Reading Number 52
From All Deliberate Speed
by Charles Ogletree

p. 379, ¶ 1– “On May 17, 1954, an otherwise uneventful Monday afternoon, fifteen months into Dwight Eisenhower’s presidency, Chief Justice Earl Warren, speaking on behalf of a unanimous Supreme Court, issued a historic ruling that he and his colleagues hoped would irrevocably change the social fabric of the United States.”

IBID., ¶ 2– At the time no one doubted the far-reaching implications of the Court’s ruling. The Brown lawyers had apparently accomplished what politicians, scholars, and others could not– an unparalleled victory that would create a nation of equal justice under the law.”

p. 380, ¶ 2– “Having broadly proclaimed its support of desegregating public schools, the Supreme Court shortly thereafter issued [a second] opinion [Brown II]– the opinion that legitimized much of the social upheaval that forms the central theme of this book.”

IBID., ¶ 3– “As Thurgood Marshall and other civil rights lawyers pondered the second decision, they tried to ascertain what the Court meant in adding the crucial phrase ‘all deliberate speed’ to its opinion.”

IBID., line 7 – “These three critical words would indeed turn out to be of great consequence, in that they would ignore the urgency on which the Brown lawyers insisted.”

p. 381, ¶ 2, line 7– “Our sense of comfort was nearly shattered... when Allan Bakke, a white student who had applied to the University of California at Davis Medical School and had been rejected, file a suit challenging an admissions program that affirmatively recruited and admitted African-American and Chicano applicants.”

IBID., ¶ 3– “In Bakke, Justice Powell asserted that Title VI of the Civil Rights Act of 1964 proscribed only racial classifications that would be unconstitutional if used by a state.”

IBID., ¶ 4– “What differentiates Brown from Bakke is the forced abandonment of a legal and intellectual justification of integration based on remedying past discrimination.”

p. 384, ¶ 2– “My fear that Brown’s vision is being accomplished only with ‘all deliberate speed’ is now supplanted by my greater fear that resegregation of public education is occurring at a faster pace.”
IBID., ¶ 3—“Racial segregation today is the result of a complicated mix of social, political, legal, and economic factors, rather than the result of direct state commands ordering racial separation.”

IBID., ¶ 4—“The effective compromise reached in the United States at the close of the twentieth century is that schools may be segregated by race as long as it is not due to direct government fiat.”

IBID., ¶ 5—“Indeed, the United States has been in a period of resegregation for some time now.”

p. 385, ¶ 1—“U.S. schools as a whole are becoming more nonwhite as minority enrollment approaches 40 percent of all students, nearly twice the percentage of the 1960s.”

IBID., ¶ 2—“This trend has led to the emergence of a substantial number of public schools where the student body is almost entirely non-white.”

IBID., ¶ 3—“Minority segregated schools have much higher concentrations of poverty and much lower average test scores, lower levels of student and teacher qualifications, and fewer advanced courses.”

IBID., ¶ 4, line 3—“Our experiment with integration started with a pronouncement, half a century ago in Brown, that integration was an important value with positive social consequences that should be embraced by all Americans. Twenty years later, real action to integrate our schools had only just started.”

p. 386, ¶ 2—“There is little surprise in acknowledging that there was a substantial resistance by the white community to integration and later to affirmative action.”

IBID., ¶ 3—“The decision in Brown I, ending segregation in our public schools— and by implication de jure segregation everywhere— is justly celebrated as one of the great events in our legal and political history.”

p. 387, ¶ 2—“It would be foolhardy to deny that progress has been made, or to dismiss the reality that Brown I is a momentous decision both in what is says and for what it achieved. But there is more yet to do.”

Ibid., ¶ 3—“For all their clear vision of the need to end segregation, Brown I and II stand as decisions that see integration as a solution that is embraced only grudgingly.”