

## 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?



Betty Friedan (1921–2006) was a journalist before publishing *The Feminine Mystique* in 1963. Today historians consider the book to be one of the catalysts of the modern feminist movement in the United States.

The problem lay buried, unspoken, for many years in the minds of American women. It was a strange stirring, a sense of dissatisfaction, a yearning that women suffered in the middle of the twentieth century in the United States. Each suburban wife struggled with it alone. As she made the beds, shopped for groceries, matched slipcover material, ate peanut butter sandwiches with her children, chauffeured Cub Scouts and Brownies, lay beside her husband at night—she was afraid to ask even of herself the silent question—“Is this all?”

For over fifteen years there was no word of this yearning in the millions of words written about women, for women, in all the columns, books and articles by experts telling women their role was to seek fulfillment as wives and mothers. Over and over women heard in voices of tradition and of Freudian sophistication that they could desire no greater destiny than to glory in their own femininity. Experts told them how to catch a man and keep him, how to breastfeed children and handle their toilet training, how to cope with sibling rivalry and adolescent rebellion; how to buy a dishwasher, bake bread, cook gourmet snails, and build a swimming pool with their own hands; how to dress, look, and act more feminine

and make marriage more exciting; how to keep their husbands from dying young and their sons from growing into delinquents. They were taught to pity the neurotic, unfeminine, unhappy women who wanted to be poets or physicists or presidents. They learned that truly feminine women do not want careers, higher education, political rights—the independence and the opportunities that the old-fashioned feminists fought for. Some women, in their forties and fifties, still remembered painfully giving up those dreams, but most of the younger women no longer even thought about them. A thousand expert voices applauded their femininity, their adjustment, their new maturity. All they had to do was devote their lives from earliest girlhood to finding a husband and bearing children. . . .

By the end of the fifties, the United States birthrate was overtaking India's. The birth-control movement, renamed Planned Parenthood, was asked to find a method whereby women who had been advised that a third or fourth baby would be born dead or defective might have it anyhow. Statisticians were especially astounded at the fantastic increase in the number of babies among college women. Where once they had two children, now they had four, five, six. Women who had once wanted careers were now making careers out of having babies. So rejoiced *Life* magazine in a 1956 paean to the movement of American women back to the home.

In a New York hospital, a woman had a nervous breakdown when she found she could not breastfeed her baby. In other hospitals, women dying of cancer refused a drug which research had proved might save their lives: its side effects were said to be unfeminine. “If I have only one life, let me live it as a blonde,” a larger-than-life-sized picture of a pretty, vacuous woman proclaimed from newspaper, magazine, and drugstore ads. And across America, three out of every ten women dyed their hair blonde. They ate a chalk called Metrecal, instead of food, to shrink to the size of the thin young models. Department-store buyers reported that American women, since 1939, had become three and four sizes smaller. “Women are out to fit the clothes, instead of vice-versa,” one buyer said.

Interior decorators were designing kitchens with mosaic murals and original paintings, for kitchens were once again the center of women's lives. Home sewing became a million-dollar industry. Many women no longer left their homes, except to shop, chauffeur their children, or attend a social engagement with their husbands. Girls were growing up in America without ever having jobs outside the home. In the late fifties, a sociological phenomenon was suddenly remarked: a third of American women now worked, but most were no longer young and very few were pursuing careers. They were married women who held part-time jobs, selling or secretarial, to put their husbands through school, their sons through college, or to help pay the mortgage. Or they were widows supporting families. Fewer and fewer women were entering professional work. The shortages in the nursing, social work, and teaching professions caused crises in almost every American city. Concerned over the Soviet Union's lead in the space race, scientists noted that America's greatest source of unused brainpower was women. But girls would not study physics: it was "unfeminine." A girl refused a science fellowship at Johns Hopkins to take a job in a real-estate office. All she wanted, she said, was what every other American girl wanted—to get married, have four children and live in a nice house in a nice suburb.

Betty Friedan, *The Feminine Mystique: Fiftieth Anniversary Edition* (New York: Norton, 2013), 1–4. Copyright © 1983, 1974, 1973, 1968 by Betty Friedan. Used by permission of W. W. Norton & Company, Inc. This selection may not be reproduced, stored in a retrieval system, or transmitted in any form or by any means without the prior written permission of the publisher.

#### **PRACTICING Historical Thinking**

**Identify:** List the significant roles for mid-twentieth-century American women that Friedan describes. What patterns do you observe?

**Analyze:** Who is the intended audience for Friedan's statement? Explain your response.

**Evaluate:** To what extent does a solution to the problems that Friedan identifies depend on persuading men to change their views toward cultural norms?

Cesar Chavez (1927–1993) cofounded the United Farm Workers (UFW) union and was instrumental in bringing the issues of Latino American economic rights to public attention. The following item appeared in the farm workers' underground newspaper, *El Malcriado*, on January 16, 1965, at the beginning of the Delano, California, grape strike. Its title, "We Shall Overcome," became a rallying cry for the movement. The strike continued for more than five years.

In a 400-square-mile area halfway between Selma and Weedpatch, California, a general strike of farm workers has been going on for six weeks. The Filipinos, under AWOC AFL-CIO, began the strike for a \$1.40 per hour guarantee and a union contract. They were joined by the independent Farm Workers Association, which has a membership of several thousand Mexican Americans.

Filipino, Mexican American and Puerto Rican workers have been manning picket lines daily for 41 days in a totally non-violent manner. Ranchers in the area, which include DiGiorgio Fruit, Schenley, and many independent growers, did not take the strike seriously at first. By the second or third week, however, they began taking another look and striking back. Mechanized agriculture began picketing the pickets, spraying them with sulfur, running tractors by them to create dust storms, building barricades of farm machinery so that scabs could not see the pickets. These actions not only increased the determination of the strikers, but convinced some of the scabs that the ranchers were, in fact, less than human. Scabs quit work and the strike grew.

The growers hired security guards for \$43 a day. They began driving their Thunderbirds, equipped with police dogs and rifles, up and down the roads. The people made more picket signs, drew in their belts, and kept marching.

Production was down 30 percent and the growers began looking for more and more scabs. They went to Fresno and Bakersfield and Los Angeles to find them. They didn't tell the workers that they would be scab crews. The pickets followed them into every town and formed ad hoc strike committees to prevent scabbing. They succeeded in these towns. Within two weeks, only one bus, with half a dozen winos escorted by a pearl gray Cadillac, drove into the strike zone. A new plan was formed. The ranchers would advertise in South Texas and old Mexico. They bring these workers in buses and the workers are held in debt to the rancher before they even arrive in town. We have a new and more difficult task ahead of us with these scabs.

As our strike has grown, workers have matured and now know why and how to fight for their rights. As the strike has grown into a movement for justice by the lowest paid workers in America, friends of farm workers have begun to rally in support of *La Causa*. Civil rights, church, student and union groups help with food and money.

We believe that this is the beginning of a significant drive to achieve equal rights for agricultural workers. In order to enlist your full support and to explain our work to you, I would like to bring some of our pickets and meet with you.

Cesar Chavez, "We Shall Overcome," *El Malcriado*, September 16, 1965, in Cesar Chavez, *An Organizer's Tale: Speeches*, ed. and introduction by Ilan Stavans (New York: Penguin Group, 2008).

### PRACTICING Historical Thinking

**Identify:** Identify the significant numbers in Chavez's statements. Why did you select these?

**Analyze:** Who is Chavez's intended audience? Use your class notes and textbook to assist you.

**Evaluate:** Synthesize Chavez's statement with Betty Friedan's (Doc. 20.3). To what extent do all three documents present a shift in power away from the federal government to a more populist approach toward reform?

