

For the central matter of our day is the very same as that of Lincoln's times — only we express it not in terms of civil war, but civil rights . . . and not as a freeing of slaves, but a realization of equal civil opportunity. We are today as yesterday a house divided, a nation torn, a people discomforted by doubt and beset by fear. We are a hundred years past the battle of Gettysburg but less than two years beyond the insurrection at Watts. So much has changed, and so little.

Measurable change has been largely constitutional, legislative, judicial and, at times, plainly political. Indeed the Supreme Court of 1954, which opened the way for school desegregation and gave birth to the movement for equal rights, was a far cry from the Supreme Court of March, 1857, where that famous and otherwise liberal-minded Marylander, Roger Brooke Taney, read aloud the Dred Scott decision.

This denied that the Negro was included in the thought and purpose of the line "all men are created equal" as inscribed in the Declaration of Independence. Certainly the Congress which passed the Civil Rights Act of 1964 is as far removed from its counterpart in 1864 as the idea of people being thought of as people is from that of people being considered as property.

And there has been no lack of energy on the part of our lawmakers and judges in enacting and interpreting the case for civil liberties, although we still need debate and have not wholly digested to our satisfaction the findings in the momentous cases of recent years.

There is awareness and change, even though change itself is not always swift and smooth or even acceptable to large parts of our society. The Supreme Court in upholding First Amendment freedoms in the school prayer cases — the 1963 *Engel vs. Vitale* case on official prayers and the 1963 *Murray and Shemp* cases on Bible reading — is under massive and organized attack. The Court is accused of favoring pornography when it holds that Henry Miller's novel *Tropic of Cancer* cannot be constitutionally banned. The Court is held guilty of fostering foreign ideologies when it disallows loyalty oaths for teachers and public employees as "constitutionally vague." And there are a host of cases where the Court has been accused of obstructing justice by protecting defendants from unreasonable searches and seizures as in *Mapp vs. Ohio*; by guaranteeing to defendants the right of counsel as in *Gideon vs. Wainwright*; by holding that a state cannot compel a defendant to testify against himself as in *Malloy vs. Hogan*.