

AFFIRMATIVE ACTION

efforts to make education and employment available to people who have traditionally been treated unfairly, for example because of their race or sex, by giving them some advantages over people who have traditionally been more powerful

→ **objective** : promote equal opportunities for applicants and employees (change preferences when selecting people for a job) and support marginalised groups

What impact did the implantation of affirmative action have on the United States over time ?

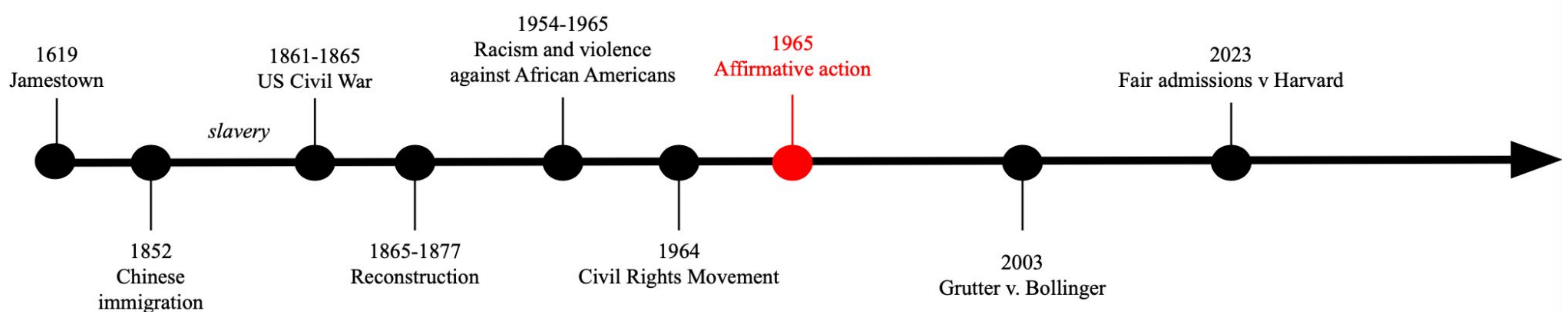
I. The rise of affirmative action in the United States

A. Context of the origin of the affirmative action

- **Chinese immigration** to the west coast in 1852 (torture of immigrants from China)
- **Racial segregation** : US Civil War → Reconstruction (14th amendment)
- **Racism and violence against African Americans** (1954-1965s)
 - **Jim Crow laws** legalized segregation
→ **Civil Rights Movement** in 1964 → executive order of Johnson
- 2003 : **Grutter v. Bollinger**, - official acknowledgment of affirmative action by Supreme Court

B. Decoding affirmative action : theory and application

- Affirmative action is a direct consequence of the **Civil Right Acts** of 1964
- **2 main areas** of affirmative action :
 - Employment
 - **University admissions**
- Seen as a compensation for an unfair and **discriminatory legal system**
- **Expansion of the scope** of affirmative action
→ Latinos, Native Americans, Asians and even women
- Racial quotas (until 1978), scholarships, being a part of a minority = criteria during admission



II. The decline of affirmative action in the United States

A. Current political and legal situation against affirmative action

- **Opposition to the policy by the Supreme Court**
 - **California : Proposition 209 in 1996** → limited use of affirmative action
 - **Non-discrimination policy no longer mandatory** in the university (June 2023, *Fair Admissions v. Harvard*) → **violation of admission process by affirmative action**

B. Reconsidering affirmative action (critics)

- A **violation** of the **XIVth amendment** (1868) ?
→ Equal protection clause = equality before the law
 - An obstacle to **meritocracy**
 - **Discrimination against a majority** in favour of a minority
Leads to a confinement in one's social group and tensions
 - A change in the minorities that takes away the main argument of affirmative action
→ Set up for descendants of those who were exploited but **benefits** children of **voluntary immigrants**
- => Affirmative action became a **political argument**

- Affirmative action is a hot topic, not only in the United States → France (social inequalities), the European Union (gender inequalities)...
- The latest decision of the Supreme Court about affirmative action is a milestone, but is it showing progress or regress ?