

Always a Day Late and a Dollar Short?

Douglas Marshall-Steele

For centuries Delaware has first waffled on important issues, then entrenched on the wrong side of history, and only belatedly and embarrassingly joined the other states that had moved on without us.

Consider just a few examples of how we have messed up.

- Many Sussex Countians were Tories not a bit fazed by the notion of liberty sweeping the Colonies in the late Eighteenth Century. Not for them this new-fangled idea of self-rule, they smuggled, colluded and planned military operations to help the English win and their fellow colonists lose.
- The 13th Amendment to the U.S. Constitution that banned slavery was passed, ratified by most states, in 1865. Delaware voted against it then and only ratified it in 1901. Apparently after 36 years of no slavery Delawareans determined we could live without the institution.
- School integration in Delaware lagged. The Supreme Court's 1954 *Brown vs. Board of Education* ruling had well-known repercussions in Little Rock, Arkansas – but less-known similar results in Milford, Delaware. We had our own white mobs, whipped up by white supremacists, intimidating black school kids who now could attend Milford High School.
- Segregation persisted in some restaurants in western Sussex County as late as the early 1970's. Social segregation continues to this day in much of Delaware. How nonplussed and then saddened this then-young, white Northerner was to move to Delaware and find African-American seniors calling him "Sir."
- The whipping post as a punishment for Delaware lawbreakers was last used in 1952, and prohibited as such only in 1972. Consider that Pennsylvania abolished whipping as too barbaric in 1794.
- Delaware was the very last holdout in reducing to .08 the blood alcohol content for drivers. That level had become the national standard in October 2000; and all 49 other states, DC and Puerto Rico, heeding safety statistics and needing federal highway funds, had adopted it by the time Delaware finally did in 2004. The federal funds we would lose were \$1.6 million *per annum*; unknown are the fatalities and injuries caused by our state senate's delay.
- Twenty states and DC have laws prohibiting discrimination based on sexual orientation. (Of those, 13 states and DC also ban transgender discrimination.) Wisconsin passed its law in 1982. But what of "The First State"? It is perfectly legal for Delaware retailers to refuse to sell food or clothing to gays, for landlords to refuse tenancy to gays, for employers to not hire, deny raises or fire gay workers. The most basic needs any Delawarean can have are considered "special rights" for gay Delawareans and so antidiscrimination legislation has failed in every legislative session since 1998. We are hardly a leader state. The various tired, old, fear-mongering arguments against the current S.B. 141 are quickly dispelled with a dispassionate reading of it. It protects all three sexual orientations: heterosexual, homosexual and bisexual. It is limited to employment, housing, public accommodations, public works contracts and insurance, so

no pastor or parent will be impacted by teaching anti-gay ideas. It is not about (gasp!) same-gender marriage or furthering some horrifying special-interest agenda. It is about equality – and catching up with Wisconsin.

Having said all that, there seem to be signs of change in Delaware. Calls for open government in the General Assembly are getting louder and more persistent. The senate's good-old-boy, anti-democratic rule allowing "desk drawer vetoes" is now openly scorned. Open criticism of the senate leadership, once unknown, is now common (except among some craven senators). Candidates for public office are disdaining incremental change and calling for bold, creative solutions to Delaware's mounting problems. Delawareans seem increasingly willing to work hard to make our state a better place to live, a place characterized by respect for each other and for our natural resources.

Our remarkably dismal history of flawed decisions need not and must not determine our future.

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