

Affirmative Action upheld

WASHINGTON—The Supreme Court, handing civil rights forces a sweeping victory, today reaffirmed the legality of affirmative action in the American work place to remedy past discrimination against blacks and other minorities.

The court's latest word on affirmative action came in two rulings.

In one, the justices approved a plan in Cleveland that reserves about half the promotions in the city's fire department for qualified minority candidates.

In the other, the court upheld a ruling that a union representing sheet metal workers in New York and New Jersey must significantly raise its non-white membership by August 1987.

The ruling represent a major defeat for the Reagan administration, which sought to limit on-the-job racial preferences.

By a 6-3 vote in the sheet metal workers case, the court rejected the administration's position that only actual victims of discrimination may benefit from court-ordered affirmative action remedies.

The justices said that more sweeping remedies do not violate federal civil rights laws or the Constitution's equal protection guarantees.

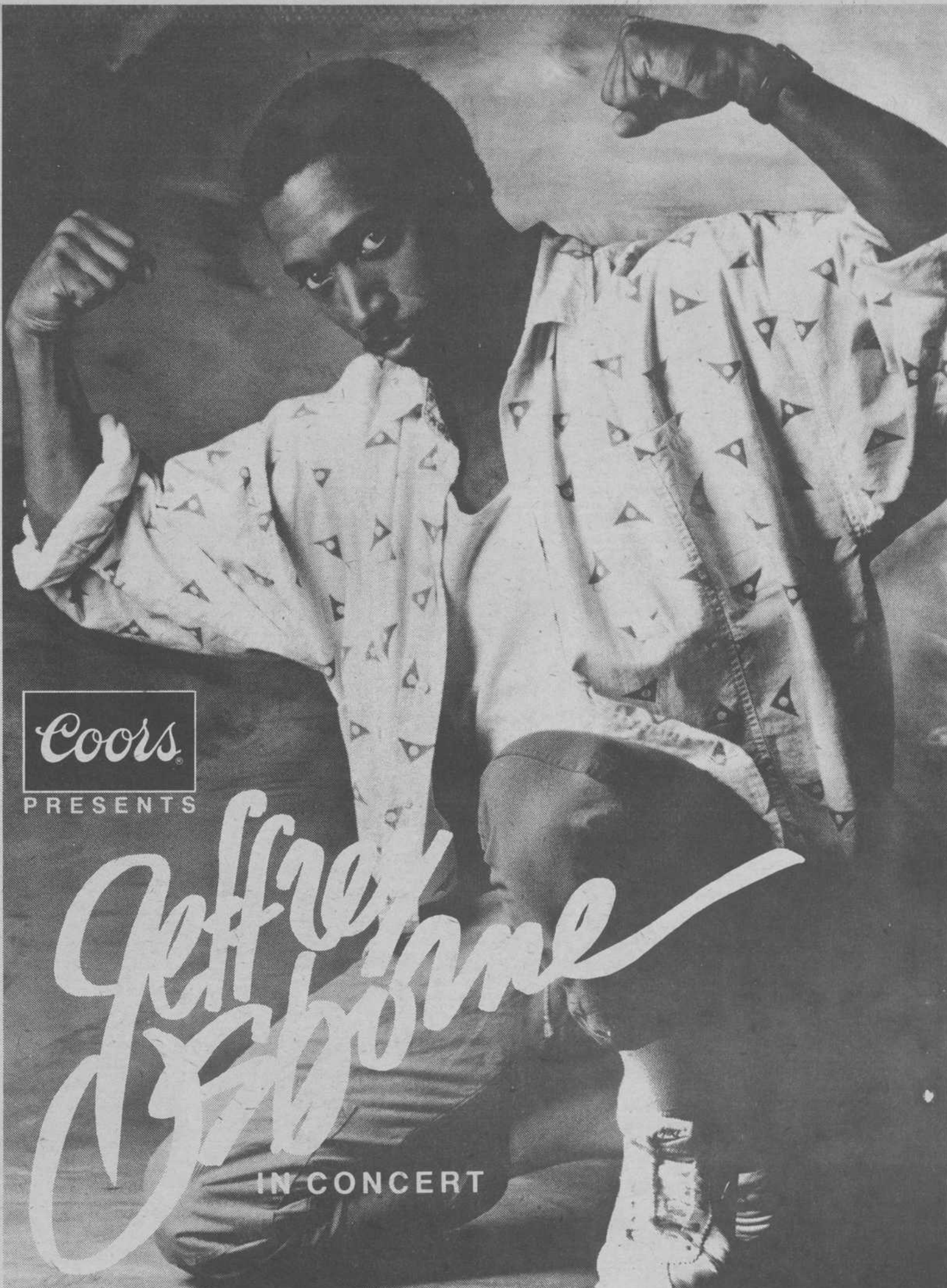
Justice William J. Brennan, in the court's main opinion, said, "We hold that (federal law) does not prohibit a court from ordering, in appropriate circumstances, affirmative race-conscious relief as a remedy for past discrimination."

Writing for the court's 6-3 majority in the Cleveland case, Brennan said agreements between employers and minority groups may provide racial preferences even more extensive than a federal court would have awarded after a trial.

He said such agreements do not amount to unlawful "reverse discrimination" against white males.

In today's rulings, Brennan was joined by Justice Thurgood Marshall, Harry A. Blackmun, Lewis F. Powell, John Paul Stevens and Sandra Day O'Connor.

Dissenting were Justices Byron R. White; Chief Justice Warren E. Burger, who is about to retire; and Justice William H. Rehnquist.



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