

# **Affirmative Action**

## **Affirmative Discrimination**

**How the federal courts fabricated a case of  
discrimination in the Boston police and fire  
departments to achieve diversity in the workplace,  
and how this policy irreparably damaged race rela-  
tions in the city of Boston and throughout our nation**

**Paul Joseph  
Walkowski**

**Co-author of  
*From Trial Court to the  
United States Supreme Court***

# Affirmative Action Affirmative Discrimination

**Ira Katznelson**



## **Affirmative Action Affirmative Discrimination:**

**Affirmative Discrimination** Nathan Glazer, 1987 Should government try to remedy persistent racial and ethnic inequalities by establishing and enforcing quotas and other statistical goals Here is one of the most incisive books ever written on this difficult issue Nathan Glazer surveys the civil rights tradition in the United States evaluates public policies in the areas of employment education and housing and questions the judgment and wisdom of their underlying premises their focus on group rights rather than individual rights Such policies he argues are ineffective unnecessary and politically destructive of harmonious relations among the races Updated with a long new introduction by the author Affirmative Discrimination will enable citizens as well as scholars to better understand and evaluate public policies for achieving social justice in a multiethnic society

**For Discrimination** Randall Kennedy, 2015-06-09 The definitive reckoning with Affirmative Action one of America's most explosively contentious and divisive issues from one of our most important and perceptive writers on race and the law The Washington Post A clear eyed take on America's battle over affirmative action and diversity Kennedy goes straight at the issue with fearlessness and a certain cheekiness Los Angeles Times Compelling Powerful Wall Street Journal What precisely is affirmative action and why is it fiercely championed by some and just as fiercely denounced by others Does it signify a boon or a stigma Or is it simply reverse discrimination What are its benefits and costs to American society What are the exact indicia determining who should or should not be accorded affirmative action When should affirmative action end if it must Randall Kennedy gives us a concise and deeply personal overview of the policy refusing to shy away from the myriad complexities of an issue that continues to bedevil American race relations

**Affirmative Action** M. J. Cosson, 2007-09-01 Discusses the controversial viewpoints regarding affirmative action

**Affirmative Action And Equal Opportunity** Nijole V. Benokraitis, 2019-04-10 The affirmative action program has engendered a hostile reaction in many quarters Originating in presidential executive orders and civil rights legislation the program is intended to combat institutional race and sex discrimination by encouraging public and private organizations to go beyond the mere cessation of formal discriminatory practices to enact their own programs to end unfair practices In contrast to the passive nondiscrimination of equal opportunity affirmative action means that employers must act positively affirmatively and aggressively to remove all barriers however informal or subtle that prevent minorities and women from having equal access to all levels of the nation's educational industrial and government institutions Is affirmative action in fact geared to equal opportunity Or has it resulted in greater inequality for white males The authors of this book empirically examine employment in government industry and higher education and enrollment in colleges and universities to determine the current status of women and minorities as employees and students They also describe the machinery of affirmative action its budget and staff problems the compliance and enforcement processes and the results of the program Their final chapter includes a theoretical explanation for the very apparent resistance to affirmative action and expresses their pessimism about

the program's ability to accomplish its goals especially in light of recent efforts to weaken its already limited power They close with a discussion of the future of affirmative action and the likelihood of achieving equal opportunity in employment

Justice, Gender, and Affirmative Action Susan D. Clayton, Faye J. Crosby, 1992 CHAPTER 3 Relative Deprivation

*Affirmative Action, Affirmative Discrimination* Paul Joseph Walkowski, 1999 Can we trust our courts to apply the law to the facts in controversial cases involving race and to rule on the law putting personal feelings and political agendas aside This book is not going to sit well with those who support managed diversity Walkowski advances the argument that if we are to be true to what the constitution promises one or the other has to go either we abolish the Fourteenth Amendment altogether and give up all pretence of our national commitment to equal treatment under the law or end race based programs

**When Affirmative Action Was White** Ira Katznelson, 2006-07-25 A groundbreaking work that exposes the twisted origins of affirmative action In this penetrating new analysis New York Times Book Review Ira Katznelson fundamentally recasts our understanding of twentieth century American history and demonstrates that all the key programs passed during the New Deal and Fair Deal era of the 1930s and 1940s were created in a deeply discriminatory manner Through mechanisms designed by Southern Democrats that specifically excluded maids and farm workers the gap between blacks and whites actually widened despite postwar prosperity In the words of noted historian Eric Foner Katznelson's incisive book should change the terms of debate about affirmative action and about the last seventy years of American history

*Affirmative Action* Carl Leon Bankston, 2017 Affirmative action is one of the most controversial policies of our time This book provides a succinct but comprehensive account of the historical background of affirmative action including the complicated racial history that gave rise to it and the changing meaning of affirmative action in government and law giving special attention to the role of the civil rights movement The book traces the major court decisions that have defined how affirmative action policies in education and employment may be used and that have defined the limitations of these policies It gives particular attention to the emergence of the diversity rationale and to how this became the central legal justification for affirmative action The book describes how the Supreme Court has been as divided as American society in general on the question of affirmative action It discusses the relevance of the changing composition of the American population for affirmative action giving special attention to the Latino and Asian groups that have been the greatest part of demographic change in the United States It considers the ways in which diversity has become a complicated concept in this changing society These pages also devote attention to arguments that racial and ethnic affirmative action should be replaced by efforts of socioeconomic affirmative action that would be more relevant to contemporary American society Following this discussion of social and economic change this brief volume examines the different ways in which affirmative action is a problematic approach to social inequality The book suggests that inequality is deeply rooted in social networks and cultural patterns and that inequality therefore does not lend itself to redesign through planning It suggests further that affirmative action is based

on the idea that upward mobility can be selectively encouraged across groups without recognizing that universal upward movement is not possible It provides an even handed consideration of the mismatch qualification and stigma arguments Finally the book looks at the possible future of affirmative action considering pressures working against preferential policies in employment education and the substantial support that these policies will continue to have

*A Philosophical Defense of Affirmative Action* Engelbert Ssekasozi, 1999 Ssekasozi provides an ontological ethical foundation for the legal analysis on affirmative action arguing that there is a fine ethical distinction between human rights and civil rights in practice and that where discrimination is categorical in nature a categorical solution is required Chapters include a review of the literature a summary of relevant legal documents a detailed philosophical explication of the problem and discussion of types of discrimination with conclusions and directions for future research Double spaced text Annotation copyrighted by Book News Inc Portland OR

*Affirmative Action* Richard F. Tomasson, Faye J. Crosby, Sharon D. Herzberger, 1996 Hailed at the time of its original publication as a thorough and balanced debate of one of America's most vexing political issues Affirmative Action employs a pro and con format to provide a concise introduction to this divisive debate In a new substantive introduction Richard F Tomasson offers a short history of the affirmative action debate and addresses new developments since the book's original appearance In Part One authors Crosby and Herzberger draw on state and federal court decisions federal decrees and university practices to support affirmative action to counter racial and gender bias In Part Two Tomasson cites the same kinds of evidence to argue against affirmative action programs

**Affirmative Action** Albert G. Mosley, Nicholas Capaldi, 1996 In this book two distinguished philosophers debate one of the most controversial public policy issues of the late 20th century Each begins by making a case for or against affirmative action laying out the major arguments on both sides Each author then responds to the other's essay Written in an engaging accessible style Affirmative Action is an excellent text for junior level philosophy political theory public policy and African American studies courses as well as a guide for professionals navigating this important debate

**Equality Transformed** Herman Belz, A quarter century after the enactment of the 1964 Civil Rights Act its legacy remains controversial The statutory language intended to ensure equal opportunity to all individuals is now interpreted as authorizing both public and private employers to adopt preferential policies that benefit designated groups based on race and gender Much the same transformation has occurred in federal contract programs President Kennedy's executive order that required equal employment opportunity is now understood as mandating minority hiring with numerical goals tantamount to quotas Herman Belz's *Equality Transformed A Quarter Century of Affirmative Action* traces this transformation of equality and how it was brought about by courts regulatory agencies and activists The early champions of civil rights sought to eradicate impediments to advancement for the downtrodden the ultimate aim was to create a truly colorblind society Over the years this goal while still professed became even more elusive Preferences goals and timetables temporary means for the attainment of a nondiscriminatory society

seemed to undermine that noble quest Equality Transformed provides a textured history of affirmative action and its effects upon race relations and our democratic egalitarian ideals In recent years under the impetus of the Reagan Justice Department the Supreme Court has backed away however hesitantly from its earlier sympathy towards race conscious remedies and preferential treatment Belz s analysis of recent Supreme Court cases and their antecedents allows us to better understand both the tensions in our society and the fury that the Court has triggered with its recent civil rights pronouncements Belz makes a strong case for hewing to a forward looking rather than a backward looking approach to eradicating discrimination Anyone interested in the history law theory or morality of affirmative action in employment will find Equality Transformed invaluable

Affirmative Action John W. Johnson, Robert P. Green Jr., 2009-05-19 Affirmative Action recounts the fascinating history of a civil rights provision considered vital to protecting and promoting equality but still bitterly contested in the courts and in the court of public opinion Special consideration or reverse discrimination This examination traces the genesis and development of affirmative action and the continuing controversy that constitutes the story of racial and gender preferences It pays attention to the individuals the events and the ideas that spawned federal and selected state affirmative action policies and the resistance to those policies Perhaps most important it probes the key legal challenges to affirmative action in the nation s courts The controversy over affirmative action in America has been marked by a persistent tension between its advocates who emphasize the necessity of overcoming historical patterns of racial and gender injustice and its critics who insist on the integrity of color and gender blindness In the wake of related U S Supreme Court decisions of 2007 Affirmative Action brings the story of one of the most embattled public policy issues of the last half century up to date demonstrating that social justice cannot simply be legislated into existence nor can voices on either side of the debate be ignored

**Racism and Justice** Gertrude Ezorsky, 2018-08-06 Affirmative action does it really counteract racism Is it morally justifiable In her timely and tough minded book Gertrude Ezorsky addresses these central issues in the ongoing controversy surrounding affirmative action and comes up with some convincing answers Ezorsky begins by examining the effectiveness of affirmative action as a remedy for institutional racism in the workplace She analyzes the ways in which common practices selection of employees based on personal connections qualification and seniority standards perpetuate the injurious effect of past racial discrimination and she assesses the rationale for such affirmative action measures as objective job related testing numerical goals and preferential treatment for basically qualified blacks To illuminate the social reality in which affirmative action takes place she draws on recent work by social scientists and legal scholars Turning to the moral issues Ezorsky posits two basic justifications for affirmative action first looking backward to provide deserved compensation for past racial injustice that was sanctioned practiced and encouraged by our government second looking forward to promote racial desegregation in the American workplace Unlike some supporters of affirmative action she does not deny that preferential treatment may place an unfair burden on white males Indeed she suggests specific

practical measures for spreading that burden more equitably Clear headed well reasoned and persuasive this book will be read eagerly by everyone from students to legislators by anyone concerned with racial justice in America

**Understanding Affirmative Action** J. Edward Kellough,2006 For some time the United States has been engaged in a national debate over affirmative action policy A policy that began with the idea of creating a level playing field for minorities has sparked controversy in the workplace in higher education and elsewhere After forty years the debate still continues and the issues are as complex as ever While most Americans are familiar with the term they may not fully understand what affirmative action is and why it has become such a divisive issue With this concise and up to date introduction J Edward Kellough brings together historical philosophical and legal analyses to fully inform participants and observers of this debate Aiming to promote a more thorough knowledge of the issues involved this book covers the history legal status controversies and impact of affirmative action in both the private and public sectors and in education as well as employment In addition Kellough shows how the development and implementation of affirmative action policies have been significantly influenced by the nature and operation of our political institutions Highlighting key landmarks in legislation and court decisions he explains such concepts as disparate impact diversity management strict scrutiny and representative bureaucracy **Understanding Affirmative Action** probes the rationale for affirmative action the different arguments against it and the known impact it has had Kellough concludes with a consideration of whether or not affirmative action will remain a useful tool for combating discrimination in the years to come Not just for students in public administration and public policy this handy volume will be a valuable resource for public administrators human resource managers and ordinary citizens looking for a balanced treatment of a controversial policy

**Affirmative Action in Perspective** Fletcher A. Blanchard,Faye J. Crosby,2012-12-06 Racism and sexism remain prevalent in societies today Based on this proven premise the authors of **Affirmative Action in Perspective** maintain that a policy of equal opportunity as practiced in America is not a feasible realistic solution to the legacy of racial and sexual discrimination Drs Blanchard and Crosby have edited a volume which clearly displays their conviction that affirmative action as a policy has the potential to establish a society more equitable than the society we know now Distinguished contributors to this volume discuss the policy from a level of definition to actual case studies and further to the theoretical examination of the justice of affirmative action Throughout the book the urgency of questioning current policies is evident so too is the need for basic understanding of the realities of injustice which draw the line between the advantaged and the disadvantaged

***Affirmative Action in the 1980s*** United States Commission on Civil Rights,1981

**Affirmative Action: A-I** James A. Beckman,2004 Sixty four international academics attorneys government specialists and consultants contribute to this two volume reference text providing an objective overview of current scholarship on affirmative action and its impact on such areas as law ethics political science economics history philosophy and sociology in the U S and abroad Included are a timeline of major events in the development of affirmative action in the U S from 1865 to

the present and the full texts of Gratz v Bollinger and Grutter v Bollinger two landmark Supreme Court decisions of June 2003 For high school and college students professionals in fields dealing with race equality and affirmative action and general readers Annotation 2004 Book News Inc Portland OR booknews com **Affirmative Action** A. M. Babkina,2004 This guide to the literature presents 451 descriptions of books reports and articles dealing with all aspects of affirmative action including Race relations Economic aspects Reverse discrimination Preferences Affirmative Action programs Public opinion Court decisions Education and many more Complete author and subject indexes are provided *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

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