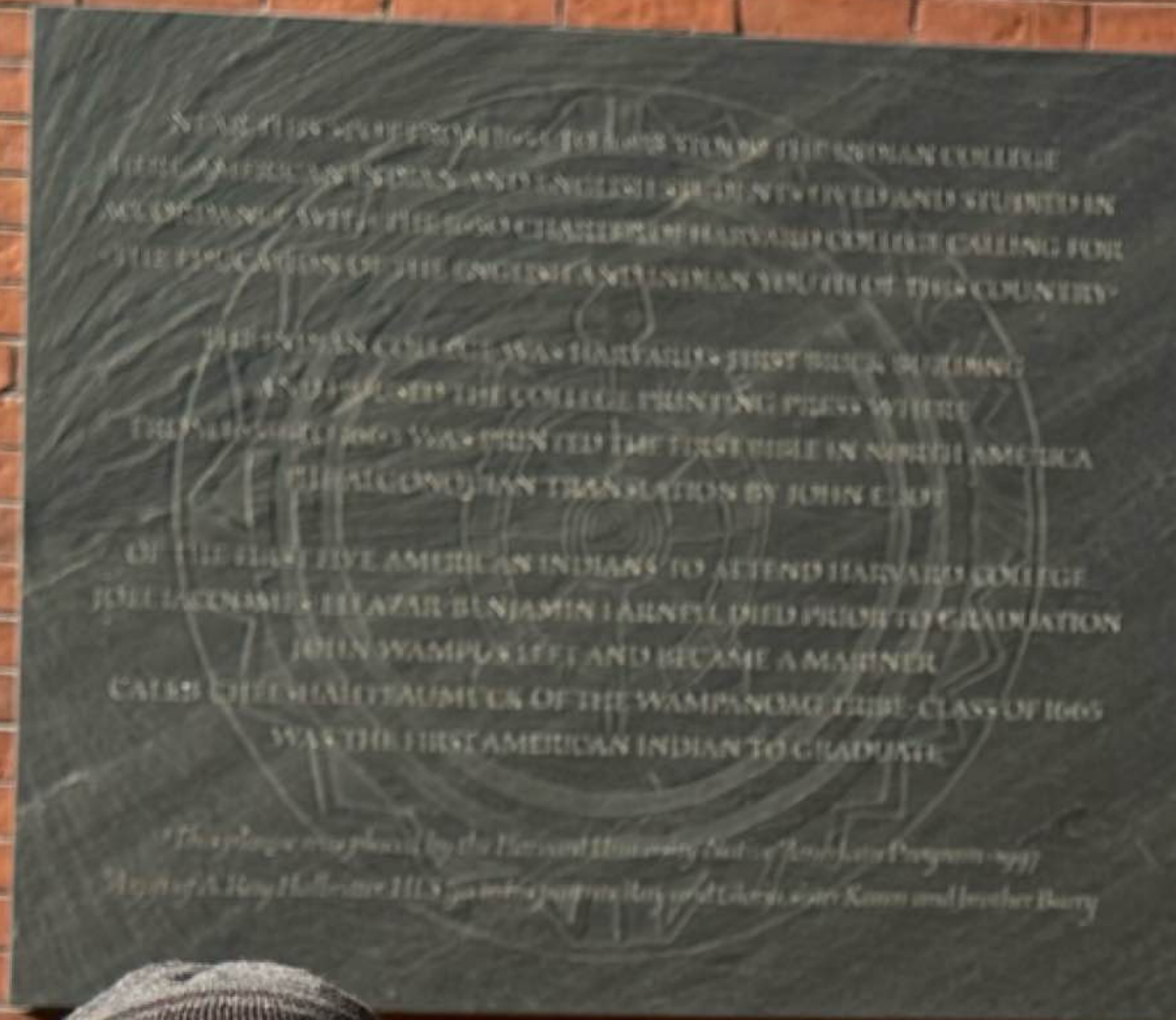


AFFIRMATIVE ACTION, THE HARVARD – UNC CASES, AND NATIVE ADMISSIONS



THE ATTACK ON AFFIRMATIVE ACTION

What's at stake?

At risk are 40 years of legal precedent and diverse campus communities that prepare students for an interconnected world.



Read Harvard President Lawrence Bacow's statement

STUDENTS FOR FAIR ADMISSIONS V. HARVARD

ADMISSIONS CASE



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

ABOUT THE LAWSUIT ▾

FACT CHECK

RACE-NEUTRAL STRATEGIES

STATEMENTS AND UPDATES

ABOUT CAROLINA ▾



As the nation's first public university, the University of North Carolina at Chapel Hill has dedicated over 229 years to the pursuit of excellence in teaching, research and service to the people of North Carolina and beyond.

Carolina's mission "is to serve as a center for research, scholarship and creativity and to teach a diverse community of undergraduate, graduate and professional students to become the next generation of leaders." Consistent with those values, we pursue

STUDENTS FOR FAIR ADMISSIONS V. NORTH CAROLINA



EQUAL PROTECTION LAW AND AFF. ACTION

**THE SUPREME COURT
INTERPRETS THE EQUAL
PROTECTION CLAUSE TO
BAR ALL CLASSIFICATIONS
BASED ON RACE . . .**

**UNLESS THE GOVERNMENT SHOWS A
COMPELLING GOVERNMENTAL INTEREST TO
JUSTIFY THE CLASSIFICATION – THIS IS
CALLED STRICT SCRUTINY**

AFFIRMATIVE ACTION AND INDIAN LAW

THE DUTY OF PROTECTION AKA THE TRUST RELATIONSHIP

THE UNITED STATES OWES
A DUTY OF PROTECTION TO
TRIBAL NATIONS AND
INDIVIDUAL INDIANS – WE
USUALLY CALL THIS THE
TRUST RESPONSIBILITY

CLASSIFICATIONS BASED ON
“INDIAN STATUS” ARE VALID IF THEY
ARE IN RATIONAL FULFILLMENT OF
THE TRUST RESPONSIBILITY –
MORTON V. MANCARI (1974)

FEDERAL OBLIGATION TO EDUCATE INDIANS

**MOST INDIAN TREATIES
INCLUDE A FEDERAL
OBLIGATION TO
EDUCATE INDIAN
CHILDREN – AND YES,
THE GOVERNMENT
STARTED BOARDING
SCHOOLS AS A RESULT**

**CONGRESS ACKNOWLEDGES
THE FEDERAL OBLIGATION TO
EDUCATE INDIANS – 25 U.S.C.
SEC. 5301(B).**

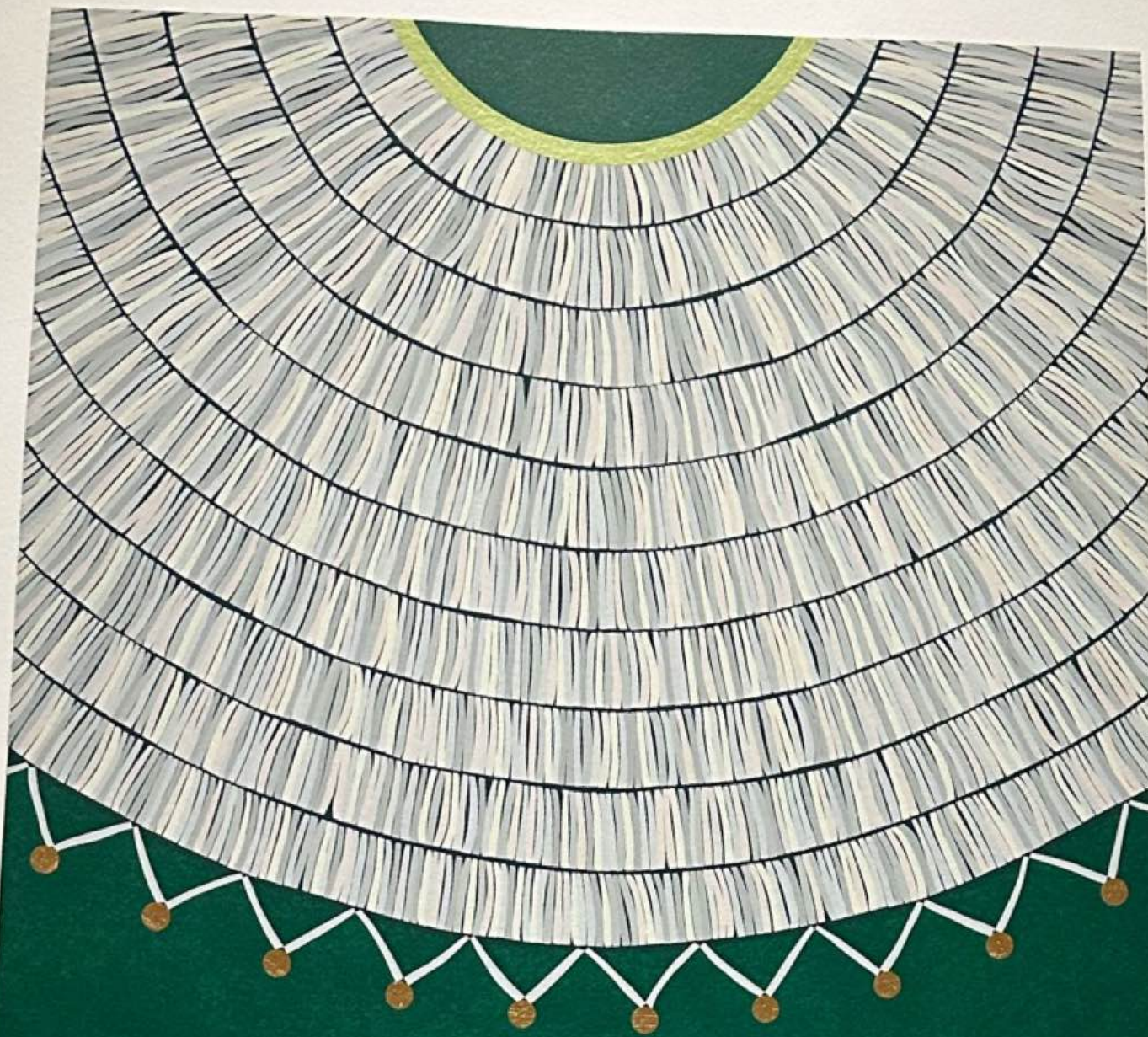


S STATE AND PRIVATE ACTION

STATE ACTION THAT IS IN FULFILLMENT OF THE TRUST RESPONSIBILITY IS VALID, TOO – E.G., WASHINGTON V. FISHING VESSEL ASSN. (1979)

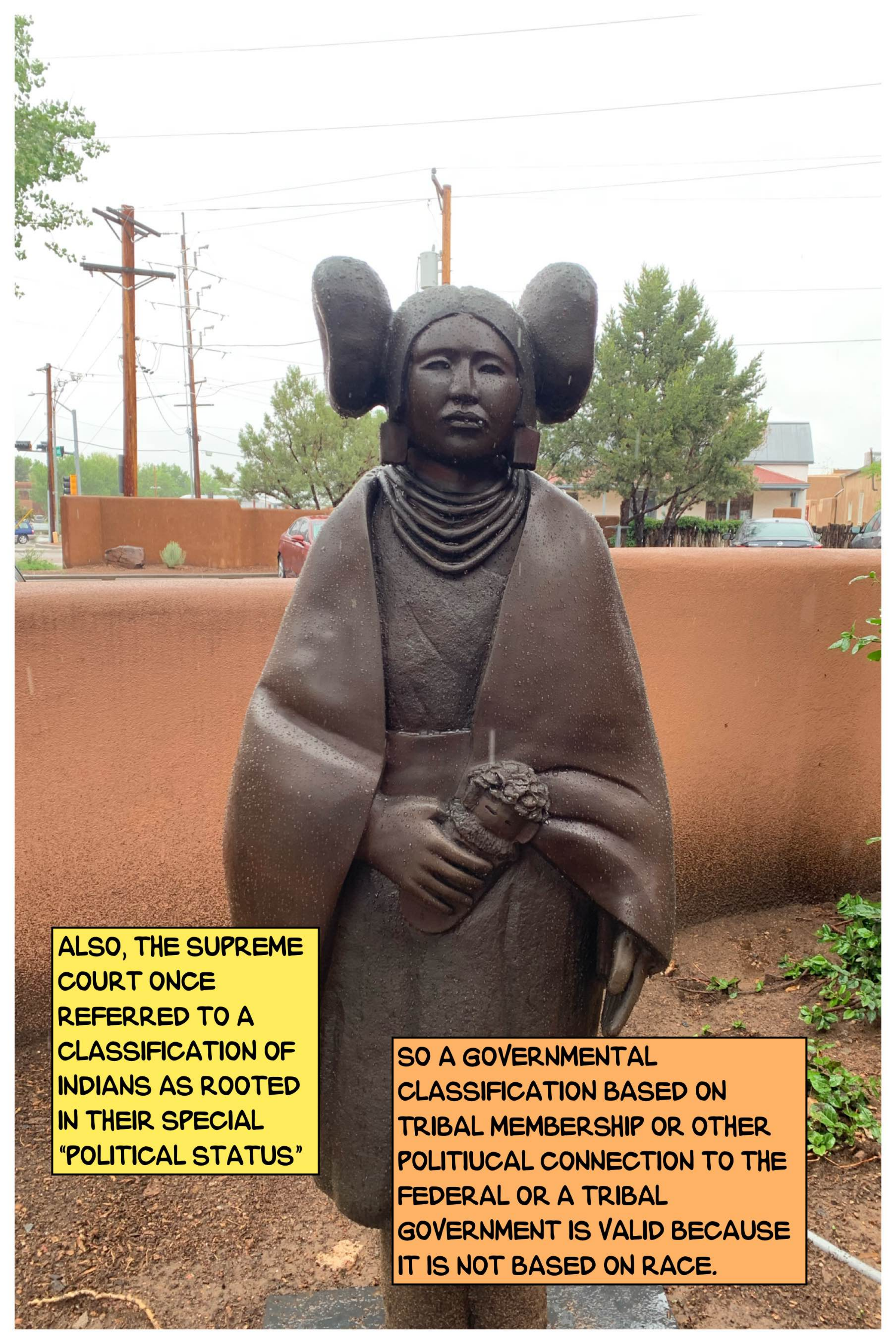
STATE ACTION INCLUDES WITHOUT LIMITATION AFFIRMATIVE ACTION IN ADMISSIONS, SCHOLARSHIPS, ACADEMIC PROGRAMS, CENTERS OF STUDY, TUITION WAIVERS, AND SO ON.

WHY ARE INDIANS SO SPECIAL?



BECAUSE THE CONSTITUTION SAYS SO – CONGRESS CAN LEGISLATE ON AFFAIRS INVOLVING “INDIANS” AND “INDIAN TRIBES”

IF CONGRESS DETERMINES THAT INDIAN EDUCATIONAL OPPORTUNITIES ARE CONSISTENT WITH THE TRUST RESPONSIBILITY – AS IT HAS – THEN AFFIRMATIVE ACTION FAVORING TRIBAL MEMBERS IS VALID. FULL STOP.



ALSO, THE SUPREME COURT ONCE REFERRED TO A CLASSIFICATION OF INDIANS AS ROOTED IN THEIR SPECIAL "POLITICAL STATUS"

SO A GOVERNMENTAL CLASSIFICATION BASED ON TRIBAL MEMBERSHIP OR OTHER POLITICAL CONNECTION TO THE FEDERAL OR A TRIBAL GOVERNMENT IS VALID BECAUSE IT IS NOT BASED ON RACE.

REALLY?!?!?

YES. REALLY.

O-JIB-WA

BITTERS

WHAT ABOUT STATE RECOGNIZED TRIBES?



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Alterative, Stomachic, Tonic, Diuretic
Antispasmodic, Cholagogue and
Nervine Action

Contains: Burdock, Yellow Dock, Wild C
Bark, Quassia, Dandelion Root, Black Co
Cape Aloes, Sarsaparilla, Tag Alder, Lic
Root, Mandrake, and Life Root . . . Prepared
with Sodium Benzoate as a preservative.

<<DEEP BREATH>>

FEDERAL RECOGNITION
OF TRIBES IS THE GOLD
STANDARD. IT MAKES
THE CASE EASY.

BUT . . . MANY TRIBES
THAT ARE NOT
RECOGNIZED SHOULD
BE! AND THE UNITED
STATES STILL OWES
THOSE TRIBES'
CITIZENS A DUTY, EVEN
IF THE U.S. DOESN'T
FORMALLY
ACKNOWLEDGE IT.

Manufactured by
O-JIB-WA MEDICINE CO.
FLINT, MICHIGAN

A vertical photograph of a sunset. The sky transitions from a deep blue at the top to a bright orange near the horizon. A faint rainbow is visible in the center of the sky. In the foreground, the dark silhouettes of trees and a hill are visible. A single street lamp is lit, casting a warm glow. The text 'MIIGWETCH!' is overlaid in the center of the image in a bold, red, italicized font with a yellow outline and a black drop shadow.

MIIGWETCH!