PARALLEL HISTORIES

YES NO

THE CIVIL RIGHTS MOVEMENT

HAVE THE GOALS OF THE CIVIL RIGHTS MOVEMENT BEEN ACHIEVED?

PARALLEL HISTORIES

YES, THE GOALS HAVE BEEN ACHIEVED

YES

The CRA integrated public accommodations and employment opportunities

Source 1: Extract from the legal case Griggs v. Duke Power co., 1971

GRIGGS v. DUKE POWER CO., 401 U.S. 424 (1971)

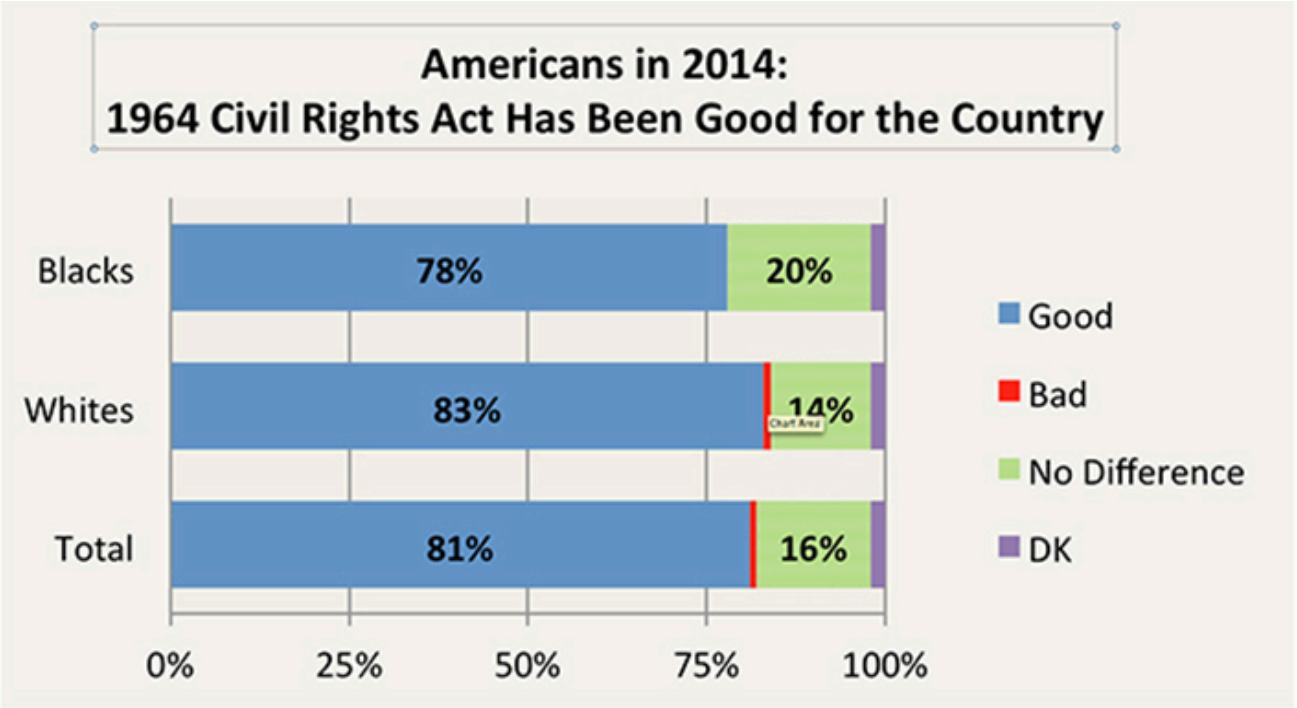
What is (was) required by Congress is the removal of artificial, arbitrary, and unnecessary barriers to employment when the barriers operate invidiously to discriminate on the basis of racial or other impermissible classification.

The Act proscribes not only overt discrimination but also practices that are fair in form, but discriminatory in operation. If an employment practice which operates to exclude Negroes cannot be shown to be related to job performance, the practice is prohibited.

Congress has not commanded that the less qualified be preferred over the better qualified simply because of minority origins. Far from disparaging job qualifications as such, Congress has made such qualifications the controlling factor, so that race, religion, nationality, and sex become irrelevant. What Congress has commanded is that any tests used must measure the person for the job and not the person in the abstract.

The CRA integrated public accommodations and employment opportunities

Source 2: Results of 2014 poll of Americans conducted by news organization CBS



PARALLEL HISTORIES

NO, THE GOALS HAVE NOT BEEN ACHIEVED

NO

The CRA has not secured equal access to employment opportunities

Source 3: Extract from "The Civil Rights Act was a victory against racism. But racists also won." by Ibram X. Kendi, The Washington Post, July 2, 2017

The 1964 act ended up principally outlawing "intention to discriminate" in the present. Intent — not outcome — became the preferred proof of discrimination. Evidence of intent to create the racial disparity — like the "white only" sign — became the principal marker of discrimination, not the racial disparity itself, nor the absence of people of color. Jim Crow was the primary target of the 1964 act, and ended up being the primary fatality.

Racial disparity, meanwhile, was reinforced and reproduced in new forms. On the very day the 1964 act took effect, Duke Power's Dan River plant in North Carolina started requiring IQ tests and high school diplomas. These new requirements produced the same outcome as the company's old segregationist policies: whites receiving the bulk of its high paying jobs. In 1971, the Supreme Court prohibited Duke's new practices…but it became increasingly difficult for civil rights lawyers to win these "disparate impact" cases.

If an applicant were rejected, defenders of standardized testing would argue, it was a matter of exclusion based on performance, not racism. And officials could justify racial disparities in their workplaces and schools by pointing to test scores. The gaps in the test scores proved something was wrong with the test-takers, not the tests.

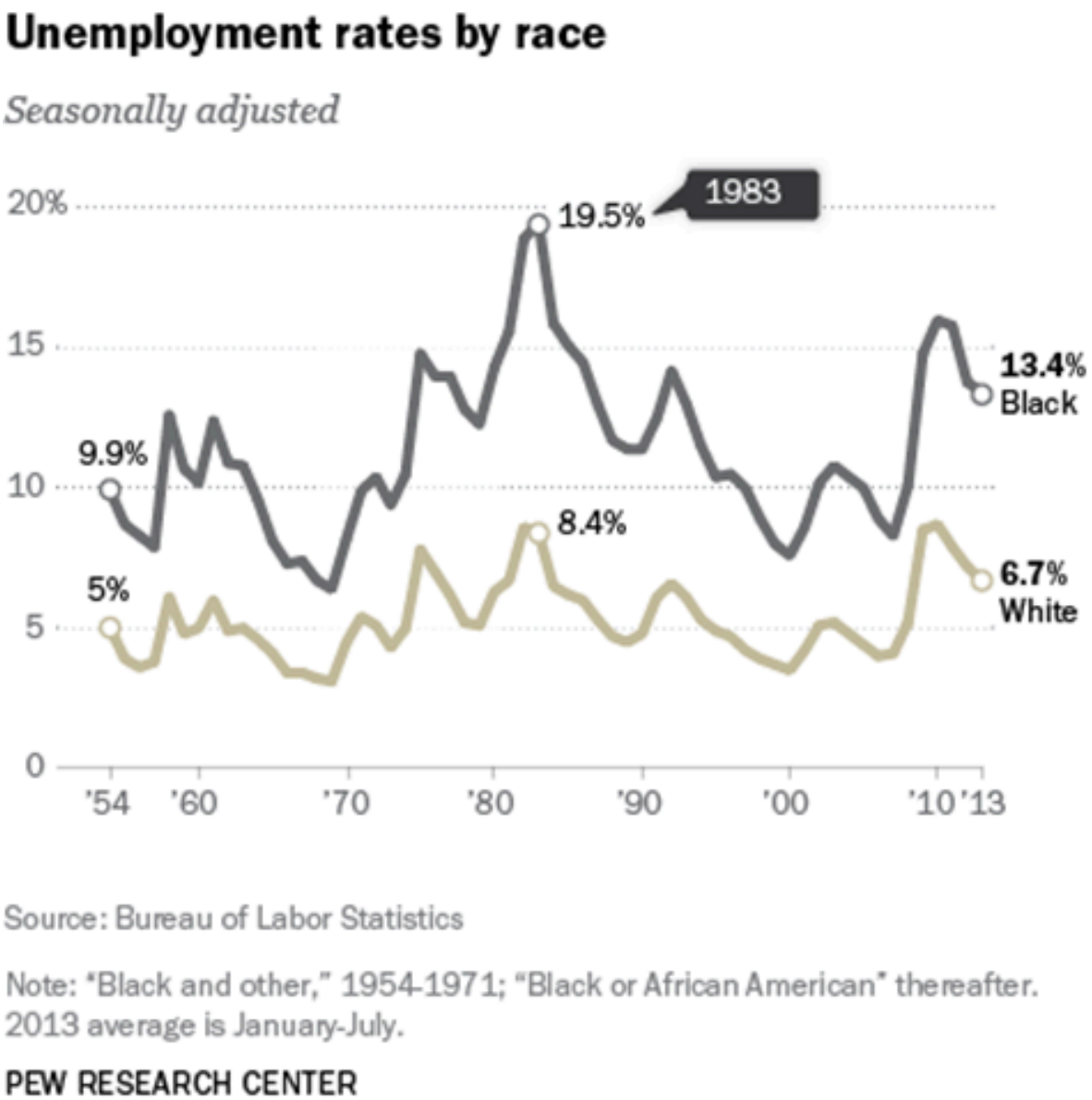
PARALLEL HISTORIES

NO, THE GOALS HAVE NOT BEEN ACHIEVED

NO

The CRA has not secured equal access to employment opportunities

Source 4: Graph of Unemployment rates by race, Pew Research Center, August 21, 2013



Affirmative Action is no longer needed for equal access to education and employment

Source 5: Extract from the legal case Students for the Fair Admissions Inc. vs. Presidents and Fellows of Harvard College, June 2023

Petitioner, Students for Fair Admissions (SFFA), is a nonprofit organization whose stated purpose is "to defend human and civil rights secured by law, including the right of individuals to equal protection under the law." SFFA filed separate lawsuits against Harvard and UNC, arguing that their race-based admissions programs violate, respectively, Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment. After separate bench trials, both admissions programs were found permissible under the Equal Protection Clause and this Court's precedents.

Because Harvard's and UNC's admissions programs lack sufficiently focused and measurable objectives warranting the use of race, unavoidably employ race in a negative manner, involve racial stereotyping, and lack meaningful end points, those admissions programs cannot be reconciled with the guarantees of the Equal Protection Clause.

Affirmative Action is no longer needed for equal access to education and employment

Source 6: Extract from from the 1964 US Supreme Court ruling on Virginia Prince Edward County Moton High School, a public school that was still closed thus violating Brown. It was forced to re-open by this Supreme Court ruling

We come now to the question of the kind of decree necessary and appropriate to put an end to the racial discrimination practiced against these petitioners under authority of the Virginia laws

The District Court held that "the public schools of Prince Edward County may not be closed to avoid the effect of the law of the land as interpreted by the Supreme Court while the Commonwealth of Virginia permits other public schools to remain open at the expense of the taxpayers.

The time for mere "deliberate speed" has run out, and that phrase can no longer justify denying these Prince Edward County school children their constitutional rights to an education equal to that afforded by the public schools in the other parts of Virginia. The judgment of the District Court is affirmed, and the cause is remanded to the District Court with directions to enter a decree which will guarantee that these petitioners will get the kind of education that is given in the State's public schools

Affirmative Action is still needed for equal access to educational opportunities

Source 7: Extract from the Dissenting Opinion in the Supreme Court case, Students for the Fair Admissions Inc. v. Presidents and Fellows of Harvard College (June 2023), Justice Sotomayor, with whom Justice Kagan and Justice Jackson join.

After more than a century of government policies enforcing racial segregation by law, society remains highly segregated. About half of all Latino and Black students attend a racially homogeneous school with at least 75% minority student enrollment… Moreover, underrepresented minority students are more likely to live in poverty and attend schools with a high concentration of poverty. When combined with residential segregation and school funding systems that rely heavily on local property taxes, this leads to racial minority students attending schools with fewer resources.

In turn, underrepresented minorities are more likely to attend schools with less qualified teachers, less challenging curricula, lower standardized test scores, and fewer extracurricular activities and advanced placement courses. It is thus unsurprising that there are achievement gaps along racial lines, even after controlling for income differences.

Underrepresented minorities are less likely to have parents with a post secondary education who may be familiar with the college application process…. These opportunity gaps "result in fewer students from underrepresented backgrounds even applying to" college, particularly elite universities.

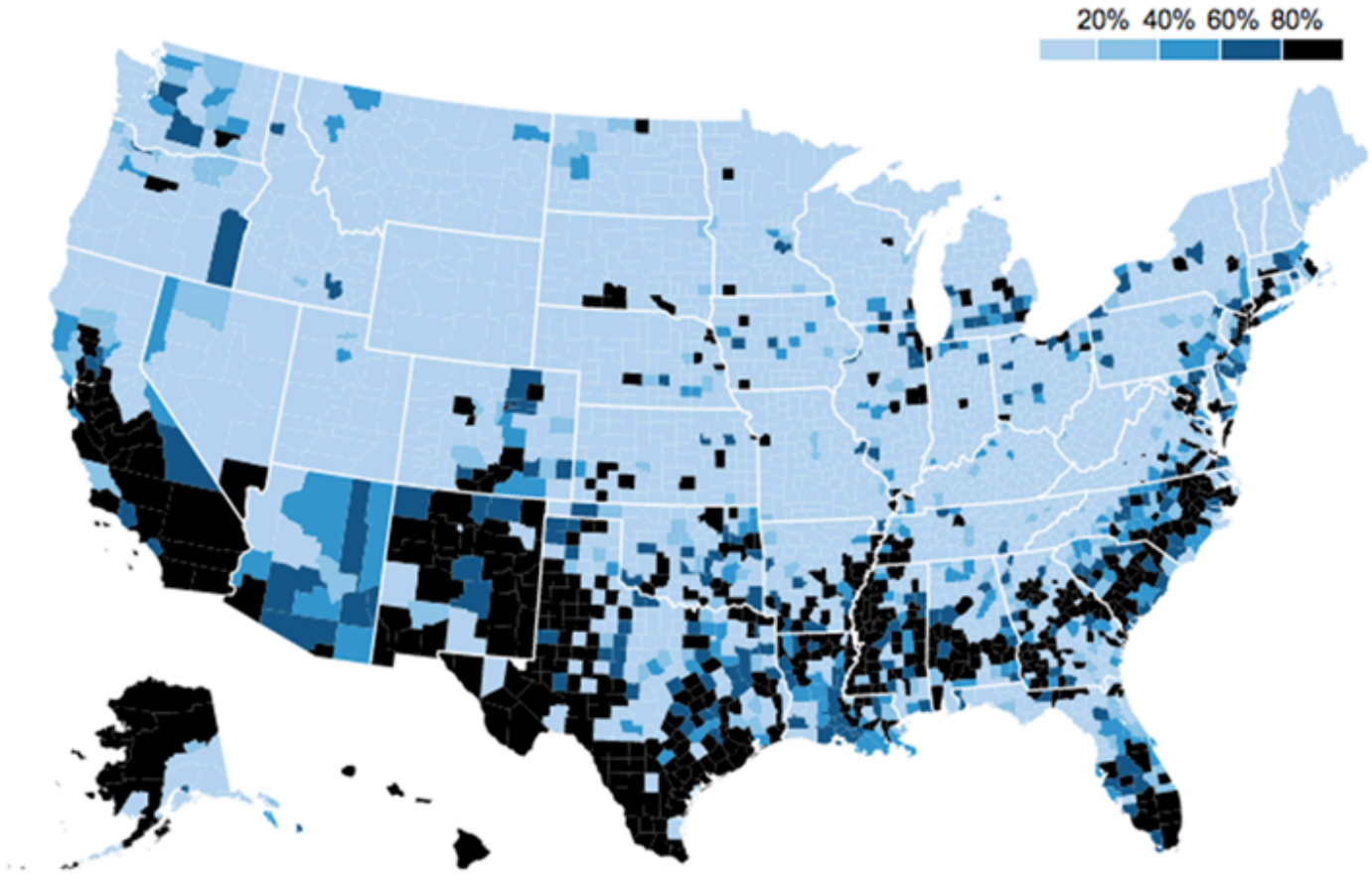
PARALLEL HISTORIES

NO, THE GOALS HAVE NOT BEEN ACHIEVED

NO

Affirmative Action is still needed for equal access to educational opportunities

Source 8: Share of black children attending majority-nonwhite schools in 2011-12



Source: U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), Public Elementary/Secondary School Universe Survey Data, 2011-12.
Notes: Race shares do not add to 100%.

Embed this map (Click the box, Ctrl + C to Copy): rame src="http://dat

URBAN INSTITUTE

The protections of the VRA are no longer needed for equal ballot access

Source 9: Summary of the Voting Rights Act (VRA) from the U.S National Archives

[The Voting Rights] act was signed into law on August 6, 1965, by President Lyndon Johnson. It outlawed the discriminatory voting practices adopted in many southern states after the Civil War, including literacy tests as a prerequisite to voting. The Voting Rights Act of 1965 was the most significant statutory change in the relationship between the federal and state governments in the area of voting since the Reconstruction period following the Civil War; and it was immediately challenged in the courts. Between 1965 and 1969, the Supreme Court issued several key decisions upholding the constitutionality of Section 5 and affirming the broad range of voting practices for which preclearance was required.

The Voting Rights Act had an immediate impact. By the end of 1965, a quarter of a million new Black voters had been registered, one-third by federal examiners. By the end of 1966, only four out of 13 southern states had fewer than 50 percent of African Americans registered to vote. The Voting Rights Act of 1965 was readopted and strengthened in 1970, 1975, and 1982.

PARALLEL HISTORIES

YES, THE GOALS HAVE BEEN ACHIEVED

YES

The protections of the VRA are no longer needed for equal ballot access

Source 10: Extract from 'Turnout in 2020 election spiked among both Democratic and Republican voting groups, new census data shows' The Brookings Institute, May 5, 2021

The Census Bureau's estimates confirm the general perception that 2020 voter turnout was very high, at 66.8%. This was the biggest turnout in a presidential election since 1992 (67.7%) and more than 5 points higher than the 2016 election…Turnout showed increases from 2016 among Asian Americans, Latino or Hipanic, and non-college white voters. Each displayed 2016-2020 turnout increases that exceed 6 points or greater

PARALLEL HISTORIES

NO, THE GOALS HAVE NOT BEEN ACHIEVED

NO

The protections of the VRA are still needed to ensure equal ballot access

Source 11: Extract from 'Reflecting On the 10th Anniversary of Shelby County v. Holder' by Assistant Attorney General Kristen Clarke, June 23, 2023

The Shelby County ruling marked a significant turning point for voting rights in the United States. In its decision, the Supreme Court invalidated, on constitutional grounds, Section 4(b) of the Voting Rights Act, which provided the formula for determining which jurisdictions were covered under Section 5. Without that formula, all jurisdictions were released from coverage overnight. Section 5 was rendered effectively inoperative, freeing states and localities to enact voting laws without federal oversight.

In the absence of preclearance, Texas and North Carolina statutes imposing multiple voting restrictions went into effect and the Department of Justice, along with private parties, had to file suit under a different part of the Voting Rights Act to enjoin them. Those lawsuits ultimately succeeded but they took years to litigate and consumed substantial resources, including millions of dollars spent by Texas and North Carolina to defend the state laws. In the meantime, untold numbers of voters were burdened or disenfranchised because the laws remained in place while the cases were pending.

PARALLEL HISTORIES

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The protections of the VRA are still needed to ensure equal ballot access

Source 12: Extract from 'The Importance of Protecting Voting Rights for Voter Turnout and Economic Well-Being', White House Press Office, August 16, 2021

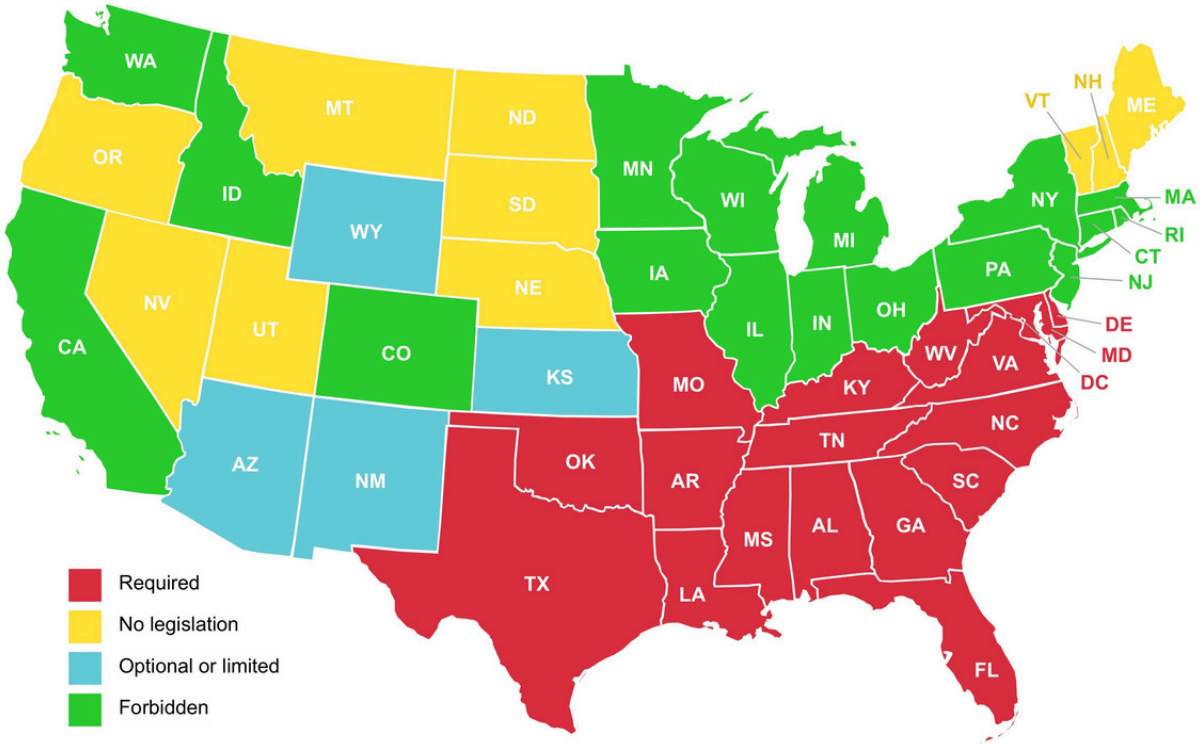
Since January 2021, 18 states have enacted 30 separate laws that many analysts believe will make it more difficult to vote. In addition, over 400 bills that would make voting more difficult are being considered in State legislatures. These enacted and proposed laws include vote-by-mail restrictions, restrictions on early voting, and broader authority for purges of voter rolls. An often-cited reason for these bills and laws is voter fraud, yet voter fraud is extremely rare. Insidiously, these laws disproportionately undermine the ability of people of color to vote. Moreover, voters' waiting times in predominately Black neighborhoods are already 29 percent longer than in predominately white neighborhoods.

After the Shelby decision, there was a substantial decrease in the number of polling places in previously covered jurisdictions. Indeed, a follow-up study examining over 85 percent of formerly covered counties finds that there were 1,688 polling place closures after Shelby.

Before the Shelby decision, each of these counties would have needed to obtain approval before closing a polling place. That was because Section 5 required proof that the closure would not have a racially discriminatory effect.

The CRA and legal challenges ended segregation and discrimination

Source 13: Map of educational segregation prior to Brown vs. the Board of Education, 1954



PARALLEL HISTORIES

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The CRA and legal challenges ended segregation and discrimination

Source 14: Black History Month, Rice Lake Elementary School, Minneapolis, Minnesota, 2023

More work is needed to raise awareness of the continued effects of racism

Source 15: Statue in Houston, Texas honoring George Floyd, an African-American man who was killed by a police officer in Minneapolis, Minnesota during an arrest for suspected use of a counterfeit bill

NO, THE GOALS HAVE NOT BEEN ACHIEVED

NO

More work is needed to raise awareness of the continued effects of racism

Source 16: Extract from 'New York State's Extreme School Segregation' by John Kucsera with Gary Orfield, The Civil Rights Project/Proyecto Derechos Civiles, March 2014

Besides a history of residential segregation, the governance structure of Nassau/Suffolk is highly fragmented, contributing to the racial segregation on the island, as well as preventing many of its remedies.

The extreme fragmentation is a tremendous barrier to racial integration and equitable resources between districts. For example, per pupil spending varies widely among school districts, from $20,696 in majority-white Bridgehampton, to $5,377 in majority-minority Wyandanch. Even when public resources are similar between racially or socioeconomically varying districts, further research documents the extreme private resource inequality between these districts, and the effect these differences can have on students' access to a high-quality education and other learning resources.

The US Civil Rights movement inspired other nations

Source 17: Referendum question and result of the Australian Constitutional amendment to allow Aboriginal people to be included in the national census, 1967

Referendum on an Australian Constitutional amendment to allow Aboriginal people to be included in the national census. 1967

Do you approve the proposed law for the alteration of the Constitution entitled 'An Act to alter the Constitution so as to omit certain words relating to the people of the Aboriginal race in any state so that Aboriginals are to be counted in reckoning the population'?

Percentage Approving	Percentage Opposed
90.77	9.23

The US Civil Rights movement inspired other nations

Source 18: Nicknamed “Les blacks, blancs et beurs” – “black, white and brown/Arab” by French newspapers, of the 11 starting players: one was born in Ghana; one in New Caledonia, a Pacific island; one had parents from Guadeloupe, a Caribbean island; another had parents from Argentina; another from Algeria; and another had parents from Armenia and Poland

Non-white people in white-majority nations still face discrimination

Source 19: Diary of Charles Perkins, leader of Aboriginal Australian Freedom Ride, 1965

When we got down to the pool I said, 'I want a ticket for myself and these ten Aboriginal kids behind me. Here's the money.' 'Sorry, darkies not allowed in,' replied the baths manager. The manager was a real tough looking bloke too. He frightened me. We decided to block up the gate: 'Nobody gets through unless we get through with all the Aboriginal kids!' And the crowd came, hundreds of them. They were pressing about twenty deep around the gate. The mayor ordered the police to have us removed from the gate entrance. They took hold of my arm and the struggle started. There was a lot of pushing and shoving and spitting. Rotten tomatoes, fruit and eggs began to fly, then the stones were coming over and bottles too.

Non-white people in white-majority nations still face discrimination

Source 20: French satirical cartoon about hate on social media, by Plantu for Le Monde newspaper, March 19, 2018