# Contents

Foreword by Randall Kennedy  
Introduction  

## PART I  
**BRIEFS AND ORAL ARGUMENTS**  
1. *Lyons v. Oklahoma* (1944)  
2. *Brown v. Board of Education* (1952)  
4. *Cooper v. Aaron* (1958)  

## PART II  
**WRITINGS AS A LAWYER**  
8. “The Legal Attack to Secure Civil Rights” (Speech at the NAACP Wartime Conference, 1944)  
11. “Summary Justice—The Negro GI in Korea” (*The Crisis*, May 1951)  
12. Remarks at a Testimonial Dinner Honoring Raymond Pace Alexander, November 25, 1951  

PART III

WRITINGS AS A JUDGE  171


17. Remarks at the Second Circuit Judicial Conference [Civil Rights Enforcement and the Supreme Court's Docket] (September 8, 1978)  174


21. Remarks at the Second Circuit Judicial Conference [The Problem of Summary Disposition in the Supreme Court] (September 9, 1982)  190

22. Remarks at the Second Circuit Judicial Conference [Division on the Court and the "Need" for a New Appellate Court] (October 1, 1983)  193

23. Remarks at the Second Circuit Judicial Conference [The Need for Effective Remedies When Constitutional Rights Are Violated] (September 14, 1984)  198


27. Remarks at the Second Circuit Judicial Conference [The Future of Civil Rights] (September 8, 1989)  216


32. Remarks, New York State Bar Association on Receiving the Gold Medal Award for Distinguished Service in Law (January 30, 1976) 249
34. Remarks at the American College of Trial Lawyers Spring Meeting (March 14, 1977) 262
35. Remarks of Mr. Justice Marshall: Acceptance of Learned Hand Medal (May 1, 1975) 266
36. Tribute to Charles H. Houston (Amherst magazine, Spring 1978) 272
37. Commencement Address, University of Virginia (May 21, 1978) 277
40. Remarks at the Annual Dinner in Honor of the Judiciary, American Bar Association (August 6, 1990) 293

PART IV

JUDICIAL OPINIONS 303

Equal Protection
43. Dandridge v. Williams (1970) 321
44. San Antonio Independent School District v. Rodriguez (1973) 328

Affirmative Action
45. Regents of the University of California v. Bakke (1978) 347

Poverty
47. United States v. Kras (1973) 371
49. Bounds v. Smith (1977) 381
Privacy and Free Expression

50. Stanley v. Georgia (1969) 385

51. Police Department of the City of Chicago v. Mosley (1972) 389

Criminal Justice

52. Powell v. Texas (1968) 393


PART V

REMINISCENCES 411


Selected Bibliography 515
Appendix: Annotated List of Important Decisions 517
Permissions Acknowledgments 536
Index 538