

Here & Now Affirmative Action

Fiftieth Anniversary of the Civil Rights Act 1964 - 2014

University of California - Agriculture & Natural Resources
Valuing Diversity, November 2014

One Woman's Story

Rosa Parks and the Montgomery Moment

Synopsis

Famed civil rights activist Rosa Parks was born Rosa Louise McCauley on February 4, 1913, in Tuskegee, Alabama. Her refusal to surrender her seat to a white passenger on a public bus Montgomery, Alabama, spurred on a city-wide boycott and helped launch nationwide efforts to end segregation of public facilities.



Early Life and Education

Rosa Parks's childhood brought her early experiences with racial discrimination and activism for racial equality. After her parents separated, Rosa's mother moved the family to Pine Level, Alabama to live with her parents, Rose and Sylvester Edwards— both former slaves and strong advocates for racial equality; the family lived on Edwards' farm, where Rosa would spend her youth.

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Legislating Morality

The Great Commonality: Thoughts on the Civil Rights Act of 1964

This issue of *Here & Now* is celebrating the fiftieth anniversary of the Civil Rights Act of 1964. While this anniversary is certainly a celebratory occasion, we cannot help but also note that the journey down the road of the on-going Civil Rights movement in this country has been, indeed, a great struggle. Why did it have to be so?

This is the question we will examine in this article. The views expressed do not necessarily reflect those of the University of California or the Division of Agriculture and Natural Resources.

The signing of the Civil Rights Act of 1964 by President Lyndon Johnson



was a shining moment in the history of this country. Yet, there was a lot of resistance to its adoption. Basically, the legislation sought to force one group of privileged adults to treat other groups of far-less privileged adults just like

they, the privileged, treated themselves. It sought to force these less-privileged adults to be treated just as if they had the same skin color as the privileged group had.

Described in these terms, yes, it sounds childish. But the judging of another human being solely on the color of their skin is childish,

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While laws alone cannot right every wrong, they possess an unmatched power to anchor lasting change. The Civil Rights Act threw open doors ... fifty years later, we ... draw strength from the bonds that hold together the most diverse Nation on Earth. Barack Obama,

June, 2014



Civil Rights Movement & Affirmative Action Timelines

Important dates in the struggle:

1948 July 26: Truman – Executive Order 9981 – “It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, or national origin.”

1954 May 17: Supreme Court Case: Brown v. Board of Education of Topeka, Kansas – Segregation in public schools is unconstitutional.

1961 March 6: Kennedy – Executive Order #10925 – creates Committee on Equal Employment Opportunity, mandates that affirmative action is adhered to during recruitment and employment for projects financed with federal funds.



1964 January 23: 24th Amendment enacted abolishing the poll tax. Eleven southern states had instituted the poll tax after Reconstruction to make it difficult for poor blacks to vote.

July 2: Johnson – Civil Rights Act of 1964 – prohibits discrimination of all kinds based on race, color, religion, sex, or national origin, provides for the federal government to enforce desegregation.

1965 August 10: Johnson – Voting Rights Act of 1965 -- Literacy tests, poll taxes, and other such requirements used to restrict black voting are rendered illegal making it easier for Southern blacks to register to vote.

September 24: Johnson - Executive Order #11246-- enforcing affirmative action for the first time. Requires government contractors to “take affirmative action” in the employment process.

1967 June 12: Supreme Court Case: Loving v. Virginia – Prohibiting interracial marriage is unconstitutional. Sixteen states still banning interracial marriage are forced to revise their laws.

1968 April 11: Johnson - Civil Rights Act of 1968 – Prohibits discrimination in the sale, rental and financing of housing.

1971 April 20: Supreme Court Case: Swann v. Charlotte-Mecklenburg Board of Education – Busing upheld as a legitimate means for achieving integration of public schools.

1988 March 22: Congress passes Civil Rights Restoration Act expanding the reach of nondiscrimination laws to private institutions receiving federal funds.

1991 November 22: HW Bush – Civil Rights Act of 1991 – strengthens existing civil rights laws and provides for damages in cases of intentional employment discrimination.

2008 January 24: Senator Ted Kennedy introduces Civil Rights Act of 2008: 1) Ensures that federal funds are not used to subsidize discrimination; 2) Holds employers accountable for age discrimination; 3) Improves accountability for the violations of civil rights and worker’s rights.

Source: Infoplease.com website

Civil Rights Timeline by Borgna Brunner and Elissa Haney <http://www.infoplease.com/spot/civilrightstimeline1.html>

Timeline of Affirmative Action Milestones by Borgna Brunner and Beth Rowen <http://www.infoplease.com/spot/affirmativetimeline1.html>

Thanks to **Patricia Verdugo Johnson**, Business Services Administrator, Hansen REC



Faith is taking the first step even when you don't see the whole staircase. Martin Luther King

Rosa Parks and the Montgomery Moment (cont.)

In one experience, Rosa's grandfather stood in front of their house with a shotgun while Ku Klux Klan members marched down the street.

Taught to read by her mother at a young age, Rosa went on to attend a segregated, one-room school in Pine Level, Alabama. African-American students were forced to walk to the 1st- through 6th-grade schoolhouse, while the city of Pine Level provided bus transportation as well as a new school building for white students.

In 1929, while in the 11th grade and attending a laboratory school for secondary education led by the Alabama State Teachers College for Negroes, Rosa left school to attend to both her sick grandmother and mother back in Pine Level. She never returned to her studies; instead, she got a job at a shirt factory in Montgomery.

In 1932, at age 19, Rosa met and married Raymond Parks, a barber and an active member of the National Association for the Advancement of Colored People. With Raymond's support, Rosa earned her high school degree in 1933. She soon became actively involved in civil rights issues by joining the Montgomery chapter of the NAACP in 1943, serving as the chapter's youth leader as well as secretary to NAACP President E.D. Nixon—a post she held until 1957.

Ordered to the Back of the Bus

The Montgomery City Code required that all public transportation be segregated and that bus drivers had the "powers of a police officer . . . for the purposes of carrying out the provisions" of the code. While operating a bus, drivers were required to provide separate but equal accommodations for white and black passengers by assigning seats. This was accomplished with a line or sign roughly in the middle of the bus separating white passengers in the front of the bus and African-American passengers in the back.

When an African-American passenger boarded the bus, they had to get on at the front to pay their fare and then get off and re-board the bus at the back door. When the seats in the front of the bus filled up and more white passengers got on, the bus driver would move back the sign separating black and white passengers and, if necessary, ask black passengers to give up their seat.

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The Great Commonality (cont.)

short-sighted, and rather petty. But the results of exercising such a value system in this country for generation after generation after generation were anything but petty. In fact, the results were staggering in their injustice and vast in both their immorality and the extent of the inequality that they engendered.

In this year of the anniversary of the Civil Rights Act, it is good to recognize that ending segregation, extending basic rights to all citizens – these were actions ending gross and enduring injustices. It took an historic act of the federal government -- the time had come; the time had come to legislate morality on a grand scale and tear down the charade of acceptability that had been accruing for too long to the barbarity known as segregation of the races in this land of the free.

How did this come about and why was it such an arduous, often violent journey toward the beginnings of segregation's end and the beginnings of the redress of these results of such injustice? Today we rightfully teach, train and exercise the valuing of diversity. This activity is undertaken with the goal of eliminating the ignorance of bigotry. Certainly, one answer to why the road toward ending Jim Crow laws in this country was so violently resistant to change is that certain citizens were blind to the value of diversity. Not only that, they were equally blind to the other side of diversity's "coin": the great commonality that binds all human beings in a great enduring equality across time, across nationalities and cultures, across beliefs, languages, gender, age, or political persuasions . . . and skin color. Across all the identifiers we carefully cultivate to prove our uniqueness there persists a great commonality which collects us all together as human beings in a grand embrace of equality whether we recognize it or not. Indeed, it is easily ignored. Easily violated. Why?

Why is the great commonality so easy to ignore, so easy to violate? It may be that certain truths are not as "self-evident" as we'd like to think: particularly the truth that all men are created equal. Either this truth is not "self-evident" or it is so self-evident that it blends into a background we over-look or ignore -- or learn to ignore.

What is the great commonality? Something very . . . common: breath. That's the abbreviated name for that mysterious factor called life - that factor which includes the whole physiological apparatus that allows not only breath but self-awareness

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Rosa Parks (cont.)

On December 1, 1955, after a long day's work at a Montgomery department store, where she worked as a seamstress, Rosa Parks boarded the Cleveland Avenue bus for home. She took a seat in the first of several rows designated for "colored" passengers. Montgomery bus drivers had adopted the custom of requiring black passengers to give up their seats to white passengers, when no other seats were available. If the black passenger protested, the bus driver had the authority to refuse service and could call the police to have them removed.

As the bus Rosa was riding continued on its route, it began to fill with white passengers. Eventually, the bus was full and the driver noticed that white passengers were standing in the aisle. He stopped the bus and moved the sign separating the two sections back one row and asked four black passengers to give up their seats. Three complied but Rosa refused and remained seated. The driver demanded, "Why don't you stand up?" to which Rosa replied, "I don't think I should have to stand up." The driver called the police and had her arrested. Later, Rosa recalled that her refusal wasn't because she was physically tired, but that she was tired of giving in. The police arrested and charged Rosa with violation of the Montgomery City Code.

Montgomery Bus Boycott

On the evening that Rosa Parks was arrested, E.D. Nixon, head of the local chapter of the NAACP, conferred with Jo Ann Robinson, an Alabama State College professor and member of the Women's Political Council (WPC), about the Parks case. Robinson believed it important to seize the opportunity and the idea to boycott the Montgomery city bus system was born. Ads were placed in local papers, Robinson stayed up all night mimeographing over 35,000 handbills announcing a bus boycott which were distributed in black neighborhoods.

When Rosa arrived at the courthouse for trial that morning with her attorney, Fred Gray, she was greeted by a bustling crowd of around 500 local supporters, who rooted her on. Rosa was found guilty of violating a local ordinance and was fined \$10, as well as a \$4 court fee. Inarguably, the biggest event of the day, however, was what Rosa's trial had triggered. The Montgomery Bus Boycott, as it came to be known, was a huge success. The city's buses were, by and large, empty. Some people carpooled and others rode in African-American-operated cabs, but most of the estimated 40,000 African-American commuters living in the city at the time had opted to walk to work that day—some as far as 20 miles.

Due to the size and scope of, and loyalty continued for several months. The city of sitting idle, ultimately severely crippling the boycott's progress, however, came retaliated with violence. Black churches King Jr.'s and E.D. Nixon's homes were

In response to these events, members took legal action. Armed with the *Brown* stated that separate but equal policies a black legal team took the issue of to the U.S. District Court. In June segregation laws (also known as "Jim Crow Montgomery appealed the court's decision 1956, the U.S. Supreme Court upheld the



Rosa Parks - after refusing to give up her seat on the bus to a white person, 1956.

to, boycott participation, the effort Montgomery had dozens of public buses finances for its transit company. With strong resistance. Some segregationists were burned, and both Martin Luther destroyed by bombings.

of the African-American community *v. Board of Education* decision, which had no place in public education, segregation on public transit systems 1956, the district court declared racial laws") unconstitutional. The city of shortly thereafter, but on November 13, lower court's ruling.

With the transit company and downtown businesses suffering financial loss and the legal system ruling against them, the city of Montgomery had no choice but to stop segregation on public buses, and the boycott officially ended on December 20, 1956. The combination of legal action, backed by the unrelenting determination of the African-American community, made the 381-day Montgomery Bus Boycott one of the largest and most successful mass movements against racial segregation in history.

Citation For This Article:

Rosa Louise McCauley Parks. (2014). The Biography.com website.

Retrieved 11:13, Oct 23, 2014, from <http://www.biography.com/people/rosa-parks-9433715>.



The Great Commonality (cont.)

and consciousness – that allows these beings to call ourselves human. Breath is synonymous with life. Without it, all the characteristics of our individual uniqueness, all our identifiers, are as nothing.

But there one thing that makes this great commonality extra special – though no less easily ignored. That special characteristic is its unconditional, undeserved “gift-ness.” No matter your nationality, or culture, or age, or gender, or orientation, or skin color, or beliefs you woke up one day in that crib and you had no idea what was going on. You had no idea that you should know what your name is – or that you should even have a name! You didn’t even know what a name was. Or care. Yet, you were alive.

You were here not because you requested existence, this ability to breathe was an unconditional gift granted to you, this little being who had no name, no language, no etiquette – not much of anything. Except the most important thing: this gift of life.

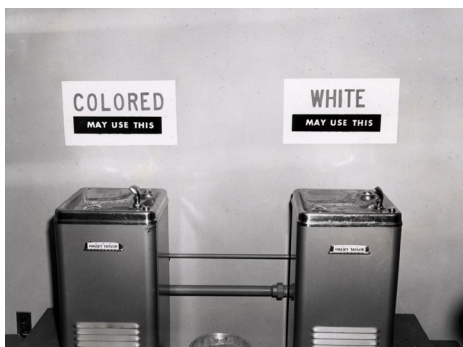
And if it is, by definition, a gift to us, individually, then it is a gift to every other human being, as well. (We leave aside the question of any particular “giver” of this “gift.”) So if all humans possess this same gift it must be regardless of gender, national origin, income level, beliefs, opinions, orientations, race – regardless of all these various “identifiers” we, ourselves, focus on. In fact, these “identifiers” obviously mean little to whatever it is which “permits” this physiological apparatus within each human being to operate and find our next breath for us – when we are awake or asleep, whether we’re consciously aware of it or not. (This is not to suggest these identifiers are not important or have no value. It is, however, to suggest how helpful a slight prioritization would be which recognizes their relativeness and conditionality.)

If breath, then, is a gift to every other human being, how easy it should be to recognize this grand commonality as the indispensable soil from which spring the various cultural “flowers” of all our individual uniqueness. But, of course, that does not happen and some of us substitute bigotry for understanding and unfortunately such gross ignorance/blindness is contagious, in a sense, and soon the federal government must legislate a morality we cannot find within ourselves. Hence we celebrate this fiftieth anniversary of the Civil Rights Act of 1964.

David White, ANR AA Analyst



Special thanks to [Lisa Rawleigh](#) for the [link to the period headlines and pictures!](#)



Then and Now By The Numbers: 50th Anniversary of the Civil Rights Act

In 2012, 85% of blacks age 25 and older had completed four years of high school. In 1964, that number was 25.7%. The number of blacks who finished four years of college has also increased from 3.9% in 1964 to 21.2% in 2012.

27.2% Poverty rate for black Americans in 2012. In 1966, that number was 41.66%. While the share of blacks living in poverty has decreased, the percentage was still more than 12% higher than the national average in 2012. Nationally, the poverty rate was 15 percent for all races.

Sen. Robert Byrd (D-W.V.) filibustered the Civil Rights bill for **14 hours** straight to keep it from a vote. Byrd, who was a Ku Klux Klan leader, was one of the longest-serving U.S. senators in history, serving from 1953 until his death in 2010. On June 10, 1964, the Senate broke the filibuster with Johnson's help. Byrd changed his tune through the years; in 2008, he endorsed Barack Obama for president a week after the West Virginia Democratic Primary.

(by Jessica Sparks, from The Wall Street Journal: <http://blogs.wsj.com/briefly/2014/07/02/50th-anniversary-of-civil-rights-act-the-numbers/>)

New to the Resource Library

We new additions to the Affirmative Action Resource Library. "Battle: Change From Within" is a DVD we've previously reviewed in these pages. Briefly, it's the story of Eliot Battle's exemplary efforts to desegregate public schools and housing in Columbia, Missouri back in the '60's. A remarkable man and an inspiring DVD produced by University of Missouri Extension – but now we have this great DVD with Spanish subtitles! (Comes with a "Curriculum Viewing Guide," too, for group study.)

Also, we have "Sporting Chance: The Lasting Legacy of Title IX", a DVD narrated by Holly Hunter and highly recommended by CE Santa Cruz Office! 48 minutes.

The loan form is available at <http://ucanr.edu/sites/anrstaff/files/184133.pdf>

New Member of Cultural Resource Team

The UC ANR Affirmative Action Cultural Resource Team has a new member: **Maria de la Fuente**, the County Director of Monterey and Farm & Master Gardener Advisor for Monterey, San Benito and Santa Clara Counties.

If you would like to join the ANR Cultural Resource Team (there are no meetings to attend) and have a second language and experience with another culture -- someone in the ANR CE family might need your help in understanding the culture you are familiar with!

As a Cultural Resource Team member, your contact information and the language(s) and cultural(s) you are familiar with will be posted on the Affirmative Action Website.

Contact David White at dewhite@ucanr.edu or call 530-750-1286.

See current members at http://ucanr.edu/sites/anrstaff/Diversity/Affirmative_Action/Cultural_Resource_Team/

It is the policy of the University of California (UC) and the UC Division of Agriculture & Natural Resources not to engage in discrimination against or harassment of any person employed by or seeking employment with the University on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy (which includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth), physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 [USERRA]), as well as state military and naval service. This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable state and federal laws and University policies.

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

In addition, it is the policy of the University and the Division of Agriculture and Natural Resources to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities, and for covered veterans. The University commits itself to apply every good faith effort to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. These efforts conform to all current legal and regulatory requirements, and are consistent with University standards of quality and excellence.

In conformance with Federal regulations, written affirmative action plans shall be prepared and maintained by each campus of the University, including the Division of Agriculture and Natural Resources. Such plans shall be reviewed and approved by the Office of the President and the Office of the General Counsel before they are officially promulgated.

Inquiries regarding the University's equal employment opportunity policies may be directed to Linda Marie Manton, Affirmative Action Contact, University of California, Davis, Agriculture and Natural Resources, 2801 Second Street, Davis, CA 95618, (530) 750-1318.