The Challenge of Diversity is the third volume in the W.M. Keck Foundation Series, a series of educational publications that will address key challenges facing our democratic and pluralistic republic under the framework of the Constitution and its Bill of Rights.

The W.M. Keck Foundation, one of the nation’s largest charitable foundations, primarily supports higher education, medical research, and science. The Foundation also maintains a Southern California Grant Program that provides support in the areas of civic and community services, health care, precollege education, and the arts. The Board of Directors of Constitutional Rights Foundation is grateful to the W.M. Keck Foundation for its vision and generosity.
The Challenge of Diversity
TEACHER’S GUIDE

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INTRODUCTION

This volume focuses on diversity in America. This vast subject might include race, ethnic groups, religion, gender, sexual orientation, disability, and other important topics. To provide as full a discussion as possible in this book’s limited space, we have decided to concentrate on issues of race and ethnicity. In this volume, *The Challenge of Diversity*, we consider contributions made and challenges faced by our country’s racial and ethnic communities.

This Teacher’s Guide is designed to provide instructional support for classroom use of *The Challenge of Diversity*. The student text is organized into five major chapters.

1. The Ideal of Equality focuses on the constitutional and legal doctrines that developed to ensure blacks and other minority groups equal protection under the law.
2. A Diverse Nation provides a brief historical review of the experiences and struggles of various ethnic groups during the 19th and early 20th century.
3. The Civil Rights Movement covers the turbulent period between 1954 and 1972 that changed America. It examines the goals and strategies of social protest, landmark Supreme Court decisions, congressional civil rights legislation, and Mexican-American activism.
4. Issues and Policies explores current issues of diversity—affirmative action, reparations for slavery, multiculturalism, bilingual education, hate crimes, and, evaluations of progress in race relations.
5. Bringing Us Together tells of governmental and grassroots efforts to bring people together. It provides case studies of successful school-based projects and introduces students to methods for planning and implementing their own project.

In addition to readings that provide a substantive focus on issues relating to diversity, each chapter contains these features:

- Points of Inquiry: Questions about the various texts to promote classroom thought and discussion.
- Civil Conversations: Brief readings that raise issues for structured discussions.
- Diversity Checklists: Short guides that give students tips on approaching issues of diversity.
- Profiles: Short biographies of individuals who illustrate America’s ethnic diversity.

This Teacher’s Guide and *The Challenge of Diversity* have been made possible by a generous grant from the W.M. Keck Foundation as part of a series that focuses on critical challenges facing America and its constitutional democracy as we enter the 21st century.

Overview of the Teacher’s Guide

This Teacher’s Guide provides recommended lesson sequences incorporating readings, directed discussions, and interactive activities supported by reproducible student handouts. Also included are instructions for utilizing the Civil Conversation feature, a culminating lesson, and a final assessment.

Each lesson is structured with an overview, learning objectives; standards addressed in the lesson; preparation needed for the lesson; and step-by-step procedures for the lesson.

The standards listed are National Standards for Civics and for U.S. History. Most states have adopted standards similar to these. In addition, all our lessons involve critical thinking and meet the National Standards for Thinking and Reasoning. Below are the six thinking and reasoning standards:

1. Understands and applies the basic principles of presenting an argument.
2. Understands and applies basic principles of logic and reasoning.
3. Effectively uses mental processes that are based on identifying similarities and differences (compares, contrasts, classifies).
4. Understands and applies basic principles of hypothesis testing and scientific inquiry.
5. Applies basic trouble-shooting and problem-solving techniques.
6. Applies decision-making techniques.

You can find the specifics under each standard at the web site of McREL, Mid-continent Research for Education and Learning: http://www.mcrel.org/standards-benchmarks/standardslib/think.html
Note: Some of the people on the list are profiled briefly in the student book.

Step 3. Give students a deadline for the assignment. On the day of the deadline, collect the papers, grade them, turn them back to students. Inform students that their oral presentations to the class will be spread throughout the remainder of the time you spend on The Challenge of Diversity. Tell individual students a few days in advance of when you want their presentations.

CIVIL CONVERSATION

As an additional activity, conduct a Civil Conversation using the reading on page 13 and the procedures outlined on page 25 of this guide.

Chapter 3: The Civil Rights Movement

LESSON 5: SOCIAL PROTESTS

OVERVIEW

In this lesson, students examine the civil rights movement of the 1950s and '60s. First, students read and discuss a short history of the civil rights movement. Next, in a small-group activity, students apply a diversity checklist to four hypothetical case studies involving contemporary problems of diversity.

OBJECTIVES

Students will be able to:

1. Recall significant protests during the civil rights movement.
2. Analyze various protest tactics used by the civil rights movement.
3. Develop plans of action for hypothetical contemporary problems of diversity.

STANDARDS ADDRESSED

U.S. History Standards for High School:

- Understands the struggle for racial and gender equality and for the extension of civil liberties. Specifically:
  - . . . Understands how diverse groups united during the civil rights movement (e.g., the escalation from civil disobedience to more radical protest).

Civics Standards for High School:

- Understands the essential characteristics of limited and unlimited governments. Specifically:
  - . . . Understands how civil society allows for individuals or groups to influence government in ways other than voting and elections.

- Understands the roles of voluntarism and organized groups in American social and political life. Specifically:
  - . . . Knows the historical and contemporary role of various organized groups in politics.

- Understands how participation in civic and political life can help citizens attain individual and public goals. Specifically:
  - . . . Knows historical . . . examples of citizen movements seeking to . . . insure the equal rights of all citizens . . . (e.g., civil rights movement).

PREPARATION

You will need a copy of Handout C for each student.

PROCEDURE

A. Focus Activity: Write on the board “famous people,” “demonstrations or protests,” “court cases,” and “laws.” Ask students: “What famous people, demonstrations, court cases, or laws do you know about from the civil rights movement of the 1950s and ’60s?” As students come up with answers, write them under the proper category on the board. When they finish brainstorming, point out to students that the civil rights movement can be divided into three parts—the social protests, courtroom struggles, and legislative action. Tell them that they are going to find out about all three parts.

B. Reading and Discussion: Ask students to read Social Protests on page 25. Hold a class discussion using the Points of Inquiry on page 29.

1. What do you think were the most effective protest strategies used during the civil rights movement? Why?
2. During the civil rights movement, Martin Luther King stressed the involvement of many groups and reached out to people of all colors in the struggle for equality. In contrast, the black power movement focused on organizing blacks, sometimes to the exclusion of other groups. What are the strengths and weaknesses of each approach: Which do you think is more effective? Why?

C. Small-Group Activity: Solving Problems of Diversity

Step 1. Tell students that in this activity, they are going to role play community groups addressing contemporary problems of diversity. Stress that the problems of today are different than the problems in the South in the 1950s and probably call for different tactics.

Step 2. Divide the class into groups of two to three students. Tell students that they are going to use Diversity Checklist: A B L E on page 28 to help them address problems of diversity. Review the checklist with students.

Step 3. Distribute Handout C—Addressing Problems of Diversity Today to each student. Review the handout instructions and answer any questions they may have. Monitor each group’s progress during the activity.

Step 4. Call on groups to tell how they would solve Case #1. Let class members discuss each group’s solution. Repeat for each case.

Step 5. Debrief the activity by asking students the following questions:

- What problems in race relations exist in America today? How are these problems different from the 1950s? How are they similar?
- Do you think that the tactics and strategies that civil rights activists used in the 1950s and ’60s would apply to today’s racial and ethnic conflicts? Why or why not?

LESSON 6: IN THE COURTS

OVERVIEW

In this lesson, students explore how the courts have interpreted the 14th Amendment to guarantee equal protection of the laws to racial minorities. First, students read and discuss an article on how the civil rights movement used the courts to overturn legal segregation. Then in pairs, students analyze hypothetical cases using a 14th Amendment checklist.

OBJECTIVES

Students will be able to:

1. Explain how the civil rights movement used the courts to overturn legal segregation.
2. Apply the 14th Amendment’s equal protection clause to hypothetical situations.

STANDARDS ADDRESSED

U.S. History Standards for High School:

- Understands the struggle for racial equality. Specifically:
  - the connection between Supreme Court decisions (e.g., Plessy v. Ferguson and Brown v. Board of Education) and the civil rights movement.

Civics Standards for High School:

- Understands the various purposes that constitutions serve. Specifically:
  - Understands how constitutions can be vehicles for change and for resolving social issues (e.g., use of the 14th Amendment to the U.S. Constitution in the civil rights movement of the 1950s and 1960s).

- Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights. Specifically:
  - Knows historical and contemporary illustrations of the idea of equal protection of the laws for all persons (e.g., the 14th Amendment).
  - Knows historical ... instances in which judicial protections have not been extended to all persons and instances in which
jurisdiction protections have been extended to those deprived of them in the past.

Understands issues regarding personal, political, and economic rights. Specifically:

. . . Knows major documentary sources of rights such as court decisions.

**PREPARATION**

You will need a copy of Handout D for each pair of students.

**PROCEDURE**

A. **Focus Discussion:** Tell students that the civil rights movement achieved some of its greatest victories in court. Inform them that the Supreme Court struck down segregation laws as violating the 14th Amendment’s guarantee of equal protection of the laws. Ask students what “equal protection of the laws” means. Hold a brief discussion.

B. **Reading and Discussion:** Ask students to read *In the Courts* on page 30. Conduct a class discussion using the Points of Inquiry questions on page 34.

1. What was the decision in *Plessy v. Ferguson*? Why was it important?

2. Why do you think NAACP attorneys chose graduate schools as their first line of attack on the doctrine of separate but equal?

3. Why do you think the court scrutinizes most closely classifications based on race and ethnicity? Do you think these classifications deserve more attention than others? Explain.

C. **Paired Activity: Equal Protection Analysis**

Step 1. Inform students that the last part of the article they read summarized how courts analyze equal protection cases. Tell them this analysis is distilled in Diversity Checklist: SCOPE on page 33. Ask them to read this. When they finish reading, discuss each step in the analysis.

Step 2. Inform students that in this activity they are going to act as justices of the U.S. Supreme Court deciding three equal protection cases. Divide students into pairs. Distribute Handout D—Equal Protection of the Laws to each pair. Review the instructions and give and give them time to complete their tasks.

Step 3. When they finish, ask those pairs to stand who think case #1 violates the 14th Amendment. Ask for reasons from those standing and sitting. (See Issues That Should Be Discussed in Each Case below for the issues raised by each case.)

Step 4. Repeat the process for the remaining cases.

Step 5. Debrief by discussing these questions:

- What do you think the court means by a “compelling reason”?

- Why do you think the court imposes the highest level of scrutiny on laws that affect racial and ethnic groups? Do you think it should? Explain.

**Issues That Should Be Discussed in Each Case**

When discussing these cases, it’s probably best to have students go step-by-step through the analysis provided in SCOPE, the diversity checklist. Below are the major points that you should be sure to discuss.

**Case #1:** The state is classifying people into racial and ethnic groups for the purpose of determining who gets admitted to the elementary school. The major issue here is: Does the state have a compelling interest in doing this?

**Case #2:** The case seems to meet all the requirements for violating the 14th Amendment except one—state action. Unless students can somehow make the argument for state action in this case, there is no violation of the 14th Amendment.

**Case #3:** The state is classifying people into racial groups to determine who gets pulled over by police. The major issue here is: Does the state have a compelling interest in doing this?
LESSON 7: CONGRESS ACTS

OVERVIEW

In this lesson, students examine the Civil Rights Act of 1964 and the Voting Rights Act of 1965, the two most important pieces of legislation passed during the civil rights years. First, students read and discuss an article on these two acts. Then students write an opinion piece on what problems of discrimination still exist in America and whether legislation or other methods can remedy these problems.

OBJECTIVES

Students will be able to:

2. Produce an opinion essay on what problems of discrimination exist in America and whether legislation can remedy these problems.

STANDARDS ADDRESSED

U.S. History Standards for High School:

Understands the struggle for racial equality. Specifically:

... the connection between legislative acts and the civil rights movement.

Understands domestic policies in the post-World War II period. Specifically:

... Understands characteristics of the Johnson presidency (e.g., how Johnson’s presidential leadership contrasted with and was affected by the Kennedy legacy).

Civics Standards for High School:

Understands issues concerning the disparities between ideals and reality in American political and social life. Specifically:

... Knows historical ... efforts to reduce these disparities (e.g., civil rights legislation and enforcement).

Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights. Specifically:

... Knows historical ... illustrations of equal protection of the laws for all persons (e.g., equal opportunity legislation).

PROCEDURE

A. Focus Discussion: Ask students: “Can laws do anything to prevent discrimination?” Hold a brief discussion.

B. Reading and Discussion: Ask students to read Congress Acts on page 34. Conduct a class discussion using the Points of Inquiry questions on page 36.

1. What did the Civil Rights Act of 1964 and Voting Rights Act of 1965 do? Why do you think they were effective?
2. What problems of discrimination exist in America today? Do you think laws can remedy these problems? Explain.

C. Writing Activity: What Can Be Done About Problems of Discrimination Today?

Step 1. Ask students to imagine they are editorial writers for the local newspaper. Tell them their assignment is to write an editorial on what can be done about problems of discrimination in America today.

Step 2. Explain that their opinion piece should address these questions:

- What problems of discrimination still exist in America?
- What can be done about these problems? Specifically they should address whether legislation can affect the problems they describe. If they believe it can, they must tell what laws need to be passed or enforced and why they will help. If they believe legislation cannot help, they must explain why and tell what they think can help.

Step 3. After students have turned in their papers, debrief by holding a discussion based on the questions addressed in their opinion pieces.
LESSON 8: THE CHICANO MOVEMENT

OVERVIEW

In this lesson, students explore an often overlooked part of the civil rights movement, the Chicano movement. First, they read and discuss an article on the Chicano rights movement. Then, in small groups, students role play legislative advisers who must form an opinion about a hypothetical farm workers program.

OBJECTIVES

Students will be able to:

1. Recall significant aspects of the Chicano rights movement.
2. Evaluate the pros and cons of a hypothetical contemporary farm workers program.

STANDARDS ADDRESSED

U.S. History Standards for High School:

- Understands the struggle for racial equality. Specifically:
  - Understands how diverse groups united during the civil rights movement (e.g., the issues and goals of the farm labor movement and La Raza Unida).

Civics Standards for High School:

- Understands issues concerning the disparities between ideals and reality in American political and social life. Specifically:
  - Knows historical efforts to reduce discrepancies between ideals and reality in American public life.
- Understands the role of diversity in American life. Specifically:
  - Knows examples of conflicts stemming from diversity.

PREPARATION

You will need a copy of Handout E for each student.

PROCEDURE

A. Focus Discussion: Hold a discussion on the Mexican-American saying: “We didn’t cross the border; the border crossed us.” Ask students what this saying means. Try to elicit that Mexicans occupied the Southwest before the area became part of the United States and that the U.S.-Mexico border has given rise to a number of immigration issues, including that of migrant farm workers.

B. Reading and Discussion: Ask students to read The Chicano Movement on page 37. Conduct a class discussion using the Points of Inquiry on page 39.

1. What non-violent strategies did Cesar Chavez employ in his work with the United Farm Workers?
3. What reasons did Los Angeles high school students give for walking out of their classrooms in 1968? Do you think such walkouts are ever justified? Explain.

C. Small-Group Activity—Legislative Adviser

Step 1. Divide the class into small groups of three or four students.

Step 2. Explain to students that in this activity, they are going to take the role of advisers to a member of the U.S. Congress. Congress is going to vote on a proposal to establish a guest-worker program making it easier for farmers to recruit Mexican citizens as temporary workers in the United States.

Step 3. Distribute Handout E—Legislative Adviser to each student. Review the guest-worker proposal and the arguments for and against its passage into law. Tell them they can also refer to the part of the article on the farm workers’ union. Give students time to complete the assignment.

Step 4. When they finish, ask which groups support the guest-worker proposal. Ask for their reasons. Ask which groups oppose the guest-worker proposal and for their reasons.

Step 5. Debrief the activity by asking which arguments on both sides were the strongest.
THE

CHALLENGE

OF

DIVERSITY

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INTRODUCTION

For more than 200 years, the Constitution and the Bill of Rights have guided the United States. The Constitution defined a federal form of government that has served us well. The Bill of Rights limited the powers of that government and provided Americans with an unprecedented level of personal and political freedom.

Over the past two centuries, our republic has faced many challenges, such as war, internal dis- sension, and economic turmoil. As we enter a new millennium, America will face new challenges testing our unity, our principles, and our system of government.

It is the young people of today who will face these challenges. They will be tomorrow’s voters, community leaders, politicians, and citizens. They will be asked to decide on issues unknown to us today, and the quality of those decisions will determine whether our constitutional system will endure. It is to these young people that this series is dedicated.

This volume in the series focuses on diversity in America. This vast subject might include race, ethnic groups, religion, gender, sexual orientation, disability, and other important topics. To provide as full a discussion as possible in this book’s limited space, we have decided to concentrate on issues of race and ethnicity. In this volume, The Challenge of Diversity, we consider the contributions made and challenges faced by our country’s racial and ethnic communities.
The story of America is the story of its diverse peoples. The First Americans arrived more than 12,000 years ago and developed a rich array of cultures. Then came European explorers and colonists—the Spanish, Portuguese, English, Dutch, French—who conquered the land and displaced its original inhabitants. Soon, Africans, against their will, were transported as slaves to work cultivating and building. Waves of immigrants followed, each group seeking opportunity and freedom in a new land. The process continues today.

The story has a dark side. It tells of slavery, nativism, prejudice, and the majority oppressing the minority. But in its ideals, America has stood for the principles of equality as expressed in the Declaration of Independence, the Constitution, and the Bill of Rights. How these principles have been honored and abused is a story of both tragedy and triumph.

With these materials, we invite students to confront the challenges of living in a diverse society by looking at the past, present, and future. First, we consider the ideals of equality as contained in our founding and legal traditions. Next, we examine the contributions and struggles of various groups who have lived the American experience. Then, we discuss the civil rights movement and its crusade to achieve our ideals of equality. Following this, we explore controversies and public-policy issues concerning equality and diversity that confront us today. Finally, we invite students to contribute their own ideas and actions to help assure equality and harmony in their own communities.
Social Protests

The modern civil rights movement in America took place from the mid-1950s through the early 1970s. This turbulent period transformed America, changing it into a society with greater racial equality. The civil rights movement first focused on overturning the South’s legal segregation, its so-called Jim Crow laws. Later, it turned toward fighting racial discrimination in housing and employment, problems that affected the entire nation.

This huge sprawling movement can be divided into three strategic areas. One is social activism—the protests, demonstrations, and boycotts. Another is the legal struggle that took place in courts. The third occurred in the legislative arena, getting Congress and the president to enact civil rights laws and enforce them.

The three areas interacted. The social protests led to arrests, resulting in court cases, which in turn led to court rulings outlawing segregation. The protests, with all their publicity, also helped force Congress and the president to act. The process also worked in reverse. New laws and court decisions, if ignored, caused more protests.

The civil rights movement grew out of a long history of social protest. In the South, any protest risked violent retaliation. Even so, between 1900 and 1950, community leaders in many Southern cities protested segregation. The National Association for the Advancement of Colored People (NAACP), the leading civil rights organization of this era, battled racism by lobbying for federal anti-lynching legislation and challenging segregation laws in court.

Following World War II, a great push to end segregation began. The NAACP grew from 50,000 to half a million members. The walls of segregation that existed outside the South started crumbling. In 1947, Jackie Robinson broke the color barrier in Major League Baseball and soon black athletes participated in all professional sports. In 1948, President Harry S. Truman ordered the integration of the armed forces.

The greatest victory occurred in 1954. In Brown v. Board of Education, the U.S. Supreme Court ruled unconstitutional separate schools for blacks and whites. This deeply shocked many Southern whites. White Citizens Councils, joined by prominent citizens, sprouted throughout the South. They vowed that integration would never take place. In this atmosphere, the social protests of the civil rights movement were born.

THE MONTGOMERY BUS BOYCOTT

In December 1955 in Montgomery, Alabama, one of the first major protests began. Rosa Parks, a black woman, refused to give her bus seat to a white passenger, as required by the city’s segregation laws. Although often depicted as a weary older woman too tired to get up and move, Parks was actually a longtime, active member of the NAACP. A committed civil rights activist, she decided that she was not going to move. She was arrested and jailed for her defiant and courageous act.

The NAACP saw Parks’ arrest as an opportunity to challenge segregation laws in a major Southern city. The NAACP called on Montgomery’s black political and religious leaders to advocate a one-day boycott protesting her arrest. More than 75 percent of Montgomery’s black residents regularly used the bus system. On the day of the boycott, only eight blacks rode Montgomery’s buses.

The success of the one-day boycott inspired black leaders to organize a long-term boycott. They demanded an end to segregation on the city’s buses. Until this demand was met,
blacks would refuse to ride Montgomery’s buses. A young Baptist minister named Martin Luther King Jr. led the boycott.

Car pools were organized to get black participants to work. Many walked where they needed to go. After a month, Montgomery’s businesses were beginning to feel the boycott’s effects. Some segregationists retaliated. Blacks were arrested for walking on public sidewalks. Bombs exploded in four black churches. King’s home was firebombed.

King conceived of a strategy of non-violence and civil disobedience to resist the violent opposition to the boycott. In school, Henry David Thoreau’s writings on civil disobedience had deeply impressed King. But King did not believe the Christian idea of “turning the other cheek” applied to social action until he studied the teachings of Mahatma Gandhi, who introduced the “weapon” of non-violence during India’s struggle for independence from Great Britain. “We decided to raise up only with the weapon of protest,” King said. “It is one of the greatest glories of America. . . . Don’t let anyone pull you so low as to hate them. We must use the weapon of love.” The tactic of non-violence proved effective in hundreds of civil rights protests in the racially segregated South.

The Montgomery bus boycott lasted 382 days. It ended when the U.S. Supreme Court ruled that segregation on the city’s buses was unconstitutional.

The success of the boycott propelled King to national prominence and to leadership in the civil rights movement. When some Southern black ministers established the Southern Christian Leadership Conference (SCLC) in 1957, they chose King as its leader. The SCLC continued to lead non-violent boycotts, demonstrations, and marches protesting segregation throughout the South.

THE SIT-INS

In February 1960, four black college freshmen sat down at a segregated Woolworth’s lunch counter in Greensboro, North Carolina, and politely asked to be served. They were ignored but remained seated until the counter closed. The next day they returned with more students, who sat peacefully at the counter waiting to be served. They, like the protesters in Montgomery, were practicing non-violent civil disobedience. The Greensboro lunch-counter demonstrations were called “sit-ins.” As word of them spread, other students in cities throughout the South started staging sit-ins. By April 1960, more than 50,000 students had joined sit-ins.

The tactic called for well-dressed and perfectly behaved students to enter a lunch counter and ask for service. They would not move until they were served. If they were arrested, other students would take their place. Students in Nashville, Tennessee, created some basic rules for sit-ins:

- Do show yourself friendly on the counter at all times.
- Do sit straight and always face the counter.
- Don’t strike back, or curse back if attacked.
- Don’t laugh out.
- Don’t hold conversations.
- Don’t block entrances.

Students in many cities endured taunts, arrests, and even beatings. But their persistence paid off. Many targeted businesses began to integrate.

In October 1960, black students across the nation formed the Student Nonviolent Coordinating Committee (SNCC—pronounced “snick”) to carry on the work that students had begun in the Greensboro sit-ins. SNCC operated throughout the deep South, organizing demonstrations, teaching in “freedom schools,” and registering voters.

THE FREEDOM RIDE

Some of the most dangerous and dramatic episodes of the civil rights movement took place on the Freedom Ride. This was organized in 1961 by the Congress of Racial Equality (CORE), a civil rights group committed to direct, non-violent action. More than a decade earlier, the U.S. Supreme Court had declared segregation on interstate buses and in inter-
state terminals unconstitutional. Despite this decision, the buses and stations remained rigidly segregated.

In May 1961, black and white freedom riders boarded buses bound for Southern states. At each stop, they planned to enter the segregated areas. CORE Director James Farmer said: “We felt we could count on the racists of the South to create a crisis so that the federal government would be compelled to enforce the law.” At first, the riders met little resistance. But in Alabama, white supremacists surrounded one of the freedom riders’ buses, set it afire, and attacked the riders as they exited. Outside Birmingham, Alabama, a second bus was stopped. Eight white men boarded the bus and savagely beat the non-violent freedom riders with sticks and chains.

When he heard about the violence, President Kennedy sent federal agents to protect the freedom riders. Although the president urged the freedom riders to stop, they refused. Regularly met by mob violence and police brutality, hundreds of freedom riders were beaten and jailed. Although the Freedom Ride never reached its planned destination, New Orleans, it achieved its purpose. At the prodding of the Kennedy administration, the Interstate Commerce Commission ordered the integration of all interstate bus, train, and air terminals. Signs indicating “colored” and “white” sections came down in more than 300 Southern stations.

BIRMINGHAM

In 1963, Martin Luther King announced that the SCLC would travel to Birmingham, Alabama, to integrate public and commercial facilities. In defiance of Supreme Court orders, Birmingham had closed its public parks, swimming pools, and golf courses rather than integrate them. Its restaurants and lunch counters remained segregated.

Peaceful demonstrators singing “We Shall Overcome” met an enraged white populace and an irate police chief named Eugene “Bull” Connor. Day after day, more demonstrators, including King, were thrown in jail. After a month, African-American youth, aged 6 to 18, started demonstrating. They too were jailed, and when the jails filled, they were held in school buses and vans. As demonstrations continued, Connor had no place left to house prisoners. Americans watched the evening news in horror as Connor used police dogs, billy clubs, and high-pressure fire hoses to get the young demonstrators off the streets. As tension mounted, city and business leaders gave in. They agreed to desegregate public facilities, hire black employees, and release all the people in jail.

MARCH ON WASHINGTON

The violence in Birmingham and elsewhere in the South prompted the Kennedy administration to act. It proposed a civil rights bill outlawing segregation in public facilities and discrimination in employment. The bill faced solid opposition from Southern members of Congress. In response, civil rights leaders organized a massive march on Washington, D.C. On August 28, 1963, hundreds of thousands of Americans traveled to the nation’s capital to demonstrate for civil rights. The peaceful march culminated in a rally where civil rights leaders demanded equal opportunity for jobs and the full implementation of constitutional rights for racial minorities. Martin Luther King delivered his famous “I Have a Dream” speech. It inspired thousands of people to increase their efforts and thousands of others to join the civil rights movement for the first time. Full press and television coverage brought the March on Washington to international attention.

In July 1964, President Johnson, surrounded by civil rights leaders, signed the Civil Rights Act of 1964 into law. This was the most important civil rights act since Reconstruction, almost a hundred years earlier.

MISSISSIPPI FREEDOM SUMMER

Much of the civil rights movement focused on voting rights. Since Reconstruction, Southern states had systematically denied African
Americans the right to vote. Perhaps the worst example was Mississippi, the poorest state in the nation. Many Mississippi counties had no registered black voters. Blacks lived under the constant threat of violence. Medgar Evers, a major civil rights leader in Mississippi, was murdered outside his home in 1963.

In 1964, SNCC and other civil rights organizations turned their attention to Mississippi. They planned to register Mississippi blacks to vote, organize a Freedom Democratic Party to challenge the whites-only Mississippi Democratic party, establish freedom schools, and open community centers where blacks could obtain legal and medical assistance.

In June, only days after arriving in Mississippi, three Freedom Summer workers disappeared. They had been arrested for speeding and then released. On August 4, their bodies were found buried on a farm. The discovery directed the media’s attention to Mississippi, just two weeks before the Democratic National Convention was scheduled to begin.

A major dispute over the Mississippi delegation was brewing. The Mississippi Freedom Democratic Party had elected delegates to attend the convention. They demanded to be seated in place of the segregationist Mississippi Democrats. Ultimately, a compromise was struck, but the power struggle at the convention raised the issue of voting rights before the entire nation.

SELMA

In December 1964, the SCLC started a voter-registration campaign in Selma, Alabama. Although blacks outnumbered whites in Selma, few were registered to vote. For almost two months, Martin Luther King led marches to the courthouse to register voters. The sheriff responded by jailing the demonstrators, including King. The SCLC got a federal court order to stop the sheriff from interfering, but election officials still refused to register any blacks.

Non-violent tactics require courage. Here, a 17-year-old civil rights demonstrator in Birmingham, Alabama is attacked by police dogs.

Diversity Checklist: Problem Solving

A B L E

Problems among groups, like other problems, can be confronted and solved. It takes skill and patience to tackle many problems. Use the tips in ABLE to help you solve problems.

A nalyze. Take a good look at the problem. Discuss it with others. What are your goals? What results do you want to achieve? Are there any outcomes that you want to prevent? Write down your goals in order of importance.

B rainstorm. What could you do to achieve your goals? Brainstorm a list of ways you could respond to the situation.

L imit. Limit your list to those items that have the most promise. Try to get your list down to no more than five items.

E valuate. Weigh each option. Is it likely to achieve your goals? What other results might it have? How might other people respond? Based on your goals, select the best option.
King decided to organize a march from Selma to Montgomery, the state capital. As marchers crossed the Edmund Pettis Bridge out of Selma, state police attacked. A national television audience watched police beat men, women, and children mercilessly. This brutal attack shocked the nation and galvanized support for the Voting Rights Act of 1965, which would put elections in Southern states under federal control.

Two weeks later, the march resumed under federal protection. More than 20,000 people celebrated when the marchers reached Montgomery, the site of the bus boycott 10 years earlier.

THE NORTH

Civil rights demonstrations also took place in the North. Although legal segregation existed primarily in the South, Northern blacks endured discrimination in employment and housing. Most lived in poverty in urban ghettos. King led demonstrations in Chicago, which the U.S. Commission on Civil Rights called the “most residentially segregated large city in the nation.” Complaints of police brutality mobilized many African Americans and their supporters. They organized street rallies, picket lines, and other forms of non-violent protest that had dominated the civil rights movement in the South. Like their counterparts in the South, many of these protesters encountered hostility among the white population.

Until the 1960s, the civil rights movement had been integrated and non-violent. As the decade continued, however, the mood of confrontation intensified, reflecting the growing frustration of millions of African Americans. Major riots broke out in American cities, including Newark, Detroit, and Los Angeles. Thousands of injuries and arrests intensified the social conflicts. The 1968 assassination of Martin Luther King sparked more violence, forcing the United States to confront its most troubling domestic crisis since the Civil War.

A “black power” movement emerged, challenging the philosophies of non-violence and integration. Like the non-violent movement, this development had powerful historical roots. It originated in the violent resistance against slavery and continued in the outlook of major black spokespersons throughout the 20th century. In the late 1960s, SNCC and CORE adopted “black power.” Activists argued that legal gains alone without corresponding economic and political power would deny millions of African Americans equal opportunity.

By the end of the decade with the Vietnam War escalating, the entire nation was in turmoil. Anti-war protests crossed paths with unrest in the cities. Black power took many forms. The Nation of Islam preached black separatism. Members of the Black Panther Party set up breakfast programs for children and published a daily newspaper while they armed themselves for a revolution. The media shifted focus from non-violent black leaders to the most radical black spokespersons. These new, more militant philosophies created considerable anxiety in mainstream America. By the mid-1970s, however, the Vietnam War had ended and the protests had subsided.

But the civil rights movement left a lasting legacy, forever changing the face of America. It pushed America toward its stated ideal of equality under the law. Blacks now vote freely throughout the South. The injustices and indignities of racially segregated restaurants, bathrooms, and theaters have become a regrettable relic of the past. The civil rights movement did not end America’s racial problems, but it showed that great changes are possible.

POINTS OF INQUIRY

1. What do you think were the most effective protest strategies used during the civil rights movement? Why?

2. During the civil rights movement, Martin Luther King stressed the involvement of many groups and reached out to people of all colors in the struggle for equality. In contrast, the black power movement focused on organizing blacks, sometimes to the exclusion of other groups. What are the strengths and weaknesses of each approach? Which do you think is more effective? Why?
In the Courts

Courtroom battles played a significant role in the civil rights movement. For many years, civil rights leaders waged hard-fought and carefully planned legal battles to overturn legal segregation and achieve equality under the law.

As originally written, the U.S. Constitution did little to protect the rights of African Americans. It did not abolish slavery. It offered little protection from racial discrimination. Following the Civil War, however, three amendments were added to the Constitution. The 13th Amendment abolished slavery. The 14th Amendment granted citizenship to everyone born in the United States. It also banned states from limiting citizens’ rights, depriving them of due process of law, or denying “any person . . . the equal protection of the laws.” The 15th Amendment prohibited racial discrimination in voting. These amendments offered promises that African Americans would finally achieve equal treatment under the law.

The slaves were freed, and for a few years blacks exercised previously unknown freedoms during Reconstruction when federal troops occupied the defeated South. But the rights of African Americans declined dramatically after federal troops withdrew in 1877. With local white rule restored, Southern blacks lived under a constant threat of violence. Those seeking to vote were frequently intimidated. In the latter 19th century, Southern states started adopting Jim Crow laws, which established different rules for black and white people. These laws ordered strict racial segregation in all public areas, including hospitals, restaurants, hotels, trains and buses, playgrounds, and even cemeteries. Signs marked “white” and “colored” dominated the South, ensuring that African Americans would be treated as second-class citizens.

PLESSY v. FERGUSON

In 1892, some Republicans in New Orleans decided to challenge Jim Crow laws with a test case. They enlisted Homer Plessy, a light-skinned African American, to board a railroad train bound for Covington, Louisiana. Refusing to sit in the “colored only” section, Plessy instead sat in the section reserved for whites. Arrested and convicted for this act of defiance, he appealed to the U.S. Supreme Court. By an 8–1 vote in *Plessy v. Ferguson*, the court rejected Plessy’s arguments that the Louisiana Jim Crow law violated his constitutional rights under the 13th and 14th Amendments.

Writing for the majority, Justice Henry Brown held that this law had nothing to do with slavery and therefore it did not violate the 13th Amendment. He also ruled that the 14th Amendment was not intended to enforce the social equality of the races in America. He maintained that laws requiring the separation of the races implied no inferiority of either race. They were, he argued, merely passed to protect the common good, not to annoy or oppress anyone. Brown stated that if black people regarded such laws as a badge of inferiority, that was merely their interpretation. He ruled that segregated facilities in public transportation and other areas of life, including education, were constitutionally permissible, as long such facilities were equal. This case created the “separate but equal” doctrine, which lasted until 1954.

The sole dissenter, Justice John Harlan, blasted the decision. He predicted that it would “prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott Case,” an infamous pro-slavery decision made before the Civil War. He explained:

The destinies of the two races in this country are indissolubly linked together, and the interests of both require that the common government of all shall not permit the seeds of race hate to be planted under the sanction of law. What can more certainly arouse race hate, what more certainly create and perpetuate a feeling of distrust between these races, than state enactments which, in fact, proceed on the ground that colored citizens are so inferior and degraded that they cannot be
allowed to sit in public coaches occupied by white citizens.

Harlan stated that Jim Crow laws violated both the 13th and 14th amendments. The 13th Amendment, he argued, barred any “badge of servitude.” The 14th Amendment, he said, made it clear that the “Constitution is color-blind, and neither knows nor tolerates classes among citizens.”

Most 20th century historians and legal experts have sided with Harlan. They rejected the “separate but equal” doctrine as deceptive and fraudulent. Public schools and other facilities for African Americans were never equal and were usually extremely inferior.

The decision in *Plessy v. Ferguson*, however, gave segregation a solid legal foundation. No major challenge was mounted against it for many years. The National Association for the Advancement of Colored People (NAACP), the leading civil rights organization, concentrated on other battles, such as campaigning against lynching and trying to ensure fair trials for criminal defendants.

In the 1930s, however, the NAACP began challenging legal segregation. Led initially by Charles Houston and later by Thurgood Marshall, NAACP attorneys started the legal battle by focusing on graduate and professional school education. They believed that winning legal battles for integration at this level would be easiest and would create the legal basis for a broader attack on racial segregation at all levels. The efforts of the NAACP represent one of the greatest legal strategies in American history. Many of these courageous lawyers risked their personal safety when they traveled through the South, often meeting hostility from police and other whites.

**GRADUATE SCHOOL DESEGREGATION CASES**

Their initial efforts brought significant legal success. Known generally as the “graduate school desegregation cases,” these early victories broke down the myth of “separate but equal” facilities for advanced African-American students. In 1936, a federal appeals court ordered the University of Maryland to admit a black student it had rejected due to his race. The state had no separate facility for blacks. Two years later, the U.S. Supreme Court ordered the University of Missouri Law School to admit a black student it had excluded. The state had no separate law school for blacks, but had offered to send the student to an out-of-state school for blacks. The court ruled that this offer did not “remove the discrimination,” which violated the 14th Amendment.

The Second World War put a momentary stop on the graduate school cases. But following the war came its two most significant victories. The first involved a black law student, Herman Sweatt, who was denied admission to the University of Texas Law School because of his race. Responding to Sweatt’s lawsuit, the state of Texas built a separate law school in Austin for black students. It consisted of three small basement rooms in an office building not far from both the state capitol and the whites-only law school of the University of Texas.

After five years of litigation, Sweatt attained his legal victory. In 1950 in *Sweatt v. Painter*, the U.S. Supreme Court unanimously ordered his admission to the University of Texas. It rejected the state’s argument that the newly established law school for blacks was even remotely equal to the facilities for white law students.

In the second case, a federal court had ordered the University of Oklahoma to admit a black graduate student. The university had
admitted the student, but roped him off from other students, reserving a special section for him in classes, at the library, and in the cafeteria. In 1950 in *McLaurin v. Oklahoma State Regents for Higher Education*, a unanimous Supreme Court ordered the school to end this segregation. The court stated that under the 14th Amendment the student “must receive the same treatment . . . as students of other races.”

During the 1940s, NAACP lawyers had achieved other significant victories. In *Morgan v. Virginia*, the Supreme Court struck down segregation on interstate transportation because it impeded interstate commerce. In *Smith v. Allwright* the court ruled that the Southern practice of holding whites-only primary elections violated the 15th Amendment.

In 1948 in *Shelley v. Kraemer*, the court struck down racial restrictive covenants. Common in many parts of the country, these were agreements, often recorded in deeds, that an owner would not sell the land to specified minorities. In this case, despite a covenant against selling to blacks or Asians, the owner sold the property to a black couple. The other property owners sued in state court to prevent the sale. When the case reached the Supreme Court, NAACP attorneys argued that enforcing these covenants violated the 14th Amendment’s guarantee of equal protection under the law. The property owners argued that the 14th Amendment only protected against state action and since these private agreements did not involve the state, the 14th Amendment did not apply. The Supreme Court agreed that the agreements by themselves did not involve state action. But the unanimous court pointed out that enforcing them required state action and thus violated the 14th Amendment.

**BROWN v. BOARD OF EDUCATION**

By the 1950s, the rigid legal doctrine supporting segregation had finally been weakened. Thurgood Marshall was preparing for the final legal assault on school segregation, but he faced major opposition even from many committed to full racial equality. They thought that the time was not ripe for such drastic social and legal change. They feared that the Supreme Court would reject a case seeking total racial integration throughout American public education. Such a defeat, they argued, would result in further frustration and continued racial inequality and lack of opportunity.

Determined to succeed, Marshall pushed ahead. NAACP lawyers worked furiously to present the best possible case. In 1952, Marshall presented the legal argument that resulted in the landmark case of *Brown v. Board of Education*. On May 17, 1954, the Supreme Court announced its dramatic unanimous decision: Segregation of children in America’s public schools, when authorized or required by state law, violated the U.S. Constitution, specifically the 14th Amendment’s guarantee of equal protection of the law. Chief Justice Earl Warren relied on scientific evidence in concluding that segregated schools promoted feelings of inferiority in black children. Because this reduced their motivation to learn, Warren and his fellow justices determined that segregated educational facilities were inherently unequal.

The *Brown* decision was one of the most important in the 20th century. More than any other case, it expanded the legal rights of African Americans. For the first time, many blacks saw that American justice system might actually help them achieve full justice and equality. Robert Williams, a Marine Corps veteran and a civil rights leader, spoke for many: “On this momentous night of May 17, 1954, I felt that at last the government was willing to assert itself on behalf of first-class citizenship, even for Negroes. I experienced a sense of loyalty that I had never felt before.”

Following the Supreme Court’s *Brown* decision, the court continued to strike down legal segregation throughout the 1950s and 1960s. In a series of short opinions, the court outlawed segregation in buses, parks, public golf courses, and other places. In each case, the court cited the *Brown* opinion. It upheld the Civil Rights Act of 1964 and the Voting Rights Act of 1965. In 1967 in *Loving v. Virginia*, the court ruled that states could no longer outlaw people of different races from marrying each
In that ruling, Chief Justice Warren noted that the Virginia statute, which the court declared invalid, did nothing more than endorse the doctrine of white supremacy. By the end of the 1960s, the court had ruled against all aspects of legal segregation. The Supreme Court has continued to deal with issues related to race, such as affirmative action and discrimination in the criminal justice system. The court has developed a three-tiered system to deal with equal protection cases under the 14th Amendment.

In most circumstances, when a legislature passes a law that classifies people into groups, the law must only pass a simple test: Is the law reasonably related to a legitimate state purpose? (This is the “rational basis” test—the lowest level of scrutiny.) If the law is, then it
is valid under the 14th Amendment. For example, a law that bans the sale of alcohol to minors serves a legitimate state interest of protecting the welfare of young people.

But if a law classifies people by gender, the court will examine it more closely. This is the second tier—sometimes known as “intermediate scrutiny.” The test for intermediate scrutiny is more demanding: Is the law substantially related to the achievement of an important government purpose?

If, however, the law classifies people by race or ethnicity, it is highly suspect and must be examined extremely closely. In the court’s terms, such a law merits “strict scrutiny,” the highest level of scrutiny. To survive strict scrutiny, a law must pass this test: Is the law necessary to achieve a “compelling state interest”? A compelling state interest is one that is most important and vital to society. Few laws can pass this test.

Although today’s court is more conservative than the Warren Court of the 1950s and ’60s, there is no possibility of a return to legal segregation. The major expansion of legal rights that Charles Houston, Thurgood Marshall, and many other civil rights lawyers successfully fought for during the 1940s and 1950s will remain intact. The United States will never return to the racist practices and legal standards of Plessy v. Ferguson, which dominated national life for decades, causing untold suffering and personal humiliation to millions of American citizens.

### POINTS OF INQUIRY

1. What was the decision in Plessy v. Ferguson? Why was it important?

2. Why do you think NAACP attorneys chose graduate schools as their first line of attack on the doctrine of separate but equal?

3. Why do you think the court scrutinizes most closely classifications based on race and ethnicity? Do you think these classifications deserve more attention than others? Explain.

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### Congress Acts

The civil rights movement deeply affected American society. Among its most important achievements were two major civil rights laws passed by Congress. These laws ensured constitutional rights for African Americans and other minorities. Although these rights were first guaranteed in the U.S. Constitution immediately after the Civil War, they had never been fully enforced. It was only after years of highly publicized civil rights demonstrations, marches, and violence that American political leaders acted to enforce these rights.

President John F. Kennedy proposed the initial civil rights act. Kennedy faced great personal and political conflicts over this legislation. On the one hand, he was sympathetic to African-American citizens whose dramatic protests highlighted the glaring gap between American ideals and American realities. Kennedy understood that black people deserved the full equality they were demanding. He also knew that racial discrimination in the United States, particularly highly public displays of violence and terror against racial minorities, embarrassed America internationally. Moreover, his civil rights legislation generated considerable support among Northern liberals and moderates as well as millions of African-American voters in states where they could vote without difficulty or intimidation.

On the other hand, Kennedy worried about losing the support of white Southern Democrats, still the main political force in that region. He was especially concerned about his re-election prospects in 1964. Facing strong Southern opposition, a reluctant president finally proposed strong civil rights legislation to Congress, admitting privately to civil rights leaders that street protests had forced his hand.

### JOHNSON AND THE CIVIL RIGHTS BILL

Kennedy’s assassination on November 22, 1963, changed the political dynamics of the impending civil rights legislation. Vice President Lyndon B. Johnson succeeded Kennedy and almost immediately intensified the cam-
paign for a major civil rights bill. Although a Southern politician, he had developed compassion for the courageous struggles of African Americans during the civil rights movement. His personal commitment to ensuring full equality for minority citizens, in fact, surpassed Kennedy’s.

Johnson stood in a better position than his predecessor to push the civil rights legislation through Congress. An extremely accomplished politician, Johnson thoroughly understood Congress and its complex operations. For many years, he had served as the Senate majority leader. With the responsibility to guide legislation through Congress, he had worked with colleagues of both parties and different outlooks. During his service, he mastered the art of compromise, gaining many victories for his party’s legislative agenda. He also developed close relationships with senators and representatives of both political parties. He regularly used that personal knowledge, combined with charm, flattery, and threats, to achieve his legislative goals. This skill proved especially useful in getting Congress to pass a major civil rights bill.

President Johnson used another key strategy to pass the civil rights bill. He took advantage of the national sympathy and mourning surrounding Kennedy’s tragic death. In public speeches and private talks, he urged passage of the civil rights act as a lasting legacy to the martyred president. Building widespread public support, he called on religious leaders throughout the nation (especially in the South) to use their influence on behalf of the civil rights act.

The actual battle in Congress took all of Johnson’s political skills. Faced with strong opposition from many Republicans and most Southern Democrats, he resorted to his forceful personal powers. He told Georgia Senator Richard Russell, a major opponent of civil rights legislation, that “if you get in the way, I’m going to run you down.” In the Senate, the president faced a filibuster, a delaying debate that could have killed the entire bill. The filibuster lasted 83 days, the longest in Senate history. But Johnson managed to get the votes to end it. He worked the telephones himself and lobbied personally, “twisting arms” of legislators still unsure of how to vote. Enlisting White House aides, civil rights and labor leaders, and key congressional civil rights advocates, he pulled out all the stops to gain a legislative victory.

Johnson’s persistence and political talents succeeded. On July 2, 1964, he formally signed the Civil Rights Act of 1964 into law, using 72 ceremonial pens. Many dignitaries, including Martin Luther King, Rosa Parks, and several other national civil rights figures, attended the ceremony. This law banned racial discrimination in several areas, including hotels, restaurants, education, and other public accommodations. This landmark act also guaranteed equal job opportunities, fulfilling one major objective of the historic 1963 March on Washington. Many larger Southern businesses had already desegregated in response to sit-ins and other civil rights protests. But the Civil Rights Act of 1964 added important legal protections to these political and social developments.

Almost immediately, the new civil rights law came under legal challenge. The owner of an Atlanta motel argued that Congress did not have the authority under the U.S. Constitution to ban segregation in public accommodations. This 216-room establishment, which served an interstate clientele, had long refused to rent rooms to African Americans. When *Heart of Atlanta Motel, Inc. v. United States* reached the Supreme Court, the court rejected the owner’s argument. It ruled that the commerce clause of the Constitution authorized Congress to enact this type of legislation. Civil rights advocates had achieved their most significant legal victory since the 1954 *Brown v. Board of Education* decision banning school segregation.

**THE VOTING RIGHTS ACT**

Following his landslide victory in the 1964 presidential election, Johnson moved to do something about voting rights. Southern states had historically deprived the vote from millions of African-American citizens.
Although guaranteed by the 15th Amendment, the right to vote had been denied blacks through discriminatory legal strategies, economic intimidation, and physical threats. The civil rights movement had focused on voting rights, particularly during Freedom Summer in Mississippi in 1964.

President Johnson delivered an impassioned speech to the nation on March 15, 1965, recognizing the problem and urging a national legislative solution. He specifically called attention to the widespread efforts of whites to keep black people from the most important function of democracy—choosing their own representatives in government. Pointedly, Johnson ended his speech with the historic words of the national civil rights anthem, “We shall overcome.”

The president and other supporters of a voting-rights act knew that only strong federal legislation could address the problem of voting discrimination. From 1961 to 1965, the U.S. Justice Department had filed many lawsuits against state and local officials in the South, mostly in Mississippi. Even when successful, these lawsuits rarely had much impact because white officials kept finding new ways to avoid their legal duties.

President Johnson’s support of the Voting Rights Act of 1965 reflected the pressures from the massive civil rights protests of the early and middle 1960s. Again, Johnson’s political skills worked wonders. He was aided by highly publicized voting-rights demonstrations throughout the South. On March 7, 1965, police officials savagely attacked non-violent civil rights marchers at the Edmund Pettis Bridge in Selma, Alabama. Widely repeated on television news programs, this horrific incident aroused public opinion in favor of the pending voting-rights legislation.

Signed in August 1965, the act struck down two methods Southern whites had long employed to keep blacks from voting—literacy tests and poll taxes. The act also authorized the Justice Department to send federal registrars and observers to the South to register black voters and to guarantee the fairness of local and state elections. Finally, the Voting Rights Act required states to submit any changes in their voting laws and procedures to the Justice Department or to the federal district court in Washington, D.C., for approval.

Like the Civil Rights Act of 1964, this legislation came under swift legal attack. But the Supreme Court in 1966 in South Carolina v. Katzenbach rejected this challenge. It ruled that the act fell under Congress’s power to enforce the requirements of the 15th Amendment, which had been ratified in 1870.

The Voting Rights Act of 1965 had immediate and dramatic results. Within two years with the help of many volunteers, African-American voter registration throughout the South increased to more than 50 percent of the voting-age population. Mississippi’s black voters in particular benefited from this legislation, moving from the lowest percentage of eligible voters to the highest. Again, the civil rights movement had garnered a major legal victory, further moving the nation to a fuller recognition of its ideals of democracy and racial equality.

POINTS OF INQUIRY

1. What did the Civil Rights Act of 1964 and the Voting Rights Act of 1965 do? Why do you think they were effective?

2. What problems of discrimination exist in America today? Do you think laws can remedy these problems? Explain.
The Chicano Movement

The civil rights movement is frequently associated with the African-American struggle for equality and social justice. But another minority has played a significant role in advancing the cause of civil rights in the United States. Like African Americans, the Mexican-American, or Chicano, community has fought long and hard against racial discrimination and for civil rights.

Chicano activist Cesar Chavez is one of America’s best known labor leaders. His commitment to the struggle for equality and his legacy of non-violent action is comparable to that of Martin Luther King. Like King, Chavez would be the first to explain that he was one of many civil rights activists.

One of Chavez’s immediate forerunners was Ernesto Galarza. Shortly after World War II, Galarza began a campaign to organize Mexican-American farm workers. A dynamic civil rights leader, Galarza rose from humble origins as a field worker to become a widely recognized teacher, labor organizer, and historian. Despite vigorous efforts to help agricultural workers demand better wages and working conditions, Galarza achieved only limited success.

Galarza faced a difficult challenge: Federal labor laws did not protect farm workers. In addition, most Mexican migrant laborers worked on a temporary basis. They traveled from farm to farm throughout the Southwest and northward, cultivating and harvesting crops. Because of poor economic conditions in Mexico, migrant workers were willing to work for extremely low wages. Their mobility, their temporary employment, and their desperate economic circumstances made migrant workers difficult to organize. Still, Galarza’s work in the 1940s and ’50s set the stage for more successful efforts a few years later.

THE FARM WORKERS’ UNION

Into the 1960s, low wages and difficult working conditions continued to make life miserable for thousands of Chicano farm workers and their families. In 1965, grape pickers earned an average of 90 cents an hour. Many workers, including children, labored long hours, risked injury from unsafe machinery, and suffered abusive treatment from supervisors and employers. They also endured sub-standard housing that lacked indoor plumbing, cooking facilities, or personal privacy.

One organization responding to farm workers’ problems was the Agricultural Workers Organizing Committee (AWOC). Founded by Dolores Huerta, it included Chicanos, Filipinos, African Americans, and whites. Huerta had a long record of labor activism and commitment to human rights.

In 1962, Chavez invited Huerta to work with him in creating a new farm workers’ union. Chavez had been a migrant farm worker as a young man and had already built up a long record of social protest and labor organizing. According to Huerta, “Cesar . . . knew that it wasn’t going to work unless people owned the union . . . [and] that the only way . . . [was] to organize the union ourselves.” Traveling throughout California, Chavez tirelessly met with farm workers any place he could find them—in the fields, at their homes, and in the migrant camps. His mission was to persuade them that forming a union would improve their lives.

In 1965, strikes by Filipino workers against major grape growers broke out in California’s Central Valley. “All I knew was, they [the Filipinos] wanted to strike . . . .” Chavez explained. “We couldn’t work while others were striking.” Chavez’s union, the National Farm Workers Association (NFWA), joined the strike in solidarity with the Filipino workers.

The farm workers maintained that they—like any other workers—had the right to join a union that could represent them in labor negotiations. This right, called collective bargaining, gave the workers a better chance of negotiating fair working agreements with their employers, the growers. For farm workers, however, neither state nor federal law protected this right.

Six months later, the grape strike had grown, generating national press coverage. Thousands of striking farm workers formed picket lines around the vast vineyards near Delano, Cali-
California. Many growers responded fiercely, employing strikebreakers and occasionally using violence against the picketers. Despite Chavez’s call for non-violence, some strikers resorted to violence as well. Local police often harassed the union, arresting strikers on questionable charges usually dismissed in court.

THE GRAPE BOYCOTT

Inspired by the tactics and outcome of the Montgomery bus boycott, Chavez announced a consumers’ boycott of non-union grapes. The grape boycott became the core of the farm workers’ non-violent strategy. The grape strikers sustained their boycott by linking it to the larger civil rights movement, which many Americans supported.

Chicano leaders organized marches and rallies in support of the farm workers’ cause. The farm workers found allies among other unions, church groups, students, consumers, and civil rights organizations that publicized the grape boycott nationwide. Millions of consumers stopped buying grapes, creating substantial economic pressure on the large grape growers.

By 1966, some large growers conceded, recognizing the new farm workers’ union. On August 22, 1966, the AWOC and the NWFA merged to form the United Farm Workers (UFW). The new union became the largest, most influential organization in the Chicano struggle for equality and social justice.

Many growers stubbornly refused to recognize the right of the UFW to unionize their farms. The boycott and strike continued for five years. Chavez, following the example of India’s non-violent leader Mahatma Gandhi, added personal hunger strikes to the UFW’s arsenal of protest strategies. Repeated fasts, often lasting for several weeks, damaged Chavez’ health, contributing to his death in 1993. But Chavez’ fasts also generated great respect for his commitment to non-violent social change. By 1970, two-thirds of all grapes grown in the Central Valley came from unionized workers. In 1975, Chavez’s efforts helped pass the nation’s first farm labor act in California. It legalized collective bargaining and banned owners from firing striking workers. With these successes, the Chicano civil rights movement became a powerful force.

Thousands of young people were attracted to social activism through participation in “la huelga” (Spanish for strike). They saw the UFW as a major vehicle for social change. The UFW’s political and economic agenda drew broad support for Chavez and his activities.

MILITANCY

Other Chicano groups and leaders have played major roles in Chicano civil rights struggles. In 1967, a young leader named Reies Lopez Tijerina led a group of 350 protesters occupying federal land in a New Mexico forest. This group, called aliéncistas, claimed the land under the 1848 Treaty of Guadalupe Hidalgo, which honored 18th- and 19th-century Spanish land grants.

Tijerina’s dramatic actions took their cue from Mexican history, particularly the protests of Mexican revolutionary leader Emiliano Zapata, who sought to gain land for his people. Later that year, Tijerina led a raid on a New Mexico courthouse. Again, he sought to recover land that had been redistributed after New Mexico’s annexation by the United States. Tijerina and some of his supporters were apprehended, charged with crimes, convicted, and jailed.

In spring 1968, Martin Luther King invited Tijerina and a contingent of his aliéncistas to march with him on the Poor People’s March across the United States. King was assassinated before the march could be completed, but his intention to make connections with other civil rights efforts brought results. Tijerina and other members of the Chicano movement remained in Washington, D.C., for months after the march, forming alliances with Native-American and African-American civil rights organizations. Today, Tijerina is

PROFILE

LUIS VALDEZ
(1940–    )
Playwright and director of theater, television, and film

Born into a farm-working family, Valdez formed El Teatro Campesino (the Farm Workers Theater) during the California grape strike of 1965. The theater troupe, which highlights Chicano issues, has toured throughout the United States, Europe, and Mexico. Valdez’s first successful full-length play was Zoot Suit, which told the story of a highly charged criminal case in Los Angeles during World War II. Valdez has continued in television, theater, and film portraying Chicano culture as an essential part of the American experience.
still regarded as a major symbol of militant Chicano activism.

In Denver, Colorado, Rodolfo “Corky” Gonzales organized the Crusade for Justice, a key Chicano civil rights organization. This group provided social and legal services to Mexican-American residents in the Denver area. It also agitated strongly for improved housing, better jobs, and cultural pride among Chicanos.

Throughout the Southwest, chapters of La Raza Unida (the People United) organized to advance Chicano political causes. In San Francisco, where it began, La Raza Unida stressed working-class issues. In Colorado, it grew out of the work of Corky Gonzales. In Texas, La Raza Unida attempted to elect Chicanos to local government. In 1972, it held its first national convention, but divisions in its ranks limited its growth.

DEMONSTRATIONS IN LOS ANGELES

Los Angeles has long been a center for Chicano activism. In 1968, at the height of American civil rights ferment, 10,000 Chicano students and several teachers in Los Angeles high schools organized a walkout. They protested the quality of public education and sought recognition for their cultural heritage and the contributions they have made to society. Chicano activists picketed the Los Angeles Board of Education, held sit-ins and teach-ins, and staged rallies to mobilize Los Angeles’ large Mexican-American population in support of the students’ demands. One of the most active groups supporting the school walkout was a young organization called the Brown Berets.

First established in East Los Angeles as a community-service organization, the Brown Berets modeled themselves loosely on the militant African-American Black Panther Party. Their primary goal was to defend Mexican-Americans from police brutality. Many Brown Berets were teenagers. Of the 13 figures arrested during the Los Angeles high-school walkout, seven belonged to the Brown Berets.

On August 29, 1970, hundreds of thousands of Los Angeles citizens marched in the Chicano Moratorium. The Chicano Moratorium had been organized as a peaceful demonstration against the Vietnam War. Demonstrators protested that Mexican Americans were suffering many military casualties in Vietnam.

Police used tear gas and clubs in attempts to disperse the demonstration. They arrested several prominent Chicano leaders, who were later found not guilty at their trials. During the chaos surrounding the Chicano Moratorium, Los Angeles Times reporter Ruben Salazar, a Mexican American, was killed by a tear gas projectile. He became a powerful symbol of the Chicano movement.

The energy of the Chicano movement has continued to this day. In the early 1990s, Chicano students and other activists protested Proposition 187. This ballot measure proposed to make illegal immigrants ineligible for tax-funded social services, health care services, and public school education. Many Latinos saw the proposal as immigrant bashing. Although the measure passed (and has since been struck down by the courts), it rallied the Chicano community to take a more active role in public affairs. More Latinos vote today and hold public office than ever before.

Chicano activists have also defended affirmative action programs in schools and at work. They have responded vigorously to a broad range of community problems—pesticide dangers in agricultural fields, complaints of police harassment, racial stereotyping, lack of recognition of Latinos in education and the media, and discrimination in the workplace. Like the African-American civil rights movement, the Chicano movement will struggle until justice, dignity, and equal protection of the law become an enduring national reality.

POINTS OF INQUIRY

1. What non-violent strategies did Cesar Chavez employ in his work with the United Farm Workers?


3. What reasons did Los Angeles high school students give for walking out of their classrooms in 1968? Do you think such walkouts are ever justified? Explain.