

# The Extraordinary Life and Career of Otis Smith

Looking Beyond Race—The Life of Otis Milton Smith, *Otis Milton Smith and Mary M. Stolberg, with forward by Vernon E. Jordan, Jr.*, 257 pages, published by Wayne State University Press, 2000, hard cover, \$24.95.



This short autobiography provides an intriguing glimpse into the life and philosophy of the first African American to serve on the Michigan Supreme Court and later as general counsel of General Motors Corporation. Otis Smith was born in 1922 in the slums of Memphis, the illegitimate child of a white father and a black mother. Showing us the path of his extraordinary success, he tells of the racism he battled, the famous public figures he encountered, and the solid moral values that guided him. This is a rewarding read for all interested generally in government and race relations in the seventy years before 1990 and specifically in how this talented lawyer overcame staggering odds.

Smith spent much of his youth on the lowest rungs of poverty. But his mother, “an energetic little lady of high purpose” (p 18) had great ambitions and hope for Otis. His reverence for her is evident: “I have often said that my mother had more character in her little finger than many of the so-called important people that I later met had in their whole bodies.” (p 18)

Smith worked long hours at menial jobs to put himself through school. He first traveled to the North at age 17, coming out of the South with “a hell of an inferiority complex.” (p 59) He worked in Flint at an auto plant, attended college at Fisk and Syracuse, and graduated from Catholic University Law School. He then returned to Flint where he married, passed the Michigan bar exam and became an associate with attorney Dudley Mallory, who treated him “as a son.” (p 97)

By age 35, Smith had worked as an assistant prosecuting attorney and become active in Genesee County politics, running unsuccessfully for the local school board and for municipal judge. Then, “(w)ithin a very short span,” he writes, “I became the first African-American to head a major state agency not connected to welfare and prisons and the first of my race to be elected to state-wide political office since Reconstruction (p 119) . . . I never advertised myself as the first and only because it always occurred to me that anybody who reveled in being the first and

the term. Smith describes the interaction among Justices John Dethmers, Leland Carr, Eugene Black, Thomas Kavanagh, George Edwards, Ted Souris, and himself. He comments that “The court for several years before and after I joined it had a reputation for divisiveness.” (p 148) The split was between liberals and conservatives. Each camp would meet to discuss upcoming votes on crucial cases, a practice in which Smith refused to participate.

It was during this period that the court wrote the Michigan General Court Rules.

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only was taking too much pride in an artificial distinction.” (p 152)

As chair of the Public Service Commission, Smith eliminated the backlog of cases and cut out practices that encouraged or required utilities to make gifts to state employees. “(N)obody ever gets corrupted by one free lunch or dinner, but if you are forever accepting favors, just like a drop of water on a stone, little by little, it erodes your independence.” (p 131)

After serving next as state Auditor General, Smith was appointed by Governor John B. Swainson to fill a vacancy on the Michigan Supreme Court created by Talbot Smith’s appointment to the federal bench. The next year, he was elected to fill the remainder of

Smith describes some of the most important and the most politically-charged cases to come before him. Speaking of his colleagues on the court, he observes, “I never believed that (they) were captive of anything but their own philosophies and individual views of life . . . that any of them were less than honest in what they did.” (p 149)

In 1966, Smith was defeated in his bid for reelection to the court by Thomas Brennan. He was clearly disappointed. But even more distressing to him was Senator Philip Hart’s designation of Damon Keith rather than Smith to fill a vacancy on the Sixth Circuit Court of Appeals. “I felt let down,” (p 165) writes Smith, but it turned out to be “a blessing in disguise” (p 167) because next Smith

joined the legal staff at General Motors Corporation where he stayed for 17 years, becoming the corporation's vice-president and general counsel.

Smith's reflections on race relations and on the practice of law, interspersed throughout the book, provide some of the most interesting reading. He discusses affirmative action, student protests in the early 70s at the University of Michigan where he was a regent, the divide between the NAACP and the Urban League, and problems he observed in the Detroit Public Schools. He describes the characteristics of a truly good lawyer, and he tells of the enormous pressures he felt as an African American "first and only" (p 152). Throughout this book, we find statements of Smith's sincere high ideals, solid moral values,

and unusual breed of independence. Realistic yet pragmatic, he is a man who truly engages the reader with his philosophy of life. ♦



*Justice Kelly made the acquaintance of Otis Smith in 1964 while he was a Supreme Court justice and she was a teacher, running for election to the State Board of Education. The acquaintance continued into the period when he was with General Motors and also was serving as a Regent of the University of Michigan and she was a law student. She remembers him as a tall (6'4"), thoughtful, soft spoken, and gentle individual, a good listener, clearly devoted to advancing civil rights and improving state government.*