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# Play, project bring piece of Detroit legal history to life

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Legal News

A play about a landmark civil rights case in Michigan is the centerpiece of a community education initiative developed by the University of Detroit Mercy (UDM).

The 20th anniversary production of "Malice Aforethought: The Sweet Trials" opens Friday, February 2, and runs through Sunday, February 18, at the Marygrove College Theatre in Detroit.

The play deals with housing segregation during 1925 and 1926, a time of tense race relations in Detroit. UDM has taken the details of a critical — although not widely known — piece of local history and created an opportunity to examine issues of race relations and segregation with students and the general public.

In order to understand the significance of "Malice Aforethought" and UDM's Sweet Trials Project, it is necessary to understand the case that brought attorney Clarence Darrow to defend a black family in the courtroom of then Recorders Court Judge Frank Murphy. Eventually Darrow convinced an all-white jury to acquit a black man of murder when a white man had been killed.

"Malice Aforethought" tells the story of the historic Sweet trials, in which an African American physician named Ossian Sweet, along with his family and friends, were charged with killing a white man as they defended Sweet's home against an angry mob in a neighborhood on the east side of Detroit. Sweet had

recently moved into the white neighborhood with his wife and infant daughter.

Having recently concluded the Scopes "monkey trials," Clarence Darrow was hired by the growing NAACP to defend the Sweets in court. After an all-white jury could not agree on a verdict in the first trial of eleven defendants, a second trial began against Dr. Sweet's brother Henry, who had admitted firing his gun on the mob. Encouraged to use reason to overcome the prevailing prejudice of the time, an all-white jury acquitted Henry Sweet of murder.

The trials took place during a time when the Klu Klux Klan had a significant presence in Detroit, holding rallies with burning crosses. "Improvement associations" were formed across the city, with the unwritten purpose of keeping blacks out of white neighborhoods.

"It's a slice of history we'd like to forget, but it's important to see what it was like then," said Gary Maveal, associate professor at UDM School of Law.

Maveal recently reflected on the significance of the Sweet case, and the fact that all 11 people who were in the house at the time shots were fired on the white mob were arrested.

"Darrow was no doubt correct in arguing to the jury that if it had been a family of white people in the house, they wouldn't have been charged with any crime at all," Maveal said.

Maveal also pointed out the challenges Darrow faced in presenting Sweet's case to an all-white jury. The prosecution called 75 witnesses to testify that there were only a few people in the street in front of the Sweet's

house, not a mob that would have caused the Sweets to fire a gun to protect their home.

"The more you read about the case, the more you see Clarence Darrow in his element," Maveal noted. "Darrow was a buffer between the prosecutor and the jury; he was without equal in appealing to the jury's instincts of fundamental fairness," Maveal said.

"In this trial, we see Clarence Darrow attempting to convey to a white jury the state of mind of his client," Maveal continued. "That's part of the reason why this trial is a great lesson for our students. Part of the real reward in a trial is identifying with the client and portraying his humanity to the jury."

It wasn't simply Darrow's presence as the Sweets' attorney that was significant about the trials. Because of the NAACP's effort to collect money across the country to retain Darrow as the attorney for the Sweets, the organization's membership grew as people showed

their support. The recently-formed ACLU and the Urban League also provided support. ACLU attorney Arthur Hayes served as co-counsel, and several black attorneys were involved in the Sweets' defense.

The play "Malice Aforethought," written by Arthur Beer, a UDM professor and Performing Arts co-chair, features excerpts from the actual interrogation of Ossian Sweet and his brothers and Clarence Darrow's closing arguments.

In staging an anniversary production of the play, UDM faculty and staff saw an opportunity to educate people about history and discuss race relations in conjunction with Black History Month.

"This is a gem of Detroit history that we need to get a spotlight on," said Charles Marske, dean of UDM's College of Literature and Education. "We want this to be an educational experience."

(See SWEET TRIALS, Page Two)

Actor James Bowen (left) portrays Dr. Ossian Sweet and "Malice Aforethought" playwright Arthur Beer (right) is attorney Clarence Darrow in a play that tells the true story of a trial in which an all-white jury acquitted a black man of murder. The play runs through Sunday, February 18. For more information and tickets, call (313) 993-3270.

Photo courtesy of the University of Detroit Mercy



## University of Detroit Mercy Sweet Trials Project Event and Display Schedule

Author and history professor Kevin Boyle tells the story of the Sweet family and their experience during the summer of 1924 in his book "Arc of Justice: A Saga of Race, Civil Rights and Murder in the Jazz Age." Boyle will discuss his award-winning book at several engagements.

### Friday, February 2

11 a.m. — Student/faculty lecture at University of Detroit Mercy McNichols Campus, Fountain Lounge, Student Center  
8 p.m. — Opening performance of "Malice Aforethought" by Arthur Beer, followed by "Talkback" with Kevin Boyle — Marygrove College Theatre, 8425 W. McNichols Road, Detroit

### Saturday, February 3

2 p.m. Detroit Public Library, Main Branch

### Sunday, February 4

1:30 p.m. Farmington Community Library Main Auditorium

The Sweet Trials Exhibit presents the true story behind the play in historic photos and text. The traveling display will be available throughout the year at area libraries. Upcoming dates and locations are as follows:

Tuesday, January 30 through Friday, February 2  
University of Detroit Mercy Library

Saturday and Sunday, February 3 and 4  
Detroit Public Library, Main Branch

Wednesday, February 7 through Tuesday, February 13  
St. Clair Shores Public Library

Thursday, February 15 through Wednesday, February 21  
Shelby Township Library

Friday, February 23 through Thursday, March 1  
Macomb County Library

Saturday, March 3 through Sunday, March 11  
Chesterfield Public Library

Tuesday, March 13 through Monday, March 19  
Rochester Hills Public Library

Wednesday, March 21 through Tuesday, March 27  
Southfield Public Library

Thursday, March 29 through Monday, March 5  
Bloomfield Township Public Library

For more information about the University of Detroit Mercy's Sweet Trials Project, the traveling display and the play "Malice Aforethought: The Sweet Trials" at Marygrove College Theatre, visit [www.udmercy.edu](http://www.udmercy.edu) and follow links to the Sweet Trials Project Web site.

