

6-28-1986

## 06-28-1986 Justice White, Concurring

Byron R. White  
*US Supreme Court Justice*

Follow this and additional works at: <https://ir.library.illinoisstate.edu/bazemorevfriday>



Part of the [Criminal Law Commons](#)

---

### Recommended Citation

White, B.R. Justice White, Concurring, Bazemore V. Friday, 478 U.S. 385 (1986). Box 367, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, D.C.

This Opinion is brought to you for free and open access by the U.S. Supreme Court papers, Justice Blackmun at ISU ReD: Research and eData. It has been accepted for inclusion in Bazemore v. Friday, 478 U.S. 385 (1986) by an authorized administrator of ISU ReD: Research and eData. For more information, please contact [ISURed@ilstu.edu](mailto:ISURed@ilstu.edu).

To: The Chief Justice  
Justice Brennan  
Justice Marshall  
Justice Blackmun  
Justice Powell  
Justice Rehnquist  
Justice Stevens  
Justice O'Connor

From: Justice White

Circulated: \_\_\_\_\_

Recirculated: JUN 28 1986

STYLISTIC CHANGES THROUGHOUT.

S.E. PAGES: 1-3

5th DRAFT

## SUPREME COURT OF THE UNITED STATES

Nos. 85-93 AND 85-428

85-93 P. E. BAZEMORE, ET AL., PETITIONERS  
v.  
WILLIAM C. FRIDAY ET AL.

85-428 UNITED STATES, ET AL., PETITIONERS  
v.  
WILLIAM C. FRIDAY ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE FOURTH CIRCUIT

[July —, 1986]

JUSTICE WHITE, with whom THE CHIEF JUSTICE, JUSTICE POWELL, JUSTICE REHNQUIST, and JUSTICE O'CONNOR join, concurring.

We agree with JUSTICE BRENNAN's concurring opinion explaining the Court's reasoning insofar as the Court vacates the decision of the Court of Appeals. We write separately to affirm the Court of Appeals in ~~reflecting~~ the allegations of discrimination in the operation of 4-H and Homemaker Clubs. Prior to 1965, the Extension Service maintained segregated 4-H and Homemaker Clubs, and it is true that when this suit was started and when judgment was entered there were a great many all-white and all-black clubs. However, it is undisputed that in response to the Civil Rights Act of 1964 the Service discontinued its segregated club policy and opened any club, then existing or newly organized, to any otherwise eligible person regardless of race. The District Court could find no evidence of any discrimination since that time in either services or membership and concluded as a matter of fact that any racial imbalance existing in any of the clubs was the result of wholly voluntary and unfettered choice of pri-

a rejecting