

# CIVIL RIGHTS ACT OF 1964

## Public Accommodations

**On July 2, 1964**, President Lyndon Johnson signed the Civil Rights Act of 1964 into law. The most controversial part of this law was Title II, which bans racial discrimination in privately owned “public accommodations.” What does the phrase “public accommodations” mean? Why was this section so controversial?

Public accommodations are places like hotels, theaters, restaurants and sports arenas that are open to do business with people who come into



their places to eat, sleep, see a movie and watch a ballgame. In 1964, some of these businesses did not allow African-Americans to come into their places. They posted “Whites Only” signs.

**Congress** could not rely on the 14th Amendment as a basis to stop discrimination in privately-owned public accommodations because the 14th Amendment only prohibits governments and other public entities like schools from discrimination.

**Title II of the Civil Rights Act** was very controversial because Congress was telling private businesses that they could not discriminate against African-Americans.

Instead, Congress relied on its power to make laws about interstate commerce—business between the states.

In the landmark cases of *Heart of Atlanta Motel Inc. v. United States*, 379 U.S. 241 (1964) and *Katzbach v. McClung*, 379 U.S. 294 (1964), the United States Supreme Court held that the U.S. Congress could use the power granted to it by the Constitution’s Commerce Clause to force private businesses to abide by the Civil Rights Act of 1964. It said that any business that held itself out as accommodating the public was open for business from people from any state and, therefore, the business was engaged in interstate commerce.

## THE CIVIL RIGHTS ACT OF 1875

**In 1875**, Congress actually passed a Civil Rights Act and outlawed discrimination in private businesses.

The 1875 Congress said they had the power to do this because the 14th Amendment of the Constitution stated that everyone was to be treated equally under the law. However, the Civil Rights Act was rarely enforced.

In 1883, the Supreme Court of the United States said the 14th Amendment only meant that the federal, state and local governments have to treat people equally. It had nothing to do with private businesses, and repealed the Civil Rights Act of 1875.



## QUIZ YOURSELF!

- 1 What are public accommodations as defined by the Supreme Court?
- 2 What was the key word in the legislation passed by Congress in 1964 to ensure it had the power to prevent discrimination in private businesses?
- 3 When the Heart of Atlanta Motel Inc. challenged the case, what was cited as the reason Congress had the power to create the law?

Missouri Learning Standards:  
CCSS.ELA-Literacy.CCRA.R.1, CCSS.ELA-Literacy.CCRA.R.2, CCSS.ELA-Literacy.CCRA.R.3, CCSS.ELA-Literacy.CCRA.R.10

