

Thurgood At New Repertory Theatre

Thurgood, written by George Stevens Jr., was first produced at New Repertory Theatre in 2017. The production was hailed a marvelous success in the Boston Theater Area, leading to many requests for a regional tour. New Rep's touring production of *Thurgood* aims to educate audiences on Thurgood Marshall's life and the legacy he left behind.

A Note from Director Benny Sato Ambush

"Mr. Civil Rights: Thurgood Marshall earned this appellation for being a change agent of monumental significance. Handsome, charismatic, and contrary by nature, he stood up to the slings and arrows of a resisting white lash for having the visionary audacity to believe that the U.S. Constitution and the nation's law can work for black people. A relentless crusader for equal treatment under the law, he challenged the system while working within it, exposing its contradictions and attacking the rigged system that discriminated against significant portions of America's citizenry.

The century following the Civil War witnessed valiant struggles by the descendants of the African slave trade to gain their full measure of America's promise. Thurgood Marshall is firmly secured in the firmament of great justice warriors because he dismantled the false basis for racial segregation, exposed the numerous fictions that historically supported the color bar, and used the law to build a proper legal basis for equality.

Marshall brilliantly orchestrated his prophetic activism at a time when historical events were ripe for change. Melded with his time, he was to the manner born.

Sometimes the march of human progress happens in fits and starts, sometimes in sudden giant step lurches, still at other times like two steps forward and one step back.

Our nation's story is written in many such pendulum swings between forward movement and retrenchment. Marshall himself endured disillusioning erosion of his hard-earned advancements during his lifetime. Always the fighter, he never gave up striving for the idea of America to be fully realized in practice. Our current turbulent times can well use the



Benny Sato Ambush

example of Marshall's trailblazing life's work, his incisive clarion voice, and his sound reasoning to remind us of the great unfinished work before us."

Meet Johnny Lee Davenport

Johnny Lee Davenport has been portraying the role of Thurgood Marshall for New Repertory Theatre since its premiere in 2017. Mr. Davenport is a critically acclaimed actor, appearing in over 200 professional productions since the start of his career. Committed to redefining society's attitude towards classical theatre, Mr. Davenport has starred in several Shakespeare productions, including *King Lear*, *Hamlet*, and *The Tempest*. Overall, Mr. Davenport has portrayed over 50 roles in 24 of Shakespeare's plays.



Johnny Lee Davenport

Mr. Davenport's passion for civil rights and the performing arts join together in the title role in New Rep's *Thurgood*.

The History of Thurgood Marshall

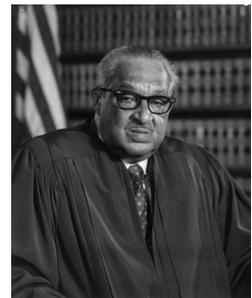
Who was Thurgood Marshall?

Thurgood Marshall was born and raised in Baltimore, Maryland in 1908. Marshall went on to attend Howard University where he studied law. Living through the Civil Rights movement, Marshall committed his career to removing unconstitutional principles such as "separate but equal" and other forms of racial discrimination. In 1967, he was appointed as the first African American justice of the Supreme Court of the United States.

What is Thurgood Marshall's Legacy?

Supreme Court Justice Thurgood Marshall shared Martin Luther King, Jr.'s goal of bringing about social, political, and legal equality for all Americans. Yet the two men favored different approaches. While King believed in breaking unjust laws through civil disobedience, Marshall saw the law itself as a useful tool for making the world a more just place.

Prior to his tenure as a Supreme Court Justice, Marshall served as Director of the Legal Defense and Education Fund of the National Association for the Advancement of Colored People (NAACP), as a judge for the U.S. Second Circuit



Thurgood Marshall

Court of Appeals, and as U.S. Solicitor General. He won twenty-nine of the thirty-two cases he argued before the United States Supreme Court, most famously the 1954 landmark case, *Brown v. Board of Education*, which is considered one of the most significant civil rights victories of the twentieth century. In 1967, Marshall was appointed to the Supreme Court, where he served for twenty-four years until his retirement.

What Does the Supreme Court Do?

The Supreme Court of the United States is the highest-ranking federal court in the USA. It has power over all decisions made by “lower” courts, such as regional and state courts. The Supreme Court has the final say over court cases and is the ultimate interpreter of the law and the U.S. Constitution.

Major Civil Rights Court Cases- A Timeline

Take a closer look at the court cases that Thurgood Marshall was involved in that shaped the Civil Rights Movement!

1896: *Plessy v. Ferguson*: The Supreme Court ruled in favor of “separate but equal” facilities for blacks and whites.

1936: *Murray v. Pearson*: The State Court affirmed the ruling which ordered the university to immediately integrate its student population, making segregation in Maryland illegal.

1944: *Smith v. Allwright*: The State Court ruled that it was unconstitutional for the state to delegate its authority over elections to the Democratic Party in order to allow discrimination to be practiced.

1948: *Shelley v. Kraemer*: The Supreme Court declared that racially restrictive property covenants violated the Fourteenth Amendment.

1954: *Brown v. Board of Education*: The Supreme Court ruled "unanimously, that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." This overturned *Plessy v. Ferguson*.

1956: *Browder v. Gayle*: The State Court declared the segregation practices of the Montgomery bus system illegal, thus supporting the acts of Rosa Parks, Martin Luther King, Jr., and other protestors.

1967: *Loving v. Virginia*: The State Court ruled in favor of interracial marriage declaring marriage to be a fundamental right.

1971: *Swann v. Charlotte-Mecklenburg Board of Education*: The Supreme Court decided that busing students between districts could be used to desegregate schools.

1980: *City of Mobile v. Bolden*: The Supreme Court declared that discriminatory intent must be proven in order for voting practices which harm minorities to violate citizens' rights. This decision was overturned by the 1982 Voting Rights Act Amendments.

1989: *Patterson v. McLean Credit Union*: The District Court decided that the Civil Rights Act of 1866 only applied to discrimination during the hiring process. It therefore does not affect discrimination in the workplace once an employee is hired. The ruling was overturned by the 1991 Civil Rights Act.

2014: *Schuette v. Coalition to Defend Affirmative Action*: The District Court upheld Michigan's state constitutional amendment prohibiting state universities from considering race as part of its admissions process.

2015: *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*: The Supreme Court permitted plaintiffs to challenge discriminatory housing practices even if there was no proven intent to discriminate under the Fair Housing Act.

Preshow Questions

1. What do you know about Thurgood Marshall?
2. Thurgood Marshall is known for arguing the historic *Brown vs. Board of Education* case which ruled that separate schools for black and white students were inherently unequal. Do you believe that schools today are fully racially integrated? Why/why not?

3. If you believe there is something fundamentally wrong with a law, would you prefer to fight it by challenging its legality in court or with civil disobedience? Why/why not?

Langston Hughes' Poem: *Let America Be America Again*

It is a playwright's goal to make intentional choices and strengthen certain themes in their play. At the end of *Thurgood*, George Stevens Jr. chooses to have Marshall recite a section of the poem, *Let America Be America Again*, written by Langston Hughes in 1936. Langston Hughes was a pioneering American poet, civil rights activist, and playwright.

Read the poem excerpt and consider the following analysis questions:

THURGOOD: My schoolmate, Langston Hughes, said it pretty well.

*O, let America be America again--
The land that never has been yet--
And yet must be--the land where every man is free.
The land that's mine--the poor man's, Indian's, Negro's, ME—
Whose sweat and blood, whose faith and pain
Must bring back our mighty dream again.
Oh, yes,
I say it plain,
America never was America to me,
And yet I swear this oath--
America will be!*



Langston Hughes

Poem Analysis Questions

1. Why does Thurgood Marshall recite this poem at the end of the play?
2. What is the meaning behind the last line, "America will be!"?
3. How does this poem connect to Thurgood Marshall's legacy?
4. Do you think America is free? Why/why not?

Post Show Questions

1. What would Thurgood Marshall think of your theatrical experience?
2. What advances in social justice would you like to see during your lifetime? What ideas do you have for making changes?
3. *Thurgood* is a one man show. How does experiencing the story through one man's narration differ from watching a larger cast tell it?
4. *Thurgood* is a play which deals with a particular moment in American history. How do the themes of the play relate to our America today?
5. Thurgood Marshall has a close relationship with the United States Constitution and strong convictions about what it promises to all citizens. What is your relationship with the U.S. Constitution? How was that relationship formed? Did this play impact the way you think about the Constitution and the rights it promises Americans?

This Season at New Rep

We're excited to share this play with you and invite you to our current season entitled **AWAKENING**, featuring seven illuminating and thought-provoking works.

At New Rep, we believe that theatre can be a sanctuary, a place for all to come together as a community in conversation. It is our hope that these plays will inspire and engage you as New Rep continues to be a place where the vital ideas of our time can be discussed freely and openly. Be sure to check out our season on our website: www.newrep.org

We look forward to seeing you at New Repertory Theatre!

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Bibliography

Common Core Standards: http://www.corestandards.org/wp-content/uploads/ELA_Standards1.pdf (pages 3 and 5)

Abridged Timeline: <http://www.civilrights.org/judiciary/supreme-court/key-cases.html?referrer=https://www.google.com/> (page3)