

## Introduction

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**SYMPOSIUM**  
**TITLE VII AT 50**  
**INTRODUCTION**

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On July 2, 1964, the Civil Rights Act of 1964 (“Act”) was signed into law by President Lyndon B. Johnson.<sup>1</sup> It purportedly took effect the following summer. Two years later, many urban centers were burned to the ground in the race riots throughout the summer of 1967.<sup>2</sup> The Equal Pay Act, the Voting Rights Act of 1965, and calling the National Guard seemed to achieve very little that was measurable by any metric.

Title VII of the Act prohibited employment discrimination based on race, color, religion, sex, or national origin.<sup>3</sup> Title VII uniquely targets the root of the problem: the racial economic divide. If there were sufficient good jobs at good wages, some of the confrontational edges in our complex social order may be proportionately reduced. This problem is a matter of labor economics and public policy, however, and is not driven primarily

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<sup>††</sup> Editor-in-Chief, *St. John’s Law Review & Journal of Catholic Legal Studies*. She would like to thank the contributors for their insightful pieces and the Staff Members and Editorial Board of the *St. John’s Law Review* for their tireless work on this important Symposium.

<sup>1</sup> Mae Bowen, *This Day in History: President Lyndon B. Johnson Signed the Civil Rights Act of 1964*, WHITE HOUSE (July 2, 2015, 3:29 PM), <https://www.whitehouse.gov/blog/2015/07/02/day-history-president-lyndon-b-johnson-signed-civil-rights-act-1964>.

<sup>2</sup> *Riots, Urban, of 1967*, ENCYCLOPEDIA.COM, <http://www.encyclopedia.com/doc/1G2-3401803621.html> (last visited Jan. 2, 2016).

<sup>3</sup> 42 U.S.C. § 2000e-2(a) (2012).

by Title VII. The reduction of confrontational edges has yet to happen. Meanwhile, the United States has a two-term, internationalist, multiracial, African-American President and Nobel Prize winner, Barack Hussein Obama, who, nevertheless, could have difficulty hailing a cab in midtown Manhattan. Contemporary America still struggles to achieve racial equality.

The simple and profound truth on the placard "I am a man" unified the striking 1968 Memphis, Tennessee sanitation workers and situated those workers' core human, international, and labor rights—to be treated with dignity.<sup>4</sup> Those words brought Dr. Martin Luther King Jr. to his martyrdom in Memphis. Today, these words, "I am a man," continue to rhetorically resonate in the poignant rallying cry, "Black Lives Matter."<sup>5</sup> This slogan gained prominence in the protests following the litany of death of young unarmed black men at the hands of heavily armed local police in the wake of the death of Michael Brown in Ferguson, Missouri.<sup>6</sup> In its Ferguson investigation, the United States Department of Justice found that law enforcement used force disproportionately against African Americans as well as "substantial evidence of racial bias among police and court staff in Ferguson."<sup>7</sup> While these events highlight problems with the criminal justice system, more importantly, they have brought discussion of America's continued racial divide to the forefront of national conversation.

Community rage in Ferguson, Baltimore, and other American cities is a costly reminder that efforts toward eradicating discrimination require constant attention, discussion, and reanalysis. Current events combined with the fifty-year anniversary of the implementation of Title VII present an important opportunity to reflect on the actual impact of Title VII

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<sup>4</sup> See generally Richard L. Trumka, Keynote Address at the St. John's University School of Law Conference: The Theology of Work and the Dignity of Workers, in 50 J. CATH. LEGAL STUD. 31 (2011).

<sup>5</sup> See Steven W. Thrasher, *What Next for Black Lives Matter in Ferguson After City's Police Shooting?*, GUARDIAN, (Mar. 13, 2015), <http://www.theguardian.com/us-news/2015/mar/13/black-lives-matter-ferguson-police-shooting>.

<sup>6</sup> Freddie Gray died in police custody, Walter Scott was shot and killed by a police officer from behind, Tamir Rice died after being shot for brandishing a gun, which was later discovered to be a toy, and Eric Garner died after police placed him in an illegal chokehold. *Freddie Gray Death: Protesters Highlight Other Police Deaths*, BBC (Apr. 28, 2015), <http://www.bbc.com/news/world-us-canada-30341927>.

<sup>7</sup> U.S. DEPT OF JUSTICE CIVIL RIGHTS DIV., INVESTIGATION OF THE FERGUSON POLICE DEPARTMENT 5 (2015).

and the current state of affairs. *St. John's Law Review* is very pleased to present this Symposium: *Title VII at 50*. Through the diligent efforts of many and the provocative writings by the contributors, the *Law Review* has assembled this Symposium to discuss the effects, and the future, of Title VII. This represents the most current in the *St. John's Law Review's* tradition of presenting interrelated, thought-provoking symposia, including one on international dispute resolution in employment matters,<sup>8</sup> one on regulation of the financial industry,<sup>9</sup> and a fascinating and timely conference on theology and the dignity of workers.<sup>10</sup> Through this Title VII Symposium, St. John's University School of Law proudly participates in a larger and continuing national discussion of the role and state of civil rights in the United States.

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<sup>8</sup> Symposium, *Worlds of Work: Employment Dispute Resolution Systems Across the Globe*, 86 ST. JOHN'S L. REV. 387 (2012).

<sup>9</sup> Symposium, *Revolution in the Regulation of Financial Advice: The U.S., the U.K. and Australia*, 87 ST. JOHN'S L. REV. 297 (2013).

<sup>10</sup> Conference, *The Theology of Work and the Dignity of Workers*, 50 J. CATH. LEGAL STUD. 1 (2011).