

5/24(?) / 87

I was sorry to see that Supreme Court Justice Thurgood Marshall's magnificent attack on the false and hypocritical bicentennial of the Constitution was so subordinated to our total view of American Civilization on Trial, in our ad for that pamphlet (N&L, May 22). It isn't that I don't think that *American Civilization on Trial* is a great and true history of the USA. It is that, not only journalistically, but philosophically, the little word "new" signifies the todayness of the revolutionary category we call the Black dimension. What Marshall said is new.

That a man from the Black middle class, who has reached the Supreme Court not only because he was "legalistic," but because he was central to the elimination of the mythology of "separate but equal," now feels compelled to issue this critique, cannot be just "background" to what we think. I would like the readers to hear more of the context of what Marshall said, when he praised those "who refused to acquiesce":

"I do not find the wisdom, foresight and sense of justice exhibited by the Framers particularly profound. To the contrary, the government they devised was defective from the start, requiring several amendments, a civil war and momentous social transformation to attain the system of constitutional government... They could not have imagined, nor would they have accepted, that the document they were drafting would one day be construed by a Supreme Court to which had been appointed a woman and the descendant of an African slave. 'We the people' no longer enslave, but the credit does not belong to the Framers. It belongs to those who refused to acquiesce in outdated notions of 'liberty,' 'justice,' and 'equality,' and who strived to better them."

Marxist-Humanist
Illinois

11162