

CIVIL RIGHTS ACT OF 1964 AT 50: LOOKING BACK & LOOKING AHEAD.
SELECTED BIBLIOGRAPHY

The Biddle Law Library is pleased to support the January 14, 2015 Faculty Panel “The Civil Rights Act of 1964 at 50: Looking Back and Looking Ahead” with the below bibliography. The bibliography highlights a variety of pertinent resources about the Civil Rights Act that examine different eras and differing subjects related to the Act (1954-1965; 1965-1985; 1986-1999; and 2000 to present). It is the hope that this selected bibliography will facilitate additional inquiry, discussion and scholarship on this seminal piece of legislation.

I. Overviews

Internet Resources

Timeline of the African-American Civil Rights Movement, WIKIPEDIA (accessed Sept. 28, 2014 9:02 PM), http://en.wikipedia.org/wiki/Timeline_of_the_African-American_Civil_Rights_Movement.

II. 1954 - 1965: The Struggle for the Civil Rights Act of 1964 and the Voting Rights Act of 1965

Law Reviews

Paul Finkelman, *The Long Road to Dignity: The Wrong of Segregation and What the Civil Rights Act of 1964 Had to Change*, 74 LA. L. REV. 1039 (2014) (a summary of the circumstances in which African-Americans lived before the passage of the Civil Rights Act of 1964, and why the law was necessary; paper published as part of *The 50th Anniversary of the Civil Rights Act of 1964: A Written Symposium*, Summer 2014), available [here](#).

Cary Franklin, *Inventing the “Traditional Concept” of Sex Discrimination*, 125 Harv. L. Rev. 1307 (2012) (looking at the legislative history of Title VII and how it created the traditional sex discrimination), available [here](#).

Nicole L. Guéron, Note, *An Idea Whose Time Has Come: A Comparative Procedural History of the Civil Rights Acts of 1960, 1964, and 1991*, 104 Yale L.J. 1201, 1215-18 (providing a thorough summary of the bill's transition from the subcommittee to the full committee), available [here](#).

Daniel B. Rodriguez & Barry R. Weingast, *The Positive Political Theory of Legislative History: New Perspectives on the 1964 Civil Rights Act and Its Interpretation*, 151 U. Pa. L. Rev. 1417 (2003) (discussing the drafting process and underpinnings of the Civil Rights Act of 1964 and the various factions within Congress at the time), available [here](#).

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Gerald N. Rosenberg, *The 1964 Civil Rights Act: The Crucial Role of Social Movements in the Enactment and Implementation of Anti-Discrimination Law*, 49 St. Louis U. L.J. 1147 (2005) (argues that conventional story of the CRA is misleading because it suggests implementation is possible without political mobilization), available [here](#).

Linda R. Singer (ed.) et al., *Comment: Title VI of the Civil Rights Act of 1964—Implementation and Impact*, 36 GEO. WASH. L. REV. 824 (1967-1968), available at Van Pelt [here](#) (PennKey required).

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TAYLOR BRANCH, *PARTING THE WATERS: AMERICA IN THE KING YEARS, 1954-1963* (Simon and Schuster 1988), available at Van Pelt [here](#).

ROBERT A. CARO, *MASTER OF THE SENATE* (v. 3 of *THE YEARS OF LYNDON JOHNSON*, Knopf 2002) (discussing Lyndon Johnson's twelve years in the Senate, from 1949 to 1960, and his maneuvering to pass the first civil rights legislation since 1875, the Civil Rights Act of 1957), available at Van Pelt [here](#).

_____, *THE PASSAGE OF POWER* (v. 4 of *THE YEARS OF LYNDON JOHNSON*, Knopf 2012) (Lyndon Johnson as Vice President and President, culminating in passage of the Civil Rights Act of 1964), available at Van Pelt [here](#).

TODD S. PURDUM, *AN IDEA WHOSE TIME HAS COME: TWO PRESIDENTS, TWO PARTIES, AND THE BATTLE FOR THE CIVIL RIGHTS ACT OF 1964* (Henry Holt and Company 2014) (describing the struggle of the Kennedy and Johnson administrations to pass the Civil Rights Act of 1964), available at Biddle [here](#).

HOWELL RAINES, *MY SOUL IS RESTED: MOVEMENT DAYS IN THE DEEP SOUTH REMEMBERED* (Putnam 1977) (first-person accounts of the civil rights struggle in the South that resulted in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965), available at Van Pelt [here](#), 1983 reprint available [here](#).

CLAY RISEN: THE BILL OF THE CENTURY: THE EPIC BATTLE FOR THE CIVIL RIGHTS ACT (Bloomsbury Press 2014) (arguing that the roles of President Johnson and the Rev. Martin Luther King in passage of the Civil Rights Act of 1964 are exaggerated, while the contributions of others are ignored), available at Van Pelt [here](#).

THE CIVIL RIGHTS ACT OF 1964: THE PASSAGE OF THE LAW THAT ENDED RACIAL SEGREGATION; WITH CONTRIBUTIONS BY HUBERT H. HUMPHREY, JOSEPH L. RAUH, JR., AND JOHN G. STEWART (SUNY Series in Afro-American Studies, John Howard & Robert C. Smith eds., Robert D. Loevy ed., State University of New York Press 1997) (a collection of essays from some of the main participants in the passage of the Civil Rights Act of 1964), available at Biddle [here](#).

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CHARLES WHALEN & BARBARA WHALEN, *THE LONGEST DEBATE: A LEGISLATIVE HISTORY OF THE 1964 CIVIL RIGHTS ACT* (1985), available at Van Pelt [here](#).

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David B. Filvaroff & Raymond E. Wolfinger, *The Origin and Enactment of the Civil Rights Act of 1964*, in LEGACIES OF THE 1964 CIVIL RIGHTS ACT 9 (Bernard Grofman ed., University Press of Virginia 2000) (setting out the legislative history of the Act), available at Biddle [here](#).

J. Morgan Kousser, *What Light Does the Civil Rights Act of 1875 Shed on the Civil Rights Act of 1964?*, in LEGACIES OF THE 1964 CIVIL RIGHTS ACT 9 (Bernard Grofman ed., University Press of Virginia 2000) (discussing earlier civil rights laws passed after the Civil War), available at Biddle [here](#).

News Sources

In Color: Spectacle of the March, LIFE, Sept. 6, 1963, at cover, 20 (coverage of the March on Washington, Aug. 28, 1963), freely available [here](#).

Search for a Black Past. Part III: The Mobilization of Black Strength, LIFE, Dec. 6, 1968, at 93 (part of a series on Black history that covers the beginnings of the modern civil rights movement), freely available [here](#).

Quiet Integrationist: Medgar Wiley Evers, N.Y. TIMES, June 1, 1963, at 8 (profile of Medgar Evers), available [here](#) (digital subscription required).

Hodding Carter, III, *A Double Standard for Murder?*, N.Y. TIMES, Jan. 24, 1965, at SM20 (discussing notorious murder cases of blacks by whites, and the failure of all-white juries to convict accused murderers in such cases), available [here](#) (digital subscription required).

John F. Kennedy, *Excerpts from President's Civil Rights Message*, N.Y. TIMES, Mar. 1, 1963, at 5 (President Kennedy urging passage of a sweeping civil rights bill), available [here](#) (digital subscription required).

E. W. Kenworthy, *200,000 March for Civil Rights in Orderly Washington Rally; President Sees Gain for Negro*, N.Y. TIMES, Aug. 29, 1963, at 1, 16 (coverage of the March on Washington, Aug. 28, 1963), available [here](#) (digital subscription required).

Anthony Lewis, *Since the Supreme Court Spoke*, N.Y. TIMES, May 10, 1964, at SM9 (on what has happened with race relations in the United States since the *Brown v. Board of Education* decision in 1954), available [here](#) (digital subscription required).

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Claude Sitton, *'Not Taken Freedom, Full Freedom*, N.Y. TIMES, June 9, 1963, at 21 (a summary of the civil rights movement in the South, and warnings that the moderate approach has failed), available [here](#) (digital subscription required).

— — —, *NAACP Leader Slain in Jackson; Protests Mount*, N.Y. TIMES, June 13, 1963, at 1 (the murder of Medgar Evers in Jackson, Mississippi), available [here](#) (digital subscription required).

— — —, *Birmingham Bomb Kills 4 Negro Girls in Church; Riots Flare; 2 Boys Slain*, N.Y. Times, Sept. 16, 1963, at 1 (bombing of the 16th Street Baptist Church in Birmingham, Alabama), available [here](#) (digital subscription required).

Multimedia

American Experience: The Civil Rights Act of 1964 (PBS television broadcast Jan. 14, 2014); available [here](#).

American Experience: Eyes on the Prize: America's Civil Rights Years (PBS television series broadcast first in 1987-1990; re-broadcast Apr. 1, 8, & 15, 2010), further source material covering various aspects of the civil rights movement and its effect down to the present day available directly on the show website [here](#), full videos of all six programs available at Van Pelt [here](#).

— — — *Program 1: Awakenings (1954-1956)* (PBS) (From the program notes: "Individual acts of courage inspire black Southerners to fight for their rights: Mose Wright testifies against the white men who murdered young Emmett Till, and Rosa Parks refuses to give up her bus seat to a white man in Montgomery, Alabama.")

— — — *Program 2: Fighting Back (1957-1962)* (PBS) (From the program notes: "States' rights loyalists and federal authorities collide in the 1957 battle to integrate Little Rock's Central High School, and again in James Meredith's 1962 challenge to segregation at the University of Mississippi. Both times, a Southern governor squares off with a U.S. president, violence erupts -- and integration is carried out.")

— — — *Program 3: Ain't Scared of Your Jails (1960-1961)* (PBS) (From the program notes: "Black college students take a leadership role in the civil rights movement as lunch counter sit-ins spread across the South. 'Freedom Riders' also try to desegregate interstate buses, but they are brutally attacked as they travel.")

— — — *Program 4: No Easy Walk (1961-1963)* (PBS) (From the program notes: "The civil rights movement discovers the power of mass demonstrations as the Rev. Martin Luther King, Jr. emerges as its most visible leader. Some demonstrations succeed; others fail. But the triumphant March on Washington, D.C., under King's leadership, shows a mounting national support for civil rights. President John F. Kennedy proposes the Civil Rights Act.")

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— — — *Program 5: Mississippi: Is This America? (1963-1964)* (PBS) (From the program notes: "Mississippi's grass-roots civil rights movement becomes an American concern when college students travel south to help register black voters and three activists are murdered. The Mississippi Freedom Democratic Party challenges the regular Mississippi delegation at the Democratic Convention in Atlantic City.")

— — — *Program 6: Bridge to Freedom (1965)* (PBS) (From the program notes: "A decade of lessons is applied in the climactic and bloody march from Selma to Montgomery, Alabama. A major victory is won when the federal Voting Rights Bill passes, but civil rights leaders know they have new challenges ahead.")

III. 1965 - 1985: After Passage: Equal Employment Enforcement of Race and Sex Discrimination, and a Growing Backlash against Equal Rights

Law Reviews

Ruth G. Blumrosen, *Wage Discrimination, Job Segregation, and Title VII of the Civil Rights Act of 1964*, 12 U. MICH. J.L. REFORM 397 (1979) (key paper in the literature on "comparable worth," addressing the failure to apply prohibitions on employment discrimination under the Equal Pay Act of 1963 and the Civil Rights Act of 1964 to wage rates paid for jobs segregated by race and sex, and suggesting that raising wage rates in jobs so segregated would "dissipate the discriminatory factor in the wage rate"), available at Van Pelt [here](#). (PennKey required)

James F. Blumstein, *Defining and Proving Race Discrimination: Perspectives on the Purpose vs. Results Approach from the Voting Rights Act*, 69 Va. L. Rev. 633 (1983) (discussing the reasoning behind the Voting Rights Act and its potential effects on redistricting at the time), available at Van Pelt [here](#) (PennKey required).

Linda M. Braye, *Local No. 93, International Association of Firefighters v. City of Cleveland: Does Voluntary Compliance with the Civil Rights Act of 1964 Necessarily Entail Reverse Discrimination?*, 30 How. L.J. 875 (1987) (discussing a Supreme Court case in which a case alleging reverse discrimination by a union was decided in favor of a consent decree negotiated by the City of Cleveland to attain minority employment goals), available at Van Pelt [here](#) (PennKey required).

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Melinda P. Chandler, *Equal Pay for Comparable Work Value: The Failure of Title VII and the Equal Pay Act*, 75 NW. U. L. REV. 914 (1980) ("[U]nless drastic changes occur in the immediate future, it would appear the exploration and inhabitation of planets in other solar systems will occur before women achieve their rightful place in the American workforce." (quotation from U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, RESEARCH REP. NO. 56, WOMEN: THE PATH TO EQUAL EMPLOYMENT 15 (1977))), available at Van Pelt [here](#) (PennKey required).

Terry Connors (Moderator), Marybeth Martin, Jerry George, Vivian Toler & Mike Middleton, *Enforcement against State and Local Governments*, 1 AM. U. LABOR & EMP. L.F. 209 (2011) (early cases brought against local governments by the Employment Litigation Section of the Civil Rights Division, U.S. Department of Justice (ELS); presentation given at symposium *Employment Discrimination: 45 Years of Enforcement of Title VII of the Civil Rights Act of 1964*), available [here](#).

Joel Contreras (Moderator), Frank Petramalo, Bob Marshall, Squire Padgett, Doug Huron, *ELS Enforcement 1965-1974*, 1 AM. U. LABOR & EMP. L.F. 191 (2011) (the early years of litigation enforcement by the ELS; presentation given at symposium *Employment Discrimination: 45 Years of Enforcement of Title VII of the Civil Rights Act of 1964*), available [here](#).

Kimberle' Williams Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 Harv. L. Rev. 1331, 1332 (1988) (discussing the different political views at the time on antidiscrimination law and the potential weaknesses and strengths of each groups' arguments), available at Van Pelt [here](#) (PennKey required).

Drew S. Days, III, *Turning Back the Clock: The Reagan Administration and Civil Rights*, 19 Harv. C.R.-C.L. L. Rev. 309(1984) (article outlines the national consensus to eliminate various forms of discrimination, and then argues that the Reagan Administration has inadequately enforced and otherwise undermined, if not violated outright, settled law in the field of civil rights), available [here](#).

Lino A. Graglia, *Title VII of the Civil Rights Act of 1964: From Prohibiting to Requiring Racial Discrimination in Employment*, 14 Harv. J.L. & Pub. Pol'y 68 (1991) (a brief comment from a symposium noting the belief that the current civil rights policy would tear America apart), available at Van Pelt [here](#) (PennKey Required).

Nancy Levit & Joan Mahoney, *The Future of Comparable Worth Theory*, 56 U. COLO. L. REV. 99 (1984) (addressing the issue of women earning less than men because of segregation into low-paying jobs, and suggesting ways to remedy the problem), available at Van Pelt [here](#).

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Richard Ugelow (Moderator), Susan Carle, Vicki Schultz & David Rose, *Welcome Remarks: Overview of Title VII*, 1 AM. U. LABOR & EMP. L.F. 175 (2011) (overview of the history of Title VII of the Civil Rights Act of 1964 and early cases brought under Title VII; presentation given at symposium *Employment Discrimination: 45 Years of Enforcement of Title VII of the Civil Rights Act of 1964*), available [here](#).

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— — —, *AT CANAAN'S EDGE: AMERICA IN THE KING YEARS, 1965-68* (Simon and Schuster 2006), available at Van Pelt [here](#).

CATHARINE MACKINNON, *SEXUAL HARASSMENT OF WORKING WOMEN: A CASE OF SEX DISCRIMINATION* (Yale University Press 1979), available at Van Pelt [here](#).

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS, *REPORT* (National Criminal Justice Reference Service 1967); (the "Kerner Commission" report, concluding that "Our Nation is moving toward two societies, one black, one white--separate and unequal"), available [here](#).

News Sources

Search for a Black Past. Part IV: The Shift from Moderates to Militants: A Separate Path to Equality, LIFE, Dec. 13, 1968, at 82 (last part of a series on Black history highlighting rise of post-Martin Luther King leaders), freely available [here](#).

Morris B. Abram, *Racial Quotas: 'Road to Conflict and Tragedy'*, N.Y. TIMES, July 24, 1983, at E20, available [here](#).

Howell Raines, *The Birmingham Bombing*, N.Y. TIMES, July 24, 1983, at SM12 (discussion of the 1963 bombing of the 16th Street Baptist Church and its aftermath, including new evidence only recently uncovered), available [here](#).

Multimedia

American Experience: Eyes on the Prize II: America at the Racial Crossroads, 1965-1985 (PBS television series broadcast first in 1987-1990; re-broadcast Apr. 1, 8, & 15, 2010), further source material covering various aspects of the civil rights movement and its effect down to the present day available directly on the show website [here](#), full videos of all eight programs available at Van Pelt [here](#).

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— — — *Program 7: The Time Has Come (1964-1966)* (PBS) (From the program notes: "After a decade-long cry for justice, a new sound is heard in the civil rights movement: the insistent call for power. Malcolm X takes an eloquent nationalism to urban streets as a younger generation of black leaders listens. In the South, Stokely Carmichael and the Student Nonviolent Coordinating Committee (SNCC) move from 'Freedom Now!' to 'Black Power!' as the fabric of the traditional movement changes.")

— — — *Program 8: Two Societies (1965-1968)* (PBS) (From the program notes: "Martin Luther King, Jr. and the Southern Christian Leadership Conference (SCLC) come north to help Chicago's civil rights leaders in their nonviolent struggle against segregated housing. Their efforts pit them against Chicago's powerful mayor, Richard Daley. When a series of marches through all-white neighborhoods draws violence, King and Daley negotiate with mixed results. In Detroit, a police raid in a black neighborhood sparks an urban uprising that lasts five days, leaving 43 people dead. The Kerner Commission finds that America is becoming 'two societies, one black, one white, separate and unequal.' President Lyndon Johnson, who appointed the commission, ignores the report.")

— — — *Program 9: Power! (1966-1968)* (PBS) (From the program notes: "The call for Black Power takes various forms across communities in black America. In Cleveland, Carl Stokes wins election as the first black mayor of a major American city. The Black Panther Party, armed with law books, breakfast programs, and guns, is born in Oakland. Substandard teaching practices prompt parents to gain educational control of a Brooklyn school district but then lead them to a showdown with New York City's teachers' union.")

— — — *Program 10: The Promised Land (1967-1968)* (PBS) (From the program notes: "Martin Luther King stakes out new ground for himself and the rapidly fragmenting civil rights movement. One year before his death, he publicly opposes the war in Vietnam. His Southern Christian Leadership Conference (SCLC) embarks on an ambitious Poor People's Campaign. In the midst of political organizing, King detours to support striking sanitation workers in Memphis, where he is assassinated. King's death and the failure of his final campaign mark the end of a major stream of the movement.")

— — — *Program 11: Ain't Gonna Shuffle No More (1964-1972)* (PBS) (From the program notes: "A call to pride and a renewed push for unity galvanize black America. World heavyweight Champion Cassius Clay challenges America to accept him as Muhammad Ali, a minister of Islam who refuses to fight in Vietnam. Students at Howard University in Washington, D.C. fight to bring the growing black consciousness movement and their African heritage inside the walls of this prominent black institution. Black elected officials and community activists organize the National Black Political Convention in Gary, Indiana, in an attempt to create a unified black response to growing repression against the movement.")

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— — — *Program 12: A Nation of Law? (1968-1971)* (PBS) (From the program notes: "Black activism is increasingly met with a sometimes violent and unethical response from local and federal law enforcement agencies. In Chicago, two Black Panther Party leaders are killed in a pre-dawn raid by police acting on information supplied by an FBI informant. In the wake of President Nixon's call to 'law and order,' stepped-up arrests push the already poor conditions at New York's Attica State Prison to the limit. A five-day inmate takeover calling the public's attention to the conditions leaves 43 men dead: four killed by inmates, 39 by police.")

— — — *Program 13: The Keys to the Kingdom (1974-1980)* (PBS) (From the program notes: "In the 1970s, antidiscrimination legal rights gained in past decades by the civil rights movement are put to the test. In Boston, some whites violently resist a federal court school desegregation order. Atlanta's first black mayor, Maynard Jackson, proves that affirmative action can work, but the Bakke Supreme Court case challenges that policy.")

— — — *Program 14: Back to the Movement (1979-mid 1980s)* (PBS) (From the program notes: "Power and powerlessness. Miami's black community -- pummeled by urban renewal, a lack of jobs, and police harassment -- explodes in rioting. But in Chicago, an unprecedented grassroots movement triumphs. Frustrated by decades of unfulfilled promises made by the city's Democratic political machine, reformers install Harold Washington as Chicago's first black mayor.")

IV. 1986 - 1999: The Battle in the Courts and Congress over Civil Rights--Not Just about Race

Law Reviews

Theresa M. Beiner, *Do Reindeer Games Count as Terms, Conditions or Privileges of Employment under Title VII?*, 37 B.C. L. REV. 643 (1996) (arguing that lack of exposure to outside activities that inculcate workplace bonding of included employees with superiors disadvantages protected-class employees, and may be actionable under Title VII), available [here](#).

Jennifer R. Byrne, *Toward a Colorblind Constitution: Justice O'Connor's Narrowing of Affirmative Action*, 42 ST. LOUIS U. L.J. 619 (1998) (discussion of Justice Sandra Day O'Connor's influence on the Supreme Court in narrowing affirmative action), available at Van Pelt [here](#) (PennKey required).

Sandra J. Colhour, *Title II of the Civil Rights Act of 1964 and Membership Organizations Unconnected to a Physical Facility: Welsh v. Boy Scouts of America*, 59 MO. L. REV. 807 (1994) (discussing a case of first impression that defined the scope of a "place of public accommodation" and whether an organization having no fixed place to meet came under the Act), available at Van Pelt [here](#) (PennKey required).

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Adam B. Cox & Thomas J. Miles, *Judging the Voting Rights Act*, 108 Colum. L. Rev. 1 (2008) (conducting an econometrical study of judges decisions for the Voting Rights Act based off characteristics of the case and the judge), available [here](#).

Beth Ann Faragher, *Faragher v. City of Boca Raton: A Personal Account of a Sexual Discrimination Plaintiff*, 22 HOFSTRA LAB. & EMP. L.J. 417 (2005) (a sometimes-wrenching first-person description of a landmark Title VII sexual harassment case; paper presented at symposium *The 40th Anniversary of Title VII of the Civil Rights Act of 1964*), available [here](#).

Melisa C. George, *Because of Sex: Same-Sex Sexual Harassment Claims under Title VII of the Civil Rights Act of 1964*, 22 LAW & PSYCHOL. REV. 251 (1998) (student paper; discussion of the increasing number of same-sex sexual harassment claims brought under Title VII), available at Van Pelt [here](#) (PennKey required).

David L. Gregory, *Sex Discrimination: Continuing Clarifications by the Second Circuit*, 61 BROOK. L. REV. 363 (1996) (article includes an exhaustive summary of literature on sexual harassment and discusses two Second Circuit cases), available at Van Pelt [here](#) (PennKey required).

Ann Hopkins, *Price Waterhouse v. Hopkins: A Personal Account of a Sexual Discrimination Plaintiff*, 22 HOFSTRA LAB. & EMP. L.J. 357 (2005) (a remarkable first-person description of a landmark Title VII sex-discrimination case; paper presented given at symposium *The 40th Anniversary of Title VII of the Civil Rights Act of 1964*), available [here](#).

Samuel Issacharoff, *Is Section 5 of the Voting Rights Act A Victim of Its Own Success?*, 104 Colum. L. Rev. 1710 (2004) (arguing that the conditions that gave rise to the Voting Rights Act of 1965 and the subsequent battles in courts have made it obsolete), available [here](#).

Olatunde C.A. Johnson, *Disparity Rules*, 107 Colum. L. Rev. 374 (2007) (discussing the disproportionate minority conduct standard passed in 1992 by Congress and how it signals a changing in the Civil Rights approach), available at Van Pelt [here](#) (PennKey required).

Candace S. Kovacic-Fleischer, *Proving Discrimination after Price Waterhouse and Wards Cove*, 39 AM. U. L. REV. 615 (1990) (an analysis of the effects of two Supreme Court cases and the difference between disparate-impact and disparate-treatment claims under Title VII), available at Van Pelt [here](#)

Mary McKlveen Madden, *Strengthening Protection of Employees at Home and Abroad: The Extraterritorial Application of Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act*, 20 HAMLINE L. REV. 739 (1997) (discussing the issue of applying Title VII to protect US citizens working in US-owned corporations located abroad), available at Van Pelt [here](#) (PennKey required).

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Sheryl Rosensky Miller, *From the Inception to the Aftermath of International Union, UAW, v. Johnson Controls, Inc.: Achieving Its Potential to Advance Women's Employment Rights*, 43 CATH. U. L. REV. 227 (1993) (discussing the impact of the case that overturned so-called "fetal protection" policies as facially discriminatory in that they explicitly singled out women for special treatment), available at *Van Pelt* [here](#) (PennKey required).

Cecilee Price-Huish, *"Because the Constitution Requires It and Because Justice Demands It": Specific Speech Injunctive Relief for Title VII Hostile Work Environment Claims*, 7 WM. & MARY BILL RTS. J. 193 (1998) (discussing findings in some court cases that indicate freedom of speech is not absolute when it involves harmful, discriminatory speech in the workplace), available [here](#).

Richard F. Storrow, *Same-Sex Sexual Harassment Claims after Oncale: Defining the Boundaries of Actionable Conduct*, 47 AM. U. L. REV. 677 (1998) (discussing a key Supreme Court case establishing that same-sex sexual harassment is actionable under Title VII), available [here](#).

Books

JOHN D'EMILIO, *LOST PROPHET: THE LIFE AND TIMES OF BAYARD RUSTIN* (University of Chicago Press 2004) (discussing the life of Bayard Rustin and the impact of his work on current civil rights issues, especially the rights of the LGBT community), available at *Van Pelt* [here](#).

DOROTHY ROBERTS, *KILLING THE BLACK BODY: RACE, REPRODUCTION, AND THE MEANING OF LIBERTY* (Vintage 1998) ("This is a no-holds-barred response to the liberal and conservative retreat from an assertive, activist, and socially transformative civil rights agenda of recent years--using a black feminist lens and the issue of the impact of recent legislation, social policy, and welfare 'reform' on black women's--especially poor black women's--control over their bodies' autonomy and their freedom to bear and raise children with respect and dignity in a society whose white mainstream is determined to demonize, even criminalize their lives."--From the Amazon.com synopsis), available at *Biddle* [here](#).

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James O. Castagnera & Edward S. Mazurek, *Sex Discrimination Based upon Sexual Stereotyping*, in 53 AM. JUR. TRIALS 299 (Lawyers Cooperative Publishing 1995) (discussion of several significant cases of gender discrimination and model trials), available at *Biddle* [here](#).

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Jane Gross, *Jury Awards \$7.1 Million in Sex Case*, N.Y. TIMES, Sept. 2, 1994, at A16, available [here](#).

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Arch Puddington, *Bayard Rustin: A Hero in the Freedom Movement*, FREEDOM AT ISSUE: INSIGHTS ON THE GLOBAL STRUGGLE FOR DEMOCRACY (Aug. 12, 2013), http://www.freedomhouse.org/blog/201308#VDmRLqPD_cs (click on link and scroll down left-hand menu under Blog Archive, click on August 2013, then scroll about halfway down the page; essay on the life and contributions of Bayard Rustin and the posthumous award to Rustin of the Presidential Medal of Freedom).

V. 2000 - Present: The New Millenium—"Widening the Circle of Opportunity, Deepening the Meaning of ... Freedom, Forging a More Perfect Union¹"—or Not

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Richard N. Appel, Alison L. Gray & Nilufer Loy, *Affirmative Action in the Workplace: Forty Years Later*, 22 HOFSTRA LAB. & EMP. L.J. 549 (2005) (historical overview of affirmative action and its present state; paper presented at symposium *The 40th Anniversary of Title VII of the Civil Rights Act of 1964*), available at Van Pelt [here](#) (PennKey required).

Thomas H. Barnard & Adrienne L. Rapp, *Are We There Yet? Forty Years after the Passage of the Civil Rights Act: Revolution in the Workforce and the Unfulfilled Promises that Remain*, 22 HOFSTRA LAB. & EMP. L.J. 627 (2005) (a historical analysis of the employment landscape under the Civil Rights Act, including what has been gained and what remains to be done; paper presented at symposium *The 40th Anniversary of Title VII of the Civil Rights Act of 1964*), available at Van Pelt [here](#) (PennKey required).

¹ William J. Clinton, Address before a Joint Session of the Congress on the State of the Union, 1 PUB. PAPERS 112-113 (January 27, 1998), available [here](#).

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