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he Civil Rights Act of 1964 is landmark legislation in United States history. It outlawed discrimination in a transformative way and built upon the decades of work of civil rights leaders from around the country and across time.

This issue of *Insights* commemorates the golden anniversary of the Civil Rights Act of 1964, exploring its origins, the protections it offered, and the limits to its efficacy. The issue opens with an article from Steven Schwinn (The John Marshall Law School), providing an overview of the act and historical context for understanding its place in law and society. Next, Rubén Donato and Jarrod Hanson (University of Colorado at Boulder) grapple with some of the challenges reflecting the limitations of the act when it came to dismantling decades of discriminatory practices in public schools serving Mexican Americans. Trina Jones (Duke University School of Law) discusses how Title VII of the Civil Rights Act reshaped the American workplace, but notes how it was only a step toward general equality in contemporary employment settings. To help connect this rich content to your classroom, our Learning Gateways features provide engaging instructional strategies.

Rounding out the issue, *Teaching Legal Docs* takes a close look at injunctions, a powerful legal tool utilized by courts throughout the civil rights movement and today. *Perspectives* features commentary from a diverse set of leaders to help students understand the impact of the act on American society and the ongoing efforts needed to realize its promise of equality. *Law Review*, written by Katherine Scott, a historian for the U.S. Senate, chronicles how passage of the Civil Rights Act of 1964 required bipartisan cooperation and coordination. Our *Profile* for this issue, Anthony Chavez, grandson of Cesar Chavez, remembers his grandfather's work to achieve equality for farmworkers.

Remember that the magazine doesn’t stop with these pages. Check out the rich roundup of resources online at [www.insightsmagazine.org](http://www.insightsmagazine.org). The website offers teachers additional instructional supports, including ready-to-use handouts, articles, and opportunities for continued discussion. And be sure to take note of our “mark your calendar” reminder on page 31 for Law Day, May 1, or visit [www.lawday.org](http://www.lawday.org).

We continue to benefit from your feedback and ideas for the magazine, so keep them coming to our editor or me. Let us know about topics that you would like to see us tackle in future issues and innovative classroom strategies that you have initiated to bring content alive for your students.

Enjoy,

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The Civil Rights Act of 1964, now celebrating its 50th year, marks an enduring revolution in the way we think about civil rights enforcement under our Constitution. In particular, the act was the first piece of federal legislation that effectively banned wholly private racial discrimination—that is, racial discrimination between two private actors, not involving the government. The act thus proved to be a vital tool to enforce equality and civil rights at a time when private discrimination threatened to perpetuate the inequalities created by the slowly deteriorating state-sponsored racial discrimination of Jim Crow. In other words, if private discrimination sought to augment the state-sponsored discrimination of Jim Crow, the Civil Rights Act of 1964 was designed to stop it.

Title II of the act tells the story well. Title II bans racial discrimination in places of public accommodations—privately owned establishments such as hotels and restaurants that nevertheless cater to the public. In enacting Title II, however, Congress ran headlong into a seemingly insurmountable barrier: the requirement under the Fourteenth Amendment that Congress could only ban state-sponsored discrimination of Jim Crow. In other words, if private discrimination sought to augment the state-sponsored discrimination of Jim Crow, the Civil Rights Act of 1964 was designed to stop it.

Title II did not stand alone, of course; it was part of a much larger, comprehensive system of federal civil rights legislation. The Civil Rights Act of 1964 itself was comprised of eleven titles altogether, addressing racial discrimination in all different areas of life. Most notably, Title I addressed racial discrimination in voting; Title III banned racial discrimination in public facilities; Title IV banned racial discrimination in public education; Title VI banned discrimination in publicly financed programs; and Title VII banned racial discrimination in employment. Moreover, the Civil Rights Act of 1964 was only the first in a line of federal civil rights acts, including the Voting Rights Act of 1965, the Age Discrimination in Employment Act of 1967, the Fair Housing Act of 1968, the Education Amendments of 1972 (Title IX), and the Age Discrimination Act of 1975, among others.

Many of these civil rights provisions, like Title II, rely on other congressional authorities in the Constitution (and not the seemingly more obvious authorities in the Thirteenth, Fourteenth, and Fifteenth Amendments). Thus, Title II not only cleverly addressed the acute and potentially intractable problem of private racial discrimination, it also showed how Congress might use its entire arsenal of authorities to enforce civil rights.

Some Background
The Thirteenth, Fourteenth, and Fifteenth Amendments, ratified after the Civil War, during Reconstruction, gave Congress vast new powers to enforce civil rights. In particular, the Thirteenth Amendment gave Congress authority to enforce the amendment’s ban on slavery and involuntary servitude. The Fourteenth Amendment gave Congress authority to enforce the amendment’s prohibition on a state’s denial of equal protection of the laws. (The Fourteenth Amendment also established birthright citizenship, so that anyone born in the United States is automatically a citizen of the United States, overturning Dred Scott v. Sandford. It also prohibited states from denying the privileges or immunities of citizens of the United States and from depriving any person of life, liberty, or property without due process of law.) The Fifteenth Amendment gave Congress authority to enforce the
amendment’s ban on discrimination by race, color, or previous condition of servitude in voting. Congress’s authority to enforce the provisions of these amendments was more elastic than the plain terms of the amendments themselves. As a result, congressional enforcement power swept more broadly than, say, just banning slavery; it also included the power to ban the “badges and incidents” of slavery.

In 1875, Congress sought to exercise this vast, new authority by banning racial discrimination in places of “public accommodation.” In the Civil Rights Act of 1875, Congress banned racial discrimination in places such as hotels, restaurants, theaters, and other places that, while privately owned, were generally open to the public. Congress thought that it had sound authority to enact the ban under its enforcement powers in the Thirteenth and Fourteenth Amendments.

But the Supreme Court disagreed. In five separate cases, consolidated under the case title The Civil Rights Cases (1883), the Court ruled that Congress exceeded its enforcement authority under both amendments. The Court said that Congress exceeded its authority under the Thirteenth Amendment because racial discrimination in places of public accommodation amounted to private discrimination, not state-sponsored discrimination in violation of the amendment’s demand for equal protection. (The Fourteenth Amendment says, “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”) Thus, just eight years after Congress enacted the act, the Court ruled it unconstitutional.

Justice Harlan wrote a full-throated dissent, taking the majority to task for ignoring the true purposes of the Thirteenth and Fourteenth Amendments and pulling the curtain back on the Court’s uneven treatment of congressional authority here and in other cases. In particular, Justice Harlan wrote that the Court gave an unduly cramped reading to congressional authority in the new amendments, and one that flew in

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the face of the amendments’ purposes. “Constitutional provisions, adopted in the interest of liberty and for the purpose of securing, through national legislation, if need be, rights inhering in a state of freedom and belonging to American citizenship have been so construed as to defeat the ends the people desired to accomplish, which they attempted to accomplish, and which they supposed they had accomplished by changes in their fundamental law.” Justice Harlan also criticized the Court for its double standard, reading congressional authority broadly when Congress previously acted to protect slave-owners, but reading congressional authority narrowly when Congress now sought to protect civil rights.

The Court’s ruling in The Civil Rights Cases dealt a major blow to Congress and its efforts to protect civil rights. (The blow was a second one. The Court landed its first major blow in an earlier case, The Slaughterhouse Cases (1873), which read an unduly narrow “privileges or immunities” clause in the Fourteenth Amendment.) It closed the door on two of the most obvious sources of authority for Congress to outlaw racial discrimination in public accommodations. And after the Civil Rights Act of 1875, Congress did not enact another civil rights law for 80 years.

**The Civil Rights Act of 1964**

Then, in June 1963, President Kennedy announced on national television that he would send proposals to Congress to eliminate racial segregation in public accommodations. But President Kennedy’s proposals did not come out of the blue. Instead, they came amid increased violence aimed at Freedom Riders and lunch counter sit-in demonstrators. They came amid rising incidents of abhorrent violence directed...
at blacks and civil rights leaders. And they came on the heels of the internationally televised violence unleashed by Eugene “Bull” Connor upon the peaceful demonstrators in Birmingham, Alabama, earlier that spring. Against this backdrop, by June 1963, an increasing number of labor unions, churches, and civic organizations had joined the civil rights movement in calling for a government response. President Kennedy, fearful that racial violence could spin out of control, finally responded with his proposals.

President Kennedy’s announcement was framed by events at the Supreme Court, too. The Supreme Court, in its 1962 Term, considered six lunch counter sit-in cases in which black criminal defendants challenged their state-court convictions for trespass or breach-of-the-peace under the Fourteenth Amendment Equal Protection Clause. The Court ruled that the convictions were based on government action (thus satisfying the state-action requirement that was central to the Court’s holding in The Civil Rights Cases), either because local law mandated racial segregation in restaurants, or because local officials ordered the defendants’ arrests, or both. The Court ruled further that the government action violated the Equal Protection Clause. On May 20, 1963, the Court reversed the convictions in all of these cases.

But even if state-sponsored discrimination was illegal, no federal law yet prohibited private discrimination. That is what President Kennedy’s proposal was aimed at.

President Kennedy’s legislation prompted a constitutional debate over congressional authority to enact the prohibition on racial discrimination in public accommodations. The debate included some of the same arguments over congressional authority under the Thirteenth and Fourteenth Amendments to enact the Civil Rights Act of 1875, rehearsed in The Civil Rights Cases. In particular, opponents of the legislation argued that a ban on racial discrimination in places of public accommodation was aimed at private behavior, not state action; and they said that such a ban would run headlong into the Court’s holding in The Civil Rights Cases. Supporters, on the other hand, recognized that racial discrimination was undoubtedly a “moral issue,” cutting to the core of human dignity and the Fourteenth Amendment’s demand for equality; and they saw a congressional ban on racial discrimination in places of public accommodation as an important public and national moral statement on the issue—a statement issued most appropriately under the Fourteenth Amendment. But they could not be sure that the Court would overrule or distinguish The Civil Rights Cases and its requirement for state action.

So supporters made a bold and innovative move. They turned to a different source of congressional authority, which did not depend on state action: the Commerce Clause. The Commerce Clause, in Article I, Section 8, of the Constitution, authorizes Congress to regulate activity that has a substantial effect on interstate commerce. Without detracting from the moral force of the legislation (and turning the problem into a mere economic matter), supporters of the administration’s bill argued that racial discrimination in places of public accommodation did just that—affected

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**Civil Rights Acts in U.S. History**

- **1866** Extended citizenship to anyone born in the United States, regardless of race, color, or previous conditions of slavery or servitude. A similar provision was included later with the Fourteenth Amendment.
- **1871** Also known as the Enforcement Act of 1871, it empowered the President of the United States to suspend the writ of habeas corpus in efforts to combat white supremacist groups during Reconstruction.
- **1875** Guaranteed African Americans equal treatment in public accommodations, public transportation, and prohibited their exclusion from jury service. The Supreme Court ruled the act unconstitutional in 1883.
- **1957** With the primary goal of protecting voting rights, it established the Civil Rights Commission, which was charged with gathering information on the deprivation of voting rights based on color, race, religion, or national origin.
- **1960** Established federal inspection of local voter registration polls and introduced penalties for anyone who obstructed someone’s attempt to register to vote.
- **1964** Landmark legislation outlawed discrimination based on race, color, religion, sex, or national origin with regard to voting, the workplace, education, and public accommodations.
- **1968** Commonly referred to as the Fair Housing Act, prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, and national origin.
- **1991** Provided for the right to trial by jury for discrimination claims and introduced the possibility of emotional distress damages, but limited the amount of compensation that a jury could award under this possibility.
Is That Interstate Commerce?

The Commerce Clause is an enumerated power granted to Congress in the U.S. Constitution. Congress has used this power to regulate interstate commerce throughout U.S. history, under a variety of circumstances, with significant effects that often extend beyond the simple economics of business across states. It was used to enforce the Civil Rights Act of 1964, for example. This lesson examines the Commerce Clause in the U.S. Constitution, and then looks at six U.S. Supreme Court cases, which help to illustrate Congress's application, and the Court's interpretation, of the clause over time. Handout and Power Point®-ready versions of the cases are available at www.insightsmagazine.org.

Materials
Copies of the Commerce Clause of the U.S. Constitution
Copies of six case studies related to the Commerce Clause:
- Case 1: Gibbons v. Ogden (1824)
- Case 2: Hammer v. Dagenhart (1918)
- Case 3: Wickard v. Filburn (1942)
- Case 5: Heart of Atlanta Motel v. U.S. (1964)
- Case 6: Gonzalez v. Raich (2005)

1. Distribute, or project, the Commerce Clause in the U.S. Constitution, to students:
   The Congress shall have Power … To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; …
   Article I, Section 8, Clause 3, U.S. Constitution

2. Ask students to discuss the following questions:
   - What power(s) are granted to Congress under the Commerce Clause?
   - Why do you think Congress was granted this power?

3. Explain to students that they will be looking at ways that Congress has applied the Commerce Clause to real situations in history. Note that, in regulating interstate commerce, sometimes Congress's actions have more complicated consequences, and it has been up to the Supreme Court to decide if the Commerce Clause was applied appropriately. Divide the students into six small groups, and assign one case per group. Cases are available at www.insightsmagazine.org.

4. Ask students to discuss the following questions for each case:
   - How was this situation related to interstate commerce?
   - What did the Supreme Court decide? Did this ruling surprise you?
   - Do you think Congress's attempt to regulate interstate commerce had broader consequences in this case? How so?

5. Allow each of the small groups to share their case with the rest of the class, and ask students to discuss any trends they observe, or surprising rulings from the Court.

6. Wrap up by explaining the Supreme Court has been asked repeatedly to consider whether a law passed by Congress was constitutional under the Commerce Clause, and the Court’s determination changes with time. Ask students to consider the significance of Congress's power to regulate interstate commerce and how it affects the nation.

interstate commerce. They also argued that sit-ins and demonstrations, themselves a response to racial discrimination, had a substantial effect on interstate commerce. The Supreme Court had previously upheld congressional authority to enact “moral legislation” under the Commerce Clause—so long as the regulated activity had a substantial effect on interstate commerce. If the Supreme Court upheld this kind of legislation before, there was no good reason why Congress should not similarly have authority to enact this legislation now.

Opponents in Congress pounced. They argued that the Commerce Clause was designed to allow Congress to regulate interstate economic matters, and not as a front for Congress to promote a particular moral vision under the guise of economic regulation. They also argued that a congressional ban on racial discrimination in places of public accommodation trampled on private property rights. In particular, they said that the ban intruded on the right of private business owners to do business, or to decline to do business, with any person they want.

Ultimately, supporters prevailed, and Congress passed Title II of the Civil Rights Act of 1964. Title II stated the ban on racial discrimination affirmatively, as a right of “all persons . . . to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation . . . without discrimination or segregation on the ground of race, color, or national origin.” It defined “any place of public accommodation” broadly, to include all manner of inns and hotels, restaurants, lunch counters, soda fountains, gas stations, theaters, concert halls, and sports arenas that affected commerce, or that were supported by state action. (Title II exempted private clubs that were not, in fact, open to the public.) Title II forbade such discrimination. And it created a private right of action, and
authorized the Department of Justice to bring suit, to enforce its provisions.

Judicial Validation
Title II became an immediate target in the courts. In particular, the owner of the Heart of Atlanta Motel in Atlanta, Georgia, and the owner of Ollie’s Barbecue, in Birmingham, Alabama, brought separate suits arguing that Title II was unconstitutional and seeking injunctive relief. The cases worked their way to the Supreme Court, which heard oral arguments on them together and ultimately upheld Title II in two separate rulings. The Court ruled in Heart of Atlanta Motel, Inc. v. U.S. (1964) that Congress had plenty of authority under the Commerce Clause to ban racial discrimination at the hotel because the hotel catered to interstate travelers and it therefore affected interstate commerce. The Court ruled the same day in Katzenbach v. McClung (1964) that Congress had plenty of authority under the Commerce Clause to ban racial discrimination at Ollie’s Barbecue because a good portion of the food used by the restaurant was imported from out of state, and the restaurant therefore affected interstate commerce. The Court said in both cases that Congress had an impressive legislative record tying racial discrimination in places of public accommodation to interstate commerce. And it flatly rejected the claim that Congress could not ban race discrimination—and enact this kind of “morals” legislation—under the Commerce Clause.

These rulings marked a revolution in the way we think about civil rights enforcement under our Constitution. They mean that Congress, through Title II, can ban any racial discrimination, even purely private racial discrimination, so long as the underlying activity substantially affects interstate commerce. And as we see from these cases, this can be nearly anything. In this way, Title II’s ban is untethered from the constraints on congressional authority under its enforcement power under the Fourteenth Amendment. In other words, Title II, or other, similar legislation based on the Commerce Clause, like Title VII, need not satisfy the state-actor requirement; indeed, it need not even address only the cramped version of equal protection that the Supreme Court has read into the Fourteenth Amendment. Title II can be broader.

Indeed, the courts have recognized this. Courts have applied Title II liberally, to effectuate the goals of Congress, including the goal to eliminate unfairness, humiliation, and insult of racial discrimination in facilities that serve the general public. As a result, courts have certainly struck private discrimination in hotels and restaurants (such as the Heart of Atlanta Motel and Ollie’s Barbecue), but they have also struck private discrimination in bars, casinos, recreational complexes, buses, and more. Title II’s enforcement mechanism allows individuals to bring a claim, and it allows the U.S. Department of Justice to bring a claim, when there is reason to believe that a person has engaged in a pattern or practice of discrimination.

In short, these rulings meant that owners of places of public accommodation could no longer discriminate with impunity. They could no longer shield themselves with the state-actor requirement in the Fourteenth Amendment. And they could no longer perpetuate the slowly dying Jim Crow, even through private (not state-sanctioned) discrimination.

But these rulings did more. They set precedent for Congress to use its entire menu of authorities, not just its enforcement power under the Thirteenth, Fourteenth, and Fifteenth Amendments, to enforce civil rights. As a result, Congress has enacted effective civil rights legislation under the Commerce Clause, the Spending Clause, even the Taxing Clause, and more. This ongoing civil rights movement now touches nearly every area of our lives. And it started with the Civil Rights Act of 1964.

Discussion Questions
1. Why do you think the Civil Rights Act of 1964 was significant? How was it different from previous civil rights acts?
2. The Civil Rights Act of 1875 attempted to ban private racial discrimination in public areas but was ruled unconstitutional by the Supreme Court. What do you think changed between 1875 and 1964 to allow the Civil Rights Act of 1964 to avoid the same ruling?
3. How did Congress use the Commerce Clause to effect changes under the Civil Rights Act of 1964? Do you think this was appropriate?

Suggested Resources

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On March 15, 1965, President Lyndon B. Johnson delivered one of the most important speeches of his administration. He announced the Voting Rights Act before a Joint Session of Congress, and declared that he wanted to push legislation to expand social, political, and economic rights; wanted to end poverty and racial injustice; and wanted a future that would allow people from all backgrounds to meet their fullest potential in American life. Toward the end of his speech, the president informed the American people that he personally knew something about education, discrimination, and poverty. In a rare moment in American history, the president of the United States shared the following story:

My first job after college was as a teacher in Cotulla, Texas, in a small Mexican American School. Few of them could speak English, and I couldn’t speak much Spanish. My students were poor, and they often came to class without breakfast, hungry. And they knew even in their youth the pain of prejudice. They never seemed to know why people disliked them. But they knew it was so because I saw it in their eyes. I often walked home late in the afternoon, after the classes were finished, wishing there was more that I could do. But all I knew was to teach them the little that I knew, hoping that it might help them against the hardships that lay ahead. And somehow you never forget what poverty and hatred can do when you see its scars on the hopeful face of a young child. I never thought then, in 1928, that I would be standing here in 1965. It never even occurred to me in my fondest dreams that I might have the chance to help the sons and daughters of those students and to help people like them all over this country. But now I do have that chance—and I’ll let you in on a secret—I mean to use it.”

President Johnson’s speech was compelling. It was compelling because he shared a part of his life that very few had known before. He told the American people that he was a former schoolteacher, that he knew about children who were poor and marginalized, and that he had agonized about his students’ futures. But more than anything else, the president revealed to the nation that he had taught in a “Mexican American” school in Texas and boldly confessed to the nation that he was going to use his power to bring change.

To the extent that this issue is retrospectively looking at the Civil Rights Act of 1964 at fifty, we want to tell another story. It is a story about the experiences of Mexican Americans when Lyndon B. Johnson was a schoolteacher in 1928 and after he became president in 1963. This history is typically not addressed in high school curricula. Students learn about the Civil Rights Act of 1964 as a landmark piece of legislation that prohibited discrimination in housing, employment and education. The act is placed in the context of Lyndon B. Johnson’s “War on Poverty” and “Great Society” programs, which were intended to provide equality to all Americans. Often, students learn about the important roles of major African American figures during this time period. The
story we want to tell reveals that the experiences of Mexican Americans in their schools and communities were also one of segregation, inequality, and struggle. As this story unfolds, we see the need for legislation such as the Civil Rights Act of 1964 as part of the struggle against inequality and segregation. We also see that the act had limits and that it took the actions of people and communities to create societal change.

**Segregation Outside the Law**

Mexican Americans faced various forms of separation and exclusion in most avenues of American life. They generally lived in segregated neighborhoods, were relegated to low-paying jobs, and it was difficult for them to experience upward mobility. They were subject to Jim Crow. They were barred from movie theaters, hotels, restaurants, barbershops, swimming pools, and other public places. It was common for many business establishments across the Southwest to post signs on their windows or doors that either read “White Trade Only,” “No Dogs, Negroes, Mexicans,” or “We Serve White’s Only.—No Spanish or Mexicans.” In community after community, many White Americans commonly looked upon Mexicans as cultural outsiders whose primary function was to sell their labor in the lowest-paid jobs. It was a serious conundrum; Mexicans were needed to perform the least desirable occupations, but they were unwanted in American society.
The 1964 Civil Rights Act prohibited discrimination in housing, employment, and education based on race, color, religion, sex, and national origin, and opened up new dialogues on race and society.

In public schools, their experiences were similar. Historians Gilbert Gonzalez and Guadalupe San Miguel paint a picture of what schooling was like for Mexican American children during the first half of the twentieth century. They describe how Mexican American children were viewed as intellectually inferior and culturally deprived, how they were segregated in separate classes or separate schools, and how educators expected them to leave school at an early age. Their treatment was different from the experiences of European immigrants and other whites but was similar to the African American experience in that segregation for Mexican Americans reflected the social divisions within the larger society formed by residential segregation, political disenfranchisement, labor market differentials, socioeconomic disparities, and racial oppression. School segregation evolved for Mexican Americans in the Southwest after the Mexican War in 1848, increased in the late nineteenth century, and became an entrenched schooling condition by 1930, about the time Lyndon B. Johnson was teaching in the segregated Mexican School in Cotulla, Texas, in 1928.

However, Mexican American students were not segregated because of laws that required it. Whereas the school segregation of African Americans was based on race and required by law in many states, school officials and school boards of education justified the segregation of Mexican American children on curricular, pedagogical, and linguistic needs. That is, local school officials maintained that Mexican youth needed to be Americanized and learn English before they could mix with White children. In reality, the mixing of Mexican and White children rarely happened. Americanization seldom accomplished its original goals—to give Mexican children the skills to compete in classrooms and, ultimately, to compete in mainstream society.

But there were other reasons for segregation that ran deeper than the superficial arguments that segregation was for the Mexican American students’ benefit. Many White communities demanded school segregation. They wanted separation because of the Mexican Americans’ alleged social, cultural, economic, intellectual, moral, and physical inferiority. Mexican American youth were perceived as lawless, stupid, and lazy. Indeed, educating Mexican American children was not considered a high priority in most communities, and they generally received inadequate resources, poor equipment, unfit accommodations, and were often taught by White teachers who were inexperienced or uninterested.

Mexican Americans were not passive victims who accepted their educational fates. They challenged segregation in court, decades before the landmark 1954 Brown v. Board of Education decision, and achieved uneven results. In the case Independent School District v. Salatierra (1930), Mexican American parents in Texas challenged the school board’s decision to construct a school that would segregate the Mexican American students. The court ruled in favor of the school board, accepting their argument that the decision to segregate the students was based on educational considerations, such as the need for them to learn English.

More successful were cases in California. In 1931, Alvarez v. Lemon Grove, California school officials argued for the segregation of Mexican students for pedagogical reasons. However, the parents of those students organized with the assistance of the Mexican Consul and successfully filed a lawsuit that challenged the segregation. In this often overlooked victory for Mexican American parents, the court did not accept the district’s rationale for segregation, and instead, determined that the school board could not segregate the students. The often cited case Mendez v. Westminster School District of Orange County, et. al. (1946) followed similar reasoning in federal courts, as Mexican American parents challenged segregated and unequal education. In its ruling, the U.S. Court of Appeals for the Ninth Circuit held that segregation of students into “Mexican school” was unconstitutional. Despite these legal challenges and successes, school segregation increased in ensuing decades. The resistance of parents and communities to segregation during this era was often not enough to overcome the practice of segregation.

The Civil Rights Act of 1964 played an important, if somewhat indirect, role in addressing the segregation of Mexican American students. After the passage of the act, the federal government
had a strong lever to use against the practice of segregation, and they used it to great effect, particularly to decrease the segregation of African American students by threatening to withhold federal funds from those schools and states that engaged in segregation by law. However, the segregation of Mexican American students continued through the strategic location of schools and under the guise of providing educational programs to meet their needs. Mexican Americans would not receive more explicit protections against school segregation until 1974, ten years after the Civil Rights Act.

Going Beyond the Civil Rights Act of 1964

The 1964 Civil Rights Act prohibited discrimination in housing, employment, and education based on race, color, religion, sex, and national origin, and opened up new dialogues on race and society. Although the law formally prohibited discrimination, it was insufficient to change the plight of Mexican Americans. Mexican American leaders took advantage of the attention on race provided by the Civil Rights Act of 1964 and worked to gain national visibility from government officials. Mexican American organizational leaders and educators were demanding their fair share of Great Society programs. Because Lyndon Johnson had firsthand experience with Mexican Americans in Texas, he became the first president in the United States to meet with Mexican American leaders. He met with them in 1965 and 1966 to hear their concerns.4

But by the late 1960s, Mexican Americans were divided. Some were frustrated because the president was not delivering on his promises and the Civil Rights Act of 1964 was not addressing the range of problems faced in their communities. Others believed the president was moving forward and that some progress was being made. Indeed, the U.S. Office of Education created a Mexican American Affairs Unit to find out what issues Mexican Americans were facing in public schools. Their task was to coordinate federal, state, and local officials to develop culturally and linguistically responsive curriculum and pedagogy, special training for teachers, and various social services that met the needs of Mexican American youth. Moreover, federal grants were awarded to help the children of farmworkers, to school districts with a high percentage of Mexican Americans, and to train bilingual teachers. In fact, it was President Johnson who signed the historic Bilingual Education Act of 1968 (Title VII of the Elementary and Secondary Education Act), which was the first piece of federal legislation to recognize the needs of students with limited English speaking abilities. Although the Johnson administration was working with Mexican American leaders in the Southwest, the school segregation of Mexican American students was a thorny issue that persisted.5 While school segregation for African Americans declined nationally in the 1970s, it increased for Mexican Americans and other Latino groups.

For Mexican American youth, in particular, reforms were not being
implemented fast enough, and they were not receiving an educational experience free from discrimination as promised by the Civil Rights Act of 1964. They protested, boycotted, and walked out of many high schools throughout the Southwest. From East Los Angeles, California, to Denver, Colorado, and on to Crystal City, Texas, Mexican American youth demanded that school officials hire teachers, counselors, and administrators who were sensitive to their culture and responsive to their linguistic needs.

By the 1970’s, Mexican Americans were observing strides toward equality in educational settings. In 1970, the U.S. Department of Health, Education, and Welfare issued a memorandum, which condemned the segregation of students based on an inability to speak English. The U.S. Supreme Court affirmed the memorandum in 1974, with its ruling in the case Lau v. Nichols. Students’ access to educational programs could not be denied because of their inability to speak or understand English. Although the case concerned Chinese-speaking students, the decision benefited Mexican Americans as well. Finally, the same year, Congress passed the Equal Educational Opportunity Act, which prohibited discrimination, including segregation, of students and faculty, and required school districts to take actions to overcome barriers to students’ equal participation. In addition, programs such as Head Start, Job Corps, and other Great Society and War on Poverty programs benefited Mexican American students in the United States.

In Mexican American communities, the Mexican American Political Association (MAPA) in California used federal funds to establish community service centers; the League of United Latin American Citizens (LULAC) administered a federal housing program and, with the GI Forum, proposed SER (Services Employment Redevelopment) Jobs for Progress, Inc. These programs and services were supposed to tailor job training, counseling, and placement to fit the needs of Mexican American communities. In addition, the Public Health Service began to immunize Mexican Americans, and community health centers were supported across the Southwest.

This story leaves us with an important message: Laws such as the Civil Rights Act of 1964 played a crucial role in bringing about societal change, but they do not stand alone. The Mexican American experience reminds us that it takes the actions of people to push for the implementation of the law and to explore the limits of the changes those laws provide. The Civil Rights Act of 1964 did open the door for changes in school segregation, but it was not enough to combat de facto customs in communities. It did, however, open new dialogues about race that the Mexican American community used to advocate for attention to their issues, which resulted in important beneficial court rulings and legislation. On this anniversary, we remember the importance of the Civil Rights Act of 1964, but also the crucial role of the community in creating societal change.

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1. http://www.youtube.com/watch?v=gdN E0tG8w
Learning Gateways

Exploring the Effects of Title IX

Although the Civil Rights Act of 1964 was written in order to end discrimination in various fields based on religion, race, color, or national origin, in the area of employment the act also prohibited sex discrimination. A prohibition on sex discrimination in public education and federally assisted programs was not found in the 1964 act, but was part of a group of amendments known as the Education Amendments of 1972. Even though Title IX does not mention sports programs, its connection to extracurricular sports is real and concrete for students. This lesson uses a political cartoon to discuss sports programs in schools, provides background for students on Title IX, and asks them to consider the connection between federal funds, discrimination, and civil rights. Handout and Power Point®-ready versions of the Title IX text and the cartoon, along with a cartoon analysis worksheet from the National Archives, are available at www.insightsmagazine.org.

Materials
Copies of the Title IX text
NARA Cartoon Analysis Worksheet (optional)

1. Distribute, or project, the political cartoon to students. Depending on students’ familiarity with analyzing political cartoons, you might also distribute the Cartoon Analysis Worksheet from the National Archives.

2. Ask students to discuss the cartoon, either as a class or in small groups, considering the following questions:
   • What do you see in the cartoon? What is happening? Is there any text?
     Students might identify the male and female athletes, each holding trophies. There is a clear disparity between the male athlete’s trophies and the female athlete’s trophy. Text in the cartoon includes the caption, “Big man on campus,” and within the illustration, “High School Boys Athletics,” “State of the art facilities,” “Accolades,” “Better chance of athletic scholarship,” “More press coverage,” “Girls 2 Athletics,” and “Doesn’t Throw Like a Girl Award.”

   • Can you identify any specific objects or symbols used in the cartoon? What role do they play?
     Symbols in the cartoon include the trophies and their finials, athletic jersey, number on the jersey, high school letter jacket, confetti, and facial expressions.

   • What overall message do you think the cartoonist is trying to convey? What is the tone of the cartoon? Is it meant to be realistic? Intentionally exaggerated?

   • Do you agree with the cartoonist? Do you think the cartoon is accurate? How does it compare to your school?

3. Explain to students that federal laws attempt to equalize the disparity depicted in the cartoon. Distribute, or project, the Title IX text to students:

   No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

   Title IX, Education Amendments Act, 1972

4. Ask students to read and discuss the text, either as a class or in small groups, considering the following questions:
   • What type of discrimination is prohibited by this law? What types of participation are protected?
   • What do you think is meant by “education program or activity”? What types of education programs and activities are available at your school?
   • Why do you think the law mentions activities “receiving Federal financial assistance”? Why might the federal government want to prohibit this type of discrimination in programs that it funds?

5. Conclude discussion by asking students to discuss the opportunities available to them through their school and the accessibility of these programs.
Understanding Injunctions

What is an injunction? The word appears frequently in the media but is rarely explained. An injunction is a court order, which requires parties to continue, or cease, particular actions. Failure to comply with an injunction may result in fines, arrest, or even prison time, depending on the situation. It is a flexible, but powerful, legal tool that can be applied to a seemingly endless variety of scenarios. Actions taken for everything from saving the California red-legged tree frog to halting the data-gathering program of the National Security Administration may be in response to an injunction.

The injunction connects to English common law, as far back as the fourteenth century. Prior to their appearance in English law, injunction-like orders, called interdicts, appeared in Roman law. The Library of Congress holds an Egyptian tablet, upon which is engraved an injunction, dated from AD 1231. Legal scholars have described the injunction as the “quintessential legal remedy” because its purpose is often to restore rights to a party whose rights have been violated.

Injunctions appear frequently in American history, primarily in the nineteenth and twentieth centuries. They gained prominence in the nineteenth century as courts used them to control the actions of employers and labor unions. The historic Pullman Strike of 1894 began with the violation of an injunction, when labor organizers met in Chicago. In the twentieth century, injunctions figured prominently in the civil rights movement. They were issued during the Montgomery Bus Boycotts in 1956. When he wrote his famed “Letter from a Birmingham Jail” in 1963, Martin Luther King Jr. was jailed after disobeying a temporary injunction that prohibited holding a march in the city without a permit. In 1971, the federal government sought an injunction against the New York Times to prevent the paper from publishing excerpts of the Pentagon Papers. In more recent decades, injunctions have been used to fight gangs in urban areas.

Here, Teaching Legal Docs hopes to demystify this oft-referenced legal document by providing an overview of injunction types and requirements for their issue. Teaching Legal Docs will also explore example injunction documents.

Types of Injunctions

Injunctions may be issued by courts at the federal, state, and local levels. While federal courts issue certain injunctions, the types of injunctions available at the local level might vary from state to state. Generally, injunctions are organized by how long they are enforceable:

Temporary injunction—Known more commonly as a temporary restraining order (TRO), this is meant to be a short-term measure in effect until the court is able to issue something more enduring, such as a preliminary injunction. For example, a temporary restraining order issued without notice by a federal court cannot exceed ten days without additional court proceedings. Temporary restraining orders may be issued without a court hearing and without informing the opposing party (known as ex parte). Temporary restraining orders are often issued by state and local courts to prevent contact between parties. In 1981, a federal court issued a temporary restraining order against the Los Angeles Unified School District in an effort to stop plans to dismantle an organized busing plan out of concern it would harm students.

Preliminary injunction—These types of injunctions are generally meant to preserve a status quo of action or inaction, pending a final decision of a case. Unlike temporary restraining orders, preliminary injunctions cannot be issued without advanced notice to the other party in the case. Preliminary injunctions remain in effect, unless otherwise modified or dissolved, during the pending court case. Preliminary injunctions are common in court-related media reports. For example, New York Yankees baseball player Alex Rodriguez recently petitioned a federal court for a preliminary injunction to stop his suspension from going into effect, pending litigation.

Permanent Injunction—These types of injunctions are meant to preserve a status of action or inaction permanently. They are generally issued as

Actions taken for everything from saving the California red-legged tree frog to halting the data-gathering program of the National Security Administration may be in response to an injunction.
final judgments, or rulings, in a case. In some cases, the conditions established by the preliminary injunctions are continued as permanent arrangements. Permanent injunctions are less commonly mentioned in the media. One example appeared in 2013, when Apple asked a federal court for a permanent injunction against Samsung to prevent the sales of certain Samsung products found to infringe upon Apple’s copyrights. If granted, Samsung would be permanently prohibited from selling those products.

Issuing Injunctions

Though considerations may vary from state to state, generally courts consider four factors before issuing an injunction:

**Irreparable harm**—Courts consider the significance of threat to the requesting party if the injunction is not granted.

**Balance**—Next, courts consider the effects of issuing, or not issuing, the injunction on both parties. While the requesting party may be harmed if the court does not issue the injunction, the other party may be harmed if the court grants the injunction.

**Likelihood of success**—Courts consider whether or not the party requesting the injunction has a potentially successful case—that is, one that is likely to “succeed on the merits” at the end of litigation.

**Public interest**—Finally, courts consider the injunction’s possible effect on the public interest.

After a court issues an injunction, both parties must be made aware of the order if they were not present. If one party was absent from court proceedings, as might be the case with a temporary restraining order, the injunction is served by the court on that party. Sometimes the parties consist of not only the named plaintiffs and defendants of the case, but also their “officers, agents, servants, employees, and attorneys,” as well as those persons “in active concert or participation with them who receive actual notice of the order by personal service or otherwise.” The injunction will specify who is bound by the order. Injunctions issued by federal courts, as well as many state courts, are enforceable across the United States, even if the parties cross state lines.

Injunctions are simple in their definition but complex in their application. Hopefully Teaching Legal Docs has provided more understanding around these legal documents and the stories that they are telling when they are encountered in the media.
In June 2003, Jennifer Lu and eight other young adults of color filed a lawsuit against Abercrombie & Fitch (A&F) alleging that the retailer had engaged in race, color, and national origin discrimination by refusing, among other things, to hire qualified African Americans, Latinos, and Asians to work on its sales floors as “Brand Representatives.” The plaintiffs allegedly did not have the “A&F Look,” a “virtually all-white image” that Abercrombie used to market its clothing. When the company did hire people of color, the plaintiffs alleged that A&F “channel[ed] them to stock room and overnight shift positions and away from visible sales positions, keeping them out of the public eye.” Over time, the lawsuit expanded as other A&F applicants and employees across the United States joined the original plaintiffs. As a result of work done by the Equal Employment Opportunity Commission, private law firms, and a coalition of civil rights groups, in November 2004, the lawsuit settled with A&F agreeing (1) to pay $50 million and (2) to implement a variety of measures designed to end the company’s discriminatory practices and to diversify its workforce.

If Jennifer Lu and her fellow plaintiffs sought employment with Abercrombie & Fitch or a similar retailer forty years earlier, they would have been without legal options under federal law. In 1963, policies like Abercrombie & Fitch’s were prevalent, and employers were free to exclude women and people of color from employment opportunities at will. Indeed, people of color and women were discouraged from even applying for employment in some sectors of the economy due to the ubiquitous presence of employment ads, often found in classified sections of newspapers, seeking individuals of a specific race or gender.

This state of affairs changed on July 2, 1964, when in the midst of Freedom Summer and at the height of the civil rights movement, Congress enacted the Civil Rights Act of 1964 (CRA 1964). If Brown v. Board of Education had removed the first pillar in the fortress of Jim Crow by invalidating the doctrine of separate but equal, then the CRA augured its ultimate destruction. The civil rights legislation was hard won, requiring the courageous efforts of Presidents Kennedy and Johnson, Dr. Martin Luther King Jr., and the Southern Christian Leadership Conference, the National Women’s Party, and countless other organizations and individuals whose sacrifice should not be forgotten.

The act passed after three contentious months of debate in the Senate, including a 54-day filibuster, and with sizable opposition from southern representatives who feared the effects of racial integration. This fear is illustrated by Senator Richard Russell’s (GA) infamous statement that “we will resist to the bitter end any measure or any movement which would have a tendency to bring about social equality and intermingling and amalgamation of the races in our (Southern) states,” and Senator Strom Thurmond’s (SC) observation that these “so-called Civil Rights Proposals, which the President has sent to Capitol Hill for enactment into law, are unconstitutional, unnecessary, unwise and extend beyond the realm of reason. This is the worst civil rights package ever presented to the Congress and is reminiscent of the Reconstruction proposals and actions of the radical Republican Congress.”

At the time of its enactment, the Civil Rights Act of 1964 was the most comprehensive piece of civil rights legislation this country had seen. The act was wide-ranging, prohibiting discrimination in voting, public accommodations, public facilities, education, employment, and federally assisted programs. A centerpiece of this landmark...
legislation was Title VII, which bars discrimination in employment on the basis of race, color, religion, sex, and national origin. Importantly, Title VII prohibits both intentional discrimination targeted at specific individuals and groups as well as decisions that utilize neutral criteria but which produce a disparate impact on a protected group. For example, Title VII would render illegal a city’s refusal to promote a woman to police chief if that refusal is based upon a belief that police officers will not follow or respect a woman in this position. Title VII would also bar a city’s decision not to hire police officers who lack a college degree (i.e., a neutral criteria which might produce a disparate impact on racial minorities) unless the department can show that having advanced educational credentials is necessary to perform the job.

Over the years, Title VII has been, in some ways, interpreted broadly by the U.S. Supreme Court to cover forms of discrimination that may not have been anticipated or within the contemplation of Congress at the time the CRA of 1964 was enacted. For example, Title VII’s prohibition against sex discrimination initially focused on the wholesale exclusion of women from the workplace or their segregation within certain occupations. Title VII challenged those who believed that a woman’s place was solely in the home or that women could be teachers, librarians, nurses, and waitresses but not police officers, fire-fighters, doctors, lawyers, and mechanics. As Title VII opened employment spaces that were previously off limits to women and people of color, second generation discrimination problems emerged, such as sexual and racial harassment and racial and gender stereotyping. Due, however, to the path-breaking work of scholars such as Catharine MacKinnon, “sex” in Title VII has been read to include prohibitions against sexual harassment and to embrace, to some extent, gender stereotyping. Thus, not only are women no longer automatically excluded from certain workplaces, they are also no longer forced to suffer the indignity of unwelcome sexual demands at work or to endure workplaces permeated with sexually demeaning language or images. In addition, confident and assertive women need not fear that they will be told to “walk more femininely, talk more femininely, and enroll in charm school” in order to be considered for a promotion.

In addition to arguing for a broad interpretation of “sex” under Title VII, since 1964 U.S. scholars have also

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pressed the courts to acknowledge and to accept that individuals may be subject to discrimination on multiple bases, leading to specific types of discrimination. For example, an employer may treat an Asian woman differently from a White woman and an Asian male because the Asian woman is both a woman and a person of color. Thus, she may be subject to stereotypes, specific to Asian women, to which White women and Asian men are immune. Prominent U.S. legal scholars such as Kimberlé Crenshaw and Angela Harris have argued persuasively that such intersectional claims ought to be acknowledged. Still other scholars have urged courts to consider the ways in which persons are differently situated within protected categories and how intragroup differences may harm subsets of workers. Thus, employers who hire African Americans, but who prefer lighter-toned African Americans over darker-toned African Americans may find their decision-making subject to challenge under Title VII based upon colorism. In short, since 1964, U.S. scholars have pressed the courts, with some success, to acknowledge both the complexity of social identities and the nuanced ways in which discrimination occurs.

Title VII, coupled with the Equal Pay Act (1963), the Pregnancy Discrimination Act (1978), and the Family and Medical Leave Act (1993), has produced considerable change over the last fifty years. These statutory interventions, and the normative shifts to which they have contributed, have led to workplaces and employment standards that look very different from what workers experienced five decades ago. In 1960, only 37.7% of women participated in the labor force. Today, that number has risen to 57.7%. Although the glass and marble ceilings have yet to shatter, and although disturbing levels of job segregation remain, the percentage of doctors, lawyers, accountants, professors, U.S. senators, representatives, governors, and Forbes 500 CEOs who are female and/or of color has increased significantly. In 1960, nearly two-thirds of women in the workforce held clerical, service, or sales positions and only 13% held professional positions. Today, women hold 51.5% of managerial and professional positions. In addition, in 1963, women earned 59 cents and African American men earned 55 cents on the dollar to what a similarly situated white man earned. Today, those figures are 80 cents and 66 cents respectively. These advances are critically important because employment is essential to the economic well-being and dignity of employees and their families.

Although Title VII has evolved over the last five decades and has improved the employment experiences of covered groups, challenges remain. Job segregation and racial and sexual harassment continue to be problematic. For example, while 34.8% of employed White men hold managerial or professional positions, that is true for only 15.3% of employed Latino men and 23.5% of employed Black men. The percentages by race of employed workers in managerial or professional positions are similarly stratified for women: 41.5% of White women compared to 24.1% of Latina women and 33.8% of Black women. The unemployment rate of African Americans has been consistently double that of Whites, and Black poverty rates have often more than doubled that of Whites. Moreover, in many respects, that law has not kept pace with the changing nature of discrimination in the modern workplace. Despite substantial advocacy and some progress in recognizing the rights of lesbian, gay, bisexual, transgender, and queer (LGBTQ) persons in U.S. constitutional law, Title VII still does not include sexual identity discrimination within its prohibition against sex discrimination—nor does any federal statute prohibit discrimination on the basis of sexuality in the employment realm. (The Employment Non-Discrimination Act (ENDA), which...
Learning Gateways

Equality in the Workplace

Employment opportunities are central to American life and notions of equality. One of the legacies of the Civil Rights Act of 1964 is protection from discrimination in the workplace and the creation of the Equal Employment Opportunity Commission. In this exercise, students are asked to compare historical job advertisements with those from today. Then they are asked to consider how Title VII of the Civil Rights Act of 1964 might affect job advertising. Handout and Power Point®-ready versions of the historical job advertisements are available at www.insightsmagazine.org.

Help Wanted 1968

Male Help Wanted
• Married man to help assist branch manager, also to service equipment and learn sales work. Could mean doubling your previous income. Earning opportunity $120/week while learning. Call for personal interview: 828-4505.

Female Help Wanted
• Waitress full or part-time. Experience not necessary as we will train. Stephen's Diner, Downtown Blvd.
• Wanted, settled white lady to work nights in a rest home. Some experience and transportation. 787-3320.
• White waitress needed, salary $60 per week plus tips. Contact Mr. Charlie of Connor's Restaurant, 2659 North Broadway.

Materials
Copies of “Help Wanted 1964”
Copies of excerpt from “Equal Employment Opportunity Is the Law” poster
Copies of the job sections of a local newspaper, or current job advertisements

1. Distribute, or project, the jobs listed in “Help Wanted 1964.” Explain to students that these job advertisements appeared in an American newspaper in 1964.

2. Ask students to read the advertisements and then discuss the following questions:
   • What types of job requirements do you see advertised in these positions?
   Students might identify references to race, gender, or marital status as job requirements in the advertisements.
   • Do you think the requirements listed are necessary to perform the advertised jobs? Why?

3. Distribute, or project, copies of current job listings. Explain to students that these jobs are current.

4. Ask students to read the advertisements and then discuss the following questions:
   • What types of job requirements do you see advertised in these positions? How do they compare to the requirements listed in the earlier advertisements?
   Students might identify references to education, experience, availability, or particular skills. Students should note that there are no references to age, gender, race, or marital status.
   • Do you think the requirements listed are necessary to perform the advertised jobs? Why?
   • Do you see any references to “equality” or “equal opportunities” in these advertisements?

5. Distribute, or project, the excerpt from the Equal Employment Opportunity Commission’s “Equal Employment Opportunity Is the Law” poster. Explain that this is a federal law that protects job applicants and employees:

   RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

   Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin.

6. Ask students to read the excerpt and then discuss the following questions:
   • According to Title VII, are the job advertisements from 1964 legal? How might they be changed in order to comply with Title VII?
   • Why do you think it is important to protect applicants and employees from the types of discrimination outlined in Title VII?
Discussion Questions

1. Why do you think that employment was specifically identified as part of the Civil Rights Act of 1964? How did the act change the American workplace?

2. How have legal protections under Title VII of the Civil Rights Act evolved since 1964? Do you think that Title VII is still relevant today?

3. Do you think that equal opportunities exist for workers in America today?

Suggested Resources


would prohibit discrimination based upon sexual orientation, has been introduced several times in Congress. To date, this legislation has failed to pass both houses of Congress.) In addition, U.S. antidiscrimination law has focused on proof of intent or invidious motive in order to establish a discrimination claim. Yet, as U.S. society has come to embrace an antidiscrimination norm (in theory), such proof is increasingly difficult to find as individuals either cover their motives or are driven by subconscious or implicit bias. A focus on intent (and an approach that views discrimination as individual, isolated acts) fails to address embedded structural and institutional barriers and mechanisms that produce disparate employment outcomes along the lines of race and gender. And finally, new forms of dissimilar treatment have emerged in U.S. workplaces with the implementation of hard-earned family-friendly policies. As some U.S. employers adopt alternative work arrangements (e.g., part-time, flextime, compressed work weeks), generous leave policies (e.g., maternity, paternity, and other forms of family leave), and dependent care and other benefits designed to appeal to parents (e.g., on-site childcare centers, vouchers to subsidize childcare costs), some workers, namely workers without children, have begun to complain about the adverse effects of these policies on their employment experiences. Workers without children are asserting that they are being forced to work longer hours (e.g., overtime, holidays, weekends) for less pay and fewer benefits than their colleagues with children and that this violates the principle of formal equality or equal treatment.

In many ways, the workplace in 2014 is very different from the workplace in 1964. Title VII has changed not only employee demographics, but it has also influenced the ways in which Americans conceptualize the roles and capabilities of women and people of color. Title VII, and the legions of courageous lawyers and plaintiffs who worked tirelessly to implement its promise, deserve to be celebrated this year on the fiftieth anniversary of the CRA of 1964. Yet, Americans should be careful not to become blinded by celebratory zeal. While it is appropriate and indeed desirable and encouraging to look back and to acknowledge the slow and steady progress Title VII has produced, Americans must keep our eyes on tomorrow, recognizing that there is still much work to be done before full equality of opportunity is realized.
What Is the Legacy of the Civil Rights Act of 1964?

The Deliberative Branch of Government

By Frank H. Mackaman

Without the leadership and legislative craftsmanship displayed by Senate Minority Leader Everett McKinley Dirksen (R-IL), there would have been no Civil Rights Act of 1964. What factors put Dirksen at center stage?

First, Senate Democrats numbered 67, a majority large enough to pass any bill without a single Republican vote if all the Democrats held together. But 20 of the 67 Democrats, the so-called “southern bloc,” promised to filibuster any civil rights bill to death. Democrats needed support from at least 20 of the Senate’s 33 Dirksen-led Republicans to kill a filibuster. President Lyndon Johnson knew the score. “The bill can’t pass unless you get Ev Dirksen,” Johnson exclaimed to Hubert Humphrey (D-MN). The president commanded, “Don’t let those bomb throwers, now, talk you out of seeing Dirksen. You get in there to see Dirksen. You drink with Dirksen! You talk with Dirksen! You listen to Dirksen!”

Second, Dirksen championed civil rights throughout his career. During his 35 years in the House and Senate, he proposed more than 140 bills to eliminate discrimination on the basis of race, color, religion, sex, or national origin. “I do not wish to save any pockets of prejudice for the future. I have an interest in what happens long after I have left this mundane sphere,” he said in April 1964. Speaking of his grandchildren, “I want them to grow up in a country of opportunity as completely free from hate and prejudice and bias as can be consummated by legislation.”

Third, Dirksen believed in the capacity of Democrats and Republicans working together to produce sound public policy in the national interest. As he told his colleagues, “I have never seen the time in any crisis when the Senate has not sagaciously worked its will and risen to its responsibilities as part of the deliberative branch of government. That has been true in every generation.”

Finally, Dirksen relished the process of writing bills. Dirksen combed over every word and mark of punctuation in H.R. 7152. “As I look back now upon the time that has been devoted to the bill,” Dirksen said, “I doubt very much whether in my whole legislative lifetime any measure has received so much meticulous attention. We have tried to be mindful of every word, of every comma, of every phrase, and the shading of every phrase. We have attempted to be fair in giving everyone an opportunity to present his cause.”

Roy Wilkins, Executive Secretary of the NAACP, wrote to Dirksen: “With the passage of the bill ... the cause of human rights and the commitment of a great, democratic government to protect the guarantees embodied in its constitution will have taken a giant step forward. Your leadership of the Republican party in the Senate at this turning point will become a significant part of the history of this century.”

2. Congressional Record, April 16, 1964, 8192-8193.
3. Congressional Record, February 17, 1964, 2884-2885.
5. Roy Wilkins to Dirksen, June 12, 1964, Everett M. Dirksen Papers, Working Papers, f. 259.

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The Civil Rights Act of 1964 was a landmark in American history, the largest step towards the promises of equal rights under law since the end of slavery. The act affected all Americans and paved the way to still more critical civil rights laws: the Age Discrimination in Employment Act (1967) and the Americans with Disabilities Act (1990). We await a law that also protects against discrimination based on sexual orientation. As an Asian American and a civil rights lawyer, I have seen that the Civil Rights Act has given us a tool that we can use to advance our rights. It does not give us those rights outright. Equality and justice remain elusive and require constant vigilance, and recognizing that we are never more free than the least powerful, the least popular among us. My family found that during World War II, when their race and ancestral background cost them their freedom and nearly all their property when they were sent to concentration camps following the attack on Pearl Harbor. We must advance from the Civil Rights Act, using it and adding to it to bring Americans closer to the ideals promised in our beginnings.

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The Civil Rights Act of 1964 Changed America, Perhaps More Than Any Other 20th-Century Law

It did not immediately usher in an era of brotherhood and equality. It has not done that yet. But by outlawing racial segregation in most employment, in all public facilities (courthouses, parks, libraries), and most public accommodations (hotels, restaurants, theaters), it created a new world in much of the country.

“If you pass this bill, you will destroy a way of life,” warned Sen. Richard Russell of Georgia, leader of the southern filibuster that failed to scuttle the legislation. He was right. Almost as soon as the law was signed on July 2, black citizens began to enter stores and restaurants from which they had been banned, and to walk through the front doors of city halls and libraries, no longer restricted to rear entrances and a few rooms and corridors of those buildings. The South’s way of life, resting on the foundation of racial segregation, had been destroyed.

There was some resistance. An Atlanta hotel clung to its whites-only policy and sued, arguing that the law was unconstitutional. No, it is not, said the U.S. Supreme Court, unanimously, before the year ended. But there was far more compliance than defiance. Even Sen. Russell urged southerners to obey the law, and most did. First in the larger cities, then the smaller ones, eventually in small towns and rural areas, southern whites soon stopped being surprised at the sight of a black person sitting at the counter, checking out a book, or registering at a hotel. After a while, the familiar ceases to be distasteful, or at least as distasteful. In time, this new reality engendered new behavior, new attitudes, and therefore new social norms.

“You can’t legislate morality,” said Sen. Barry Goldwater, that year’s Republican presidential candidate, in explaining why he would vote against the bill. But he was wrong. The Civil Rights Act at least began the process which ended (if it has ended) with Americans
re-defining what they considered right and wrong in racial matters.

The other sections of the act were not as successful as the “Titles” integrating public facilities and public accommodations. The section banning racial discrimination in the workplace was harder to enforce. The voting rights provisions were weak, and only passage of the Voting Rights Act the following year made the right to vote a reality for all southerners.

Ironically, it was the South that most benefitted from the changes produced by the Civil Rights Act. The law integrated the South into the rest of the country as much as it integrated lunch counters. Without integration (and air conditioning), the southeastern states would not have enjoyed the economic growth that transformed them over the next half-century.

The South’s way of life, resting on the foundation of racial segregation, had been destroyed.

John F. Kennedy said that the moral issues that gave urgency to the Civil Rights Act of 1964 are “as old as the Scriptures and . . . as clear as the American Constitution.” Yet, despite that moral clarity, congressional passage of the act was anything but easy. To bring the act to congress and to win its passage took the work of a multitude of grass roots activists. It was those activists who brought moral clarity to the issues of legal inequality. It was those activists who, to paraphrase Martin Luther King Jr., pressed Americans to set aside their desire for order and tradition and to accept the demands of justice.

At a time in American history when black Americans were denied basic civil rights, African American activists and their allies refused to give up on the possibility of democratic change. They put their trust in their constitutionally guaranteed rights of free speech and assembly and they built a grass roots citizens movement dedicated to equal rights before the law.

In the face of bombings, beatings, and even murder, these activists gave new life to the practice of democracy in the United States. Civil rights activists used the means that were available to them—rallies, protests, and demonstrations—to bear witness to the white majority that black Americans did not and would not continue to accept an America in which racist practices were both legal and commonplace. Civil rights activists, many of whom could not cast a ballot in their home states, instead voted with their feet, marching through the streets of Birmingham and hundreds of other towns and cities. Countless rallies were held, more than a thousand just in 1963. Activists sang freedom songs; leaders offered principled oratory; and tens of thousands chose to go to jail rather than accept unjust laws.

The civil rights movement first pressured President John Kennedy, then a growing number of members of Congress, and then President Lyndon Johnson, to take bold action. The sacrifices these activists had made in their long witness to injustice were repaid, at least in part, by the passage of the Civil Rights Act of 1964. The act did not bring full redress, but it was no mere symbol. Its legal guarantees for black Americans—guarantees that were extended in the law to many others, most especially women—did fundamentally change the meaning and practice of equal citizenship in the United States. So, too, did these activists’ struggle give new meaning and possibility to the practice of democracy in the United States. These men and women did not only change the law; they revitalized American grass roots democracy in the United States. Tens of millions have followed in their footsteps.

David Farber is a professor of history at Temple University and author of The Age of Great Dreams: America in the 1960s.
Enacted on July 2, 1964, the landmark Civil Right Act of 1964, was critical in advancing racial justice and equality in America, including for women. This transformative legislation outlawed major forms of discrimination on the basis of race, ethnicity, gender, national origin and religion. As we reflect upon our progress, we must also address the vital work which remains.

The first title of the Act addresses voting rights. The Voting Rights Act of 1965 supplements these protections, which included a preclearance process before any voting registration or administration change could be made for states who traditionally were perpetrators of racial discrimination in voting. In June 2013, Shelby County v. Holder was decided by the Supreme Court, gutting the Voting Rights Act.

There are no longer poll taxes or literacy tests; however in the wake of the Shelby decision, jurisdictions have enacted new discriminatory barriers to voting. Low-income, minority and elderly voters, as well as students, continue to face vast voter suppression tactics such as unnecessary and overburdening identification requirements and cuts to voting hours/days.

The Lawyers’ Committee has brought suits against states, including Texas and Arizona, to tear down these barriers. In addition, the nonpartisan Election Protection Program, led by the Lawyers’ Committee, provides Americans nationwide with comprehensive voter information and assistance to ensure that all eligible voters are able to exercise the fundamental right to vote.

Title VI has been the root of key litigation in the areas of environmental justice, education, and fair housing, to name a few. It has been a powerful tool for the Lawyers’ Committee and other civil rights advocates in dismantling discrimination in programs and activities receiving federal funds or other forms of federal financial assistance. Unfortunately, Title VI was severely weakened in 2001 by the U.S. Supreme Court’s ruling in Alexander v. Sandoval.

Title II, which prohibits discrimination in certain places of public accommodation, such as hotels, restaurants, and places of entertainment, is also critical. The Lawyers’ Committee has brought, and continues to see, public accommodations cases arise. Most recently, the Lawyers’ Committee filed suit in Hardie v. NCAA, arguing that NCAA’s policy banning individuals with a felony conviction from coaching in NCAA-certified high school events violates Title II of the Civil Rights Act of 1964.

Two major areas where racial discrimination remains prevalent, and are addressed by the Act, include education and employment.

It is impossible to overstate the victory of the Act in helping dismantle institutional segregation. According to the National Center for Education Statistics, the educational achievement gap has been reduced, and graduation rates have dramatically increased, but minorities still lag behind their white peer in both areas. In 2013 the Lawyers’ Committee filed and won a case against the state of Maryland in The Coalition for Equity and Excellence in Maryland Higher Education, et. al. v. Maryland Higher Education Commission, et. al., for failing to dismantle the remnants of segregation from its system of higher education. The court found that Maryland violated the constitutional rights of students at Maryland’s four Historically Black Institutions by unnecessarily duplicating their programs at nearby white institutions.

The Civil Rights Act created the Equal Employment Opportunity Commission, which created remedies for hundreds of thousands of victims of employment discrimination, especially women, African Americans, Latinos and others. Sadly, however, according to a 2012 Economic Policy Institute study, the unemployment rate for African-Americans has been double that of whites since 1963.

As we reflect upon the legacy of the Civil Rights Act of 1964 and the war on poverty 50 years later, we must not only rejoice over how far this nation has moved toward the goal of racial justice and equality, but also challenge our government, societal institutions, laws, and ourselves to be unrelenting in the pursuit of racial justice and equality until it truly reigns supreme in our land.

Barbara R. Arnwine is president and executive director of the national Lawyers’ Committee for Civil Rights Under Law, formed in 1963 at the request of President John F. Kennedy to engage the pro bono resources of the private bar to combat racial discrimination.
Passage of the Civil Rights Act of 1964 marked a milestone in the long struggle to extend civil, political, and legal rights and protections to African Americans, and to end segregation in public and private facilities. President John Kennedy faced long odds when he sent his administration’s bill to Congress in June 1963. Historically, opposition to civil rights legislation, particularly from southern members of Congress, had left such bills to die of neglect in committee. In the rare cases when the Senate called up a civil rights bill for debate, it so weakened the legislation as to make it nearly inconsequential. Although Democrats held large majorities in both houses of Congress, conservative southern Democrats chaired the major committees. The party’s deep divisions over the issue of civil rights required the Democratic administration to seek the support of a bipartisan coalition in Congress.

The legislative debate began in the House Judiciary Committee where chairman Emanuel Celler, a liberal Democrat from Brooklyn, New York, was eager to see the administration’s bill become law. Southern opponents on his committee hoped to defeat the bill, or at least to weaken it. Celler relied on the support of his ranking member, William McCulloch, to fend off their efforts. At a glance, Celler and McCulloch seemed to be the congressional odd couple. A conservative Republican, McCulloch hailed from a rural district in central Ohio, and struck quite a contrast to the Brooklyn liberal. McCulloch had few African American constituents, but he had observed segregation firsthand as a young attorney in Florida. He supported legislation that would ensure equal opportunity to all Americans.

The Kennedy administration also understood that McCulloch’s support was vital to the bill’s passage. The president struck a deal with the lawmaker. In exchange for his promise to support the administration’s bill, McCulloch would obtain two important concessions. First, the administration would resist efforts in the Senate to weaken a House-approved bill. Second, mindful that the administration needed Republican votes, McCulloch insisted that the president share credit with Republicans when the civil rights bill passed.

During the Judiciary Committee’s markup sessions, when details of the bill were hammered out, McCulloch kept his word, expanding and strengthening the protections in the administration’s bill while lobbying his Republican colleagues for support. Celler and McCulloch’s frequent consultations with civil rights activists and Justice Department representatives produced a strong bill that enjoyed the support of numerous constituencies.

When the Judiciary Committee approved H.R. 7152 on November 20, 1963. Two days later, an assassin took President Kennedy’s life. His successor, Lyndon Johnson, urged Congress to pass civil rights legislation as a memorial to the slain president’s memory.

When the Judiciary Committee approved H.R. 7152, the bill next faced the scrutiny of the House Rules Committee. Holding extraordinary powers in the legislative process, this committee determined the rules of debate for individual bills. The committee’s chairman, Howard Smith, a conservative Democrat from Virginia, vociferously opposed civil rights legislation and planned to bury the bill. A bipartisan coalition of committee members invoked House Rule 11, which forced the chairman to hold hearings. After nine days of discussion, the committee approved the bill for consideration by the full House.

Official House debate began on January 31, 1964. As the floor managers—the two representatives responsible for organizing debate on the bill—Celler and McCulloch remained in the House chamber to explain the bill’s various titles, defending it from critics,
and offering voting advice related to proposed amendments. With assistance from the Leadership Conference on Civil Rights, they developed a system for quickly gathering members for rapid-fire roll-call votes. Using this disciplined approach, Celler and McCulloch successfully rejected efforts to weaken the bill. One surprise amendment offered by Howard Smith—adding the word “sex” to the list of discriminations prohibited under the employment section—unintentionally expanded the reach of the bill.

The House approved H.R. 7152, with the Smith amendment, by a roll-call vote of 290-130. Seventy-eight percent of House Republicans voted to approve the bill, joined by 59 percent of Democrats. The House bill reflected strong bipartisan cooperation and broadened the scope of the original bill. Would this bold civil rights bill survive in the Senate?

On the other side of Capitol Hill, Senate Majority Leader Mike Mansfield awaited the arrival of H.R. 7152. The low-key senator from Montana knew that if he followed normal Senate procedure and referred the bill to the Judiciary Committee, Chairman James Eastland of Mississippi, an ardent civil rights opponent, would surely delay the bill indefinitely. Using a parliamentary maneuver, Mansfield strategically placed it directly on the Senate calendar, thereby avoiding committee action.

On March 26, 1964, H.R. 7152 became the Senate’s pending business. The bill’s floor managers, Democratic Whip Hubert Humphrey of Minnesota and Republican Whip Thomas Kuchel of California, opened the debate. Again, the strongest opposition came from the South, with Richard Russell of Georgia leading the way. A master of the Senate’s rules and precedents, Russell planned to use the institution’s unique procedural tool—the filibuster—to kill the bill. Historically, even the threat of a filibuster had been effective in weakening civil rights legislation (this threat had been deployed successfully in 1957 and 1960), making it the weapon of choice for civil rights opponents. Russell pledged to fight to the end, and in late March the southern filibuster began.

The bill’s proponents anticipated the filibuster and pledged that this time would be different. They planned to invoke cloture to limit debate and force a vote on the Civil Rights Act. Senate Rule XXII, the cloture rule, required the support of 67 senators—two-thirds of those duly elected—to successfully limit further debate to one hour per senator. Humphrey and Kuchel organized a bipartisan working group to formulate a strategy to break the filibuster. Working closely with civil rights activists and attorneys from the Department of Justice, they coordinated floor action and published daily newsletters to refute southern claims about the legislation’s complicated provisions in hopes of influencing public attitudes.

The bipartisan working group received support from civil rights organizations, church groups, and the media. In late March, CBS News correspondent Roger Mudd began a daily reporting from the steps of the Senate wing of the Capitol. (The Senate’s proceedings were not televised until 1986.) In mid-April, seminary students launched a round-the-clock vigil at the Lincoln Memorial, pledging to pray in shifts at the feet of the Great Emancipator until the Senate approved the civil rights bill. Senate staff carefully monitored constituent mail to gauge public opinion about the bill.

Week after week, the bill’s opponents held the Senate floor as the filibuster continued. President Johnson complained, rightly, that the filibuster had ground the legislative process to a halt. He strongly encouraged Humphrey to hold all-night Senate sessions to exhaust the bill’s opponents. Humphrey encouraged patience and appealed to the one man who could deliver the votes they needed for cloture: Minority Leader Everett Dirksen.

A conservative Republican from Illinois, Dirksen supported the concept of equal opportunity for all, but he hoped to amend H.R. 7152 to make it more palatable to moderates and conservatives in his party who worried about the ever-expanding role of the federal government. By mid-April, after consulting with Bill McCulloch and the Justice Department, Dirksen announced his proposed revisions, which included changes to emphasize local and state responsibilities but left the broad scope of the bill intact. Dirksen then set to work to persuade conservative Republicans to support his amendments and vote for cloture. President Johnson used his considerable power of persuasion to convince conservatives of both parties to support the bill.

On May 26, Dirksen submitted his proposal as a substitute for H.R. 7152. After twelve weeks of Senate debate, the moment of reckoning had arrived, Humphrey and Kuchel believed they had finally secured the 67 votes needed for cloture.

On June 8, 1964, as the filibuster continued in its thirteenth week, Mike Mansfield introduced the cloture motion. On June 9, Senator Robert Byrd of West Virginia offered the last gasp of southern opposition, holding the Senate floor for an additional 14 hours and 13 minutes, setting the record for the longest single speech against this civil rights bill. On June 10, the Senate prepared to vote, and Mansfield, Russell, and Dirksen offered brief remarks.
Dirksen’s speech, recalled visitors in the gallery, moved some to tears. Quoting Victor Hugo, he declared: “Stronger than all the armies is an idea whose time has come. The time has come,” Dirksen urged, “for equality of opportunity in sharing in government, in education, and in employment. It must not be stayed or denied.”

The tension in the Senate Chamber was palpable. The clerk called the roll. Some votes of aye or nay came loudly, while others were barely whispered. The packed gallery was hushed as visitors strained to hear each vote cast. Emotions swelled when an aide pushed wheelchair-bound Clair Engle into the chamber. Battling an advanced stage of brain cancer, the California Democrat was too weak to speak. Instead, he repeatedly raised his left hand to his eye, which the clerk interpreted as an “aye” vote. It was a truly historic day. The Senate invoked cloture on a civil rights bill by a final vote of 71-29.

Cloture was invoked, but debate was not quite finished. For another two weeks, the Senate considered more than one hundred amendments to Dirksen’s substitute bill—most proposed by southern Democrats—and approved a few minor “perfecting” revisions. On June 19, 1964, the Senate approved the amended bill by a vote of 73-27. A bipartisan coalition of 46 Democrats and 27 Republicans passed the Civil Rights Act.

One final step in the bill’s long journey through Congress remained. Both chambers of Congress needed to pass an identical bill. The House and Senate could send two different bills to a conference committee where members of each chamber would hammer out a compromise agreement to produce an identical bill. The preferred option, however, was to have the House approve the Senate version of the bill. Consequently, Cellar and McCulloch rammed Dirksen’s substitute bill through the House Rules Committee and onto the House floor for a vote. On July 2, the House approved the Dirksen substitute to H.R. 7152 by a vote of 289-126. President Lyndon Johnson signed the bill that evening in the East Room of the White House.

The new law offered sweeping civil rights protections including methods to enforce school desegregation, to protect voting rights, and to end segregation and discrimination in public accommodations. It created the Equal Employment Opportunity Commission to combat discrimination in employment, extended the life of the Commission on Civil Rights, and established a Community Relations Service.

To achieve that success, the Civil Rights Act required bipartisan cooperation, dogged perseverance, and bold congressional leadership. It remains an extraordinary achievement in the history of the United States Congress.

Katherine Scott is an assistant historian with the Office of the U.S. Senate Historian.
Anthony Chavez

By Daniel J. Rua

Anthony Chavez is the grandson of Cesar Chavez (1927–1993), an American farmworker and labor activist who cofounded the National Farm Workers Association, later the United Farm Workers Union.

Q: As you share your grandfather’s story with students across the country, you stress the importance of service learning. Can you tell us more about that?

After my grandfather’s passing, we realized this was an important story to many Americans. We created a nonprofit organization to ensure my grandfather’s legacy would be dedicated to education.

I think service learning really reinvigorates the classroom. It brings a fresh breath of air and helps students to get over this big gap of disengagement that we’re facing in our schools because the students get to see what the topics and materials that they’re learning have to do with the real world. It shows students that it is worthwhile to invest more of their own energy in their education, not just to be passive recipients of the education system, but to be very active and engaged in their own education.

Q: In addition to service learning, what do you think teachers can do to motivate students to be more civically engaged?

I think if teachers speak honestly about their own experience, about how they ended up in public education, that’s a great way. There’s a lot of admiration held by students of their teachers. Personal stories really open up the eyes of young people. It shows them that we can use our lives to be of service and to make sacrifices to play our small part in a larger contribution we want to make to society, to future generations, and for this world.

Q: Can you describe what it was like to join your grandfather in the United Farm Workers marches?

We would wake up early and go out to the central coast or to Los Angeles or somewhere in the San Joaquin Valley. I remember dragging out of bed and then slowly waking up as the sun was coming up in the valley. Then you’re waiting to get there and get a little tired and anxious, but when you arrive you see the congregation of folks. You see the Aztec dancers and drummers off to the side and you see the mariachis or you see the Vaketos (Mexican cowboys) who would also lead the marches. Sometimes you’d see a little small car show or parade. When you see this congregation and the celebration of people who are coming together for this one cause, it got you really excited. Usually the Aztec drummers would start off the marches by doing their dancing and drumming. To feel that rhythm and those traditions pulsing throughout the crowd and to feel that energy reverberating in your chest always enlivened me. That was usually followed by the “Farm Workers” clap. Everybody there would be clapping and chanting “Si Se Puede.” I just remember all the excitement around that.

Q: “Si Se Puede” ("Yes, it Can Be Done") has become an international slogan, and has been used in movies, T.V. shows, and political campaigns. Could you tell us a bit about its significance?

Not many people actually know the origins of “Si Se Puede.” It came from one of the darkest periods that the Farm Workers Movement was facing. My grandfather was in Arizona in the 1970s in times very similar to today where there’s a lot of anti-immigrant reactionary fervor controlling the conversation. He was trying to organize for very basic civil and workers’ rights. His supporters, the workers, were beginning to become very frustrated by the lack of progress being made in their cause. As much as they really wanted to be there to ensure a better future for their families and their children, they just thought that the odds are insurmountable. They began to tell my grandfather, “you know this is impossible, Cesar. We’re with you on this because we want nothing but the best for our children and for our families. But you know this is huge, this is really a David and Goliath battle. Million dollar industry well connected to all kinds of lobbyists and elected officials, and here we are with no money and not much of an education for many of our members. How are we going to assert ourselves and make our voice heard?” “Si Se Puede” reminds us about the importance of being steadfast in our commitment for the change that we want to see.

Q: Is there anything else you would like us to know about your grandfather?

One thing a lot of people don’t know about my grandfather is how fun-loving and easygoing he was. He was the face of an important movement of social justice and civil rights, but when you got the opportunity to be with my grandfather in a more personal and familial setting, you saw his true nature. He was always trying to find time to play with his grandkids, or any of the kids surrounding the movement. We were called the Lapaz kids, or the kids of peace. He always wanted to pitch for both teams in the annual softball game, which was his way of carrying on that fun-loving, easygoing spirit.

Another thing people don’t always know is that my grandfather had a deep respect for animal rights. It led him to ultimately become a vegetarian. I hear friends talking about how much pleasure and satisfaction my grandfather took out of converting people to vegetarianism as much as to trade unionism or community organizing. He was a big advocate of healthy living and healthy eating. He started his day with yoga meditation to give himself space for the big issues he was grappling with, and followed a macrobiotic diet for a while.

For more information about the Cesar Chavez Foundation, visit www.chavezfoundation.org.

Daniel J. Rua was a 2013 summer intern with the American Bar Association Division for Public Education. He is currently a student at the University of Chicago majoring in Economics and Philosophy, and plans on attending law school.
WHAT’S ONLINE?

Download Handouts—
All of the handouts mentioned in this issue are available in one location. Go get them!

Immerse Yourself in History—
Watch President Johnson’s speech to Congress to pass the Civil Rights Act, and later, to America just before signing the act into law. Read the act itself or explore it as a legal document.

Injunctions, Injunctions—
Link to a document map of an injunction document.

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Know an innovator in the classroom? A dynamic expert in the field? Please let us know.

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Learn more about the Civil Rights Act of 1964, and how its 50th anniversary is being commemorated in 2014.

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