

Worksheet - #7

1. In Regents of the University of California v. Bakke, what was the “fatal flaw” in the university’s admission process ?

2. What type of consideration did the Bakke decision allow a university to give to race/ethnicity in the admissions process ?

3. What does Bakke identify as the ways in which racial classifications can be misused, even if those classifications were established for benign purposes?

4. The Fischer-2 decision is the Supreme Court’s most recent decision in the area of affirmative action in college admissions which began with Bakke.

4a) How does the University of Texas consider race in its admissions ?

4(b) What does the Court identify as the “compelling interest” that justifies the consideration of race in the admissions process ?

5.(a) What does Justice Marshall’s Bakke opinion find “ironic” about the majority position ?

(5b) Contrast Justice Marshall’s Bakke opinion with the “Let Him Alone” principle as discussed by Justice Thomas in the Parents Involved case.

6. Summarize each of the three groups of Parents Involved opinions as discussed in the Wilkinson article.