part of the collection, and contains the papers, minutes, correspondence, reports and printed matter from the various organizations he worked with primarily in the later part of his life. They have been listed in alphabetical and chronological order. Burns was actively involved with many of these organizations as a director, a member of the board, editorial board member, trustee, and as counsel and advisor.

Of particular interest are materials related to the National Conference of Black Lawyers (NCBL), established in 1969, by a group of three hundred or so black attorneys, law students and members of the Black American Law Students Association (BALSA) from all over the country. NCBL's mission is to defend the human and legal rights of African Americans, assist in eradicating the problems in black communities that directly lead to poverty and powerlessness, and to employ the legal system in order to advance economic, political, educational and social change in institutions that advocate for the needs of black people. In 1970, the National Office opened in New York City, and Burns was appointed the first full-time director of the organization. In the collection are reports, correspondence, promotional and printed matter, brochures and program books.

Provenance

Donated by Marilyn Burns

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