

## PROMISES TO KEEP

By J. SKELLY WRIGHT\*

**T**HE SECOND RECONSTRUCTION is now 20 years old. The first, one hundred years ago, lasted only half that long. Is this cause for celebration or only a good reason to hold our breath? I am not at all sure. That first voyage toward racial justice was simply deserted by the winds of history. It would be imprudent to ignore that our sails today have gone rather ominously still.

The parallels are somewhat disturbing. As in the 1870's, the political landscape has been devastated. Martin Luther King is dead, and Whitney Young, Medgar Evers, Robert Kennedy, John Kennedy, and Lyndon Johnson. Gone too is that coalition of Blacks, the young, labor and the churches which broke a filibuster older than the Senate chamber. The liveliest political "movement" in the land belongs to the "man who stood in the schoolhouse door." Congress toys with bills aimed at restricting the equitable powers, and purposes, of the courts. At the highest tribunal in the judicial branch, eight of the nine justices who joined in *Brown* are gone. Orders of desegregation are no longer unanimously affirmed; some, indeed, may be destined for reversal. And the remaining branch of government has its own problems, strangely similar in some respects to those of the First Reconstruction presidency.

As in the 1870's, the issue of race today has nearly everywhere lost its sense of moral urgency. It is not so much a replacement of virtue by vice as a fading of awareness into indifference. Having been ingrained for over three centuries, apparently our habits of racial injustice are imperceptible unless we are experiencing a veritable fever of the moral senses. Before we could emancipate the slaves, we had to war against each other in a spirit of religious martyrdom:

As He died to make men holy,  
Let us die to make men free.

In proposing the original Civil Rights Act, Charles Sumner spoke of the

true grandeur in an example of justice, making the rights of all the same as our own, and beating down prejudice, like Satan, under our feet.

So too with us. Martin Luther King gave us all a dream, and James Baldwin, pointing to an old Negro spiritual, convinced us that the dream's fruition was nigh, for continued delay would surely destroy us:

God gave Noah the Rainbow sign;  
No more water, the fire next time.

**I**NDEED THE FIRES CAME. In most of our cities, one can still see a great deal of cold charcoal, and the poet of the moment would appear to be Robert Frost:

Some say the world will end in fire,  
Some say in ice.  
From what I've tasted of desire  
I hold with those who favor fire.  
But if it had to perish twice,  
I think I know enough of hate,  
To say that for destruction ice  
Is also great  
And would suffice.

Public discussion today echoes the weariness of 100 years ago. President Grant complained: "The whole public are tired out with these annual Autumnal outbreaks in the South, and the great majority are ready now to condemn any interference on the part of the

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Government." Then, as today, the public temper was one of patient exasperation. Justice Bradley, overturning the Civil Rights Act, sounds almost contemporary:

When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some state in the progress of his elevation when he takes the rank of mere citizen, and ceases to be the special favorite of the laws.

W. E. B. DuBois once remarked that white liberals invariably approached him by referring to nobler days: "My father was an abolitionist." Or: "I fought at Mechanicsville." So today, a revolution founded upon dreams too often finds its only solace in memories.

There is a parallel, too, for the doubts, now often expressed, about the fundamental objectives and methods of our drive for racial justice. School integration, at least when it involves busing, is now seen by many as a social evil, subversive alike of educational and community values. So the Union came to doubt the advisability of the First Reconstruction, thinking that it led to corrupt government and lawlessness. As for methods, the Union decided that policy made by a Congress in arms, seeking sectional vengeance, had no place in a reunited democracy. So today, many assert that the settled habits of a self-governing people should not, and cannot successfully, be challenged by unrepresentative courts, acting on grounds of "rigid" constitutional principle. This, we hear, can only politicize and degrade the courts, undermine respect for law, and occasion a backlash which ultimately retards the cause of orderly reform.

**A**LL ABOUT US, then, are scraps of evidence to support a cyclical, and most depressing, theory of American racial history. Julian Bond recently stated:

In a great many ways, we are constantly discovering that things have either not changed at all, or have become much worse . . . It is as though Black Americans are climbing a molasses mountain in snowshoes, while the rest of the country rides a rather leisurely ski-lift to the top.

He echoes DuBois, 70 years ago:

Away back in the days of bondage, they thought to see in one divine event the end of all doubt and disappointment . . . Emancipation was the key . . . At last it came — suddenly, fearfully, like a dream . . . Years have passed away since then, ten, twenty, forty years of national life, 40 years of renewal and development, and yet the nation has not yet found peace from its sins; the freedman has not yet found in freedom his promised land.

Still, I am unpersuaded by all these parallels, by the scary notion that 1977 will be remembered as a replay of 1877. This pessimistic view depends almost entirely on viewing the *Brown* revolution as a judicial, and therefore "undemocratic," crusade to integrate the schools. This is to telescope away 20 very complicated, and successful, years. The revolution began with a court case about schools, and its current problems involve court cases about schools. It is the persistence of this school issue, and the controversy surrounding it, which occasions despair. But there was, during the 20 years, a broad, dramatic detour, out of the courts, and away from the issue of schools. It is here that all the parallels with the last century fail.

Consider first the climate of white opinion. The First Reconstruction crumbled in large part because the white electorate, North as well as South, re-adopted views best expressed, many years earlier, by Thomas Jefferson:

Nothing is more clearly written in the book of destiny than the emancipation of the Blacks; and it is equally certain, that the two races will never live in a state of equal freedom under the same government, so insurmountable are the barriers which nature, habit, and opinion have established between them.

Today, wherever parents gather to discuss busing, one hears some very ugly sentiments. But, even after six years of conservative rule, there does not exist any serious, organized opposition to the principle of racial equality. In neither Congress nor the Executive is there any inclination to repeal the Voting Rights Act, the Equal Employment Opportunities Act, the 1964 statute on public accom-

modations, or the fair housing laws. In 1972, the year of Richard Nixon's landslide victory, Lou Harris, the pollster, reported the following: three out of four whites questioned said that all racial discrimination is morally wrong and that Blacks should receive full equality of treatment. Seventy-one per cent of all whites polled said that "one of my fondest hopes is that the public schools all over the country will be desegregated." The same percentage gave the same support to housing integration. A majority thought that such desegregation would occur in their lifetimes. In such professions the forked tongue is frequently at work. But Harris' conclusion is, I think, clearly accurate:

Most whites were resigned to the fact that Black equality in America was inevitable. The moral code dictated that it had to be that way, the laws now all said that was the way it had to go, and to fight it might delay it, but would not alter the ultimate course that history seemed bent on taking.

**T**URNING FROM OPINIONS to substance, we are met with the same lesson. When the armies left the South in the 1870's, reconstruction had nothing left to lean on, and collapsed. Should the Supreme Court desert busing tomorrow, to be sure the fate of school integration would be very shaky. The current statistics are equivocal, even cockeyed. In the eleven Southern states, only nine per cent of Black students are in all-Black schools, and 46 per cent are in schools with a white majority. In the Northern and Western states, by contrast, 11 per cent of Black students are in all-Black schools, and only 28 per cent are in schools with a white majority. Absent metropolitan-wide plans, with court support, the Northern pattern will surely prevail. Just as Blacks fled Jim Crow through mass migration, so whites are bringing him back with a vengeance, nationwide, by migrating from city to suburb.

But again, to focus solely on this dilemma is to miss much of the basic thrust of recent history. There were two million Black voters ten years ago, seven million today. As Jesse Jackson said a few days ago: "Hands that

picked cotton can now elect Presidents." Three Black congressmen ten years ago, 16 today; zero mayors then, 110 today. Public accommodations are desegregated everywhere in the country; so they will remain. Employment discrimination is everywhere illegal, and in many places the laws are working. These are all vehicles with no reverse gear. About half of all Black families in the country have entered what the Census Bureau calls the middle class. That is the incomes of these families come within \$2,000 of the regional median for all races. Black income remains 57 per cent of white income in the South, 74 per cent elsewhere, but the gap is slowly closing.

I trust I am not misunderstood. If anyone finds these figures cause for raucous celebration, he should be gently committed. My sole point in citing them is to suggest that the Second Reconstruction, unlike the First, has not been stalled by fundamental defects in its methods or objectives. Its achievements are real, and they have survived, and indeed enlarged themselves, despite the controversy over busing, despite the riots and their backlash, despite the election and re-election of a conservative President, despite the political eclipse of the coalition which sponsored them.

**I** AM PARTICULARLY CONCERNED — perhaps for professional reasons — to rebut the notion that the *Brown* revolution derailed itself from an excess of judicial zeal. The so-called "egalitarianism" of the Warren Court was the object of much criticism, and not a little fun, in these precincts. It was sometimes suggested that the Second Reconstruction was a *tour de force* undertaken by robed crusaders long on moral certainty, but rather short on practical wisdom. If one starts from this premise, it is very easy to explain our present dilemma: The judiciary overstepped its appointed bounds, and was run over by a school bus.

I too have a rather pat explanation for our present dilemma. We were, all of us, including the egalitarian revolution, run over by a war.

A freakish accident of history. The Second Reconstruction reached its apex with passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Fair housing legislation was delayed for several years, at which point we discovered, through the statutory archaeology of *Jones v. Mayer*, that the delay had been unnecessary. At any rate, these initiatives, closely bunched on the calendar, gathered together all the elements needed to destroy the organized structure of white supremacy in the South and to deny to racism, throughout the country, those political, social, and economic institutions which form the nation's image of itself and which, ultimately, determine the possibilities open to its people. This was of necessity negative legislation, designed, like its post-Civil War precedents, to remove the white man from the back of the Black man.

It remained, of course, to move from liberation to social integration and economic equality. That we were destined to stumble badly along the way, I have no doubt. We were grasping for new tactics, new coalitions, an unprecedented widening of the social imagination. The urban riots, Watts in 1965, others in 1967, dozens in 1968, demonstrate that expectations were outpacing what even a determined government, bent singlemindedly on domestic renewal, could have accomplished. But if our government had really fitted that description, we would, I am confident, have fairly quickly regained our stride. We had, after all, a President whose reformist energies were matched only by the size of his congressional majorities. Instead, Vietnam split Congress and the civil rights movement, and robbed the Second Reconstruction of effective presidential leadership. The two men who best comprehended this tragedy, and had between them sufficient influence to reverse its momentum, were shot to death in 1968. That too was an accident of history.

**A**NY THEORY which blames the eclipse of the Second Reconstruction on an excess of judicial zeal must deal with the inconvenient fact that the landmark victories of

the past 20 years have been legislative, not judicial. These victories were the desegregation of the ballot box, of opportunities for employment, of places of public accommodation and of housing markets. As I mentioned, and wish again to emphasize, this string of reformist statutes commenced in the summer of 1964 and was finished by the summer of 1968. It is true, of course, that the Supreme Court passed on the constitutionality of each of these enactments, but this occasioned no spinning of novel legal theories.

The High Court has taken the initiative, moving out on its own, at only three points in the Second Reconstruction. First, with the original *Brown* decision the Court set down in law the stark moral principles which would become the theme of the revolution. Second, in *Cooper v. Aaron*, 1956, the Court made clear that these principles could not be defeated by violent resistance. Finally, in recent years, from 1968 to the present, the Court has struggled, for the first time, to give content to its principles in the context of school desegregation — which had, ironically, served as their birthplace 20 very long years before.

That the Supreme Court should have been responsible for establishing fundamental principles of racial equality is a surprising thing in itself. This is not a field in which, over the general run of our history, the judiciary has much distinguished itself. With the *Dred Scott* decision, a century earlier, the Court had, it was assumed for some years, largely disqualified itself to speak ever again on matters of racial justice. The notoriety attached chiefly to Chief Justice Taney's statement that, at the time the Constitution was adopted, Blacks were considered to be "so far inferior that they had no rights which the white man was bound to respect." But the calculated insults went deeper. Taney meticulously read Black men out of the Declaration of Independence, a document which the abolitionists revered far more highly than the Constitution. The Court reached out, gratuitously since the issue was moot, to strike down the Missouri Compromise, the first time since

*Marbury v. Madison* that an Act of Congress had been declared unconstitutional. *Dred Scott* also marked the invention of substantive due process. And all of this was done for the express purpose of finally settling the issue of slavery, of smacking the abolitionists into a decent silence. With Buchanan's election, the slavocracy had captured the presidency; the new Chief Executive actively lobbied the Southern majority on the Court to come up with a resounding sendoff for his inauguration. The opinion was not quite ready in time, but the majority Justices gave the President-elect an advance briefing so that he could say, with more confidence than candor, in his inaugural address:

To [the Justices'] decision, in common with all good citizens, I shall cheerfully submit, whatever this may be \* \* \*.

So was justice dispensed in the halcyon days before judicial activism.

IT WAS, OF COURSE, with *Dred Scott* in mind that the Reconstruction Congress inserted Section 5 into the 14th Amendment. Were enforcement left entirely to the Court, it was feared, the Amendment would be gutted. Congresses are rarely prescient; this one was. The "privileges and immunities" clause was drained of all meaning in the *Slaughterhouse Cases*; *Cruikshank* invented the cramped interpretation of "state action" which remains with us still; Section 5 was virtually read out of the Amendment. And there was of course *Plessy v. Ferguson*, the eyeball-rolling message that a race can be politically and civilly free even though legislation forced discrimination against it in all fields of social and economic activity.

*Brown I* did not, of course, mark a totally unexpected jolt in the Court's progress. The shift away from the hypocrisy, if not the core doctrine, of *Plessy* had begun with the change in the Court's attitudes which occurred in the late New Deal. Yet *Brown*, like *Dred Scott*, was a "firebell in the night." It not only made the vital connection that segregation and equality are incompatible, but did so in the context of an institution, public education,

which was at the core of the American way of life. The central issue could have been gradually approached, through sideline skirmishes over drinking fountains, bathrooms, train stations, parks, buses, and the like. Instead, the first engagement took place at the center of the battlefield.

The principles announced in *Brown* did not require any great feat of the intellect or the imagination. The principles had for years been embraced by millions of Americans, white and Black, and rejected vehemently by millions of others. But the debate had had no forum, and thus it could not be joined. One is reminded of John Quincy Adams, in the late 1830's, unable to secure the floor of the House to read petitions against slavery. So it was before *Brown*. The political system had devised artful stratagems to avoid recognizing the issue.

But having announced its principles, focusing national attention on them, the Court, in *Brown II*, quickly remanded their implementation to local school boards — and, in the last extremity, to the district courts and court of appeals in the Fifth Circuit. It was this remand which really became the Second Reconstruction, but the connection was not direct and orderly.

Except in the border states, the local school boards, either on their own or at the behest of state legislatures, rejected the remand. They did nothing. Then, gradually, and very unevenly, the district courts began to act. As Congressman Otto Passman said, almost in disbelief, to the Louisiana legislature: "My friends, it is not pleasant to contemplate, but it appears to be true that at least some federal judges take their orders directly from the United States Supreme Court." But of course, for some time after *Brown*, there were no orders, coming down. Only, here and there, orders going up, for unsigned and unexplained affirmance.

SO THE REMAND PASSED to the local federal judges. But this was not its ultimate resting point. The notion that the 56 judges of the Fifth Circuit carried out the

Second Reconstruction, like a reborn Grand Army of the Republic, is no more true than that the Supreme Court carried it out, by announcing the essential principles in *Brown*. I have said that, in *Brown I*, the Supreme Court provided, in a symbolic sense, a forum where the national debate over racial equality could at last be joined. When the remand passed to the district judges, they too could do little more than provide a forum, but in this case a concrete, not a symbolic, one. The Southern courtroom became a theatre, with the whole nation as audience. This is the proper metaphor, rather than the ones so often suggested by those who consider the Second Reconstruction a judicial crusade. The judge was not a super-administrator or a military governor. He was instead the operator of a theatre, when lucky its stage manager, when unlucky a recipient of catcalls from the gallery. And the play was the thing. With the hindsight of history, we can see that the important thing in the late 1950's was not how many children did or did not enter this or that school on any particular day. What was important was this very vocal drama, broadcast to the nation, a strident dialogue of decree and defiance. Governor Faubus' troops ringing Central High School. Those parents in New Orleans, mothers largely, spitting, swearing uncontrollably, at a small Black girl.

It was this drama which demonstrated to the nation the structure, the hate, and the ultimate arbitrariness of white supremacy. And at the same time, a lesson was being taught about the indifference of the federal government. President Eisenhower thought it unseemly to indicate whether he was, or was not, in philosophical agreement with *Brown*. The Justice Department allowed as how desegregation suits were wholly private litigation. Very reluctantly, the government would intervene as *amicus*, when so directed by the court.

This theatre of justice, conducted throughout the South, was necessary, because it made possible the ultimate remand of the principles enunciated in *Brown I*. If this revolution had remained a solely judicial

crusade, it would not have accomplished much. In 1960, after six years in which the courts had stood virtually alone, there was very little but token integration, anywhere in the South. The country had a supreme law, but those who would enforce it, could not, and those who could, would not.

It was this scandal which created the civil rights movement as a potent political force. Deserted by its political leaders, the law found an angry body of very courageous private citizens, who took it up into their own hands. Rejected by local officials, unmanageable by the judges alone, the remand which began with *Brown II* passed to a new political movement. To construe the Second Reconstruction simply as a judicial crusade, either in praise or blame, is to ignore this strange and sinuous chronology. A compelling moral principle, banned from the political system, was taken up by the Supreme Court and given formal legitimacy; then, when the political system refused the legal principle, as it had the moral one, the ideal traveled back into the private sector and created a whole new politics. I do not believe anything quite like this has ever happened before, here or, for that matter, anywhere else.

**I**N *COOPER V. AARON*, every Justice on the Court signed an opinion stating that what the Constitution required violent resistance could not obstruct. But mob rule, church bombings, midnight murder, and unending intimidation said otherwise, and continued to do so until thousands of outraged, ordinary citizens rose up to add their names to *Cooper*. If, to take an early example, ten thousand citizens had not marched through the streets of Birmingham in June of 1963, a most political President would not have abandoned a prepared address and said these words into a television camera:

The events in Birmingham and elsewhere have so increased the cries for equality that no city or state or legislative body can prudently ignore them \* \* \*. Fires of frustration and discord are burning in every city, North and South \* \* \*. Redress is sought in the streets, in demonstrations, parades and protests which

create tensions and threaten violence and threaten lives. We face, therefore, a moral crisis as a country and as a people. It cannot be met by repressive police action. It cannot be quieted by token moves \* \* \*. It is time to act in the Congress, in your state and local legislative body, and above all in our daily lives.

It was the first time a President had addressed the issue in moral terms. There ensued 24 months of alternating protest and reform, until the foundation of the Second Reconstruction was made secure. In these months, the nation's courts were in constant session, but they were not initiating, only reacting, much like the Congress, or the presidency itself. It was only well after the fact, in the *Sit-In Cases*, that the High Court, through the exercise of considerable doctrinal ingenuity, was able to salute those private citizens who had had the courage to enforce the principles which almost every elected public official had chosen to ignore.

The principles announced in *Brown* gained victory, therefore, through politics, rather than the courts. But a most unusual politics. Political achievements are usually as transitory as the factions which sponsor them. The statutes of the middle Sixties have not, however, perished with the movement which pushed them to enactment. These legislative achievements are, in no literal sense, fixed in the Constitution. But the political movement which secured them was acting under a constitutional remand from the beleaguered courts. The achievements are therefore embedded in our organic law by peculiar historical forces. That is, in my judgment, an even stronger glue than the literal language of the Constitution.

**S**O I AM CONFIDENT that the future will not see a dismantling of the great achievements of the Second Reconstruction. But when we shall move forward again, in dramatic fashion, that is a much more troublesome question. In the past few years, as the issue of school desegregation has once more moved to stage center, the full burden of progress has fallen upon the courts, in some

cases aided by guidelines from HEW, in some cases not. So far, at least, the development of judicial doctrine has been orderly and encouraging. In the 1968 *Green* case, the Court cut through the hypocrisies of "freedom of choice." In *Alexander v. Holmes County*, 1969, the Executive Branch was rebuffed in its effort to slow down the clock. *Swann* affirmed the broad equity powers of the district courts, and *Keyes* suggested new lines of attack on Northern segregation.

But in the Richmond and Detroit cases we have reached an impasse, not only in the law, but in the facts. Each of the nation's metropolitan areas, North and South, is very swiftly dividing itself into two cities, white and Black. This is not a matter of neighborhoods; we have always had racial, ethnic, and economic neighborhoods; perhaps we always will. This is different. In each metropolitan area, we are setting up two geographically, politically, and economically distinct civilizations.

The Kerner Commission warned that we are becoming two societies. Because of the lasting effects of the Second Reconstruction, this prophecy has proved false in one important sense. A Black middle class is forming, and the giant bureaucratic structures of the national community are rapidly desegregating: the banks, large corporations, labor unions, hotels and restaurants, the media, the service industries, the universities. But when the focus is narrowed from the national to the metropolitan horizon, we are indeed becoming two people, and there is in progress a brutal severing of all connections between them — in politics, recreation, education, transportation — all the elements of daily social intercourse. In the Detroit case, the Court of Appeals noted:

This court never before has been confronted by a finding that any less comprehensive a solution than a metropolitan area plan would result in an all Black school system immediately surrounded by practically all white suburban systems \* \* \*.

It can be argued that time and continued economic growth will eventually ameliorate this situation. Perhaps, but the signs are all to

the contrary. Some argued that slavery too would just wither away; and that legal segregation would fall of its own weight. In the unaided tickings of the clock, I have little faith. From a Birmingham prison, Martin Luther King wrote:

Actually time is neutral. It can be used either destructively or constructively. I am coming to feel that the people of ill will have used time much more effectively than the people of good will. We will have to repent in this generation not merely for the vitriolic words and actions of the bad people, but for the appalling silence of the good people. We must come to see that human progress never rolls in on wheels of inevitability.

**L**ET US BE CANDID. If the Supreme Court should ever hold that the mandate of *Brown* applies only within the boundaries of discrete school districts, the national trend toward residential, political, and educational apartheid will not only be greatly accelerated; it will also be rendered legitimate, and virtually irreversible, by force of law. We will have moved in 20 years from dual systems to dual cities. At the same time, it is equally obvious that metropolis-wide busing, in addition to its unpopularity, strikes only at symptoms, not at the disease itself. It is not simply a matter of distances, cost, and inconvenience — though these will be serious enough if busing is our only weapon against apartheid. The larger problem is one of logic. The transportation of school children cannot, by itself, come close to erasing the scars inflicted upon us all, white and Black, children and parents, by the methodical division of our landscape along racial lines. It is that division which must, however gradually, be removed.

What is needed, I believe, is metropolitan citizenship, along with all the structures of public decision-making required to give that citizenship a sense of reality. White flight can be slowed, and eventually reversed, only by incorporating the suburbs and central city into a single political community, capable of removing the incentives to massive segregation. Local governments might still exist, and certainly neighborhoods with a definite economic, racial, or ethnic character. But

only with metropolitan government can we begin to replace fear and hate with the development of a sense that each citizen's fate is necessarily linked to that of every other citizen. If decisions on taxing and spending, on zoning and the provision of public services, are made over a metropolitan horizon, they can be designed and coordinated to soften, and eventually dissolve, the unnatural divisions which now afflict us. If this is done, we can come within striking distance of the *Brown* mandate by using the normal tools of school desegregation — moderate busing, magnet schools, faculty integration, and the like.

Structures of metropolitan government will not arise spontaneously. The fears which generate white flight, and the investments already sunk in that effort, foreclose any such solution. The question then is whether the federal government will act in this area. Several years ago, I noticed bills in Congress which would have supplied substantial financial aid to metropolitan areas willing to engage in the orderly desegregation of their various school systems. The focus must go beyond schools, but the approach is sound. To secure aid, structures of decision-making must be established and a plan presented for the orderly desegregation of the metropolitan area. The plan would deal with schooling, with the location of roads and parks, with the placement of public housing, and perhaps with the insurance of some private property values.

**I**F CONGRESS DOES NOT provide some leadership in this area, the courts may have to play a role. The present segregation of our cities, and the trend toward more segregation, have been attended by, and aggravated by, numerous discriminatory actions by public bodies. Judge Weinstein, in New York City, recently ordered various federal and state housing agencies to assist school authorities in desegregating a junior high school. Noting that "racially imbalanced housing is a contributing cause of racial segregation in schools," Judge Weinstein tailored his remedy accordingly.

That the judiciary cannot itself restructure our metropolitan areas goes without saying. A court can only note the constitutional violations, recognize that a solution will require the coordinated efforts of public authorities throughout the metropolitan area, and require that such efforts commence. In other words, the important work, the stuff of change, must be remanded to political officials, and ultimately to the community at large. Such a remand would be not dissimilar to that in *Brown II*. And like it, this new remand might not be executed until the country threw up a new political force dedicated simultaneously to racial equality and the majesty of law. Time alone will not solve our dilemma. But if we have the courage to state the necessary solution at the outset, to raise a banner of principle, then — unless I complete-

ly misread the past 20 years — we need not fear committing our destiny to historical forces.

1954 was no better time than right now to commence a voyage toward racial justice. Korea had left us bitter and confused; conservatism was politically ascendant; McCarthyism still cast a very dark shadow over the capitol. Yet a few courageous men were able to act and to light the way for a whole generation. That is a useful memory for these grim days. The public climate is extremely chilly and, as Robert Frost noted, the world can be destroyed by ice. But the same poet, in the middle of a blizzard, was able to remind himself:

But I have promises to keep  
And miles to go before I sleep.

So do you. So do we all.