

## Reflections on our “Blacks in the Law II” theme issue

### To the Editor:

A beautiful collage of outstanding pioneers appeared on the cover of your May issue (Blacks in the Law II). I was able to identify all the lawyers and judges whom I should have known—probably did better than 98 percent of the bar in identifying the faces and would have passed this section if it had been included on the bar exam.

These trailblazers span more than 125 years. A tremendous amount of time, effort, and energy was undoubtedly devoted to performing the research to spotlight the incredible achievements of these individuals.

Additionally, I wish to thank Professor Edward Littlejohn for the well-written and dutifully documented article about the *Henderson* case. It forces us to ponder and address questions that even today may go unanswered.

It takes longer to obtain a dog license or a bike permit than the due process that Mr. Henderson received. This article raises the ire of the ruling by United States Supreme Court Justice Taney in the 1857 *Dred Scott* decision.

The article also raises age-old questions of whether the “bullet train” to prison was due to (1) the alleged crime, (2) the alleged perpetrator, (3) the alleged victim, or (4) the social climate at the time (or in 2015?). One year later, a large-scale race riot occurred in Detroit over similar and conflicting allegations.

Finally, kudos to Ernest Goodman. He saw that a grave injustice was committed against Mr. Henderson. It is axiomatic that Goodman accepted this case on a pro bono basis and took on the representation of Henderson against the acts of terror committed by the police, the prosecutor, and the judge.

**Gad L. Holland**  
Detroit

### To the Editor:

I just finished reading “The *Henderson* Case: Southern ‘Justice’ in a Michigan Court” by Professor Edward Littlejohn.

Thank you for printing the article for all to see and hopefully reflect on the current state of affairs in Michigan law. First, the article is outstanding because it shows what

has happened in the past to infringe on the First Amendment rights of Americans to associate with whomever they choose.

Second, the article reminds me of a condition that presently exists in the appellate courts: the Michigan Court of Appeals does everything it can to not overturn a lower court’s decision of guilt in a criminal case, even though some cases should be reversed.

Third, the article reminds me of an existing condition in the trial courts that violates the Sixth Amendment criminal defendant’s right to counsel by not allowing discovery under *Strickland v Washington*, 466 US 688 (1984) and MCL 767.40a.

**Harrison W. Munson**  
Detroit

### To the Editor:

Edward Littlejohn’s article in the May issue of the *Michigan Bar Journal* entitled “The *Henderson* Case: Southern ‘Justice’ in a Michigan Court” really reflects on how far we have come in improving our court system.

It was ironic that soon after reading the article I attended the memorial services for Court of Appeals Judge Harold Hood, and as I listened to the eulogies, I reflected on the fact that he and some others in our age group are the last of the African-American lawyers who lived and were confronted by actual segregation. Most of the lawyers of the 1930s and 1940s who witnessed firsthand segregation have passed.

The article was well written, researched, and very informative.

**Hon. Dalton A. Roberson (Retired)**  
Detroit

### To the Editor:

I have worked for decades as a sociologist and anthropologist, uncovering the structures and functioning of institutions of different societies. Professor Edward Littlejohn’s article about the *Henderson* case shines the spotlight on the United States’ structure and functioning of racial injustice (that is, racial nonjustice). *Henderson* draws attention to the so-called “due process” which had continued from the founding of this country to the time of the case.

This judicial nonjustice is the principal reason more than a quarter of black American males have some kind of court or prison record that disfranchises them and thus

makes them unemployable and voteless citizens. My assessment is that the structure and functioning of judicial nonjustice is designed to prohibit black Americans—in particular black American males—from being competitors in the capitalistic marketplaces and the political contests of this society.

I commend Littlejohn for using the *Henderson* case to spotlight this continuing structure and functioning of nonjustice and disfranchisement.

In addition, Littlejohn deserves a second commendation for providing research and photos from his personal collection for the May cover, featuring prominent African-American lawyers and judges who were pioneers in the judicial history of the state of Michigan.

**Dr. Joseph W. Scott**  
Professor Emeritus of Sociology,  
University of Washington

### To the Editor:

Having read the May *Bar Journal*, I was especially interested in the feature articles on the theme of Blacks in the Law II. “The *Henderson* Case: Southern ‘Justice’ in a Michigan Court” was particularly compelling. It appears to be history with a contemporary theme. My compliments to you for presenting a concise and unique way to provide important history of African-American lawyers, judges, and professors over the years. The cover of the journal will be a keepsake for many years to come. Professor Edward Littlejohn’s research and writing regarding Michigan’s black lawyers and their contributions is much appreciated.

**Ella Williams**  
Retired Chief Clerk,  
Michigan Court of Appeals

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