

DOCUMENT 20.5 | Civil Rights Act of 1964

When President John F. Kennedy called on Congress to enact civil rights legislation, the bill was stalled by segregationist legislators. Only after Kennedy's assassination was President Lyndon B. Johnson able to secure its passage. Johnson signed the Civil Rights Act into law on July 2, 1964.

To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes. . . .

(2) No person acting under color of law shall—

(A) in determining whether any individual is qualified under State law or laws to vote in any Federal election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied under such law or laws to other individuals within the same county, parish, or similar political subdivision who have been found by State officials to be qualified to vote;

(B) deny the right of any individual to vote in any Federal election because of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election; or

(C) employ any literacy test as a qualification for voting in any Federal election unless (i) such test is administered to each individual and is conducted wholly in writing, and (ii) a certified copy of the test and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be retained and preserved pursuant to title III of the Civil Rights Act of 1960 (42 U.S.C. 1974—74e; 74 Stat. 88): Provided, however, That the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such tests in accordance with the provisions of applicable State or local law, including such special provisions as are necessary in the preparation, conduct, and maintenance of such tests for persons who are blind or otherwise physically handicapped, meet the purposes of this subparagraph and constitute compliance therewith. . . .

Civil Rights Act of 1964, Public Law 88-352, *Revised Statutes*, Volume 78, page 241. July 2, 1964.

PRACTICING Historical Thinking

Identify: Identify the rights conferred on people from minority groups by this legislation.

Analyze: Compare these rights to the ones that are articulated in the Declaration of Independence and Gettysburg Address. How similar are they?

Evaluate: In what ways do these rights respond to an early movement toward equity—the Progressive movement during the early 1900s?

Martin Luther King Jr. (1929–1969) became the de facto leader of the postwar civil rights movement during the Montgomery bus boycott of 1955. Using tactics of nonviolent resistance to racial segregation in the South, King helped bring the inequalities experienced by African Americans to the forefront of American consciousness in the 1950s and 1960s. On August 28, 1963, in his seminal speech during the March on Washington, King eloquently expressed his vision of a racially just America.

... I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream... I have a dream that one day in Alabama, with its vicious racists, with its governor having his lips dripping with the words of interposition and nullification, one day right there in Alabama little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today... I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low. The rough places will be made plain, and the crooked places will be made straight. And the glory of the Lord shall be revealed, and all flesh shall see it together. This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into the beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day...

"I Have a Dream..." speech by the Reverend Martin Luther King Jr. at the March on Washington, August 28, 1963, www.archives.gov/press/exhibits/dream-speech.pdf.

PRACTICING Historical Thinking

Identify: What is King's dream?

Analyze: Why does King say that this is "the faith that I go back to the South with"?

1968

H. Rap Brown (b. 1943) the fourth became chairman of the Student Non-Violent Coordinating Committee (SNCC) in 1967 after Stokely Carmichael (1941–1998) declared that the organization would be dedicated to “Black Power.” Brown gave this speech on February 17, 1968, at a rally in support of the jailed Black Panther leader, Huey Newton (1942–1989).

First of all, I'd like to start out by thanking brother Cleaver and the Black Panther Party for Self Defense. See, unlike America would have us believe, the greatest problem confronting this country today is not pollution and bad breath. [laughter] It's black people. It's black people. See, that's just one of the big lies that America tells you and that you go for 'cause you chumps. You go for it. One of the lies that we tell ourselves is that we're making progress; but Huey's chair's empty. We're not making progress. We tend to equate progress with concessions. We can no longer make that mistake. . . . They gave you Thurgood Marshall, and you said we were making progress. Thurgood Marshall is a tom of the highest order. . . . You put Adam Clayton Powell in office and you couldn't keep him; what you think they gonna do with Thurgood Marshall when they get tired of him? . . . See, it's no in between: you're either free or you're a slave. There's no such thing as second-class citizenship. That's like telling me you can be a little bit pregnant. [laughter, applause]

The only politics in this country that's relevant to black people today is the politics of revolution . . . none other. [applause] There is no difference between the Democratic and Republican party. The similarities are greater than the difference of those parties. What's the difference between Lyndon Johnson and Goldwater? None! But a lot of you running around talking about you Democrats, and the Democrats got you in the biggest trick going. They tell you, “It ain't our fault, it's the Dixiecrats.” No such thing as a Dixiecrat. The only difference between George Wallace and Lyndon Johnson is one of them's wife's got cancer. [uproar . . . applause?] That's the only difference. But you go for it! You go for it because you chumps! You go for it! The only thing that's going to free Huey is gun powder. . . . Huey Newton is the only living revolutionary in this country today. He has paid his dues! He paid his dues!

How many white folks you kill today? [uproar] . . . But you revolutionaries! You are revolutionaries! Che Guevara says they only two ways to leave the battlefield: victorious or dead. Huey's in jail! That's no victory, that's a concession. When black people become serious about the revolutionary struggle that they are caught up in, whether they recognize it or not . . . when they begin to go down and knock off people who are oppressing them, and begin to render these people impotent, that's when the revolutionary struggle unfolds . . . not until. [applause]

The Pacifica Radio/UC Berkeley Social Activism Sound Recording Project, The Black Panther Party, Media Resource Center, Moffitt Library, Pacifica Radio Archives via the University of California–Berkeley Library Media Resource Center.

PRACTICING Historical Thinking

Identify: How does Brown define “progress”?

Analyze: Compare Brown's attitude toward revolution with that of Martin Luther King Jr. (Doc. 20.4). Are both documents addressing the same audience? Explain.

Evaluate: To what extent does Brown's statement signal a further movement toward an American identity that is independent of government action?