

# Affirmative Action



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## I. UNDERSTAND WHAT IS AFFIRMATIVE ACTION



### A) *Definition of Affirmative Action*

Affirmative action is defined as the practice or policy of favoring individuals belonging to groups regarded as disadvantaged or subject to discrimination; positive discrimination.

The typical criteria for affirmative action :

- race, disability, gender, ethnic origin and age

### C) *Forms of Affirmative Action*

- Hiring quotas or targets for underrepresented groups
- Outreach and recruitment programs
- Preferential treatment in college admissions or financial aids
- Supplier diversity programs in businesses

### B) *Origins of Affirmative Action*

Affirmative Action began to emerge in the 1960' (sixties) as a response to civil rights movements in the United States.

→ On March 6, 1961 the Executive Order 10925 was signed by John F. Kennedy introducing affirmative action in hiring and opening a new chapter in achieving access to good jobs.

→ Civil Rights Act of 1964 prohibited employment discrimination (administration of President Lyndon Johnson (1963–69). Businesses that received federal funding were no longer allowed to use aptitude tests and other measures that tended to discriminate against African Americans.

→ Over time, the scope of affirmative action expanded to include women, Native Americans, Hispanics, and other minority groups, extending its reach to colleges, universities, as well as state and federal agencies.

## II. PROS AND CONS OF AFFIRMATIVE ACTION

*Why there is a debate about Affirmative action ?*



### *Pros :*

- Erase the remains of racial segregation and restore equality.
- Allow the most disadvantaged to have access to the same opportunities and allow students to prepare to work in a diverse global economy.
- Improve cohesion, productivity and decision-making in large companies.
- Allow social mobility.

### *Cons :*

- Reverse discrimination
- Stigma and stereotype threat
- Erosion of meritocracy
- Division of public opinion

### *Legal controversies :*

- Regent of the University of California v. Bakke (1978)
- Adarand Constructors v. Peña (1995)
- Grutter v. Bollinger and Gratz v. Bollinger (2003)

## III. PRESENT AND FUTURE OF AFFIRMATIVE ACTION



States that have banned affirmative action until 2023: California, Florida, Washington, Michigan and Nebraska, Texas, Mississippi and Louisiana. → June 29, 2023, US Supreme Court banned affirmative action considering racial inequalities do not require such a policy "which is based on subjective elements and which conveys racial stereotypes".

Substitution measures by certain universities : promoting merit by allowing recruitment to be diversified by taking into account socio-economic criteria; although its relevant to take into account, this criteria cannot entirely replace the impact of race. Investing in early education and mentoring programs, while raising awareness of the prejudices and discrimination suffered by minorities, could be part of the solution.

Affirmative action's positive effects: Between 1970 and 1990, 41% of police officer positions nationwide were held by African-Americans, while the number of African American firefighters increased almost fivefold. But the results are modest, and the social and racial struggle is far from over.

## CONCLUSION

Affirmative Action :

- takes place in a particular moment in American history.
- has divided and still divides American society where there is a real debate about pros and cons Affirmative Action.
- this notion is evolving in order to meet changing needs and demands of society.

In France, affirmative action based on ethnic origin is contrary to the principle of republican equality. But "positive discrimination" for the benefit of disabled workers and women has already been established. Affirmative action is increasingly supported, but it would be wise to learn from the failure of this policy in the U.S.

Looking for more information ? <https://www.youtube.com/watch?v=T-pLmNTyut4>