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CIVIL RIGHTS: A COMMON AND CONTINUING STRUGGLE

DeVal L. Patrick¹

Forty years ago last year, the Supreme Court decided *Brown v. Board of Education*.² In fourteen simply-worded pages, the Supreme Court unanimously declared that government-sanctioned discrimination in public schools on the basis of race was not permitted by the Constitution.³ The opinion was nothing short of miraculous in the context of the times; for though technically it ended legal segregation in but four public school districts, it was used as a precedent in cases that would eventually end segregation in all public facilities — from buses to public parks, from pools to beaches and even to golf courses. And though a number of young people take much of this for granted today, many Americans will remember that desegregation was a matter of life or death then.

As a symbolic matter, *Brown* was profound. While shaking the *legal* foundation of the entire racial caste system in America, *Brown* also destroyed the *moral* foundation of Jim Crow, revolutionizing the whole concept of equality.⁴ *Brown* set a standard, symbolizing to many an unyielding principle of non-discrimination. It both started and prevented something: it started a revolution in American society that continues to this day — a revolution that many of you joined and sustained, that made possible not only the topic about which I speak today, but also my being here. I believe it also demonstrated for millions of Americans growing tired of swallowing their rage that dignity and fairness could be redeemed in peaceful ways.

Because it affirmed our “continuous struggle for justice and humanity . . . [with] a simple, direct and eloquent statement of a moral truth,”⁵ *Brown* became a beacon of hope for all people of goodwill in America and all over the world.

But, so what? To what end? After years of struggle, after court orders and racial violence and

busing, I read article after article, and have conversation after conversation, where the rhetorical question is whether we have really advanced anywhere. We come together this year to mark civil rights victories that are 20, 30 and 40 years old, causing some to ask whether our best days are really behind us. Indeed, significant racial separation persists today in too many public schools.

The Urban League’s 1994 Report on the State of Black America concludes that Black America still lags behind the rest of the nation, economically and socially.⁶ Blame is at the center of the civil rights debate today. Young and single black mothers have become the face of welfare, despite all the contrary statistics. And the young Black man is viewed as society’s principal menace, despite all the positive role models to choose from, leaving us unable to *imagine*, let alone embrace, each other as fellow citizens. Some say *Brown* was perhaps not the great catharsis it is sometimes claimed to be.

The challenge that passes now to us is different in some ways from what it once was. Now the schools must deal with drugs as well as integration, with violence as well as racial stigma. Now schools must consider whether starting the school day after breakfast and ending the school day after lunch really serves many children’s best interests, children who sometimes don’t get breakfast or who can’t go home to someplace safe and supervised in the afternoon. Now schools have to consider whether children are getting the information and technology they need to function in a global economy and a multicultural society.

But the *Brown* decision and the struggle that followed it still have meaning. *Brown*’s greatest triumph was in the thousands of “individual acts of faith, politics and persistence”⁷ it inspired. While it

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This article is a combination of four speeches given by Mr. Patrick during 1994: 1) Keynote Address before the Southern Christian Leadership Conference Annual Awards Banquet, Dallas, Texas, August 17, 1994; 2) Remarks before the NAACP Legal Defense and Educational Fund, Inc. Airlie Conference, Warrenton, Virginia, September 23, 1994; 3) Remarks before the Town Hall of Los Angeles, Los Angeles, California, October 4, 1994; and 4) the Fall 1994 Rubin Lecture at the Columbia University School of Law, New York, New York, November 2, 1994.

² 347 U.S. 483 (1954).

³ *Id.* at 495.

⁴ See Bayard Rustin, *Integration and Education: 25 Years After Brown*, 23 *Howard L.J.* 89 (1980).

⁵ See Kenneth Clark, *Racial Justice in Education: Continuing Struggle in a New Era*, 23 *Howard L.J.* at 93 (1980).

⁶ See *The State of Black America 1994*, National Urban League, Inc., (1994).

⁷ See Klein, *The Legacy of Summerton*, *Newsweek*, 1994 at 26.

answered one kind of question, it posed a bigger one: whether *as a nation* we would ultimately undertake to close the gap between our reality and our ideals. And we have in fits and starts, sometimes grudgingly or not at all, sometimes heroically, been grappling with that challenge ever since.

Today's challenge can be daunting. But if more than forty years ago our forebears could resolve to defeat Jim Crow against *those* odds, if Rosa Parks could hold on to her seat on the bus knowing *everybody's* seat was at stake, if Dr. King, and Mrs. King and Reverend Abernathy and so many others could expose themselves to violence to show how powerful *non-violence* could be, then I'm not *ready* to accept that today's challenges are beyond our grasp — and neither can *you*. Ultimately, as I see it, today's challenge is a lot like yesterday's: it's still about simple justice. And it still depends on the same time-tested principles of achievement: high expectations, adult attention and opportunity.

Expectations are key. An underlying assumption of the *Brown* decision was that a place in an integrated classroom would be worth having. And a classroom worth having has always depended on families and teachers having consistently high enough expectations of children so that children would begin to have high expectations of themselves. President Clinton is trying to get teachers to raise their expectations of children, and that's critical. That's what his goals 2000 initiative is really all about. But we must also help children raise their expectations of themselves. The great Morehouse educator and President, Dr. Benjamin E. Mays, used to say that "[t]he tragedy in life does not lie in not reaching your goals. The tragedy lies in having no goal to reach It is not a disgrace not to reach the stars, but it is a disgrace to have no stars to reach for. Not failure, but low aim is sin."⁸ Our own work, our own effort, and that of our children, should not be about avoiding failure, but about avoiding low aim. We have to show our children, and the whole American people, how to dream beyond our circumstances, beyond our hate, beyond our despair, beyond our divisions. This is as indispensable a part of today's struggle as it was at the time of *Brown*. And I know — from the history of African Americans, and from my own childhood in poverty, from my own family's experience with welfare and violence and hopelessness — what faith in that dream can do.

⁸Dr. Benjamin E. Mays, Morehouse College, Atlanta, Georgia.

A second objective is to assure that educators are personally inclined and practically able to pay attention to their students. I went to public schools on the south side of Chicago through junior high school and then, by luck and scholarship, to high school at Milton Academy, a private boarding school in New England. That meant that I went from an eighth-grade class of forty students per teacher to a ninth-grade class of twelve students per teacher.

Now, as a parent and simply as an observer of human nature, I believe kids are hungry for the company of adults and that teachers who can and do pay personal attention to their students can and do make profound differences in life after life.

To illustrate my point, I want to share a story that Marian Wright Edelman tells⁹ about one school teacher, Jean Thompson, and one fifth grade boy, Teddy Stollard.

On the first day of school, Jean Thompson told her students, "boys and girls, I love you all the same." Teachers lie. Little Teddy Stollard was a boy Jean Thompson did not like. He slouched in his chair, didn't pay attention, his mouth hung open in a stupor, his eyes were always unfocused, his clothes were mussed, his hair unkept, and he smelled. He was an unattractive boy and Jean Thompson didn't like him.

Teachers have records. And Jean Thompson had Teddy's. First grade: "Teddy's a good boy. He shows promise in his work and attitude. But he has a poor home situation." Second grade: "Teddy is a good boy. He does what he is told. But he is too serious. His mother is terminally ill." Third grade: "Teddy is falling behind in his work; he needs help. His mother died this year. His father shows no interest." Fourth grade: "Teddy is in deep waters; he is in need of psychiatric help. He is totally withdrawn."

Christmas came, and the boys and girls brought their presents and piled them on her desk. They were all in brightly colored paper except for Teddy's. His was wrapped in brown paper and held together with scotch tape. And on it, scribbled in crayon, were the words, "For Miss Thompson from Teddy." She tore open the brown paper and out fell a rhinestone bracelet with most of the stones missing and a bottle of cheap perfume that was almost empty. When the other boys and girls began to giggle she had enough sense to put some of the perfume on her wrist, put on the bracelet, hold her wrist up to the

⁹Marian Wright Edelman tells this story often. Last summer, she recounted it at the Milton Academy Commencement Speech, Milton, Massachusetts, 1994.

other children and say, "Doesn't it smell lovely? Isn't the bracelet pretty?" And taking their cue from the teacher, they all agreed.

At the end of the day, when all the children had left, Teddy lingered, came over to her desk and said, "Miss Thompson, all day long, you smelled just like my mother. And her bracelet, that's her bracelet, it looks real nice on you, too. I'm really glad you like my presents." And when he left, she got down on her knees and buried her head in the chair and she begged God to forgive her.

The next day when the children came, she was a different teacher. She was a teacher with a heart. And she cared for all the children, but especially those who needed help. Especially Teddy. She tutored him and put herself out for him.

By the end of the year, Teddy had caught up with a lot of the children and was even ahead of some. Several years later, Jean Thompson got this note:

Dear Miss Thompson:

I'm graduating and I'm second in my high school class. I wanted you to be the first to know. Love, Teddy.

Four years later she got another note:

Dear Miss Thompson:

I wanted you to be the first to know. The university has not been easy, but I liked it. Love, Teddy Stollard.

Four years later, there was another note:

Dear Miss Thompson:

As of today, I am Theodore J. Stollard, M.D. How about that? I wanted you to be the first to know. I'm going to be married in July. I want you to come and sit where my mother would have sat, because you're the only family I have. Dad died last year.

And she went and she sat where his mother should have sat because she deserved to be there. She had become a decent and loving human being.

You and I know there are millions of Teddy Stollards all over this nation — children we have left out and left back, who will never become doctors or lawyers or teachers or police officers or little else — because there was no Jean Thompson. My point is simply that another important task after *Brown* is for all of us to take collective responsibility for the attention children get from educators and to "reach out to them, speak up for them, vote, lobby and struggle for them"¹⁰ wherever and whenever we

can. Dr. Hugh Price from the Urban League puts it this way: he says that "instead of talking about taking back the streets for children, we ought to be talking about taking back our children from the streets; and let the streets take care of themselves."¹¹

The last link in the unfinished agenda after *Brown* is to build opportunity. The vestiges of Jim Crow segregation are still with us, and school systems in many places have remained remarkably resistant to efforts to desegregate. New forms of invidious separateness are before us now — including disparities in school funding — and they warrant scrutiny from a legal and policy viewpoint.

Educational *quality* must join racial integration as a goal of the post-*Brown* struggle. The promise of racial integration rings hollow if the expectation of a better education remains unfulfilled. Having a seat next to a White child is simply not enough. The Black child and the White child — *all* the children — deserve higher quality education than they often get.

And the effective exclusion of women from public educational opportunities made available to men — including the refusal of the last two public colleges in America to admit women — must end. We cannot claim victory in the struggle for equality of educational opportunity until that has meaning for *all* of our citizens, including women. All of these remaining challenges are about opportunity, and have their roots in the strong sense of fairness that *Brown* introduced into constitutional law.

After *Brown*, just as before, enhancing educational opportunities and building up stronger educational communities is a struggle. I know, like you do, that the educational challenges after *Brown* have many dimensions and require multi-dimensional responses. And I realize that the concepts of expectations, attentiveness and opportunity are broad ones; perhaps too simplistic for some. But they are the *right* concepts. They are the *right* tools. I am sure of that.

I want you to understand that I speak not as a theoretical optimist, not merely out of my faith in the ultimate triumph of human dignity. I speak as a kid from the south side of Chicago, born in a place many of you wouldn't be caught dead, whose family raised expectations, whose teachers paid attention and whose heroes made equal opportunity in much of this society a civil right.

¹⁰ Marian Wright Edelman.

¹¹ Dr. Hugh Price, Inaugural Address, Urban League Conference, 1994.

There is a connection between Teddy Stollard and what we do in the civil rights division every day. I *know* what a source of strength and hope an active civil rights struggle has been and can be. But I did not come to understand some of these notions until well after I had moved on from childhood. I didn't discover what really matters until I got a little perspective.

Perspective is not just distance on your subject, but a different angle, a different lighting, a different way of viewing it. And the more you can vary your perspective — through life experiences and time — the deeper your understanding. Jeremy Knowles made this point beautifully in a speech a while back to the incoming freshmen at Harvard and Radcliffe Colleges. Referring to a certain "Henry Moore sculpture on that terrace near Lamont Library," Dean Knowles said that "standing in front of it on the path, or gazing at it from the library, it looks pretty lumpy. A bunch of massive golden shapes, quite attractive, but meaningless, and mostly good for photographing small children in. But go out of the gate onto Quincy Street, and turn left, and look back through the thirty-fourth gap in the second set of railings. Suddenly you will see a splendid and voluptuous work. What is the moral?" He asked. His answer: if you don't understand something, the reason may be that you're simply standing in the wrong place. "So if you don't understand a theorem in physics or a passage from Ulysses, or a Schoenberg trio Or your roommate's politics, remember Henry Moore," said Dean Knowles, "and try a new perspective."

I'm sure you understand the point. The perspectives of each of us change in subtle and not-so-subtle ways, shaped by experience and by time. It happens imperceptibly much of the time. Then again, sometimes you are *compelled* to try a new perspective. I remember the moment on April 15, 1974, when college decisions came in. Now, while everyone at Milton is of course *expected* to go to college, you must understand that no one in my family had ever been. I had applied to five colleges, but there was only one I *really* wanted. When the letter came on April 15 that I was admitted to that one, I called home and my grandmother picked up the phone. I told her my news, that I was going to Harvard. She told me how proud she was of me, so pleased, so excited. Then she paused and said, "Where is that anyway?" *That's* a different perspective. And I never forgot. Not at Harvard. Not at Harvard Law School. Not through any of the extraordinary experiences or associations I have had since that day. That lesson taught that the beginning of discovering what mat-

ters is learning what *doesn't*. The *prestige* didn't matter. The *opportunity*, the reason to hope mattered. *That's* perspective.

In nothing else, as I see it, is the lack of perspective more glaring or the need for it more critical in this country than on the issues of civil rights. For centuries, American ideals of equality, opportunity, and fair play have been confounded by the politics and practices of division and exclusion. Slowly, painstakingly, over many decades, men and women of good will, of *perspective* — having faced up to the gulf between our reality and our ideals and come down in favor of our ideals — have pressed for, caajoled and demanded progress in closing that gap.

The recent attack on the Voting Rights Act may be the most disturbing example of that gulf between our reality and our ideals. The right to vote stands at the very heart of our democracy. It represents both the struggle to achieve full citizenship and the glory in having done so. It is a right that was hard earned: through courage and tears, through blood and sacrifice, through toil and cunning and stubborn determination. Countless individuals labored to obtain this right for themselves and all Americans, and with it, the full value of American citizenship.

And the contributions of the Voting Rights Act to assuring those rights have been praised and supported by bi-partisan congresses for thirty years. That act desegregated our legislatures; but today it is condemned by some as *causing* "segregation." That act brought Whites, Blacks and Hispanics together in the same voting districts; but today it is accused by some of driving the races apart. That act promoted the goals of the Fourteenth Amendment by helping to assure that *all* Americans have an equal right to have their votes matter; but today it is challenged by some as unconstitutional.

A little perspective reminds us that the Voting Rights Act is not about mere abstract issues. It's about real-life problems. The Voting Rights Act was a response to devastating and systematic suppression of minority voting power: complete disenfranchisement of African-Americans; then the White primaries; then the poll taxes, literacy tests, and grandfather clauses; then the harassment, violence and intimidation that met Black Americans who attempted to register to vote; then the deliberate drawing of district lines to dilute the strength of minority votes.

Imagine what it means for a poor person to be able to vote without worrying about whether it costs too much. Imagine what it means for an illiterate citizen or one who doesn't read English well to get

help or a translation at the polling place without shame. Imagine what it means for an elderly black woman who associates voting with beatings and violence to be able to go down to a courthouse building and vote without fear. Then you will begin to imagine what the Voting Rights Act has been about *in our lifetimes*, and is still about today.

Imagine, too, what it means to cast your vote time and time and time again for a candidate who will *never* win for no other reason than that the White majority won't vote for *any* candidate you want. That reality is before us in some places today, too. Without perspective, we turn away from real people and real problems like these, in favor of abstractions.

Abstractions like the Supreme Court's decision in *Shaw v. Reno*.¹² *Shaw* involved a challenge to North Carolina's 1992 Congressional Redistricting Plan, a plan the state legislature adopted to comply with the Voting Rights Act. Five White plaintiffs — three of whom didn't even live in the districts — challenged the creation of two of the state's twelve congressional districts, the ones in which Blacks were in the majority. Indeed, those two districts sent two African-American representatives to Congress. But the court, and many commentators, criticize these districts as bizarrely shaped, as promoting "segregation." But in this, perspective fails us.

We forget that the challenged plan was responsible for desegregating the North Carolina Congressional Delegation. We forget that, in a state where one in every five citizens is African-American, North Carolina had not sent a single African-American to Congress in this century. We forget that state's long experience of segregation, exclusion and intentional dilution of minority voting strength, even though it was this very reality that led to the adoption of the Voting Rights Act in the first place.

The problem is that in some locations, in some circumstances, politics are already so racially polarized that minority citizens can never elect the candidates of their choice. State legislatures (and sometimes courts) have responded by drawing districts in which members of historically excluded groups constitute a majority. These are the so-called "majority/minority" or "minority opportunity" districts. Lacking perspective on the problem these districts help solve, some say that the Voting Rights Act — and the districts drawn because of it — may *violate* the Fourteenth Amendment.

Our perspective is replaced by hysteria and over-

heated rhetoric, reducing important and complex problems to political buzzwords, and crowding out reason. We call these districts "bizarrely shaped." We call these districts "segregating voters by race" or racial "apartheid." Let's examine these claims in turn.

First, the charge that these districts are "bizarre." We've all seen the pictures, and we've heard the epithets — "snakelike," "earmuffs," "spiderlike," "the mark of Zorro." I'll admit that some of these districts look pretty strange to me as well — until you look around. A lot of majority-White districts are bizarre — most, in fact — districts that the Voting Rights Act has not had any effect on. Indeed, oddly shaped districts — created for a lot of reasons having nothing to do with race — are as old as America.

Legislators draw the lines to gain an edge for their party, protect incumbents, or connect common economic interests which were separated by geography. Geography and minimum population requirements also influence the lines. These same forces are at play today, and they are a large part of the reason that majority-minority and majority-White districts alike often *seem* oddly-shaped on the map. Remember that Henry Moore sculpture I spoke of: perhaps these districts *seem* odd because we are standing in the wrong place.

Sometimes, it is possible to draw a more aesthetically pleasing majority-minority district, but only by threatening one or more incumbents. Legislatures, being made up of incumbents, don't particularly like to do this. But these legislatures — which are all majority-White — also know that they must comply with their obligations under the Voting Rights Act and provide members of historically excluded groups with the equal opportunity to elect the candidates of their choice. So they do what legislatures often do: they try to have it both ways. They comply with the law while trying to ensure that they will have as little impact as possible on incumbents' chances for reelection. Especially in states where district lines have historically been drawn to dilute minority voting strength, the result is often a bizarre-looking map. Those who would attack the Voting Rights Act for leading to "bizarre" districts have the wrong culprit; the districts are ugly because state legislatures — for lots of traditional reasons — draw them this way. There is no such thing as a "normal" or regular-shaped district.

You might be interested to know that North Carolina's supposedly "snakelike" 12th District isn't the first district to be compared to a reptile. We have a long tradition of characterizing gerrymandered districts that way. Indeed, the very term "gerrymander" was coined as such an epithet, to describe a

¹² 113 S.Ct. 2816 (1993).

strangely-shaped district drawn in Massachusetts in 1812 when the Republican Eldridge Gerry was Governor. One of Gerry's political rivals, upset that the redistricting favored the Republicans, drew a cartoon which depicted the district as a salamander. Its title: "Gerry-mander."

Sometime flip through a reference like the Almanac of American Politics and have a close look at Congressional district maps. Show me one that's a "regular" shape. I have brought some of my personal favorites. Here's one from Texas, about as "bizarre" as any district you can imagine. Consider this district in Massachusetts, which bears a strange resemblance to a saxophone. Here's one from North Carolina. None of these districts is majority/minority. Indeed, none even lies *adjacent* to a majority/minority district. These districts have populations that are on average ninety percent White. Yet they are among the ugliest, the most bizarre, the least compact in the country — but nobody ever accuses them of violating the Constitution. Why is it unconstitutional for a district to be bizarrely shaped when it is fifty-five percent Black but perfectly fine when it is ninety percent White?

Then there is the charge that majority-minority districts "segregate voters by race." In fact, these are the most integrated congressional districts in the country. For example, North Carolina's Twelfth District, under challenge in *Shaw*, is roughly fifty-five percent Black and forty-five percent White. The Thirtieth District in Texas, which a district court¹³ struck down earlier this year, is forty-seven percent African-American, thirty-six percent White, and fifteen percent Hispanic. And Georgia's Eleventh District, which a court¹⁴ has called "unimaginative," is sixty-four percent Black and thirty-four percent White. In districts like these, it is unrealistic to think that representatives could ignore the interests of *any* of their constituents. Unlike the districts that formerly existed in many of these states, which contained overwhelmingly White majorities, the new minority opportunity districts in effect *require* candidates to form coalitions across racial lines, and to serve all of their constituents, no matter what their race.

Lacking perspective, we sometimes even drift into the absurd, such as when a district court in Louisiana described a sixty-three percent-Black district as "segregation of voters by race" when, in the court's own words, it "combin[ed] English-Scotch-Irish, mainline Protestants, traditional rural Black

Protestants, South Louisiana Black Catholics, continental French-Spanish-German Roman Catholics, sui generis Creoles, and thoroughly mixed Polyglots . . . As never heretofore so extensively agglomerated."¹⁵

By what stretch of imagination is this "segregation"? We are so wrapped up in the rhetoric of "racial gerrymandering" that we cannot see that state legislatures, having made political compromises across racial lines to solve real problems, have created models of the very integration we have so long valued as a nation.

Now, let me lay one misperception to rest: I reject the notion that the only adequate representative of a minority voter is a minority officeholder. I do not believe that we should *always* create majority-minority districts whenever minorities are not elected in proportion to their population, or that political offices should be distributed along racial lines. No discrete group in our society has such a vested right. No group should. Moreover, experience has shown that minorities can be effectively represented by Whites — and vice versa — much of the time. Where the political process is equally open to all citizens, where no group is denied an equal opportunity to elect the candidates of its choice, then there is no need to create majority-minority districts.

But in some places today, it remains the case that politics is racially polarized, that Blacks and Hispanics cast their ballots time after time after time knowing that their chosen candidates will lose because Whites will not vote for any candidate preferred by them. In some places today, minorities have seen their voting power diluted by ingenious districting schemes designed to ensure the election of White candidates. In some places today, elections are marked by subtle or overt racist appeals. In some places today, representatives feel no need to attend to the interests of minority citizens because they know they will never need minority votes. In *these* places, the right to vote cannot be truly meaningful without a new kind of district. In these places, it is our obligation to defend these districts, for without them we can never achieve the Voting Rights Act's mandate. We must face that reality and choose the path that assures equal opportunity for all Americans.

I have mentioned just a few of the areas in which the civil rights division is working today. But I am trying, mainly, to emphasize why our work matters. For what we are talking about here, at its essence,

¹³ *Vera v. Richards*, 1994 WL 484492 (S.D. Tex. 1994).

¹⁴ *Johnson v. Miller*, 1994 WL 506780 (S.D. Ga. 1994).

¹⁵ *Hays v. Louisiana*, 839 F.Supp. 1188, 1201 (W.D. La. 1993).

isn't cases or statutes. It is a fundamental affirmation of the American creed.

Our national creed has its roots in the earliest days of the Republic. In the Declaration of Independence, our founders set forth the fundamental principles for which this nation stands. Foremost among these principles is a commitment to *one* nation, indivisible — a recognition that the fate of each one of us is inextricably bound to that of each other and of society as a whole. Our common ideals tell us that we cannot progress as a society by leaving some of our people behind; we must all advance together.

The second fundamental principle of our national creed follows necessarily from the first: all people are created equal. Abraham Lincoln dedicated our nation to this proposition, and we as a people have borne faith to it ever since. History will ultimately judge us by our efforts to meet this commitment. It is a part of our shared American identity.

It is our faith in affirming these principles — of equality, opportunity and fair play — that makes us Americans. To be sure, we have never fully attained the high ideals to which we are dedicated. But — with a few brief exceptions — our history is a history of reaching for our ideals, of closing the gap between them and our reality. Abraham Lincoln explained it well when he said our nation's founders "meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to people of all colors everywhere."¹⁶

By fighting to expand opportunities, to promote equality, and to empower all people in our society, we are continuing the process Lincoln spoke of — the constant attempt to approximate our nation's great ideals, to spread and deepen their influence. Martin Luther King, Jr., was right when he said, "the arc of the moral universe is long, but it bends toward justice."¹⁷ All those people of perspective in all walks of American life, who work to ensure that the arc bends forward rather than backward, are engaged in a true act of patriotism.

Some would have us see civil rights as a fight among competing factions for entitlements. Some would have us believe that one group's gain is

another's loss, that those who want their rights vindicated are engaged in special pleading, and that civil rights is a concern of only the so-called "special interests." Abstract debates about colorblindness and hysterical rhetoric about quotas have been so prominent in public discourse that many people think of civil rights as simply a battleground over who gets what size slice of the pie. In such an atmosphere, it is easy to understand why we increasingly see groups turning inward and refusing to invest in each other's struggles.

But we *all* have a stake in the struggle for equality, opportunity and fair play. When an African-American stands up for the right to equal educational opportunity, he stands up for *all* of us. When a Latino stands up for the right to a chance to elect the candidate of her choice, she stands up for *all* of us. When a Jew stands up against those who vandalize his place of worship, he stands up for *all* of us. And when a person with a hearing impairment stands up for access to 911 emergency services, she stands up for *all* of us. For civil rights is not about deciding who gets the spoils. It is about reclaiming our fundamental values and aspirations as a nation.

It is a struggle. It is often hard work. But we must fight this tendency towards the dissolution of our society into mutually distrustful, isolated groups. We must stick together in this struggle: not because it is politically correct, but because it is *morally* correct. And if we permit ourselves to dissolve into mutually distrustful, isolated groups, we will surely perish. And the nation our forebears imagined will never come to pass.

This is a defining point in history: our young people are increasingly alienated from civic society, and too many of the rest of us have let cynicism and selfishness define our lives. But I believe in America still. The President believes in America still. And so must you. Diverse a people as we are and have always been — we are still *one* nation, *one* people, with *one* common destiny. And each of us is diminished when any one — on account of a happenstance of birth or chance — experiences anything less than the full measure of his or her dignity and privilege as a human being and an American.

So, let us recapture our perspective, set aside our hysterics, and reclaim the American conscience. Destiny demands of us no less.

¹⁶ See Abraham Lincoln, *Speeches & Writings*, 398 (Don E. Fehrenbacher, ed., 1989).

¹⁷ See Martin Luther King, Jr., *Our God is Marching On*, reprinted in *The Eyes on the Prize Civil Rights Reader*, at 227 (Clayborne Carson, eds., 1991).