

THE 1964 CIVIL RIGHTS LAW
AND WHAT IT MEANS TO YOU!

These mimeographed pages have been prepared for you for two reasons. First, you should use this summary to follow the instructor during this hour as he explains the law to you. And second, you should take these papers home so that your family can see what the 1964 Civil Rights Act means to them. Feel free to write anything on these papers which helps you to understand the law better.

The 1964 Civil Rights Act is divided into eleven sections which are called Titles. Each title deals with a different subject. For instance, Title 1 deals with voting rights, while Title 7 deals with equal employment opportunities.

Now, in the time your teacher has provided for us to study the bill we will go through the law section by section. Do not hesitate to ask questions.

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TITLE I - VOTING RIGHTS

The purpose of Title I is to make sure that you and your family will have the right to vote in Federal elections at least, that is elections for President, Vice-President, Presidential Electors, Members of the Senate, or Members of the House of Representatives.

The State of Mississippi does not want you to vote. How then does this law protect and guarantee your right to vote in Federal elections?

It does this in the following ways:

- a. The standard practice or procedure used by the State of Mississippi to test your qualifications to vote in a Federal election cannot be different than one applied to other individuals who have been found qualified to vote, in other words, they cannot give one test to the white man, and a different one to the colored man. All men must meet the same requirements.
- b. Any mistake you make on papers you must fill out to register to vote, or any blank you leave unanswered must be a very important one, for instance, your age, or how long you have lived in Hinds County. In other words, no little mistake, or blank you might miss can itself stop you from registering to vote. But remember, when you fill out those forms, try to be careful so you do not make mistakes or leave blanks.
- c. A state can still give a literacy test to determine your qualifications; that is a test to check your ability to read, write, or interpret any matter, but this law sets out some rules for the test so that it cannot be used unfairly.
 1. The test must be given to all persons, white and colored.
 2. The questions will be asked and answered in writing.
 3. Any person who takes such a test can within 25 days of the date he takes it, go back and get a certified copy of the test he took and the answers he gave.
- d. The law of the land now says that any person who has completed the 6th grade, in a school taught primarily in English, and approved by the State, is presumed to be literate, that is it is presumed that the person can read and write. The presumption is rebuttable, which means that the State of Mississippi can show that the person really can not read and write. But the law is an improvement, because the State just cannot say you cannot read and write; now they have to prove it.
- e. These are the parts of Title I you should be most concerned with. There are other parts whose purpose is to make sure there is a fair hearing should it become necessary to go to court to protect your right to vote in Federal elections.

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TITLE II - PUBLIC ACCOMMODATIONS

The reason this section appears in the law is to insure that no person will be turned away from a place of public accommodation because of race, color, religion, or national origin. It is important that you know what businesses are covered by the law, which ones are not covered, and how you can enforce your rights should you be denied service.

What places of accommodation are covered by the 1964 law?

- a. Hotels and motels, or other places which furnish a place to stay on a temporary basis. These places must have more than five rooms to rent in order to come within the law.
- b. Restaurants, and other places which primarily furnish food, including any cafeteria lunch counter etc., which is located on the property of a retail store, like Woolworths, or any gasoline station.
- c. Any movie house, like the Paramount, theater, concert hall, sports arena, or other place of entertainment.
- d. Any business which is located within the premises of one of the businesses already mentioned, for instance a barber shop in a hotel, is also covered.

Why are these places prohibited from discriminating?

There are two reasons. First, the federal government in Washington has the power under the United States Constitution to regulate interstate commerce, that is travel, trade, traffic, commerce, transportation or communication between the states. So because people who travel stay at hotels, because most food in restaurants comes from out of state, because movies come from Hollywood, and so on, these businesses we have just mentioned are covered. These are businesses which are interstate commerce or which affect interstate commerce. A second reason that discrimination in these establishments will be stopped by this law is because of something called state action. What this means is that if discrimination or segregation is carried on at any hotel, motel, restaurant, movie house, etc., by law or by custom enforced by Mississippi officials or required by the state, it can be stopped.

What is not covered by this law? The law does not apply to any club or other establishment not in fact open to the public, like Shady Oaks Country Club.

Suppose your rights are violated. What do you do, and what help can you expect?

Two types of action can be taken to stop the discrimination and segregation. One type is called a civil suit, that is a lawsuit by one person against another to correct a wrong. The purpose of this suit is to get a court order which will prohibit a business man from refusing to serve you. There is also the possibility of money damages. The other kind of suit is another civil action, but this one would be brought by Attorney General Kennedy, and its purpose would be to get a court order to end discrimination and segregation.

TITLE III - DESEGREGATION OF PUBLIC FACILITIES

This title was put into the Act to enable any person who is denied use of any public facility because of race, color, religion or national origin, to have his right to use that facility protected.

How is this right protected and what is a public facility?

A public facility is one owned, operated or managed by or on behalf of any state, town, city, etc., other than a public school or college.

The Attorney General alone brings suit under this section. Your job under this section is to make sure that the proper authorities know that you are having trouble using a public facility, like a swimming pool or a park.

TITLE IV - DESEGREGATION OF PUBLIC EDUCATION

For the most part the effect of Title IV will be in the future. The main purpose of this section is the appointment of a Federal Commissioner of Education. His job, aided by reports to the President and Congress, and grants of money, will be to speed up the process of school integration and make it more smooth.

One part of the Title can have effect immediately. Section 407 of Title IV provides for legal action to achieve integration by allowing the Attorney General, upon receipt of a written complaint from a parent of a student, to bring suit on behalf of the Federal Government.

TITLE V - COMMISSION ON CIVIL RIGHTS

In 1957 the Civil Rights Commission was first established. Its purpose has been to investigate complaints and make recommendations both to the President and to Congress. The new 1964 Act not only makes sure that the Commission will continue, but it also expands the duties of the group and gives it some new rules. In fact, this Commission will be here in Jackson just a few days from now to investigate the situation in Mississippi. People from the movement, and people from the government will be called as witnesses, and then the Commission will make a report.

TITLE VI - NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

This title of the new law is designed to eliminate discrimination in Federal programs like farm loans and welfare programs. The federal agencies, like the Federal Housing Authority, may make rules to stop such discrimination in disseminate the benefits of these programs. If the rule is not obeyed, then the Federal agency can see that the aid to that area is completely out.

TITLE VIII. - REGISTRATION AND VOTING STATISTICS

Title VIII. has been inserted to provide for a voting survey in certain areas of the United States as recommended by the commission on Civil Rights. It will find how the number of persons of voting age in an area, list them by race, color, and national origin, and then attempt to discover to what extent they are registered to vote. This is a very important section because the results of the survey might make Congress see just what the situation is in Mississippi.

TITLE IX - INTERVENTION AND PROCEDURE AFTER REMOVAL IN CIVIL RIGHTS

CASES

This is a technical legal section of the law. But it is very important because it means that it will be easier to get a trial in a United States Court, rather than a state court, in other words there is a better chance for a fair trial.

TITLE X - ESTABLISHMENT OF COMMUNITY RELATIONS SERVICE

The Community Relations Service was created to see if racial conflicts could be settled peaceably and at the conference table. The first director of the project will be former Governor Collins of Florida.

TITLE XI - MISCELLANEOUS PROVISIONS