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## Selected Key Events in Equal Opportunity: The American Experience in Perspective

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# SELECTED KEY EVENTS IN EQUAL OPPORTUNITY

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## The American Experience in Perspective

Professor Mark J. Eitelberg  
Naval Postgraduate School  
Monterey, California  
July 2016

# DECLARATION OF INDEPENDENCE (1776)

- ***“All men are created equal”***
  - Attributed to Thomas Jefferson
  - Founding Fathers who were slave-owners include:
    - Thomas Jefferson (fathered as many as six children by Sally Hemings, a slave and half-sister of Jefferson’s wife, Martha; at some points, he was one of the largest slave-owners in Virginia)
    - Patrick Henry (owned 67 slaves at the time of his death in 1799)
    - James Madison (grew up in a slave-owning family and owned slaves himself)
    - George Washington (over 300 slaves on the Washington plantation; “Venus” said to be his favorite; notorious visits to slave quarters before presidency)
    - Benjamin Franklin (but later started the Philadelphia Anti-Slavery Society)
    - George Mason (but found slavery “distasteful”)
  - John Adams, Sam Adams, Hamilton, Paine, and some others did not own slaves

# SLAVERY AT JEFFERSON'S MONTICELLO

## PARADOX OF LIBERTY

JANUARY 27 - OCTOBER 14, 2012

Smithsonian National Museum of American History

National Mall, Washington D.C. • Metro: Smithsonian • Open daily, free admission

Using objects from museum collections and archaeological excavations, this landmark exhibition examines slavery through the lens of Jefferson's plantation and the experiences of six families living at Monticello.

OPENING FEBRUARY 17, 2012

Landscape of Slavery: Mulberry Row at Monticello

Monticello • Charlottesville, Virginia • Open daily

For more information, visit [www.monticello.org/paradox](http://www.monticello.org/paradox)

 Smithsonian  
National Museum of African American  
History and Culture

 MONTICELLO



Although Thomas Jefferson drafted the Declaration of Independence, calling slavery “an abominable crime,” he was also a lifelong slaveholder. By the time the U.S. Constitution was ratified, the practice was still believed to be an economic necessity for the agricultural industry in the South, and nearly *one-third* of the population of the new nation was enslaved.



George Washington, shown here in an 1853 lithograph, oversees his smiling, contented slaves at Mount Vernon.  
(Smithsonian Institution)

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**THIRTY DOLLARS REWARD:**

**R**UN-AWAY from the Subscriber, the  
16th of September last, a Negro Man named BOOD,  
about 38 Years old, 5 Feet 10 Inches high, yellow Com-  
plexion, thin Visage, has had the Small Pox; his great  
Toes have been froze, and have only little Pieces of Nails  
on them: He is much addicted to strong Liquor, and  
when drunk very noisy and troublesome. Whoever takes  
up said Slave, and brings him home, or secures him in  
Gaol, so that his Master may get him again, shall be  
intitled to the above Reward of **THIRTY DOLLARS**, paid  
by **WILSON HUNT.**

Any Person who takes up said Negro, is cautioned to  
be particularly careful that he does not make his Escape,  
as he is a remarkable stout, cunning, artful Fellow.

*Hunterdon-County,*  
*Maidenhead, December 20, 1766. }*

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# U.S. BILL OF RIGHTS (1791)

- Collective Name for the *First Ten Amendments* to the U.S. Constitution
  - First: Religion, Speech, Press, Assembly, Petition
  - Second: Right to Bear Arms
  - Third: Quartering of Troops
  - Fourth: Search & Seizure
  - Fifth: Grand Jury, Double Jeopardy, Self-Incrimination; Due Process
  - Sixth: Criminal Prosecutions (Jury Trial, Right to Confront & Have Counsel)
  - Seventh: Common Law Suits (Jury Trial)
  - Eighth: Excess Fines, Cruel and Unusual Punishment
  - Ninth: Non-Enumerated Rights
  - Tenth: Rights Reserved to States or People

# EMANCIPATION PROCLAMATION (1863)

- *“And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.”*







Slave trader's store for auctions and sales, Atlanta, Georgia, 1864

# FOURTEENTH AMENDMENT (1868)

- No state can “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.”
- Primary purpose was to define the details to reintegrate the South after the Civil War and to establish rights for freed slaves.
- Gradually, the Supreme Court interpreted the amendment to mean that the guarantees of the Bill of Rights apply to the states as well as to the national government.
- One of the most litigated parts of the U.S. Constitution.
- Overruled *Dred Scott v. Sandford*, when the U.S. Supreme Court held that blacks, regardless of status, free or slave, could not be citizens of the United States. In that ruling, Chief Justice Taney found: the “all men are created equal” statement in the Declaration of Independence “is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration. . . .”

# THE CONSTITUTIONAL AMENDMENT!

**GEARY**  
Is for Negro Suffrage.

**STEVENS**  
Advocates it.

**FORNEY**  
Howls for it.

**McCLURE**  
Speaks for it.

**CAMERON**  
Wants it.

**The LEAGUE**  
Sustains it.

There are no other men who would

**The Negro the Equal**

OF THE FREE WHITE MAN

and there are no other men



## The BLACK Roll

MEMBERS FOR CONGRESS  
WHO PEPPEK OVER THIS BILL.

THAD. STEVENS  
WM. D. KELLEY  
CHAS. O'NEILL  
LEONARD MYERS  
JNO. W. BROOMALL  
GEORGE F. MILLER  
STEPHEN F. WILSON  
OLYSSES MENCHIE  
GEO. V. LAWRENCE  
GLENN W. SCHOFIELD  
J. K. MOORHEAD  
THOMAS WILLIAMS

**THE RADICAL PLATFORM--"NEGRO SUFFRAGE THE ONLY ISSUE!"**

Every man who votes for Geary or for a Radical Candidate for Congress, votes as surely for Negro Suffrage and Negro Equality, as if they were printed on his ballot.

A political broadside shows African Americans fighting through crowds of whites to gain entrance to a polling booth.

# NINETEENTH AMENDMENT (1920)

- *“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”*
- States are allowed to determine qualifications for voting
- In the early 1900s, most states did not allow women to vote
- Only one woman during the colonial era is known to have voted (in town meetings in Massachusetts)
- President Wilson was a major opponent of national enfranchisement for women. He changed his position during World War I, which was said to be a “war for democracy.”

**WOMAN SUFFRAGE  
HEADQUARTERS.**

**MEN OF OHIO!**

**GIVE THE WOMEN A SQUARE DEAL  
Vote For Amendment N<sup>o</sup> 23 On September 3-1912.**

**COME IN AND LEARN  
WHY WOMEN  
OUGHT to Vote.**



“For casting a vote in the presidential election held on November 5, 1872, in Rochester, New York, **Susan B. Anthony** was arrested on November 18 and pled not guilty, asserting that the 14th amendment entitled her to vote because, unlike the original Constitution, it provides that all "persons" (which includes females) born in the U.S. are "citizens" who shall not be denied the "privileges" of citizenship (which includes voting).

However, her defense was all for naught. The judge, Supreme Court Associate Justice Ward Hunt, explicitly instructed the jury to deliver a guilty verdict, refused to poll the jury, delivered an opinion he had written before trial had even begun, and on June 18, 1873, sentenced her to pay a \$100 fine. Anthony responded: ‘May it please your honor, I will never pay a dollar of your unjust penalty.’

She never did pay the fine, and the government never pursued her for non-payment.”





## The "Golden Thirteen"

First African-American  
US Navy Officers:  
Twelve Ensigns and  
One Warrant Officer,  
March 1944

BEFORE THE AIR FORCE SHATTERED  
THE SOUND BARRIER,  
THESE AIRMEN SHATTERED  
THE RACE BARRIER.



## THE TUSKEGEE AIRMEN

Major James A. Ellison returns the salute of Mac Ross, as he reviews the first class of Tuskegee cadets; flight line at U.S. Army Air Corps basic and advanced flying school, with Vultee BT-13 trainers in the background, Tuskegee, Alabama, 1941



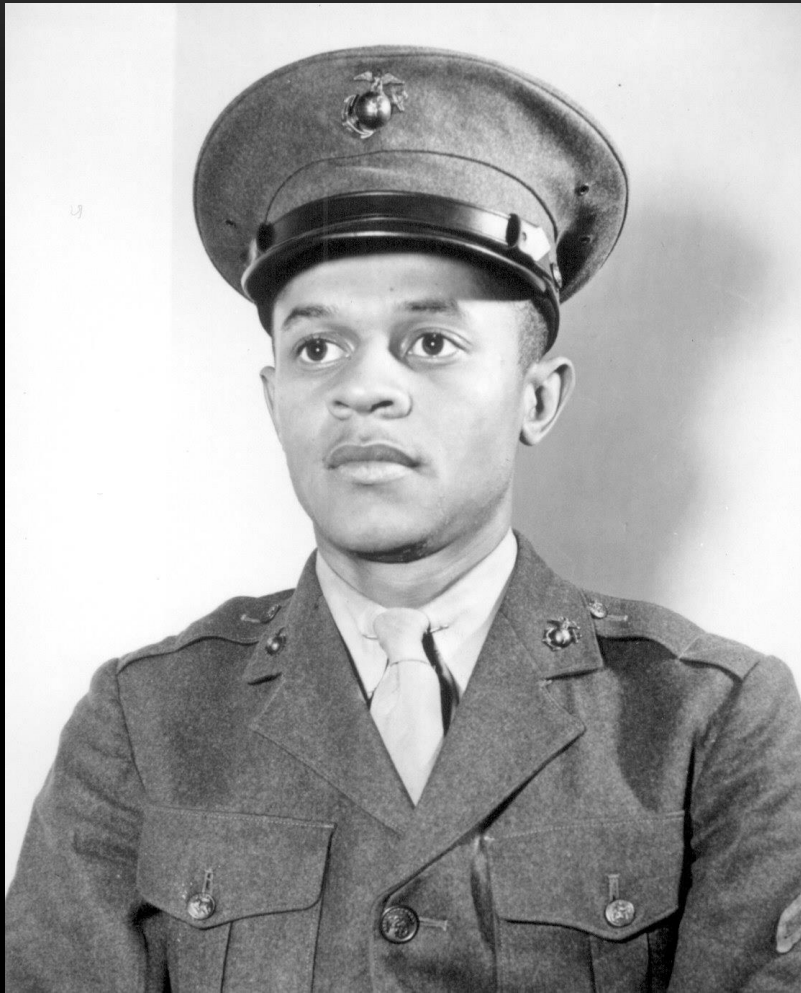
## The Important Contributions of Three Women



**Mary McLeod Bethune**, head of the “Negro Section” of the National Youth Administration, was instrumental in influencing creation of the pilot training program at Tuskegee Institute. She was the only female member of President Roosevelt’s “black cabinet” and a friend of Eleanor Roosevelt.

**Eleanor Roosevelt** worked to expand the pilot-training program at Tuskegee Institute. In March 1941, in a highly-publicized visit to Tuskegee, she famously asked the Chief Flight Instructor to take her on an hour-long flight. She lobbied her husband to integrate US aviation forces.

**Willa Beatrice Brown** was one of two women in the all-black Challenger Air Pilots Association. She became the first African-American woman to be commissioned in the US Civil Air Patrol. Her active role in integrating US aviation forces was highly influential.



NEWSPAPER CAPTION:

"Breaking a tradition of 167 years, the U.S. Marine Corps started enlisting Negroes on **June 1, 1942**. The first class of 1,200 Negro volunteers began their training 3 months later as members of the 51st Composite Defense Battalion at Montford Point, a section of the 200-square-mile Marine Base, Camp Lejeune, at New River, NC. The first Negro to enlist was **Howard P. Perry** shown here." N.d., Roger Smith. 208-NP-10KK-1.



NEWSPAPER CAPTION:  
"The first Negro to be  
commissioned in the Marine  
Corps has his second lieutenant's  
bars pinned on by his wife. He is  
Frederick C. Branch of Charlotte,  
NC." November 1945. 127-N-  
500043.

# EXECUTIVE ORDER 9981 (1948)

- “It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.”
- Initiated racial integration of the U.S. Armed Forces. Considerable resistance from the military was handled by the President’s Committee on Equality of Treatment and Opportunity in the Armed Forces (“Fahy Committee”).
- The Army became the last Service to fully integrate in 1954.

**EXTRA** — By Executive Order

# PRESIDENT TRUMAN WIPES OUT SEGREGATION IN ARMED FORCES

## 2nd Order Sets Up FEPC In All Government Jobs

In a dramatic and historic move, unprecedented since the time of Lincoln, President Harry Truman issued Monday afternoon two executive orders which doom forever Jim Crowism in the Armed forces of the United States and guarantee equal job opportunities in the Federal government, and all of its branches.

### Executive Order No. 1

Establishing President's Committee on Equality of Treatment and Opportunity in the Armed Services.

Whereas it is essential that there be maintained in the Armed Services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense;

Now, therefore, by virtue of the authority vested in me as President of the United States, by the Constitution and the Statutes of the United States and as Commander in Chief of the Armed Services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons

not except by race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.

2. There shall be created in the national military establishment an Advisory Committee to be known as the "President's Committee on Equality of Treatment and Opportunity in the Armed Services," which shall be composed of 7 members to be designated by the President.

3. This Committee is authorized on behalf of the President to examine into the policy, practices

services in order to determine to what extent such race, color, religion, and national origin are observed with a view thereto. WIPES OUT. Page 1

SAVE  
This  
PAPER  
It Marks  
HISTORY

NATIONAL  
Edition

Chicago Defender  
A WORLD'S GREATEST WEEKLY

10¢ PAY  
NO MORE

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CHICAGO, ILL., SATURDAY, JULY 31, 1949

★★★ THE ALIVE SCIMITER

## Under 'States' Rights'



# WOMEN'S ARMED SERVICES INTEGRATION ACT (1948)



The Women's Armed Services Integration Act of 1948, signed into law by President Harry Truman on June 12, 1948, gave women permanent status in the Army, Navy, Air Force, and Marine Corps.

The Act also placed a two-percent ceiling on the number of women in each of the services, restricted promotions to one full colonel or Navy captain as Chief of the Nurse Corps and/or Service Director, and limited the number of female officers who could serve as lieutenant colonels or Navy commanders. The law also granted the service Secretaries authority to discharge women without specified cause and restricted women from flying aircraft engaged in combat and from being assigned to ships engaged in combat.\*

From:  
<http://www.womensmemorial.org/Education/WHM982.html>

\*Note: Public Law 90-130 (1967) lifted the two-percent ceiling and quotas on officer promotions, opening more positions to women. However, the Act did not have an immediate impact on women's participation, as it remained below two percent.

# BROWN V. BOARD OF EDUCATION (1954)

- “We conclude that, in the field of public education, the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.”

Late News

Associated Press  
Leased Wires



**The Bee**

FOR ALL DEPARTMENTS CALL  
**4500**

56th Year
ESTABLISHED FEBRUARY 1888  
NO. 12,348
Danville, Va., Monday Afternoon, May 17, 1954
Price FIVE CENTS

# SEGREGATION IN PUBLIC SCHOOLS ENDED BY COURT

**Suit Being Tried**  
ALEXANDRIA, Va. (AP)—A suit by John Smith Green to force the recognition as a Democratic candidate for Congress went to trial before a three-judge federal court here today. Green, a Republican when he held office as Arlington County treasurer, brought the suit against Virginia's 11th District Democratic Committee after it refused to accept him as a party candidate for the forthcoming congressional election.

**Funds Requested**  
WASHINGTON (AP)—President Eisenhower asked Congress today for an extra \$24,176,000 to help areas overbuilt by federal workers or workers on federal projects with school construction.

The request, in a letter to Speaker of the House Martin, is for funds for the next fiscal year beginning July 1. The extra money is in addition to 49 million dollars already in their budget for the same purpose for the fiscal year ahead.

**Considering Violations**  
WASHINGTON (AP)—Att. Gen. Brownell said officially today the Justice Department is considering "possibly" violation of the national law in the preparation and dissemination of a document Sen. McCarthy presented May 4 in the McCarthy-Army hearings.

Brownell made the disclosure today that as part of the document should be declassified from the confidential category.

**Strike Called**

**Ruled Unconstitutional By Supreme Court; Date To End Practice Not Set**

**Rules Separate Facilities Are Unequal**

**Danville School Board Will Meet At Once To Study Court Decision**

**Officials Give Views On Matter; Call For Calm Study On All Sides**

**Good Progress**

**Firm Entered, Haul Is Made; Boy Wounded**

**Man Accidentally Shot In The Hand**

A breaking and entering and an accidental shooting topped occurrences claiming police attention over the week-end.

Charles Rose, an Riverside Drive was broken into by way of a rear window and a small quantity of cigarettes, cigars, candy and chewing gum taken. The discovery was made during a routine check by Const. Curtis Fuchs shortly after last midnight. Patrolmen J. M. Walton and J. B. Gardner conducted the initial investigation and this morning turned the case over to the detective division.

**Paroled Slayer Captured After Bizarre Deaths**

**Held For Four Brutal Killings**

McULTIE, Ga. (AP)—Capture of a paroled Georgia convict wanted in connection with four brutal slayings ended three days of fear today and brought slight relief to this South Georgia community.

Tom Williams, a 45-year-old slayer, was taken on the edge of a swamp east of the town last night. Lt. W. E. McMillin of the Georgia Bureau of Investigation made the capture. He hurried Williams off to his auto-

**McCarthy-Army Hearings' Future Thrown In Doubt**

**Presidential Order Shutting Off Inquiry Denounced By Sen. McCarthy**

WASHINGTON (AP)—The future of the McCarthy-Army hearings was thrown in doubt today by a presidential order—denounced by Sen. McCarthy as an "iron curtain"—shutting off inquiry into whether "higher-ups" directed the charges against the senator.

The Senate investigations subcommittee recessed its public hearings at 11:55 a. m. (EDT) to consider in closed session what stand it might take on Eisenhower's order.

McCarthy, claiming that "this cover up" made it impossible to get at the truth, declined to say, when asked by

# CIVIL RIGHTS ACT OF 1964

- Called the “Bill of the Century”
- “The law revolutionized a country where blacks and whites could not eat together in public restaurants under Jim Crow laws, or stay at the same hotel. It outlawed discrimination in public places and facilities and banned discrimination based on race, gender, religion or national origin by employers and government agencies. It also encouraged the desegregation of public schools.”





# LOVING V. VIRGINIA (1967)

- *“Marriage is one of the “basic civil rights of man,” fundamental to our very existence and survival.... To deny this fundamental freedom on so unsupportable a basis as the racial classifications embodied in these statutes, classifications so directly subversive of the principle of equality at the heart of the Fourteenth Amendment, is surely to deprive all the State's citizens of liberty without due process of law. The Fourteenth Amendment requires that the freedom of choice to marry not be restricted by invidious racial discrimination. Under our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual and cannot be infringed by the State.”*
- This decision of the U.S. Supreme Court invalidated laws prohibiting interracial marriage. Mildred (a black woman) & Richard Loving (a white man) were originally found to have violated Virginia's anti-miscegenation statute, the “Racial Integrity Act of 1924.”
- Alabama became the last state to remove provisions in its state constitution against interracial marriage. In a 2000 ballot initiative, 40% of Alabama voters wanted to keep the provision in the state constitution.



# REPEAL OF “DON’T ASK, DON’T TELL” (2010/2011)

- “Don’t Ask, Don’t Tell” is the informal and abbreviated name for a policy (and law) that protected closeted homosexuals in the military from “witch hunts” and harassment while also banning homosexuals from serving openly. It took effect in February 1994 and lasted until September 2011, having been repealed by Congress in December 2010.
- From 1994-2010, the U.S. military discharged nearly 14,000 personnel under DADT. This number is based on official documentation regarding causes of separation from service; the actual number is likely higher due to data limitations and reporting by the Military Services.
- A study published one year after the repeal concluded that the transition had no adverse consequences on military effectiveness or readiness. The study included surveys of generals and admirals who had opposed repeal, authorities who supported the policy, as well as homosexual and bisexual service members.
- In late 2011, Marine Corps General James Amos stated that his previous opposition to repealing DADT was proper at the time but has since been proven unfounded. According to General Amos, implementation of the repeal proceeded smoothly and was a “non-event.”



© AP Images

# “VALOR KNOWS NO GENDER” (2013)

- In January 2013, the U.S. Secretary of Defense removed the military’s ban on women in combat, overturning a 1994 rule prohibiting women from serving in certain ground combat units (e.g., artillery, infantry, and armor).
- “Declaring that it would strengthen both the military and the country, Defense Secretary Leon Panetta . . . lifted a ban on women in combat and said that it was ‘the responsibility of every citizen to protect the nation.’” “If they can meet the qualifications for the job,” he said, “then they should have the right to serve . . . They serve, they’re wounded, and they die right next to each other . . . The time has come to recognize that reality.”
- “The deaths of more than 150 American military women in Iraq and Afghanistan, the president said, demonstrate that ‘valor knows no gender.’ Another 1,000 women have been wounded in the nation’s two most recent wars.”
- Complete implementation is required by January 2016.

**WOMEN ARE ALREADY  
IN THE LINE OF FIRE.**

**THE BAN ON COMBAT  
ROLES JUST KEEPS  
THEM OUT OF THE  
LINE OF PROMOTION.**



Please sign the petition at  
[www.change.org/petitions/lift-the-ban-on-women-in-combat-arms-3](http://www.change.org/petitions/lift-the-ban-on-women-in-combat-arms-3)

S&K



THE PENTAGON IS  
READY TO SEND  
WOMEN INTO COMBAT.  
DO YOU CALL THAT  
PROGRESS?

I CALL  
THAT  
THE LAST  
10 YEARS.





Mark J. Eitelberg, Professor of Public Policy at the Naval Postgraduate School, Monterey, California, prepared this presentation for *in-classroom use only*. It contains original material; it may also contain quoted or paraphrased text, extracts, and visual aids drawn from various sources available openly online.

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