Most multiethnic and multiracial societies are characterized by an unequal distribution of resources between particular ethnic or racial groups. States can choose to ignore ethnic and racial cleavages and enforce a strict policy of universalism and individual merit, or they can try to devise policies aimed at greater group equality.

Policies such as reverse discrimination or affirmative action may, however, also have unintended consequences. They may lead to the alienation of previously advanced groups and thereby may end up reinforcing, rather than reducing existing cleavages. In addition, racial quotas depend on the official acknowledgement of racial distinctions, namely on the institutional recognition of the very barriers that are to be eliminated.

This course will deal with the history of ethnic and racial quotas and the related policies of affirmative action or positive discrimination in higher education from the late 19th century to most recent developments. We will look at historical origins of such policies in various countries and various epochs, beginning with the history of restrictive quotas in education in Russia, Europe and the United States. These were primarily aimed at reducing competitive tensions created by the appearance of Jews in institutions of higher learning. After having encouraged Jewish participation in higher education, in 1887 Russia introduced a restriction on admitting Jewish students. Germany adopted a restrictive quota for immigrant students in 1914 mainly to keep out Jewish applicants from Russia. In the 1920s tacit and explicit anti-Jewish quotas were adopted in a number of European countries. Many US and Canadian colleges also adopted such quotas.

But while early 20th century quotas aimed at restricting participation of minorities, in the second half of the 20th century the policy of quotas mostly reappeared with the opposite purpose of encouraging greater participation of ethnic and racial minorities in higher education, although some countries, as South Africa, instituted quotas to promote majorities. In the USA in 1961 President Kennedy formulated the need for “affirmative action” to eliminate discrimination based on race, creed, color or national origin. Yet opposition to quotas and sometimes to affirmative action still echo the very same misgivings that formed the basis of the criticism of quota systems in earlier times. Moreover, in Europe the term “race” itself has remained in disrespect ever since its historical use in genocidal policies, while many other countries, including the United States and Brazil recognize the term “race” as indispensable for maintaining affirmative action policies.

This course will follow the debates on ethnic and racial quotas and affirmative action from the late 19th century until our days, with occasional comparisons extending to gender quotas. We will look at case studies from various ages and various places focusing on debates about the justification and the outcomes of such policies.

Individual assignment for students: You will be asked to write one seminar paper (ca. 1500 words, with bibliography added). Your paper should focus on the problems explored by the
class readings and include one relevant case study suggested by you. You are welcome to consult on your selection of a case study in advance of making a decision.

You will be asked to present a preliminary oral version of your paper in a seminar session. Written papers should be submitted at the end of the term. You are advised to prepare a fact sheet that contains the most important data (dates, statistics, etc.) to be distributed to class participants at the time of your presentation. This will save you time to present your thoughts. The final written version of your paper should also include a bibliography.

**Grading** will be based on class participation (30%) and the seminar paper (30% for the oral presentation, 40% for the final written version). Class participation will be considered satisfactory if you regularly participate in class discussions and excellent if you exhibit a good grasp of the issues involved.

**Learning outcomes**

By the end of the class, students will have acquired basic knowledge of the debates on ethnic and racial quotas and the related policies of affirmative action or positive discrimination in higher education from the late 19th century to most recent developments. The course draws upon several distinct approaches - including law, political theory and history – and thereby enhances students’ multidisciplinary skills and orientation.

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**Class 1. (April 18)**

**Introduction: Benign quotas, malicious quotas. Panacea or Pandora’s box?**

**Class 2 (April 25)**

**Quotas and preferential treatment in history: Russia, Hungary, Poland, North America**

Readings:


**Class 3 (May 9)**

**Quotas and preferential treatment in history: USA**

Readings:

Title VII. The Civil Rights Act of 1964.  4 pp.

Class 4 (May 16)
The affirmative action debate in the USA
Readings:

Class 5 (May 23)
The Law of Social Quotas, Brazil
Readings:
“Affirming a Divide” The Economist, Jan 28th, 2012. 6pp.

Class 6 (May 25)
Indirect Affirmative Action