

Chapter 1 : Beyond Black and White: Viewer's Guide

The Case for Affirmative Action By Charles J. Ogletree Jr. After centuries of bias, we must stand by policies that redress past wrongs. My dreams became reality as a result of my Stanford education.

Today, advocates of affirmative action argue that there is a continuing need for equal opportunity programs, since we still do not live in a color-blind society. Click on this image to download a. Affirmative action programs have been controversial since their inception, and today, they continue to be under attack. Opponents say that these programs lead to reverse discrimination. Beyond Black and White: Starting with concrete dilemmas surrounding affirmative action, the panelists are challenged to solve them, sometimes working hand-in-hand with those with whom they disagree. The results are often surprising and inspiring, as productive dialogues replace the competing monologues now dominating debate. It uses the Socratic Dialogue format developed by Fred W. Friendly to explore many of the challenging questions related to affirmative action. Beyond Black and White begins with a hypothetical scenario about college admissions and race, in which Big State University sends out its acceptance and rejection letters. The scenario branches out, with the moderator and panelists examining other issues, including voter initiatives, outreach, and employment practices. The purpose of Beyond Black and White: Affirmative Action in America is to clarify the issues, focus on key questions, and encourage constructive dialogue on problems that have an important place on the public agenda. This Guide includes the following: An essay that examines questions about affirmative action raised by the program Two hypothetical scenarios that provide ideas for group discussions Resources, including organizations, books, and Web sites, that may be helpful for learning more about issues discussed in Beyond Black and White: Affirmative Action in America. What is a Socratic Dialogue? As panelists wrestle with the hypothetical situations, the drama created helps illuminate complex issues in an enlightening way. There are three important elements of a Fred Friendly Seminar: It is based upon many hours of consultation and research. Because the scenario is hypothetical, discussion is more unfettered than would be possible in other situations. Because all parties to the issue are represented on the panel, one-sided thinking does not go unchallenged. Because of the experienced moderator, the discussion stays focused and results-driven. Essay As our program begins, several students wait to learn whether they have been admitted to a prestigious state university. Imagine you are on the admissions committee of the university. You seek to create a student body who will learn from each other and make the university a better place. Is it any different when, also to ensure diversity, you consider it a plus when an applicant is a minority? Of course it is, many advocates of affirmative action would say. Some other preferences may be of questionable value; but given a national history that includes centuries of slavery, decades of legally enforced segregation, and bitterly fought struggles for civil rights, it is especially important that students at your university learn in a racially diverse environment, and that, as this elite university develops the next generation of leaders, minority students are part of that group. Opponents of affirmative action would agree: To give a preference to an applicant based on race or ethnicity is indeed different. Given the constitutional commands of equal treatment regardless of race, it is of fundamental importance that race not be considered in any way in the admissions process, even if many other factors besides grades and test scores are considered. Advocates of affirmative action seek a nation of true racial, ethnic, and gender equality. Many opponents of affirmative action claim to be seeking the same goal. Affirmative action programs have been with us for decades, at federal, state, and private institutions. Freedom is not enough. You do not wipe away the scars of centuries. Thus it is not enough to open the gates of opportunity. Since that time the concept of affirmative action has been embodied at every level of government in a very wide variety of programs, from government contracts with explicit set-asides for women- and minority-owned businesses, to admissions and employment policies that include race, ethnicity, and sex among the factors considered in evaluating applicants. Today, however, many of these programs are under attack, both in the voting booth and in the courtroom. In November , the voters of California approved

Proposition , which provides: In our program, the voters of Westrailia are faced with the same initiative. Although the effects of these initiatives are open to debate, they undoubtedly will require changes to or elimination of a great many state affirmative action programs. Indeed, they may hamper outreach efforts to increase diversity that even some initiative supporters endorsed. Moreover, programs in other states are now being challenged in court. Yet, at the same time affirmative action is under unprecedented attack, its proponents can point to substantial successes. That result, as well as those of various polls, suggests to some that when the question is made explicit, a majority of Americans still support affirmative action. Moreover, support for affirmative action appears to be strong at major corporations, where a diverse workforce is seen as a key ingredient to business success. In Washington, opponents of I included large corporations such as Microsoft and Boeing. Most impressive of all may be the experience of the United States Army, which has explicit goals of promoting minority members; the Army holds all candidates to the same standards, and invests heavily in training to bring candidates up to those standards. This is the question now facing California, Washington, and our hypothetical state of Westrailia; as the initiative movement and judicial challenges move forward, it is a question that will soon be facing the entire nation. The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. In November , Washington state passed a nearly identical measure, I, by a margin 58 percent to 42 percent.

Organize a Discussion If you would like to organize and lead a discussion on affirmative action in your school, workplace, or organization, you may use the following hypothetical scenarios as a starting point. As in *Beyond Black and White: Affirmative Action in America*, you may use role-playing and the Socratic method, which involves a search for truth through discussion. For more on the methods used by the Fred Friendly Seminars, please see the Introduction to this guide. You may want to hold your discussion after screening the program. Moderators should assign roles to participants before the discussion. When leading the discussion, please keep the following in mind: Act as a facilitator, rather than an authority figure. Insist that participants explain how they reached their conclusions.

Moderator, admissions committee members, commission overseeing police recruitment and hiring

The Situation 1 Moderator: You are the admissions committee of Big State University, before passage of Initiative Your pool of qualified applicants is far larger than the number of available spaces. Decide amongst yourselves what factors you should consider in determining who is admitted. Does anyone else agree? Why or why not? But what about those characteristics that an applicant did not choose, but were, in essence, born with? If the overwhelming majority of applicants grew up in cities or in the suburbs, should the fact that an applicant grew up on a farm be considered a plus? If the majority of applicants come from middle-class or wealthy families, should it be considered a plus if the applicant grew up poor? If the majority of applicants to the liberal arts college are female, should the fact that an applicant is male be considered a plus? If the majority of applicants to the engineering school are male, should the fact that an applicant is female be considered a plus? If the great majority of applicants to the school are white, should the fact that an applicant is African-American be considered a plus? How would consideration of such factors affect the students involved, the university, and the entire state, many of whose leaders have graduated from Big State?

The Situation 2 Now you form the commission overseeing recruitment and hiring of the Metropolis police force. A majority of Metropolis residents are members of minorities; but a large majority of the Metropolis police are white. If it does matter, what should be done about it? I thought this country was dedicated to the principle of equal treatment regardless of race. How can you justify discriminating against me because of my skin color?

Moderator, Governor, initiative proponents, advisors

The Situation Moderator: You have been summoned by the Governor of Westralia to attend a meeting with his advisors and an outside group. The outside group supports an initiative that would result in the disappearance of most affirmative action programs. The Governor explains to his advisors: This initiative would probably end all affirmative action programs. But, instead, they are here to discuss another possible path: Is such a plan desirable? Issues to Highlight in the Discussion The Governor and several of his advisors suggest to the initiative supporters that a

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long-term plan would have to include a massive commitment to improve the quality of education in the state, particularly in poor communities. Would the initiative supporters be willing to support such an effort? The United States Army uses goals for minority promotions but applies equal standards to all applicants. To achieve its success in minority promotion, it has invested heavily in programs to train candidates from disadvantaged backgrounds to compete on an equal footing with candidates from more privileged backgrounds. Would this approach provide a possible model for a plan? How might you apply this principle to Westrailia? Advisors, what would the long-term program need to accomplish before you would accept the phase-out of most state affirmative action programs? Final Discussion Question The goals of the long-term program would be to create a pool of applicants of such diversity and ability that the resulting student body, workforce, or group of contractors would reflect the diversity of the population even if race, ethnicity or sex were not taken into account in the selection process. Initiative supporters, are you willing to wait however long it takes for this goal to be achieved?

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The Presumption of Guilt: From Lynch Mobs to the Killing State: Race and the Death Penalty in America ed. Reflections on the First Half-Century of Brown v. Board of Education W. The Unfinished Legacy ed. African-American Men Reflect on Fatherhood ed. Willis Reason and Passion: Judicial Activism on the Right, Articles Ogletree, Charles J. Reflections on the First Half-Century of Brown vs. Shipp , on the Topic of Reparations ". New Efforts in the Reparations Debate in America". Race and the Death Penalty in America". A Reciprocal Legacy of Scholarship and Advocacy". Race, Class, and Reason". The Visionary Clinical Scholar". Lessons from President Clinton and Kenneth Starr". The Burdens and Benefits of Race in America". Cooley Law Review 11 When the Rainbow Is Not Enough". Articles in a Newspaper Ogletree, Charles J. April 1, , Op-Ed. May 20, , Op-Ed. The New York Times. March 31, , Op-Ed. August 29, , Op-Ed. June 30, , Op-Ed. December 12, , Op-Ed. Kept Blacks Off Federal Courts? August 18, , Op-Ed. Reports or Studies Ogletree, Charles J. Presentations Ogletree, Charles J. A Call to Arms: University of California-Davis Barrett Lecture: Reproduced in Biography Resource Center. Fee via Fairfax County Public Library. Fee Fairfax County Public Library. Retrieved 6 January

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Chapter 3 : Ogletree, Charles J. [WorldCat Identities]

Includes bibliographical references and index Affirmative action: an overview / David C. Slade -- Affirmative action helps minorities / Charles J. Ogletree Jr. -- Affirmative action harms minorities / Clarence Thomas -- Affirmative action encourages diversity / Commonweal -- Diversity should not be legislated by affirmative action / Peter H.

In the Beginning In , affirmative action became an inflammatory public issue. But what did this mandate amount to? The Executive Order assigned to the Secretary of Labor the job of specifying rules of implementation. Through these contractor commitments, the Department could indirectly pressure recalcitrant labor unions, who supplied the employees at job sites. Its predecessor, Order No. At first, university administrators and faculty found the rules of Order No. The number of racial and ethnic minorities receiving PhDs each year and thus eligible for faculty jobs was tiny. Any mandate to increase their representation on campus would require more diligent searches by universities, to be sure, but searches fated nevertheless largely to mirror past results. The Revised Order, on the other hand, effected a change that punctured any campus complacency: Some among the professoriate exploded in a fury of opposition to the new rules, while others responded with an equally vehement defense of them. For several decades Anglo-American philosophy had treated moral and political questions obliquely. First, John Rawls published in *A Theory of Justice*, an elaborate, elegant, and inspiring defense of a normative theory of justice Rawls Properly understood, affirmative action did not require or even permit the use of gender or racial preferences. Affirmative action, if it did not impose preferences outright, at least countenanced them. Among the yea-sayers, opinion divided between those who said preferences were morally permissible and those who said they were not. The Controversy Engaged The essays by Thomson and Nagel defended the use of preferences but on different grounds. Thomson endorsed job preferences for women and African-Americans as a form of redress for their past exclusion from the academy and the workplace. Preferential policies, in her view, worked a kind of justice. Nagel, by contrast, argued that preferences might work a kind of social good, and without doing violence to justice. Institutions could for one or another good reason properly depart from standard meritocratic selection criteria because the whole system of tying economic reward to earned credentials was itself indefensible. Justice and desert lay at the heart of subsequent arguments. Preferential hiring seen as redress looks perverse, they contended, since it benefits individuals African-Americans and women possessing good educational credentials least likely harmed by past wrongs while it burdens individuals younger white male applicants least likely to be responsible for past wrongs Simon , 19; Sher , ; Sher , 81-82; and Goldman , 1. What rights were at issue? Defenders of preferences were no less quick to enlist justice and desert in their cause. Justice and individual desert need not be violated. Warren , Likewise, James Rachels defended racial preferences as devices to neutralize unearned advantages by whites. Given the pervasiveness of racial discrimination, it is likely, he argued, that the superior credentials offered by white applicants do not reflect their greater effort, desert, or even ability. Rather, the credentials reflect their mere luck at being born white. Rachels was less confident than Warren that preferences worked uniformly accurate offsets. Reverse discrimination might do injustice to some whites; yet its absence would result in injustices to African-Americans who have been unfairly handicapped by their lesser advantages. If racial and gender preferences for jobs or college admissions were supposed to neutralize unfair competitive advantages, they needed to be calibrated to fit the variety of backgrounds aspirants brought to any competition for these goods. Simply giving blanket preferences to African-Americans or women seemed much too ham-handed an approach if the point was to micro-distribute opportunities fairly Sher , ff. Rights and Consistency To many of its critics, reverse discrimination was simply incoherent. To count by race, to use the means of numerical equality to achieve the end of moral equality, is counterproductive, for to count by race is to deny the end by virtue of the means. The means of race counting will not, cannot, issue in an end where race does not matter Eastland and Bennett , Neither he nor other critics thought so. Principle must hold firm. Alan Goldman did

more than anyone in the early debate to formulate and ground a relevant principle. Using a contractualist framework, he surmised that rational contractors would choose a rule of justice requiring positions to be awarded by competence. On its face, this rule would seem to preclude filling positions by reference to factors like race and gender that are unrelated to competence. Goldman explained the derivation of the rule and its consequent limit this way: The rule for hiring the most competent was justified as part of a right to equal opportunity to succeed through socially productive effort, and on grounds of increased welfare for all members of society. Since it is justified in relation to a right to equal opportunity, and since the application of the rule may simply compound injustices when opportunities are unequal elsewhere in the system, the creation of more equal opportunities takes precedence when in conflict with the rule for awarding positions. Thus short-run violations of the rule are justified to create a more just distribution of benefits by applying the rule itself in future years. Where can such an unyielding principle be found? I postpone further examination of this question until I discuss the Bakke case, below, whose split opinions constitute an extended debate on the meaning of constitutional equality. The Workplace The terms of the popular debate over racial and gender preferences often mirrored the arguments philosophers and other academics were making to each other. Critics of preferences retorted by pointing to the law. And well they should, since the text of the Civil Rights Act of 1964 seemed a solid anchor even if general principle proved elusive. How could they be justified legally? The federal courts had to do that job themselves, and the cases before them drove the definition in a particular direction. Many factories and businesses prior to 1964, especially in the South, had in place overtly discriminatory policies and rules. If, after passage of the Civil Rights Act, the company willingly abandoned its openly segregative policy, it could still carry forward the effects of its past segregation through other already-existing facially neutral rules. The objective of Congress in the enactment of Title VII was to achieve equality of employment opportunities and remove barriers that have operated in the past to favor an identifiable group of white employees over other employees. What is required by Congress is the removal of artificial, arbitrary, and unnecessary barriers to employment when the barriers operate invidiously to exclude on the basis of racial or other impermissible classification. Since many practices in most institutions were likely to be exclusionary, rejecting minorities and women in greater proportion than white men, all institutions needed to reassess the full range of their practices to look for, and correct, discriminatory effect. Against this backdrop, the generic idea of affirmative action took form: In order to make its monitoring and revising effective, an institution ought to predict, as best it can, how many minorities and women it would select over time, were it successfully nondiscriminating. There may still remain practices that ought to be modified or eliminated. However, suppose this self-monitoring and revising fell short? In early litigation under the Civil Rights Act, courts concluded that some institutions, because of their histories of exclusion and their continuing failure to find qualified women or minorities, needed stronger medicine. In all these cases, the use of preferences was tied to a single purpose: Courts carved out this justification for preferences not through caprice but through necessity. They found themselves confronted with a practical dilemma that Congress had never envisaged and thus never addressed when it wrote the Civil Rights Act. The dilemma was this: Reasonably enough, the federal courts resolved this dilemma by appeal to the broad purposes of the Civil Rights Act and justified racial preferences where needed to prevent ongoing and future discrimination. Its purpose was not to compensate for past wrongs, offset unfair advantage, appropriately reward the deserving, or yield a variety of social goods; its purpose was to change institutions so they could comply with the nondiscrimination mandate of the Civil Rights Act. The University In the 1970s, while campuses were embroiled in debate about how to increase African-Americans and women on the faculty, universities were also putting into effect schemes to increase minority presence within the student body. Very selective universities, in particular, needed new initiatives because only a handful of African-American and Hispanic high school students possessed test scores and grades good enough to make them eligible for admission. These institutions faced a choice: Most elected the second path. The Medical School of the University of California at Davis exemplified a particularly aggressive approach. It reserved sixteen of the one hundred slots in its entering classes for minorities. In and again in ,

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Allan Bakke, a white applicant, was denied admission although his test scores and grades were better than most or all of those admitted through the special program. In , his case, Regents of the University of California v. Bakke, reached the Supreme Court. The Court rendered its decision a year later U. So, too, thought four justices on the Supreme Court, who voted to order Bakke admitted to the Medical School. Led by Justice Stevens, they saw the racially segregated, two-track scheme at the Medical School a recipient of federal funds as a clear violation of the plain language of the Title. Four other members of the Court, led by Justice Brennan, wanted very keenly to save the Medical School program. To find a more attractive terrain for doing battle, they made an end-run around Title VI, arguing that, whatever its language, it had no independent meaning itself. It meant in regard to race only what the Constitution meant. His vote, added to the four votes of the Stevens group, meant that Allan Bakke won his case and that Powell got to write the opinion of the Court. Powell, with this standard in hand, then turned to look at the four reasons the Medical School offered for its special program: Did any or all of them specify a compelling governmental interest? Did they necessitate use of racial preferences? As to the first reason, Powell dismissed it out of hand. Preferring members of any one group for no reason other than race or ethnic origin is discrimination for its own sake. As to the second reason, Powell allowed it more force. A state has a legitimate interest in ameliorating the effects of past discrimination. Even so, contended Powell, the Court, has never approved a classification that aids persons perceived as members of relatively victimized groups at the expense of other innocent individuals in the absence of judicial, legislative, or administrative findings of constitutional or statutory violations Bakke, at And the Medical School does not purport to have made, and is in no position to make, such findings. Its broad mission is education, not the formulation of any legislative policy or the adjudication of particular claims of illegality. As to the third reason, Powell found it, too, insufficient. The Medical School provided no evidence that the best way it could contribute to increased medical services to underserved communities was to employ a racially preferential admissions scheme. Indeed, the Medical School provided no evidence that its scheme would result in any benefits at all to such communities Bakke, at This left the fourth reason. Here Powell found merit. The diversity that furthers a compelling state interest encompasses a far broader array of qualifications and characteristics of which racial or ethnic origin is but a single though important element.

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Chapter 4 : Affirmative action (edition) | Open Library

Affirmative action helps minorities / Charles J. Ogletree Jr. Affirmative action harms minorities / Clarence Thomas Affirmative action encourages diversity / Commonweal.

Read the whole story till the end also read who is the author- Chella Charles J. My dreams became reality as a result of my Stanford education. My father, who grew up in Birmingham, Ala. They grew up in a segregated South that offered few opportunities and many obstacles for African Americans. I grew up in Merced, Calif. But, with a push from my parents, I was determined to be the first in my family to attend college. With help from high school counselors, I discovered Stanford. And thanks to an aggressive minority outreach program by the admissions office, I was given the opportunity of a first-rate education. Without affirmative action, I would never have applied to, and certainly would not have attended, Stanford. We must keep affirmative action "and keep refining it. It is a small but significant way to compensate victims of slavery, Jim Crow laws, discrimination and immigration restrictions. It is also a means to assure that institutions such as Stanford will celebrate and foster that which they simply cannot avoid: Affirmative action admissions policies seek to realign the balance of power and opportunity by doing what is, at heart, quite simple: There are critics of affirmative action who claim it is no longer needed, or unfairly discriminates "in reverse" or "stigmatizes" admitted minority students. Those who claim affirmative action is no longer needed believe that the field has been leveled. But they ignore alarming figures. During the same year, 24, whites were awarded PhDs. The truth is that while America has made progress on racial issues, these changes are recent, vulnerable to being reversed and in fact nowhere near completed. Those who cry "reverse discrimination" base their views almost exclusively on a belief that minority test scores are too low. But they fail to acknowledge that test scores and subsequent performance in college have a correlation that is, to say the least, inexact. When we insist on test scores as an ultimate measure of merit, we exclude, once again, students who have not had access to good public education or to funds that pay for preparatory courses for those tests. We exclude those who, given the opportunity, will display their ability. Finally, those who would eradicate affirmative action because it "stigmatizes" minorities have two flaws in their argument. Stigma is the product of racist attitudes that still persist today. As a result, killing affirmative action would do little, probably nothing, to ameliorate the stigmatization of minorities. Indeed, one wonders, even for the few whom affirmative action might arguably stigmatize: Would they feel better and achieve more being excluded from a good education entirely? That question ties into the second flaw in the "stigmatization" argument: Opponents rely on the exceptional case, not the rule. Just as they tend to point to the minuscule number of failures rather than the many successes. The majority of minorities strongly favor affirmative action because of the benefits and opportunities it affords. I was attracted to Stanford precisely because of its affirmative action programs. Here was an institution that clearly recognized that some people enter life with different abilities and opportunities, and that standardized tests were not the only way to judge issues of character, creativity and intellectual promise. When I arrived on campus, I found there was no affirmative action in course selection or grading. I was expected to compete with my peers on an equal basis. I learned that success was not automatic. The experiences of many of my minority classmates is a ringing endorsement of affirmative action. Most came from families where the parents had not gone to college, and many were from single-parent households. Moreover, many went on to become successful doctors, lawyers and business leaders, and others are prominent school teachers, public servants and entrepreneurs. It is my hope that one day we will no longer need affirmative action. As our society becomes more diverse, the need for specific programs aimed at targeted groups will obviously diminish. However, that time has not yet arrived. My two teenage children, who are both college bound, are far better qualified to navigate the educational waters than I was 25 years ago. Despite this laudable progress, they are still judged in everyday life, by race. They are constantly reminded by comments, innuendo and circumstances of their ethnicity precisely because we have not been able as a society to overcome the issues of race. The affirmative

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action policies promoted by Stanford recognize that, for more than years, African Americans were treated differently because of their race. The important efforts over the course of the past 30 years by government and private institutions have gone a considerable distance in facing up to this history. We have made a lot of progress. This is no time to turn back.

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Chapter 5 : Affirmative Action (Stanford Encyclopedia of Philosophy)

Charles J. Ogletree Jr. "Thanks to an aggressive minority outreach program by the admissions office, I was given the opportunity of a first-rate education. Without affirmative action, I would never have applied to, and certainly would not have attended, Stanford."

Voting 5 to 4, the court, in an opinion by Chief Justice John G. Both programs had been upheld by lower federal courts and were similar to plans in place in hundreds of school districts around the country. Kennedy, did not. Justice Kennedy agreed that the two programs were unconstitutional. Speaking from the bench for more than 20 minutes, Justice Breyer made his points to a courtroom audience that had never seen the coolly analytical justice express himself with such emotion. His most pointed words, in fact, appeared nowhere in his page opinion. Justice Stevens wrote a dissenting opinion of his own, as pointed as it was brief. He did not mention, nor did he need to, that one of the justices then was William H. Rehnquist, later the chief justice, for whom Chief Justice Roberts once worked as a law clerk. Justice Clarence Thomas was equally pointed and equally personal in an opinion concurring with the majority. It was in January that parents who objected to the Louisville and Seattle programs filed their Supreme Court appeals from the lower court decisions that had upheld the programs. The Louisville case was *Meredith v. Jefferson County Board of Education*, No. Seattle School District No. Because a single Supreme Court opinion resolved both cases, the decision carries only the name of the Seattle case, which had the lower docket number. The appeals provoked a long internal struggle over how the court should respond. With no disagreement among the federal appellate circuits on the validity of such programs, the new appeals did not meet the criterion the court ordinarily uses to decide which cases to hear. It was June of last year before the court, reconfigured by the additions of Chief Justice Roberts and Justice Alito, announced, over the unrecorded but vigorous objection of the liberal justices, that it would hear both appeals. By the time the court ruled on Thursday, there was little suspense over what the outcome would be. Not only the act of accepting the appeals, but also the tenor of the argument on Dec. The cases were by far the oldest on the docket by the time they were decided; the other decisions the court announced on Thursday were in cases that were argued in March and April. What consumed the court during the seven months the cases were under consideration, it appears likely, was an effort by each side to edge Justice Kennedy closer to its point of view. While it is hardly uncommon to find Justice Kennedy in the middle of the court, his position there this time carried a special resonance. He holds the seat once occupied by Justice Lewis F. That solitary opinion, rejecting quotas but accepting diversity as a rationale for affirmative action in university admissions, defined the law for the next 25 years, until the decision was refined and to some degree strengthened in the University of Michigan Law School decision.

Chapter 6 : Taking Supreme Action - Higher Education

Bibliography Includes bibliographical references and index. Contents. Affirmative action: an overview / David C. Slade; Affirmative action helps minorities / Charles J. Ogletree Jr.

Affirmative action is defined as the equal opportunities given to women, minorities, and small groups so they will have the same tools, education, and allotment to achieve their goals in life. Since affirmative action came about, debate arises daily about if it is truly equal and fair. Was it a word made as a cushion to the people so they will feel equal? Another interpretation is did this word actually make the white male group less important and unequal to the minority group, doing more harm to others than good. Affirmative action is not used unequally in the world, but in actuality if it was not for it these people would have nothing. Mertus supports the need for opportunities given to women in the work force. In the work force today many women are overlooked and pushed aside because of their gender. A woman can simply not handle the stress on the body or the mind thinking dilemmas in which a man can supposedly accomplish. Affirmative action however has allowed the women a chance to display their skills but what the debate arises is, because of the gifts given by affirmative action is this good for the world of today. Another example given is that of a male teacher who did not receive his promotions due to the same law. In both situations the quota requirement that affirmative action laws made for the work field, the woman was chosen. The debate by most individuals is that I lost my job or pay increase because of affirmative action. They feel that this law is unfair, taking away more gifts that I can give to myself or my family. Also, in that women are not capable of doing this type of work. The true idea of affirmative action is giving the lesser people of the world what our country promotes. In the constitution everyone is equal and is to be given the proper chances in life. Affirmative action simply, allows this so that the people in charge cannot disregard someone, a woman, because they simply do not like it. What is not seen by the people losing the extra money is that maybe she can actually do a better job than they can. She will give more to the world thus helping all of humanity and would not have had this chance if it was not for affirmative action. Also, the people who had nothing in life now feel a worth and are able to give more to the ones they love. This is the good that is unseen by most, that would not be possible if not for affirmative action being put into effect in the world. We will write a custom essay sample on affirmative action Order now More Essay Examples on Ethan Watters shows his opinion on that affirmative action is providing an unfair advantage over one race to another. He states that minorities say they need this to be seen as an equal in a interview for a job. This right although allows them to have lower scores than another employee but still be able to obtain the position. For the employee hired is not right for the job then how is this equal treatment when the worst person is chosen for the job is not the best, but only because of a right is hired. The author asks how could a law promote equal treatment for minorities but at the same time take away from majorities. Another situation in which affirmative action will play a part in is the physical work load, both body and mind. Women cannot produce the same amount of body power for a job in which a man can. This point is scientifically proving and if they were hired would be hurting the company in that the job could not be done properly. An example of this would be a jackhammer, or caring heavy loads. So in many times bosses are not discriminating because of race or gender but of pure power. Jobs require strength and brains, not just brains. John David Skrentny provides proof of the true need and equal treatment affirmative action provides. In a interview, a boss happens to like a certain race and that race is applying for his job opening. A white man also wants the job. What is weird is that the white man was chosen even though scores and experience went to the minority member, is this fair treatment? Also how is to say a woman cannot do the same work load as a man? What it is, is the want inside the person. There are women of the world that work with steel and power. But would not have the chance to prove their strength if not for affirmative action. It is also stated in polls taken that many people will not complain about something if they cannot perform the task equally well or better than their competition. So affirmative action just gives them the chance to prove it but the best person is still

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chosen to the race because affirmative action says so. Affirmative action only allows the opportunity to perform the job position, it must be obtained on its own. If it was not for affirmative action many people would have no chance to work and no work, means no money to live on. If you cannot have a goal in life to achieve why live, affirmative action allows you to have a chance not an actual job. Debate over affirmative action in the government is reviewed as unequal treatment of the race, a misconception.. The government indeed did make the law of affirmative action for the people; but do the high office holders truly believe in what they promote? Do they believe affirmative action does bring the joy of opportunity to people or the gift of pain to others? John Skrentry goes into the real feeling of some people by quoting books from others who also have debated this. Crosby and Sharon D. Herzberger, the debate is whether the government truly believes in their laws or if they are simply using it as campaign fuel. These books give examples of officials not believing in what affirmative action promotes. Although the good can be seen in their actions they may not believe in it and their morals of self worth come out. Just because one does not believe in something does not mean they do not respect it. The officials know that this is needed for people to succeed and they would not have if it was not for this. They know affirmative action does provide good not bad and that the country does practice what it preaches and will take the proper actions to see that it is carried out. Just like other laws, affirmative action has to see it is followed and not overlooked to have the best person for the job and the equal opportunities this country offers to all kinds of people. Stephan Thernstrom sees affirmative action as a right that is reversed in the actions that it gives. Affirmative action is a right that is to make equalness among the races. In actuality it is putting a race above the other. Companies, schools and courts are forced to make exceptions to the minority members in the decisions that they make. This law sets quotas that puts a race above the other. As though this race needed an extra chance. Many issues that minority members must deal with in race and gender do not play apart anymore. These two discriminations are stricken from the issue. Affirmative action puts the two discriminations back into play as if they were a problem. This is putting a race above the other as it has to be race-sensitive to them. Why should a right be used in society that does not promote equalness among the races. Curry shows the need for the use of affirmative action in the government. People are viewed differently in life because of skin color. Some races are seen as not being as smart as others or committing more crimes simply because of color. Studies show that more blacks or Mexicans are pulled over simply for not doing anything wrong but on they simply looked suspicious. There are people that see a race to be lesser than themselves and in turn make them pay in a way for being different. Affirmative action was created by the government to counter act these harmful accusations. The government uses it to enforce people to view another as equal in all they do. By making companies use certain quotas on workers, by having to have so many people of a race in their work. Schools that must allow certain students to enroll though their grades may no be as high as others. Affirmative action makes these chances to minorities an achievable goal. There are people in the world in which will do almost anything to have a chance for their dreams to become a reality, but because of their race or gender this is an unachievable task. Affirmative action allows the task to happen. It does not give them the dream itself, but the chance to be put in the spot where it can come true. Without this use of affirmative action this could not be done. This makes everyone seem as an equal, as they should be. To have the same goals and opportunities as everyone else but now the chance to fulfill them is on their own. Joanne Barkan admits that affirmative action has its flaws but would hesitate to give it up. The true reasons for the arguing of affirmative action for so long between people was not the unfairness or edge it might give to someone, but the value of color blindness. Affirmative action does not promote an edge to one race, but that of equalizes between the races. Affirmative action provides so much for so many. The government runs this country and it is it the responsibility to practice what they preach. By affirmative action playing apart and giving its rights to people through their daily lives the government is doing the job. The government is making everyone equal and if one situation is compromised affirmative action neutralizes it. The reason behind affirmative action used in the allotment of higher education for minorities is also wondered to be fair or unfair. Ronald Dworkin explains that may people view affirmative action as unconstitutional,

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violating the Bill of Rights or other amendments. Others will disagree with this statement. They believe that if it was not for affirmative action they would never receive the rights which we as a country promote. This thinking of fair and unfairness, ties into the seeking of higher education in that many students are pushed away because of their gender or skin color. Thus making their goals unachievable and the American Dream a mire myth. It is because of affirmative action that many minorities reach their so called American Dream, because their skin is not viewed not their sex or test scores. Debate flies back and forth every day on the problem, is this right or wrong to the majority members.

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Chapter 7 : The AAAED Blog: June

Charles J. Ogletree, Jr. Viewer's Guide and whether elimination of affirmative action today could help us achieve equality rather than hobble that endeavor - is the subject of passionate.

Supreme Court will affirm the use of race in academic admissions, say affirmative action proponents. But critics are more skeptical. Supreme Court in the University of Michigan cases earlier this month, affirmative action proponents say the proceedings offered some hope that the court will affirm the use of race in academic admissions. I think we have given recognition to the use of race in a variety of settings. Shaw notes that had the justices allowed oral argument time for the minority student-intervenors the session would have had some focus on the historical origins of affirmative action. She seems to be open to considering diversity as a compelling state interest. On the other side, Justices Clarence Thomas, Antonin Scalia, William Rehnquist, and Anthony Kennedy are expected to strike down the Michigan plans, and seek to bar the use of race-conscious affirmative action in American life. The last time the court visited the issue was 25 years ago, in *University of California v. Bakke*. That fractured ruling struck down quota systems but left some room for race to be a factor in university admissions. Conservative scholar and activist Dr. Kolbo was very shrewd to press this point in his closing remarks. An opponent of race-conscious affirmative action, Curt Levey, the director of legal and public affairs at the Center for Individual Rights in Washington, D. Levey declined to guess whether the court would sweep away all consideration of race in admissions, or merely restrict it by striking down the Michigan plans but leaving some room for its use. No Jim Crow On the day of the arguments, thousands of students, many of who were African American, demonstrated outside the U. Supreme Court building and marched to the Lincoln Memorial where they held a rally in support of affirmative action. The court heard back-to-back arguments asking how and whether race can be a factor when colleges and universities choose their students. Jesse Jackson was among speakers outside the court, where the crowd "estimated by police at 5, to 7, people" was decidedly pro-affirmative action. Many people bore signs and chanted slogans supporting affirmative action. Police barricaded the plaza and steps in front of the court, keeping protesters on the sidewalk. I talk a lot about political issues and how we can better them, and I never get a chance to take action. And today I see a golden opportunity to take action, to come up here and protest and stand for what I believe in. Nakiya Turner, a year-old African American girl, came from Detroit to attend the protest rally. In addition to the many students in attendance, Washington, D. So this is an important case. The Road to the Supreme Court In the midst of the heightened media attention preceding the oral arguments before the Supreme Court, proponents of race-neutral admissions and academic outreach plans released proposals and a study touting non-race-conscious affirmative action measures aimed at preserving diversity in higher education. On March 28, officials at the U. Department of Education unveiled a report that highlights race-neutral programs expected to achieve diversity in higher education. *Innovative Approaches to Diversity*. Jones told reporters that the report was intended to shed light on a broad range of initiatives, including both percentage-based admissions plans and non race-conscious academic outreach programs. The study, conducted by Dr. Anthony Carnevale of the Educational Testing Service and Stephen Rose of Macro International, examines the impact of several alternatives, including a plan focused on economically disadvantaged students of all races; and a class rank percentage plan to admit students with high grades, irrespective of standardized test scores. The authors showed that, while selective colleges claim to provide preferences to low-income students, on average the top colleges do not have systemic plans for identifying and admitting qualified students from low-income families. The report said the elite schools could admit these students in far greater numbers. The report concludes that the number of colleges that actively recruit minority and economically disadvantaged students has declined significantly over the past decade, particularly by public colleges where the anti-affirmative action movement has had its greatest impact. Carnevale and Rose find that an economic affirmative action program at the elite colleges would result in a 2-percentage-point

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decrease in the African American and Latino population, but cause a point increase in economic diversity. Race-blind economic affirmative action at the schools would result in African American and Latino admissions at 10 percent, which is below the current 12 percent rate. In order to avoid the two-point drop, the authors support combining race and class affirmative action. More Work to be Done in Diversifying Graduate Education Graduate school deans at top universities from across the nation say that colleges and universities can do more to diversify graduate education and avoid bias in current admissions processes in a Thursday webinar panel sponsored by Education Testing Maybe they need the Cliff Notes? Women of color will often face obstacles at inst Who Are These Diversity Officers? In , I was arrested for civil disobedience in front of the U. Senate, fighting for immigrant rights. While I was being arrested, children of undocumented parents visited senators with heart-shaped cookies asking them to take action on keeping f

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Chapter 8 : Justice O'Connor's legacy - The Boston Globe - blog.quintoapp.com - Op-ed - News

Systemic Flaws in Richard Sander's Affirmative Action Study, 46 J. BLACKS HIGHER EDUC. economically successful minorities CHARLES J. OGLETREE, JR., THE.

Or is it as ethically fraught as capital punishment? What justifies the turn to life imprisonment? How should we understand the fact that this penalty is used disproportionately against racial minorities? What are the most promising avenues for limiting, reforming, or eliminating life without parole sentences in the United States? Contributors explore the structure of life without parole sentences and the impact they have on prisoners, where the penalty fits in modern theories of punishment, and prospects for reform"--Back cover The road to abolition? The ensuing media firestorm ignited debate across the country. The Crowley-Gates incident was a clash of absolutes, underscoring the tension between black and white, police and civilians, and the privileged and less privileged in modern America. Working from years of research and based on his own classes and experiences with law enforcement, the author illuminates the steps needed to embark on the long journey toward racial and legal equality for all Americans"-- From lynch mobs to the killing state: In a bold attempt to tackle the looming question of how and why the connection between race and the death penalty has been so strong throughout American history, Ogletree and Sarat headline an interdisciplinary cast of experts in reflecting on this disturbing issue. Insightful original essays Punishment in popular culture Book 6 editions published between and in English and held by WorldCat member libraries worldwide "The way a society punishes demonstrates its commitment to standards of judgment and justice, its distinctive views of blame and responsibility, and its particular way of responding to evil. This book brings together distinguished scholars of punishment and experts in media studies in an unusual juxtaposition of disciplines and perspectives. Americans continue to lock up more people for longer periods of time than most other nations, to use the death penalty, and to racialize punishment in remarkable ways. How are these facts of American penal life reflected in the portraits of punishment that Americans regularly encounter on television and in film? And how are images of punishment received by their audiences? It is to these questions that Punishment in Popular Culture is addressed"--Unedited summary from book cover Brown at Board of Education brings together this collection of essays that explore the unfinished legacy of that decision Racial reconciliation and the healing of a nation: They also suggest that the work of racial reconciliation remains incomplete. Racial Reconciliation and the Healing of a Nation seeks to assess where we are in that work, examining sources of continuing racial antagonism among blacks and whites. It also highlights strategies that promise to promote racial reconciliation in the future. Rather than revisit arguments about the importance of integration, assimilation, and reparations, the contributors explore previously unconsidered perspectives on reconciliation between blacks and whites. Chapters connect identity politics, the rhetoric of race and difference, the work of institutions and actors in those institutions, and structural inequities in the lives of blacks and whites to our thinking about tolerance and respect. Going beyond an assessment of the capacity of law to facilitate racial reconciliation, Racial Reconciliation and the Healing of a Nation challenges readers to examine social, political, cultural, and psychological issues that fuel racial antagonism, as well as the factors that might facilitate racial reconciliation Beyond black and white: A distinguished panel of experts discuss this issue Race to execution by Rachel V Lyon Visual 3 editions published in in English and held by WorldCat member libraries worldwide Follows the cases of two death row inmates to examine the problem of race discrimination in the U. Rodriguez , the landmark US Supreme Court decision that held that the Constitution does not guarantee equality of educational opportunity. Could the behavior actually be determined by that gene? If so, then just how free is free will? Discusses who decides what popular culture is, the role of Hollywood and other producers of mass media, and the tension between artistic expression, freedom of speech, and social responsibility. Examines the impact of TV, music, and movies on young people and American society in general Do unto others Visual 6 editions published between and in English and held by WorldCat member libraries worldwide A panel

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including Surgeon General C. How much do we as individuals owe to other members of our communities? They respond to a variety of hypothetical situations such as sounds of distress from a battered woman and child, a homeless woman living outside your apartment, and a man who is unfaithful to his wife and possibly risks exposing her to AIDS Hard drugs, hard choices Visual 1 edition published in in English and held by WorldCat member libraries worldwide Panel of 35 distinguished experts from government, medicine, law, and education debate crucial questions surrounding the drug crisis in America. Domestic problems of enforcement, treatment, and justice are addressed as well as the international ramifications of the "war on drugs.

Chapter 9 : Town Hall Meeting Affirmative Action, May 11 | Video | blog.quintoapp.com

African-American leaders talked about the role of Affirmative Action in the business community. Among the issues they addressed were the ability of minority entrepreneurs to compete against.