

Until the beginning of the 20th century, a number of policies to reduce inequalities were devised but they often failed. However, since the beginning of the century, “positive discrimination” seemed to be the main scheme taken by governments to increase the influence to minorities or women in the public, political and social sphere. It is also called “Affirmative Action”.

1865 : 13th Amendment
to the U.S. Constitution :

1866 : Civil Rights Act.

1868 : 14th Amendment
to the U.S. Constitution.

1870 : First Enforcement Act .

1941 : Executive Order
8802 : Fair Employment
Practice in Defense
Industries

1961 : Executive Order
10925 : Equal
Employment Opportunity

1964 : Executive Order 11246.

1972 : Equal Employment Opportunity Act.

1996 : Proposition 209 :
California Affirmative
Action.

2000 : One Florida

Previous attempts to reduce discrimination mainly include three constitutional amendments which had already helped victims: The 13th (1865) abolished slavery, the 14th (1868) addressed citizenship rights and equal protection of the laws and the 15th (1870) give the equal right to vote to every American citizen.

The Civil Rights Act of 1866 established that all persons born in the United States were now citizen. But some organizations and states especially in the South were against those measures, which led sometimes to new racist ones. President F.D. Roosevelt signed in 1941 the Executive Order 8802 which tried to ban segregation in employment and another which banned segregation in school.

The phrase “affirmative action” was firstly used on March 6th 1961 with the Executive Order 10925 of Kennedy in order to create the Committee on Equal Employment Opportunity and limited inequalities of employment, then the 1964 Civil Rights act outlawed discrimination in public and gave more power to the government to punish any resistance against the law.

President Johnson found those measures too weak to improve the situation, so he enhanced the law with the Executive Order 11246 and the Voting Rights Act which gave better work conditions and less discrimination in the workplace. Those measures were soon extended to gender.

With the Equal Opportunity Act of 1972, quotas were initiated for college graduation and in the labor market for gender and minorities. However, people quickly thought that affirmative action was unfair for the majority which led to the quotas being weakened and replaced with just “improved diversity”.

But the Court believed less and less in affirmative action and President Clinton in 1995 eliminated quotas and schemes that could possibly reverse discrimination.

Public opinion in response to this refusal decided to pass “Proposition” and “Initiative” which are measures coming from the popular initiative and made in order to reduce discrimination; Proposition 209 in California(1996), Initiative 200 (1998) in Washington, the “One Florida” (2000) remain the most important.

Until 1995, affirmative action achieved the reduction inequalities between minorities and gender, in the workplace, in colleges or in public places. But nowadays every American wants to ban positive discrimination because people want to be judged on their qualities and on their own merit.

