The Civil Rights Act of 1964: A Case Study of Compromise

Jeffery D. Nokes <u>jeff_nokes@byu.edu</u> Brigham Young University June 26, 2025 Constitutional Literacy Institute

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Paper (parchment) rights: Rights recorded on paper without structure do little to protect rights.

"Citizens of the Russian Federation shall have the right to gather peacefully without weapons, and to hold meetings, rallies, demonstrations, marches and pickets."

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



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How did the clash between forces for change and continuity result in the compromise referred to as the **Civil Rights Act of** 1964?



The New Jim Crow: African Americans, Civil Rights, and the First Presidential Election of the 21st Century

Disenfranchising African Americans in Florida 2000 Bush v. Gore, and black America's for Civil Rights and Politic TWEN

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Compromise, Continuity, and Change Jim Crc SCHOO] NEW YORK TIMES BESTSELLER

NEW

JIM

CROW

MASS INCARCERATION IN THE

AGE OF COLORBLINDNESS

MICHELLE ALEXANDER

WITH A NEW PREFACE BY THE AUTHOR

10th anniversary edition

THE IMPACT OF CHAR ON PUBLIC EDUCATI

> RAYNARD SANDERS DAVID STOVALL TERRENDA WHITE

Foreword by KAREN LEWIS

"In this success is book, the forces determined to destroy public education — with moltifierd carepogns to disascent and destabilize, displace and discufranchise — have met a formulable opponent."



- Radical Reconstruction
- "Redemption"
- Plessy v. Ferguson
- Jim Crow





- NAACP
- Harlem Renaissance
- CORE
- Brown v. Board
- Montgomery Bus Boycott





A Rising Tide of Discontent



- 1. Vote
- 2. Jim Crow
- 3. Schools
- 4. Employment
- 5. Poverty









- Title II: Discrimination in public places
- Title VII: Discrimination in employment





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Document 10: Story

At 8:00 A.M. on July 3, 1964, a thirteen-year-old boy in Kansas City, Missouri, named Eugene Young went into the barbershop at the historic Muchlebach Hotel to get a haircut. He hopped into the chair of Lloyd Soper, one of the barbers. He gave him two dollars. A few minutes later, <u>Young</u> left, another satisfied customer. Young's satisfaction went beyond the mere [haircut]. He was black, and the day before he had been refused service at the same shop.

Source: Story from the day after the passage of the Civil Rights Act of 1964, told in the book <u>The Bill of the Century</u> by journalist Clay Risen (2014), published by Bloomsbury Press. [Changed for easier reading].

Changes, Continuities, Compromises, and the Civil Rights Act of 1964

How did the clash between forces for change and continuity result in the compromise referred to as the Civil Rights Act of 1964? Complete the following graphic organizer as you consider how each of the documents related to the Civil Rights Act of 1964 demonstrates change, continuity, and compromise. Describe the source of the document in the first column. Tell how it gives evidence of change in the second column. Tell how it captures significant continuities in the third column. (You may adjust the line between the second and third column based on where you need more space as in the example below.) Tell how the document gives evidence of compromise in the fourth column. Some cells of this matrix might be left blank if there is no evidence. After completing the matrix, answer the questions below, drawing from materials in the documents.

Source Information	Evidence of Change	Evidence of Continuity	Evidence of Compromise	
1				
2				
3				
5				
4				
<i>c</i>				

Document 2: Kennedy Speech

Source: Video recording of a speech given by President Kennedy on June 11, 1963, <u>telling</u> about his civil rights goals. Found at <u>https://www.jfklibrary.org/learn/about-jfk/historic-</u> <u>speeches/televised-address-to-the-nation-on-civil-rights</u> (Transcript can be found at the same



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Source Information	Evidence of Change	Evidence of Continuity		Evidence of Compromise
1: President Kennedy's speech. Democrat, public, during Birmingham protests 2½ years after elected	Kennedy proposes legal changes—integrating public facilities, lawsuits to end segregated schools, greater protection of voters. Changes at University of Alabama.Does not talk much about poverty or employment issues, reformers' priorities		Only mentions demonstrations in Birmingham later in speech. Talks about voluntary reform in schools and public places	
2				
3				
4				



Political cartoon available through the Library of Congress at showing Senators Hubert Humphrey as a baker and Frank Lausche in a business suit protecting a freshly baked loaf of bread, labeled Civil Rights Bill, from demonstrators and extremists. The caption reads, "IF THEY DON'T WATCH <u>OUT</u> THEY'RE GONNA RUIN IT!" (A freshly baked loaf of bread will "fall" or collapse if bumped or exposed to loud noises.)

"IF THEY DON'T WATCH OUT THEY'BE GONNA RUIN IT !"

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CIVIL RIGHTS BILL EXTREMIST

DEMONSTRATIONS

Source: Political cartoon created by Gib Crockett and published in the Washington Star on April 15, 1964, showing lawmakers Hubert Humphrey and Frank Lausche defending the Civil Rights Bill from extremists. Found at <u>http://www.loc.gov/exhibits/civil-rights-act/civil-rights-a</u>

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Source: Part of a speech made by President Lyndon B. Johnson on November 27, 1963, after the death of President Kennedy to a joint session of Congress. [Changed to make it easier to read]. Transcript found at http://www.pbs.org/ladybird/epicenter/epicenter_doc_speech.html and video recording at <u>https://www.vsotd.com/featured-speech/let-us-continue</u> (starting at 8:35 and 13:47)

https://prorhetoric.com/let-uscontinue/



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Civil Rights Act

- Title I: Voting rights
- Title II: Discrimination in public accommodations
- Title III: Desegregation of public facilities
- Title IV: Desegregation of public education
- Title V: Commission on Civil Rights

- Title VI: Nondiscrimination in federally assisted programs
- Title VII: Equal employment opportunities
- Title VIII: Voting statistics to be gathered
- Title IX: US a party in state civil rights cases
- Title X: Community Relations Service created

Civil Rights Act didn't address

• Poverty





How did the clash between forces for change and continuity result in the compromise referred to as the **Civil Rights Act of** 1964?





What does the process used in passing the Civil Rights Act of 1964 teach about the process of compromise and outcomes?



Teaching Debriefing

 How would you adapt this for your classroom?