

LBJ and *Marshall*: Film biographies deal with mid-20th century US struggle for racial equality

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LBJ, directed by Rob Reiner, written by Joey Hartstone; *Marshall*, directed by Reginald Hudlin, written by Jacob Koskoff, Michael Koskoff

Two new biopics—*LBJ* and *Marshall*—dealing with figures who played a major role in American politics in the mid-20th century have been released in movie theaters over the last two months.

Lyndon Baines Johnson, taking office as President after the assassination of John F. Kennedy in November 1963, went on to sign the major civil rights legislation of 1964 and 1965 into law. Thurgood Marshall, the longtime chief legal counsel of the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, was appointed by Johnson to become the first African-American Justice of the US Supreme Court in 1967.

LBJ, made by veteran director Rob Reiner, is a fairly lackluster effort, somewhat misleading and one-sided in its treatment of the five years in Johnson's career (1959-1964) covered in the film. This time period spans his position as Senate Majority leader, his unsuccessful campaign for the Democratic Party presidential nomination in 1960, his role as Vice President under Kennedy, and finally the first months of his own presidency, following the assassination.

Johnson has been seen in film depictions a number of times in recent years, most prominently as portrayed by Tom Wilkinson in *Selma* (2014) and Bryan Cranston on television in *All the Way* (2016). *LBJ* does not add very much to the characterization of the Texas Democrat as a politician with decades of experience in Washington, a master tactician and a profane and sometimes bullying figure. Woody Harrelson, despite having to deal with a huge makeup job and some prosthetics, does an effective job in *LBJ* as the Senator, later Vice President and President of the United States.

A so-called “moderate” on racial issues—he usually avoided the kind of open racism and demagoguery indulged in by prominent figures like James Eastland of Mississippi, Richard Russell of Georgia and so many other Democrats—Johnson was added to the Democratic Party ticket in 1960 in large part to appease the racist Southern political establishment. Only 12 years earlier, South Carolina's Strom Thurmond had bolted the party and run as a Dixiecrat against Harry Truman, winning the electoral votes in four Southern states.

Johnson's vice presidency was a frustrating and almost embittering time for him. His ability to deliver Congressional deals was gone, and his room for maneuver and initiative was stymied by his position as second-in-command. He had no power and little influence. The primary role of the vice president, certainly at that time in history, was waiting to ascend to the highest office in the event of the president's death.

Johnson's personal fortunes changed on November 22, 1963. The film focuses on what is portrayed as the veteran politician's “growth” in the White House. He stands up to the Southern Democratic caucus, in one

scene addressing a roomful of senators and letting them know that he will not go along with the scuttling of civil rights reforms. There are some interesting scenes with such figures as Georgia's Russell (Richard Jenkins) and Ralph Yarborough (Bill Pullman), the liberal Texas Democrat who had crossed swords with Johnson in the past but now finds agreement on the civil rights legislation.

Jeffrey Donovan as President Kennedy is given little to do, and the president's younger brother Robert Kennedy (Michael David-Stahl) is somewhat cartoonish in his arrogance and continuous clashes with Johnson. The screenplay, by Joey Hartstone, is conventional and unenlightening. Lady Bird Johnson (Jennifer Jason Leigh) is portrayed as a virtual angel, her patience inexhaustible and her ability to minister to her husband's moods and temper without equal. None of this is invented, but it is all exaggerated, and contributes little to an understanding of the time.

It is certainly true that Johnson presided over the last social reforms of the post-WWII period, that he recognized which way the wind was blowing and helped drag the American South into the 20th century.

Johnson's particular role, however, cannot be understood apart from the social and political crisis that was building up and that would explode in the urban ghetto rebellions which began in the very same year that Johnson signed the Civil Rights Act. This was soon accompanied by the growth of the anti-Vietnam War movement. Originating on the college campuses and among sections of the middle class, it spread within the working class, including among Vietnam veterans, amid the growth of industrial militancy and strike struggles.

The president's actions were shaped by objective events, which do not get nearly enough attention in *LBJ*. The mass civil rights movement in the South is treated more or less as a backdrop. Likewise, the Cold War and the developments in the “Third World” are barely touched on, although they loomed large in the decision, forced on a reluctant US ruling class, to finally tackle the major unfinished business of the Civil War. The escalation of the US war in Vietnam (and subsequent debacle), leading to Johnson's announcement in March 1968 that he would not run for reelection, is only noted in titles in the film's closing moments. The net effect of this approach is to suggest that Johnson's support for civil rights legislation earns him an honored place in history and outweighs the imperialist slaughter in Vietnam.

The limited results are not surprising coming from Reiner, who has made about 15 films in the last three decades. Some of his early work, including *Stand By Me* (1986) and *The Princess Bride* (1987), had appealing qualities. The director, whose first big fame came as an actor—the “ultra-liberal” son-in-law of Archie Bunker in the television series *All in the Family*—is a staunch supporter of the Democratic Party and of Hillary and Bill Clinton in particular. Most recently he joined with actor Morgan Freeman in launching the right-wing and shamelessly neo-

McCarthyite “Committee to Investigate Russia.”

A comparison of the treatment of Lyndon Johnson in *LBJ* and *Selma*, the 2015 film made by Ava Duvernay, is significant. *Selma* focused on the struggle (including the famous Selma-to-Montgomery, Alabama voting rights march in March 1965) that led to the enactment of the Voting Rights Act, a year after the events depicted in *LBJ*. Duvernay distorted the early relationship between Martin Luther King and Johnson, making the President much more reluctant to pass the legislation than was actually the case. The current film puts forward an opposite view, presenting Johnson as a crusader for civil rights, a man who has found his true calling following the death of Kennedy.

Both of these conceptions are inadequate, leaving out of the picture the real contradictions of US society at the time as they were reflected in the career of the Texas Democrat, and therefore failing to explain the actual historical role of Johnson as a representative and spokesman of American capitalism.

Marshall

Reginald Hudlin’s latest film has a much narrower focus and time frame than *LBJ*. Much of *Marshall* is set inside a Bridgeport, Connecticut courtroom in 1941, long before the title character became famous as a key member of the legal team that argued the case before the Supreme Court which led to the *Brown v. Board of Education* decision in 1954, which outlawed school segregation in the US.

The implication in the screenplay is that the relatively young man (Marshall was 33 at the time) fighting to exonerate a black chauffeur who has been falsely accused of rape by his employer, a Greenwich, Connecticut society matron, is gaining the confidence and experience that would later lead to much greater achievements. There is certainly some truth to this premise.

The 1941 case is not widely known. As a history lesson about the prevalence of racial discrimination in the so-called criminal justice system in the North as well as the South, the film has its merits. It is also effective courtroom drama, which makes some sense when one considers the background of the father-son screenwriting team of Michael and Jacob Koskoff. Michael Koskoff has had a law practice in Bridgeport for decades, and defended Bobby Seale in the New Haven Black Panther trial in 1970. His son Jacob is a screenwriter whose credits include the recent film version of *Macbeth*.

The criminal defense requires the participation of a lawyer admitted to the bar in the state of Connecticut, and the plot of *Marshall* revolves around the collaboration between Sam Friedman (Josh Gad) and Thurgood Marshall (Chadwick Boseman).

Boseman, who portrayed baseball great Jackie Robinson in *42* (2013), is effective as the young Marshall in this film. By the time of the Bridgeport trial, Marshall had been working for the NAACP for seven years. Born in Baltimore, Maryland, the descendant of slaves on both sides of the family, he had already spent a good part of the previous decade conducting legal work and facing occasional threats of violence. According to the testimony of famed poet Langston Hughes, who was a classmate of Marshall’s at Lincoln University, the future lawyer was sure of himself and unafraid of a fight.

Also effective is Sterling K. Brown as defendant Joseph Spell. Spell has a criminal record, and the struggle to clear him of the rape charges takes some twists and turns before the not guilty verdict is announced. One of the more powerful moments in the film comes when he is cross-examined by prosecutor Loren Willis (Dan Stevens). Willis demands to know why Spell has lied in his account of the events surrounding the alleged rape.

“Why did I lie?” asks Spell in response, summoning up the memories of black men accused of rape, especially but not only in the South. “Because the truth gets me killed.”

Marshall may be interesting as a legal drama, but it raises a host of historical issues that are not addressed and that, to put it mildly, leave the viewer with an incomplete view of the future Supreme Court Justice.

Hudlin, active as a producer as well as a director, has not directed a film in 15 years. He is best known for the commercial success *House Party* (1992). According to screenwriter Michael Koskoff, the director made it clear that he was looking for a “hero,” not a victim, in the portrait of Marshall.

Perhaps that had something to do with the decision to focus on Marshall’s early years as a lawyer. His later career may make him a hero in the African-American middle class, and definitely to the big business political establishment, but he was no hero for those fighting class exploitation and oppression.

His legal skills were considerable, and were often used successfully on behalf of the NAACP, but Marshall was also a bitter opponent of the working class. He stood on the right wing of the official civil rights movement, skeptical if not hostile to the independent mobilization of the masses. Even the church-led movement of the Southern Christian Leadership Conference aroused his suspicion.

Marshall’s anti-communism is alluded to in the film, particularly in a brief scene with Hughes (Jussie Smollett) in which the lawyer taunts the poet about “your comrades.” In another scene, when the possibility is raised of bringing another lawyer, referred to as “Harry Gruber the Communist,” onto the defense team instead of Friedman, Marshall angrily declares, “So you want the Communists taking over? They’ll martyr him for their own cause.”

There is more to Marshall’s biography. As the *Washington Post* reported a few years after his death, FBI files released under the Freedom of Information Act revealed that he had “maintained a secret relationship with the FBI during the 1950s...occasionally providing information to bureau officials and seeking advice from them.”

In 1956, according to the account in the *Post*, “Marshall contacted a senior FBI official to say that he would be giving the keynote address at an upcoming annual convention of the NAACP. As reported in a memo to a top aide of FBI Director J. Edgar Hoover, Marshall thought he ‘could do some good’ by noting communist efforts to infiltrate civil rights groups, and believed that ‘some general items as to what the communists are doing. ... could be used to good advantage.’”

Marshall’s defenders claimed he was not a simple informant, but, in the words of one historian, “may have been trying to protect the NAACP from the kind of attacks that the FBI directed at other groups by convincing Hoover that they were part of the fight against communism.”

That would not make this behavior any less filthy. It was Martin Luther King, Jr., not Thurgood Marshall, who was targeted by Hoover’s FBI for spying and dirty tricks. The fact is that Marshall found common cause with Hoover, and with the whole fraternity of red-baiters who attacked the civil rights movement. When he was appointed to the federal appeals bench in 1961 and then in 1967 elevated to the Supreme Court, it was very much in return for the services he had rendered to the ruling class and its state apparatus. Marshall was a political scoundrel, a defender of the imperialist war in Vietnam and a diehard defender of the profit system. He retired from the Court in 1991 and died in 1993. If in his later years he was often called the Court’s most liberal justice, this was only because the rest of the judiciary and the whole political establishment were moving so rapidly to the right.

It should also be noted that, so eager were Hudlin and the screenwriting team to burnish the reputation of Marshall, they may have somewhat misrepresented the 1941 case. In the movie, Marshall is portrayed as running the defense, virtually dictating Friedman’s every move. Friedman

is depicted as fearful and inexperienced, only slowly gaining courage under the watchful eye of Marshall.

More than 75 years later it may not be possible to submit the screenplay to an absolute fact check, but Sam Friedman's great-nephew, Roger Friedman, told an online publication, "Almost not a word of my great uncle's depiction in the movie is accurate." According to his account, Sam Friedman was not a novice lawyer who had to rely on Marshall. The two worked as a team, but it was Friedman who was the lead and Marshall who was sent as a consultant.

The suggestion that Friedman was fearful and reluctant to take the case is false, according to his nephew. Taking such a case would not have been unusual for Friedman, who was about five years older than Marshall and had already been practicing for 14 years.

LBJ and *Marshall* may be dealing with past history, but they have also been made with an eye to the present. Each in its own fashion seeks to revive illusions in the possibility of reformist politics, through the two-party capitalist system and through an exclusively legalistic approach to the attacks on basic social and democratic rights.

In the age of Trump and a neo-McCarthyite Democratic Party, after four decades of ruthless social counterrevolution, the two biographical works seek to turn our attention to the days of Johnson's Great Society and to the time when Thurgood Marshall combined anti-communism with some courtroom victories against segregation. Dreams of a revival of reformism are a pipedream, however. The lesson of this history is exactly what both of these films seek to obscure: not a single step forward can be taken by any section of the working class without a political struggle against the system represented by Johnson and Marshall.



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