

# THE CIVIL RIGHTS MOVEMENT, THE WARREN COURT, AND LANDMARK CIVIL RIGHTS LAWS



The Civil Rights  
Movement, the  
Warren Court,  
and Landmark  
Civil Rights Laws



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# BIG QUESTIONS

- What was the Civil Rights Movement? When was it active? Who were some of its leaders?
- What were some of the Civil Rights Movement's core constitutional arguments?
- What did the original Constitution say about civil rights, and how did later amendments transform our nation's charter?
- What was the Warren Court, and what were some of its key rulings in the 1950s and 1960s?
- What were some of the landmark civil rights laws passed during the Civil Rights Era?
- What is the constitutional legacy of the Civil Rights Movement and the Warren Court?



**The Civil Rights Movement, the Warren Court, and Landmark Civil Rights Laws**



## BIG IDEA

While the American people wrote the **Declaration of Independence's** promise of **freedom and equality** into the Constitution after the Civil War, it would take nearly a century and the courage of many **African Americans and their allies** in the Civil Rights Movement—coupled with important decisions by the Warren Court and landmark statutes like the Civil Rights Act of 1964 and the Voting Rights Act of 1965—to make these promises a reality.



The Civil Rights Movement, the Warren Court, and Landmark Civil Rights Laws



# NAACP

Founded in **1909** by **Ida B. Wells, W.E.B. Du Bois, Mary White Ovington, and Moorfield Storey.**

The NAACP's charter gave its mission: "To promote **equality of rights** and **eradicate caste** or race prejudice among citizens of the United States; to advance the interest of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for their children, employment according to their ability, and **complete equality before the law.**"

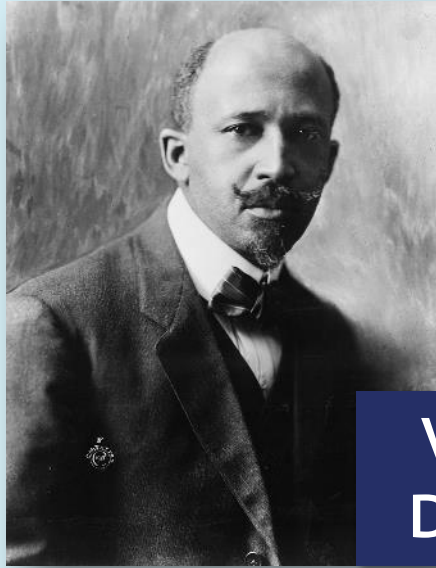


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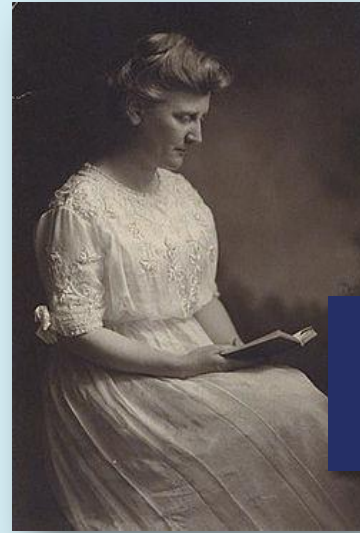
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# NAACP



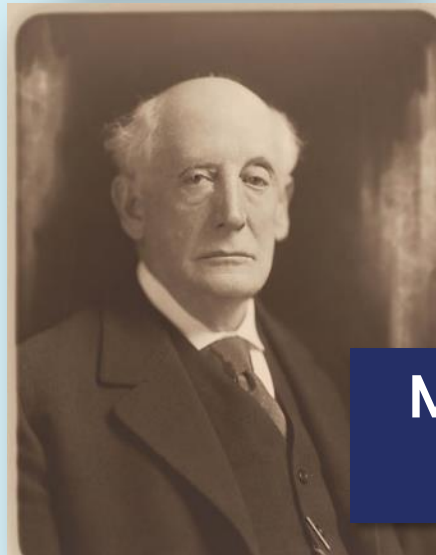
W.E.B.  
Du Bois



Mary White  
Ovington



Ida B.  
Wells



Moorfield  
Stoley

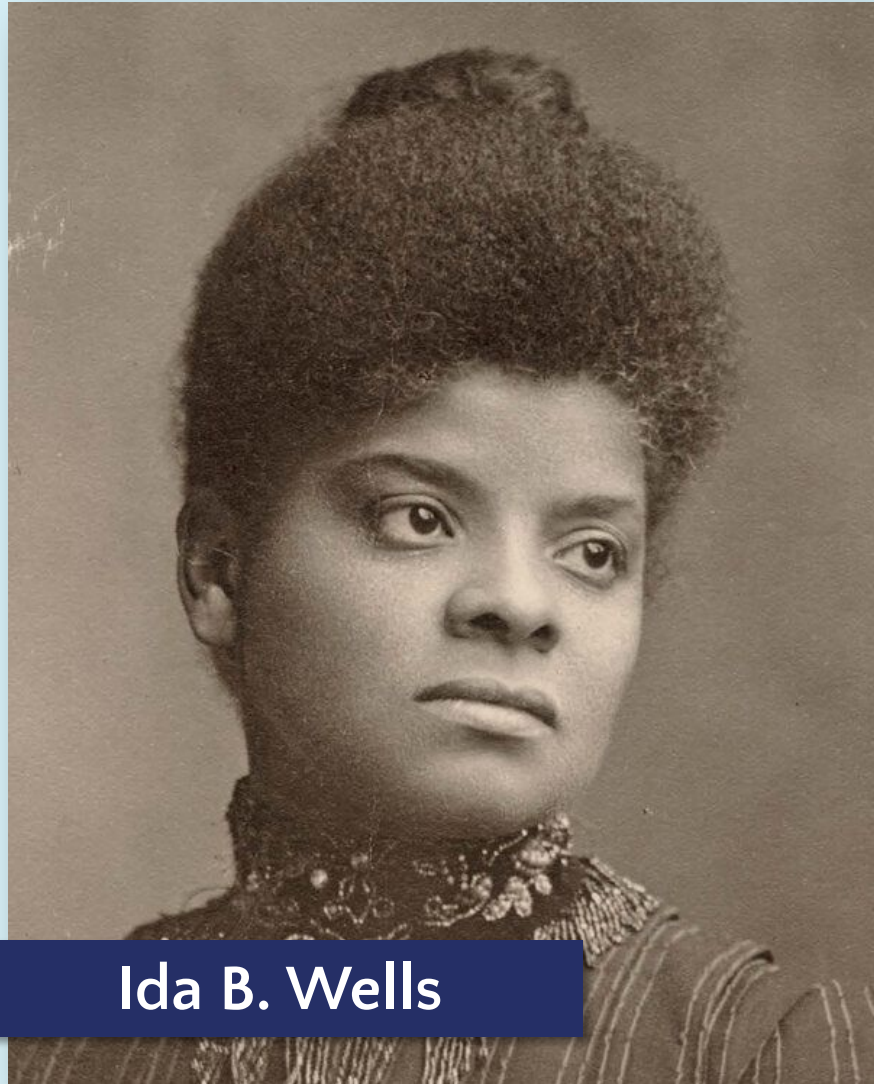


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# NAACP



Ida B. Wells

**Courageous journalist** and civil rights figure. Studied **white violence** in the South in the late 1890s through the early 1900s. Much of what we know about **Southern lynching** during this period comes from Wells's extraordinary work.

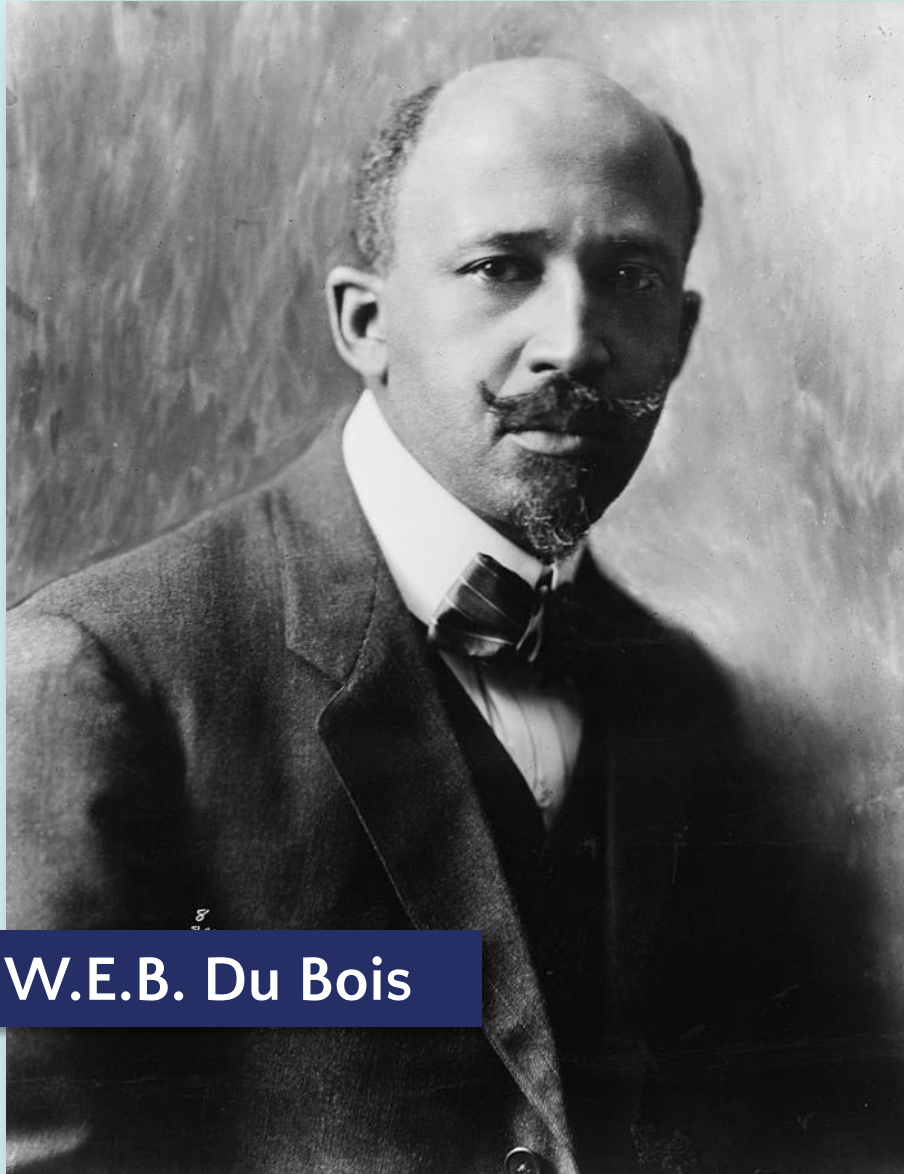


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# NAACP



W.E.B. Du Bois

First African American to earn a Ph.D. at Harvard. A founder of the NAACP. Author of **Black Reconstruction**—an important early history of this critical period, placing African Americans at the center of the Reconstruction story.

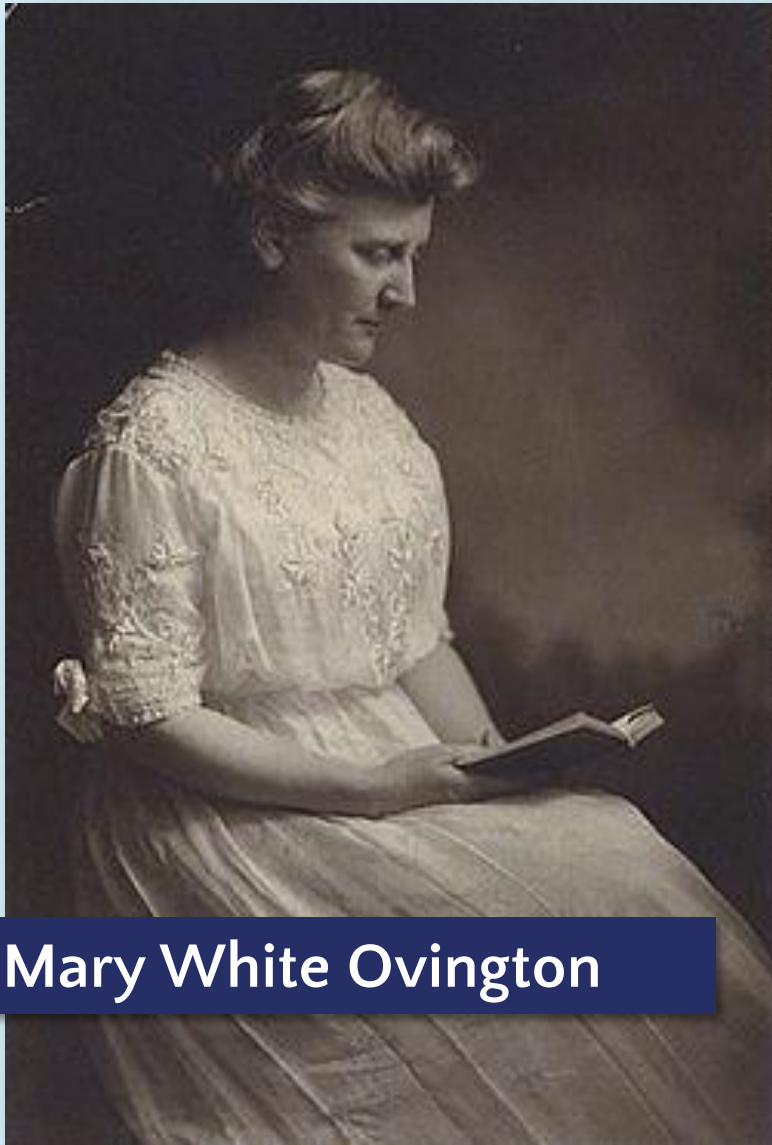


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# NAACP



Mary White Ovington

Suffragist. Journalist.  
Co-Founder of the NAACP.



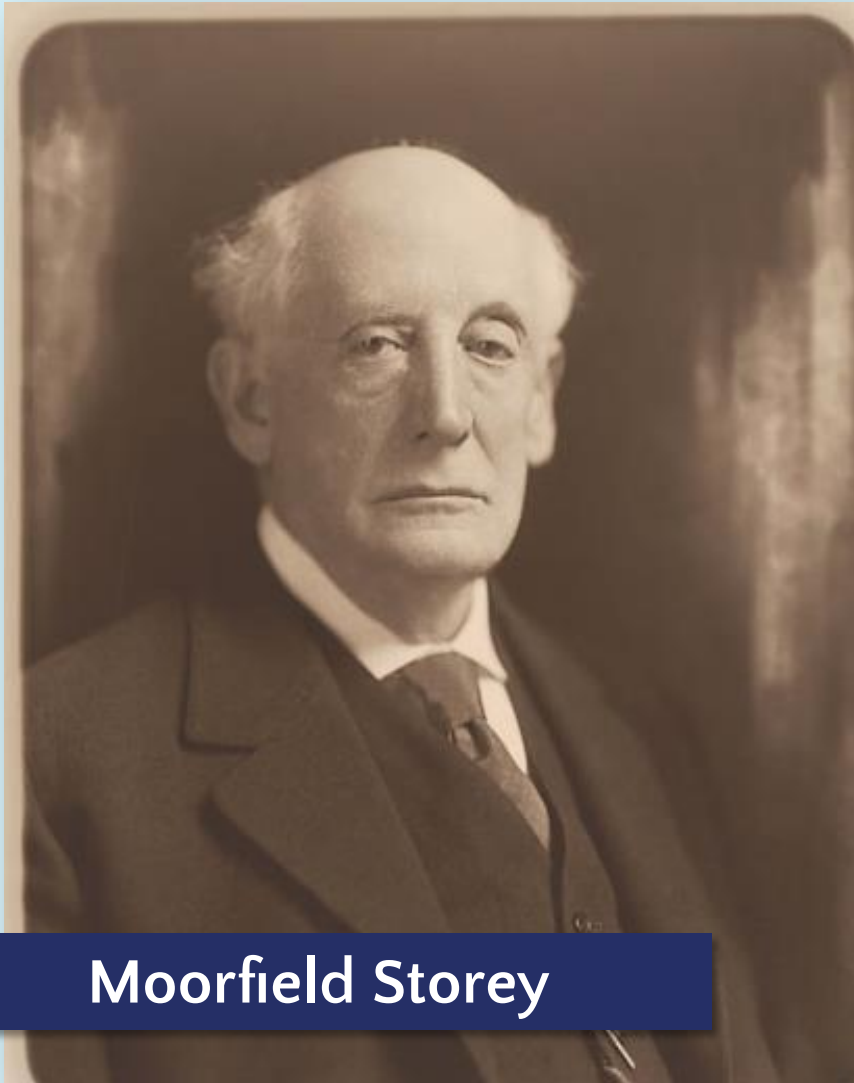
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# NAACP



Moorfield Storey

Lawyer from Boston.  
Founding President:  
1909-29.



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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

The SCLC was formed in **1954** by Martin Luther King, Jr. (its first President), Ralph Abernathy, Ella Baker, Fred Shuttlesworth, and Bayard Rustin. It made **nonviolence** its central tenet and had a national focus, not grassroots.



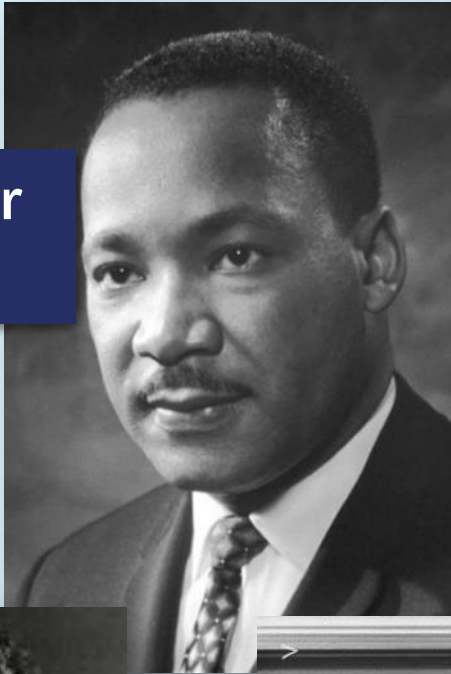
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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

Martin Luther  
King, Jr.



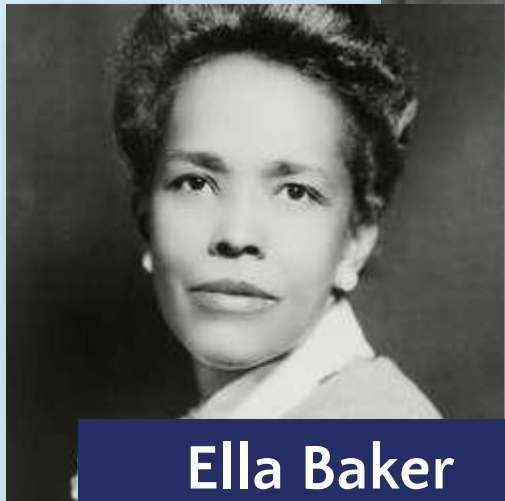
Ralph  
Abernathy



Bayard  
Rustin



Ella Baker



Fred  
Shuttlesworth



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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE



Martin Luther King, Jr.



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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE



Ella Baker

Five-decade career. Largely a behind-the-scenes organizer. Worked with W.E.B. Du Bois, Thurgood Marshall, A. Philip Randolph, and Dr. King, among many others. Mentored Diane Nash, Stokely Carmichael, and Rosa Parks. She pushed to make sure that the Civil Rights Movement was not just a top-down movement, but also one from the **grassroots up**. And that the Civil Rights Movement wasn't just run by men—that **women** would have a powerful voice in the movement, too.

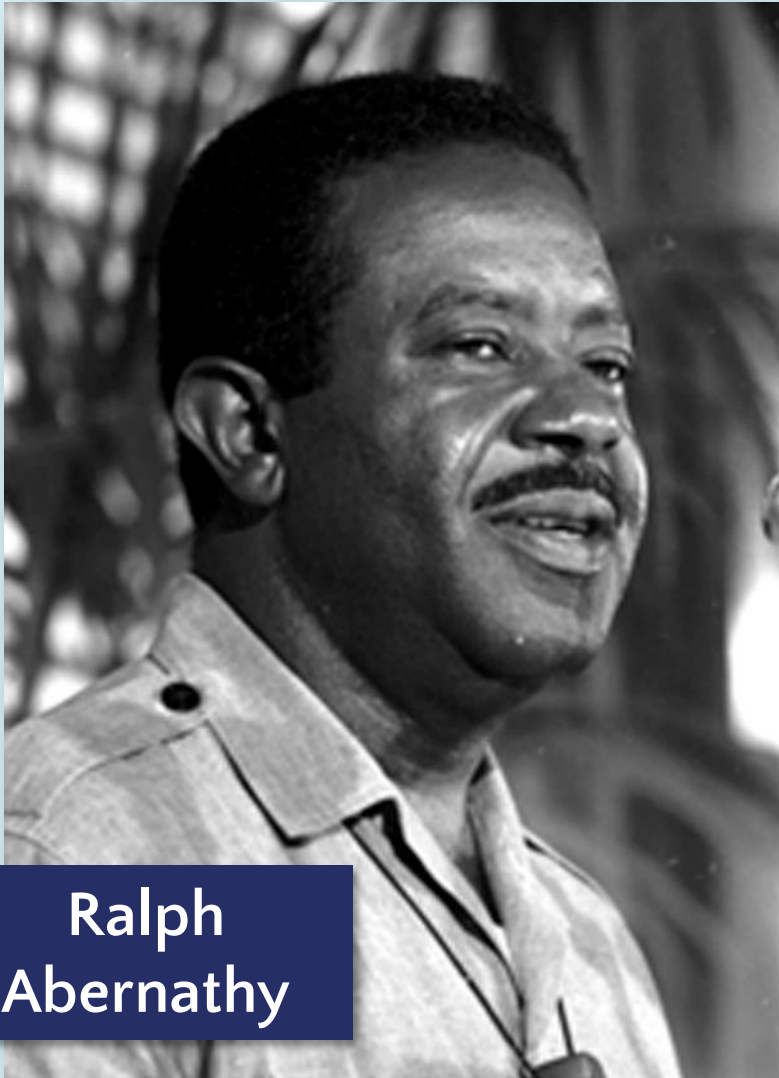


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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE



Ralph  
Abernathy

Baptist minister. Close friend and mentor to Dr. King. Worked with Dr. King on the **Montgomery Bus Boycott**. Co-Founder of SCLC. Became **President of the organization** after King's assassination.

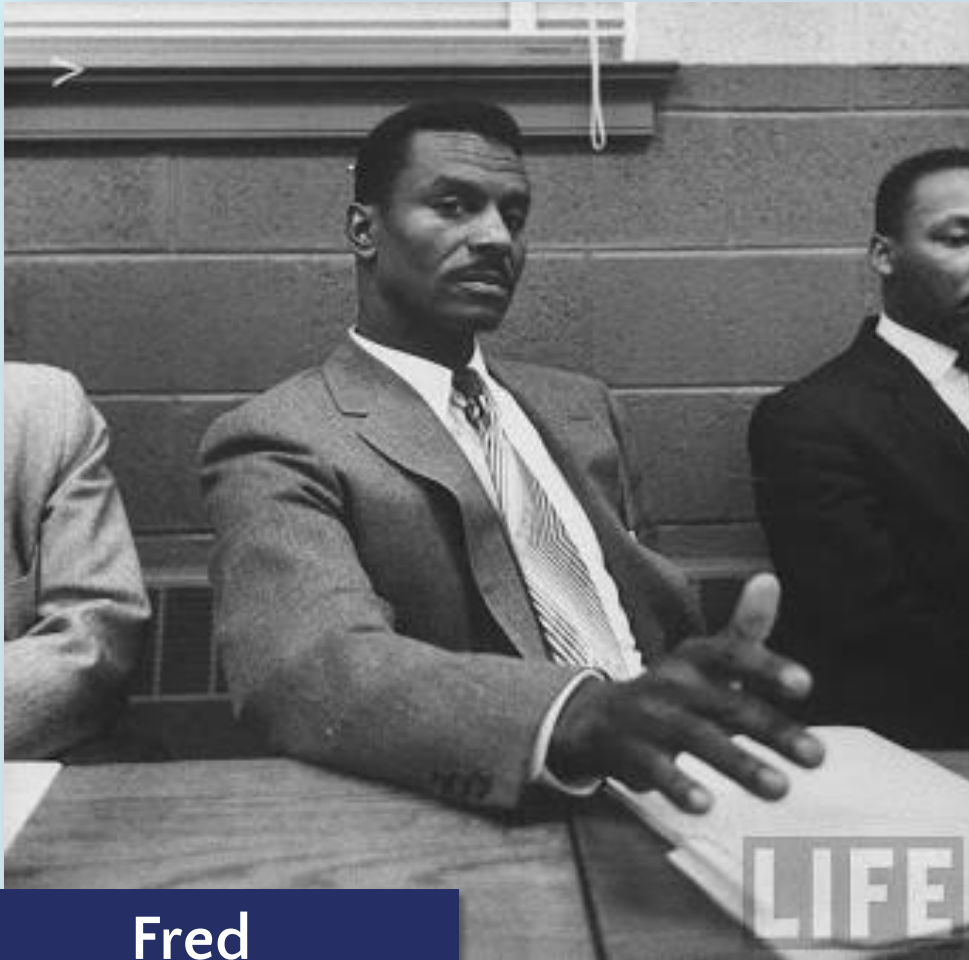


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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE



Fred  
Shuttlesworth

Minister from  
Birmingham.  
Co-Founder of SCLC.  
Ally of Dr. King.

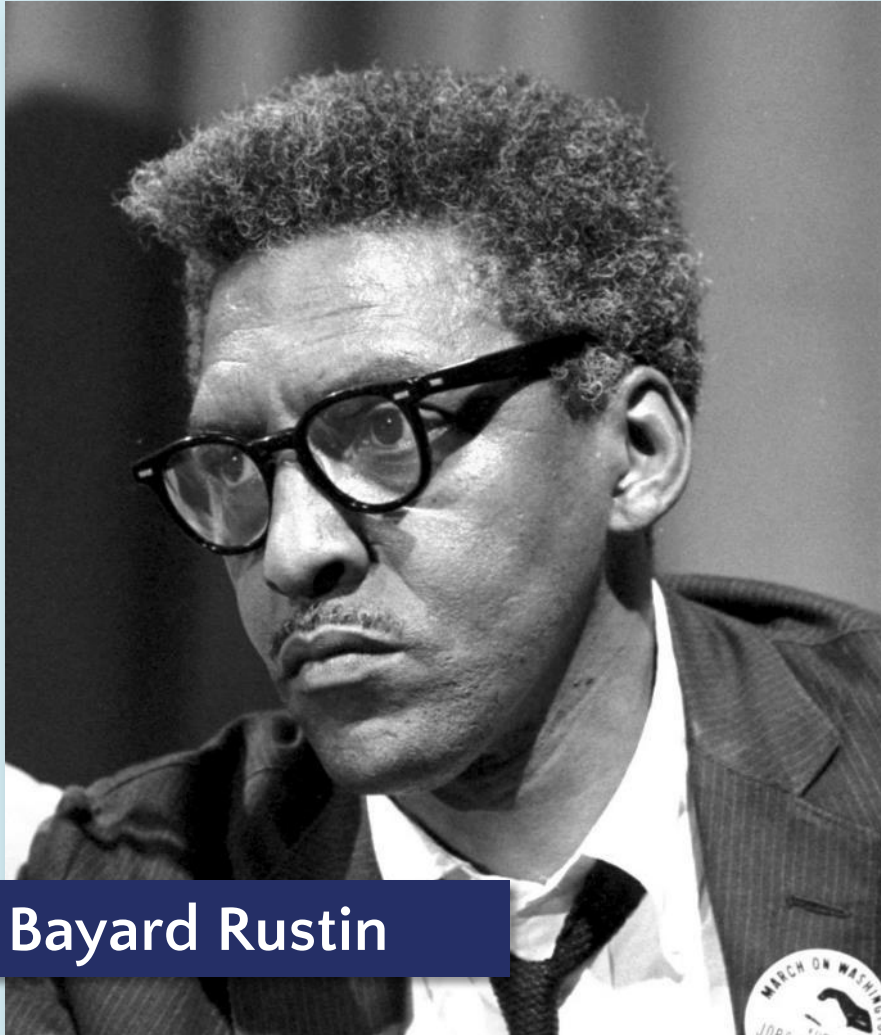


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# SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE



Bayard Rustin

Ally of A. Philip Randolph.  
Trailblazer of **non-violent,  
direct action**. Taught Dr.  
King those principles.  
Helped organize the  
**Freedom Rides** and the  
March on Washington.



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# CONGRESS OF RACIAL EQUALITY

Formed in 1942 by James L. Farmer, Jr., George Houser, and Bernice Fisher. CORE's goal was to “bring about equality for all people regardless of race, creed, sex, age, disability, sexual orientation, religion or ethnic background.”

The group was inspired by the example of Mahatma Gandhi's teachings of non-violent resistance. Of the 50 original members, 22 were women.



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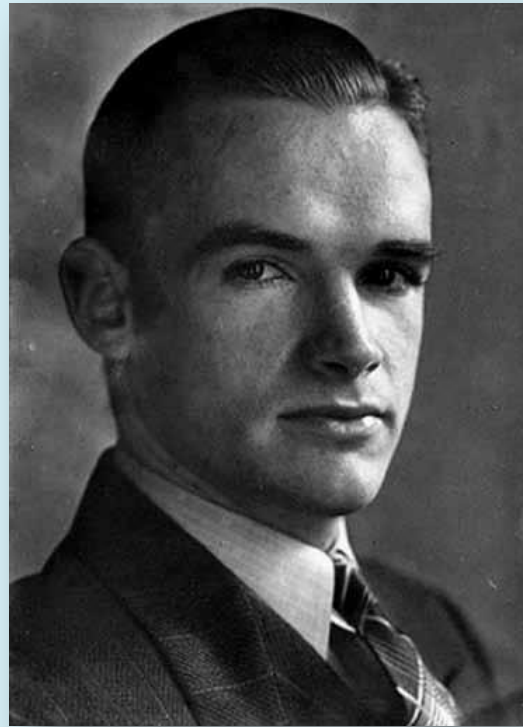
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# CONGRESS OF RACIAL EQUALITY



James L.  
Farmer, Jr.



George  
Houser



Bernice Fisher

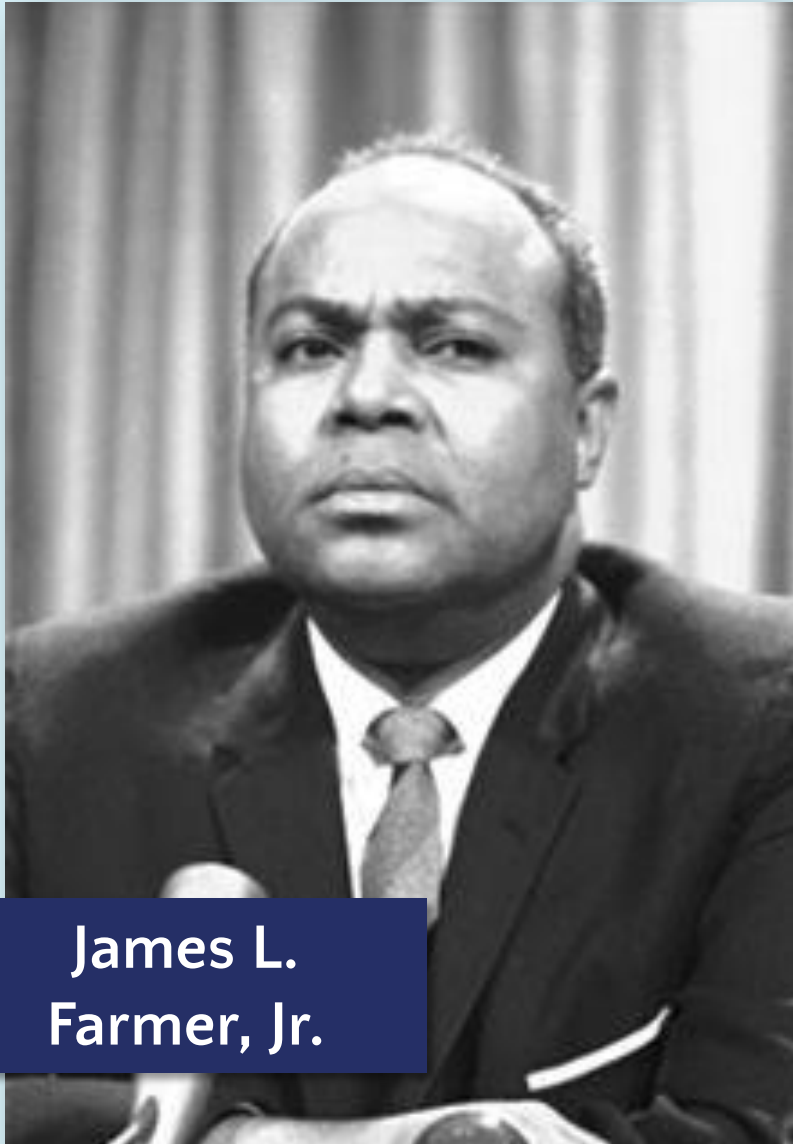


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# CONGRESS OF RACIAL EQUALITY



James L.  
Farmer, Jr.

Committed to non-violence.  
Organized the first Freedom  
Ride.

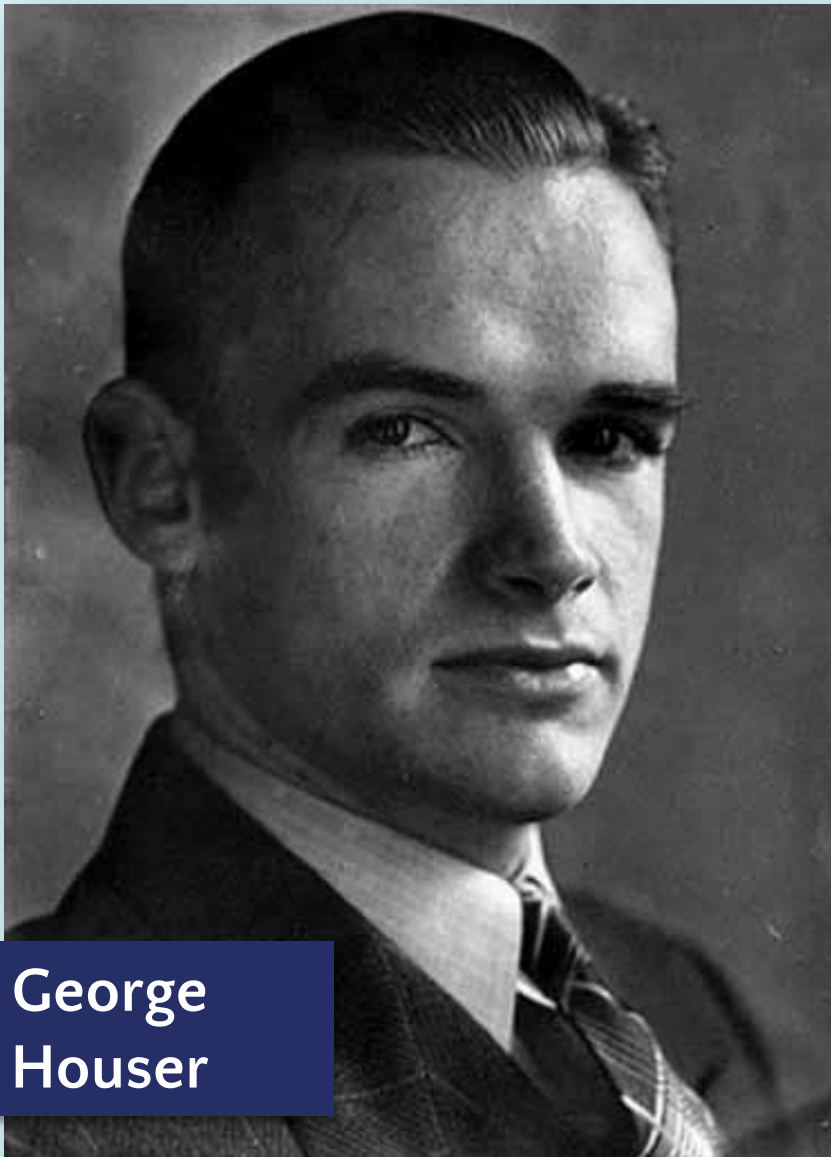


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# CONGRESS OF RACIAL EQUALITY



George  
Houser

Methodist Minister.  
Co-Founded CORE.



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# CONGRESS OF RACIAL EQUALITY



Bernice Fisher

Co-Founder of CORE.  
Based in Chicago.  
“Godmother” of the sit-in  
movement.



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# LEADERSHIP CONFERENCE ON CIVIL RIGHTS (LCCR)

Founded in **1950** by Roy Wilkins, A. Philip Randolph, and Arnold Aronson. LCCR coordinated the national **legislative campaigns** behind every major piece of civil rights legislation during this era.

It **still plays** a huge role in the civil rights community today.



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# LEADERSHIP CONFERENCE ON CIVIL RIGHTS

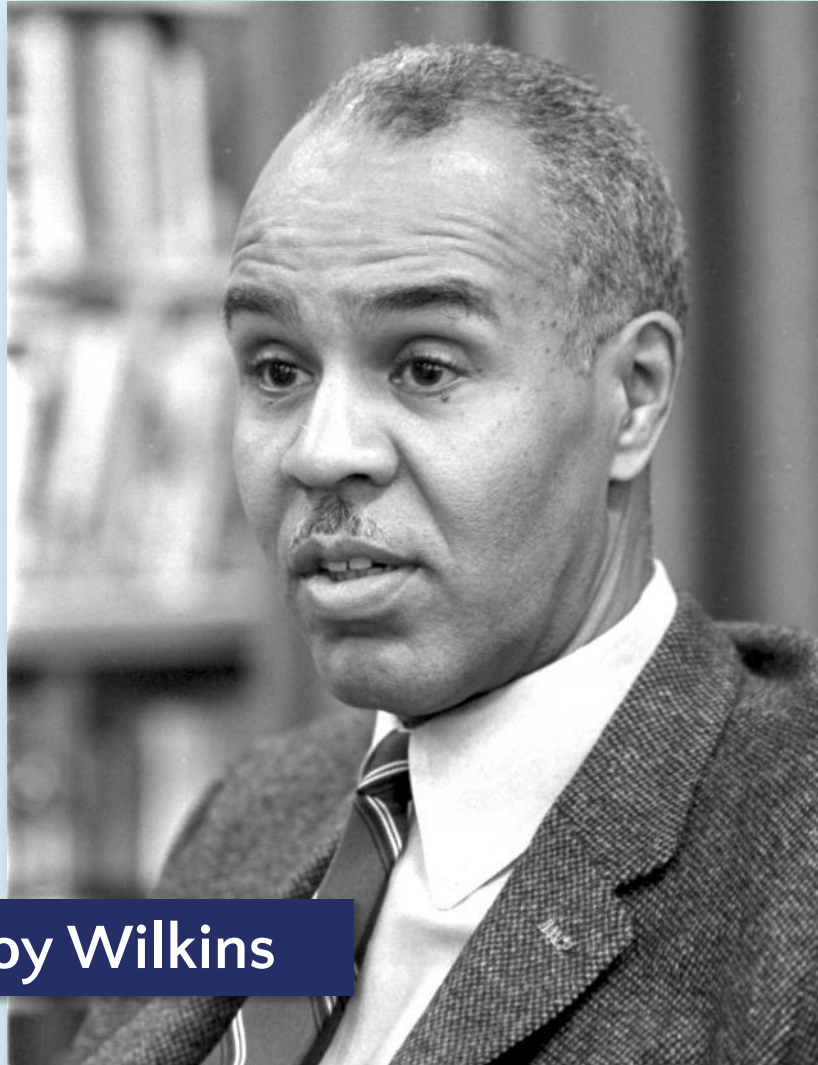


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# LEADERSHIP CONFERENCE ON CIVIL RIGHTS



Roy Wilkins

Active from the 1930s to the 1970s. Also served as Executive Secretary of the NAACP from 1955-63.



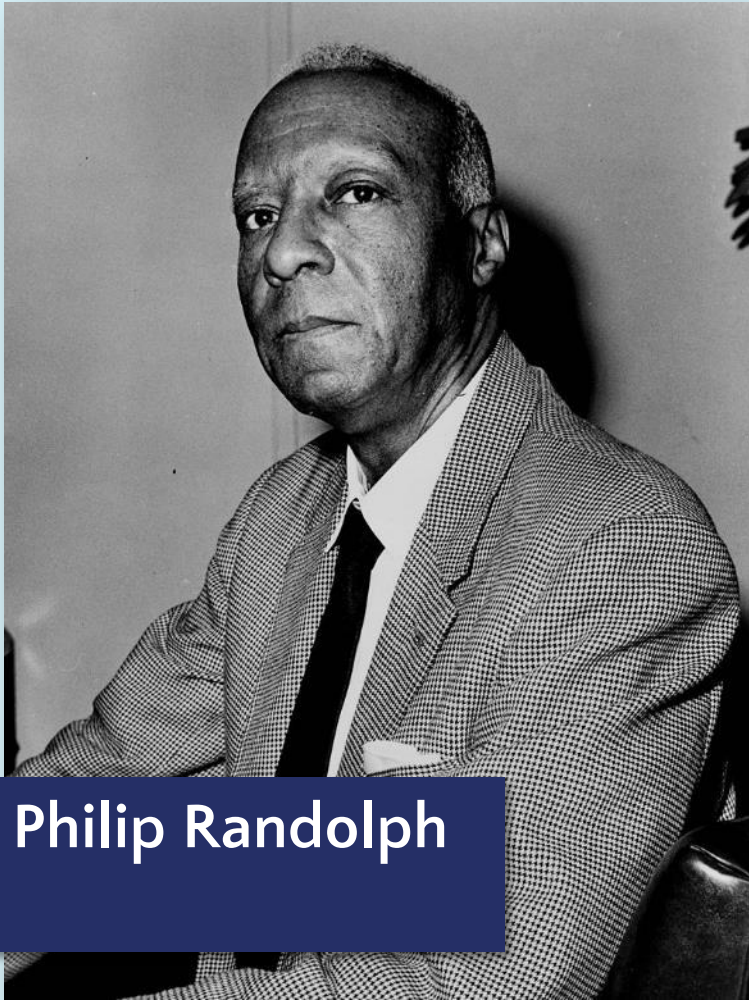
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# LEADERSHIP CONFERENCE ON CIVIL RIGHTS



A. Philip Randolph

Prominent labor organizer and civil rights activist

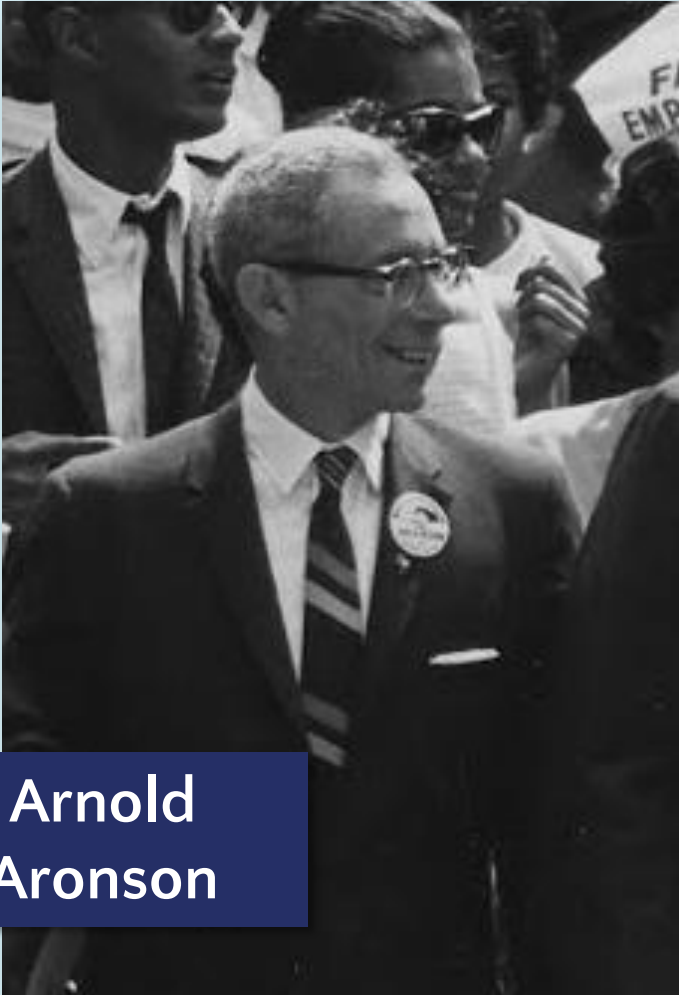


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# LEADERSHIP CONFERENCE ON CIVIL RIGHTS



Arnold  
Aronson

Founder of LCCR. Executive Secretary: 1950-80. Worked with Randolph to lobby FDR. Helped plan the March on Washington.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



**Ella Baker**

Represented the next generation of leadership in the Civil Rights Movement. SNCC was formed in **April 1960** at a conference at Shaw University in Raleigh, North Carolina.

It grew out of the beginning of the **sit-in movement** earlier that year—with **Ella Baker** playing a key role.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE

Baker supported a more egalitarian leadership structure. She wanted the Civil Rights Movement to look more like the Black Church, with men and women in leadership positions. She questioned the top-down leadership of organizations like SCLC, saying “strong people don’t need strong leaders.” She quit the SCLC to support the formation of SNCC. She convinced SNCC to form two wings—one for direct action, and the other for **voter registration** drives. With CORE, she helped coordinate the Freedom Rides in 1961.

Baker helped support and teach the student leadership of SNCC, including Diane Nash, Julian Bond, John Lewis, Stokely Carmichael, Bob Moses, and Bernice Johnson Reagan.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



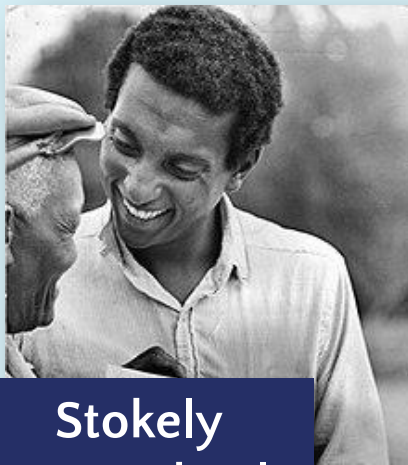
Diane Nash



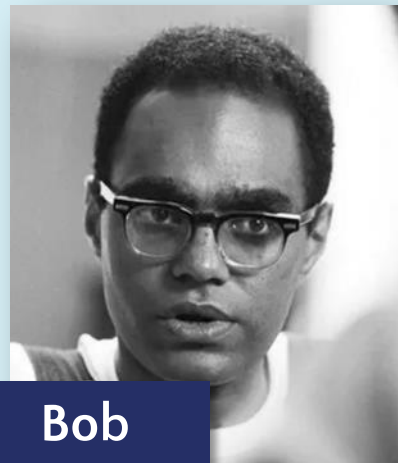
John Lewis



Julian Bond



Stokely  
Carmichael



Bob  
Moses



Bernice Johnson  
Reagon



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



John Lewis

Chair of SNCC: 1963-66.  
Skull fractured at Selma.  
Youngest speaker at the March  
on Washington. Among the “Big  
Six” leaders that organized it.  
One of the thirteen original  
Freedom Riders.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



Diane Nash

Worked to integrate lunch counters in Nashville. Freedom Rides. Co-Founder of SNCC. Participated in the Selma voting rights movement, too.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



Julian Bond

Helped found SNCC. Later, the Southern Poverty Law Center (1971).



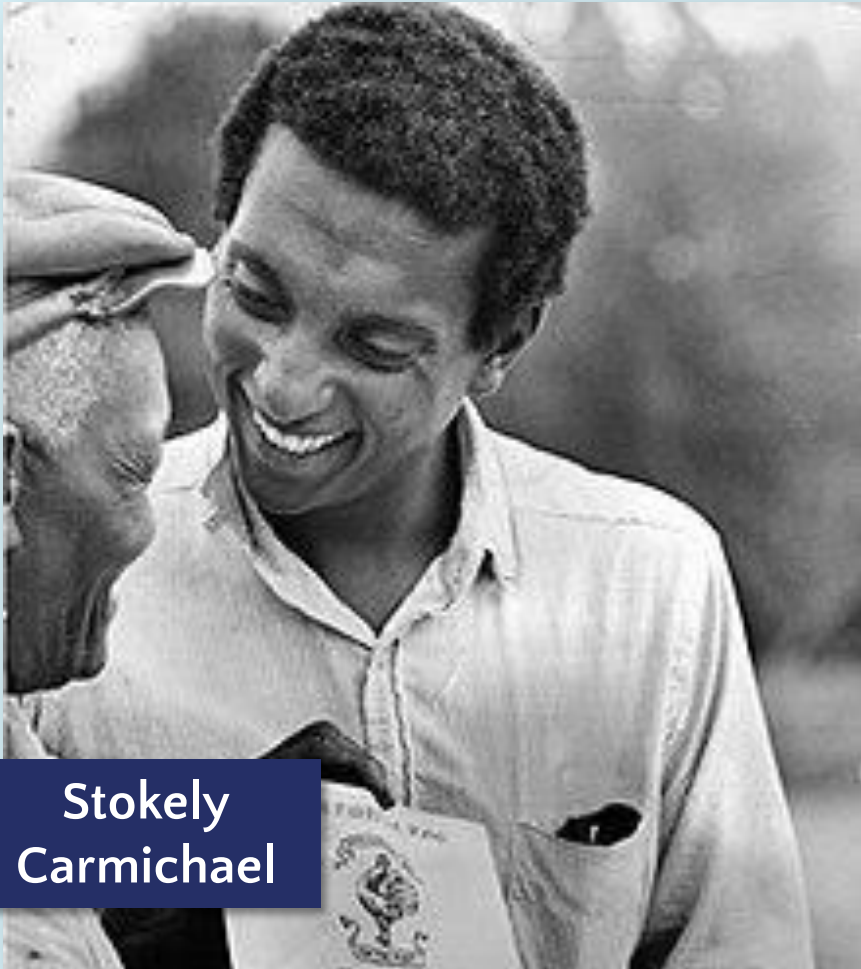
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# STUDENT NONVIOLENT COORDINATING COMMITTEE



Stokely  
Carmichael

Later, a leader in the Black Power movement and the Black Panthers.

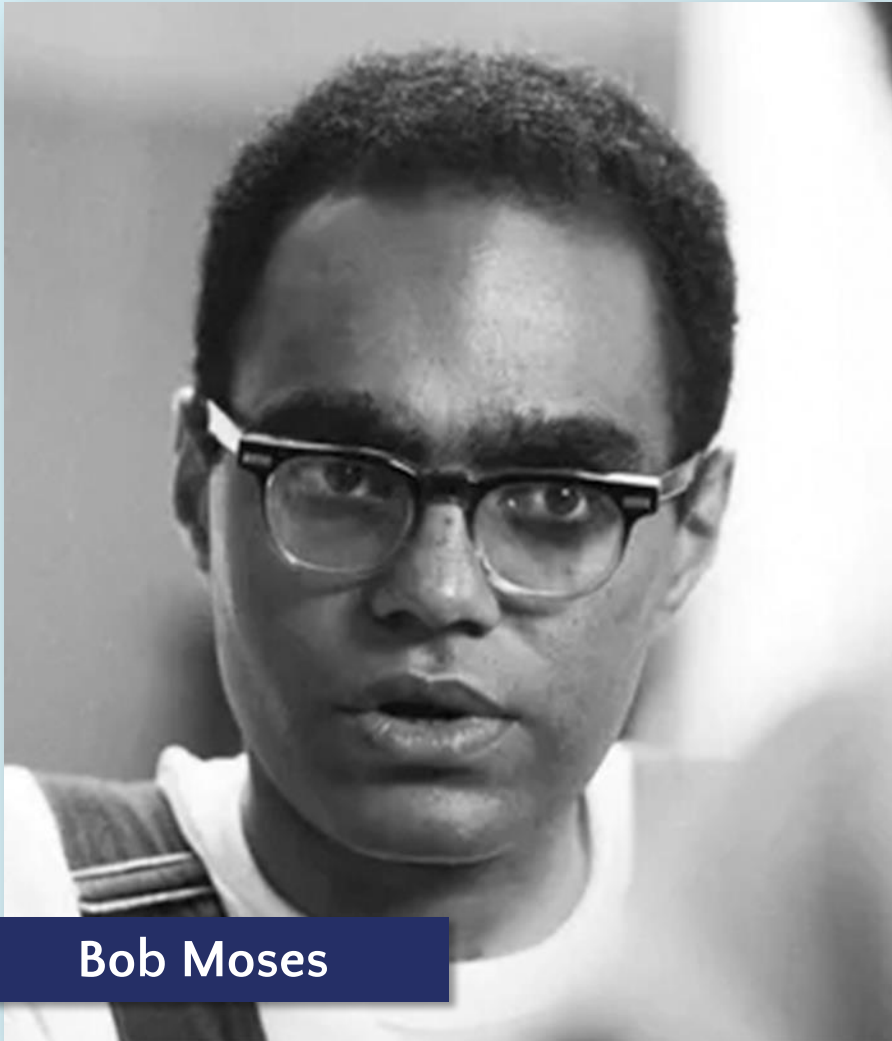


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# STUDENT NONVIOLENT COORDINATING COMMITTEE



Bob Moses

Voter education and  
registration in  
Mississippi.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE



Bernice Johnson  
Reagon

Songwriter and composer.  
Founding member of SNCC.  
Showed the power of  
collective singing to bring  
people together.



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# STUDENT NONVIOLENT COORDINATING COMMITTEE

Other young leaders who emerged from SNCC included Fannie Lou Hamer, Ruby Doris Smith Robinson, James Bevar, and Marion Barry.



Fannie Lou Hamer



Ruby Doris Smith  
Robinson



Marion Barry



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# THE COMMITTEE FOR EQUAL JUSTICE

The group was founded by Rosa Parks and Recy Taylor in **1944** and focused on **equality for African American women**. Parks and Taylor helped found the group, in part, to bring greater attention to violence against African American women.



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# THE COMMITTEE FOR EQUAL JUSTICE



Rosa Parks



Recy Taylor



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# THE COMMITTEE FOR EQUAL JUSTICE



Rosa Parks

Rosa Parks was already the secretary of the Montgomery Chapter of the NAACP—a position that she held for 14 years.



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# THE COMMITTEE FOR EQUAL JUSTICE



Recy Taylor



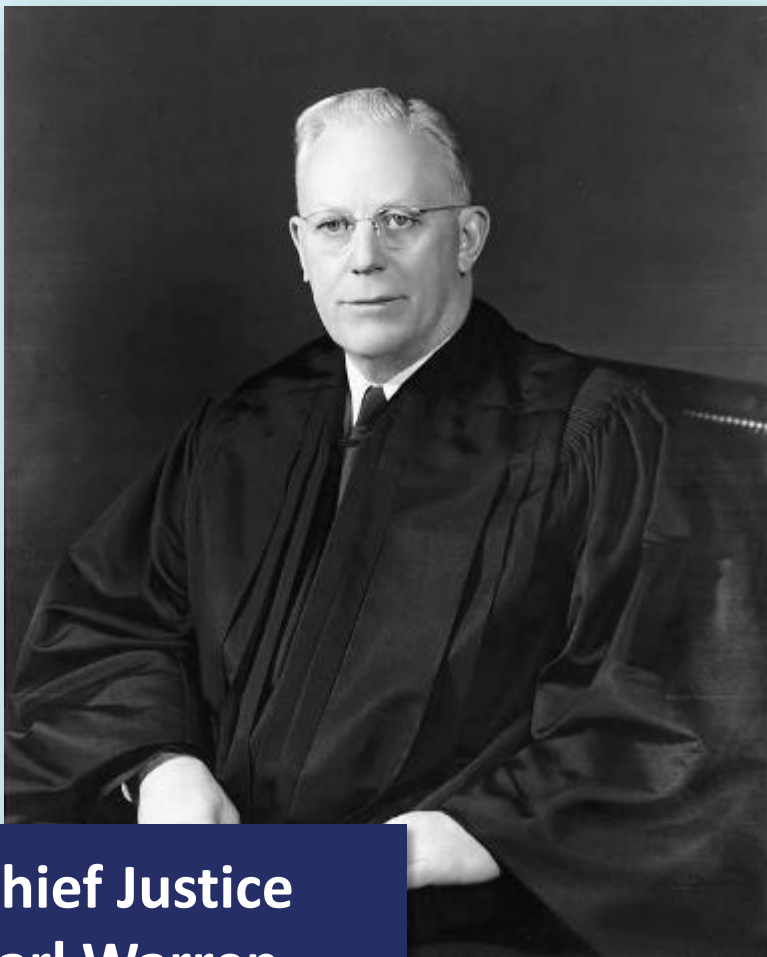
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# THE WARREN COURT



Chief Justice  
Earl Warren

Finally, the Supreme Court also played a key role during the Civil Rights Era.

The Warren Court—led by Chief Justice Earl Warren—ran from **1953 through 1969.**



The Civil Rights Movement, the Warren Court, and Landmark Civil Rights Laws



# THE WARREN COURT

This is the Court of *Brown v. Board of Education* (declaring school segregation unconstitutional) and other landmark decisions—allying the Supreme Court with the growing Civil Rights Movement in the 1960s.

For much of its history, the Supreme Court was no ally of civil rights reformers.

That changed with the Warren Court—with Chief Justice Warren and his colleagues carving out an important role for the Supreme Court in protecting minority rights, especially those of unpopular groups (like African Americans) that often couldn't rely on elected officials to protect them.



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# THE WARREN COURT



## Warren Court Pictured in 1953

Back row (left to right): Tom Clark, Robert H. Jackson, Harold Burton, and Sherman Minton

Front row (left to right): Felix Frankfurter, Hugo Black, Earl Warren, Stanley Reed, and William O. Douglas



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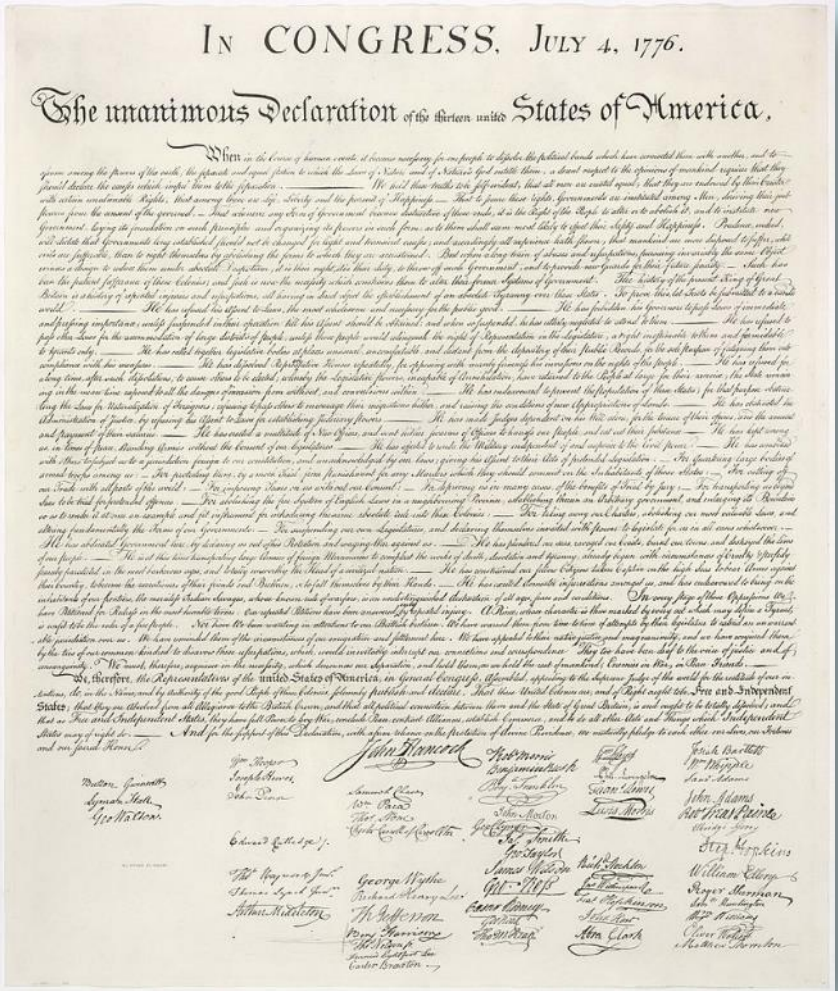
# DECLARATION OF INDEPENDENCE

1776



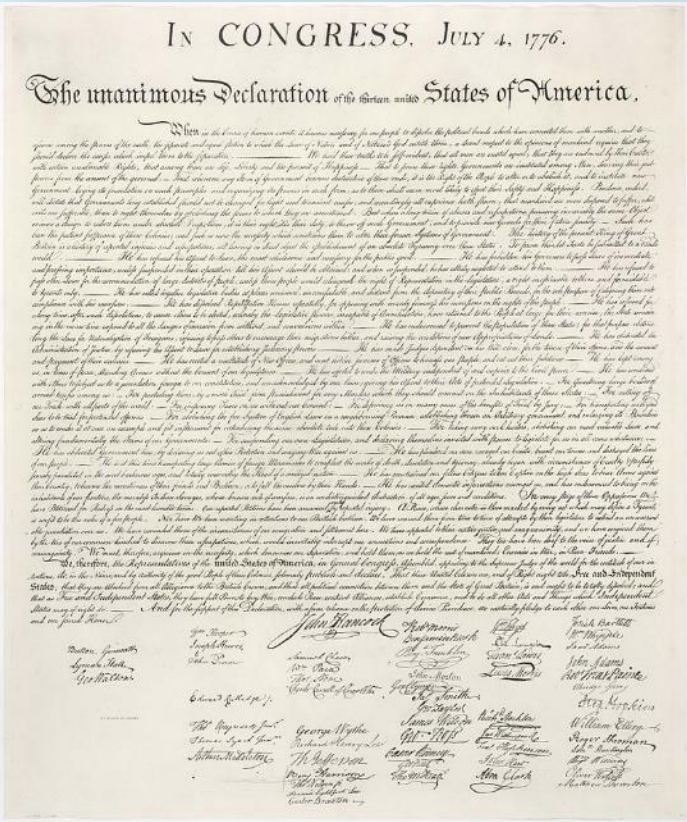
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“We hold these truths to be self-evident, that all men are created equal, endowed by their creator with the natural rights of “life, liberty, and the pursuit of happiness.”



# DECLARATION OF INDEPENDENCE

## 1776



Constitutional reformers across history have laid **claim to this promise**—arguing that the Declaration’s promise of freedom and equality has been at the core of our nation’s purpose since the very beginning and arguing that for much of our nation’s history we have failed to live up to its inspiring words.



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PRINCE  
HALL

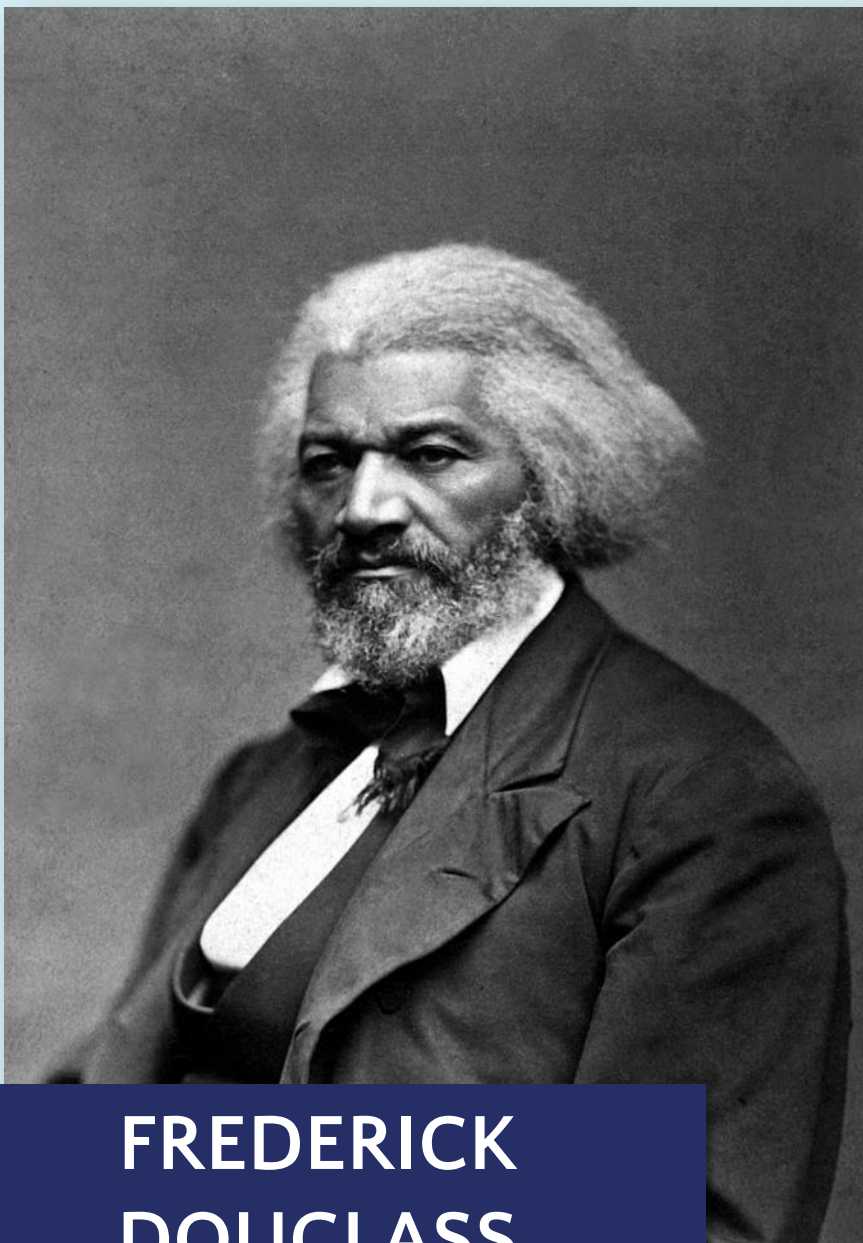
1777 petition pushed for the Massachusetts legislature to realize the Declaration of Independence's promise and abolish slavery in the state.



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**FREDERICK  
DOUGLASS**

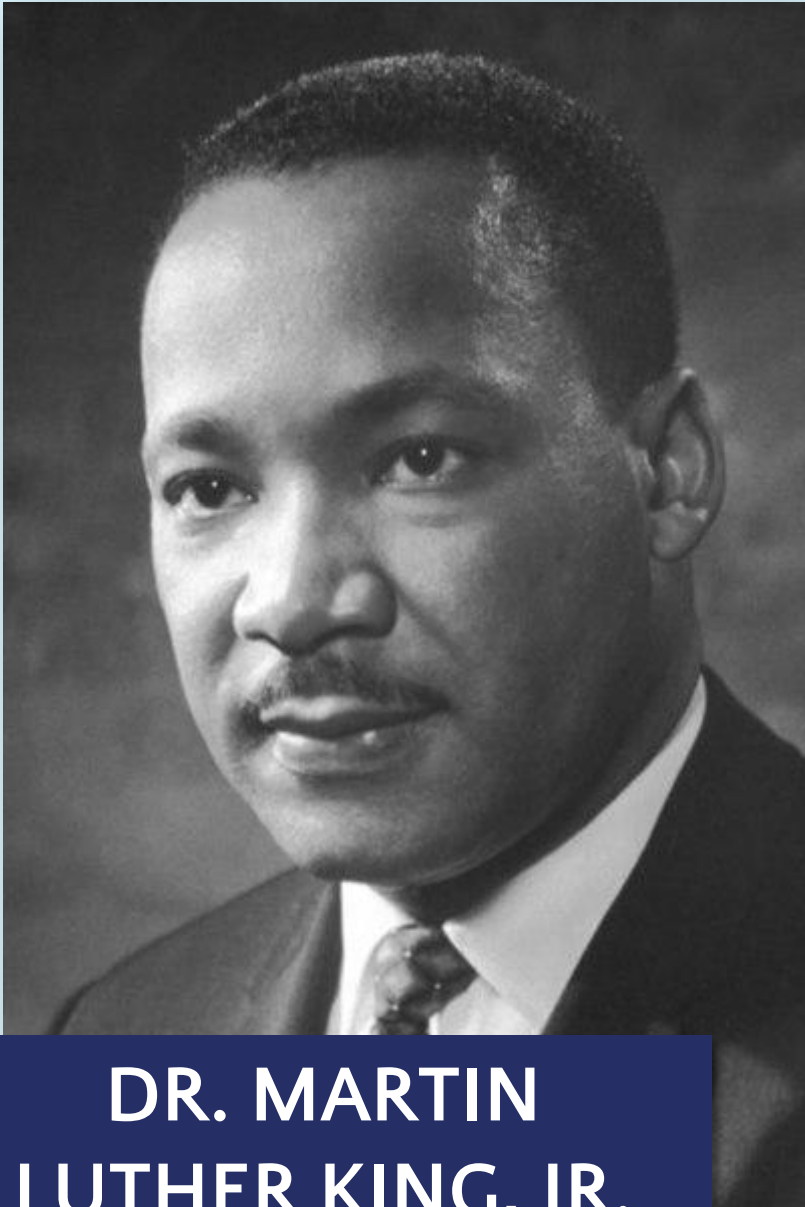
*“What is to a Slave the Fourth of July?”* speech challenged his white audience to live up to the words of their Founding creed and its promise of freedom and equality for everyone.



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**DR. MARTIN  
LUTHER KING, JR.**

Described the Declaration  
(and the Constitution) as a  
“promissory note” issued  
to all Americans,  
regardless of their race.



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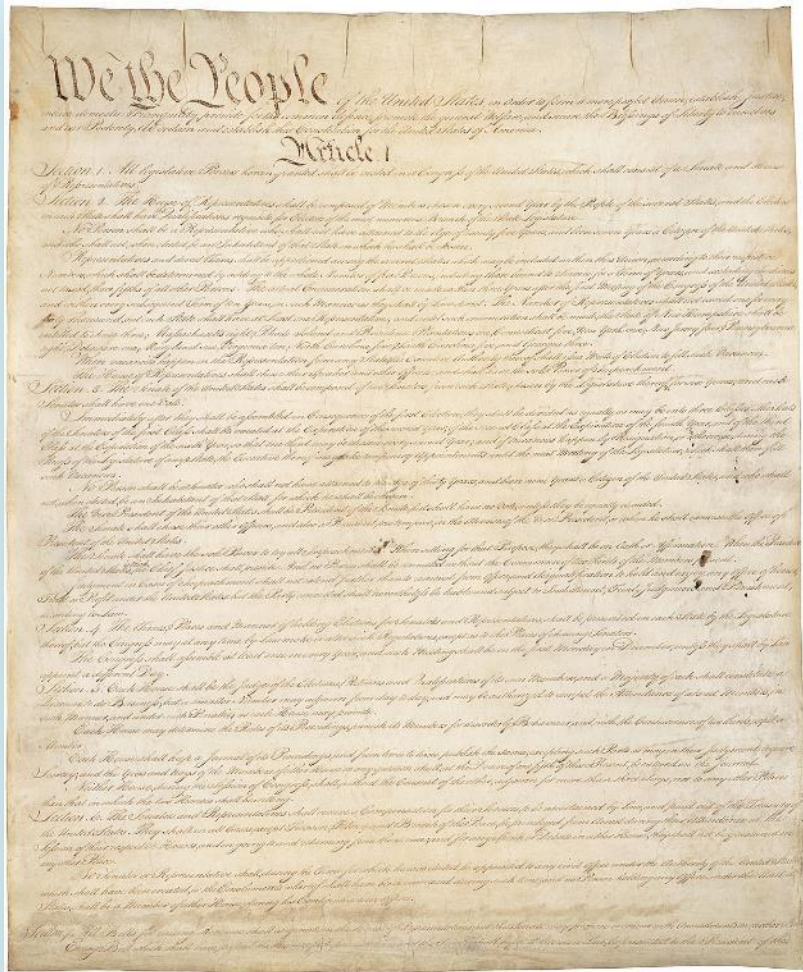
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# THE CONSTITUTION

## 1787



# “We the People”



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# THE “SECOND FOUNDING AND THE RECONSTRUCTION AMENDMENTS

The **13th Amendment** abolished slavery (1865).

The **14th Amendment** wrote the Declaration of Independence’s promise of freedom and equality into the Constitution. (1868).

The **15 Amendment** banned racial discrimination in voting (1870).



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# POWERS OF CONGRESS

Some civil rights advocates drew especially on the powers granted to Congress to eradicate racial discrimination in America

- The original Constitution granted Congress the power to regulate interstate commerce—granting it broad powers to pass laws touching on our nation’s economy
- The Reconstruction Amendments themselves contained enforcement clauses—granting Congress new powers to protect the civil and political rights of all Americans

During the Civil Rights Era, reformers drew on these powers to fight for landmark civil rights laws.



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# THE 23RD AMENDMENT

1961

Granted the District of Columbia (and its large African American population) three electoral votes and added their voters' voices to the presidential selection process.



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# THE 24TH AMENDMENT

1964

Banned poll taxes in national elections.

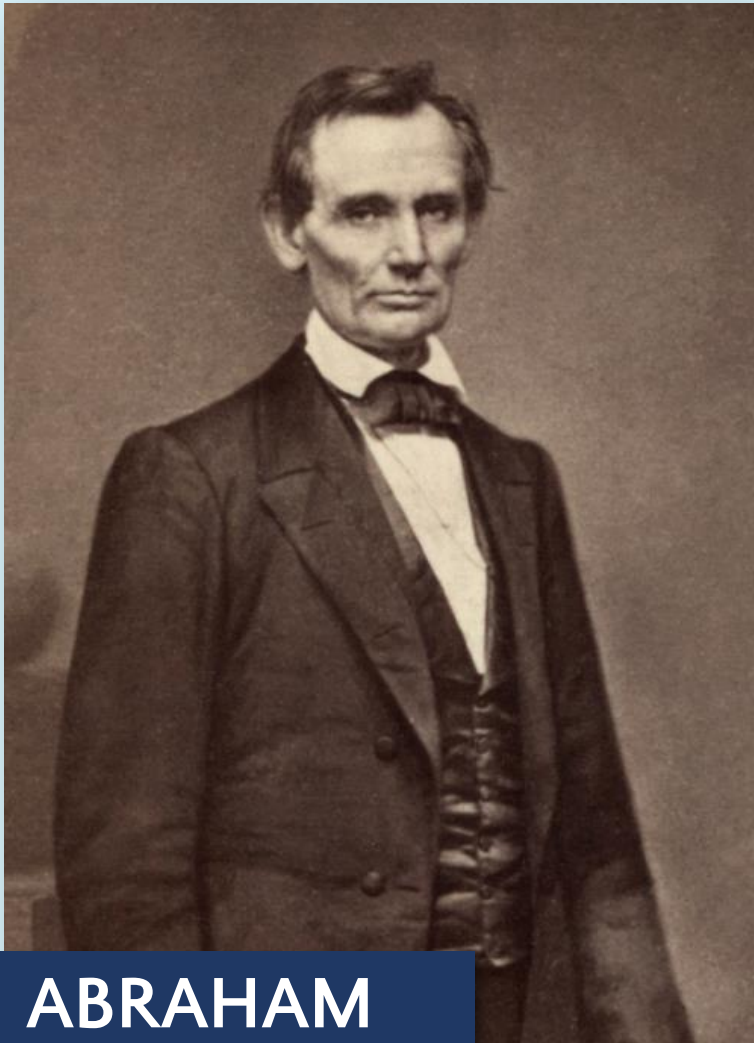


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# THE RECONSTRUCTION ERA



**ABRAHAM  
LINCOLN**

The period after the Civil War is known as Reconstruction.

During this critical period, the Republican Party tried to set important constitutional baselines for post-Civil War America.

Importantly, the American people wrote many of these baselines into the Reconstruction Amendments: the 13th, 14th, and 15th



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# THE RECONSTRUCTION ERA

During this period we saw African Americans:

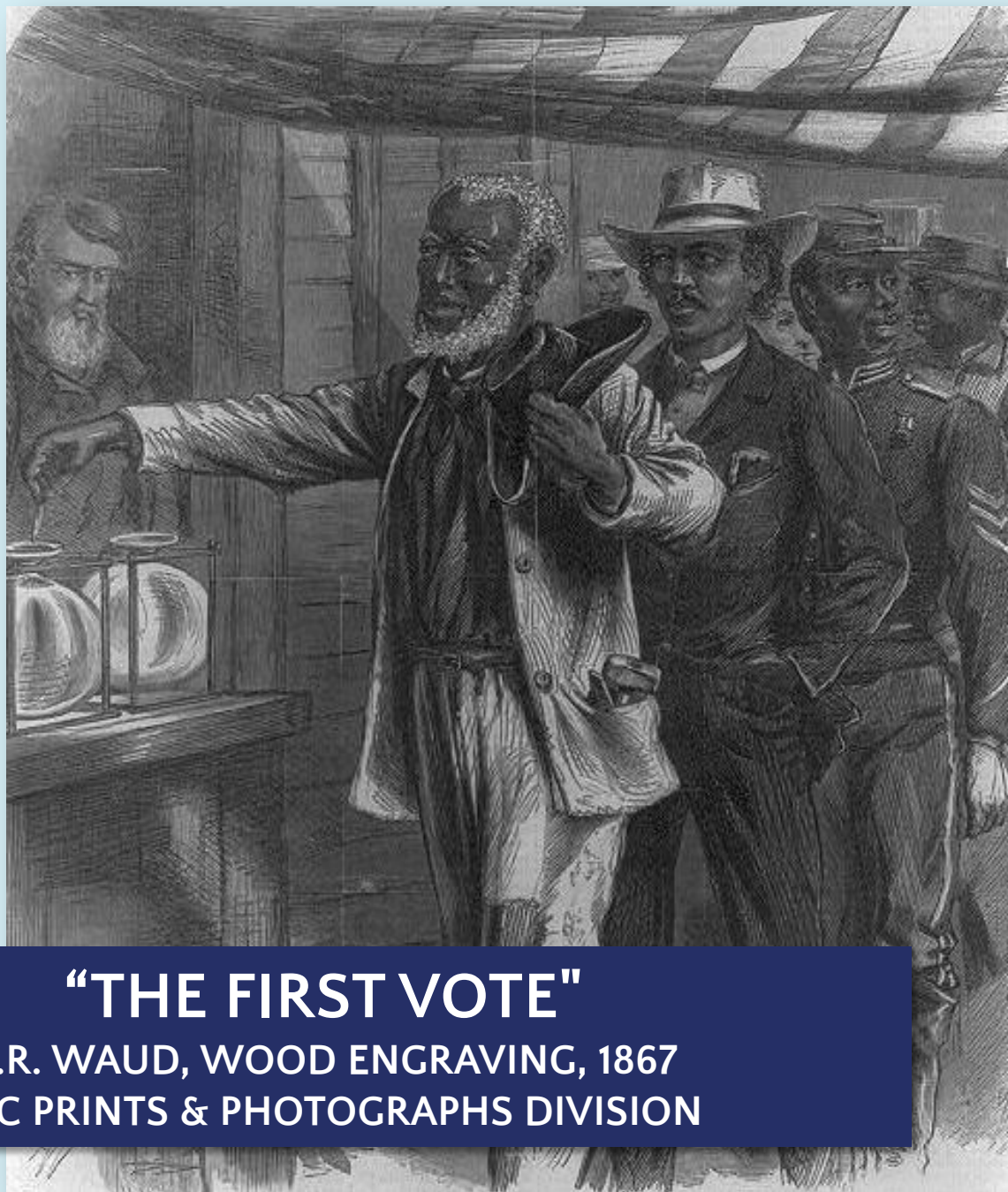
- Meeting in conventions throughout the nation—laying out their vision of what America’s “new birth of freedom” ought to look like for the African American community in post-Civil War America.
- Voting in massive numbers—electing Republicans throughout the South and pushing for the ratification of the 14th and 15th Amendments.
- Holding office at all levels of government--**U.S. Senators**, U.S. House Members, governors, state legislators, all the way down to key positions in local governments throughout the South

And we saw the national government—**for a time**—acting to protect the constitutional rights of all.



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## “THE FIRST VOTE”

A.R. WAUD, WOOD ENGRAVING, 1867  
LOC PRINTS & PHOTOGRAPHS DIVISION



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# THE JIM CROW SOUTH

Over time, white Southerners regained political power and imposed second-class citizenship on African Americans.

This system of Jim Crow segregation forced African Americans to attend different schools than white Americans, drink from different water fountains, use different restrooms, travel in different train cars, and stay in different hotels—and on and on.

These states also used a mix of violence, intimidation, and laws on the books—including polls taxes and literacy tests—to keep African Americans from voting.



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# PLESSY V. FERGUSON (1896)

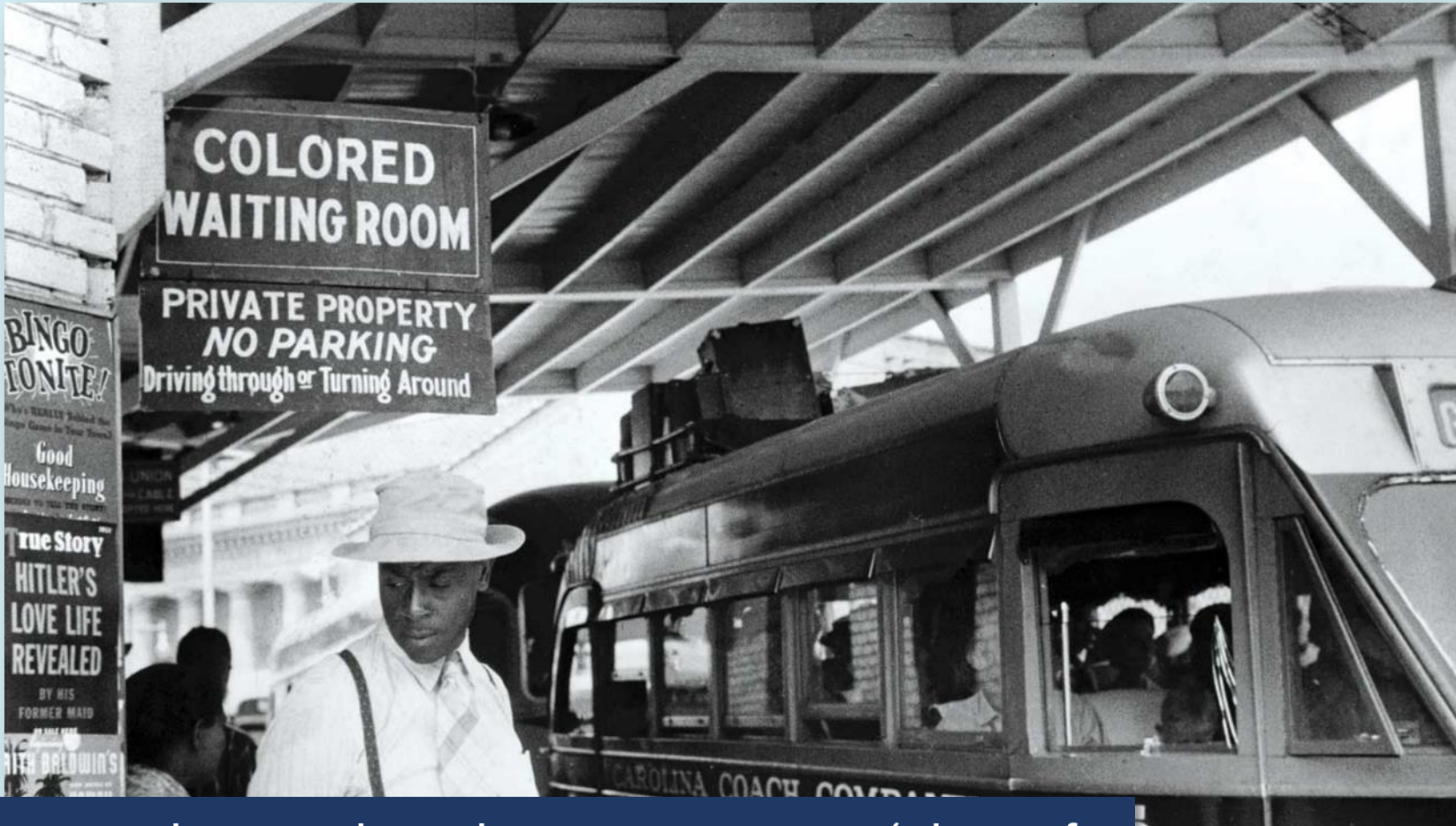


Image: Durham, North Carolina Bus Station, 1940. (Library of Congress)



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# PLESSY V. FERGUSON (1896)

In 1896, the Supreme Court—in the infamous case of *Plessy v. Ferguson* (1896)—said that Jim Crow **segregation was constitutional**.

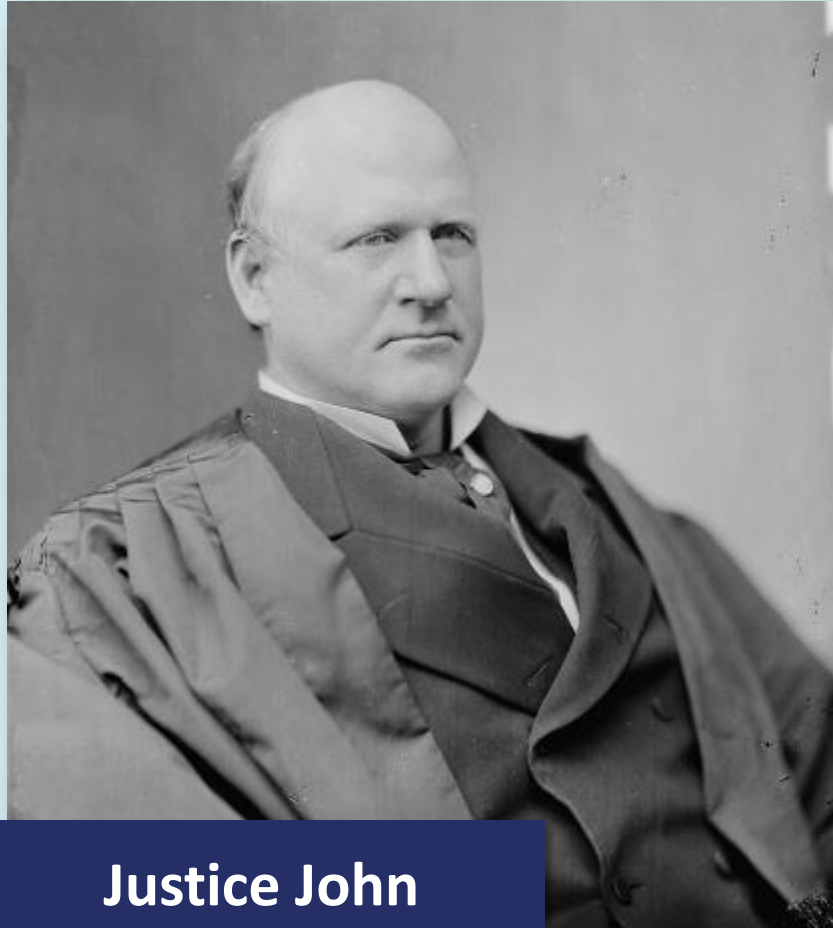
For the *Plessy* Court **(in a 7-1 ruling)**, this form of discrimination didn't violate the Fourteenth Amendment's promise of equality. According to Justice Henry Billings Brown and the *Plessy* **majority, separate, but equal, was okay** for the *Plessy* Justices.



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# PLESSY V. FERGUSON (1896)



Justice John  
Marshall Harlan

Justice John Marshall Harlan was the lone dissenter.

His dissent is one of the most important (and powerful) opinions in Supreme Court history—arguing that **“Our constitution is color-blind”** and predicting that the *Plessy* decision **“will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case.”**



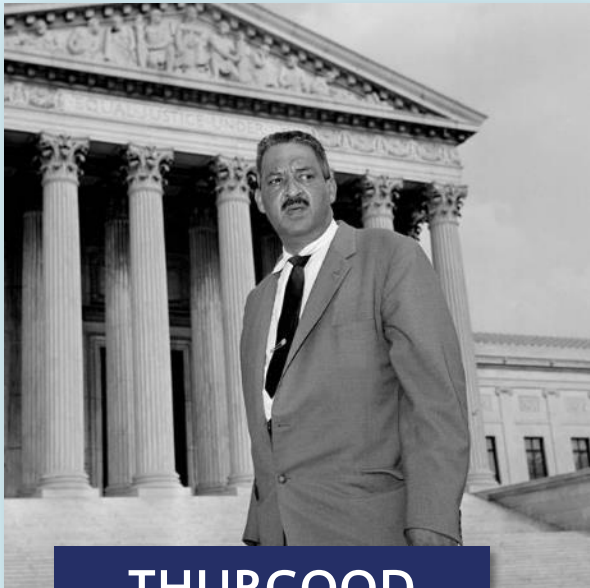
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## NAACP LEGAL TEAM

In response to *Plessy* the NAACP eventually adopted a long-term strategy for fighting for racial equality. Lawyers prepared the ground in a series of cases challenging racial discrimination.



**THURGOOD  
MARSHALL**



**CHARLES  
HAMILTON  
HOUSTON**



**WILLIAM HASTIE**



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## NAACP LEGAL TEAM



CHARLES  
HAMILTON  
HOUSTON

Dean of Howard Law School.  
First NAACP special counsel.  
Graduated from Amherst and  
Harvard Law School.



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## NAACP LEGAL TEAM



**WILLIAM HASTIE**

Also, a Dean of Howard Law School. Taught Thurgood Marshall. Later, Governor of the Virgin Islands. And a Federal judge (including on the Third Circuit).

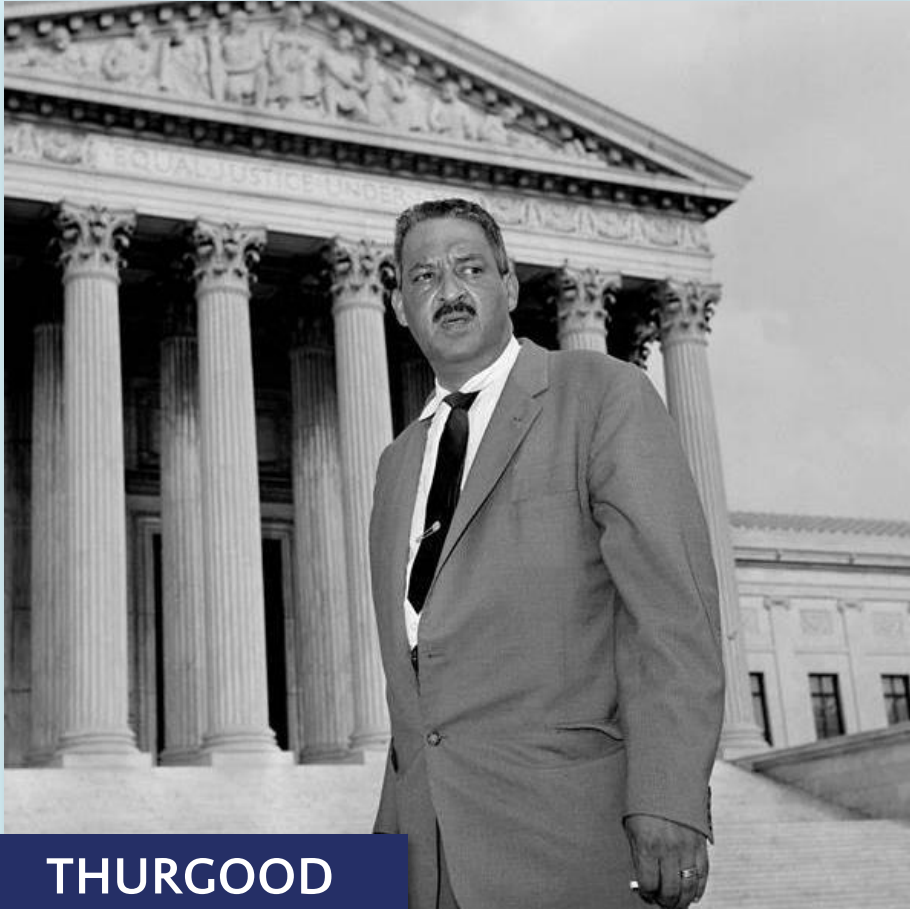


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## NAACP LEGAL TEAM



**THURGOOD  
MARSHALL**

Marshall was the great-grandson of enslaved people and came from modest origins, graduating from Lincoln University in 1930, a prestigious African-American school near Philadelphia. But he was also denied admission to the University of Maryland Law School on account of race.

He enrolled at Howard Law School and met Charles Hamilton Houston.



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## *BROWN V. BOARD (1954)*



LINDA BROWN



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## *BROWN V. BOARD (1954)*



The students for whom the famous *Brown v. Board of Education* case was brought, with their parents.

(Credit: Carl Iwasaki/The LIFE Images Collection/Getty Images)

*Brown* combined similar cases which all involved African American students who had been denied admission to white public schools. The challengers argued that these segregation laws violated the 14th's Amendment's Equal Protection Clause and that separate could never be equal in public education.



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## BROWN V. BOARD (1954)



CHIEF JUSTICE  
EARL WARREN

In *Brown*, the Supreme Court **unanimously overturned Plessy** and concluded that school segregation violated the **14th Amendment's** promise of equality and was unconstitutional.

Chief Justice Warren: “**We conclude that in the field of public education the doctrine of ‘separate but equal’ has no place.** Separate educational facilities are inherently unequal.”



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## THE ROAD TO *BROWN*

By the time the Court issued its *Brown* opinion, they had already struck down other Jim Crow laws, like racial covenants, racial zoning schemes, “All White” primaries, “Grandfather Clauses,” and discrimination in labor unions.

- In *Sweatt v. Painter* (1950) the Court already questioned the “separate but equal” doctrine of *Plessy*. Herman Sweatt was refused admission to the University of Texas Law School on the basis of race. The Court ruled that this was unconstitutional under Equal Protection.
- And in another case—*McLaurin v. Oklahoma*—the Court decided segregation in higher education violated Equal Protection.



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# LITTLE ROCK



In **1957**, backlash reached a crisis point in Little Rock, Arkansas.

Nine black students—the “Little Rock Nine”—attempted to enroll at the all-white **Central High School**.

**Governor Orval Faubus** called out the National Guard to bar them, with the support of white mobs.



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## LITTLE ROCK



DWIGHT D.  
EISENHOWER

President Eisenhower then sent troops to protect the African American students. In a powerful speech, Ike addressed the nation—explaining his decision.

Finally, the Warren Court stepped in to reinforce Ike's actions in *Cooper v. Aaron (1958)*. There, the Court explained that state officers and governors had a duty to obey the orders of the Court, which rested on the Court's interpretation of the Constitution.



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# MONTGOMERY BUS BOYCOTT



Rosa Parks was a civil rights activist in Montgomery, Alabama. On December 1, 1955, she refused to give up her seat on a bus to a white man. She was arrested for violating the law. But she was acting as part of a larger advocacy strategy. Parks herself was a longtime member of the NAACP. And she and other female activists in the area had been planning such action for some time.

Parks's arrest became a galvanizing force for the African American community's challenge to segregated buses in Montgomery—one of the most segregated cities in the nation. The boycott lasted over a year.



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# NATIONAL STUDENT-LED SIT-IN MOVEMENT



In 1960, we see the beginning of the student-led sit-in movement in Greensboro, North Carolina. This movement would spread to Nashville, Atlanta, and other major cities.

As part of a “sit-in,” student activists would enter a segregated public place—like a grocery counter—and sit in the “whites-only” areas.



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# FREEDOM RIDES



In 1961, the Congress for Racial Equality began to sponsor the Freedom Rides. As part of the Freedom Rides, civil rights advocates boarded interstate buses in the South in mixed racial groups to challenge local laws or customs that enforced segregation in bus seating. The first riders were met with violence in Alabama. The violence against the Freedom Riders bolstered support for the Civil Rights Movement nationally.



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# JAMES MEREDITH



In 1962, James Meredith forced the integration of the University of Mississippi. The University had denied him admissions twice. But with the support of the NAACP and Medgar Evers, a federal court ruled that Meredith had a right to attend a state school. The Supreme Court upheld that ruling. Riots broke out, and President Kennedy nationalized the Mississippi National Guard to enforce the Court's decision. The University eventually enrolled Meredith, and he graduated the following year.



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# CHILDREN'S MARCH 1963

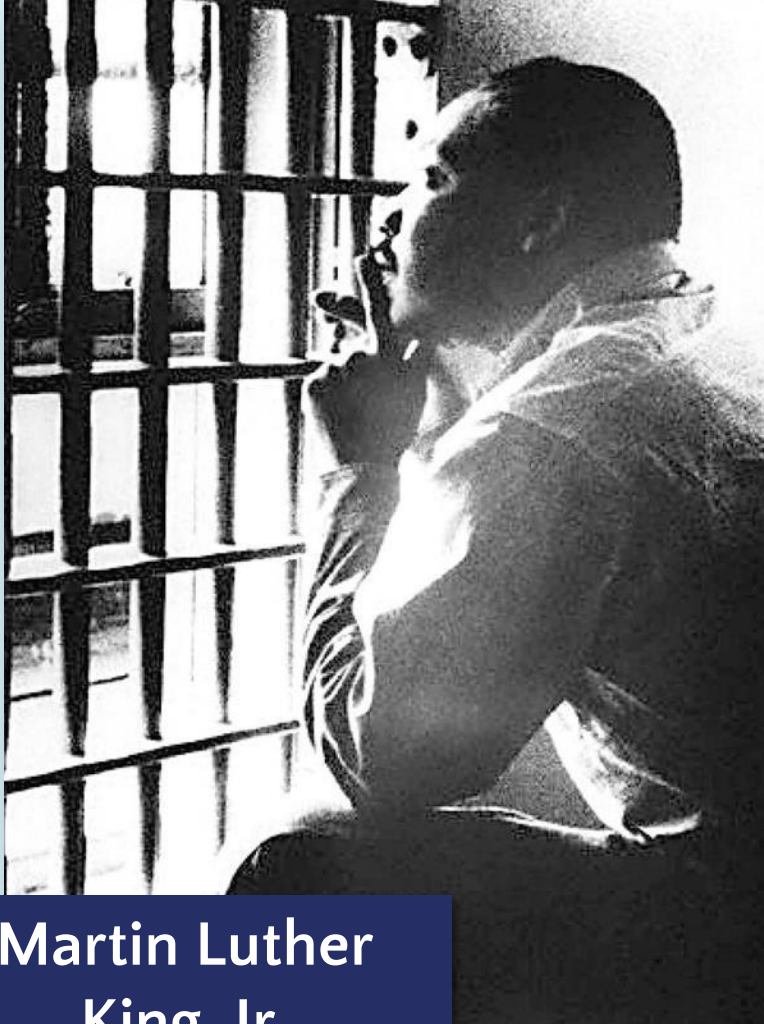


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# LETTER FROM BIRMINGHAM JAIL



Martin Luther  
King, Jr.

In 1963, Dr. King published one of his most famous works, *Letter from a Birmingham Jail*, after being arrested for attending a demonstration, which had been barred. King framed his letter as a response to a group of white Southern ministers who had expressed concern about the civil unrest associated with the civil rights demonstrations.

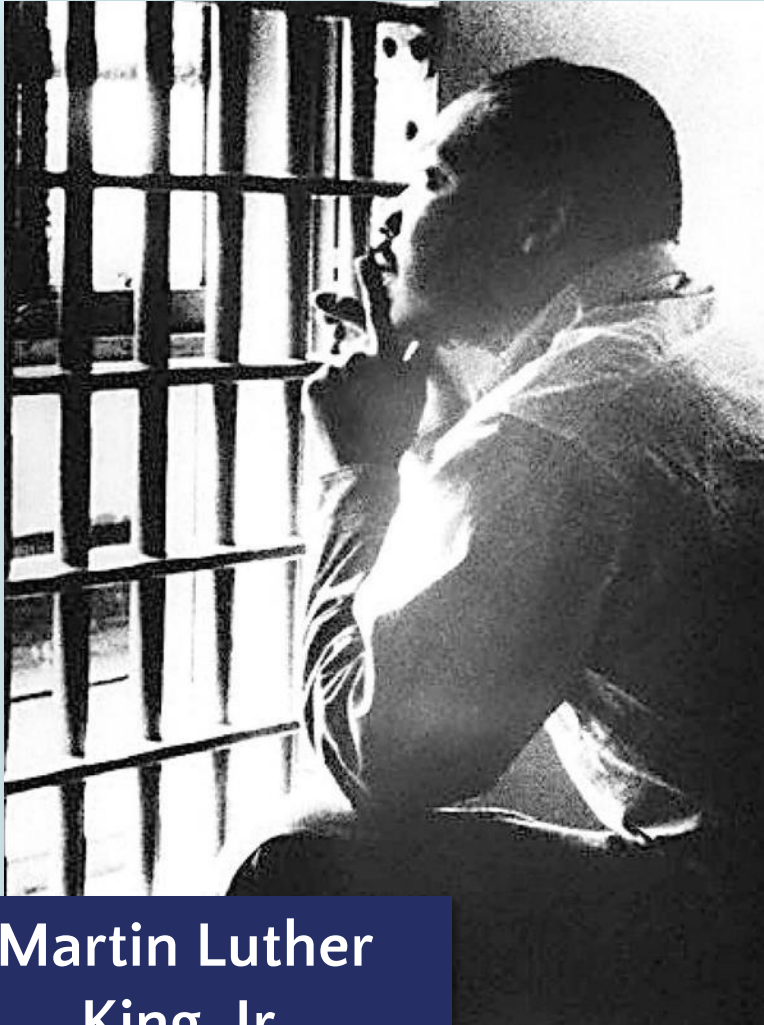


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# LETTER FROM BIRMINGHAM JAIL



Martin Luther  
King, Jr.

While many white ministers attacked King's advocacy in Birmingham as unwise, he explained that he went to Birmingham because injustice was there.

**“We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”**

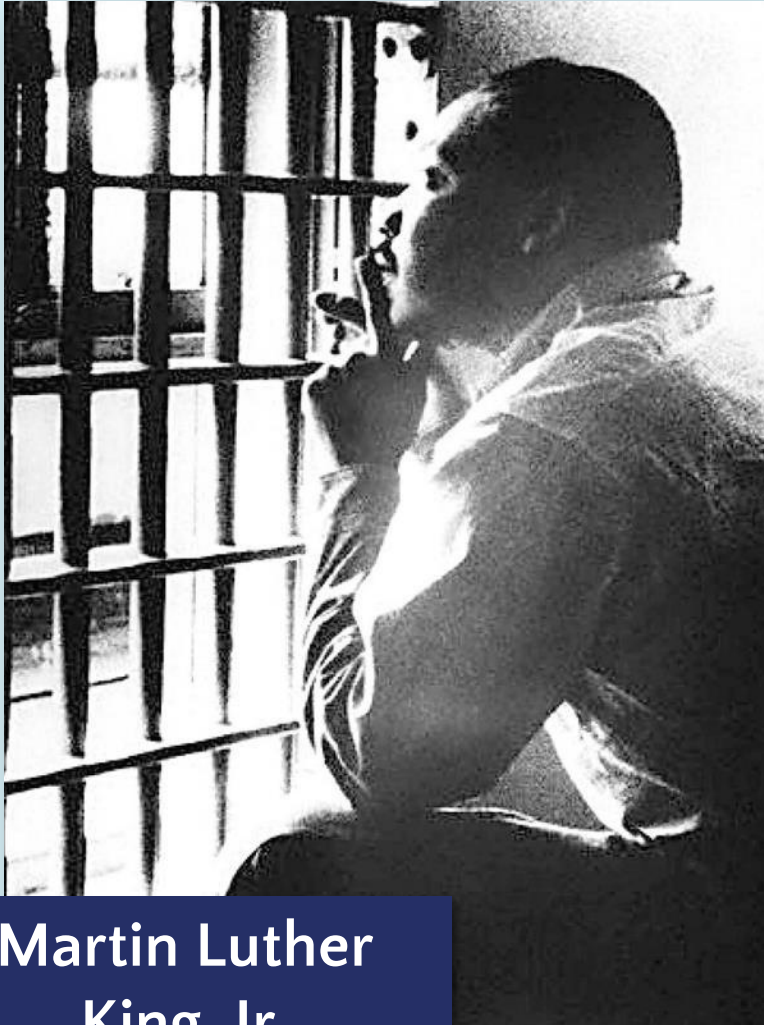


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# LETTER FROM BIRMINGHAM JAIL



Martin Luther  
King, Jr.

**“We have waited for more than 340 years for our constitutional and God-given rights. . . . Perhaps it is easy for those who have never felt the stinging darts of segregation to say, ‘Wait.’”**



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# LETTER FROM BIRMINGHAM JAIL

The white ministers criticize the Civil Rights Movement with breaking the laws. They ask how civil rights leaders can ask others to follow Brown while we break laws ourselves.

King concedes that this is a legitimate concern. But it turns on the fact that some laws are just and some are unjust. King says that we should follow the just ones. But we have a moral obligation to disobey unjust laws.

But for King, if you break an unjust law, you must do so openly, lovingly, and with a willingness to accept the penalty. This is the highest respect for the law.



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## LETTER FROM BIRMINGHAM JAIL

“One day the South will recognize its real heroes. . . . One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judaeo Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the **Declaration of Independence.**”

Martin Luther King, Jr.



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# 1963 MARCH ON WASHINGTON

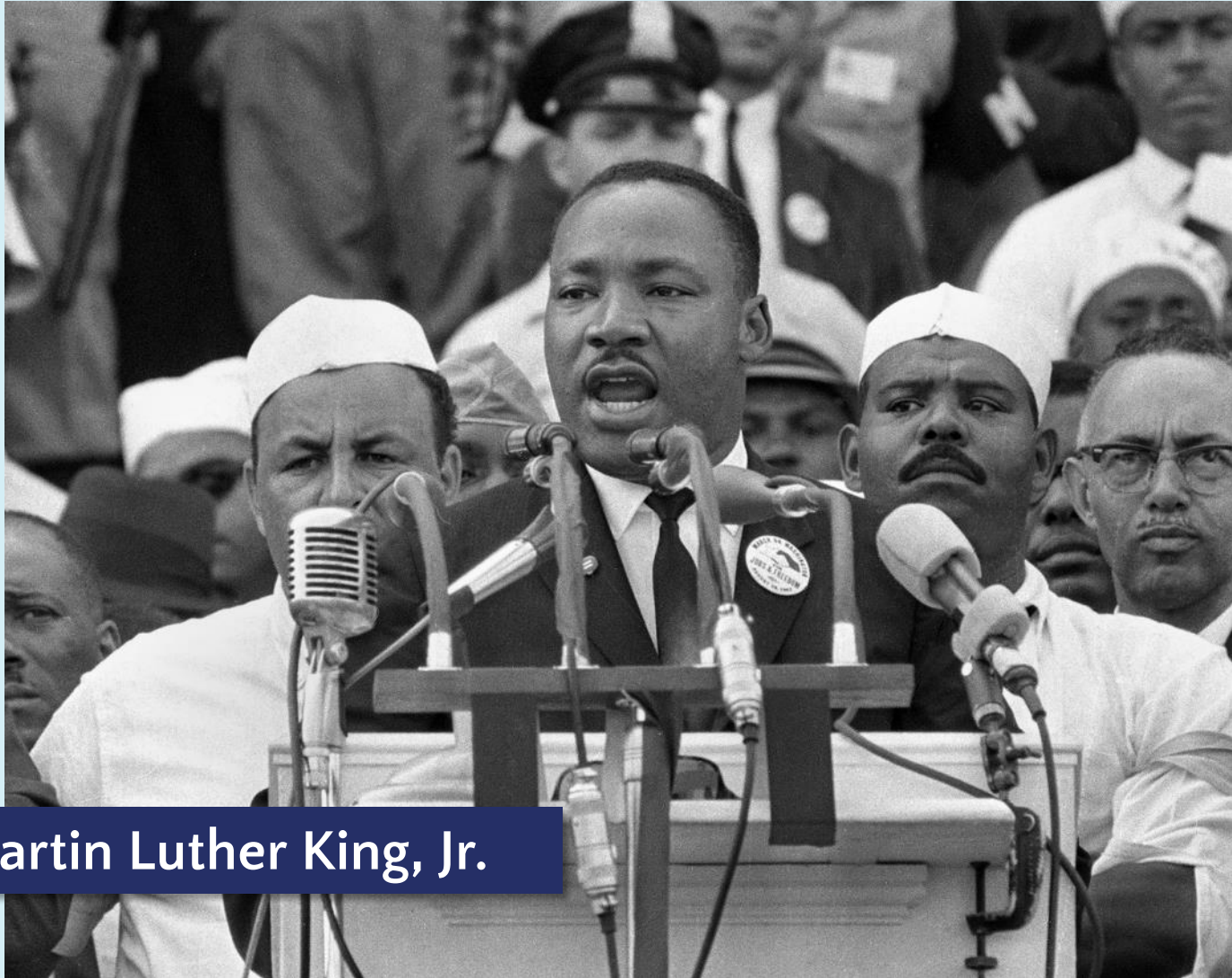


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# “I HAVE A DREAM” SPEECH



Martin Luther King, Jr.



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## “I HAVE A DREAM” SPEECH

“In a sense we’ve come to our nation’s capital to cash a check. When the architects of our Republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men—yes, black men as well as white men—would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked ‘insufficient funds.’”

Martin Luther King, Jr.



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## “I HAVE A DREAM” SPEECH



Martin Luther  
King, Jr.

“But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So, we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice.”

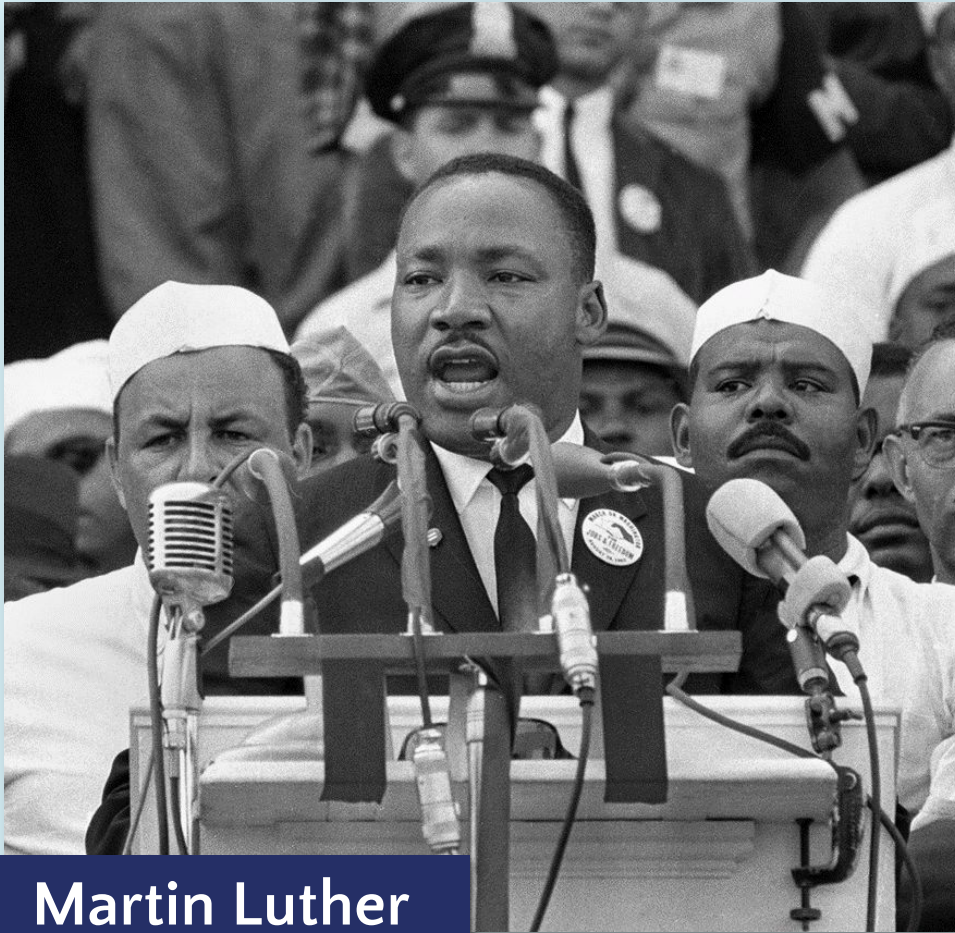


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## “I HAVE A DREAM” SPEECH



Martin Luther  
King, Jr.

**“No, no, we are not satisfied,  
and we will not be satisfied  
until justice rolls down like  
water and righteousness like  
a mighty stream.”**

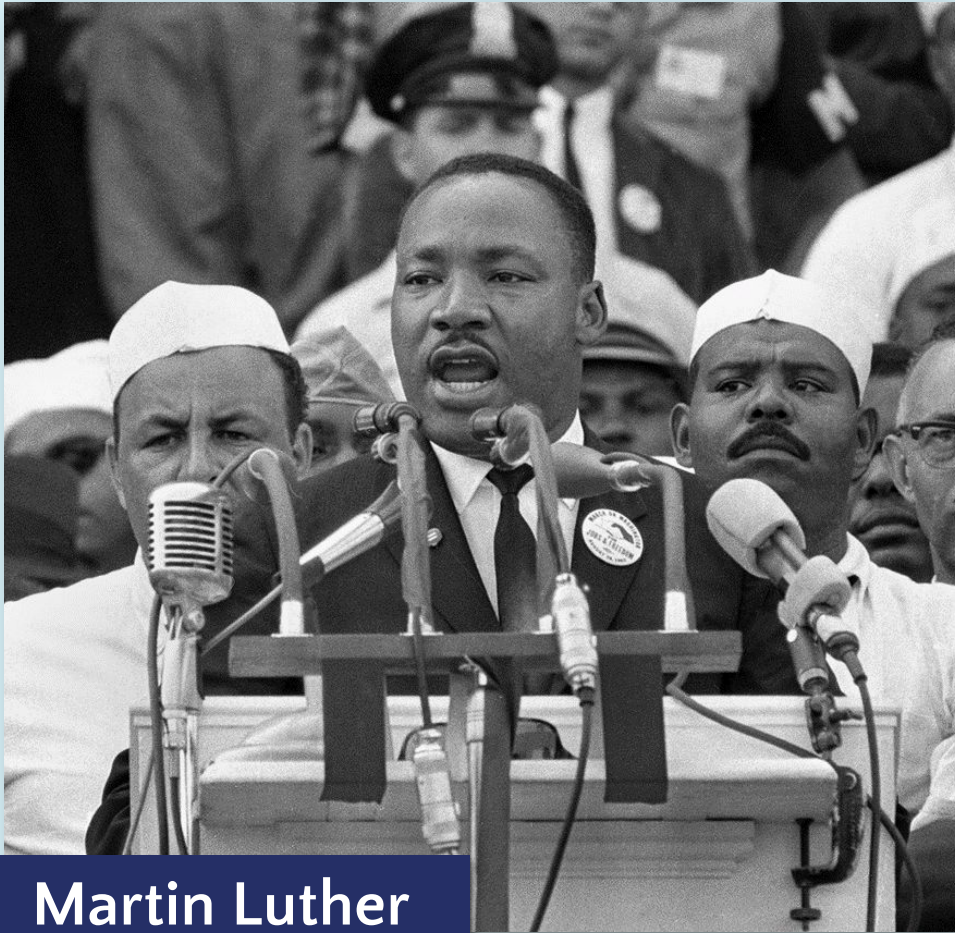


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## “I HAVE A DREAM” SPEECH



Martin Luther  
King, Jr.

“I say to you today, my friends, though, even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed.” [QUOTES DECLARATION.]

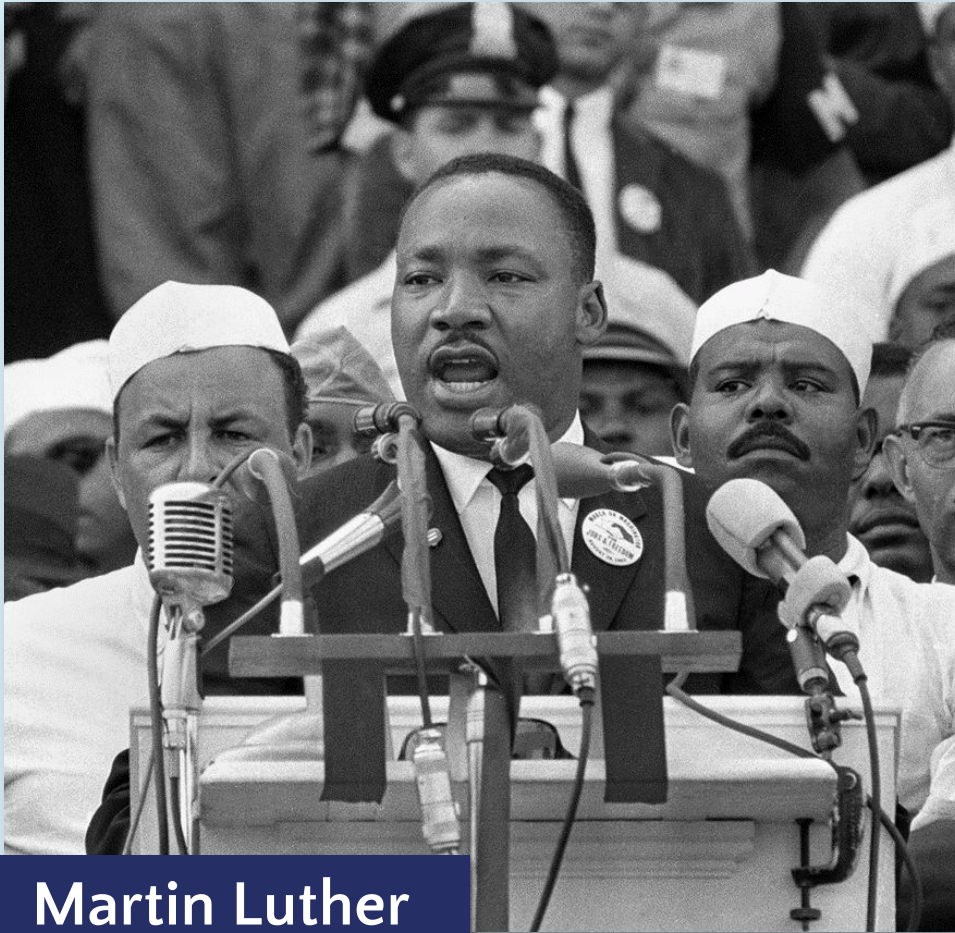


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# “I HAVE A DREAM” SPEECH



Martin Luther  
King, Jr.

“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.”



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# CIVIL RIGHTS ACT OF 1964



**THE SIGNING OF THE  
CIVIL RIGHTS ACT,  
1964**

With the Civil Rights Act of 1964, Congress attacked racial discrimination in a variety of settings, including work, schools, and public settings (like restaurants and hotels).

Congress passed this law under its Article I power to regulate interstate commerce, but it can also be understood as realizing the promise of the Reconstruction Amendments.



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## CIVIL RIGHTS ACT OF 1964

Shortly after Congress passed the Civil Rights Act of 1964, the Supreme Court considered a challenge to its constitutionality—*Heart of Atlanta Motel v. United States (1964)*. There, a motel owner refused to rent rooms to African Americans, arguing that the Civil Rights Act exceeded Congress’s Commerce Clause powers.

The Warren Court upheld the Act. Congress was clear that the key purpose behind the Act was to end “**the deprivation of personal dignity that surely accompanies denials of equal access to public establishments.**”

And in *Katzenbach v. McClung*, the Warren Court upheld another section of the Act—banning racial discrimination in restaurants.



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## PUSH FOR VOTING RIGHTS

In this push for voting rights, SNCC and its allies organized “Freedom Summer”—an effort to register African American voters throughout the South. The campaign focused on Mississippi.

Under the leadership of SNCC activist Bob Moses, the four majority civil rights organizations—SNCC, CORE, the NAACP, and the SCLC—spread out across the state to conduct a major voter registration drive. However, the opposition was so strong that they managed to register only 1,200 new African American voters.

At the same time, three civil rights workers were murdered, and 37 black churches were burned. This push for voting rights culminated in “Bloody Sunday” and, eventually, with the passage of the Voting Rights Act of 1965.



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# SELMA TO MONTGOMERY MARCH AND BLOODY SUNDAY



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# SELMA TO MONTGOMERY MARCH AND BLOODY SUNDAY

Civil rights leaders called for a march from Selma, Alabama, to the state capital in Montgomery to protest the murder of a voting rights activist. As soon as the 600 marchers left Selma and crossed the Edmund Pettus Bridge, state troopers assaulted them—using tear gas and clubs.

The late **John Lewis** was one of the marchers—and he would bear the scars of violence from that day throughout his life.

Once again, the scene was caught by national television cameras. It became known as “Bloody Sunday.”



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# VOTING RIGHTS ACT OF 1965



LYNDON JOHNSON AND MARTIN LUTHER KING JR. AT  
THE SIGNING OF THE VOTING RIGHTS ACT, 1965



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# VOTING RIGHTS ACT OF 1965

Congress passed the Voting Rights Act of 1965 under its powers granted by the 14th Amendment and the 15th Amendment. The VRA created mechanisms to enforce the 15th Amendment's ban on racial discrimination in voting—most notably **“preclearance,”** a requirement that certain states with poor voting rights histories obtain national permission before altering their voting laws.

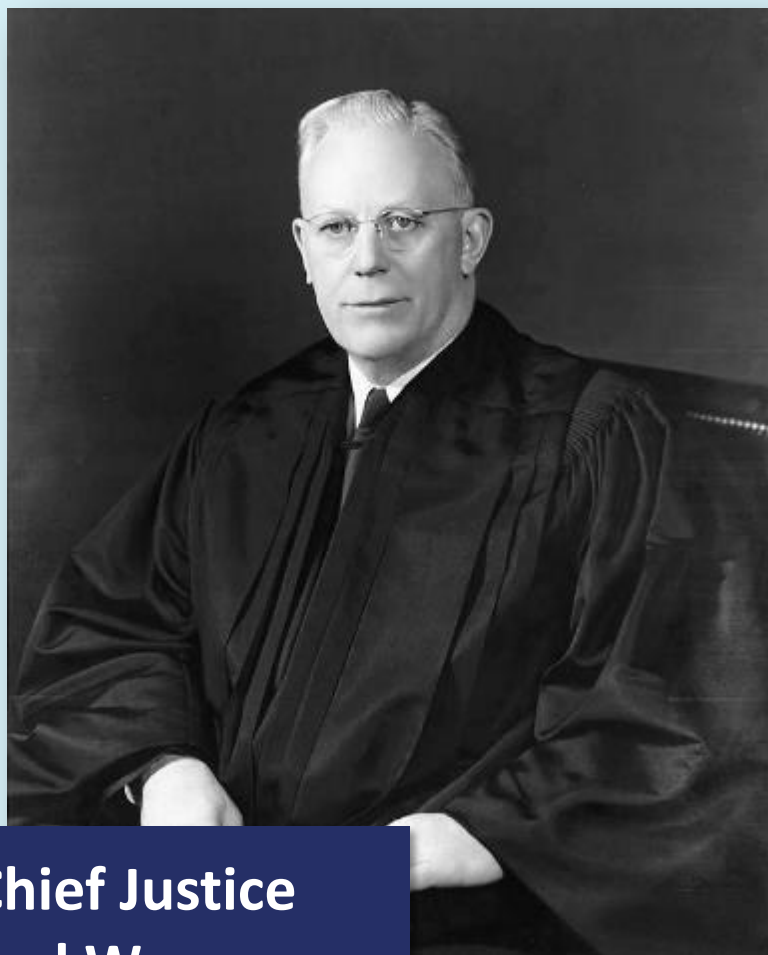
The VRA included a formula for determining which states and counties needed to get preclearance to change their election practices. Only some states and counties were required to seek approval before changing election policies, based on their history of discrimination in voting.



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## VOTING RIGHTS ACT OF 1965



**Chief Justice  
Earl Warren**

Shortly after Congress passed the VRA, the Supreme Court considered a challenge to the VRA's constitutionality brought by South Carolina—*South Carolina v. Katzenbach*.

The Supreme Court—in an opinion authored by Chief Justice Earl Warren—rejected South Carolina's challenge and upheld the VRA's preclearance requirement as a valid exercise of Congress's power to enforce the 15th Amendment.



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## VOTING RIGHTS ACT OF 1965

On the Court's view, the VRA was a "legitimate response" to the "insidious and pervasive evil" of the Jim Crow laws that prevented African Americans from voting since the ratification of the 15th Amendment in 1870.

The VRA was a monumental success. For instance, in 1960, only 20% of eligible African American voters were registered to vote. By 1971, the number had risen to 62%. At the same time, African American elected officials quadrupled— from 1,400 in 1970 to 4,900 in 1980 (and doubling again by the early 1990s).

Of course, the 1960s would not be the end of either monumental legislation or major Supreme Court cases concerning the fight for equality and civil rights. That battle continues through today.



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