Name

Professor

Class

Date

Affirmative Action: Making the Case for Greater Equality

The 1960’s were not a time in which politics of race, gender, and socioeconomic inequalities were taken likely. After the tragic assassination of John F. Kennedy, President Lyndon B. Johnson undertook a course of action to minimize past discrepancies between classes and races, culminating in the Civil Rights Act of 1964. Like other legislation passed during the Civil Rights Movement, this document sought to give more opportunities to the underprivileged in order to combat decades of inequality and has remained central to contemporary American society.

After garnering initial success, affirmative action then stood the test of the Supreme Court, whom, for decades, have gone back and forth on its credentials. This ever-changing sociopolitical ferment in the United States first gave rise to the famous Court case, Regents of the University of California vs. Bakke, in which the justices decided in favor of Allen Bakke. However, it is important to note that the Court did not decide against the University because of its adherence to affirmative action, but rather the way in which the school carried out its admission process, setting aside 16 of 100 spots for “Blacks, Chicanos, Asians, and American Indians” (Powell 65). Thus the Court rendered not affirmative action but this system of slotting students based on their race as unconstitutional, leaving the door open for more similar cases to arrive at the High Court.

In 2003, however, the Court again showed its recognition of the benefits of affirmative action, and differing from Johnson’s goal of prohibiting discrimination, actually took a greater stance to ensure racial equality. The 5-4 decision written by Justice Sandra Day O’Connor specified that schools had a compelling interest to ensure greater racial and socioeconomic diversity, and that granting underprivileged students greater opportunities than their peers was constitutional under the Fourteenth Amendment, henceforth changing the constitutional interpretation of affirmative action (O’Connor 27). Such changes have brought attention to this matter.

For these reasons, affirmative action has become quite a topic of debate in American politics, as its proponents have battled hard-line constitutionalists who feel it gives unfair advantages to the underprivileged. The Supreme Court, while not the only governmental body discussing affirmative action, has, at this point, given way to greater equality, although changing the way schools and employers may attain a diverse student body and/or workforce.

Works Cited

*Grutter v. Bollinger*.  539 U.S. 306.  Supreme Court of the United States.  2003.  *J-Stor*

*Academic.*Web.  3 Jan. 2012.  
*Regents of the University of California v. Bakke.*438 U.S. 265.  Supreme Court of the United

States.  *J-Stor Academic.*Web.  2 Jan. 2012.  
Hasselbeck, Matthew.  “Interpreting Supreme Court Decisions.”  *The Journal of American*

*Liberty.*New York: St. Martin’s, 2008.  408-21.  Web.  3 Jan. 2012.  
Banner, David.  *Chasing Liberty: A Guide to Attaining Contemporary Freedom*.  Harvard:   
 Harvard University Press, 2002.  Print.