

AFFIRMATIVE ACTION



PHIL 102
Ethics, Politics, & Law
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14TH AMENDMENT



- History of the 14th
- 1866 Congress
- Public schools in the District of Columbia
- Constitutional precedent
- *Plessy v. Ferguson*
- Original intention
 - Concrete intention of the 1866 Congress
 - Abstract intention of the 1866 Congress

Brown v. Board of Education

- NAACP Legal Defense Fund
- Thurgood Marshall
- The Vinson Court
- Earl Warren
- Working of the Court
- The opinion



RACE & GENDER



- **History of racism**
 - **Criminal justice statistics**
 - **Health statistics**
 - **Wage differentials**
- **History of sexism**
 - **Wage differentials**
- **Prejudice**

EQUAL OPPORTUNITY



- **Equality**
 - Social goal
 - Human right
- **Are we equal?**
- **Equality of opportunity**
- **“Color blindness”**
- **Overcoming prejudice?**

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- **John Kennedy**
 - **Executive Order 10925 (1961)**
 - **projects financed with federal funds "take affirmative action" to ensure that hiring and employment practices are free of racial bias**
- **Lyndon Johnson**
 - **1965 speech at Howard University**

GETTING IT RIGHT



"You do not wipe away the scars of centuries by saying: 'now, you are free to go where you want, do as you desire, and choose the leaders you please.' You do not take a man who for years has been hobbled by chains, liberate him, bring him to the starting line of a race, saying, 'you are free to compete with all the others,' and still justly believe you have been completely fair . . . This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result."

WHAT IS IT?



- **Discrimination**
- **Quotas**
- **Advantage to certain candidates**
- **Being qualified**
- **Being the most qualified**
- **What would you do?**