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FIRE Lauds Marshalls Dropping of RaceBased Course Restrictions

2006-08-16 -- WDC Media News --

(AgapePress) - A campus watchdog has convinced Marshall University in West Virginia to stop offering racially segregated classes. The school had been limiting several freshman orientation classes to "African American students only."

The [Foundation for Individual Rights in Education](#) (FIRE) wrote a letter to Marshall's President Stephen Kopp, protesting the racially segregated classes, after which the university changed the course descriptions, dropping the race-based restrictions. This fall, several sections of the school's University Studies 101 course will focus on "African American student issues," but will now be open to all students, regardless of race or ancestry, and their official course descriptions will reflect this fact.

At one point the university's administrators argued that the "African American students only" restriction on certain courses had never been enforced. But Greg Lukianoff, president of FIRE, says the policy of having some racially segregated classes was "flatly unconstitutional and misguided" at the outset, and "Marshall's claim that this was never enforced" is beside the point.

Anyway, Lukianoff says he has a hard time believing the school officials' claim, "because, why would they put this restriction in there if they didn't mean to enforce it?" But beyond that, he asserts, "whether or not they enforce it, that's no excuse. When something is facially unconstitutional -- when something is unconstitutional by the way it's written -- it doesn't matter whether or not you enforce it."

The idea of "separate but equal" education was discredited decades ago, the FIRE spokesman points out. "No matter what the motivation," he contends, "it is extraordinarily shortsighted to undermine cases like *Brown v. Board of Education*."

Offering racially restricted classes "was a bad idea on the part of Marshall University," Lukianoff insists, no matter what solutions or benefits the school may have thought the plan would confer.

"You really do not want to turn back the clock to the days of segregation," he insists, "even if you think you are doing it with the best of all possible motives."

Last fall, the academic freedom and individual rights advocate notes, FIRE succeeded in getting Arizona State University to cease offering an English class to "Native Americans only." Ultimately, he emphasizes, this is a question of what is legal under the U.S. laws and the federal Constitution.

"Students rights to take certain courses, especially at a public institution, must not be determined by the color of their skin," Lukianoff observes. He says FIRE is pleased that Marshall University came to understand that all of its students deserve equal treatment under the law and ended its use of racial course restrictions.



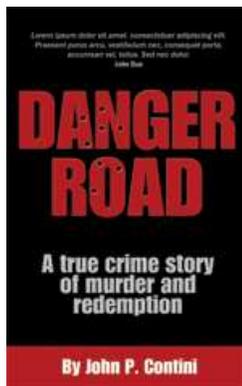
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