

# Legislative Changes

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# Civil Rights Act 1946



# Regulations

- Voting rights
- Public accommodations
- Desegregation of public facilities
- Limits on discrimination in federally funded programs
- Expanded US commission on Civil Rights
- School desegregation
- Required privately owned businesses to serve customers regardless of race, color, or national origin

# Enforcement

- Transition slow
- Constant assistance of civil rights activists and African Americans who exercise legal rights helped to make progress
- Under Title III:
  - States are compelled to stop discrimination in own facilities as well
- Titles II and III began to replace Jim Crow traditions
  - Federal funds could be denied to any government agency that discriminates

# Evolution

- Bill went through many rewrites
- Title II (banning discrimination in public facilities) very controversial
  - Separated from rest of legislation
- An amendment was added to include “sex”, protecting gender as well as race, ethnicity, and religion
- Many modifications took place:
  - 3 month delay in Senate due to filibuster
- Bill passed in senate by vote of 73-27 and in House by vote of 289-126
- President LBJ signed bill on July 2

# Kennedy's Involvement

- Originally the Kennedy administration was not concerned with civil rights
- Considered civil rights activists to be an “annoyance”
- The administration wanted to focus on foreign relations, defense, and economy

A lot of pressure was put on Kennedy to act after police violence in Alabama using cattle prods, fire hoses, clubs, and biting dogs was nationally televised

Kennedy was very against acts of violence against civil rights workers

→ Gave speech urging people to act against discrimination, and introduced the new civil rights bill

Kennedy became very involved in the civil rights movement, but died before any real progress was made on the pending bill

# LBJ's involvement

- LBJ opposed to civil rights legislations when he was in the senate and House of Representatives.
  - Worked against 1957 Civil Rights Act as a senator but officially voted in favor
  - Slowly became convinced of importance for the need for action on civil rights
- Personally bullied department heads to reduce their appropriations requests and delivered a budget of \$97.9 billion. The Senate passed the tax bill on February 7, mere days before the bill cleared the House.
- Johnson finally helped ushered bill to passage in the Senate by working to break the southern filibuster.
- After a lot of trial, the bill was passed on July 2, 1964 due to Johnson's hard work in the Senate and the House.

# CRA Impact on Political Parties

- In the South:
  - Became predominantly democrat in 1960.
  - Only a few states voted republican or independent.
  - In 1964, southern states, with the exception of 4, were still democrat.
  - Lost votes in the Solid South: Legislators switched to either independent or republican parties.
- \*Almost full switch by the end of the 1960s into a Republican South
  - Foreign and domestic factors altered the shift.
- Black voter registration increased from 29% to 60% from 1960 to 1971 after the Civil Rights Act was passed.
- In 1968, with the exception of Texas, all southern states that voted Democrat voted Republic.



# Voting Rights Act 1964

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# Evolution of the Voting Rights Act of 1965

- Civil Rights Act had a section dedicated to voting rights, but it was not sufficient for what US citizens needed .
  - Evident by Freedom Summer and the MFDP at the Democratic National Convention in New Jersey.
- Johnson Administration knew that it would be difficult to pass another act immediately after the Civil Rights Act.
- Civil rights activist groups continued to demand voting rights .
  - SCLC (Martin Luther King Jr) in 1965 opened a voting rights campaign in Alabama
- Violence and threats came from white communities opposed to civil rights efforts.
- Signed into law on August 6, 1965.

# Evolution of the Voting Rights Act of 1965

- Outlawed literacy tests and told the U.S. Department of Justice to challenge poll taxes.
- Gave the Attorney General power to assign federal examiners in order to observe voter registration where fewer than  $\frac{1}{2}$  of the residents of an area were registered to vote.
  - In *Harper v. Virginia State Board of Elections*, the Supreme Court ruled Virginia's poll tax to be unconstitutional.
- Overall, it gave African Americans much more political power.

# “Bloody Sunday”

- After Jimmie Lee Jackson was shot at a march in Alabama, James Bevel from the SCLC organized a march from Selma to Montgomery.
  - Became known as “Bloody Sunday”
  - Included over 500 people on the Edmund Pettus Bridge
- Jim Clark, the Dallas County Sheriff, had deputized KKK members at one point, and immediately called white male residents to be deputized against the activists.
- Police initially tried to limit the protest, using tear gas, billy clubs, and horseback riders using whips. Over 50 people were hurt, images spread over the US.
- Over 50 people were injured

# LBJ's Reaction to Bloody Sunday

- LBJ was outraged and took immediate action.
- Gave a speech on March 15, 1965 discussing the events and what the U.S. must do to overcome the issue.
  - He made efforts to support those fighting for the civil rights.
  - The Voting Rights Act of 1965 was passed later in August.
- LBJ expressed shocking disdain for MLK Jr.'s actions.
- His speech:

<https://www.youtube.com/watch?v=MxEauRq1WxQ>

# Areas of the Voting Rights Act

- Outlawed poll tax and literacy tests especially in the South
  - Poll Tax: Black voters were charged to vote even though they were already lacking financially.
  - Literacy Tests: Many black voters, most with little formal education, were given tasks such as reciting parts of the Constitution to the administrator's satisfaction.
- Key feature of the law included:
  - “Federal supervision of voter registration in areas where less than 50% of the non white population haven't registered to vote.

# Harper v. Virginia State Board of Elections And South Carolina v. Katzenbach 1966

- Upheld requirements of the Act
- Decided that it was constitutional to place proof burden of compliance on states and localities that historically violated voting rights
- Result: By 2 years over half of the Southern African Americans (of legal age) were registered to vote
  - By 1968 almost 60% of eligible African American voters became involved in voting in Mississippi, other Southern states improved
  - 1965-1990 black state legislators and Congress members increased from 2 to 160.

# Amendment 24

- Ratified 23 January 1964.
- Section 1:
  - “The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.”
- Section 2:
  - “The Congress shall have power to enforce this article by appropriate legislation.”
- Linked the Civil Rights Act and the Voting Rights Act



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