General Information

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Description

The Supreme Court hears arguments on the Bakke reverse discrimination case. Alan Bakke, a white applicant to a California state university, is suing the school claiming its racial quota system, employed as part of its affirmative action program, is unconstitutional. The Court would later rule that although schools can use race as part of their affirmative action programs, strict racial quota systems are unconstitutional.

Keywords

FLOYD KALBER, anchor:
The United States Supreme Court has heard the arguments in the Bakke reverse discrimination case. Justices will now consider this case for some time, a decision not expected until mid 1978.

CARL STERN reporting:
The attorney for Allan Bakke told the court that his client had test scores two and three times higher than the average non-white accepted in the medical school. Reynold Colvin said that quotas were now being used to keep out white students, and that universities have become quota happy. That seemed to strike a responsive note in Chief Justice Warren Burger, who wondered if other methods couldn’t be found to get more non-white applicants into schools. But Archibald Cox, representing the University of California, said there was no other way to achieve that goal. As he left the court, Bakke’s lawyer took pains to say that if Bakke wins a ban on numerical quotas, that would not mean an end to other efforts to help minorities.

REYNOLD COLVIN: We have always distinguished in this case between the quota system and affirmative action. We continue to make that distinction, and I do not believe that an affirmation of the California Supreme Court decision would mean the end of affirmative action. I believe that very strongly.

STERN: Supporters of minority programs applauded as Archibald Cox left the courthouse. The court will probably announce its decision next spring. The Justices seem to be trying to find a middle ground, and will let race be taken into account in admission programs, but not as the main factor. Carl Stern, NBC