

# The Shoulders on Which We Stand

By Jan Bissett and Margi Heinen

Research of any kind often begins with a name or two, and that is especially true when researching minorities in particular professions. Victoria A. Roberts, Dennis Archer, Reginald Turner, and W. Anthony Jenkins are familiar as past presidents of the State Bar of Michigan.<sup>1</sup> In Michigan legal circles and beyond, the names Damon J. Keith and George W. Crockett Jr. are well-known. After we exhaust the renowned, however, we want to dig deeper. A recent interview on National Public Radio with Claudette Colvin who, at 15 years of age refused to give up her segregated bus seat 10 months before Rosa Parks did the same thing, illustrates the value of the well-known as well as the fascinating stories of the less famous.

“Well, today I’m 75 years old. It’s good to see some of the fruit of my labor,” says Colvin. “To me, I don’t mind being named, as long as we have someone out there to tell our story.”<sup>2</sup>

Michigan libraries and archives offer a treasure trove of information to tell the story, from legal history to contemporary practice. Several collections have been in existence for some time while others have been developed more recently. The variety of formats, both digital and print, require familiarity with diverse research techniques including search strategies and the use of old-school library catalogs to locate all the available material.

Researching black lawyers in Michigan’s legal history is helped immeasurably by Edward J. Littejohn’s<sup>3</sup> publications *Black Lawyers, Law Practice, and Bar Associations—1844 to 1970: A Michigan History*<sup>4</sup> and *African-American Lawyers in Nineteenth Century Michigan*.<sup>5</sup> J. Clay Smith Jr.’s *Emancipation: the Making of the Black Lawyer, 1844–1944* also includes a short section

on Michigan in its chapter on northwestern states.<sup>6</sup> Identifying additional law review or journal articles with traditional sources such as the Index to Legal Periodicals (and Retrospective) or LegalTrac (available to all Michigan residents via the Michigan Electronic Library’s<sup>7</sup> Legal Gateway) may require advanced search strategies. Depending on the date of the material, subject headings may reflect terminology used at that time. For example, the Index to Legal Periodicals uses “African Americans” in current entries, but its historical counterpart, Retrospective, uses “Blacks” with a notation of its historical subject, “Negroes.”<sup>8</sup>

Research may require going to individual school websites and digging for historical data. For instance, the University of Michigan Law School’s History and Traditions page<sup>9</sup> includes a biographical sketch of Gabriel Franklin Hargo,<sup>10</sup> the law school’s first African-American graduate. Additionally, a search for scholarships and a black student organization may lead to some recognized leaders in a specific university.<sup>11</sup> The African Americans in the Law Collection at the University of Maryland’s Thurgood Marshall Law Library “seeks to document the development and growth of the African American legal community in Maryland from 1877 to date”<sup>12</sup> with personal

manuscripts and organizational records including the *Papers of the NAACP*. The Howard University School of Law Library is processing the J. Clay Smith Jr. Collection, “a vertical file on African Americans in the law...” as well as public speeches and ephemera from the former dean and professor of that law school.<sup>13</sup>

The Damon J. Keith Collection of African-American Legal History, a partnership between the Walter P. Reuther Library and Wayne State University Law School, is the “country’s first and only archive dedicated to perpetual care of the papers, artifacts and memorabilia of African-American legal history.”<sup>14</sup> The available collections, from prominent lawyers, judges, and law faculty, illustrate the emphasis on civil rights and social justice. Each of the collections’ entries includes a finding aid from the Reuther Library identifying the material as well as providing the scope, content, and important subjects and names contained within.<sup>15</sup>

The Library of Michigan and the Detroit Public Library also have materials to offer those researching black legal professionals. Biographies of Michigan Judges Claudia House Morcom and Otis Milton Smith are available from the Library of Michigan along with publications from the Michigan Legislative Black Caucus and a publication on

Tapping into research on lawyers and judges who have come before us can provide insight into where the profession is today and hopefully provide inspiration for future legal professionals.

“If I have seen further, it is by standing upon the shoulders of giants.”

Michigan's first African-American legislative leaders.<sup>16</sup> The Detroit Public Library's Burton Historical Collection holds the manuscript, local history, and biography index with access to clippings and other materials from years past. The papers of Mayors Dennis Archer and Coleman Young reside within the Burton collection. The Ossian Sweet trial transcript and papers of the Association of Black Judges of Michigan and Francis More Dent, who represented black home buyers in the 1940s, are all found in the manuscript collection. The biography index includes many well-known Detroit (and Michigan) African-American lawmakers.

Researchers also should consider institutions like the Charles H. Wright Museum of African American History, which houses archives including a collection from Dent.

Seeking a more global approach to blacks in the legal profession, a researcher might wish to visit BlackPast.org<sup>17</sup> and search by profession or geographical location. Fostering an interest in the legal professions among individuals of color, Just the Beginning<sup>18</sup> began as a celebration of integration in the federal courts, and its website has a number of historical profiles. A portal-type website that offers lists of black lawyer associations and organizations is available at Black News;<sup>19</sup> however, as with many compilations, some of the links may be outdated. Once identified, using these associations as search terms is another way to discover material. Both the National Bar Association<sup>20</sup> and Wolverine Bar Association<sup>21</sup> have published or currently publish titles of interest. General research materials such as the Oxford African American Studies Center<sup>22</sup> or the Black Newspaper Index<sup>23</sup> may also be starting points for research.

On a statistical note, researchers may want to look at numbers of black lawyers. The Marquette Faculty Blog has an interesting entry on lawyers in the 1930s, which relies on the 1930 census to find 1,247 black

lawyers in the entire United States, including 63 in Michigan.<sup>24</sup> For researchers seeking more current data, the U.S. Census American Fact Finder provides the option to tabulate census data by location, occupation, ethnicity, and sex.<sup>25</sup> In addition, the American Bar Association provides statistics on race and ethnicity,<sup>26</sup> and American Lawyer Media keeps track with a diversity scorecard.<sup>27</sup> A recent American Lawyer blog entry indicates a continued downward trend in the number of black attorneys.<sup>28</sup>

Tapping into research on lawyers and judges who have come before us can provide insight into where the profession is today and hopefully provide inspiration for future legal professionals. “If I have seen further, it is by standing upon the shoulders of giants.”<sup>29</sup> ■

---

*Jan Bissett is a librarian with Wayne State University's Arthur Neef Law Library and an advisory member of the State Bar Committee on Libraries, Legal Research, and Legal Publications.*

---

*Margi Heinen is the manager of research services for Sherman & Howard LLC in Denver, Colorado.*

## ENDNOTES

1. State Bar of Michigan Presidents <[http://www.michbar.org/generalinfo/pdfs/BOC\\_presidents.pdf](http://www.michbar.org/generalinfo/pdfs/BOC_presidents.pdf)>. All websites cited in this article were accessed April 15, 2015.
2. National Public Radio, *Before Rosa Parks, A Teenager Defied Segregation on an Alabama Bus* (March 2, 2015) <<http://www.npr.org/blogs/codeswitch/2015/02/27/389563788/before-rosa-parks-a-teenager-defied-segregation-on-an-alabama-bus>>.
3. Wayne State University Law School, Edward J. Littlejohn <<http://law.wayne.edu/profile/edward.littlejohn>>.
4. Littlejohn & Hobson, *Black Lawyers, Law Practice, and Bar Associations—1844 to 1970: A Michigan History*, 33 Wayne LR 1625 (1987).
5. Littlejohn, *African-American Lawyers in Nineteenth Century Michigan*, 73 Mich B J 290–297 (1994).
6. Smith, *Emancipation: The Making of the Black Lawyer, 1844–1933* (Philadelphia: University of Pennsylvania Press, 1993), p 455.

7. Michigan eLibrary, *Legal Gateway* <<http://mel.org/index.php?P=MelGateways&ParentId=952>>.
8. See, e.g., Shores, *The Negro at the Bar*, 2 Nat'l B J 266–272 (1944) (indexing subjects: legal profession, blacks; historical subjects: legal profession, negroes).
9. University of Michigan Law School, *History and Traditions* <<http://www.law.umich.edu/historyandtraditions/Pages/default.aspx>>.
10. University of Michigan Law School, *Gabriel Franklin Hargo* <[http://www.law.umich.edu/historyandtraditions/students/Documents/Gabriel\\_Franklin\\_Hargo\\_biography.pdf](http://www.law.umich.edu/historyandtraditions/students/Documents/Gabriel_Franklin_Hargo_biography.pdf)>.
11. University of Michigan Law School, *Giving Opportunities* <<http://www.law.umich.edu/alumniandfriends/events/AfricanAmericanAlumniReunion/Pages/GivingOpportunities.aspx>>.
12. University of Maryland School of Law, *African Americans in the Law Collection: A Project of the Thurgood Marshall Law Library* <<http://www.law.umaryland.edu/marshall/specialcollections/aalsc/index.html>>.
13. Howard University School of Law, *Law Library Collections* <[http://library.law.howard.edu/archives/archives\\_collections.html](http://library.law.howard.edu/archives/archives_collections.html)>.
14. Wayne State University Law School, *Damon J. Keith Collection of African-American Legal History* <<http://law.wayne.edu/keithcenter/collection/>>.
15. Walter P. Reuther Library, *Damon J. Keith Collection of African-American Legal History* <<http://reuther.wayne.edu/taxonomy/term/688>>.
16. See Library of Michigan <<http://catalog.lib.msu.edu/record=b5218181~S37a>>.
17. BlackPast.org <<http://www.blackpast.org>>.
18. Just the Beginning—A Pipeline Organization <<http://www.jtb.org>>.
19. BlackNews.com, *Black Lawyers and Attorneys* <[http://www.blacknews.com/directory/black\\_african\\_american\\_lawyers.shtml](http://www.blacknews.com/directory/black_african_american_lawyers.shtml)>.
20. National Bar Association <<http://www.nationalbar.org/>>.
21. Wolverine Bar Association <<http://wolverinebar.org/>>.
22. Oxford African American Studies Center <<http://www.oxfordaasc.com/>>.
23. ProQuest, *Historical Newspapers—Black Newspapers* <<http://www.proquest.com/products-services/histnews-bn.html>>.
24. Marquette University Law School, *Black Lawyers in the 1930s* <<http://law.marquette.edu/facultyblog/2012/05/08/black-lawyers-in-the-1930s/>>.
25. See U.S. Census Bureau, *American FactFinder* <<http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t#none>>.
26. See ABA, *Lawyer Demographics* <[http://www.americanbar.org/content/dam/aba/migrated/marketresearch/PublicDocuments/lawyer\\_demographics\\_2011.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/marketresearch/PublicDocuments/lawyer_demographics_2011.authcheckdam.pdf)>.
27. See The American Lawyer, *Diversity Scoreboard* (June 2014), p 60 <<http://www.americanlawyer-digital.com/americanlawyer-ipauth/201406ip?pg=60#pg60>>.
28. ALM, *The American Lawyer Reports Two Surveys: Biglaw's Black Lawyer Count Dropping; "Second Hundred" Firms' Growth Trails Am Law 100* (May 29, 2014) <<http://www.alm.com/about/pr/releases/american-lawyer-reports-two-surveys-biglaw-s-black-lawyer-count-dropping-second>>.
29. BBC, *Sir Isaac Newton* <<http://www.bbc.co.uk/worldservice/learningenglish/movingwords/shortlist/newton.shtml>>.