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## Slide 1




## Civil Rights: 1950s & 1960s

RACIAL EQUALITY REMAINS A CONTENTIOUS ISSUE Individuals' civil rights and police officers' attempts to maintain order often come into conflict. A protestor in Ferguson, MO throws a tear gas container back at police in 2014.

## Slide 2

**Litigating for Equality**

- Test Cases
  - Challenged constitutionality of segregated law schools
  - NAACP Legal Defence and Educational Fund
  - Univ. Missouri Law School 1936
- *Brown v. Board of Education* (1954)
  - Struck down 'separate but equal' ([video](#))



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While women's groups worked on suffrage, the NAACP turned to litigation to push for equality. Its first step was to challenge the constitutionality of so-called "separate but equal" law schools. A test case in Missouri involved Lloyd Gaines, an African American who sought admission to the all-white University of Missouri Law School in 1936. His application was rejected, but the school offered to build a law school at an African American college or pay his tuition at an out-of-state law school. The NAACP successfully argued before the Supreme Court that such a deal was in no way "equal" to the education Gaines would receive at Missouri.

Bolstered by this success, the NAACP set up its Legal Defense and Educational Fund, and pursued other law school test cases. Ultimately, the NAACP took on public school segregation. In a ruling that shook the nation, the Supreme Court acknowledged the psychological harm segregation inflicted on African American children and declared public school segregation unconstitutional.



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## Slide 3



Here, Rosa Parks is fingerprinted by a Montgomery, Alabama, police officer after her arrest for violating a city law requiring segregation on public buses. Parks refused to give up her seat to accommodate a white man, starting a city-wide bus boycott. Parks is just one of many citizens who engaged in these nonviolent acts of resistance to unjust laws.

Following the *Brown* ruling, civil rights leaders began looking for other ways to fight against segregation and for equality. In Montgomery, Alabama, Rosa Parks decided to challenge the constitutionality of the city's segregated bus system. Parks, who was the local NAACP's Youth Council adviser, refused to give her seat to a white male passenger who didn't have a seat. She was arrested and charged with violating state segregation laws.

The NAACP enlisted local clergy to help fight for the cause, and together they boycotted the bus system on the day of Parks's trial. African Americans walked, carpooled, or used black-owned taxicabs. The boycott lasted a year, during which time a federal court declared the segregated bus system unconstitutional and city officials ordered the system to integrate.



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Dramatic changes occurred to national civil rights laws in the 1960s. Many of these changes were the result of grassroots political activism led by organizations such as the National Association for the Advancement of Colored People (NAACP) and the Southern Christian Leadership Council (SCLC). Leaders of these organizations – including the Reverend Martin Luther King Jr., center – are shown in this photo meeting with President Lyndon B. Johnson, a Southerner and former Senate Majority Leader, who played an important role in getting civil rights legislation passed by Congress.

## Slide 5

**Hispanic Americans**

- *Hernandez v. Texas* (1954)
  - Jury should include other Mexican Americans
- César Chávez
  - United Farm Workers Union
  - [Video](#)

Hispanics are the largest and fastest-growing minority group in the United States. In 1954, the same year as the *Brown v. Board of Education* case, Hispanics won a major victory when, in *Hernandez v. Texas*, the Supreme Court ruled unanimously that Mexican Americans had the right to a jury that included other Mexican Americans.

A push for even greater rights began in the 1960s, following a wave of immigration by Cubans to Florida. Around this time César Chávez began organizing farm workers to demand better working conditions and pay, and formed the United Farm Workers Union.

Hispanics also relied on litigation to secure greater equality and civil rights. In particular, the organizations Mexican American Legal Defense and Educational Fund and the Puerto Rican Legal Defense and Education Fund used the courts to seek more funding and bilingual services for schools with predominantly low-income minority populations.



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## Slide 6

**Gay Americans**

- Mattachine Society, 1951
- Daughters of Bilitis, 1955
- Stonewall Riots, 1969 ([video](#))



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### 1951

The Mattachine Society, the first national gay rights organization, is formed by Harry Hay, considered by many to be the founder of the gay rights movement.

### 1955

The first lesbian-rights organization in the United States, the Daughters of Bilitis, was established in San Francisco in 1955.

### 1962

Illinois becomes the first state in the U.S. to decriminalize homosexual acts between consenting adults in private.

### 1969

The Stonewall riots transform the gay rights movement from one limited to a small number of activists into a widespread protest for equal rights and acceptance. Patrons of a gay bar in New York's Greenwich Village, the Stonewall Inn, fight back during a police raid on **June 27**, sparking three days of riots.

## Slide 7

**Marriage Equality**  
Loving v. Virginia ([video](#))



**14** The freedom to marry has long been recognized as one of the vital personal rights essential to the ordinary pursuit of happiness by free men.

**- LOVING V. VIRGINIA**  
United States Supreme Court Ruling - June 12, 1967

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The fight for marriage equality is not a new front in the civil rights arena. In 1958, two residents of Virginia, Mildred Jeter, a black woman, and Richard Loving, a white man, were married in the District of Columbia. The Lovings returned to Virginia shortly thereafter. The couple was then charged with violating the state's antimiscegenation statute, which banned inter-racial marriages. The Lovings were found guilty and sentenced to a year in jail (the trial judge agreed to suspend the sentence if the Lovings would leave Virginia and not return for 25 years).

In a unanimous decision, the Court held that distinctions drawn according to race were generally "odious to a free people" and were subject to "the most rigid scrutiny" under the Equal Protection Clause. The Virginia law, the Court found, had no legitimate purpose "independent of invidious racial discrimination."



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## Slide 8

**The Civil Rights Movement**

- The Civil Rights Act of 1964 ([video](#))
- Voting Rights Act of 1965 ([video](#))
- Supreme Court reverses Voter Rights Act 2013 Holder v. Alabama ([video](#))



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The efforts of the civil rights movement resulted in major legislative victories in the 1950s and 1960s as seen in the videos. However, at least portions of these legislative acts continue to be challenged in the courts.

The Civil Rights Act of 1964 gave the Department of Justice the authority to bring cases against school districts that had failed to comply with the desegregation orders of *Brown v. Board of Education*. This required a distinction between *de jure* discrimination, which is discrimination by law, and *de facto* discrimination, which is discrimination that results from practice, such as housing patterns. Where schools were concerned, the Court noted it was approving busing only for *de jure* discrimination.

The Civil Rights Act of 1964 also prohibits employers from discriminating against employees. In 1971, the Supreme Court ruled that employers could be liable if their practices had the effect of excluding African Americans from certain positions. Where such exclusion was evident, the Court ruled the employer had to prove the practice, such as requiring employees to pass a test in order to be promoted, was a 'business necessity' related to the successful performance of a particular job.




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**Exit Question** 5

In what way or ways has the fight for civil rights been the same for different groups?



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