



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

THURGOOD MARSHALL: ADVOCATE FOR JUSTICE

February 2025

February is Black History Month. This month we take the opportunity to celebrate the life and legacy of Thurgood Marshall, the first African American on the United States Supreme Court. Associate Justice Marshall's remarkable career was defined by his unwavering commitment to civil rights, equality, and the principles of justice.

Thurgood Marshall was born in 1908 in Baltimore, Maryland, during a period when racial segregation and discrimination were deeply entrenched in American society. Marshall's early exposure to the inequalities of Jim Crow laws motivated him to pursue a legal career that would allow him to fight against injustice. After attending Lincoln University, he applied to the University of Maryland Law School, but was rejected because of his race despite his academic excellence. He instead attended Howard University Law School, where he studied under renowned civil rights lawyer Charles Hamilton Houston and graduated first in his class.

CIVIL RIGHTS ADVOCATE AND TRAILBLAZING SUPREME COURT JUSTICE.

Marshall opened a law practice in 1933 in Baltimore, where he worked on cases involving police brutality, evictions, and harsh landlords. He also volunteered with the National Association for the Advancement of Colored People (NAACP), arguing cases with his mentor, Houston. One of Marshall's first cases was *Murray v. Pearson*, which successfully challenged the University of Maryland Law School's policy of denying admission to Black applicants based solely on race. Soon after, Marshall became a lawyer for the NAACP in New York. In that role, he traveled throughout dangerous areas of the South investigating cases of racial violence and discrimination, including lynchings, denial of voting rights, and unfair trials of African Americans. Marshall quickly became one of the nation's most prominent civil rights attorneys. In 1940, he founded the NAACP Legal Defense Fund to help execute his legal strategy against racial segregation, particularly in education.

Marshall won 29 of the 32 cases he argued before the Supreme Court. Several of the landmark cases he argued banned segregation practices, including *Smith v. Allwright* (1944), giving Blacks the right to vote in Texas primary elections, *Morgan v. Virginia* (1946), banning segregation

on interstate buses, and *Sweatt v. Painter* (1950), requiring the University of Texas Law School to desegregate. Marshall's most famous victory came in 1954 when he served as the lead attorney in *Brown v. Board of Education*, a case that challenged racial segregation in public schools. His compelling argument led the Supreme Court to unanimously decide that "separate but equal" facilities were inherently unequal, effectively overturning the 1896 *Plessy v. Ferguson* decision that had upheld segregation. This decision marked a pivotal moment in the Civil Rights Movement and cemented Marshall's reputation as a fierce civil rights advocate.

In 1961, President John F. Kennedy named Marshall to the U.S. Court of Appeals for the Second Circuit through a recess appointment. The Constitution authorizes the President to temporarily fill vacancies without Senate approval while the Senate is recessed, but the appointment expires approximately one year later, at the end of the next session of Congress. The Senate confirmed Marshall in 1962 despite harsh opposition from Southern senators because of his civil rights activism. Marshall spent four years as a federal appellate judge. He was then appointed as the Solicitor General of the United States. His job as the Solicitor General was to argue cases before the Supreme Court on behalf of the United States, and he won fourteen of the nineteen cases he argued.

In 1967, President Lyndon B. Johnson appointed Marshall to the U.S. Supreme Court, making him the first African American justice in the Court's history. This marked a significant milestone not only for the African American community but also for the nation as a whole. He believed the country had a moral obligation to continue to progress and as a Supreme Court Associate Justice he maintained his commitment to civil rights, social justice, and the protection of individual liberties.

EQUAL JUSTICE UNDER THE LAW.

Justice Marshall's life's work demonstrates the important role the federal courts play in ensuring that the promise of equality under the law is fulfilled. Supreme Court decisions often have far-reaching implications, particularly when they involve fundamental rights, as demonstrated by *Brown v. Board of Education*. As the highest court in the United States, the Supreme Court holds the ultimate responsibility to declare laws and executive actions unconstitutional if they violate the principles set out in the Constitution. The faithful execution of this power ensures fairness for all.

After Justice Marshall's death in 1993, then-Chief Justice Rehnquist said this of his legacy:

The great majority of Supreme Court Justices are almost always remembered for their contributions to constitutional law as a member of this Court. Justice Marshall, however, is unique because his contributions to constitutional law before becoming a member of the Court were so significant. . . . As a result of his career as a lawyer and judge, Thurgood Marshall left an indelible mark not just upon the law but upon his country. Inscribed above the front entrance to this Court building

are the words, “Equal Justice Under Law.” Surely no one individual did more to make these words a reality than Thurgood Marshall.

As we consider Justice Marshall’s lifelong dedication to equal justice under the law, let us resolve to do our own parts to uphold that lofty yet essential principle.

Curtis L. Collier
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