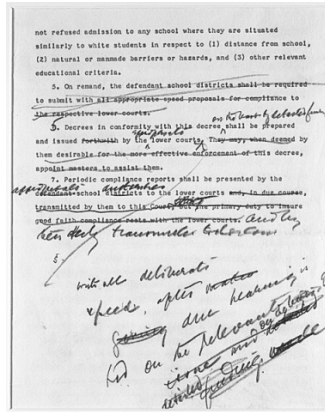




In 1955 - the year after the U.S. Supreme Court issued its landmark school-desegregation opinion in *Brown v Board of Education of Topeka* - the Justices had to decide how to implement their decision.

How would integration occur? How long would it take? Would school districts act quickly or find reasons to delay?

During oral arguments, lawyers for the NAACP urged the Justices to order that schools desegregate "forthwith." The court, however, was concerned that such a timetable would be unrealistic.

This document shows how Justice Felix Frankfurter changed the wording of the original draft opinion. He urged that the benchmark for schools to submit their proposals would occur "with all deliberate speed."

Chief Justice Earl Warren agreed with Frankfurter, and "with all deliberate speed" became the mandate for change. After he retired from the bench, Warren talked about how the Justices struggled with determining the right time frame:

...there were so many blocks preventing an immediate solution of the thing in reality that the best we could look for would be a progression of action.

As time passed, however, schools were still not integrated. The Library of Congress - where Justice Frankfurter's notes are maintained - tells us what happened next:

It became clear over time that critics of desegregation were using the doctrine [of "all deliberate speed"] to delay compliance with Brown, and in 1964 Justice Hugo Black declared in a desegregation opinion that "the time for mere 'deliberate speed' has run out."

Credits:

Image of Justice Frankfurter's notes - for Brown II - are online, courtesy Library of Congress.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/Behind-the-Scenes-Brown-v-Board-of-Education>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/Behind-the-Scenes-Brown-v-Board-of-Education>

