

## Civil Rights and Urban Racial Riots in New Jersey



*The New York Times*: National Guardsmen wielding rifles with bayonets advanced along Springfield Avenue in Newark on July 14, 1967.

**Grade Level:** 9-12

**Lesson Creator by:** The New Jersey Center for Civic Education

**Overview:** The series of activities consider the causes and consequences of race riots in Newark, New Jersey, in the context of efforts by African-American to obtain civil rights during the 1960s, and today.

**Time:** Three 45-minute periods

**Objectives:** Students will be able to:

- examine the impact of restrictive covenants and redlining utilized under the Home Owners Loan Corporation (HOLC) program on race segregation in NJ
- describe the difference between the *de jure* and *de facto* discrimination
- debate whether and why eliminating *de facto* discrimination is tougher than ending *de jure* discrimination
- explain why race riots in many of New Jersey's cities took place in the 1960s
- analyze the role of the Federal and State Governments in ensuring Civil Rights and its impact on race relations
- explain the differences between political and economic and social civil rights
- compare and contrast the conditions that led to the urban race riots in New Jersey in the 1960s to those that contribute to present day race riots in the United States
- assess the success of the civil rights movement in New Jersey and nationwide
- analyze various perspectives about Black Lives Matter
- create an agenda of what needs to be done to address the underlying issues that have spurred the Civil Rights Movement as well as race riots and protests

## **NJ Social Studies Content Standards:**

- 6.1.12.EconNM.8.a: Analyze the push-pull factors that led to the Great Migration
- 6.1.12.HistoryCC.8.a: Make evidence-based inferences to explain why the Great Migration led to heightened racial tensions, restrictive laws, a rise in repressive organizations, and an increase in violence.
- 6.1.12.CivicsPI.13.a: Craft an argument as to the effectiveness of the New Jersey Constitution of 1947, New Jersey Supreme Court decisions (i.e., *Hedgepeth and Williams v. Trenton Board of Education*), and New Jersey's laws in eliminating segregation and discrimination.
- 6.1.12.CivicsDP.13.a: Analyze the effectiveness of national legislation, policies, and Supreme Court decisions in promoting civil liberties and equal opportunities (i.e., the Civil Rights Act, the Voting Rights Act, the Equal Rights Amendment, Title VII, Title IX, Affirmative Action, *Brown v. Board of Education*, and *Roe v. Wade*).
- 6.1.12.EconEM.13.a: Explain how individuals and organizations used economic measures as weapons in the struggle for civil and human rights (e.g., the Montgomery Bus Boycott, sit downs).
- 6.1.12.EconNE.13.b: Evaluate the effectiveness of social legislation that was enacted to end poverty in the 1960s and today by assessing the economic impact on the economy (e.g., inflation, recession, taxation, deficit spending, employment, education).
- 6.1.12.HistoryCC.13.c: Determine the impetus for the Civil Rights Movement and generate an evidence based argument that evaluates the federal actions taken to ensure civil rights for African Americans.
- 6.1.12.CivicsPI.14.c: Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights.
- 6.1.12.HistoryCA.14.b: Create an evidence-based argument that assesses the effectiveness of actions taken to address the causes of continuing racial tensions and violence.

## **Compelling Questions:**

- What were the causes of race riots in New Jersey in the 1960s?
- Was the Civil Rights movement successful in NJ?

## **Focus Questions:**

- How did redlining contribute to the *de facto* segregation in NJ?
- What is the difference between political and economic and social civil rights?
- To what extent have the conditions that led to the urban race riots in New Jersey and other cities in 1967 been addressed?

## **I. Historical Background**

### The Great Migration

During the Great Migration between 1900 and 1960, six million African-Americans moved from rural areas in the South to northern industrial cities. The primary push factors for migration were segregation, widespread violence and lynching and lack of opportunities in the South. In the North, African American could also find better schools and jobs.

Aside from the availability of jobs and the general search for a better life, some African American settled in New Jersey because its cities were of a medium size, offering a somewhat slower urban pace than the

great northern metropolises. New Jersey's cities also accommodated the spillover from the large migration to its two neighbors—New York City (Harlem in particular) and Philadelphia.

The African-American population in New Jersey's cities grew dramatically--especially in Newark, Jersey City, Paterson, Elizabeth and Trenton. More than 100,000 African Americans looking for economic opportunities and relief from Jim Crow laws moved to Newark alone from the rural South. The Black population of Newark doubled from 1910 to 1920.

The northern cities also attracted a record number of new immigrants from southern and eastern Europe between 1890 and 1920. Tensions arose between the African-Americans and the European immigrants as they competed for jobs and housing. Newark witnessed a racial clash in 1917. Termed a "race riot" by the *Newark Evening News*, it was precipitated by a dispute arising from a dice game involving black and white youths and lasted several hours. Black and white mobs armed with revolvers, knives, bottles, clubs and bricks, fought each other. Many were injured and fifteen black youths were arrested.

### Residential Segregation through Restrictive Deeds or Covenants

Although the U.S. Supreme Court held in 1917 in *Buchanan v. Warley* that a city ordinance prohibiting the sale of real property to blacks violated the Fourteenth Amendment, the practice of private, racially restrictive and legally binding covenants evolved as a reaction to the Great Migration of southern blacks. The imposition of private restrictions on real estate is a concept that had been in use for centuries. At common law, the right to own and enjoy real estate was considered to include, as an element of ownership, the right to restrict how that property might be used in the future. A restriction, such as "This lot shall be owned and occupied by people of the Caucasian race only," written into a deed to a home by a seller would require the new homebuyer to abstain from selling to certain categories of people.

For a century after the Civil War, such practices were legal and resulted in the exclusion of unwanted immigrant groups--but primarily African-Americans--from large parts of northern cities and towns, including many in New Jersey. It was not until 1948 that the U.S. Supreme Court ruled that states could not enforce such private racial restrictions. In 1968, Congress outlawed them altogether.

### Residential Segregation through Redlining

After the outlawing of restrictive covenants, residential segregation was instead maintained through "redlining" by banks and insurance companies. Redlining is the practice by lenders of arbitrarily denying or limiting financial services to specific neighborhoods, generally because its residents are people of color or are poor. While discriminatory practices existed in the banking and insurance industries well before the 1930s, the New Deal's Home Owners' Loan Corporation (HOLC), created to stabilize real estate that had depreciated during the depression and to refinance urban mortgage debt, instituted a redlining policy by developing color-coded maps of American cities that used racial criteria to categorize lending and insurance risks. New, affluent, racially homogeneous housing areas received green lines while black and poor white neighborhoods were often circumscribed by red lines denoting their undesirability. Banks and insurers soon adopted the HOLC's maps and practices to guide lending and underwriting decisions. In addition, although the HOLC was defunct by 1954, the Federal Housing Administration (FHA), created in 1934, used the HOLC's methods to assess locations for federally insured new housing construction.

Without bank loans and insurance, redlined areas lacked the capital essential for investment and redevelopment. After World War II, the Federal Housing Administration guaranteed low-cost mortgages to returning soldiers. However, the FHA redlined nearly all of Newark, sending white soldiers and their families to almost exclusively white suburbs. As a result, suburban areas received preference for residential investment at the expense of poor and minority neighborhoods in cities like Newark and Chicago.

### Newark by the 1960s

The African-American population in Newark, which was only 2.7% in 1900, grew to 17.1% by 1950. From the 1950s to 1967, Newark's white population shrank from 363,000 to 158,000, while its black population grew from 70,000 to 220,000. Despite the enormous reduction of Newark's white population, property ownership and political power remained overwhelmingly in white hands. For example, in 1960, while 60% of its population was black 83% of Newark's police force was white. In a 1966 application for federal aid, 40,000 of Newark's 136,000 housing units were classified as substandard or dilapidated.

### **Activity 1: Definitions, Document Analysis and Class Discussion**

1. Have students find the definitions for *de jure* and *de facto* segregation.

"*De Jure*" is Latin and means according to law or by law. Discuss with students what they think this means in relation to segregation. Some ideas that may be mentioned are Jim Crow laws, such as segregated buses, restaurant and schools. *De jure* segregation is segregation of a race, ethnic or other group as required by law, as it was required in public accommodations such as training, busses, hotels, schools, etc., in most southern states after the Civil War until the 1950s.

"*De Facto*" means actual or in fact. Have students discuss how *de facto* segregation differs from *de jure* segregation. *De facto* segregation is segregation that happens in practice but is not required by law. *De facto* segregation was very prevalent in northern states until the 1950s. Ask students to give examples of *de facto* segregation. Responses might be: *De facto* segregation would include schools that are segregated because of a policy of having neighborhood schools where the housing pattern separates families by their income and creates wealthier and poorer neighborhoods, which are then reflected in the schools. Or *de facto* segregation might result from the selection of certain students for AP or honors courses, or even self-segregation by racial groups (e.g., students at lunch tables).

2. Have students analyze a "redlining" map by the HOLC of Essex County, NJ from the 1930s (Handout 1) and draw conclusions about its impact.

Note the Legend for the "Residential Security Map" at the top of the page, with green as first grade, blue as second grade, yellow as third grade and red as fourth grade (grey areas are industrial and white areas are parklands). Where are the blue and green areas? In Roseland, Caldwell, the Oranges (green strip in the middle). Where are the red areas? In Newark, primarily next to the industrial areas.

In a circular case of cause and effect, areas redlined because African-Americans and poor immigrants lived there left these residents unable to get bank loans and insurance, further cementing housing segregation and contributing to the economic plight of the city.

3. Ask students if redlining is *de jure* or *de facto* segregation and to explain their conclusion.

Some students may argue that redlining is *de jure* segregation because it was based on federal laws. Other students may argue that it was *de facto* segregation because the intent of the HOLC was not to segregate and the actual refusals to provide mortgages and insurance was being done by private banks and insurance companies.

4. Have students look at the 14<sup>th</sup> Amendment (Handout 2) and decide whether or not redlining violated it, explaining their reasoning.

The 14<sup>th</sup> Amendment mandates that states not “make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor...: deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Students may argue that African-Americans were being denied “equal protection of the laws” by redlining because they were not being given the same opportunities to purchase property, improve and enjoy property as wealthier white residents.

### The start of the Civil Rights Movement



*Rosa Parks being fingerprinted after her arrest Dec. 1, 1955*

Discrimination against African-Americans not only resulted in poorer housing, but also in poorer schools, jobs and treatment. For decades the NAACP (National Association for the Advancement of Colored People) tried to address this through litigation, culminating in the landmark 1954 U.S. Supreme Court decision in *Brown v. Board of Education* declaring “separate but equal” schools unconstitutional. The decision was met with more opposition than compliance. But it gave African-Americans a legal basis for their complaints of discrimination and the hope for change. Following the refusal of Rosa Parks to give up her seat on a city bus in Montgomery, Alabama, in December 1955, the local African-American community was aroused by the Women’s Political Council and the Rev. Martin Luther King Jr. to protest with their feet with a boycott of the city buses. Although the issue was ultimately resolved in the courts, the peaceful protest on the streets was brought to the attention of the nation through the news media. It showed that nonviolent, direct action could work. Out of the boycott an informal network of southern Baptist churches formed the Southern Christian Leadership Conference, and the American Civil Rights Movement took shape, aimed at pressuring the president and congress to address the continuing discrimination in the country.

Black students from area colleges led a sit-in at the Woolworth’s in downtown Greensboro, North Carolina in February 1960 to protest Woolworth’s policy of excluding African Americans from being

served food there. This was quickly followed by nonviolent confrontations at public parks, beaches, libraries, theaters, museums, and other public facilities in the South; kneel-ins at local churches; and freedom rides. Such actions often defied court-ordered injunctions barring the protests and resulted in mass arrests. In August 1963, there was a mass March on Washington, D.C.-- a collaborative effort of all of the major civil rights organizations, the more progressive wing of the labor movement, and other liberal organizations. The march had six official goals: meaningful civil rights laws, a massive federal works program, full and fair employment, decent housing, the right to vote, and adequate integrated education. In response, President Kennedy declared support for a comprehensive civil rights bill. After Kennedy's assassination, President Johnson obtained passage of the Civil Rights Act of 1964. (See "The Montgomery Bus Boycott of 1955-56: On the Streets and in the Courts" at



*Civil Rights March on the Mall, Washington, D.C., August 1963*

### Racial Violence in 1964-65

The Civil Rights Act of 1964 (Handout 2) was signed into law on July 2, 1964, banning discrimination based on race, color, religion, sex, or national origin. But segregation remained the norm in most places. African-Americans and others who opposed segregation held "sit-ins" in cafes, restaurants and hotels, to protest discriminatory service and hiring practices. Segregationists, angered by the Civil Rights Act, took to the streets as well, often attacking African American demonstrations across the South. Racial violence broke out in many northern cities, including New York, Chicago, Philadelphia, Jersey City, and Paterson.

Riots began in Harlem, New York, on July 18, 1964, following the shooting of fifteen year-old James Powell by a white off-duty police officer. Claiming that the incident was an act of police brutality, an estimated eight thousand Harlem residents launched a large-scale riot, breaking windows, setting fires and looting local businesses. The violence soon spread to the nearby neighborhood of Bedford-Stuyvesant and continued for six days, resulting in the death of one resident, over 100 injuries, and more than 450 arrests. As the civil unrest in New York City began to cool, another riot broke out upstate in Rochester, New York, following another allegation of police brutality. For three days, violent protestors overturned automobiles, burned buildings, and looted stores. The National Guard was mobilized and public order was restored to Rochester on July 26.

A few days later, on August 2, 1964, a woman's arrest in a public housing complex in Jersey City, New Jersey, led to three days of rioting, during which garbage cans were thrown through storefront windows and bottles were tossed at police. The violence was eventually quelled, but the anger and frustration that caused it remained. The, on August 11-13, 1964, Elizabeth, New Jersey, was the site of a three-day uprising. *The New York Times* reported that it was instigated by the arrest of a black woman on a disorderly conduct charge. Eighteen people were arrested. A separate clash occurred simultaneously in nearby Paterson, New Jersey.



*Elizabeth policemen struggle with a man as they try to move him from area of rioting in Elizabeth, New Jersey, on August 12, 1964, the second night of violence in Elizabeth and Paterson, New Jersey (AP Photo)*

The Federal Bureau of Investigation (FBI) concluded that the disturbances in Elizabeth and Paterson were the aftershocks of the larger uprisings in New York City, Rochester, and Jersey City, citing "school dropouts," "young punks," "common hoodlums" and "drunken kids" as the ones responsible for the outbreak of violence. While socioeconomic problems within the African American communities were considered to be a part of the problem, the FBI blamed the violence on a marked decrease in respect for law and order by young people in urban neighborhoods. The FBI concluded that issues such as police brutality were not the cause of the uprisings in Elizabeth or elsewhere in the nation. Although Elizabeth city officials agreed with this assessment, African American community leaders in Elizabeth saw the situation differently, citing high unemployment, poverty, discrimination, and the treatment of blacks by the police as the causes of the unrest. With the two sides far apart on the reasons for the uprisings and violence in 1964, little was done in response.

The following summer, on August 11, 1965, violence erupted in the Watts section of South Central Los Angeles after the attempted arrest of a young black motorist by white police officers. A taunting crowd gathered and increasing number of police reinforcements were called. The police arrested half a dozen men and women. Angry young men charged down the main street, overturning cars, looting stores and burning buildings. The rampage resumed each night and lasted for six days. More than 34 people were killed and 1000 injured, 4200 arrested and some \$200 million worth of property was damaged or destroyed.

Two years after the 1965 riots in Watts, racial tensions erupted into violence in more than 150 cities, the two most well-known and destructive uprisings in Detroit and Newark. The main concerns expressed by African-Americans in Newark and other cities in the 1960s were police brutality, housing code violations, lack of community representation and lack of good jobs. The killing of a black man, Lester Long, by Newark police officer Henry Martinez in 1965 reinvigorated community demands for a police review board. Newark mayor Hugh Addonizio directed the Newark Human Rights Commission to hold a series of public hearings on the issue, but when the Commission split 6-6, he rejected the proposed police review board. Instead he announced that future allegations of police brutality would be forwarded to the FBI, and instituted a citizen observer program, a Human Relations Training Institute, a community relations post within the police department and a code of conduct for the police. Newark tenants were encouraged to submit housing complaints to the city's housing authorities. Although submitting these complaints to city agencies officially documented housing violations, it rarely compelled any action by city officials.



*Newark Community Union March Against Police Brutality across Broad and Market Streets in Newark in 1965  
(Doug Eldridge Collection, Newark Evening News)*

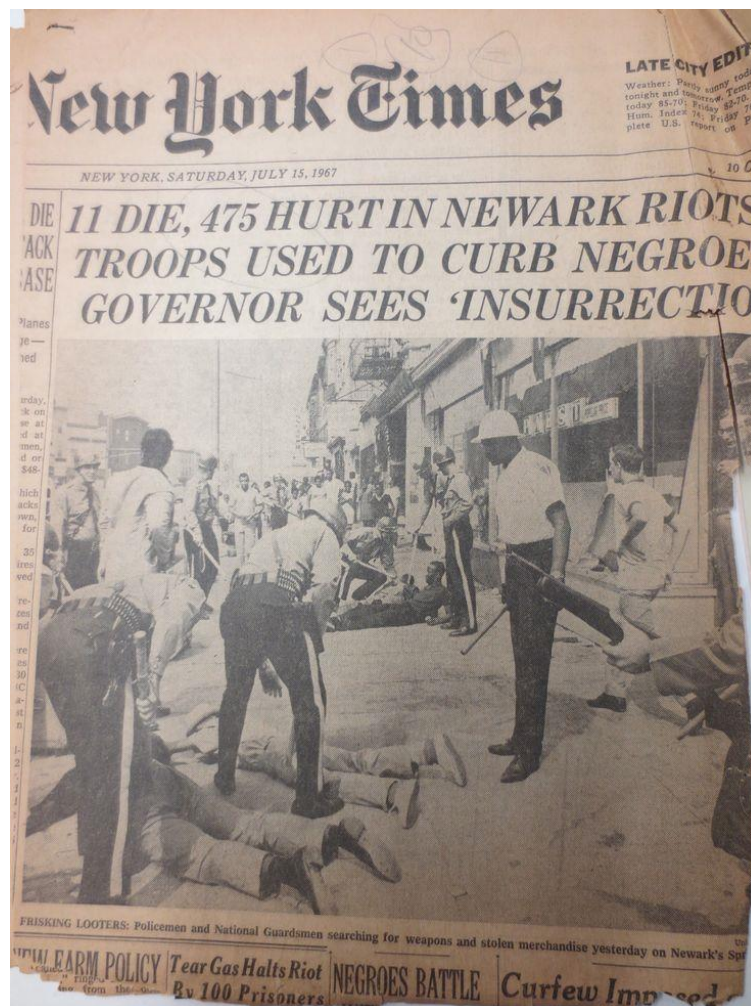
As federal funding from antipoverty programs arrived in Newark, there was jockeying for control of the money. In statements presented by members of the Newark Community Union Project to the Congressional Committee investigating the War on Poverty in April 1965, Newark residents described the lack of community representation and involvement in decision-making. Many African-Americans, especially younger community leaders, felt that they were largely disenfranchised in Newark despite the fact that Newark had become one of the first majority black major cities in America. Newark Mayor Addonizio was charged with failing to incorporate blacks in civil leadership positions and failing to help blacks get better employment opportunities. Only 154 of the 1322 police officers (11%) were black, while the city remained more than 50% black.



## II. The Race Riots in Newark in 1967

This unrest came to a head on July 12, 1967 when two white Newark policemen arrested a black cabdriver, John Smith, for improperly passing them and double-parking. Smith was taken to the 4th Police Precinct, which was across the street from Hayes Homes, a large Public Housing Project. Residents of Hayes Homes saw an incapacitated Smith being dragged into the precinct, and a rumor was started that he had been killed while in police custody (In fact, Smith had been moved to a local hospital). This set off six days of riots, looting, violence, and destruction. Within 48 hours the violence had gotten beyond the ability of the Newark police to control. A curfew was imposed between 10 p.m. and dawn. Mayor Addonizio requested that New Jersey Governor Hughes send National Guard to Newark, which he did.

Ultimately, the violence left 26 people dead, 725 people injured, and close to 1,500 arrested. Property damage exceeded \$10 million.



*The Newark Riots on the front page of the New York Times, July 13, 1967*



<http://newark-path-manhattan.blogspot.com/2012/02/newarks-1967-race-riots.html>

A series of racially charged violent disturbances mirroring those that took place in Newark also occurred 20 miles away in Plainfield, New Jersey, starting on July 14, 1967. It took the National Guard three days to restore order (See <https://youtu.be/9PWqpQRAq-c>).

### Activity 2: What happened in Newark in July 1967?

1. Have students watch *Revolution 67*, a five-minute video of the 1967 Newark riots at <https://www.youtube.com/watch?v=XvOqE39CWTg> or at <https://youtu.be/gC2ObNqHq7E> and summarize what happened in their own words.
2. Have students consider the definitions of “riot” and “rebellion” and give examples of each.

A “riot” is broadly any violent, public disturbance of the peace by a crowd. A “rebellion” is an act of violence or resistance against an established government or ruler. However, a civil disorder commonly characterized by a group lashing out in a violent public disturbance against authority, property or people, is often characterized as a “riot”. The Civil Rights Movement (1955-68) was a form of rebellion against the systematic discrimination and disenfranchisement of African-Americans and the lack of opportunities for satisfactory housing and jobs. It focused on planned nonviolent protests and civil disobedience, such as marches (e.g., Birmingham and Selma, 1965), sit-ins e.g., Greensboro, North Carolina, 1960) and economic boycotts (e.g., Montgomery, 1955-56). The disturbances in the cities were aimed at the same underlying problems but were unplanned and resulted in violence.

3. Have students complete the worksheets at [http://edsitement.neh.gov/sites/edsitement.neh.gov/files/worksheets/worksheet\\_2.pdf](http://edsitement.neh.gov/sites/edsitement.neh.gov/files/worksheets/worksheet_2.pdf)
4. Have students explain why they would call the events in Newark in July 1967 a “riot” or a “rebellion”.

Why did the civil disturbances occur?

President Lyndon Johnson formed an 11-member National Advisory Commission on Civil Disorders in July 1967 to understand why riots that plagued cities each summer since 1964 and to provide recommendations for the future. The Commission's 1968 report, informally known as the Kerner Commission Report (the Commission was chaired by Otto Kerner, the Governor of Illinois), determined that the civil disturbances usually started at night, without premeditation or planning, and were triggered by an incident between black residents and white police, which escalated to looting and burning. The report concluded that the overriding causes of the rioting—unemployment, poverty, lack of education, exploitation—were rooted in a pervasive white sense of the inferiority of blacks. The Kerner Commission Report delivered an indictment against “white society” for isolating and neglecting African Americans and recommended legislation to create jobs, job training programs, and decent housing. It cautioned that the nation was “moving toward two societies, one black, one white—separate and unequal.” Unless conditions were remedied, the Commission warned, the country faced a “system of ‘apartheid’” in its major cities. President Johnson, however, did not immediately seek to implement the recommendations. (See a summary of the Kerner Commission Report attached as Handout 3).

New Jersey's Governor Hughes also appointed an independent commission to investigate the 1967 riots in Newark. Chaired by Robert Lilley, the commission held 65 meetings and examined 106 witnesses. The New Jersey Governor's Select Commission on Civil Disorder (the Lilley or Hughes Commission) made similar recommendations about the need for police and economic reform in its [Report for Action: An Investigation into the Causes and Events of the 1967 Newark Race Riots](#). The Commission noted that more than a third of black men ages 16 to 19 were unemployed. It made specific recommendations for police and economic reform similar to the Kerner Commission (See a summary of the Hughes or Lilley Commission report attached as Handout 4).

### **Activity 3: Why did the civil disturbances in 1967 happen?**

Have students read the summary of the Report of the National Advisory Commission on Civil Disorders (Kerner Commission Report)(Handout 3) and New Jersey Governor's Select Commission on Civil Disorder (Lilley Commission )(Handout 4)] and discuss the following questions or write an essay responding to the following questions:

1. Why did people riot or rebel in 1967?
2. Was it justifiable?
2. Was it a type of political action?
3. *Life Magazine* (July 28, 1967) called the civil disturbance in Newark in July 1967, “the Predictable insurrection”. Would you agree or disagree? Why?

### **III. Progress in the 1960s and 1970s**

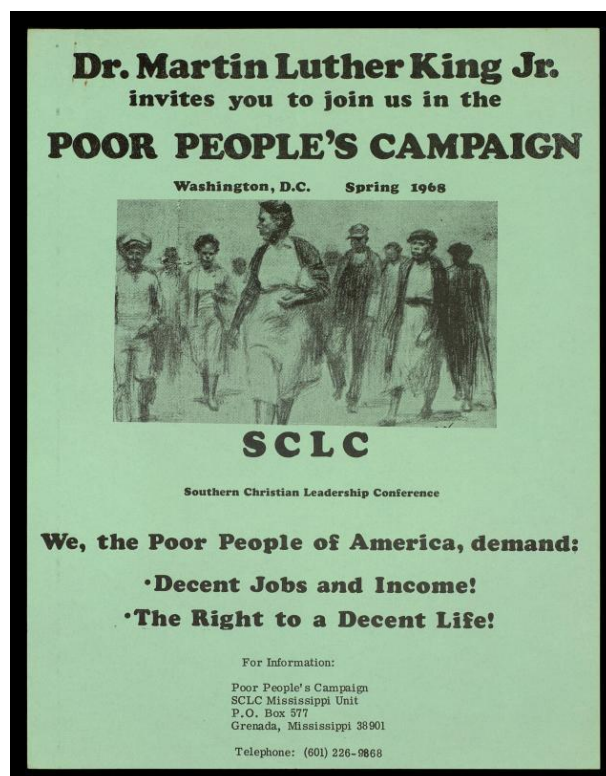
#### Poor People's Campaign: The Move to Achieve Economic Civil Rights

In response to black rioting in 180 cities during the summer of 1967, Reverend Martin Luther King said, "the riot is the language of the unheard... America has failed to hear... that the promises of freedom and justice have not been met." In 1967, one in seven Americans was living in poverty. Activist Marian Wright suggested to King that the civil rights movement stage a poor people's march--"a nonviolent army of the poor"-- in Washington, D.C. The Southern Christian Leadership Conference embarked on an

ambitious Poor People's Campaign to bring attention to the nation's most needy people. The goal was to demand that President Lyndon Johnson and Congress help the poor get jobs, health care and decent homes.

On March 27, 1968, King spoke to a packed auditorium of students at South Side High School in Newark and visited the Mt. Calvary Baptist Church and Abyssinian Baptist Church in Newark, as well as stopping in Orange and Jersey City. King then detoured to Memphis, Tennessee, to support striking sanitation workers. There, on April 4, 1968, he was assassinated. Riots erupted in more than 100 cities around the country as people mourned the loss of Martin Luther King, Jr. The Southern Christian Leadership Conference pressed forward with the Poor People's Campaign just weeks later, and more than a thousand people came to Washington, D.C. on May 12, 1968. Many thousands more arrived and settled on the National Mall in an encampment they called "Resurrection City" during late May and early June 1968. However, the protest was bogged down by heavy rains and unclear agendas. On June 5, 1968 word came that presidential candidate Robert Kennedy, a champion of civil rights, had been assassinated in California. In recognition of the poor people's protest, the hearse bearing Kennedy's body was brought through the encampment in Washington. But soon, Resurrection City was shut down. (See <https://www.pbs.org/wgbh/americanexperience/films/eyesontheprize/> )

During 1966-1967, Congress had regularly considered a fair housing bill, but failed to garner a majority for its passage. President Lyndon Johnson utilized the tragedy of Rev. Martin Luther King Jr's assassination to urge Congress to speedily approve what became the Civil Rights Act of 1968. Title VIII of the Civil Rights Act of 1968 is also known as the Fair Housing Act of 1968. It outlawed discrimination in the sale, rental, and financing of housing based on race, religion, national origin, sex, (and was amended in 1988 to include disability and family status) and authorized the Justice Department to bring suits on behalf of victims in federal district courts. This was supported by the Home Mortgage Disclosure Act of 1975, which required the release of data on bank lending, and the Community Reinvestment Act of 1977, which required banks to lend in areas from which they accepted deposits.





The extent of progress in ending redlining in the insurance industry remained an ongoing debate. In 1968, the President's National Advisory Panel on Insurance in Riot-Affected Areas found that insurance underwriting manuals explicitly instructed agents to use racial data in determining risk. While states passed laws prohibiting insurance redlining, federal legislation has never directly addressed the issue. Court cases, however, have forced change in both the banking and insurance industries. In the 1990s, prominent banks and insurance firms have settled several major lawsuits, agreeing to change their business practices to remove discriminatory policies and procedures.

In New Jersey, the nation's first state-wide civil rights enforcement statute, "The New Jersey Law Against Discrimination," had been enacted in 1945. It made it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, or sex (NJSA 10:5-12).

In spite of state and federal laws, discrimination continued in more subtle ways. A real estate broker may "forget" to show an African American family houses in certain areas. A bank may decline to provide a mortgage. More importantly, low and moderate income families—often minorities—often do not have the funds to purchase homes in areas with satisfactory housing, schools and services because zoning ordinances made it impossible to build low and moderate income housing.

In 1974, the Housing and Community Development Act authorized the creation of a Community Development Block Grant program in the U.S. Dept. of Housing and Urban Development, both as an anti-poverty program and responding to the need for affordable housing. The program provides funds to state, counties and cities on a formula basis to create additional low and moderate-income housing. However, affordable housing has never been declared a constitutional requirement for cities and states.

In New Jersey, the State Supreme Court held in 1975 in *South Burlington County N.A.A.C.P. v. Township of Mount Laurel*, 67 NJ 151(Mt. Laurel I), that zoning ordinances which make it physically and economically impossible to provide low and moderate income housing violated the New Jersey Constitution. Eight years later in 1983, the New Jersey State Supreme Court put teeth in the original decision by creating a fair share formula to measure each municipality's obligation to provide affordable housing, and by fashioning a "builder's remedy" to force municipalities to fulfill that obligation. Accepting the premise that there was a constitutional obligation for municipalities to foster the development of some degree of affordable housing, the state created a [Council on Affordable Housing](#) (COAH) to establish regulations whereby the obligation of each municipality in terms of the number of units and how the obligation could be satisfied.

#### **Activity 4: How effective have efforts by the federal and state governments to eliminate discrimination been?**

1. Ask students to distinguish and explain the differences between political, economic and social civil rights.

Political (often called "civil") rights are focused on the ability to participate in government through the right to vote and to hold office, as well as freedom of speech and the right to a fair trial. Such civil or political rights are explicitly guaranteed in the U.S. Constitution in the First, Fifth-Eighth, Fourteenth and Fifteenth Amendments. However, Articles I and II of the U.S. Constitution leave the regulation of elections to the states. The Civil Rights Acts of 1964 and 1968 and the Voting Rights Act of 1965 are attempts by the federal government to ensure that African Americans (and other groups discriminated against) can participate in electing those to represent them in government.

Economic and social rights are focused on the daily needs of life, such as jobs, housing, education, travel, food, health care and sanitation. Social, economic and cultural rights are protected in the International Declaration of Human Rights (1948). However, this document is basically aspirational only and has no enforcement mechanism other than public pressure. Economic, social and cultural rights are not specifically included in the U.S. Constitution and the U.S. Supreme Court has not interpreted the Constitution to include them. Human needs for adequate education, housing and food have been seen as "benefits" rather than rights by the U.S. Supreme Court, leaving individuals with no legal claims to fundamental things like food and shelter from the federal government. .

2. Ask students to look at the Voting Rights Act of 1965, the Civil Rights Acts of 1968 (Handout 5), the NJ Law Against Discrimination and NJ Constitution (Handout 6) and to analyze the role of the federal and state governments in eliminating discrimination.

The Voting Rights Act of 1965 was enacted to break the grip of state disfranchisement of African-Americans. During the hearings on its extension, Congress heard extensive testimony concerning the ways in which voting electorates were manipulated through gerrymandering, annexations, adoption of at-large elections, and other structural changes to prevent newly-registered black voters from effectively using the ballot. Congress also heard extensive testimony about voting discrimination that had been suffered by Hispanic, Asian and Native American citizens. Beginning in 1980, however, the U.S. Supreme Court began to require that any constitutional claim of minority vote dilution must include proof of a racially discriminatory purpose, a requirement that was widely seen as making such claims far more difficult to prove. In 2014, the U.S. Supreme Court struck down the requirement that jurisdictions that have a history of discriminatory voting practices get advance approval from the federal government before changing their election laws (*Shelby Co. v. Holder*), reducing the protection of racial and language minority citizens against losing the opportunity to exercise their right to vote, or to have their votes diluted. Several states have put more restrictive voting laws in place.

The New Jersey Law Against Discrimination, first enacted in 1945 and updated through 2007, prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. New Jersey also has been in the forefront in terms of providing equal funding for local education. The New Jersey Constitution provides that: "The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the ages of five and eighteen years" (Art. VIII, Sec. IV, para 1). This has led to series of law suits that resulted in equalizing funding for New Jersey's school districts, which has provided financial support for the public schools in urban districts. However, the New Jersey's schools are highly segregated (See [www.civilrightsproject.ucla.edu](http://www.civilrightsproject.ucla.edu))

### **III. Was the Civil Rights movement successful?**

After the acquittal in the trial of the four white Los Angeles police officers indicted in the beating of Rodney King, a black driver pulled over in northern Los Angeles in March 1991, riots began in a black neighborhood of South Central Los Angeles and destruction, looting and burning of businesses quickly spread to other areas of the city, including areas that were mostly Latino and Korean. Some 2300 people were injured and more than 1000 buildings were damaged or destroyed. Police made 10,000 arrests, mostly males, many Hispanic.

The underlying causes seemed to be police brutality, high unemployment, failed education, racism, neglect of the inner city—the same causes identified years earlier in the Kerner Commission report. However, the fuse seemed to be lit by the ethnic, racial and class antagonisms in Los Angeles at the time, particularly grievances against Korean merchants by poorer Black and Hispanic residents. Efforts to

build coalitions led to changes in the leadership in Los Angeles. Although South Central Los Angeles remains one of the city's poorest neighborhoods, violent crime and unemployment are both lower in Los Angeles than they were in 1990.

Although the 1992 riots in Los Angeles were one of the worst civil disturbances in America in decades, they did not spread to other cities. No similar violence erupted afterwards in any other major cities in 1992.

In 2015, after years of pressure from civil rights groups, the Obama administration established a federal housing rule to fully implement the 1968 Fair Housing Act's goal of forbidding discrimination in housing by requiring communities to affirmatively address patterns of racial residential segregation—the first major commitment to address racial inequality in housing in decades. However, in 2018, the U.S. Department of Housing and Urban Development (HUD) under President Trump suspended until 2020 the requirement that communities analyze their housing segregation and submit plans to reserves it as a condition of receiving billions of federal dollars in block grants and housing aid. HUD contended that local communities were struggling to figure out how to measure their progress and needed more time and technical assistance. Republicans in Congress critical of the rule argued that it was an aggressive intrusion by the federal government into individual and community decisions about where to live. (See "Application of an Obama-Era Fair-Housing Rule is Postponed Until 2020", *The New York Times*, Jan. 15, 2018.)

#### Newark today

For decades Newark has been a symbol of American's decaying cities with violence, entrenched poverty, vanishing jobs, struggling schools and blighted blocks. The flight of the city's white population, which had begun with the advent of the highway system and the rise of the suburbs in the 1950s, intensified with the unrest in 1967 and the negative view of the city. In 1996, *Money* magazine ranked Newark "The Most Dangerous City in the Nation." Yet, slowly but steadily, Newark has been transforming itself into a hub for arts and higher education with bustling ethnic neighborhoods. In 2007, the crime rate in the city began to drop and has been declining each year since then. Newark's population fell from a height of 438,000 in 1950 to a low of 275,221 in 1990. However, since the turn of the 21st century, Newark's population began to grow and was at 278,783 in 2015. It has also gotten more diverse: the white population grew to 26.31%, the Black population decreased to 52.35%, the Hispanic population grew to 33.83% and the foreign-born population increased by 85% since 1970 from 40,104 to 74,305 in 2010.

By 2020, the population of Newark has increased to 311,549. It was 28% white, 50% African American and 36% Hispanic. The population was 31.8% foreign born, and the median income was \$35,199. (See <https://www.census.gov/quickfacts/newarkcitynewjersey> ).

Port Newark-Elizabeth is the primary container shipping terminal of the busiest seaport on the American East Coast. Newark Liberty International Airport, the first municipal commercial airport in the United States, is one of its busiest. Several leading companies have their headquarters in Newark, including Prudential, PSEG, Panasonic Corporation, Audible.com, and IDT Corporation. More than 100,000 people commute to Newark each workday, making it the state's largest employment center with many white-collar jobs in insurance, finance, import-export, health-care, and government. As a major courthouse venue including federal, state, and county facilities, it is home to more than 1,000 law firms. The city is also a "college town", with nearly 50,000 students attending the city's universities and medical and law schools. Local cultural venues include the New Jersey Performing Arts Center, Newark Symphony Hall, The Prudential Center and the Newark Museum.



*Skyline of downtown Newark as seen from across the river in Harrison, NJ, in 2016.*

However, five of the previous seven mayors of Newark have been indicted on criminal charges, including Hugh Addonizio, the son of Italian immigrants who served from 1962 to 1970; Kenneth Gibson, the first African American mayor of Newark who served 1970-86, and Sharpe James, who served 1986-2006. In addition to political corruption, Newark has been plagued by ineffective schools, with low levels of student academic performance and low graduation rates, neglected buildings, and charges of mismanagement, nepotism, cronyism and rampant political interference. The Newark Public Schools were taken over by the State of New Jersey in 1995, which resulted in the state appointing the school superintendent. After many years, the schools began showing some improvements in student performance, and local control was restored in 2017. While the public schools in Newark have improved with the expansion of magnet and charter schools with several Newark high schools having graduation rates of more than 90%; many of Newark's 16 high schools have graduation rates of 70% or less. (See <https://www.usnews.com/education/best-high-schools/new-jersey/districts/the-newark-public-schools-105647>).

In spite of the influx of development in Newark, not everyone has benefitted. There is a widening disparity between the places where gleaming towers have risen and where opportunity has not yet arrived. Poverty in Newark is still well above the national average. Only 18% of people who hold jobs in Newark live there. See Rick Rojas, A Revival Comes to Newark, but Some Worry It's 'Not for Us', *The New York Times* 08/08/2017 at <https://nytimes.com/2017/08/08/nyregion/newark-revival-but-some-worry-it-s-not-for-us/>.

The unemployment rate, which reached a high of 18% in Newark in 1992, was down to 7.4% for 2017 (See <https://www.homefacts.com/unemployment/New-Jersey/Essex-County/Newark.html>) as compared with the rate in New Jersey, which ranged from 4 to 5% in 2017 or nationally, which ranged from 4.1 to 4.8% for 2017.

In 2015, Newark Mayor Ras Baraka created the city's first citizen complaint review board in response to a damning report by the U.S. Department of Justice. The board's 11 members are empowered to review police misconduct allegations and make sure that discipline is administered when it occurs. They would be able to conduct an independent investigation on cases brought before them, and to summon the officers facing the allegations to a formal hearing. The board would issue a determination as to whether an act of misconduct occurred, which will be forwarded to the city's police chief, who would issue a final decision on punishment using a so-called "discipline matrix" that creates guidelines for certain offenses and their severity. Civilian Review Boards is most other cities do not have this power. The Newark Fraternal Order of Police promptly brought the issue to the courts arguing that the board's authority undermines the Newark police department's disciplinary process. This resulted in a court injunction restricting the use of subpoena and investigatory powers by Newark's civilian police review board, drawing the ire of activists who say those powers -- long questioned by police union officials -- are necessary tools. ("Court order leaves Newark police review board toothless, activists say." *The Star*

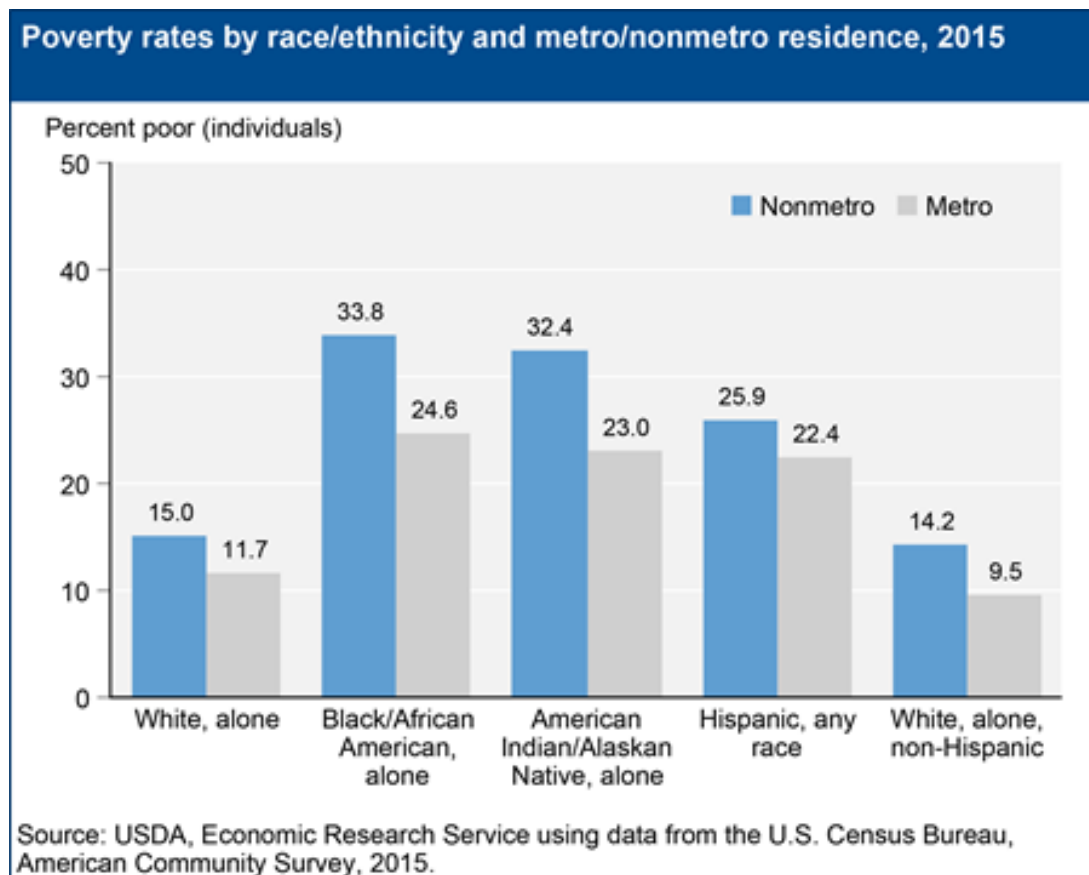


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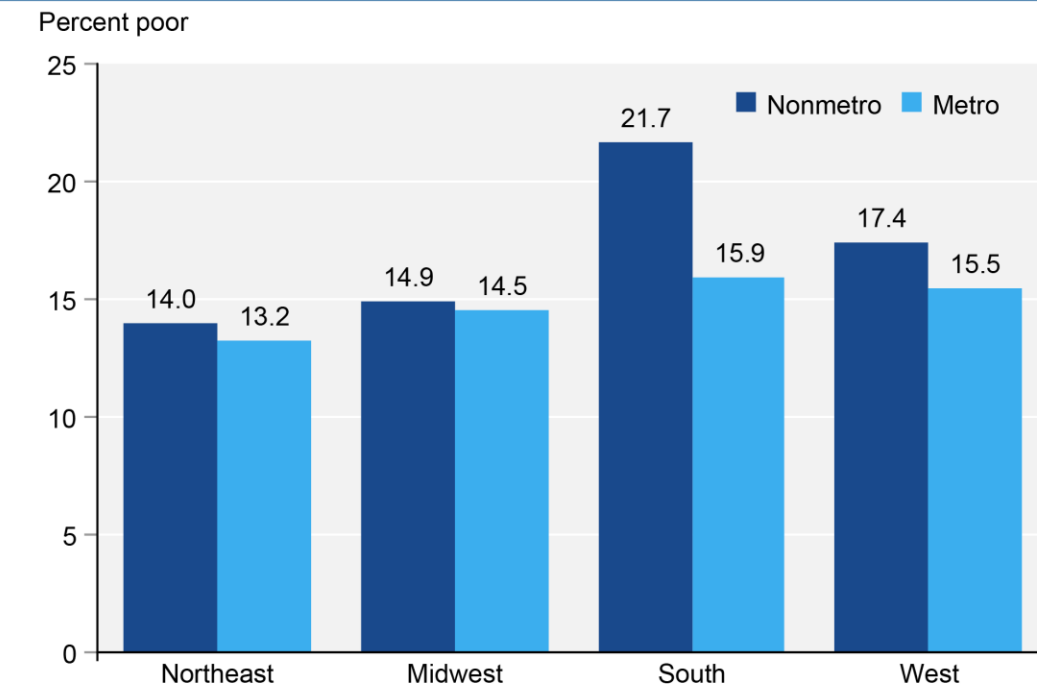
[http://www.nj.com/essex/index.ssf/2016/12/injunction\\_against\\_newark\\_police\\_review\\_board\\_prom.html](http://www.nj.com/essex/index.ssf/2016/12/injunction_against_newark_police_review_board_prom.html)).

### Continuing Poverty and Inequality in the U.S.

In 1968, 25 million people — nearly 13% of the population of the United States — were living below the poverty level, according to the Census Bureau. By 2006, this had been slightly reduced to 12% of the population. The recession in 2008-09 increased the number of those living below the poverty line to 14.3% of the U.S. population, but by 2016 this level had been reduced to 12.7%—approximately where we had been in 1968. However, the rate of poverty among African-Americans is more than twice that of whites (See chart below, “Poverty rates by race/ethnicity and metro-nonmetro residence, 2015”). Poverty is also more pronounced in the South than the northeast (See chart below, “Poverty rates by region and metro/nonmetro status, 2011-2015”). Interestingly, although the civil disturbances were all in cities in the 1960s, the poverty rate is higher in non-metropolitan areas.



### Poverty rates by region and metro/nonmetro status, 2011-2015



Source: USDA, Economic Research Service using data from U.S. Census Bureau, American Community Survey, county-level 5-year estimates 2011-15.

#### The “Black Lives Matter” Movement

The problem of police responses to confrontations with African American men has continued into the 21<sup>st</sup> century with the lack of prosecution of police officers involved resulting in civil disturbances, including protests that erupted in Ferguson, Missouri after the shooting of Michael Brown by police officers and protests in New York City after a grand jury refused to indict a police officer in the death of Eric Garner in 2014; days of protest in Baltimore after the death of Freddie Gray in 2015; protests and riots in response to the shooting of Keith Lamont Scott in Charlotte, North Carolina in 2016. These incidents have all led to the movement, “Black Lives Matter”. (See <http://www.abc.net.au/news/2016-07-14/black-lives-matter-timeline/7585856>).

The Black Lives Matters movement is the 21<sup>st</sup> century version of the civil rights movement of the 1960s. Instead of having a charismatic leaders such as the Reverend Martin Luther King, Jr. unifying and pressing the demands of African-Americans, there are many voices with varying interests.

#### **Activity 6: Assessing the success of the civil rights movement in New Jersey and nationally**

Consider the poverty charts and gather other data about how African-Americans and other minority groups in Newark are doing today. Consider whether the civil rights movement in New Jersey has attained its goals. Draw a conclusion and support it with evidence.

## Activity 7: What do you think? What would you do?

1. Class discussion or individual essay: Do you agree or disagree with Kareem Abdul-Jabbar? With Barbara Ransby? With Elizabeth Hasselback? Why or why not?
2. Class discussion or individual essay: How has the approach to gain civil rights changed since the 1960s? Do you think this approach will be more or less likely to succeed?
3. Small group activity: in groups of 3-5, create a specific agenda—a list of exactly what you think needs to be changed and how this can be achieved.

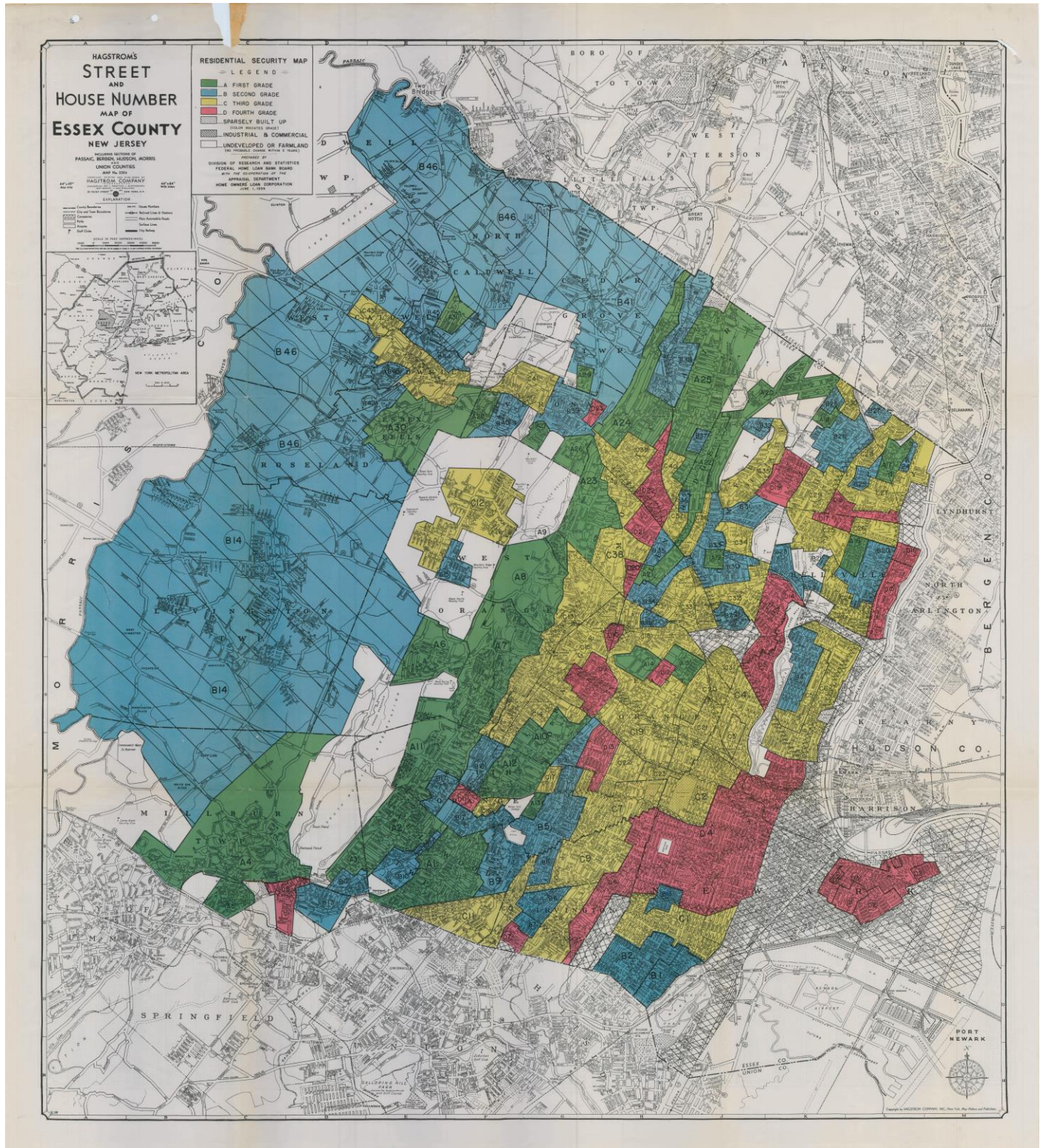
“This fist-shaking of everyone’s racial agenda distracts America from the larger issue that the targets of police overreaction are based less on skin color and more on an even worse Ebola-level affliction: being poor. Of course, to many in America, being a person of color is synonymous with being poor, and being poor is synonymous with being a criminal. Ironically, this misperception is true even among the poor. ...Worse, certain politicians and entrepreneurs conspire to keep the poor just as they are. On his HBO comedic news show *Last Week Tonight*, John Oliver ran an expose of the payday loan business and those who so callously exploit the desperation of the poor. How does an industry that extorts up to 1,900 percent interest on loans get away with it? In Texas, State Rep. Gary Elkins blocked a regulatory bill, despite the fact that he owns a chain of payday loan stores. And the politician who kept badgering Elkins about his conflict of interest, Rep. Vicki Truitt, became a lobbyist for ACE Cash Express just 17 days after leaving office. In essence, Oliver showed how the poor are lured into such a loan, only to be unable to pay it back and having to secure yet another loan. The cycle shall be unbroken. ...Multitude of millionaires and billionaires who lobby to reduce Food Stamps, give no relief to the burden of student debt on our young, and kill extensions of unemployment benefits. The middle class has to join the poor and whites have to join African-Americans in mass demonstrations, in ousting corrupt politicians, in boycotting exploitative businesses, in passing legislation that promotes economic equality and opportunity, and in punishing those who gamble with our financial future.” (“The Coming Race War Won’t be about Race,” by Kareem Abdul-Jabbar in *Time Magazine*, Aug. 17, 2014, at <http://time.com/3132635/ferguson-coming-race-war-class-warfare/>

Fox News host Elizabeth Hasselbeck asked why Black Lives Matter has not been labeled as a “hate group” on the morning show “Fox and Friends”. Rev. Jesse Lee Peterson, a civil-rights leader, [WND](http://www.wnd.com) [columnist](http://www.wnd.com) said: “Without a doubt, Black Lives Matter is a hate group,” Peterson told WND. “If a white group was encouraging violence and targeting police, they would be rightfully labeled a ‘hate group’ by the mainstream media and by far-left groups like the Southern Poverty Law Center and People For the American Way.” See <http://www.wnd.com/2015/09/black-lives-matter-under-fire-as-a-hate-group/#PpF2WquGOLByVIZz.99>

“When people on the ground make decisions, articulate problems and come up with answers, the results are more likely to meet real needs. And that’s more sustainable in the long run: People are better prepared to carry out solutions they themselves created, instead of ones handed down by national leaders unfamiliar with realities in local communities. Such local work allows people to take ownership of the political struggles that affect their lives.” (“Black Lives Matter Is Democracy in Action,” by Barbara Ransby, in *The New York Times* Opinion, Oct. 21, 2017 at <https://www.nytimes.com/2017/10/21/opinion/sunday/black-lives-matter-leadership.html>.



# Handout 1: Redlining Map Essex County, NJ HOLC-MED.jpg



## **Handout 2: Efforts by the Federal Government to Eliminate Discrimination**

### **Fourteenth Amendment, U.S. Constitution**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

### **Civil Rights Act of 1964**

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.

### **Handout 3: Report of the National Advisory Commission on Civil Disorders (The “Kerner” Commission Report) February 29, 1968**

#### **SUMMARY OF REPORT**

The summer of 1967 again brought racial disorders to American cities, and with them shock, fear and bewilderment to the nation.

The worst came during a two-week period in July, first in Newark and then in Detroit. Each set off a chain reaction in neighboring communities.

On July 28, 1967, the President of the United States established this Commission and directed us to answer three basic questions:

What happened?

Why did it happen?

What can be done to prevent it from happening again?

To respond to these questions, we have undertaken a broad range of studies and investigations. We have visited the riot cities; we have heard many witnesses; we have sought the counsel of experts across the country.

This is our basic conclusion: Our nation is moving toward two societies, one black, one white--separate and unequal.

Reaction to last summer's disorders has quickened the movement and deepened the division. Discrimination and segregation have long permeated much of American life; they now threaten the future of every American.

This deepening racial division is not inevitable. The movement apart can be reversed. Choice is still possible. Our principal task is to define that choice and to press for a national resolution.

To pursue our present course will involve the continuing polarization of the American community and, ultimately, the destruction of basic democratic values.

The alternative is not blind repression or capitulation to lawlessness. It is the realization of common opportunities for all within a single society.

This alternative will require a commitment to national action--compassionate, massive and sustained, backed by the resources of the most powerful and the richest nation on this earth. From every American it will require new attitudes, new understanding, and, above all, new will.

The vital needs of the nation must be met; hard choices must be made, and, if necessary, new taxes enacted.

Violence cannot build a better society. Disruption and disorder nourish repression, not justice. They strike at the freedom of every citizen. The community cannot--it will not--tolerate coercion and mob rule.

Violence and destruction must be ended--in the streets of the ghetto and in the lives of people. Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans.

What white Americans have never fully understood but what the Negro can never forget--is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.

It is time now to turn with all the purpose at our command to the major unfinished business of this nation. It is time to adopt strategies for action that will produce quick and visible progress. It is time to make good the promises of American democracy to all citizens-urban and rural, white and black, Spanish-surname, American Indian, and every minority group.

Our recommendations embrace three basic principles:

- \* To mount programs on a scale equal to the dimension of the problems:
- \* To aim these programs for high impact in the immediate future in order to close the gap between promise and performance;
- \* To undertake new initiatives and experiments that can change the system of failure and frustration that now dominates the ghetto and weakens our society.

These programs will require unprecedented levels of funding and performance, but they neither probe deeper nor demand more than the problems which called them forth. There can be no higher priority for national action and no higher claim on the nation's conscience.

*Source:*The Eisenhower Foundation



**Handout 4: Report for Action: An Investigation into the Causes and Events of the 1967 Newark Race Riots by New Jersey Governor's Select Commission on Civil Disorder (the Lilley or Hughes Commission) at <https://www.ncjrs.gov/pdffiles1/Digitization/69748NCJRS.pdf>**

**FINDINGS (pages 143-144)**

1. The Newark City Administration did not adequately realize the bitterness in important sectors of the Negro community over the Administration's policies and conduct in the u,edical school and Parker-Callaghan controversies. The Administration did not seem to understand that political support by large numbers of Negroes in past municipal elections was not a guarantee against disaffection and disappointment over specific issues of direct and deep interest to Negroes. This reflects a serious lack of communication between established authority and the black community, which is one of the prime ills of Newark.
2. There was virtually a complete breakdown in the relations between the police and the Negro community prior to the disorders, and there is no evidence that there has been any improvement since July. Distrust, resentment and bitterness were at a high level on both sides, and there was no evidence of any significant improvement in this vital area when the Commission ended its hearings late in 1967.
3. Pre-riot planning by the Newark Police Department was inadequate. The department did not have sufficient resources for riot control, and it had not prepared a plan of operations for coping with the possibility of large-scale disorders.
4. Those who passed out leaflets and called for a rally on the evening of Thursday, July 13, in front of the Fourth Precinct, following the night of the Smith arrest, showed poor judgment. In the light of the high state of tension in the community, a rally was far more likely to lead to disorder than to nonviolent protest.
5. The Administration of the City of Newark was too hesitant to request State Police assistance, despite the views of high officers in the Newark Police Department that such aid was needed. Had aid been requested earlier, the rioting might have been contained more quickly and effectively.
6. Once assistance was requested, the State responded promptly and with adequate forces. However, due to the absence of an adequate plan for the control of disorders setting forth the command structure among the various law enforcement elements, delays and other problems arose that inhibited the effectiveness of the overall effort.
7. The inability of the various police forces to broadcast over one another's radio frequencies created major communications problems. The absence of a single radio communications channel for all police forces hampered the performance of all riot-control elements.
8. The amount of ammunition expended by police forces was out of all proportion LO the mission assigned to them. All police forces lacked an adequate system of ammunition control. No proper procedures had been established for dispensing and accounting for the expenditure of ammunition. The use of personal weapons by members of the Newark Police Department created special problems in this area and should be condemned.
9. The technique of employing heavy return fire at suspected sniper locations proved tragic and costly. 10. The heavy firing by police elements against suspected snipers makes it difficult to determine the extensiveness of sniping. There may have been some organized sniping activity once the riot had reached its Friday peak.



11. There is evidence of prejudice against Negroes during the riot on the part of various police and National Guard elements. This resulted in the use of excessive and unjustified force and other abuses against Negro citizens.

12. The damage caused within a few hours early Sunday morning, July 16, to a large number of stores marked with "Soul" signs to depict non-white ownership and located in 143 a limited area reflects a pattern of police action for which there is no possible justification. Testimony strongly suggests that State Police elements were mainly responsible with some participation by National Guardsmen. These raids resulted in personal suffering and economic damage to innocent small businessmen and property owners who have a stake in law and order and who had not participated in any unlawful act. It embittered the Negro community as a whole at a time when the disorders had begun to ebb.

13. The evidence presented to the Commission does not support the thesis of a "conspiracy" or plan to initiate the Newark riot.

## RECOMMENDATIONS (pages 162-175 )

### A. Urban Problems: POLITICAL

I. The resources of Newark and urban centers of the State are no longer adequate to cope with the current crises that afflict them. Therefore, the administration and financing of certain basic services, such as the police, should be consolidated throughout Essex County. Financial incentives should be provided which are designed to encourage consolidation of services as speedily as possible. However, such financial and administrative consolidation should in no way conflict with effective delivery of service and community involvement at the neighborhood level. Some Commissioners, while they approve this recommendation, believe that it falls short of what is required in the present circumstances. They believe that the very structure of municipal government in New Jersey, with revenue raising, zoning and planning functions fragmented among 567 municipalities and 578 school districts, is the largest contributing factor to the urban problems outlined in this report. They believe that the power of local municipalities to adopt restrictive land use patterns, which exclude lower income people while attracting industrial and commercial rates, contributes substantially not only to the inability of the older cities to finance essential services, but also to the steady increase of segregated urban housing and education. In their view consolidation of municipalities and school districts, and regionalized zoning and planning are the essential first steps toward any permanent relief of these parallel sources of urban tension. They fear that if legislative action is not taken to break down the legally condoned barriers which have largely confined the Negro to the older cities these centers of segregation will, despite well intentioned remedial action, become increasingly ungovernable. They recommend legislation, granting State financial incentives to encourage consolidation of municipalities and school districts, and requiring regional zoning and planning are the essential first steps toward any permanent relief of these parallel sources of urban tension. They fear that if legislative action is not taken to break down the legally condoned barriers which have largely confined the Negro to the older cities these centers of segregation will, despite well intentioned remedial action, become increasingly ungovernable. They recommend legislation, granting State financial incentives to encourage consolidation of municipalities and school districts, and requiring regional control over zoning and planning. Some Commissioners feel that many municipalities which are now seeking to build new sources

of strength and vitality will be deprived of their ability to do so through political consolidation. Therefore, they advocate consolidation of services as a practical and realizable step at this time.

II. To help relieve the feeling of Negro powerlessness, both political parties should support the emergence of more Negro candidates and should encourage active participation of Negroes of all economic levels in the political process. In any reorganization of the governmental structure, care should be taken to achieve districting with a make-up that will provide opportunity for adequate Negro representation. Efforts to reapportion or redistrict should avoid gerrymandering that favors whites, and districts should so be arranged as to give areas with a heavy nonwhite population an opportunity to be responsively represented.

III. The Commission "recommends that a special grand jury be called to investigate allegations of corruption in Newark."

There were also extensive, specific recommendations regarding police-community relations, the municipal court, economics, housing, employment, public schools, welfare and antipoverty programs.

## **Handout 5: Federal Government Efforts to End Discrimination in Housing**

### **Fair Housing Act** (Title VIII of the Civil Rights Act of 1968)

Prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin.

### **Community Reinvestment Act of 1977** (12 U.S.C. 2901)

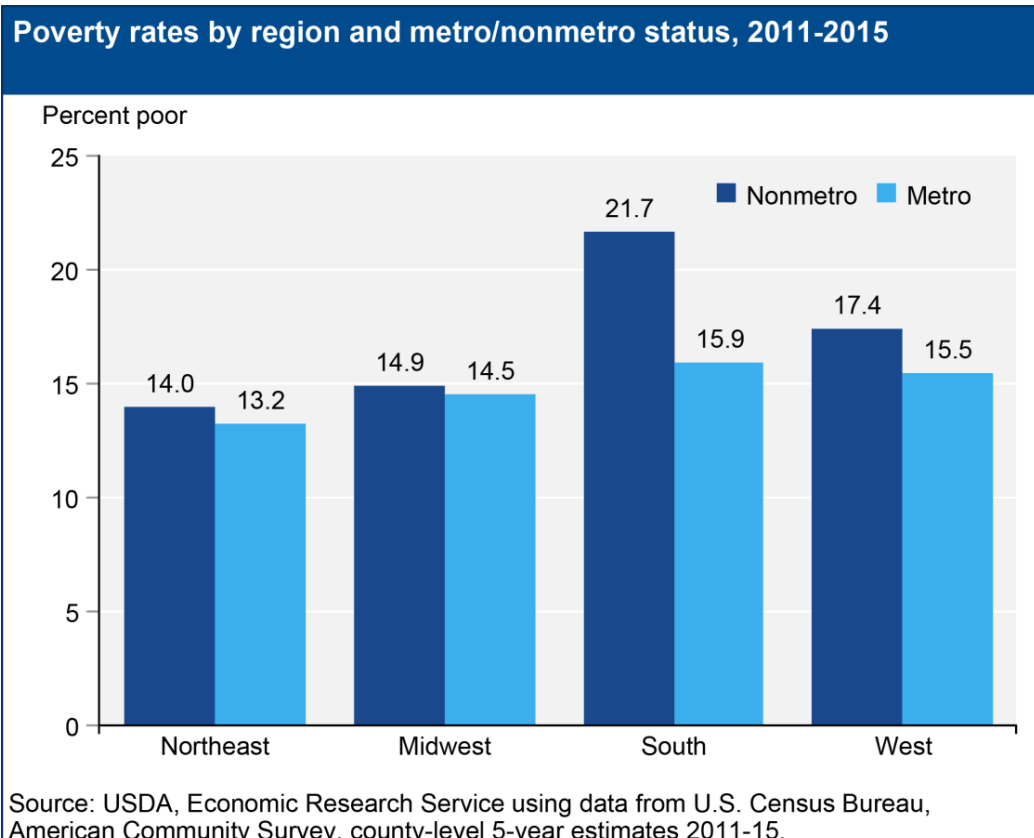
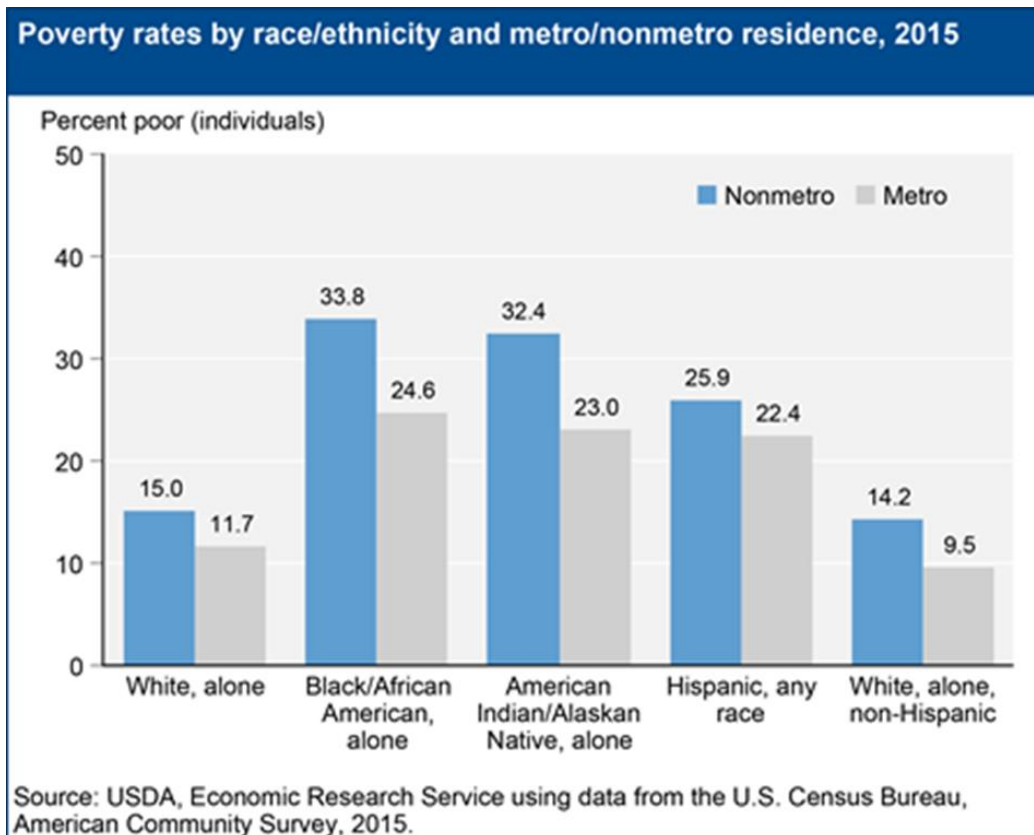
Intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods, consistent with safe and sound operations. Requires that each depository institution's record in helping meet the credit needs of its entire community be evaluated by the appropriate Federal financial supervisory agency periodically. Members of the public may submit comments on a bank's performance, which will be taken into consideration during the next CRA examination. A bank's CRA performance record is taken into account in considering an institution's application for deposit facilities. The regulation was substantially revised in May 1995 and updated again in August 2005.

## **Handout 6: State Efforts to Reduce Discrimination**

The New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status.

The Law Against Discrimination, first enacted in 1945 and updated through 2007, prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts.

## Handout 7: Poverty rates, 2015



## Handout 8: Readings, Drawing Conclusions, Taking Action

"This fist-shaking of everyone's racial agenda distracts America from the larger issue that the targets of police overreaction are based less on skin color and more on an even worse Ebola-level affliction: being poor. Of course, to many in America, being a person of color is synonymous with being poor, and being poor is synonymous with being a criminal. Ironically, this misperception is true even among the poor. ...Worse, certain politicians and entrepreneurs conspire to keep the poor just as they are. On his HBO comedic news show *Last Week Tonight*, John Oliver ran an expose of the payday loan business and those who so callously exploit the desperation of the poor. How does an industry that extorts up to 1,900 percent interest on loans get away with it? In Texas, State Rep. Gary Elkins blocked a regulatory bill, despite the fact that he owns a chain of payday loan stores. And the politician who kept badgering Elkins about his conflict of interest, Rep. Vicki Truitt, became a lobbyist for ACE Cash Express just 17 days after leaving office. In essence, Oliver showed how the poor are lured into such a loan, only to be unable to pay it back and having to secure yet another loan. The cycle shall be unbroken. ...Multitude of millionaires and billionaires who lobby to reduce Food Stamps, give no relief to the burden of student debt on our young, and kill extensions of unemployment benefits. The middle class has to join the poor and whites have to join African-Americans in mass demonstrations, in ousting corrupt politicians, in boycotting exploitative businesses, in passing legislation that promotes economic equality and opportunity, and in punishing those who gamble with our financial future." ("The Coming Race War Won't be about Race," by Kareem Abdul-Jabbar in *Time Magazine*, Aug. 17, 2014, at <http://time.com/3132635/ferguson-coming-race-war-class-warfare/>

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1. Do you agree or disagree with Kareem Abdul-Jabbar? With Barbara Ransby? With Elizabeth Hasselbeck? Why or why not?
2. How has the approach to gain civil rights changed since the 1960s? Do you think this approach will be more or less likely to succeed?
3. In small groups of 3-5, create a specific agenda—a list of exactly what you think needs to be changed and how this can be achieved.