

Module 7: Civil Rights and Civil Liberties

Topic 2 Content: Civil Rights Legislation

Introduction



Demi Tracy: For much of American history, civil rights were denied to many Americans based solely on their race. Even after the ratification of the Thirteenth, Fourteenth, and Fifteenth Amendments, which were meant to protect the rights of African Americans in the post-Civil War South, discrimination was commonplace. The civil rights movement of the 1950s and 1960s saw the collective efforts of countless activists culminate in new federal legislation to guarantee the civil rights of African Americans. Today, we will examine some of these important laws in *The Judgment Zone*.

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The Judgment Zone



Jeanne Marcel: The civil rights movement was a pivotal time in American history. People like Martin Luther King, Jr., Rosa Parks, and Medgar Evers are remembered as American icons for their involvement in, and sacrifices for, the civil rights movement. The boycotts, marches, sit-ins, and other nonviolent demonstrations of civil disobedience led to growing support for the movement. Despite aggressive and sometimes violent opposition, the civil rights movement eventually led to new federal legislation that helped outlaw discrimination against African Americans. To truly appreciate the importance of federal civil rights legislation, we will briefly review some of the problems it addressed.

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Early Civil Rights

Reconstruction Amendments	
Amendment	Effect
Thirteenth Amendment	Abolished slavery in the United States of America
Fourteenth Amendment	Made all people born in the U.S. a citizen, overturning the Dred Scott decision
Fourteenth Amendment	Required state governments to guarantee equal protection under the law and due process of the law
Fifteenth Amendment	Guaranteed the right to vote to all African American men

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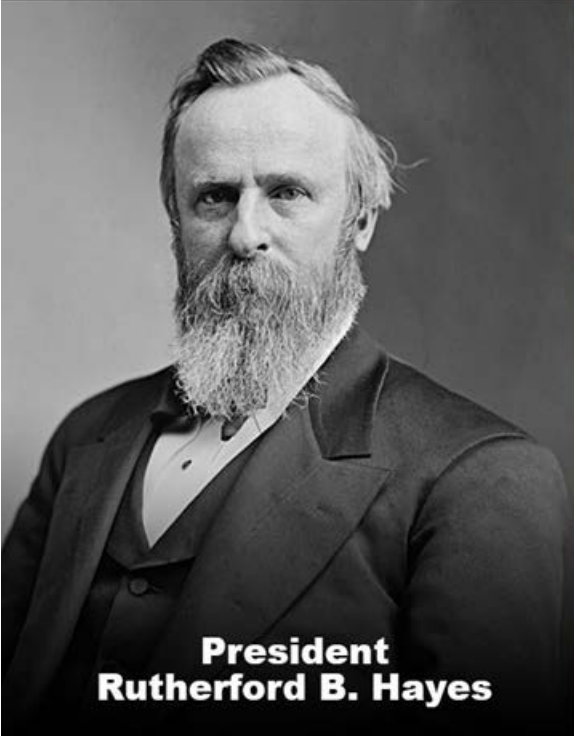
Jeanne Marcel: The Thirteenth, Fourteenth, and Fifteenth Amendments were passed after the Civil War and were some of the first major legal protections for African Americans. The Thirteenth Amendment abolished slavery in the United States. The Fourteenth Amendment made all people born in the United States citizens. This overturned the Supreme Court decision of *Dred Scott v. Sandford* (1857), which ruled that African Americans were not considered citizens under the Constitution. The Fourteenth Amendment also required state governments to guarantee equal protection under the law and due process of the law for every person. The Fifteenth Amendment guaranteed the right to vote to all African American men. In addition to these constitutional amendments, there were other laws and federal efforts that attempted to protect the rights of former slaves. This period of American history is known as Reconstruction, which saw major political progress by African Americans. Under the protection of federal troops, African American men were able to exercise their right to vote and run for public office, sometimes being successfully elected.

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End of Reconstruction

End of Reconstruction



**President
Rutherford B. Hayes**

- In a disputed presidential election, Rutherford B. Hayes was offered the presidency in exchange for ending Reconstruction.
- Groups like the Ku Klux Klan used intimidation and violence to prevent African Americans from participating in the government.
- The state governments began to pass segregation laws, which imposed an inferior status on non-whites.
- These laws, known as Jim Crow laws, were upheld by the Supreme Court.



Jeanne Marcel: Despite the efforts of Reconstruction, racism, prejudice, and discrimination continued. In a disputed presidential election, Rutherford B. Hayes was offered the presidency in exchange for ending Reconstruction. Without the protection of federal troops, groups like the Ku Klux Klan were able to use intimidation and violence to prevent African Americans from participating in the government. The state governments began to pass segregation laws, which imposed an inferior status on non-whites. These laws, known as Jim Crow laws, were upheld by the Supreme Court. Without the protection of the judicial system, African Americans had little defense against the institutionalized racism and discrimination forced upon them.

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Civil Rights Act of 1964

Civil Rights Legislation

Civil Rights Act of 1964

“The Congress shall have Power To... regulate Commerce with foreign Nations, and among the several States...”

Article I, Section 8 of the Constitution

- One of the most important civil rights laws in American history
- Banned discrimination based on race, color, religion, sex, or national origin
- Applied to voting, employment, and public accommodations
- This Act was passed under the commerce clause, meaning it could be applied to private businesses and individuals involved in interstate commerce

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Jeanne Marcel: The Civil Rights Act of 1964 is one of the most important civil rights laws in American history. This landmark legislation banned discrimination based on race, color, religion, sex, or national origin, and applied to voting, employment, and public accommodations. This bill faced strong opposition in Congress, but was eventually passed and signed into law by President Lyndon Johnson on July 2, 1964.

Ironically, one of the main reasons this legislation was so effective was that it was not passed under the Fourteenth Amendment. Rather, it was passed based on the commerce clause under Article I of the Constitution, which grants the legislative branch the right to regulate interstate commerce. The Fourteenth Amendment applied to state governments, but not private businesses or individuals. Under the authority granted by the commerce clause, Congress banned discrimination by any business or individual that was involved in interstate commerce.

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Voting Rights Act of 1965

Civil Rights Legislation

Voting Rights Act of 1965



- African American voters in the South still faced restrictions, threats, and violence
- Granted the federal government the power to target certain areas to register voters and monitor elections
- Banned literacy tests as a requirement for voting

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Jeanne Marcel: Despite the civil rights victories that had been achieved, African American voters in the South still faced restrictions and threats. Violence was also a serious concern. For example, in 1964, three civil rights workers were murdered in Mississippi after working to register African American voters. The Voting Rights Act of 1965 granted the federal government the power to target areas where discrimination was widespread. In these areas, the government registered voters, monitored elections, and reviewed any proposed changes to voting laws. This legislation also banned literacy tests as a requirement for voting.

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Civil Rights Act of 1968

Civil Rights Legislation


Civil Rights Act of 1968



EQUAL HOUSING OPPORTUNITY

- Provided equal housing opportunities for people without regard to their race, color, religion, or national origin
- Banned discrimination against people in the sale, rental, or financing of housing

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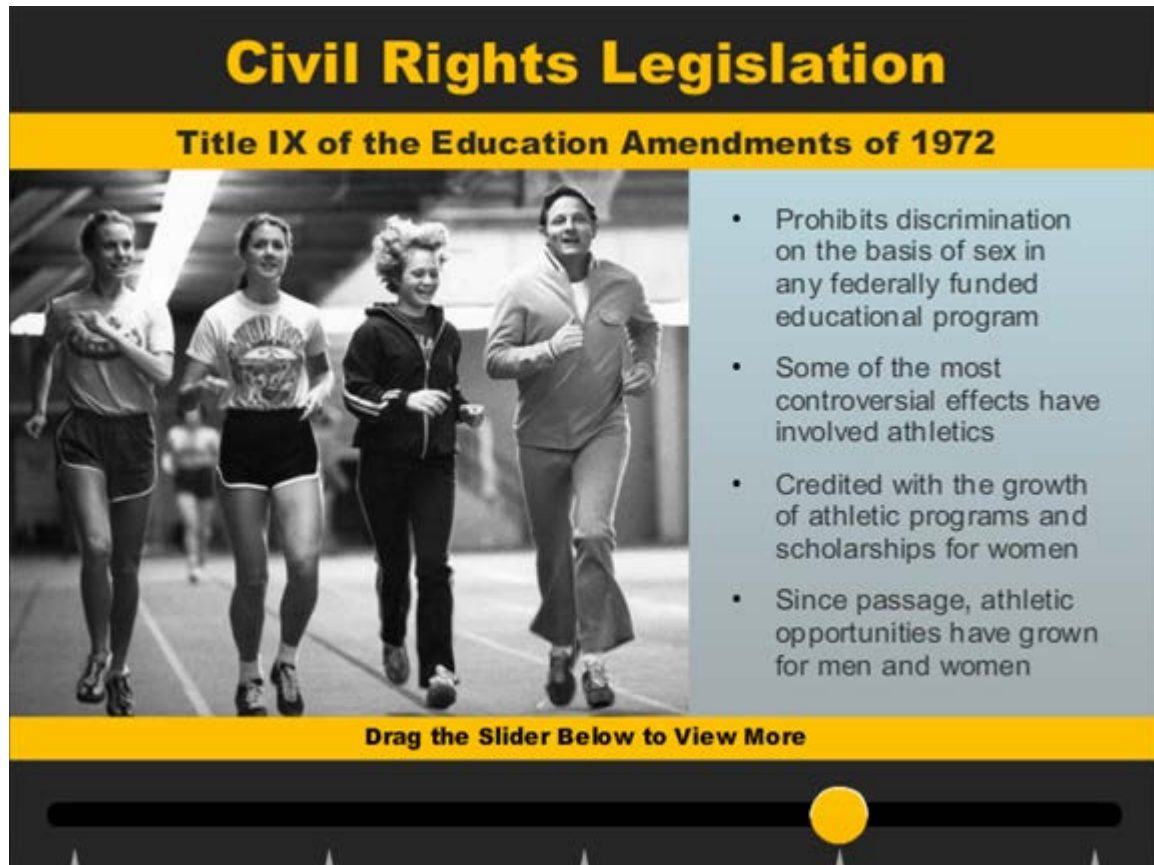


Jeanne Marcel: The Civil Rights Act of 1968 provided equal housing opportunities for people without regard to their race, color, religion, or national origin. It was signed into law by President Lyndon Johnson, and banned discrimination against people in the sale, rental, or financing of housing.

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Title IX of the Education Amendments of 1972



Civil Rights Legislation

Title IX of the Education Amendments of 1972

- Prohibits discrimination on the basis of sex in any federally funded educational program
- Some of the most controversial effects have involved athletics
- Credited with the growth of athletic programs and scholarships for women
- Since passage, athletic opportunities have grown for men and women

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Jeanne Marcel: Title IX of the Education Amendments of 1972, usually just referred to as Title IX, prohibits discrimination on the basis of sex in any federally funded educational program. While the purpose of Title IX was to prevent discrimination against women in all facets of public education, some of the most controversial effects of Title IX have involved athletics.

Title IX has been credited with the growth of women's athletic programs in high school and college, as well as athletic scholarships offered to women. On the other hand, opponents have blamed Title IX for ending certain male sports programs. Although it is true that some schools decided to cut men's programs like wrestling, the evidence shows that since the passage of Title IX, athletic opportunities for both women and men have grown.

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Americans with Disabilities Act (ADA)

Civil Rights Legislation

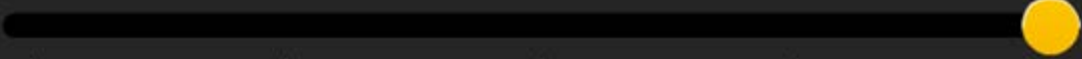
Americans with Disabilities Act (ADA)

- Signed into law in 1990
- Mimicked the Civil Rights Act of 1964 and extended protections to those with disabilities
- Prohibited discrimination against those with physical and/or mental disabilities
- Requires employers and public places to provide reasonable accommodations



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Jeanne Marcel: The Americans with Disabilities Act, also known as the ADA, was signed into law in 1990. The goal of the ADA was to mimic the Civil Rights Act of 1964 and extend civil rights protections to those with disabilities. This legislation prohibited discrimination against those with physical and/or mental disabilities. The ADA requires employers and public places, such as stores and restaurants, to provide “reasonable accommodations” for those with disabilities. Examples of reasonable accommodations include making a building wheelchair accessible and providing access to service animals.

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The Judgment Zone Conclusion



Jeanne Marcel: As you have seen, civil rights legislation was originally enacted in order to protect the rights of African Americans. However, these laws actually protected every American from discrimination. The legal protections that were born of the civil rights movement applied to all people, regardless of their race, color, religion, sex, or national origin. Thank you for having me today.

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Ending of Episode



Demi Tracy: You are absolutely correct, Jeanne. The Civil Rights Movement in America led to many important legal protections for all Americans. Not only did these new laws help protect every American from discrimination, the courage and devotion of the civil rights activists inspired other groups that were victims of discrimination. Over time, different aspects of these laws were expanded to include other marginalized groups. That's it for this episode. Have a great day.