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Thurgood Marshall & Justice

Learn more about this topic! Each section gives more detail on one of the lyrics from the song. Read each section, and then respond by answering the question or taking notes on key ideas.

1. Thurgood Marshall was born on July 2, 1908 in Baltimore, Maryland. He came from a humble background. His mother worked as a teacher, and his father was a railroad porter. Marshall began learning about the law from his parents at a young age. His father enjoyed going downtown to listen to court cases in his spare time. When he came home, he and his sons would discuss and debate the lawyers' arguments.

Notes

As a child, Marshall was aware of the injustices that affected him and other African-Americans. His grandfather had been enslaved before escaping to the north. Marshall also attended segregated schools in Baltimore. He was a good student and star member of his high school debate team. But he was also a troublemaker. He was forced to read and recite portions of the Constitution as punishment for misbehaving in class. By the time he graduated in 1926, he had memorized the entire document.

2. After high school, Marshall followed his older brother to Lincoln University in Pennsylvania. He was very successful in college. But when he applied to the University of Maryland School of Law, he was rejected because he was African-American. So Marshall decided to attend law school at Howard University, a historically black college in Washington, DC. There he was taken under the wing of Charles H. Houston, a new dean who encouraged his students to use the law to fight for racial justice. Marshall graduated in 1933 with highest honors.

Notes

3. After graduating from law school, Marshall began working for the Baltimore branch of the National Association for the Advancement of Colored People (NAACP). The NAACP is an organization that advocates for the civil rights of African-Americans. In his first major case, Marshall represented Donald Murray in *Murray v. Pearson*. Murray had also been rejected from the University of Maryland because of his race. Marshall won the case in 1936, striking down the school's segregation policy. This was the first of many cases in Marshall's career that helped bring segregation to an end.

Marshall won his first case before the Supreme Court in *Chambers v. Florida* (1940). In this case, he defended four black men who were wrongfully convicted of murder. Marshall also led the charge against whites-only primary elections in *Smith v. Allwright* (1944). This landmark decision said that elections must be open to voters of all races.

4. In 1951, Marshall took on *Brown v. Board of Education*. This was the biggest case of his career as a lawyer. The NAACP filed a lawsuit on behalf of African-American parents in Topeka, Kansas. Their children were forced to attend segregated schools. The all-black schools were rundown. Black students weren't getting an education that was as good as what white students received. In addition, going to separate, subpar schools made black children feel bad about themselves. In 1954, the Supreme Court ruled that segregation in public schools was unconstitutional, and Marshall won the case.

Brown v. Board of Education was a very influential case. It dismantled the concept of "separate but equal." It was later used to take down other types of institutional racism, such as housing discrimination and voting restrictions. It also made Marshall one of the most prominent faces of civil rights advocacy.

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5. In 1961, President John F. Kennedy appointed Marshall to the US Court of Appeals for the Second Circuit. This is one of the most powerful courts in the country. Marshall served for four years as a circuit court judge. He made more than 100 court decisions. None of them were overturned by the Supreme Court.

Notes

Marshall became the US solicitor general in 1965. The solicitor general is the lawyer who argues before the Supreme Court on behalf of the government. Marshall was the first African-American to ever serve in this role. He won an impressive 14 of his 19 cases as solicitor general. Just two years later, President Lyndon B. Johnson nominated Marshall to the Supreme Court. He was sworn in on October 2, 1967.

6. Marshall fit right in on the progressive Supreme Court. He believed that the Constitution is a living document that should be interpreted in a modern context. He supported rulings that upheld individual liberties and advanced social justice. He protected students' right to free speech in *Tinker v. Des Moines* (1969), and was part of the majority that temporarily outlawed the death penalty in *Furman v. Georgia* (1972).

Notes

Marshall served on the Supreme Court for 24 years. The Court became much more conservative during this time. Marshall was eventually the only progressive justice on the bench. Still, he was outspoken about his beliefs and wrote many strong dissents. He retired from the Supreme Court in 1991 and died two years later at the age of 84.