

## COMMITTEE COMMENTARY

When African-American physician Ossian Sweet moved with his family to a white neighborhood in Detroit in 1925, he might have imagined that the short migration across town would cause trouble. He could never have imagined, however, the national tremors that the event would trigger. Sweet would be indicted for murder for defending his home against an attack by a white mob. His defense would be spearheaded by Clarence Darrow, in a trial that headlined across America as emblematic of the racial fissure that split so much of the American social fabric in the early twentieth century. In *Arc of Justice*, historian Kevin Boyle presents a marvelously evocative reconstruction not only of the trial itself, but also of the historical memory of the black families who endured the Jim Crow regime, north and south. Boyle tells the now all but forgotten stories of a sensational and sensationalized trial, of the hard struggle of an emerging black professional class, of urban politics in Detroit, and of the fledgling NAACP and its funding campaign. The author also profiles trial judge Frank Murphy, the future Detroit mayor, Michigan governor, and U.S. Supreme Court justice. Murphy showed that a fair procedure was possible in an overheated arena. For so vividly recounting a watershed moment in criminal justice and racial politics, *Arc of Justice* well deserves our recognition.

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Kevin Boyle, *Author*



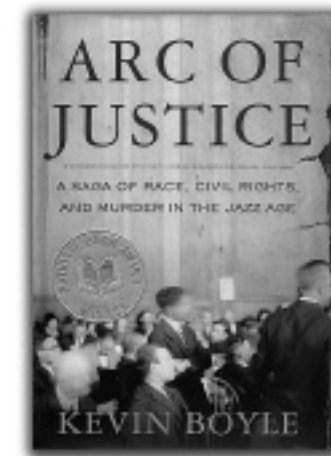
## EXCERPT

### Chapter 8: The Prodigal Son

"It is a thrilling situation," a buoyant [NAACP leader] Walter White wrote one of his many friends a week before the trial was to open. "We have got a very hard fight on our hands. [But] with Mr. Darrow as our chief counsel, we have got a fighting chance to win out." Obviously, the Great Defender was the key. White loved being in his company, listening to the old man talk of philosophy and politics, gossiping about their mutual friends among the literati, watching him map out the defense in his mind, adding the occasional suggestion, for which Darrow seemed genuinely grateful. White also adored the swirl of excitement Darrow brought in his wake. Walter's schedule was crowded with speaking engagements at rallies and forums devoted to the Sweets, while his mailbox overflowed with congratulatory messages: bringing Darrow into the case was "a great stroke," wrote James Cobb, himself immersed in the upcoming Supreme Court challenge; it was "a masterstroke," said another lawyer who'd fought his share of race cases; even the young poet Langston Hughes, hidden away in a Montmartre garret, sent a note saying that Darrow's hiring "is certainly fine."

But it wasn't Darrow's presence alone that gave White hope that the case might be won. There were also surprising signs of movement in Detroit, where the white progressives seemed at last to be shaking off their month-long stupor. White picked up the first hints of change during the weekend he spent settling the NAACP's conflict with the colored lawyers, when he squeezed in an hour or so to chat with [presiding judge] Frank Murphy about the trial. White didn't know much about the man before the meeting, but what his informants had told him wasn't particularly encouraging. Word was that Murphy had maneuvered the Sweet case into his courtroom because he hoped his unbiased handling of the trial would solidify his support among colored voters, whom he had to have on his side when he ran for mayor in two years' time. But then Murphy had rejected Cecil Rowlette's motion to dismiss the charges against the Sweets, a bitter disappointment, and now a lot of colored men—and not a few whites as well—doubted whether Murphy would have "the grit to stand boldly" against the prosecution's framed-up case.

As soon as White settled into the judge's rooms, though, he was bathed in Murphy's self-conscious compassion. He didn't record the judge's precise words. But White was struck by his seemingly deep sympathy for Negroes ("I like them," he told a girlfriend, "because they are so out of luck and get the worst of each deal"), his commitment to maintaining a color-blind courtroom, and his obvious relish in taking on a case that would put his principles to the test. "The question of how to secure a fair trial for the eleven colored defendants is constantly on my mind," Murphy said to his sister a few weeks later. "Above all I want them to know that they are in a court where the true ideal of justice is constantly sought. A white judge, white lawyers and twelve white jurymen are sitting in judgment of eleven who are colored black. This alone is enough to make us fervent in our effort to do justice. I want the defendants to know that true justice does not recognize color."



*Arc of Justice* retails for \$26.00 hardcover and \$15.00 paperback and is available from Henry Holt and booksellers nationwide. To learn more about the book, visit <http://www.henryholt.com/>.