



# B E C O M I N G T H U R G O O D

AMERICA'S SOCIAL ARCHITECT

**Community Discussion Guide**

# BECOMING THURGOOD

AMERICA'S SOCIAL ARCHITECT

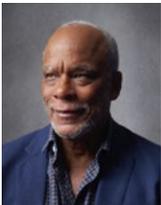
## About the Film

***Becoming Thurgood: America's Social Architect*** traces Thurgood Marshall's life and career from his birth in Baltimore in 1908, through his years at Historically Black Colleges and Universities (HBCUs) Lincoln University and Howard University School of Law, and on to his groundbreaking career as a lawyer championing civil rights. After launching his legal career in Baltimore in 1935, Marshall went on to win 29 of the 32 cases he argued before the U.S. Supreme Court, most notably the landmark 1954 *Brown v. Board of Education* case, which invalidated the "separate but equal" doctrine and ended racial segregation in public schools. In 1967, Marshall became the first African American appointed to the U.S. Supreme Court, where he served until his retirement in 1991.

Executive produced by Emmy Award-winning and Oscar-nominated filmmaker Stanley Nelson and MPT Senior Vice President and Chief Content Officer Travis Mitchell, the film is produced and directed by Alexis Aggrey, with music by two-time Grammy Award-winning composer Derrick Hodge.



"For the first time, audiences will hear Thurgood Marshall tell his own story – in his own words," said director and producer **Alexis Aggrey**. "This film is the first to center Marshall's own voice, drawn from a rare eight-hour oral history. It's not just a documentary; it's a conversation with a man whose legal mind reshaped the nation and whose legacy still echoes through our justice system today."



"It was an honor to work on this film about an American titan whose legacy continues to expand and endure in these turbulent times," said executive producer **Stanley Nelson**. "I'm pleased to again be partnering with Maryland Public Television on the heels of two other joint productions, *Becoming Frederick Douglass* and *Harriet Tubman: Visions of Freedom*."



"We are honored to be working with this amazing team of filmmakers to explore the extraordinary life of Justice Thurgood Marshall, one of Maryland's most illustrious sons," said **Travis Mitchell**, executive producer and MPT senior vice president and chief content officer. "Justice Marshall's journey from his Baltimore childhood to his education at HBCUs, from his groundbreaking legal career at the NAACP to his history-making appointment to the Supreme Court, is a story of almost unprecedented achievement and one we know that PBS viewers will find illuminating as well as inspiring."



## Film Experts

***Becoming Thurgood: America's Social Architect*** includes exclusive interviews with family members, leading historians and authors, and legal experts who offer fresh insights into the life and extraordinary influence of the man who became known as “Mr. Civil Rights.”

**The following are key contributors to this remarkable film.**

**Dr. Brenda A. Allen** is President of Pennsylvania's Lincoln University, from which Thurgood Marshall graduated in 1930.

**Robert M. Bell** served as Chief Judge of the Maryland Court of Appeals (now known as the Supreme Court of Maryland) from 1996 to 2013. He was the first African American to hold the position.

**Sheryll D. Cashin** is an author and the Carmack Waterhouse Professor of Law, Civil Rights and Social Justice at Georgetown University. She is the author of *White Space, Black 'Hood: Opportunity Hoarding and Segregation in the Age of Inequality* (2021), about the role of residential segregation in producing racial inequality. She also served as a law clerk to Justice Marshall in his last active year on the Supreme Court.

**Wil Haygood** is the author of *Showdown: Thurgood Marshall and the Supreme Court Nomination That Changed America* (2015).

**Sherrilyn Ifill** is the inaugural Vernon E. Jordan, Jr., Esq. Endowed Chair in Civil Rights at the Howard University School of Law. She is the former president and director-counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF). Thurgood Marshall was the first person to hold the director-counsel position from 1940 to 1961.

**Dr. Irving Joyner** is the Charles Hamilton Houston Endowed Chair and Professor of Law, North Carolina Central University in Durham.

**Gilbert King** is the author of *Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America*, which won the 2013 Pulitzer Prize for general nonfiction.

**John Marshall**, a former Virginia state trooper and U.S. Marshal, is Thurgood Marshall's son.

**Cecilia Marshall** is Thurgood Marshall's granddaughter. She currently serves on the Board of Directors for the NAACP Legal Defense Fund and as Executive Director of the Thurgood Marshall Foundation, which works to preserve, protect, and promote his legacy through education, storytelling, and programs that support the next generation of civil rights leaders.

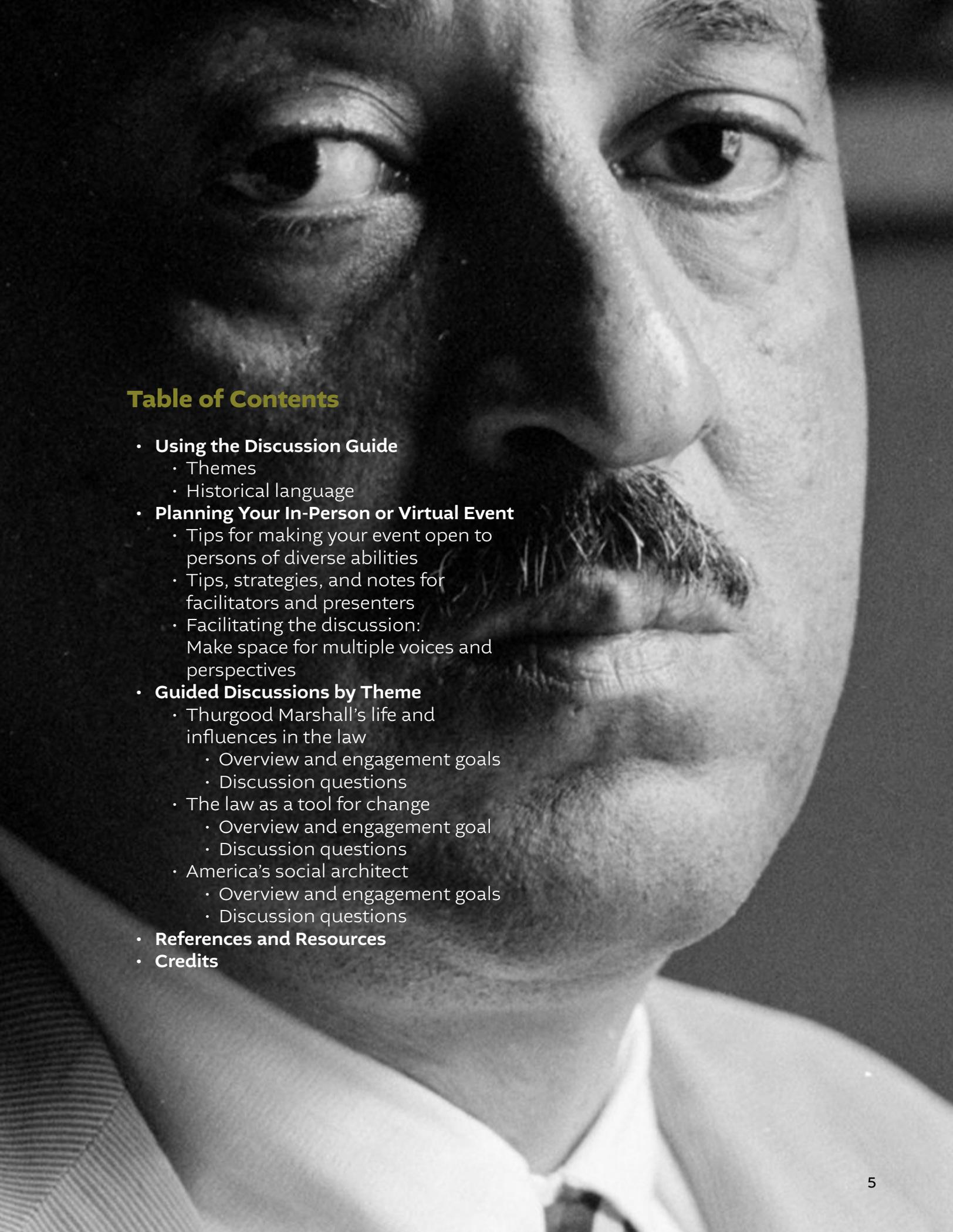


# **HBCU** WEEK **NOW**

A Public Media Partnership

## **About MPT HBCU Week NOW**

HBCU Week NOW: A Public Media Partnership is a dynamic initiative dedicated to honoring the rich legacy and cultural impact of Historically Black Colleges and Universities through compelling television and digital media. Spearheaded by Maryland Public Television (MPT), this platform serves as a premier destination for in-depth coverage of the nation's 100+ HBCUs, showcasing the achievements, stories, and contributions of students, alumni, faculty, and staff. For more information, visit [hbcuweeknow.com](http://hbcuweeknow.com).



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## Using the Discussion Guide

### Overview

This discussion guide was created for community groups and organizations, university and college classes, student organizations, and lifelong learners. It is intended to inspire discussion and curiosity when exploring key themes in the documentary *Becoming Thurgood: America's Social Architect*.

The film and discussion guide explore the constitutional foundations — the 13th, 14th, and 15th amendments — that shaped Thurgood Marshall's, the NAACP's, and the Legal Defense Fund's (LDF) legal strategy to end state-sanctioned segregation in the United States. The strategy is reflected in key cases selected for this guide from the film and the LDF archives. After winning 29 of the 32 cases he argued before the U.S. Supreme Court, Thurgood Marshall knew no single victory in court would resolve the injustices of racial inequality. However, each case and victory became a building block for progress, having a profound impact on the nation's social architecture for generations.

### Themes

The discussion guide highlights three themes in the documentary, *Becoming Thurgood, America's Social Architect*, to explore as a group or on your own:

- Thurgood Marshall's life and influences in the law
- The law as a tool for change
  - Section 1 - The Reconstruction Amendments
  - Section 2 - Thurgood Marshall and the LDF's key cases
- America's social architect

### Historical Language

**Note:** The documentary and this guide include historical terms once used to refer to African Americans or Black people. The term "colored" was commonly used in the United States to refer to people of African descent during the mid- to late-19th century, and "colored" was embraced by

***Central to Thurgood Marshall's work was affirming that the United States Constitution means what it says about equality — especially for Black people — and that protecting voting and education rights is essential to a functioning democracy. ~ Karla McKanders, director, Thurgood Marshall Institute, Legal Defense Fund***

African Americans as a self-identifying term during that period. In the late 19th century, "Negro" emerged and became a widely used self-identifying term among African Americans through the first half of the 20th century.

### For more information, refer to the following resource:

Smith, T.W. (1992). Changing racial labels: From 'Colored' to 'Negro' to 'Black' to 'African American.' *The Public Opinion Quarterly* 56(4),496-514. <https://gss.norc.umd.edu/content/dam/gss/get-documentation/pdf/reports/topical-reports/TR22.pdf>

## Planning Your In-person or Virtual Event

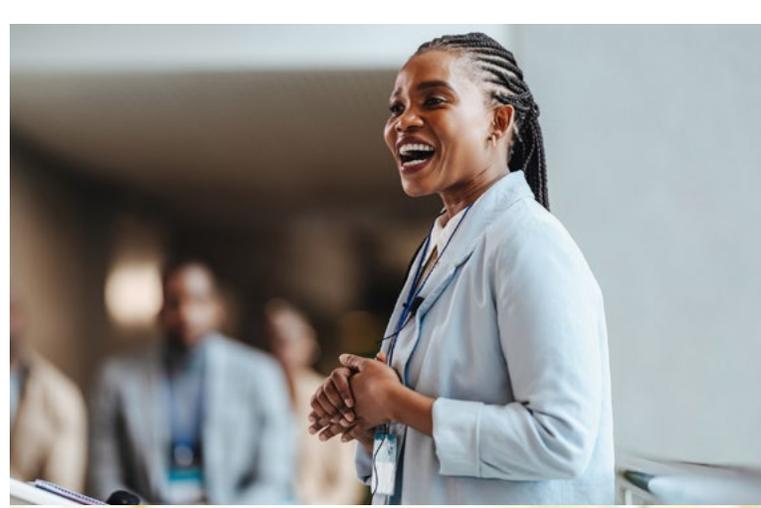
The documentary and companion discussion guide can be used in both in-person and virtual events. In-person events can be held in college classrooms, screening events in community organizations, or venues such as public libraries, museums, or places of worship. To maximize the effectiveness of discussions, we have included some tips, notes, and strategies for preparing for your screening and facilitating discussions.

### Invite potential speakers and community partners/collaborators

Below are suggestions for organizations, speakers, and partners to invite to participate and/or help you promote your *Becoming Thurgood* screening event:

- Local NAACP branch
- Members and leadership of the state bar association
- History, Law, Sociology, Psychology faculty
- Persons who participated, were witness to, and/or benefited from Thurgood Marshall's, the NAACP's, and the LDF's legal work
- Authors, journalists, and photojournalists who have written extensively about the topics in the film
- Student organizations
- African American museums, historic sites, or other neighborhood museums
- Public libraries, college libraries, or curators of archives and special collections
- Experts from *Becoming Thurgood: America's Social Architect*, including the filmmaker.

Note: You may be required to sponsor travel fees and/or honoraria.



## Tips, strategies, and notes for facilitators and presenters

### Create a Community Agreement and establish ground rules

Ground rules are an act of care and can help meet challenges by clarifying how to show respect, how to respond to disagreements, and how to ensure everyone has an opportunity to speak.

A Community Agreement is useful for creating a space for respectful dialogue. Here are some suggestions for a Community Agreement:

- Before the event, prepare a simple agreement outlining expectations for respectful dialogue, interaction, and communication to share with attendees.
- Display the Community Agreement on screen, whiteboard, flip chart, or make copies for attendees.
- Allow attendees time to review and provide suggestions for inclusion in the Community Agreement.
- Ensure attendees know what to expect during the discussion. Establishing ground rules with attendees takes only a couple of minutes, yet the impact is significant.

### Prepare for the conversation

- Select one or more themes in this guide to explore after the screening.
- If you're hosting a virtual conversation, share the broadcast date/time and/or PBS.org link with registered attendees to screen before your event.

If the event is in-person, ask attendees to fill out a name tag before the screening. This sets the tone for a congenial environment where attendees can address each other by name when the dialogue begins. If you are hosting a virtual conversation, suggest that all attendees include their first name, even if their camera is off.

### Facilitating the discussion: Make space for multiple voices and perspectives

Let attendees know the purpose of the conversation. Facilitators or moderators may set a time limit for questions and/or comments. Inform attendees about the time limit and have a time-keeper.



## General tips

- **Take it slow and build trust.** Don't start with the most difficult question or idea. Let your audience get to know each other before tackling the most challenging questions.
- **Use the film as a reference point.** Refer back to the film if the audience gets stuck on a theme or concept. When there is disagreement or the audience is having a hard time discussing or accessing an idea, use the film's content to help unlock the problem. Ask the audience to consider how the idea they are struggling with appears in the film.
- **Ask questions.** Questions model curiosity and drive conversation. Dialogue works best when we start with questions rooted in lived experience (e.g., "Who first taught you about Thurgood Marshall, and what did you learn?") and then move on to big ideas after trust has been built. Avoid roleplaying questions (e.g., "If you were Thurgood Marshall, what would you have done?"), as none of us can be anyone but ourselves.

- **Be curious.** When you model curiosity, it helps draw it out of others. Being curious as a facilitator will help you build an engaging conversation where everyone is learning and growing.
- **Invite your audience to connect, engage, and participate in an open dialogue.** Encourage them to think about their own experiences related to the film topics and themes, and share these experiences with the group.

Dialogue is about individual and collective learning of all the ways we are similar and different. Building dialogue is first and foremost about building trust between people.

Building dialogue also means paying attention to the space – both physical and social – where the dialogue is taking place. Be intentional, create a welcoming space, give the audience time to build trust, and you will lay the foundation for an open conversation.

## Alternative formats

For larger groups, consider breaking up into small group conversations if space permits for in-person events. Use breakout rooms on virtual platforms such as Zoom. Small groups help to build trust and provide more opportunities for individuals to speak.

Give each group a topic or question to explore, a time limit, and guidance on facilitating the small group conversation. For example, suggest that each group assigns a note-taker or reporter to share the group's discussion highlights when they rejoin the larger group.

**Note:** If you are presenting a virtual panel or single speaker, consider using the webinar feature to collect questions from attendees. Have a co-facilitator post the agenda, relevant links or resources, and monitor the chat and respond to attendee questions and comments.



*Elizabeth Eckford and Thurgood Marshall, AP Photo*

## Activities off the panel

You may want to organize an activity as part of your screening to provide attendees with a hands-on experience of the film's key themes. Here are some suggestions:

- Collaborate with local archivists, scholars, and public historians to create a historical timeline that highlights how one or more of Thurgood Marshall's key cases impacted your school or community.
- Create an online exhibition with archival photos, testimonials, interviews, or oral history. Invite attendees to add to these stories. You can refer them to the LDF Library of Congress Collection (<https://www.loc.gov/collections/naacp-legal-defense-and-educational-fund-records/about-this-collection/>) and LDF Recollection (<http://ldfrecollecion.org/>) for these activities. Download the court transcription for one of the key cases in this guide and re-enact it at your event.
- Create a film festival featuring other documentaries or dramatic films about Thurgood Marshall and/or the Civil Rights Movement.
- Create a playlist of the music using the timeline in this discussion guide as your musical timeline.
- Host a community leadership workshop as part of the screening.
- Create a service project in partnership with community or campus organizations.
- Be a social architect. At your event, collectively make a blueprint for the future. Include the progress (any progress) and stepping stones that lead to your vision.

Document and collect responses through evaluations, virtual comments, and/or creative expressions

- Audience surveys are an excellent way to collect impressions and stories of impact from event attendees. Keep the survey brief. Distribute printed copies of the survey at the event, or display a link or QR code that allows people to access the survey using a phone or other digital device.
- Encourage attendees to share their experience on social media. Suggest that they record a short video or create a written post for their social media account(s). Provide your organization's, MPT's, and/or HBCU Week NOW's handle to repost.

### Maryland Public Television

Facebook: **Maryland Public Television**  
Instagram: **@MarylandPublicTV**  
LinkedIn: **Maryland Public Television**  
YouTube: **@MarylandPublicTV**

### HBCU Week NOW

YouTube: **@HBCUWeekNOW**  
Instagram: **@HBCUWeekNOW**

If you are recording the event and conversation, ensure that you or your organization has obtained permission from all attendees, regardless of whether the event is in-person or virtual. If applicable, announce that the event is being recorded and inform everyone how the recording will be used. If recording individuals (i.e., for testimonials or interviews), obtain verbal permission at the beginning of the recording or have them sign a release form.



## Guided Discussions by Theme

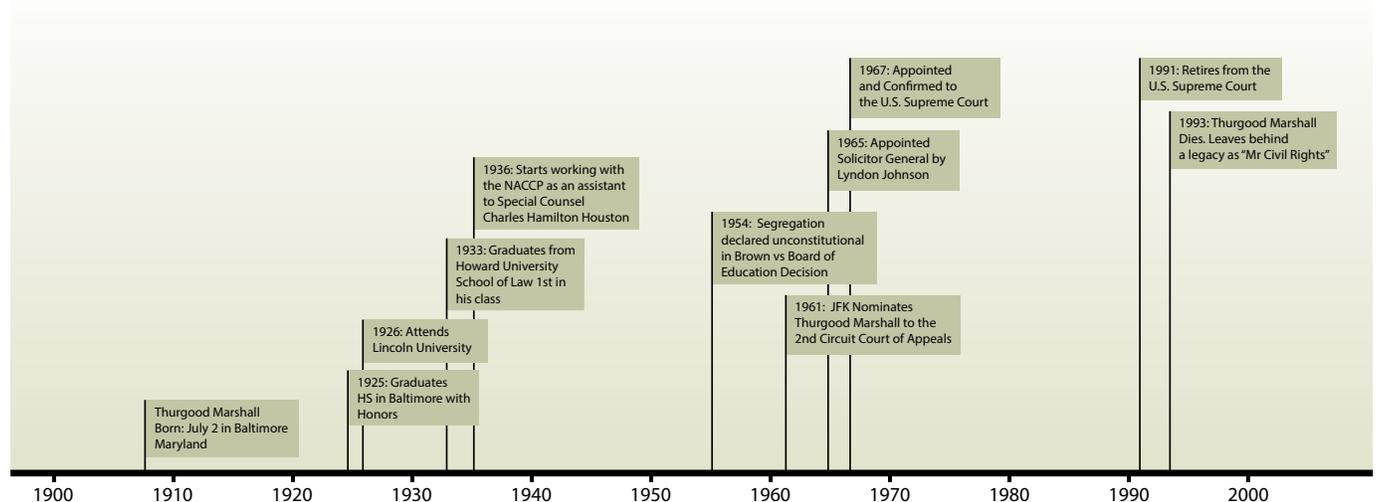
This section of the discussion guide is organized by the three key themes in the documentary:

- I. Thurgood Marshall's life and influences in the law
- II. The law as a tool for change
  - Section 1 - The Reconstruction Amendments
  - Section 2 - Thurgood Marshall and the LDF's key cases
- III. The social architect

Each section provides an overview and engagement goals that summarize what the film addresses in relation to that theme. The remaining information for each section complements the film, providing additional background and historical context that facilitators and attendees may find useful. As you facilitate discussions around each of the three themes, keep in mind the general tips and strategies for facilitating discussions as covered in the previous section.

### I. Thurgood Marshall's life and influences in the law

*"Now, you want to know how I got involved in law, I don't know. The nearest I can get is that my dad, my brother, and I would have the most violent arguments you ever heard about anything."  
~ Thurgood Marshall*



## Overview and engagement goals

The goal of this section is to explore how family, education, mentorship, and historical context influenced Thurgood Marshall's perspectives, litigation skills, and development as a legal thinker and civil rights advocate, and to examine how these influences can shape an individual's career path, values, and worldview.

### Family

Thurgood Marshall was born on July 2, 1908, to Norma Arica Marshall and William Canfield Marshall in North Baltimore. His mother was a teacher, and his father worked as a Pullman railroad car porter and steward at a restricted all-white country club. William Marshall would often visit courtrooms in his spare time and bring the arguments back to the family. He'd also take his sons William and Thurgood to the courthouse to watch the courtroom cases.

Thurgood Marshall's older brother, William Aubrey Marshall, attended Lincoln University. He also attended Howard University College of Medicine, where he earned his M.D. Thurgood Marshall's extended family lived in Baltimore. His grandmother, Annie Marshall, owned a grocery store, and his aunts and uncles lived nearby.

## Education at HBCUs



Thurgood Marshall followed in his older brother's footsteps and enrolled in Lincoln University in Chester County, PA. Founded in 1854, Lincoln was the first degree-granting Historically Black College and University (HBCU) in the United States. Marshall's parents wanted Thurgood to become a dentist.

Thurgood Marshall's classmates at Lincoln included poet and author Langston Hughes; the future President of Ghana, Kwame Nkrumah; and musician Cab Calloway. Marshall met and married his first wife, Vivian "Buster" Burey, before graduation. Their 25-year marriage ended with Buster's death from cancer in 1955.

Thurgood Marshall graduated from Howard University School of Law in 1933, where he met his mentor Charles Hamilton Houston, who was dean of the law school. Marshall had been denied admission to the University of Maryland School of Law because of his race – a formative experience that helped shape his commitment to civil rights and equal justice under the law.

Howard University School of Law, founded in 1869 in Washington, DC, began with just six students. Its first dean was John Mercer Langston (1829-1897), a prominent Ohio attorney and one of the first African Americans elected to public office in the United States. Langston later became a U.S. Congressman from Virginia (1890-1891), setting a legacy of leadership and advocacy that would continue to influence generations of Black lawyers, including Marshall.

### Mentor

*"We started just sitting around with Charles Houston and we began to work out this attack on the segregated school system." ~ Thurgood Marshall*

**Charles Hamilton Houston** (1895-1950) was the most influential legal figure in Thurgood Marshall's life, both as a student and as a practitioner of civil rights law. Charles Hamilton Houston – or "Charlie," as he was known to

close associates and family – graduated from Amherst College in Massachusetts and earned his law degree from Harvard Law School. He was dean of the Howard University School of Law from 1930-1935, dedicated to producing "social engineers," in Houston's words. Houston is credited with creating the strategies for dismantling segregation in the United States. He expected excellence from Howard's law students and his protégées, such as Thurgood Marshall, who went on to implement Houston's legal strategies. At the dedication of the Charles H. Houston Hall at Howard Law School in 1958, Thurgood Marshall said Charles Hamilton Houston was "the First Mr. Civil Rights Lawyer."

### Discussion questions

- Thurgood Marshall accompanied his father to observe court cases in Baltimore. Near the end of his term at Lincoln University, Thurgood Marshall considered the law as a profession. Did someone in your family plant the seeds for your future career path and/or purpose? What experience or event was a defining moment for setting you on your path?
- Thurgood Marshall's mother wanted Thurgood to become a dentist. His older brother William became a doctor. Why do you think his mother wanted Thurgood Marshall to be a dentist? Why did Thurgood Marshall reject his mother's wishes?
- Thurgood Marshall grew up in an all-Black segregated neighborhood and attended segregated schools in Baltimore. Although he would dedicate his life to dismantling segregation, he received support and mentorship from his family, neighbors, and community members. How do you see these influences nurturing and shaping Thurgood Marshall's life and world view?
- Thurgood Marshall attended Lincoln University with classmates Langston Hughes, Kwame Nkrumah, and Cab Calloway. What do you see as the influence these fellow students had on Marshall, or vice versa? What do you see as the benefits and impact of HBCU campus culture in shaping Marshall's world view and students today?
- At the time Thurgood Marshall attended Lincoln, his classmate Langston Hughes wrote a sociology paper based on the findings of a student survey about the need for more Black faculty. The survey revealed that a majority of

the students “felt it would not be good,” said Lincoln president Brenda Allen. (Note: Howard University installed its first Black president, Mordecai Wyatt Johnson, in 1926.) How do Langston Hughes’s findings reveal the harmful effects of Jim Crow segregation? What does this history reveal about racial attitudes in academic institutions, including HBCUs at that time, even today?

- Charles Hamilton Houston’s master plan was to train “social engineers” to implement his strategy to dismantle segregation. How do HBCUs affect change in the world? What kind of social engineering do we need today?

## II. The law as a tool for change

*“...now is the time to get around to having our Constitution apply to all sections of the country equally and to the same effect in a more or less uniform fashion.” ~ Thurgood Marshall*

### Overview and engagement goals

The second theme of the film aims to:

- Explore how the 13th, 14th, and 15th Amendments collectively aimed to establish freedom, citizenship, and voting rights – and how they function together as a foundation for civil rights.
- Explore how Thurgood Marshall strategically used the 14th Amendment as the legal cornerstone in civil rights litigation to challenge and ultimately dismantle Plessy v. Ferguson.
- Analyze key cases argued by Thurgood Marshall and the Legal Defense Fund (LDF) to recognize their lasting influence on civil rights and modern American society.

which were sanctioned by the U.S. Supreme Court's 1896 decision in the case of Plessy v. Ferguson. In Plessy v. Ferguson, the U.S. Supreme Court upheld segregation by race in public spaces, including businesses, transportation, hotels, restaurants, schools, and hospitals, primarily in the Southern states.

### Howard Law School Dean Charles Hamilton

Houston was the architect of the strategy to overturn Plessy using multiple tools, including film, data from social scientists, and psychological experts to prove that separate was not equal, but instead harmful to African Americans in the Jim Crow South. Houston’s strategy included training young attorneys to present cases in court. Among them was his star legal executor, Thurgood Marshall.



## Section I: The Reconstruction Amendments 13th, 14th, and 15th Amendments - Foundations in civil rights law

**13th Amendment** - Abolition of Slavery (Passed by Congress on January 31, 1865; Ratified by the states on December 6, 1865)

The 13th Amendment nullified a portion of Article IV, Section 2 known as the “Fugitive Slave Clause.”

Although the 13th Amendment abolished slavery and involuntary servitude except imprisonment after the Civil War, it didn't grant full equal protections, citizenship, and voting rights to formerly enslaved and freeborn African Americans born in the United States. The 14th and 15th amendments were added to the Constitution to close these legal loopholes.

**14th Amendment** - Birthright Citizenship Clause, Equal Protection, Apportionment, Civil War Debt - (Passed by Congress on June 13, 1866; Ratified by the states on July 9, 1868.)

The 14th Amendment amended a portion of Article I, Section 2 in the U.S. Constitution, known as the “3/5ths clause,” which previously allowed enslaved persons to be counted as 3/5ths of a person for determining representation in Congress and taxation. The 14th Amendment was the foundation for civil rights litigation.

The 13th and 14th Amendments overturned the 1857 U.S. Supreme Court **Dred Scott v. Sanford** decision over the legal status of enslaved Black people in free territories of that time (Illinois, Ohio, Michigan, Minnesota, Indiana, Wisconsin). The Court's decision stated that “enslaved people were not citizens of the United States and, therefore, could not expect any protection from the federal government or the courts.” Chief Justice Roger Taney read the majority decision. Associate Justices John McLean and Benjamin Curtis dissented.

**15th Amendment** - Right to Vote Not Denied to Males by Race (Passed by Congress February 26, 1869. Ratified by the states on February 3, 1870)

To enforce the 15th Amendment, the **Voting Rights Act** was passed by Congress and signed into law by President Lyndon B. Johnson on August 6, 1965. The act of Congress outlawed voter restrictions based on race, following the violent attacks by police on young marchers led by Student Non-Violent Coordinating Committee (SNCC) chairman John Lewis and the Reverend Hosea Williams of Southern Christian Leadership Conference (SCLC) in Selma, AL, known as

*“...after the Civil War, Congress ratified three Amendments that we think of as the Reconstruction Amendments, or the Civil War Amendments – the 13th, 14th, and 15th amendments. The 13th Amendment abolished slavery. The 15th Amendment said that you can not deny the right to vote based on race. The 14th Amendment is kind of the centerpiece of it.”*

*~ Sherrilyn Ifill*

“Bloody Sunday” (March 7, 1965), and the Selma to Montgomery voting rights protest marches led by Rev. Dr. Martin Luther King, Jr.<sup>1</sup>

More amendments to the Constitution followed. The 19th Amendment was ratified in 1920, which gave women the right to vote. The 26th Amendment was ratified in 1971, changing the minimum voting age from 21 to 18.

<sup>1</sup> The 2013 SCOTUS case *Shelby v Holder* invalidated Section 5 of the voting rights act which meant that states and localities with a history of racial discrimination in voting no longer need federal approval for changes to their voting laws and procedures.

## Section 2: Thurgood Marshall and the LDF's key cases

### NAACP

The National Association for the Advancement of Colored People (NAACP) was formed in response to a deadly race riot and lynchings in Springfield, IL, in 1908. A group of white liberals and African American activists convened in New York City to address the deteriorating status of African Americans. On February 12, 1909, the anniversary of President Abraham Lincoln's birth, the activists signaled a call to form the civil rights organization, the NAACP.

According to the NAACP's website, the newly formed national organization aimed to secure for all people the rights guaranteed in the 13th, 14th, and 15th Amendments to the United States Constitution, which promised an end to slavery, equal protection under the law, and the right for all men to vote, respectively. Accordingly, the NAACP's mission is to "ensure the political, political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination." The NAACP continues to work today to remove all barriers of racial discrimination through democratic processes.

By 1913, the NAACP emphasized local organization and established three branch offices. Thurgood Marshall worked with the NAACP's Baltimore branch after graduating from the Howard University School of Law. He represented the Baltimore NAACP branch in *Murray v. Pearson*. Today, there are over 2,000 units of the NAACP nationwide carrying out the mission of its founders.

### NAACP Legal Defense Fund (LDF)

The Legal Defense Fund was founded in 1940 under the leadership of Thurgood Marshall, who was its first director-counsel. The LDF was the United States's first civil and human rights law firm. Describing itself as the "legal arm of the Civil Rights Movement," LDF litigated civil rights cases in the Supreme Court and across the nation, overturning state-sanctioned segregation in public buildings and recreation spaces, schools, hospitals, and restaurants from its founding through the 1960s. The LDF continues its mission to fight for full racial equality and against efforts to erode and rescind previous gains. Although it was founded by the NAACP, the LDF operates as an independent entity.

### Key Cases

*"We were always looking for that one case to end all of it." ~ Thurgood Marshall*

Before the 14th and 15th amendments, Black women were doubly disenfranchised — excluded from voting because of both race and sex. The 15th Amendment granted voting rights to Black men but not to women. The 19th Amendment, ratified in 1920, extended voting rights to women; however, voter suppression tactics remained obstacles to Black women exercising that right. While early alliances between Black and white activists fractured, Black women strongly supported Black men's right to vote and played active roles in the women's suffrage movement.

During what is known as the "Jim Crow" era, African Americans were disproportionately discriminated against and were targets for violence because of their race, i.e., they were not white.

Marshall, the NAACP, and the LDF took on the following cases and won, which set a precedent for the nation's social architecture by addressing the injustices and inequalities of segregation faced by African Americans in education, schools, housing, pay equity, law enforcement, medical care, and civil and

voting rights.

### *Murray v. Pearson* (1936, Access to Education)

The case was brought by Donald Gaines Murray, an African American applicant who was denied admission to the University of Maryland School of Law solely because of his race. Murray, represented by NAACP attorneys Charles Hamilton Houston and Thurgood Marshall, challenged the

university's refusal to admit him. They argued that the state of Maryland failed to provide an equal law school education for African Americans, as there was no comparable institution for Black students in the state.

### **Chambers v. Florida**

(1940, Coerced Confessions)

Chambers v. Florida was the first coerced confession case to come before the U.S. Supreme Court. Thurgood Marshall's name appears on the brief. Four African American men – identified as Charlie Davis, Williamson, Woodward, and Chambers – were sentenced to death for the alleged 1933 murder of Robert Darsey, a white man, in Pompano Beach, FL. The men were tortured for a week until confessions were obtained from Davis, Williamson, and Woodward; the fourth man, Chambers, pleaded “not guilty,” but was convicted by an all-white jury. When the case was presented in the U.S. Supreme Court, the Court decided “Convictions of murder obtained in the State courts by use of coerced confessions are void under the due process clause of the Fourteenth Amendment.” Source: Library of Congress

### **Duvall v. J.F. Seignous et al.**

(1944, Equal Pay for Teachers)

The NAACP filed a case in 1943 with the federal district court of South Carolina to equalize pay for Viola Louise Duvall, an African American educator in Charleston, SC. Duvall, the highest-certified and highest-earning African American teacher, was paid significantly less than her white counterparts. The case was decided in Duvall's favor on February 14, 1944.

### **Smith v. Allwright**

(1944, Voting Rights)

The case was brought by Lonnie E. Smith, an African American dentist and voter in Harris County, TX. Smith was denied the right to vote in a Democratic party primary election because of his race. With the support of the LDF and represented by Thurgood Marshall, Smith challenged this exclusion as a violation of his constitutional rights under the 14th and 15th Amendments. The Supreme Court ruled 8–1 in favor of Smith, ending the use of white primaries, a major barrier to Black voter participation in the South. The decision affirmed that excluding Black voters violated the 15th Amendment.

### **The Groveland Four**

(1951 Wrongful Conviction, Due Process)

Charles Greenlee, Walter Irvin, Samuel Shepherd, and Ernest Thomas were falsely accused of raping a white woman, Norma Padgett, and brutally beating her husband, Willie, in Lake County, FL. The case was riddled with racial violence, police brutality, and legal corruption. Thomas was lynched by a mob trying to escape to another county. The three remaining men were put on trial. It became one of Thurgood Marshall's most dangerous cases as a lawyer for the NAACP Legal Defense Fund.

After the three men were found guilty by an all-white jury, Greenlee was sentenced to life in prison, and Irvin and Shepherd were sentenced to death. Harry T. Moore, founder of the Brevard County chapter of the NAACP and later executive secretary of the Florida state chapter, launched a campaign to overturn the wrongful convictions. Irvin and Shepherd appealed the Florida court's findings.

In 1951, the U.S. Supreme Court unanimously overturned the convictions of Shepherd and Irvin, granting them a new trial. On their way to pretrial, they were shot by Lake County Sheriff Willis McCall. McCall claimed the handcuffed men were trying to escape. Shepherd died. Irvin, pretending to be dead, survived. Irvin was tried and convicted again by an all-white jury and sentenced to death. Close to his execution date, he was granted a stay of execution, and his sentence was commuted. Irvin was released from prison in 1968. Greenlee, who was serving a life sentence, was released on parole in 1962.

### **Brown v. Board of Education**

(1954, Segregation in Public Schools)

**Brown v. Board of Education**, decided by the U.S. Supreme Court in 1954, declared that separating children in public schools based on race violated the 14th Amendment and the 5th Amendment (guaranteeing due process) and was therefore unconstitutional. The landmark decision overturned the “separate but equal” Plessy v. Ferguson Supreme Court decision of 1896.

### Five cases were part of the decision:

- *Brown v. Board of Education of Topeka* (Kansas)
- *Briggs v. Elliott* (South Carolina)
- *Davis v. County Board of Prince Edward County* (Virginia)
- *Bolling v. Sharpe* (Washington, DC)
- *Belton (Bulah) v. Gebhart* (Delaware)

Thurgood Marshall served as the director-counsel for the NAACP Legal Defense and Educational Fund. He worked with nine other attorneys on the five cases.

### *Cooper v. Aaron* (1958)

In 1957, nine African American teens attempted to enter and attend Central High School in Little Rock, AR. Arkansas Governor Orval Faubus sent the National Guard to block their entrance. After a federal judge ordered that the African American students must be admitted, the students were met by an angry white mob outside the school. Eventually, President Dwight D. Eisenhower federalized the National Guard and sent the U.S. Army to Little Rock to guard the African American students attending Central High School. In 1958, the LDF (including Thurgood Marshall) represented the families of the “Little Rock Nine” before the U.S. Supreme Court. The Supreme Court reaffirmed its *Brown v. Board of Education* decision, obligating states to comply with the Court’s mandate to desegregate schools.

### Discussion questions

- Read the 13th, 14th, and 15th Amendments. Why did these amendments fail to provide complete civil rights and protections for African Americans, which allowed for the 1896 *Plessy v. Ferguson* Supreme Court decision?
- Read the 14th Amendment. What makes it the foundation for civil rights law? What makes it the foundation of the NAACP and LDF lawyers’ strategy to dismantle segregation? How do you interpret it?
- The cases mentioned are only a fraction of those the NAACP and the LDF represented from their founding up until the time of *Brown v. Board of Education*. Why did it take winning many cases to apply the 14th Amendment to everyone?
- How did Thurgood Marshall and other civil rights lawyers use *Plessy v. Ferguson* strategically (i.e., separate was not equal)? Refer to the cases of *Murray v. Pearson* and *Duvall v. J.F. Seignous et al.*
- Select a key case from this discussion guide and discuss how one or more of the three amendments apply.
- What do you think the makeup of the Supreme Court was for each of the deciding cases? How do you think the makeup of the Supreme Court – politically, ideologically, and demographically – shaped the decisions in landmark civil rights cases? How does that compare to the Supreme Court today?”
- What role did the Supreme Court play in advancing or resisting racial justice during Thurgood Marshall’s time? How does that role compare to what we see in the Supreme Court today?”
- Thurgood Marshall believed in using the law to advocate for equality. Do you think the law is still an effective tool for achieving racial justice today? Why or why not?



### III. America's social architect

*"We have certainly not reached the point I would have hoped we could reach. We have had setbacks even, but what we are proud of in the United States is that we are making progress."*

~ Thurgood Marshall

#### Overview and engagement goals

The third theme of the film aims to:

- Define Thurgood Marshall's impact as "America's social architect."
- Analyze the challenges and lessons that made Marshall and others realize there is no end game but eternal vigilance.
- Explore how civic participation can be implemented today (using law as an additional tool).

#### The "social architect"

A social architect envisions a better society and strategically designs the framework needed to shape social dynamics and drive meaningful change. Social architects leverage their tools to influence the social dynamic and make progress globally. Thurgood Marshall embodied this role, using the law as his primary tool to challenge injustice and transform the nation in lasting ways.

If your audience is learning about Thurgood Marshall and the early years of civil rights law through the work of the NAACP and LDF for the first time, they may find it unfathomable that the United States was a country and society where racial segregation was the law for public spaces in Marshall's lifetime and career.

The United States looks much different today compared to the United States in the Jim Crow era, the decades following the Brown v. Board of Education decision, and Thurgood Marshall's time as a U.S. Supreme Court justice. The cases Thurgood Marshall and the LDF litigated were the building blocks to achieving full citizenship rights and racial equality for African Americans and all Americans. Marshall and the LDF ultimately dismantled the precedent set by the Supreme Court's 1896 decision in Plessy v. Ferguson.

#### Lessons learned

*"To those of us who know the struggle is far from over, history has another lesson: it tells us how deeply rooted habits of prejudice are, dominating the minds of men and all our institutions for three centuries, and it cautions us to continue to move forward lest we fall back."* ~ Thurgood Marshall

Thurgood Marshall didn't anticipate such significant resistance after the triumphant Brown v. Board of Education decision. The 1957 incident at Little Rock Central High School and Cooper v. Aaron made clear that the law didn't instantly transform a society where racial discrimination had been embedded for over 300 years. In the documentary, Marshall takes the lesson to heart, saying, "The other side planned all these delaying tactics they could think of. And so they took the initiative, and we ended up blocking their blocking tactics."

The law is but one tool for building a new social architecture. Marshall and the LDF worked in tandem with communities, community organizers, student activists, teachers, administrators, sociologists, psychologists, veterans, religious communities, and labor unions.

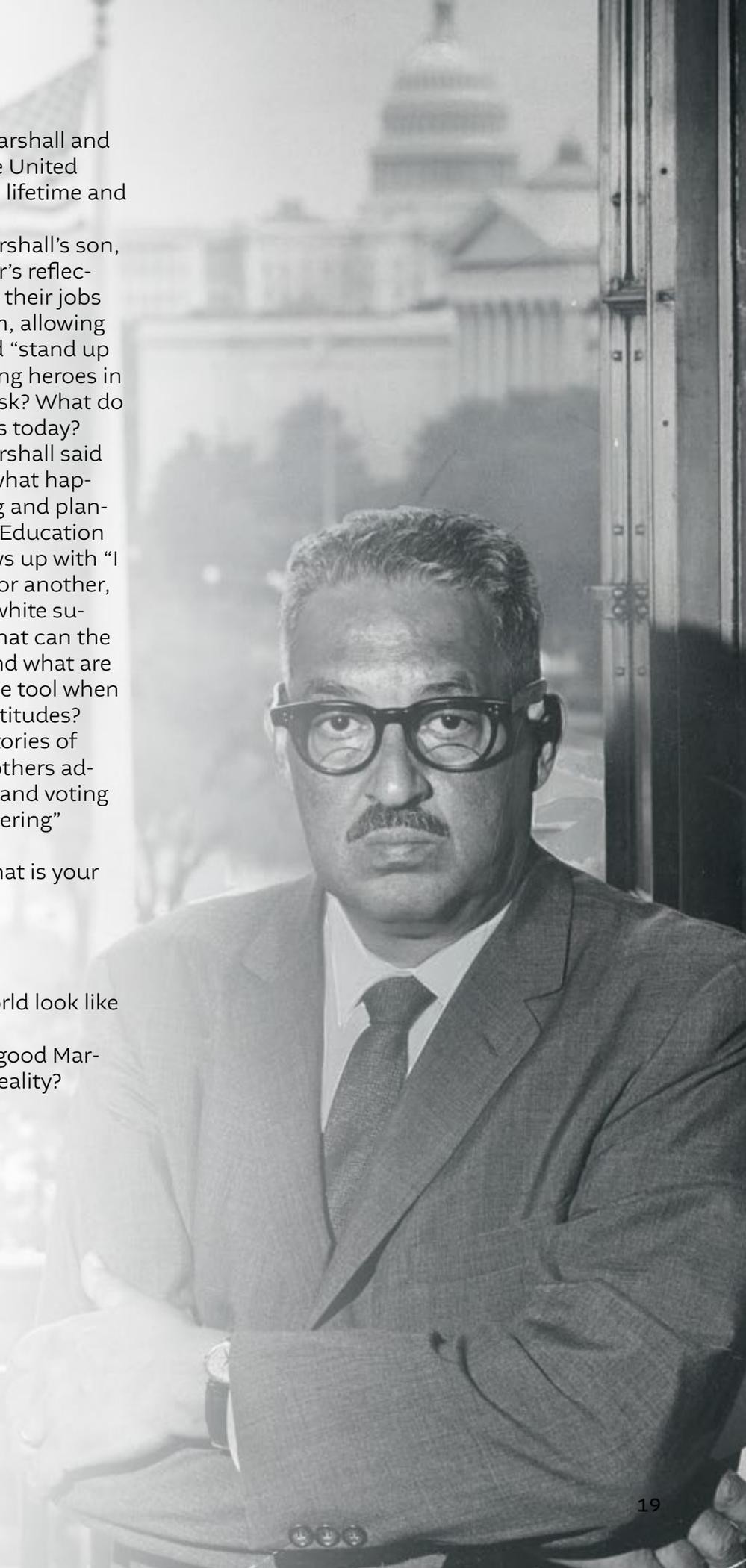
Many people were willing to host the legal teams in their homes because restaurants and hotels were off-limits to Black patrons. There's no understating the risks taken for the cause of civil rights. People lost jobs and homes. Those who upheld white supremacy were often violent, leading to deadly outcomes, as in the tragedy of Florida NAACP chapter leaders Harry T. Moore and his wife Harriette, who were bombed in their home following the Groveland Four court case.

Throughout turbulent times, Thurgood Marshall, his fellow social architects, and "unsung heroes" persevered, never wavering in their demand for rights, justice, and equal protections under the law in the United States.

They envisioned the world as possible and took bold action, both inside and outside the courtroom, to make it a reality.

## Discussion questions

- Based on the story of Thurgood Marshall and civil rights law history, how has the United States made progress in Marshall's lifetime and your lifetime?
- In the documentary, Thurgood Marshall's son, John Marshall, discusses his father's reflections on the people who sacrificed their jobs and risked their lives to protect him, allowing him to litigate civil rights cases and "stand up for their rights." Who are the unsung heroes in your community? What did they risk? What do you risk standing up for your rights today?
- In the documentary, Thurgood Marshall said there was blame on their part for what happened in Little Rock in not pushing and planning and letting *Brown v. Board of Education* go "by default." Sherrilyn Ifill follows up with "I think every Black person, one day or another, has underestimated how virulent white supremacy exists in this country." What can the law do to make positive change, and what are the limitations of the law as a single tool when it comes to changing prejudicial attitudes?
- How will you build on the legal victories of Thurgood Marshall, the LDF, and others advocating for education, equal pay, and voting rights? What is your "social engineering" strategy?
- How are you a social architect? What is your impact on the social dynamics of your community?
- What role will you play in shaping a better world?
- What does a just and equitable world look like to you?
- What tools will you use from Thurgood Marshall's story to make that world a reality?



## References and resources

The following are references and resources used to create this guide. Both individuals and groups can use them to take a deeper dive into the 13th, 14th, and 15th Amendments to the U.S. Constitution, the themes in the film *Becoming Thurgood: America's Social Architect*, and the work of the LDF.

### Legal Defense Fund (LDF) Thurgood Marshall Institute

#### Thurgood Marshall: Life and Influences

##### Biographies

- Rowan, C.T. (1993). Dream makers, dream breakers: *The world of justice Thurgood Marshall*. Little, Brown and Company.
- Williams, J. (2000). *Thurgood Marshall: American revolutionary*. Crown.

##### History of HBCUs

- Lincoln University, Our History
- Howard University School of Law
- Who will constitute faculty at Lincoln 25 years hence? (1934, May 12). *The Afro American*.

##### Charles Hamilton Houston

- McNeil, G. R. (1983). Groundwork: *Charles Hamilton Houston and the struggle for civil rights*. University of Pennsylvania Press.

### The Law as a tool for change

**How is an amendment added to the Constitution?** - Article V of the U.S. Constitution outlines the process:

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

##### More information:

- National Archives and Records Administration Office of the Federal Register
- Article V - National Constitution Center

### **How does a bill become law?**

A bill or act becomes law through a legislative process in the U.S. Congress. Only members of Congress (in the House of Representatives or the Senate) can introduce a bill. The U.S. President can suggest or propose a bill, but it must go through a formal process in which a member of Congress introduces the bill.

Example: The Civil Rights Act of 1965 started as a bill that was signed into law by President Lyndon B. Johnson.

Read more about the process on the [USA.gov website](https://www.usa.gov).

## What is the impact of a U.S. Supreme Court decision?

The U.S. Supreme Court is the court of last resort, and decisions can have a national and longstanding impact. The Supreme Court's website provides background on how the Court's decisions are applied: "Before the passage of the 14th Amendment, the provisions of the Bill of Rights were only applicable to the federal government. After the Amendment's passage, the Supreme Court began ruling that most of its provisions were applicable to the states as well. Therefore, the Supreme Court has the final say over when a right is protected by the U.S. Constitution or when a Constitutional right is violated."

### More information:

- [About the Supreme Court](#)
- [National Constitution Center, U.S. Constitution](#)

## 13th, 14th and 15th Amendments

### The 13th Amendment

- [The National Constitution Center, 13th Amendment: Abolition of Slavery](#)
- [Constitution Annotated, Article IV, Section 2, Clause 3: Fugitive Slave Clause](#)

### The 14th Amendment

- [The National Constitution Center, 14th Amendment: Citizenship Rights, Equal Protection, Apportionment, Civil War Debt](#)
- [LDF Thurgood Marshall Institute: The 14th Amendment](#)
- [The National Constitution Center, 26th Amendment: Right to Vote at Age 18](#)

### Dred Scott v. Sanford (1857)

- [National Archives, Milestone Documents: Dred Scott v. Sanford \(1857\)](#) [National Constitution Center, Supreme Court Case: Dred Scott v. Sanford \(1857\)](#)

### Plessy v. Ferguson (1896)

- [National Archives, Milestone Documents: Plessy v. Ferguson \(1896\)](#)
- [Kent State University: Albion W. Tourgée Papers](#)
- [Gates Jr., H. L., & Yacovone, D. \(2013\). \*The African Americans: Many Rivers to Cross\*. Smiley Books.](#)

### Jim Crow

- [Jim Crow Museum: The Origins of Jim Crow](#)

### The 15th Amendment

- [The National Constitution Center, 15th Amendment: The Right to Vote Not Denied by Race](#)

### The 19th Amendment

- [National Constitution Center, 19th Amendment: Women's Right to Vote](#) <https://constitutioncenter.org/the-constitution/amendments/amendment-xix>
- [Facing History & Ourselves: Black Woman Personhood and the 15th Amendment](#)

### The Voting Rights Act of 1965

- [National Archives, Milestone Documents Voting Rights Act \(1965\)](#)
- [National Archives, African American Heritage: - Selma Marches](#)
- [Selma: Defending Democracy in the 50th Anniversary Year of the Voting Rights Act](#)

### NAACP and Legal Defense Fund

- [Legal Defense Fund: Thurgood Marshall](#)
- [Legal Defense Fund History](#)
- [NAACP Governance: Bylaws for Units](#)

## Cases

### Murray v. Pearson (1936)

- [University of Maryland Frances King Carey School of Law, Thurgood Marshall Law Library: Donald Gaines Murray and the Integration of the University of Maryland School of Law](#)
- [LDF Recollection: Pearson v. Murray Appellee's Brief](#)

### Chambers v. Florida (1940)

- [Library of Congress: Chambers v. Florida](#)
- [Chicago Public Library: McGill Family Papers](#)

### Duvall v. J.F. Seignous et al. (1944)

- [2025 South Carolina African American History Calendar: Nathaniel and Violet Stewart](#)
- [Low Country Digital History \(LDHI\) Library: Somebody Had to Do It: First Children in School Desegregation](#)

### Smith v. Allwright (1944)

- [Legal Defense Fund, Case: Landmark Smith v. Allwright](#)

### Groveland Four (1949)

- [NAACP: Harry T. and Harriette Moore](#)
- [Equal Justice Initiative \(EJI\), History of Racial Injustice: White Mob Brutally Lynches Ernest Thomas, Member of the So-Called Groveland Four](#)

### Brown v. Board of Education (1954)

- [Legal Defense Fund: Learn More About Brown v. Board of Education](#)

### Cooper v. Aaron (1958)

- [Legal Defense Fund, Recollection: Cooper v. Aaron Brief for Appellants](#)

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## CREDITS

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