

Civil Rights Act of 1964

Goals

By rephrasing two paragraphs from the act and analyzing a photo and an advertisement, students will learn about its main provisions and why those were considered controversial in 1964. Activities challenge them to take a side in the conflict between civil rights and property rights and explain their stance.

Central Questions

What did the Civil Rights Act of 1964 say and do? Why did some people oppose it?

Background Information

Congress had passed various civil right bills for almost a century before the Civil Rights Act of 1964. All the bills aimed to articulate and guarantee rights that were outlined in the 14th and 15th amendments to the Constitution. These passed just after the Civil War and aimed to ensure equal protection under the law and protect the right to vote for African Americans. They generally failed because they had loopholes and enforcement was left to state and local officials.

After the federal government abandoned the South in 1877, many states all over the country passed explicitly segregationist laws. In 1896, the US Supreme Court held up these laws in its *Plessy v. Ferguson* decision. For decades, millions of African Americans were denied their basic civil rights.

Following World War II, Congress passed bills desegregating the military and interstate transportation. In 1954, the Supreme Court's unanimous *Brown v. Board of Education* decision overturned segregation in public schools. The much-publicized Montgomery bus boycott in Alabama launched Martin Luther King Jr. to national prominence, and the use of federal troops to desegregate Little Rock's Central High School in 1957 demonstrated a revival of federal interest in civil rights.

Progress was slow, however, and during the early 1960s, the Council of Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC) organized hundreds of sit-ins and other direct actions. Photos revealing inequality and violence flooded the news media.

In a televised address on June 11, 1963, President John F. Kennedy Jr. proposed a new and more explicit civil rights bill. After Kennedy's assassination, President Lyndon B. Johnson continued to lobby for the bill in Congress, where a cohort of key segregationist senators from the South filibustered for 75 days to stop it. They relented in June 1964, at the start of Freedom Summer, and Johnson ultimately signed it into law on July 2, 1964. Although strengthened and supplemented in subsequent years, the Civil Rights Act of 1964 officially made racial discrimination and segregation illegal.

Documents Used in This Lesson:

1. Civil Rights Act of 1964, July 2, 1964 (excerpts).
<http://wihist.org/1wK5oK4>
2. Restaurant owner Lester Maddox drives away black customer at gunpoint.
<http://wihist.org/1yATFNk>
3. "\$100 Billion Blackjack."
<http://wihist.org/1OjkIUA>

Questions

Document 1: Excerpts from the Civil Rights Act of 1964.

With a partner, restate each paragraph from the act in a short sentence of your own:

SEC. 201. (a) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, and privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin... [such as] any inn, hotel, motel, ... any restaurant, cafeteria, lunchroom, lunch counter, soda fountain... any motion picture house, theater, concert hall, sports arena, stadium...

SEC. 202. All persons shall be entitled to be free, at any establishment or place, from discrimination or segregation of any kind on the ground of race, color, religion, or national origin, [even] if such discrimination or segregation is or purports to be required by any law, statute, ordinance...

Document 2: Restaurant owner Lester Maddox drives a Black customer away at gunpoint.



If you can decide who gets to borrow your phone or your jacket, why can't he decide who to serve in his restaurant? What are some differences between these two situations?

This flier was distributed by mail and as a newspaper ad during the spring of 1964. Don't try to read the small print. Just focus on the big type that you can make out easily.

Monday, March 16, 1964 *Tain Falls Times-News* 3

*Mr. Church,
Is this the true picture of
the civil rights bill that
before Congress now?
Mrs. Robert Smith
P.O. Box 21
Filler, Idaho*

SENATOR FRANK CHURCH
OFFICE
1000 U.S. SENATE
WASHINGTON, D.C.

\$100 BILLION BLACKJACK

THE CIVIL RIGHTS BILL

THE BILL IS NOT A "MODERATE" BILL AND IT HAS NOT BEEN "WATERED DOWN." IT CONSTITUTES THE GREATEST GRASP FOR EXECUTIVE POWER CONCEIVED IN THE 20th CENTURY

THE SOCIALISTS' OMNIBUS BILL OF 1963 NOW BEFORE THE SENATE

THE AMERICAN PEOPLE ARE BEING SET UP FOR A BLOW THAT WOULD DESTROY THEIR RIGHT TO DETERMINE FOR THEMSELVES HOW THEY WILL LIVE. What is being presented as a humane effort to reform government—the "Civil Rights" bill—is, in fact, a cynical design to make even the least of us, black and white alike, subject to the whims and caprices of government bureaucrats.

When American workers, farmers, business and professional men, teachers, housewives, every citizen awake now, hear Federal control will reach into our homes, jobs, businesses, and schools, into our local and State elections, and into our municipal and State governments.

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100 BILLION BLACKJACK

You almost know, although you may not be aware of it, that a \$100 Billion Blackjack—almost the total Federal budget. Your tax money is to be used as a weapon against you.

That is the meaning of the Civil Rights bill.

(1) It would control every Federal law (hundreds of them) that deals with financing so that each Federal department or agency could make its own regulations to manipulate Federal funds. Each Federal department or agency would define for itself what is "discrimination" and apply its own penalties (Sec. 601-602).

(2) It would empower Federal political appointees—through the use of the blacklist, cancellation of contracts, fines, and other punitive means—to use almost \$100 billion a year to force our people to kneel under Executive dictation (Secs. 601-602). You should know this.

TOTAL FEDERAL CONTROL

The bill now pending in the United States Senate would:

(1) Allow the government to hold Star Chamber sessions and to imprison those who decline, without permission, what went on behind its closed doors (Sec. 501).

It would:

(a) Deny an individual the right to freely seek employment without Federal interference as to race or religion—it would deny this right (Titles VI and VII).

It would:

(b) Deny the employer the right to hire, fire, promote and demote without Federal interference as to race or religion—it would deny this right (Titles VI and VII).

It would:

(c) Deny to School Boards (public and private) and to colleges the right to determine, unhampered by the Federal government, how their students and teaching staffs should be handled—it would deny this right (Titles IV, VI and VII).

It would:

(d) Take from local and State officials their right, without Federal interference:

To handle local and State elections (Title I);

To regulate local parks, swimming pools and other recreational facilities (Title II);

To regulate hotels, restaurants, motion-picture houses, casinos, etc. (Title III); and

To regulate employment practices (Titles VI and VII).

THE MYSTERY WORD: "DISCRIMINATION"

The bill now pending in the United States Senate would:

(a) Allow each Federal department and agency to determine for itself what is and what is not "discrimination" (Titles V, VI, and VII)—the bill, itself, does not define the word.

(b) Allow each Federal department and agency to determine for itself what is and what is not "race" and "religion" (Titles IV, V, VI and VII)—the bill, itself, does not define either word.

Therefore, there would be no uniformity of interpretation. What might be classified as a "discriminatory practice" by one agency, might not be so classified by another agency.

OMNIPOTENT PRESIDENT

And always—if this bill becomes law—there will be the Omnipotent President or his appointees to rule, thumbs up, thumbs down. Sometimes, yes. Sometimes, no.

Only a Dictator has such prerogatives.

It follows, then, under the Socialists' Omnibus Bill—named the Civil Rights Bill—those who enjoy political favor may expect political favors. Others may expect something else.

Such is the significance of the bill now pending in the United States Senate: It would establish the Rule of Man and abolish the Rule of Law.

Six members of the House Committee on the Judiciary, each an attorney and each an expert in this sort of legislation, have said: "The reported bill is not a 'moderate' bill and it has not been 'watered down.' It constitutes the greatest grasp for executive power conceived in the 20th Century."

If you wish this bill defeated, you can defeat it: Write your Senator, both of them. Write them, now, today, and tell them you oppose it. Tell them why.

There is no other way. If you want this bill stopped, write your Senators, now, and tell them so.

See chart of this bill, suitable for copying, printed in other newspapers, may be had upon request.

Within The Coverage Of This Bill Federal Inspectors Would Detain To—

INDIVIDUALS:
As to:
1. Industry in private employment.
2. Security in civil service.
3. Professional advance of ministers.
4. Social Security.
5. Veterans' and Welfare benefits.
6. Employee benefits.

FARMERS:
As to:
1. All Federal farm programs.
2. Employees and tenants.
3. Membership in farm organizations.

LABOR UNIONS AND MEMBERS:
As to:
1. Job security of members.
2. Security in apprenticeship programs.
3. Social balance in job classification.
4. Social balance in membership.
5. Professional advance of ministers.

BANKS AND OTHER FINANCIAL INSTITUTIONS:
As to:
1. Approval of loans.
2. Procedures of loans.
3. Compensation, terms, conditions of employment.
4. Hiring, firing and promotion of employees.
5. Social balance of job classification.

BUSINESSES AND INDUSTRIES:
As to:
1. Hiring, firing and promoting of employees.
2. Social balance of office staffs.
3. Professional treatment of ministers.

FEDERAL PROGRAMS AFFECTED

Federal Programs subject to manipulation include—

Loans by all Federal agencies • Farm Credit Administration • Federal Land Banks • Banks for Cooperatives • Production and Consumer Credit • FHA and FVMA • School Lunch Program • HGI-Bureau Hospitals • Highway Construction • Child Welfare Services • Social Security • Community Health Services • Federal Fellowships and Research • School and College Construction • Aid to Blind and Disabled • Vocational Education • Agricultural Experiment Stations • Federal Reserve System • National Banks • Federal Civil Service • Federal Contracts • Veterans' Benefits

*** FREE BOOK**

"Understanding the Civil Rights Bill," a complete outline of the bill, may be had from this committee.

Write now—Free Book and 1 copy of the book

THE COORDINATING COMMITTEE FOR

FUNDAMENTAL AMERICAN FREEDOMS, INC.

301 FIRST ST., N.E., WASHINGTON, D.C.

WILLIAM LIND, EXECUTIVE, Manchester, New Hampshire • JOHN S. BATTERFIELD, SECRETARY, Texas City, Mississippi • JOHN A. EYRE, DIRECTOR, Washington, D.C.

Within The Coverage Of This Bill Federal Inspectors Would Detain To—

SCHOOLS AND COLLEGES:
As to:
1. Handling of pupils.
2. Employment of faculty, University of education.
3. Use of facilities.

TEACHERS:
As to:
1. Their employment, discharge and promotion.
2. Professional treatment of ministers.
3. Compensation, terms, and conditions of their employment.

HOSPITALS:
As to:
1. Medical and nursing staff.
2. Treatment, clerical and other employees.
3. Patients' beds and operating rooms.
4. Facilities and accommodations.

HOTELS, MOTELS AND RESTAURANTS:
As to:
1. Handling of rooms.
2. Service of customers.
3. Hiring, firing and promotion of employees.

STATES AND MUNICIPALITIES:
As to:
1. State FIFPC acts.
2. State labor laws.
3. Handling of public facilities.
4. Supervision of private facilities.
5. Judges and Law Enforcement Officers.
6. Handling of elections.

DISTRICT ATTORNEY GENERAL

This bill would make the Attorney General a virtual dictator of America's courts and courts. It would grant him unprecedented authority to file suits against property owners, plain citizens and State and local officials, even though the supposed grievance has not died out. The Attorney General would become the government's lawyer as the taxpayer's expense. The bill grants as the Attorney General—

(1) The unprecedented power to bring around for a judge by petition to issue a writ (Title I).

(2) The right to sue an owner of public accommodations whose sole source of revenue is a "discriminatory practice" (Title II).

(3) The use of State or local officials—such as police, firemen, or an individual having filed suit (Title III).

(4) To sue local school boards, although no suit has been filed by any school child or other person (Title IV).

Last fall, when broad authority to sue in Civil Rights matters was first proposed, the Attorney General said: "I opposed the proposal because Federal executive authority into some areas which are not its legitimate concern and were the Attorney General with broad discretion in matters of great political and social concern." This bill falls within that condemnation.

The outline appearing after these pages also falls within the coverage of the bill. It is available in the amount of 100 copies, subject to some restrictions. Detailed outline may be obtained from the writer.

Questions

Document 3: “\$100 Billion Blackjack,” spring 1964.

In a small group, agree on answers to the following questions. Don't try to read the small print. Just focus on the big type that you can make out easily.

1. Who produced and distributed this advertisement?
2. Were they for or against the Civil Rights Act? What images or words tell you that?
3. What's their main argument? Restate it in a phrase or sentence of your own.
4. Do you agree or disagree with their main point? Explain why.
5. Do you think the constitutional argument against civil rights may have just been a cover for racism? Why or why not?