

The Michigan Affirmative Action Cases

Jamillah Moore

The Michigan Affirmative Action Cases Barbara Ann Perry, 2007 A compelling look at the two closely-linked--and controversial--2003 Supreme Court decisions that revisited the practice and constitutionality of affirmative action at the college level. The result was a divided opinion that neither completely repudiated affirmative action nor completely condoned its practice.

Defending Diversity Patricia Gurin, 2004-02-27 DIVThe first major book to argue in favor of affirmative action in higher education since Bowen and Bok's *The Shape of the River* /div

A Conflict of Principles Carl Cohen, 2014-11-07 No state . . . shall deny to any person within its jurisdiction the equal protection of the laws. So says the Equal Protection Clause of the U.S. Constitution, a document held dear by Carl Cohen, a professor of philosophy and longtime champion of civil liberties who has devoted most of his adult life to the University of Michigan. So when Cohen discovered, after encountering some resistance, how his school, in its admirable wish to increase minority enrollment, was actually practicing a form of racial discrimination—calling it affirmative action—he found himself at odds with his longtime allies and colleagues in an effort to defend the equal treatment of the races at his university. In *A Conflict of Principles* Cohen tells the story of what happened at Michigan, how racial preferences were devised and implemented there, and what was at stake in the heated and divisive controversy that ensued. He gives voice to the judicious and seldom heard liberal argument against affirmative action in college admission policies. In the early 1970s, as a member of the Board of Directors of the American Civil Liberties Union, Cohen vigorously supported programs devised to encourage the recruitment of minorities in colleges, and in private employment. But some of these efforts gave deliberate preference to blacks and Hispanics seeking university admission, and this Cohen recognized as a form of racism, however well-meaning. In his book he recounts the fortunes of contested affirmative action programs as they made their way through the legal system to the Supreme Court, beginning with *DeFunis v. Odegaard* (1974) at the University of Washington Law School, then *Bakke v. Regents of the University of California* (1978) at the Medical School on the UC Davis campus, and culminating at the University of Michigan in the landmark cases of *Grutter v. Bollinger* and *Gratz v. Bollinger* (2003). He recounts his role in the initiation of the Michigan cases, explaining the many arguments against racial preferences in college admissions. He presents a principled case for the resultant amendment to the Michigan constitution, of which he was a prominent advocate, which prohibited preference by race in public employment and public contracting, as well as in public education. An eminently readable personal, consistently fair-minded account of the principles and politics that come into play in the struggles over affirmative action, *A Conflict of Principles* is a deeply thoughtful and thought-provoking contribution to our national conversation about race.

A Black and White Case , 2004 Bloomberg News Supreme Court reporter Greg Stohr follows the University of Michigan affirmative action case from the first challenges to the university's policies to the Supreme Court ruling that upheld a modified version of affirmative action. *A Black and White Case* brings alive and brilliantly explains one

of the most important Supreme Court decisions on the fundamental and divisive subject of race relations in America.

Revisiting Bakke and Diversity-Based Admissions Angelo N. Ancheta,2003

The Bakke Case Rebecca Stefoff,2006 The impact and ramifications of cases argued before the Supreme Court are felt for decades, if not centuries. Only the most important issues of the day and the land make it to the nine justices, and the effects of their decisions reach far beyond the litigants. Under discussion here are five of the most momentous Supreme Court cases ever. They include Marbury v. Madison, Roe v. Wade, Dred Scott, Brown v. Board of Education, and The Pentagon Papers. An absorbing exploration of enormously controversial events, the series details, highlights, and clarifies the complex legal arguments of both sides. Placing the cases within their historical context (though they ultimately emerge as works in progress), the authors reveal each decision's relevance both to the past and the present. the result is a fascinating glimpse across the centuries into the workings of the Supreme Court and the American judicial system.

The Death of Affirmative Action? Carter, J. Scott,Lippard, Cameron D.,2021-07-14 Affirmative action in college admissions has been a polarizing policy since its inception, decried by some as unfairly biased and supported by others as a necessary corrective to institutionalized inequality. In recent years, the protected status of affirmative action has become uncertain, as legal challenges chip away at its foundations. This book looks through a sociological lens at both the history of affirmative action and its increasingly tenuous future. J. Scott Carter and Cameron D. Lippard first survey how and why so-called colorblind rhetoric was originally used to frame affirmative action and promote a political ideology. The authors then provide detailed examinations of a host of recent Supreme Court cases that have sought to threaten or undermine it. Carter and Lippard analyze why the arguments of these challengers have successfully influenced widespread changes in attitude toward affirmative action, concluding that the discourse and arguments over these policies are yet more unfortunate manifestations of the quest to preserve the racial status quo in the United States.

Race and College Admissions Jamillah Moore,2005-02-17 Affirmative action was meant to redress the lingering vestiges of the discrimination and exclusion so prominent in America's past and afford underrepresented groups the opportunities most take for granted. Its impact on higher learning has been immeasurable: diversity is part of the mission of most colleges and universities, and exposure to a variety of ethnicities, cultures and perspectives benefits all. Yet institutions are scrambling to reevaluate their mission and methods as courts mandate colorblind admissions and affirmative action is misconstrued and attacked as reverse discrimination, patronizing and insulting to minorities, or simply unnecessary. Diversity has plummeted on many campuses as a result, and elite institutions now struggle to enroll underrepresented groups. Discussions of the controversy reflect little understanding of the role of race in college admissions, ignore the fact that eligibility does not guarantee admission, and falsely cast affirmative action as a policy based on race alone. This assessment of the role of race in college admissions examines misconceptions surrounding affirmative action and the place of race in the

admission process. Chapters explore declining diversity; the effect upon professional schools; the historical perspective of the subject; the courts' role in affirmative action; inequities in the admissions process; percentage plans as an alternative; the detrimental results of colorblind admissions; and ways to address the problem.

Affirmative Action Revisited Charles V. Dale, 2002 Few issues seem able to polarise the nation as easily as affirmative action. The question of how, even whether, to rectify past discrimination in jobs, schools, and law against women and minorities is a perpetually vexing one. While some call for a quota system to set minimum percentages and numbers for minority positions, others say qualifications should take precedence over race when hiring an employee, admitting a student, or enforcing a law. Civil rights groups claim that specific quotas are often the only way to make up for systemic racism; those opposing such actions cite 'reverse racism' affecting whites. Recent federal, state, and local cases have challenged several affirmative action programs, particularly those involving school admissions. Decisions in Texas and Michigan, for example have struck down the use of racial standards in choosing which applicants to admit to universities. Bills have been introduced to eliminate affirmative action programs in many state legislatures, though there are some who want to 'mend, not end' affirmative action. Because this most crucial issue of race relations shows no signs of disappearing, the analysis in this book takes on added importance. Taking a look at affirmative action from a legal standpoint, the book addresses and assesses the history, current status, and future of affirmative action initiatives and programs. Such a study is much-needed in gathering information about a raging national debate.

Affirmative Action and Racial Equity Uma M. Jayakumar, Liliana M. Garces, 2015-03-12 The highly anticipated U.S. Supreme Court decision in Fisher v. University of Texas placed a greater onus on higher education institutions to provide evidence supporting the need for affirmative action policies on their respective campuses. It is now more critical than ever that institutional leaders and scholars understand the evidence in support of race consideration in admissions as well as the challenges of the post-Fisher landscape. This important volume shares information documented for the Fisher case and provides empirical evidence to help inform scholarly conversation and institutions' decisions regarding race-conscious practices in higher education. With contributions from scholars and experts involved in the Fisher case, this edited volume documents and shares lessons learned from the collaborative efforts of the social science, educational, and legal communities. *Affirmative Action and Racial Equity* is a critical resource for higher education scholars and administrators to understand the nuances of the affirmative action legal debate and to identify the challenges and potential strategies toward racial equity and inclusion moving forward.

Mismatch Richard Sander, Stuart Taylor Jr., Stuart Taylor, 2012-10-09 Argues that affirmative action actually harms minority students and that the movement started in the late 1960s is only a symbolic change that has become mired in posturing, concealment, and pork-barrel earmarks.

Evidence about the Potential Role for Affirmative Action in Higher Education Braz Camargo, Todd R.

Stinebrickner,2007 In two recent cases involving the University of Michigan (Gratz v. Bollinger and Grutter v. Bollinger), the Supreme Court examined whether race should be allowed to play an explicit role in the admission decisions of schools. The arguments made in support of affirmative action admission policies in these cases and others raise two fundamental questions. First, do students actually have incorrect beliefs about individuals from different races at the time of college entrance? Second, if students do have incorrect beliefs at the time of college entrance, can diversity on a college campus change these beliefs? While a small literature has recently shed some light on the second question, no previous work has been able to provide direct evidence about the first one. In this paper we examine the first question by taking advantage of unique data collected specifically for this purpose.

Naked Racial Preference Carl Cohen,1995-09-12 From landmark court cases on affirmative action to their consequences, a study on why such preferences are morally wrong, unlawful, and indefensible.

A Black and White Case Greg Stohr,2006-04-01 In the late 1990s, two lawsuits by white applicants who had been rejected by the University of Michigan began working their way through the federal court system, aimed at the abolition of racial preferences in college admissions. The stakes were high, the constitutional questions profound, the politics and emotions explosive. It was soon evident that the matter was headed for the highest court in the land, but there all clarity ended. To the plaintiffs and the feisty public-interest law firm that backed them, the suits were a long overdue assault on reverse discrimination. The Constitution, strictly construed, was color-blind. Discrimination under any guise was not only illegal, it was the wrong way to set history right in a nation that had been troubled and divided by the uses and misuses of race for more than two hundred years. To the University of Michigan, and to other top institutions striving to expand opportunity and create diverse, representative student bodies, it looked as if most of what had been put in place since the 1978 Bakke v. University of California decision was about to be undone. Black and Hispanic students were in danger of being once again largely shut out of the most important avenue of advancement in America, an elite education. To some, it appeared likely that racial integration was about to suffer their worst setback since the start of the civil rights movement. In A Black and White Case, veteran Supreme Court reporter Greg Stohr portrays the individual dramas and exposes the human passions that colored and propelled this momentous legal struggle. His fascinating account takes us deep inside America's court system, where logic collides with emotion, and common sense must contend with the majesty and sometimes the seeming perversity of the law. He follows the trail from Michigan to Washington, DC, revealing how lawyers argued and strategized, how lower-court judges fought behind the scenes for control of the cases, and why the White House filed a brief in support of the white students, in opposition to a chorus of retired generals and admirals worried that the military academies would no longer reflect the face of America. Finally, Stohr details the fallout from the Supreme Court's controversial 2003 ruling that both upheld affirmative action and upended some of the methods that had been used to effect it. And he shows how colleges and universities are reshaping their affirmative action policies--an evolution closely watched by

lower courts, employers, civil rights lawyers, legislators, regulators, and the public. A Black and White Case brings alive and brilliantly explains one of the most important Supreme Court decisions on the fundamental and divisive subject of race relations in America.

The Case for Affirmative Action on Campus Eboni M. Zamani-Gallaher, Denise O'Neil Green, David O. Stovall, M. Christopher Brown II, 2023-07-03 * Marshalls the arguments for affirmative action* Offers strategies for action Why is affirmative action under attack? What were the policy's original purposes, and have they been achieved? What are the arguments being arrayed against it? And—for all stakeholders concerned about equity and diversity on campus—what's the way forward, politically, legally, and practically? The authors explore the historical context, the philosophical and legal foundations of affirmative action, present contemporary attitudes to the issue on and off campus, and uncover the tactics and arguments of its opponents. They conclude by offering strategies to counter the erosion of affirmative action, change the basis of the discourse, and coordinate institutional support to foster inclusive college environments and multi-ethnic campus communities. This book analyzes the ideological and legal construction of colorblind legislation that has led to the de facto exclusion of people of color from institutions of higher education. It addresses the role of the courts in affecting affirmative action in higher education as a workplace and place of study. It documents the under-representation of collegians of color and presents research on student opinion on race-based policies at two- and four-year institutions. It details the pervasiveness of the affirmative action debate across educational sectors and the status of race among myriad factors considered in college admissions. Finally, it considers affirmative action as a pipeline issue and in the light of educational policy.

A Decision-making Guide to the Michigan Civil Rights Initiative Scott E. Page, 2006

Affirmative Action Alan Marzilli, 2009 Some advocates of affirmative action argue that the policy remains necessary in order to make the U.S. workforce more diverse.

Affirmative Action and Minority Enrollments in Medical and Law Schools Susan Welch, John Gruhl, 2010-05-07 Affirmative action is one of the central issues of American politics today, and admission to colleges and universities has been at the center of the debate. While this issue has been discussed for years, there is very little real data on the impact of affirmative action programs on admissions to institutions of higher learning. Susan Welch and John Gruhl in this groundbreaking study look at the impact on admissions of policies developed in the wake of the United States Supreme Court's landmark 1978 Bakke decision. In Bakke, the Court legitimized the use of race as one of several factors that could be considered in admissions decisions, while forbidding the use of quotas. Opponents of affirmative action claim that because of the Bakke decision thousands of less-qualified minorities have been granted admission in preference to more qualified white students; proponents claim that without the affirmative action policies articulated in Bakke, minorities would not have made the gains they have made in higher education. Based on a survey of admissions officers for law and medical schools and national enrollment data, the authors give us the first analysis of the real impact of the Bakke decision and affirmative

action programs on enrollments in medical and law schools. Admission to medical schools and law schools is much sought after and is highly competitive. In examining admissions patterns to these schools the authors are able to identify the effects of affirmative action programs and the Bakke decision in what may be the most challenging case. This book will appeal to scholars of race and gender in political science, sociology and education as well as those interested in the study of affirmative action policies. Susan Welch is Dean of the College of Liberal Arts and Professor of Political Science, Pennsylvania State University. John Gruhl is Professor of Political Science, University of Nebraska-Lincoln.

Michigan Reports Michigan. Supreme Court, 1991

The Affirmative Action Puzzle Melvin I. Urofsky, 2022-02-22 A rich, multifaceted history of affirmative action from the Civil Rights Act of 1866 through today's tumultuous times From an acclaimed legal historian, a history of affirmative action from its beginning with the Civil Rights Act of 1866 to the first use of the term in 1935 with the enactment of the National Labor Relations Act (the Wagner Act) to 1961 and John F. Kennedy's Executive Order 10925, mandating that federal contractors take "affirmative action" to ensure that there be no discrimination by "race, creed, color, or national origin" down to today's American society. Melvin Urofsky explores affirmative action in relation to sex, gender, and education and shows that nearly every public university in the country has at one time or another, successfully or not, instituted some form of affirmative action plan. Urofsky traces the evolution of affirmative action through labor and the struggle for racial equality, writing of World War I and the exodus that began when some six million African Americans moved northward between 1910 and 1960, one of the greatest internal migrations in the country's history. He describes how Harry Truman, after becoming president in 1945, fought for Roosevelt's Fair Employment Practice Act and, surprising everyone, appointed a distinguished panel to serve as the President's Commission on Civil Rights, as well as appointing the first black judge on a federal appeals court in 1948 and, by executive order later that year, ordering full racial integration in the armed forces. In this important, ambitious, far-reaching book, Urofsky writes about the affirmative action cases decided by the Supreme Court: cases that either upheld or struck down particular plans that affected both governmental and private entities. We come to fully understand the societal impact of affirmative action: how and why it has helped, and inflamed, people of all walks of life; how it has evolved; and how, and why, it is still needed.

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