

PUBLICATION

Diversity Matters: Note from the Editor - Civil Rights Act of 1964

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On July 2 of this year, the Civil Rights Act of 1964 enjoyed its 50th anniversary – an appropriate time for reflection.

Prior to the passage of this Act, for more than 180 years, from July 4, 1776, until July 2, 1964, it was legal in the United States to discriminate in employment, voting, public accommodations and education against persons based upon their race, color, religion, sex or national origin. It was common and legal for blacks to be denied employment and access to hotels and restaurants, and to be segregated on buses and other public facilities because of their race.

Around 1960, civil rights protests and sit-ins began escalating in southern cities in response to the pervasive discrimination and segregation, and these were witnessed across America on the television sets which by then were in around 87 percent of American households.

In the 1960s, Birmingham was considered to be one of the most racially divided cities in the U.S. The city had no black police officers, firefighters, department store sales clerks, bus drivers, bank tellers or store cashiers.

A turning point for the country occurred in Birmingham in the spring of 1963, when blacks protested to pressure businesses to open up employment opportunities to them, as well as to end segregation in restaurants and stores. Demonstrators included elementary school, high school and college students. More than a thousand people were arrested, and the Birmingham Police Department used high-pressure water hoses and police attack dogs on the protesters, which included children. These brutal attacks by police on seemingly peaceful protestors were witnessed across the world on television, outraging Americans and tarnishing the country's image around the world.

That summer, in June 1963, President John F. Kennedy told the country that it needed to confront its own moral issue:

The heart of the question is whether all Americans are afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. . . [O]ne hundred years of delay have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They are not yet free from the bonds of injustice. And this nation, for all its hopes and all its boasts, will not be fully free until all of its citizens are free.

That same month, President Kennedy sent comprehensive civil rights legislation to Congress. In August 1963, in front of 250,000 supporters who marched in Washington, D.C., Dr. Martin Luther King Jr. made his famous "I Have A Dream" speech. Just five days after President Kennedy's assassination in November 1963, his successor, President Lyndon B. Johnson, urged Congress to expeditiously pass the civil rights legislation: "No eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long." President Johnson signed the Civil Rights Act on July 2, 1964.

In the 1960s, Abe Berkowitz, a founding member of our Firm, was outspoken in his opposition to unfair laws and customs, actively supporting the civil rights movement in Birmingham. Chervis Isom, senior counsel in the

Firm's Birmingham office, also lived through these very trying times in that city, and chronicles his personal struggle to overcome Birmingham's racist culture in his recently published memoir, *The Newspaper Boy: Coming of Age in Birmingham, Alabama, During the Civil Rights Era*. See www.thenewspaperboy.net for more details.