The words "affirmative action" mean different things to different people. One aim of this seminar is to determine the true meaning. Topics covered will include the legal history of the concept of affirmative action, some history of the application of affirmative action to higher education, past and present, the relation of affirmative action to the political correctness debate and some current issues, including the desegregation suits in southern states and the legal meaning of sexual harassment.

Texts:

Orfield, Gary & Edward Miller, Chilling Admissions.
Bok & Bowen, Shape of the River.

Recommended

Bell, Derrick, Civil Rights: Leading Cases.
Chin, Affirmative Action and the Constitution, Vol I-III [on reserve]
Fraser, ed., The Bell Curve Wars.
D'Souza, Illiberal Education
UK Report on the Status of Women

SCHEDULE

Aug. 26

Introduction and Discussion


Sept. 2

Chamberlain, Chapter 8
Orfield, Chapter 1
E.O. 11246
Higher Education Guidelines - Book I

Sept. 9

Orfield 2

Sept. 16

Johnson v. Transportation Agency (1987)
City of Richmond v. Croson 488 U.S. 469 (1989)
Metro Broadcasting v. FCC 49 U.S. 547 (1990)
Adarand v. Pena 497 U.S. 547 (1990), 115 Sct 2097
Taxman v. Puscataway 91 F3rd 1547 (1996)

Sept. 23

The Desegregation of Higher Education

Adams v. Richardson 356 FSupp 92 (1973)
U.S. 717 (1992)
Orfield, Chapter 6

Sept. 30

Title IX
Chamberlain 3, 11, 16 I-
Davis v. Monroe 119 Sct 1661 (1999)

Oct. 7

Recent cases and laws in Higher Education

California Proposition 209
Orfield, Chapter 3
Oct. 14
Term Paper Reports

Oct. 21
Term Paper Reports
Begin Bok & Bowen, Shape of the River
Oct. 28
Finish Bok and Bowen, Shape of the River

Nov. 4
University of Michigan Affirmative Action Suit (UMAAS)
"Plaintiffs and Defendants"

Nov. 11
UMAAS
"University of Michigan"
"Intervenors"

Nov. 18
UMAAS
"Legal Aspects"

Nov. 25 THANKSGIVING HOLIDAY

Dec. 2
UMAAS
"Affirmative Action and Diversity Project (UCSB)"

Dec. 9 Final Class Meeting

Moot Court?