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State Representative — 202nd District

Celebrating the Passage of the Civil Rights Act of 1964



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Celebrating the 40th Anniversary of Passage of the

Civil Rights Act of 1964

and Promoting a Recommitment to its Goals of Equality and Opportunity

Dear Friends and Neighbors:

Last year, we celebrated the 40th anniversary of the 1963 March on Washington and the Rev. Dr. Martin Luther King’s fabulous “I have a Dream” speech. My newsletter commemoration of that important event was so well received that additional copies were printed. Limited copies are still available in my legislative district offices.

This year we celebrate the passage of the Civil Rights Act of 1964. Like the March on Washington, it was an important milestone in the movement to achieve civil rights for ALL of America’s citizens. With the passage of this landmark piece of legislation, the federal government —for the first time— declared that all government-sponsored or government-aided discrimination and segregation was illegal in the United States, as was the vast majority of privately sponsored discrimination and segregation.

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An Act

To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1964."

History of the 1964 Civil Rights Act:



"The Negro baby born in America today, regardless of the section of the nation in which he is born, has about one-half as much chance of completing high school as a white baby born in the same place on the same day; one third as much chance of

completing college; one third as much chance of becoming a professional man; twice as much chance of becoming unemployed; about one-seventh as much chance of earning \$10,000 a year; a life expectancy which is seven years shorter; and the prospects of earning only half as much....

"We preach freedom around the world, and we mean it. And we cherish our freedom here at home. But are we to say to the world — and much more importantly to each other — that this is the land of the free, except for the Negroes; that we have no second-class citizens, except Negroes; that we have no class or caste system, no ghettos, no master race, except with respect to Negroes."

— John F. Kennedy, televised speech announcing his civil rights legislation June 11, 1963

One of the major demands of the March on Washington was the passage of major civil rights legislation. President John F. Kennedy had sent the civil rights bill to Congress just two months earlier in June of 1963. President Kennedy was assassinated in Dallas, Texas, on Nov. 22, 1963, and Lyndon Johnson became president. Civil rights leaders despaired as none really knew if Johnson, a southerner and former U.S. senator from Texas, would support the bill. But in his first address to Congress, President Johnson called for passage of the civil rights bill as a monument to our assassinated president. He then used his considerable talents as the undisputed master of the legislative process, as well as the full power and prestige of the presidency, in an all out effort to pass the bill.

"My brother was the first President of the United States to state publicly that segregation was morally wrong. His heart and soul are in this bill. If his life and death had a meaning, it was that we should not hate but love one another; we should use our powers not to create conditions of oppression that lead to violence, but conditions of freedom that lead to peace. It is in that spirit that I hope the Senate will pass this bill."

— Senator Edward M. Kennedy, April 1964

On Feb. 10, 1964, the House of Representatives passed the bill, 290-130, but the real battle would be in the Senate, whose rules had allowed southerners to use the filibuster to kill nearly all previous civil rights legislation. Despite stiff protest from his home state of Texas as well as his southern colleagues in the Senate, President Johnson personally pressed the bill forward until it finally passed. He signed the bill into law on July 2, 1964 with the Rev. Dr. Martin Luther King, Jr. looking on.



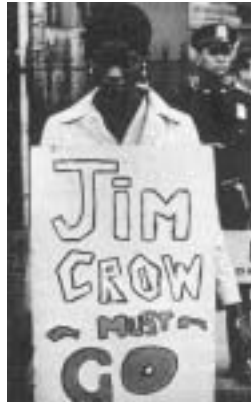
"Those who are equal before God," President Lyndon Johnson told an East Room audience, "shall now also be equal in the polling places, in the classrooms, in the factories, and in hotels, restaurants, movie theaters and other places that provide service to the public."

The Civil Rights Act of 1964 specifically banned segregation in any public service facility, outlawed discrimination in hiring, and prohibited discrimination in voting and education.

While it was almost immediately apparent that the voting rights and employment discrimination portions of the bill would need strengthening, Title II of bill had the greatest immediate impact by banning discrimination in



Store sign common in the segregated South.



all public accommodations. “Jim Crow Laws” and other forms of enforced segregation at public facilities, especially common in the South but also found in other areas, were to end with this act.

Title II of the CIVIL RIGHTS ACT of 1964

Sec. 201. (a) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin....

Sec 202. All persons shall be entitled to be free, at any establishment or place, from discrimination or segregation of any kind on the ground of race, color, religion, or national origin, if such discrimination or segregation is or purports to be required by any law, statute, ordinance, regulation, rule, or order of a State or any agency or political subdivision thereof.

Sec. 203. No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any person of any right or privilege secured by section 201 or 202, or (b) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with purpose of interfering with any right or privilege secured by section 201 or 202, or (c) punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by section 201 or 202.



With these words (above) the Civil Rights Act of 1964 set the stage for the demise of official discrimination and segregation throughout the nation. It had been almost nine years since Rosa Parks was arrested in Montgomery, Ala., for refusing to give up her bus seat to a white man.

A little more than a year later on Aug. 4, 1965, President Johnson signed the Voting Rights Act into law.

VOTING IS YOUR RIGHT!
Voter registration forms are always available in my Legislative Offices

This bill specifically prohibited poll taxes, literacy tests and other schemes that some states and counties used to keep African-Americans from voting. Both pieces of legislation were significant steps of progress for African-Americans and other minorities. After years of protests and boycotts, marches and sit-ins, demonstrations, faith inspired speeches and sermons, equal protection was becoming a reality under federal law. Lyndon Johnson would find a place in history as our greatest civil rights president.

The fight for equality for African-Americans was not over, but this legislation was the beginning of progress after years of struggle and hardship. As we all know, true equality in our society has yet to be achieved and remains our most sacred mission.

Measuring Progress

The U.S. Census Bureau put together the following statistics for the 40th anniversary of the Civil Rights Act.

Economics: Today, African-American families make nearly \$15,000 more (inflation-adjusted 2002 dollars) than they made in 1964. In 1966, the poverty rate for African-Americans was 41.8%; in 2002 it was 23.9%.

Politics: In 1970, there were 1,469 elected African-American officials; by 2001, that number climbed to 9,101 and is still increasing.



In 1977 — with my enthusiastic support — state Representative K. Leroy Irvis became the first African American to be elected Speaker of the Pennsylvania House of Representatives. At the time, Speaker Irvis was the highest ranking African American state elected official in the nation.

Education: In 1964, only 26% of African-Americans 25 years of age and older held a high school diploma; in 2003, the rate had risen to 80%. In 1964, there were only 306,000 African-American college students; in 2002, there were 2.3 million. In 1964, only 365,000 African-Americans held a bachelor’s degree; in 2003, 10 times as many (3.6 million) had achieved this level of education.

Since the passage of this bill, African-Americans’ progress has been significant in several areas, but we are all painfully aware of how much is left to do.

Mark Cohen's Record and Commitment

Yes, the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965 gave the federal government the power to intervene to stop many forms of official discrimination and end many forms of segregation. Yet this was only a beginning. And in many cases the gains made in the 1960s and '70s in terms of minimum wage, labor rights, affirmative action and access to education once again came under attack by conservatives in the 1980s, '90s and recently. We need a renewed commitment by government to move forward on all the goals of the Civil Rights Movement—not backward!

My family and I have had a long commitment to civil rights and economic justice. My father, City Councilman David Cohen, was a participant in the March on Washington in 1963 and also joined Martin Luther King Jr. on his Selma march in 1965.

Support for Anti-Discrimination Laws

Throughout my 30-year tenure in the Pa. House of Representatives, I have been a forceful advocate for strengthening the Pennsylvania Human Relations Commission to better protect people from discrimination in employment and housing. I was also a leading advocate for the economic boycott which helped end apartheid in South Africa. My work has convinced me of the great need for a renewed state, national and international commitment to end racism in all its forms.

Quality Education at All Levels for All People

I have consistently worked for better schools and a fairer system of state funding for public education in grades K-12. The quality of your children's education should not depend on the wealth of their local



neighborhood. Every child deserves a quality education to prepare him or her for the 21st century job market and a happy, productive life. We must remove the obstacles, financial

and otherwise, to a college education for those students who have the academic ability and motivation.

It is the goal of fair access to higher education that motivated me to write and file an "amicus" brief with U.S. Supreme Court last year in the case of Grutter v. Bollinger to defend the admission policies used by the University of Michigan Law School in order to encourage

student diversity. As legal counsel of record for the "amicus" brief, I filed on behalf of myself and 36 current and former Pennsylvania legislators, as well as the Philadelphia NAACP and the Pennsylvania State Association of Black Clergy. I will continue to push for policies that encourage diversity to benefit the citizens of our country.

Minimum Wage and Economic Justice

The minimum wage continues to fall dramatically from its levels in the 1960s and 1970s when it provided a real safety net allowing a full-time worker to keep a family of three above the poverty level. The 2004 Federal Poverty Guidelines establish that the poverty level for a family of three is now \$15,670, but a full-time minimum-wage worker at \$5.15 an hour earns only \$10,712 (assuming a 40-hour work week; 52 weeks a year). That wage level is \$4,958 below, or just 68 percent of, the new federal poverty guideline for a family of three. A worker today would need at least \$7.54 an hour just to keep a small family at the poverty line. That is why I have repeatedly offered legislation over many years to raise Pennsylvania's minimum wage to at least equal the poverty line for a family of three.

In the spirit of the Civil Rights Movement and all it stands for, I remain committed to fight for access to education, health care, fair wages and working conditions, and social justice for all Pennsylvanians.

My Office Can Help With Government Related Problems

As always, please feel free to contact either of my Philadelphia offices if I can be of any help to you, your family or your neighbors. My Olney/Fern Rock office at the corner of Champlost and Fifth — 6001 N. Fifth St., second floor — is open Monday through Friday, 9 a.m. to 4:30 p.m., telephone 215-924-0895 or 215-924-3690. My Rhawnhurst area office is located in Room 200 Biggans Building at 7601 Castor Avenue, telephone 215-342-2167 or 215-342-2168. Office hours for the Castor Avenue location are 9:30 a.m. to 4 p.m. on Mondays, Tuesdays and Wednesdays.

All the best to you and your loved ones,

Sincerely yours,

Mark B. Cohen

Mark B. Cohen

State Representative, 202nd District
and Democratic Caucus Chairman
Pennsylvania House of Representatives