THE UNVEILING OF A HERO

THURGOOD MARSHALL STATUE UNVEILED

BY QUINCEY R. JOHNSON '93


"I HAD THE HIGHEST ESTEEM FOR THURGOOD MARSHALL. HE IS ONE OF THE HEROES OF THE COUNTRY."

Judge Harry A. Cole '49, Chairman of the Governor's Commission on the Thurgood Marshall Memorial

columns inscribed with the words, "Equal Justice Under the Law." Facing the Marshall statue are a life-size bronze sculpture of Donald Gaines Murray, whom Marshall represented in the lawsuit that desegregated the University of Maryland School of Law, and statues of two small school children representing the landmark Brown v. Board of Education case that desegregated all American public schools.

The memorial was designed by Maryland artist Antonio Tobías Mendez, who was selected from 116 entrants in a nationwide competition. The state allocated close to $300,000 for the design and construction of this memorial. Marylanders have honored Marshall in the past by erecting a statue at the federal court house in Baltimore and naming the University of Maryland School of Law's library after him.

Retired Maryland Court of Appeals Judge Harry A. Cole '49 was Chairman of the Governor's Commission on the Thurgood Marshall Memorial and a key person in the project to build the memorial. "I had the highest esteem for Thurgood Marshall," Cole says. "He is one of the heroes of the country. He persevered so that he could open opportunities for many people." Cole says the memorial will be an inspiration to all who see it. "The statue will be a constant reminder to Marylanders who want to inspire their children to achievement. They can use Marshall as an example of a person who persevered by helping others and helping himself."

Marshall, born in Baltimore on July 2, 1908, graduated from Lincoln University in 1930 and Howard University Law School in 1933. He began his legal career as counsel to the Baltimore branch of the National Association for the Advancement of Colored People (NAACP) in 1936, and by 1938 he was promoted to its Chief Legal Officer.

In 1940, the NAACP created the Legal Defense and Education Fund, with Marshall serving as its director and counsel. In that position, Marshall was the driving force of the NAACP efforts to end racial segregation in public schools, culminating in the 1954 Brown v. Board of Education case that he argued before the Supreme Court.

While in college, retired Baltimore Circuit Court Judge Robert B. Watts '49 first met Marshall at a national NAACP convention in Atlanta, Georgia. With pride, Watts says that one of Marshall's most overlooked achievements was convincing the NAACP to adopt his overall legal strategy for attacking segregation laws. He said Marshall's farsighted strategy was not to argue the narrower issue of inequality of the separate facilities, but that separate was always unconstitutional, whether or not equal.

Early in his legal career, Watts saw Marshall's power first-hand. It was 1951 when Marshall, with
Watts occupying second chair, argued before a federal judge in Baltimore for the desegregation of city schools. According to Watts, U.S. District Judge William Coleman called for a recess in the case and admonished Marshall, saying, “Mr. Marshall, if you come back tomorrow urging me to let ‘nigra’ kids go to school with white kids, I'm going to have you arrested.” Marshall turned to Watts and asked him to arrange to have a bail bondsman in court the following day. Watts said Marshall had no intention of spending any time in jail and most definitely would continue to press his case. Along with the help of another judge, Marshall maintained his position and indeed, argued his case without being arrested.

Watts relates the story to illustrate the specific conditions that Marshall dealt with when practicing law. The story highlights Marshall's pivotal role in shaping the law and the legal profession in both Maryland and the United States. “He was a tremendous man. I saw the power in this man,” Watts says. Watts served as co-counsel with Marshall on a number of cases, including law suits that resulted in the desegregation of Maryland's nursing and pharmacy schools. An influential civil rights lawyer in his own right, Watts says he learned many lessons from Marshall that helped him in his work to ensure the civil liberties of the citizens of Baltimore.

In 1961, President John F. Kennedy appointed Marshall to the United States Court of Appeals for the Second Circuit. Four years later, President Lyndon B. Johnson appointed Marshall Solicitor General of the United States and then nominated him to the United States Supreme Court on June 13, 1967. A few months later, the Senate confirmed the appointment on August 30, 1967. Marshall served 24 years on the Supreme Court, until he retired in 1991 at 82 years of age. When Marshall passed away in 1993, he left behind a lifetime full of achievement.

Cole says Marshall influenced scores of lawyers from the Supreme Court bench, especially in his early career. Marshall traveled the country working with lawyers on the school desegregation cases. “He made the lawyers really study and prepare for the cases they tried with him. He let them know that they would achieve if they committed themselves to excellence.”

The towering bronze statue of Marshall located in the state's capital serves as an inspiration to all Marylanders. The figure reminds us of how the legal system has progressed, and where the legal system still has the potential to lead us.

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