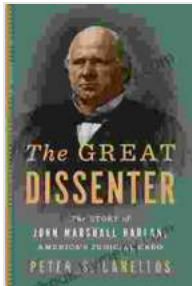


John Marshall Harlan: America's Unsung Judicial Hero



The Great Dissenter: The Story of John Marshall Harlan, America's Judicial Hero by Peter Canellos

★★★★☆ 4.8 out of 5

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A Legacy of Justice and Dissent



In the annals of American history, the name John Marshall Harlan stands tall as a beacon of justice and equality. As an Associate Justice of the Supreme Court during a tumultuous period of racial strife, Harlan emerged as a fearless advocate for the rights of all citizens, regardless of their race or origin.

His unwavering commitment to the principles of liberty and equality is most evident in his powerful dissenting opinion in the infamous case of Plessy v. Ferguson (1896), a decision that upheld the constitutionality of racial segregation in public facilities. Harlan's dissent was a solitary voice of reason and morality, a resounding condemnation of the "separate but equal" doctrine that would plague the nation for generations.

Early Life and Career

John Marshall Harlan was born in Boyle County, Kentucky, in 1833. His father, James Harlan, was a prominent politician and abolitionist, instilling in his son a deep-seated belief in the equality of all human beings.

After graduating from Centre College, Harlan practiced law in Frankfort, Kentucky, quickly establishing himself as a respected and skilled attorney. He served as a colonel in the Union Army during the Civil War, fighting for the preservation of the Union and the abolition of slavery.

In 1877, Harlan was appointed to the Supreme Court by President Rutherford B. Hayes. He served for 34 years, during which time he penned influential opinions on a wide range of issues, including civil rights, labor law, and tax law.

Plessy v. Ferguson and the Dissenting Opinion

The case of Plessy v. Ferguson arose in 1892 when Homer Plessy, an African American man, challenged Louisiana's law requiring separate railway cars for white and black passengers. The Supreme Court ruled in favor of the state, upholding the constitutionality of racial segregation in public facilities.

Justice Harlan was the lone dissenter, issuing a powerful and eloquent opinion that condemned the majority's decision as a violation of the Fourteenth Amendment's equal protection clause. He argued that "our Constitution is color-blind" and that "there is no caste here." Harlan's dissent was a beacon of hope for civil rights activists and a powerful indictment of racial prejudice.



“ "Our Constitution is color-blind, and no matter what may have been the race or color of the ancestors, no matter whether they came from Europe or Asia, whether they were of Saxon descent or African descent, the Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The laws regard man as man, and take no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved."
— Justice John Marshall Harlan, Plessy v. Ferguson dissenting opinion ”

Legacy and Impact

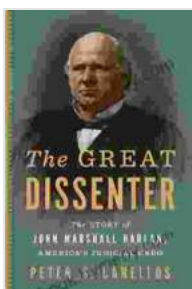
Justice Harlan's dissenting opinion in Plessy v. Ferguson had a profound impact on the course of civil rights in the United States. It provided a moral and legal foundation for the challenge to racial segregation and inspired generations of activists to fight for equality.

Harlan's legacy extends beyond his lone dissent in Plessy v. Ferguson. He was a staunch advocate for labor rights, penning influential opinions that protected the rights of workers to organize and bargain collectively. He also played a key role in interpreting the antitrust laws, shaping the development of American capitalism.

John Marshall Harlan passed away in 1911, but his legacy as a champion of justice and equality continues to inspire and guide the American people. His dissenting opinion in Plessy v. Ferguson stands as a testament to the power of one person to stand up for what is right, even when the odds are stacked against them.

Today, as the nation grapples with ongoing issues of racial inequality, the words of Justice Harlan continue to resonate. His unwavering belief in the equality of all citizens serves as a reminder of the unfinished work of justice and the need to strive towards a more perfect union.

John Marshall Harlan was a true American hero, a man of courage and conviction who dedicated his life to the pursuit of justice for all. His legacy as a champion of civil rights and equality continues to inspire generations. Through his powerful dissenting opinion in Plessy v. Ferguson, Harlan sowed the seeds of a more just and equitable society, a society that strives to live up to the ideals of its founding principles.



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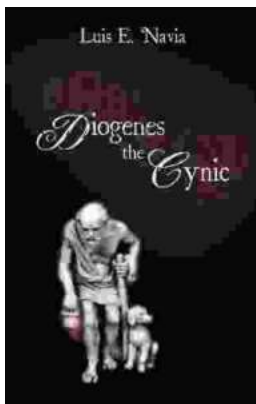
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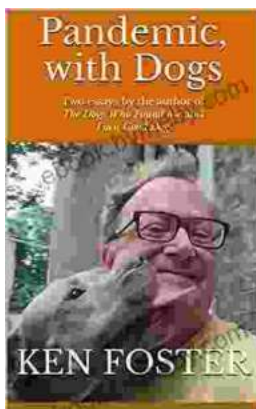
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