

SECTION TWO

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Timeline of Selected Cases and Events

Equal Justice Under Law

Words above the entrance to the U.S. Supreme Court

- 1607 Jamestown Colony founded in Powhatan Indian territory of Virginia.
- 1619 Twenty Africans arrive by ship to Jamestown Colony.
- 1619 Virginia's House of Burgesses, America's first legislative body, holds its first meeting.
- 1620 The *Mayflower* lands.
- 1712 Slave revolt in New York City.
- 1739 Slave revolt in South Carolina.
- 1741 Slaves accused of conspiracy in New York City are tortured and murdered.
- 1772 *Somerset v. Steuart*. British High Court decides slavery issue.
- 1776 Declaration of Independence. America's Revolutionary War begins.
- 1783 *Commonwealth v. Jennison*. Massachusetts outlaws slavery.
- 1789 U.S. Constitution ratified. Art. III creates U.S. Supreme Court. Art. IV contains the Fugitive Slave Act.

- 1793 Fugitive Slave Act.
- 1808 Importation of slaves illegal.
- 1829 *Appeal to the Colored Citizens of the World* published by David Walker.
- 1830 Congress passes the Indian Removal Act forcing Native Americans from their land.
- 1831 Nat Turner leads slave rebellion.
- 1831 *Cherokee Nation v. Georgia*. Court cannot hear cases against Native Americans.
- 1832 *Worcester v. Georgia*. Court rules only federal government can decide what Native Americans can do with their land.
- 1836 *Rachael, a woman of color v. Walker*. Slave taken to live in free territory is free.
- 1838–9 Trail of Tears. Native Americans forced to walk from Georgia to Oklahoma territory.
- 1841 *U.S. v. Libellants and Claimants of The Amistad*. Supreme Court rules Cinque and others aboard *The Amistad* are not property.
- 1842 *Prigg v. Pennsylvania*. Fugitive Slave Act upheld.
- 1849 *Boston v. Roberts*. Blacks challenge racially segregated schools.
- 1850 Fugitive Slave Act. More restrictive slave provisions further divide the nation.
- 1854 *People v. Hall*. Court upholds California statute prohibiting Chinese and Blacks from testifying against any White person, reversing Hall's conviction for the murder of Ling Sing.
- 1857 *Dred Scott v. Sandford*. Court denies Blacks U.S. citizenship.
- 1858 *Bailey v. Poindexter*. Virginia court decides Blacks lack free will to make choices of any kind.
- 1861 The Civil War begins.
- 1863 President Lincoln delivers Emancipation Proclamation speech freeing slaves in the South.
- 1863 Poor Whites in New York City murder Blacks during riots against the National Conscription Act.
- 1863 Bureau of Colored Troops is created.
- 1865 Civil War ends.

- 1865 Thirteenth Amendment abolishes slavery, except as punishment for a crime.
- 1865 President Lincoln is assassinated.
- 1866 Reconstruction era begins.
- 1866 Civil Rights Act of 1866 passed.
- 1866 Ku Klux Klan founded.
- 1868 Fourteenth Amendment gives Blacks full citizenship, equal protection, due process, privileges and immunities.
- 1870 Fifteenth Amendment grants Black males suffrage.
- 1870 U.S. Congress enacts Civil Rights Act (Enforcement Act of 1870) to protect the rights of Blacks.
- 1871 Whites attack Chinese in Los Angeles race riot.
- 1872 *Slaughterhouse* cases. Restrictions on application of Thirteenth and Fourteenth Amendments.
- 1872 *Blyew v. U.S.* Black witness prohibited from testifying against Whites who murdered her family.
- 1873 Nearly 300 Blacks are murdered during the Colfax Massacre following a contested election in Colfax, Louisiana.
- 1875 *United States v. Cruikshank*. White defendants convicted in the Colfax Massacre released. Enforcement Act of 1870 does not apply to private acts of racism.
- 1876 *U.S. v. Reese*. Court rules Civil Rights Act of 1870 cannot punish judges of election who exclude Black voters. Convictions of judges overturned.
- 1876 Battle of Little Big Horn. The last great armed effort by Native Americans, against the U.S. Army, to defend their way of life, resulting in deaths of 263 soldiers, including Lt. Col. George Custer.
- 1880 *Strauder v. W. Va.* Criminal jury restricted to Whites violates Constitution.
- 1882 Chinese Exclusion Act. Congress passes law restricting the freedoms of the Chinese in America.
- 1883 *Civil Rights Cases*. Court limits application of Civil Rights Act to federal cases.
- 1883 *Pace v. Alabama*. Interracial couple can receive harsher punishment under law than Whites.
- 1884 Blacks attacked in Cincinnati, Ohio, race riot.

- 1886 *Yick Wo v. Hopkins*. Court rules racial bias in enforcement of statute violates rights of Chinese.
- 1889 Ida B. Wells-Barnett organizes Anti-Lynching Bureau.
- 1890 Battle of Wounded Knee. Over 100 Native American men, women, and children are killed by White federal troops in South Dakota.
- 1896 *Plessy v. Ferguson*. Court rules states can legally separate the races in social situations.
- 1898 Spanish-American War begins.
- 1898 Wilmington, North Carolina, race riot takes place.
- 1900 First Pan-African Conference is held.
- 1900 Race riots in New York and New Orleans occur.
- 1905 Niagara, Canada, is site of interracial strategy meeting led by W. E. B. DuBois to plan challenge to *Plessy v. Ferguson*.
- 1906 During the Brownsville Incident, Black soldiers of 25th Infantry Regiment defend themselves against White mobs. The soldiers are later dishonorably discharged.
- 1908 *Berea College v. Kentucky*. Court rules private college violated state law by educating Black and White students.
- 1909 *U.S. v. Shipp*. Black suspect is lynched in defiance of Supreme Court order.
- 1909 NAACP is founded.
- 1910 After Black boxer Jack Johnson defeats Jim Jeffries, Whites attack Blacks across America.
- 1914 Marcus Garvey founds the Universal Negro Improvement and Conservation Association and African Communities League.
- 1915 *Myers v. Anderson*. "Grandfather" voting clause is struck down.
- 1917 World War I begins.
- 1917 Race riots erupt in East St. Louis, Illinois; Philadelphia and Chester, Pennsylvania; and Houston, Texas, as Whites retaliate against Black progress. Black servicemen are the primary targets.
- 1917 *Buchanan v. Warley*. State's racial zoning violates Constitution.

- 1919 The Red Summer. Whites attack Blacks during 26 race riots across America.
- 1919 NAACP publishes *Thirty Years of Lynching in the United States: 1889-1918*.
- 1920 Nineteenth Amendment grants women the right to vote.
- 1921 Tulsa, Oklahoma, race riot occurs. Whites destroy wealthy Black community after false rumor of a White woman being raped.
- 1922 U.S. Senate defeats anti-lynching legislation passed by House of Representatives.
- 1923 Whites attack Blacks in Rosewood, Florida.
- 1925 *Garvey v. United States*. Marcus Garvey loses appeal of mail fraud conviction and is deported.
- 1927 *Gong Lum v. Rice*. States may treat Asians comparably to Blacks.
- 1927 *Nixon v. Herndon*. States cannot hold "White-only" primary elections.
- 1928 Marcus Garvey presents *Petition of the Negro Race* to the League of Nations.
- 1929 U.S. stock market crashes. Great Depression begins.
- 1932 Racially motivated murder of Joe Kahahawai in Honolulu, Hawaii.
- 1932 *Powell v. Alabama*. State's failure to provide counsel in death penalty case violated rights of "Scottsboro Boys."
- 1934 Wagner-Constigan Anti-Lynching Bill defeated in Senate.
- 1941 Pearl Harbor is attacked by Empire of Japan.
- 1941 United States enters World War II.
- 1943 Race riots in Detroit, Harlem, and Los Angeles as Whites retaliate against Blacks in competition for jobs.
- 1944 *Smith v. Allwright*. Statute allowing political party to exclude Blacks from voting in primary violates Constitution.
- 1944 *Korematsu v. U.S.* Internment of Japanese Americans is sanctioned.
- 1945 *Screws v. U.S.* Conviction of White police officers who murdered a Black suspect in custody is overturned.
- 1945 World War II ends.

- 1945 Cold War begins.
- 1948 *Shelley v. Kraemer*. State courts are prohibited from enforcing racially restrictive covenants of private homeowners.
- 1948 President Harry S. Truman signs Executive Order 9981 desegregating U.S. military.
- 1948 The United Nations prohibits all forms of slavery.
- 1950 Korean War begins.
- 1951 *We Charge Genocide* petition is presented to the United Nations protesting the lynching and murder of Blacks.
- 1951 Harry and Harriette Moore, voting rights activists, are killed in their sleep when a bomb explodes under their home in Florida.
- 1954 *Brown v. Board of Education of Topeka*. Court rules racial segregation in public schools is inherently unequal.
- 1955 Fourteen-year-old Emmett Till murdered by lynch mob in Mississippi for talking back to a White woman.
- 1955 *Lucy v. Adams*. Autherine Lucy and Polly Anne Myers desegregate the University of Alabama.
- 1955 *Brown v. Board of Education of Topeka II*. Court rules school districts to desegregate "with all deliberate speed."
- 1955 Rosa Parks refuses to give her seat to a White passenger as required by law.
- 1955 Montgomery bus boycott begins.
- 1957 Civil Rights Act. Congress passes law creating the Civil Rights Division of the Justice Department to investigate civil rights abuses.
- 1957 Ghana gains independence from the United Kingdom.
- 1957 Nine Black high-school students desegregate Central High School in Little Rock, Arkansas. Governor Orval Faubus retaliates by closing public schools.
- 1958 *NAACP v. Alabama*. Civil rights organizations are not required to provide membership lists to states.
- 1958 *Kent v. Dulles*. Federal government cannot prevent international travel of Paul Robeson.
- 1960 Students at North Carolina A&T College begin sit-in protests of segregated businesses.

- 1960 Student Non-Violent Coordinating Committee (SNCC) is started at Shaw University.
- 1960 *Gomillion v. Lightfoot*. Gerrymandering of voting districts to exclude Blacks violates Constitution.
- 1961 *Mapp v. Ohio*. Exclusionary rule prohibiting evidence obtained through an unreasonable police search applies to states.
- 1961 Freedom Riders challenge segregation in interstate transportation. Many are beaten and jailed.
- 1962 U.S. enters Vietnam War.
- 1962 Cesar Chavez and Dolores Huerta form the National Farmworkers Association, a precursor to the United Farmworkers Association.
- 1963 Alabama Governor George Wallace declares "segregation today, segregation tomorrow, segregation forever."
- 1963 *Watson v. Memphis*. Racial segregation of public parks and recreational facilities violates Constitution.
- 1963 March on Washington, DC for Jobs and Freedom.
- 1963 President John F. Kennedy is assassinated in Dallas, Texas.
- 1964 Twenty-fourth Amendment abolishes poll taxes in national elections.
- 1964 *Anderson v. Martin*. States cannot require race of candidate on voting ballot.
- 1964 Voting-rights workers James Chaney, Michael Schwerner, and Andrew Goodman are murdered in Philadelphia, Mississippi.
- 1964 Fannie Lou Hamer gives speech at televised Democratic National Convention critical of Mississippi's exclusion of Blacks from the Democratic Party.
- 1964 *Katzenbach v. McClung*. Privately owned restaurant cannot segregate if engaged in interstate commerce.
- 1964 *New York Times v. Sullivan*. Politicians must prove criticism by Black protesters and newspaper was motivated by actual malice.
- 1964 U.S. Congress enacts the Civil Rights Act prohibiting

- discrimination based on race, color, creed, sex, and national origin.
- 1964 Martin Luther King, Jr., is awarded the Nobel Peace Prize.
- 1964 *Hamilton v. Alabama*. Contempt of court conviction against Black witness ill-treated by judge is overturned.
- 1964 *Hamm v. Rock Hill*. Conviction for sit-in protests at segregated stores is overturned.
- 1965 Malcolm X (aka El-Hajj Malik El-Shabazz) is assassinated in New York City.
- 1965 *Cox v. Louisiana*. Student civil-rights protest did not violate state laws.
- 1965 Blacks attacked by White police on the Edmund Pettus Bridge in Selma, Alabama; second march proceeds peacefully.
- 1965 Voting Rights Act is passed.
- 1965 Watts riots take place in California. Police brutality sparks eruption of Black community frustrated by unemployment and lack of progress in civil rights.
- 1965 President Lyndon B. Johnson signs Executive Order 11246 establishing affirmative action.
- 1966 Black Panther Party is founded.
- 1966 *Bond v. Floyd*. Court upholds Black state legislator's right to protest Vietnam War.
- 1967 Thurgood Marshall (b. 1908) becomes first African-American Associate Justice of the U.S. Supreme Court.
- 1967 Riots occur in Detroit and Newark.
- 1967 *Loving v. Virginia*. State cannot restrict marriage based on race.
- 1968 *Lee v. Washington*. State cannot segregate inmates by race.
- 1968 Martin Luther King, Jr., is assassinated in Memphis, Tennessee.
- 1968 Riots erupt in Black communities nationwide following assassination of Martin Luther King, Jr.
- 1968 U.S. Congress enacts Fair Housing Act.
- 1968 *Green v. County School Board*. Court strikes down freedom-of-choice desegregation plan.
- 1968 *Terry v. Ohio*. Court rules police can stop and frisk person

- who has not committed a crime, based on reasonable suspicion.
- 1968 Indian Civil Rights Act is passed. The ICRA makes many protections under the Bill of Rights of the U.S. Constitution applicable to Native Americans.
- 1970 *Adickes v. Kress*. Court rules state law cannot prohibit peaceful protest at segregated lunch counters.
- 1971 *Palmer v. Thompson*. Court rules municipality cannot exclude Blacks from public pools.
- 1971 *Swann v. Charlotte-Mecklenberg Board of Education*. Court upholds busing of students for desegregation purposes.
- 1971 *Clay aka Ali v. U.S.* Court upholds Muhammad Ali's, former heavyweight boxing champion, conscientious objector status.
- 1973 Wounded Knee, South Dakota, is site of 71-day protest by Native Americans over conditions on the reservation.
- 1974 *Richardson v. Ramirez*. Court overturns a California ruling that favored ex-felon rehabilitation.
- 1975 Vietnam War ends.
- 1976 *Hills v. Gautreaux*. Court finds government-sanctioned racial discrimination exists in Chicago's public-housing assignments.
- 1978 *University of California Regents v. Bakke*. Court rules in favor of White plaintiff who alleged affirmative action is reverse discrimination.
- 1980 Miami erupts in riots following police shooting of unarmed Black man.
- 1980 *Mobile v. Bolden*. Court overturns successful challenge by Blacks in vote dilution case.
- 1986 *Batson v. Kentucky*. Court rules prosecutors cannot employ preemptory strikes based on race to eliminate potential Black jurors.
- 1987 *McCleskey v. Kemp*. Court requires proof of purposeful discrimination in administration of death penalty.
- 1988 Japanese-American survivors, or their heirs, of World War II internment camps receive reparations of \$1.6 billion.

- 1990 Iraq War I begins.
- 1991 Clarence Thomas (b. 1948), conservative, becomes second African-American Associate Justice of the U.S. Supreme Court.
- 1992 Los Angeles riot erupts in aftermath of Rodney King verdict acquitting White police officers of brutality despite video of the beating.
- 1992 *Hopwood v. University of Texas Law School*. White student brings successful reverse discrimination action.
- 1995 *Jenkins v. Missouri*. Court rules city's desegregation plan cannot include suburbs.
- 1996 *U.S. v. Armstrong*. Court rules prosecutor is not required to submit requested documents that could demonstrate racial profiling in arrest and prosecution of drug cases.
- 1998 James Byrd lynched in Texas.
- 1999 *Chicago v. Morales*. Court rules city's racial profiling law is unconstitutional.
- 1999 *Mochizuki v. U.S.* Latin-Americans of Japanese descent removed to American internment camps during World War II awarded reparations.
- 2000 Governor of Illinois enacts moratorium suspending state's death penalty following exoneration of several death-row inmates.
- 2000 *Bush v. Gore*. Court rules Florida's recount of votes in presidential election violates Bush's constitutional rights.
- 2002 *Grutter v. Bollinger and University of Michigan Law School*. Court rules race can be a factor in law school admissions.
- 2002 *Gratz v. Bollinger and University of Michigan*. Court rules college affirmative action plan unconstitutional.
- 2003 Iraq War II begins.
- 2004 *Pigford v. Veneman*. Black farmers challenge decades of race discrimination by U.S. Department of Agriculture.
- 2005 *Johnson v. California*. Inmate challenges intentional racial segregation of inmates in state's correctional facilities.
- 2005 U.S. Senate apologizes for failing to pass anti-lynching laws.
- 2005 Hurricane Katrina deluges Gulf Coast causing numerous

- deaths and catastrophic property damage. Thousands of Blacks in New Orleans are left stranded by local, state, and national governments.
- 2006 *Parents Involved in Comm. Schs. v. Seattle Sch. Dist. No. 1 and Meredith v. Jefferson*. White parents challenge admissions policy that seeks racial and ethnic diversity in public schools.
- 2006 Voting Rights Act of 1965 is reauthorized with 25-year extension.
- 2007 General Assembly of the United Nations adopts Declaration on the Rights of Indigenous Peoples.
- 2008 Barack H. Obama (b. 1961), African-American, elected President of the United States of America.
- 2008 *Crawford v. Marion Cty. Election Bd.* Court upholds Indiana law requiring photo identification to vote.
- 2009 Barack H. Obama receives Nobel Peace Prize.
- 2009 Eric Holder (b. 1951) becomes first African-American U.S. Attorney General.
- 2010 Economic downturn and discrimination cause record housing foreclosures for African-Americans and Latinos.
- 2011 Cherokee Nation expels Black members.
- 2011 Army Pfc. Danny Chen is driven to suicide by racial bullying while in Afghanistan.
- 2011 Mumia Abu-Jamal (b. 1954). Death sentence commuted to life, without parole.
- 2012 *In Re Black Farmers case*. Federal government settles Black farmers' discrimination case for \$1.25 billion.
- 2012 *Cobell v. Salazar*. Federal government settles litigation with 41 Native American tribes resulting in \$3.4 billion in payments, the largest government class-action settlement in U.S. history.
- 2012 Trayvon Martin, an unarmed Black teen, is killed by George Zimmerman who cites self-defense under Florida's "Stand Your Ground" law.
- 2012 *Florence v. Freeholders of Burlington Cty.* Court rules jailed persons can be strip-searched even if detained for civil offenses.

- 2013 President Barack H. Obama is re-elected.
- 2013 *Fisher v. University of Texas*. White student challenges admission process as “reverse discrimination.”
- 2013 *Shelby County v. Holder*. Section 5 of the Voting Rights Act is challenged.

Introduction

Racial ostracism . . . extended to churches and schools, to housing and jobs, to eating and drinking. Whether by law or by custom, that ostracism eventually extended to virtually all forms of public transportation, to sports and recreation, to hospitals, orphanages, prisons, and asylums, and ultimately to funeral homes, morgues, and cemeteries.

Garner v. Louisiana (1961)

In this book, one will discover more than legal issues. Each case tells a part of the unfolding story of race and the law in America. People of color—African, Asian, Native American, and Latino—have made these cases a testament to courage, tenacity, and a belief in justice for all. The vast majority of cases involve African-Americans.¹ This is rightly so because African-Americans fought more legal battles over a greater length of time. They fought battles, for centuries, against unfathomable legal obstacles. The cases and controversies presented here speak to the determination of all people intent on being free.

Each incremental step toward full citizenship was a hard-fought struggle against societal racism codified into law. The law was utilized to maintain racial differences and remove people of color from economic, political, and social competition. Laws were enacted to