

044298756

SENATE JOINT RESOLUTION NO. 248

Offered March 8, 2004

Commemorating the 40th anniversary of the Civil Rights Act of 1964.

Patron—Marsh

WHEREAS, on July 4, 1776, the Declaration of Independence declared, "We hold these truths to be self-evident: That all men are created equal . . ."; however, the new nation whose independence was proclaimed on this day permitted the continuation of the institution of slavery, a practice that was not ended until the Civil War; and

WHEREAS, with the abolishment of slavery and the adoption of the Fourteenth Amendment in 1868, citizens were granted equal protection under the law, and in 1870, the Fifteenth Amendment extended the right to vote to all citizens without regard to race or color; and

WHEREAS, the first legislative attempts to assure African Americans equality under the law were the Civil Rights Acts of 1866, 1870, 1871, and 1875, which bestowed upon them the right to sue and be sued, to give evidence, to hold real and personal property, and other social rights; and

WHEREAS, America, home of the brave and the free, was a beacon of light and refuge for "the tired, poor, huddled masses yearning to be free, the wretched refuse of teeming shores, the homeless and tempest tossed" seeking liberty, the pursuit of happiness, and a better life; and these persons were welcomed to America's hallowed shores and afforded the same rights and constitutional protections as other citizens; and

WHEREAS, in spite of the promises of the Declaration of Independence, the United States Constitution, and civil rights laws enacted between 1866 and 1875, former slaves and their descendants were not afforded equal treatment under the law, and in 1896, the Supreme Court ruled in *Plessy v. Ferguson* that state governments legally could separate citizens and treat them differently on the basis of race, as long as the separate facilities were equal; and

WHEREAS, under the doctrine of "separate but equal," public schools, housing, drinking fountains, public services and accommodations, bus stops and transportation, courtrooms, restaurants, entertainment, the military, and other facilities were segregated but never equal; and

WHEREAS, the doctrine of "separate but equal" continued until the Supreme Court ruled it unconstitutional in *Brown v. Board of Education* in 1954; and

WHEREAS, the historic decision in *Brown* inaugurated the Civil Rights Movement and propelled Dr. Martin Luther King, Jr., a young Baptist minister, to the forefront as its leader; and

WHEREAS, African Americans endured attacks by dogs and high-pressure water hoses, brutal beatings, tear gas, illegal searches and arrests, threats, lynchings, bombings, mysterious disappearances of relatives, friends, and allies, decades of literacy and voter qualification tests and other illegal barriers, and centuries of invidious racism and unspeakable indignities to secure their freedom and equality; and

WHEREAS, although the *Brown* decision overturned de jure segregation, controversy concerning the treatment of minorities in the United States continued and stimulated the momentum for comprehensive legislative action by Congress to remedy the increasing disregard for the rights of African Americans; and

WHEREAS, on August 28, 1963, more than 200,000 people participated in the March on Washington to show their support for civil rights for African Americans and to hear Dr. Martin Luther King, Jr., deliver his memorable speech, "I Have a Dream," which articulated the purpose and vision of the Civil Rights Movement, that America will "rise up and live out the true meaning of its creed"; and

WHEREAS, support was galvanized for national legislation against segregation after the events in Birmingham and Washington, D.C., and the Civil Rights Act, the most comprehensive legislation of its kind, was signed into law on July 2, 1964, outlawing racial discrimination throughout the land; and

WHEREAS, although this act helped to create a more just and equal society for all citizens and African Americans and other minorities have achieved success and prominence in American society, race remains one of the most intractable problems in the nation; and

WHEREAS, lingering and persistent racial animus fosters racial tension and other social problems and hinders the reality of Dr. King's "Beloved Community," where all people are judged by the content of their character and not by the color of their skin; and

WHEREAS, the commemoration of the 40th anniversary of the 1964 Civil Rights Act is a reminder of Dr. King's admonition, "we've come a long way—but we've a long way to go"; and

WHEREAS, 40 years later, the moral imperative of the 1964 Civil Rights Act continues to resonate, challenging citizens to be steadfast and unmovable in their resolve to eradicate the vestiges of racism wherever it may be found; now, therefore, be it

INTRODUCED

SJ248

59 RESOLVED by the Senate, the House of Delegates concurring, That the 40th anniversary of the
60 Civil Rights Act of 1964 be commemorated; and, be it

61 RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to His
62 Excellency, the Governor, requesting that he call upon the people of the Commonwealth to
63 commemorate the 40th anniversary of the signing of the 1964 Civil Rights Act on July 2, 2004, with
64 appropriate celebratory and educational activities and programs that emphasize the significance of this
65 historic legislation to the rights enjoyed by all citizens, and the relevance of the convergence of the 40th
66 anniversary of the 1964 Civil Rights Act and the 50th anniversary of *Brown v. Board of Education*; and,
67 be it

68 RESOLVED FINALLY, That the Clerk of the Senate transmit a copy of this resolution to the
69 Attorney General of Virginia, the Secretary of Education, the presidents of the Virginia Bar Association
70 and the Old Dominion Bar Association, the Executive Director of the National Association for the
71 Advancement of Colored People (NAACP), Virginia State Chapter, and the chairmen of the Virginia
72 chapters of the Southern Christian Leadership Conference, requesting that they further disseminate copies
73 of this resolution to their respective constituents so that they may be apprised of the sense of the
74 General Assembly of Virginia in this matter.