

# Chapter 4: Civil Rights

The Logic of American Politics 11e

# Civil Rights versus Civil Liberties

- Civil rights
- Civil liberties

# The Civil Rights of African Americans

- 200 years of struggle for civil rights
- Two major obstacles to civil rights:
  - Federal overrides to state authority
  - Self-interest of politicians

# The Politics of Black Civil Rights

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## The Height of Slavery: 1808–1865

- Expiring legislative protections for slavery
- Ended importation of slaves
- Fragile slave-free state balance

# The Politics of Black Civil Rights

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## The Height of Slavery: 1808–1865: The Missouri Compromise

- Balanced Missouri by admitting Maine
- Prevented northerly spread of slaveholding
- Unraveled with national expansion

# The Politics of Black Civil Rights

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## The Height of Slavery: 1808–1865: The Wilmot Proviso and the Compromise of 1850

- Wilmot Proviso unsympathetic to slaves
- Coalescing anti-slavery parties
- Underground Railroad
- Fugitive Slave Law

# The Politics of Black Civil Rights

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The Height of Slavery: 1808–1865: *Dred Scott* Galvanizes the North

- *Dred Scott v. Sandford*
- Made slavery unstoppable
- Soon inspired a Republican majority
- States seceded after Lincoln's accession

# The Politics of Black Civil Rights

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## Reconstruction: 1865–1877

- Most states restricted Black voting
- Black codes
- Three-fifths principle abolished
- Ultimately granted Democrat seats



# The Politics of Black Civil Rights

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## Reconstruction: 1865–1877: The Fourteenth and Fifteenth Amendments

- Granted those native-born/naturalized citizenship
- Due process and equal protection
- Fifteenth Amendment: right to vote

# The Politics of Black Civil Rights

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## Reconstruction: 1865–1877: Rights Lost: The Failure of Reconstruction

- Rights disappeared with Republican majorities
- Vigilantism and hate groups
- Laws were unenforceable
- Reconstruction ended in a deal

# The Politics of Black Civil Rights

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## The Jim Crow Era and Segregation: 1877–1933

- Jim Crow laws
- Segregation
- Systematic and specific exclusion

# The Politics of Black Civil Rights

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## The Jim Crow Era and Segregation: 1877–1933

- White primary
- Poll tax
- Literacy test
- Grandfather clause

# The Politics of Black Civil Rights

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## The Jim Crow Era and Segregation: 1877–1933

- Supreme Court–enabled oppression
- *Plessy v. Ferguson* (1896)
- Separate but equal doctrine

# The Politics of Black Civil Rights

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## Democratic Party Sponsorship of Civil Rights: 1933–1940s

- Great Depression ended Republican dominance
- Democrats sought Black support
- Black voters loyal Republicans

# The Politics of Black Civil Rights

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## Democratic Party Sponsorship of Civil Rights: 1933–1940s: The New Deal

- Didn't explicitly help Black citizens
- Discrimination in aid wasn't tolerated
- Unprecedented appointment of Black administrators

# The Politics of Black Civil Rights

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## Democratic Party Sponsorship of Civil Rights: 1933–1940s: African Americans and the New Deal Coalition

- Democrats courted Black and Southern voters
- Black soldiers found new communities
- Dixiecrats rejected new Democratic platform



# The Politics of Black Civil Rights

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Emergence of a Civil Rights Coalition: 1940s–1950s: The NAACP's Litigation Strategy

- Federal judiciary to challenge segregation
- Courts friendlier after Roosevelt administration
- Supreme Court cases made progress
- Discriminatory intent frustrated NAACP cases

# The Politics of Black Civil Rights

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Emergence of a Civil Rights Coalition:  
1940s–1950s: *Brown* Trumps *Plessy*

- *Brown v. Board of Education of Topeka*
- Unanimous agreement: segregation is unconstitutional
- Enactment was slow
- Tokenism an effective delay tactic

# The Politics of Black Civil Rights

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Emergence of a Civil Rights Coalition:  
1940s–1950s: The 1957 Civil Rights Act:  
Rehearsal for the 1960s

- Civil rights: political ambition
- Act had little practical effect
- Nominating convention
- Role of civil rights movement

# The Politics of Black Civil Rights

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## The Civil Rights Movement: 1960s

- Rosa Parks' civil disobedience
- “Sit-ins” by Black college students
- Black professionals serving Black communities
- Martin Luther King Jr. and SCLC

# The Politics of Black Civil Rights

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## The Civil Rights Movement: 1960s: The Birmingham Demonstration

- JFK faced upcoming election
- Demonstrations were becoming violent
- Birmingham police chief notoriously intolerant
- Created crisis and ended Southern accommodation

# The Politics of Black Civil Rights

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## The Civil Rights Movement: 1960s: The Democratic Party's Commitment to Civil Rights

- JFK pledged full support
- Made upcoming legislation more powerful
- Johnson succeeded after JFK's assassination

# The Politics of Black Civil Rights

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## The Civil Rights Movement: 1960s: The 1964 Civil Rights Act

- Senate Republicans eventually overrode filibuster
- Civil rights legislation decisive
- Segregationist candidate Goldwater overwhelmingly lost

# The Politics of Black Civil Rights

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## The Civil Rights Movement: 1960s: The Voting Rights Act of 1965

- Negative repercussions of “proving” discrimination
- 1965 Selma demonstrations mirrored Birmingham
- Suspended electoral tests
- Scrutinized low Black turnout states



# The Politics of Black Civil Rights

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## Current Civil Rights Policy

- First targeted schools for implementation
- Busing caused “white flight”
- De facto segregation
- De jure segregation

# The Politics of Black Civil Rights

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## Current Civil Rights Policy: Beyond the Voting Rights Act

- 1965 Act deemed burdensome in 2013
- Republican legislatures tightening voting requirements
- Some argue requirements are discriminatory
- COVID-19 and no-excuse absentee voting.

# The Politics of Black Civil Rights

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## Current Civil Rights Policy: Affirmative Action in Higher Education

- Affirmative action
- Quotas
- Supreme Court decisions often split
- COVID-19: educational and economic inequality

# The Legacy of the Civil Rights Movement (1 of 5)

## Equal Rights for Women

- Black struggle aided other minorities:
  - Honed demonstration techniques
  - Created receptive audience
  - Built legal foundation

# The Legacy of the Civil Rights Movement (2 of 5)

## Equal Rights for Women: The Right to Vote

- Suffragists
- Universal suffrage hopes dashed
- Women's votes were divided
- Conservative and liberal arguments

# The Legacy of the Civil Rights Movement (3 of 5)

## Women's Rights in the Modern Era

- National Organization for Women (NOW)
- Equal Rights Amendment (ERA)
- Title IX
- Other workplace acts

# The Legacy of the Civil Rights Movement (4 of 5)

## Rights for Hispanic People

- High and growing population
- Unique issues affecting Hispanic citizens
- Have growing power as voters

# The Legacy of the Civil Rights Movement (5 of 5)

## LGBTQ+ Rights

- Civil rights protections remain murky
- Same-sex marriage a key issue
- Hate crime
- 2020 Supreme Court ruling



# Challenging Tyranny

- Advocacy for others is important
  - May not always be enough
- Large majority needed against tyranny
  - Civil rights movements was central