

Eventually, in December of 1953, Thurgood Marshall stood before the Supreme Court as counsel in a consolidated action involving 4 States and nearly 200 plaintiffs, including 13 families from Topeka, Kansas. Many legal arguments were advanced in the case. Yet the stakes were summarized in the brief Marshall presented to the Court. It stated, "Separate but equal is legal fiction. There never was and never will be any separate equality." The Court agreed. As the decision was announced, some were waiting to see which Justices would be in dissent. The answer came when Chief Justice Warren declared that the opinion was unanimous.

The decision in *Brown versus Board of Education* did not end all segregation, did not even end school segregation for many years. The civil rights movement was still waiting on other heroes and cases and laws. Yet, all sides of the question knew that on May 17th, 1954, a line had been crossed in American history. The system of racial oppression in our country had lost its claim to legitimacy, and the rising demand for justice would not be denied.

Putting the *Brown* decision into effect would take Presidential orders and the presence of Federal troops and marshals and the courage of children. One of the children who integrated Central High School in Little Rock was Melba Pattillo. She recalls white students after gym class turning her shower to scalding. Others broke a bottle and tripped her on the glass, leaving scars that remain today.

Yet, Melba has other memories as well. She says, "I went in not through the side doors but up the front stairs, and there was a feeling of pride and hope that, yes, this is the United States. Yes, there is a reason I salute the flag, and it's going to be okay."

In the years after *Brown*, many would know the fears and insults this young woman had faced. A court can make an order, but it was the child that had to walk the gauntlet of slurs and jeers into a school. And America is still grateful to every child who made that walk.

In many ways, the events of those years seem long ago. We tend to think of them as the distant dramas of a different country.

Yet, segregation is a living memory, and many still carry its scars. The habits of racism in America have not all been broken. The habits of respect must be taught to every generation. Laws against racial discrimination must be vigorously enforced in education and housing and hiring and public accommodations. Many African Americans with no inheritance but their character need access to capital and the chance to own and build for the future. And while our schools are no longer segregated by law, they are still not equal in opportunity and excellence. Justice requires more than a place in a school. Justice requires that every school teach every child in America.

America has yet to reach the high calling of its own ideals. Yet we're a nation that strives to do right, and we honor those who expose our failures, correct our course, and make us a better people. On this day, in this place, we remember with gratitude the good souls who saw a great wrong and stood their ground and won their case. And we celebrate a milestone in the history of our glorious Nation.

Thank you for having me. May God bless America.

NOTE: The President spoke at 1:06 p.m. In his remarks, he referred to Cheryl Brown Henderson, president, Brown Foundation for Educational Equality, Excellence and Research; and Gov. Kathleen Sebelius of Kansas.

Statement Calling for a Constitutional Amendment Defining and Protecting Marriage

May 17, 2004

The sacred institution of marriage should not be redefined by a few activist judges. All Americans have a right to be heard in this debate. I called on the Congress to pass and to send to the States for ratification an amendment to our Constitution defining and protecting marriage as a union of a man and a woman as husband and wife. The need for that amendment is still urgent, and I repeat that call today.

**Statement on the Death of Iraqi
Governing Council President
Izz al-Din al-Salim**

May 17, 2004

On behalf of the American people, I condemn the brutal act of terrorism against Iraqi Governing Council President Izz al-Din al-Salim and several Iraqi citizens. Mr. Salim was a man of courage who risked his life in pursuit of a free, democratic, and prosperous Iraq. I offer our deepest condolences to the victims' families. I pray that God may give them strength in this hour of grief.

On June 30, the flag of a free Iraq will be raised, and Iraq's new interim government will assume sovereign authority. The terrorists know that a free Iraq will be a major defeat for the cause of terror, so they are trying to shake our confidence and will. The terrorists have found little support among the Iraqi people. The vast majority of Iraqi people want a free society. And the terrorists will find no success in their attempts to shake the will of America and our coalition.

**Notice—Continuation of the
National Emergency With Respect to
Burma**

May 17, 2004

On May 20, 1997, the President issued Executive Order 13047, certifying to the Congress under section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), that the Government of Burma has committed large-scale repression of the democratic opposition in Burma after September 30, 1996, thereby invoking the prohibition on new investment in Burma by United States persons contained in that section. The President also declared a national emergency to deal with the threat posed to the national security and foreign policy of the United States by the actions and policies of the Government of Burma, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.* On July 28, 2003, I issued Executive Order 13310 taking additional steps with respect to that national emergency by putting

in place an import ban required by the Burmese Freedom and Democracy Act of 2003 and prohibiting exports of financial services to Burma and the dealing in property in which certain designated Burmese persons have an interest.

Because actions and policies of the Government of Burma continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 20, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond May 20, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Burma. This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
May 17, 2004.

[Filed with the Office of the Federal Register,
9:18 a.m., May 18, 2004]

NOTE: This notice was published in the *Federal Register* on May 19.

**Message to the Congress on
Continuation of the National
Emergency With Respect to Burma**

May 17, 2004

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice, stating that the Burma emergency is to continue beyond May 20, 2004, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on May 19, 2003.

The crisis between the United States and Burma, constituted by the actions and policies of the Government of Burma, including