

January 2008
Volume 11, Issue 1

In this issue:

- 2 Jennifer Gratz' Story
— Discrimination Made Personal
- 3 The Ideological Basis to Affirmative Action and Diversity
- 4 Message from the President
- 4 Deception overturned in Missouri
- 5 Super Tuesday for Equal Rights 2008
- 8 Activist Judges With Political Axes
- 8 What They Said

The Mission of ACRI

Our mission is to educate the American public about racial and gender preferences and the importance of achieving equal opportunity for everyone.

Specifically, ACRI focuses on public education, policy research, monitoring the status of California's Proposition 209 and working with other national organizations to build a coalition of support of equal treatment by our government.

The views expressed in this publication do not necessarily reflect the positions of ACRI.

ACRI
P.O. Box 188350
Sacramento, CA 95818
916-444-2278 phone
916-444-2279 fax
feedback@acri.org email
www.acri.org

Diversity Doesn't Need to Be Forced

by Deneen Borelli

Supporters of racial preferences think the U.S. Supreme Court's recent rejection of preferences in school admissions heralds the death of diversity in America. Critics of the Court's promotion of race-neutral standards believe enforced diversity diminishes discrimination and is necessary for black children to get a sound education.

If these people looked at the world outside of their political prism, they would see diversity is all around us.

That is why it is unfortunate that they still consider the 1950s idea of government-mandated school diversity as the primary means of achieving equal opportunities for blacks. This misplaced emphasis ignores the "big picture" gains in our society and distracts from the primary goal of providing kids with a quality education.

For most of the 20th century, blacks were denied equal rights. We were often refused opportunities for employment, housing and access to business and

school admissions. To rectify these inequalities when racist and segregationist views were prevalent, government-mandated desegregation helped.

Times have changed.

For one thing, the demographics of the United States are more ethnically diverse. According to U.S. Census Bureau figures, as of May of 2007:

- the overall population tops 300 million;
- the nation's minority population has reached 100.7 million;
- Hispanics are the largest minority group with 44.3 million people;
- Blacks make up 40.2 million of the population.

According to Census Bureau director Louis Kincannon: "About one in three U.S. residents is a minority. To put this into perspective, there are more minorities in this country today than there were people in the United States in 1910. In fact, the minority population in the U.S. is

larger than the total population of all but 11 countries."

A natural consequence of this increasing minority population is a greater everyday exposure between ethnic groups. While past desegregation laws forcibly joined races that might not otherwise interact, our changing society now makes this interac-

(continued on page 5)



Deneen Borelli is a Fellow with Project 21, a network of black conservatives which is an initiative of The National Center for Public Policy Research, a national public policy group based in Washington, D.C. In her role, Deneen promotes the importance of personal responsibility and the benefits of free market policies as a means for social advancement. She advances these values by writing commentaries and participating in media interviews.

YouTube Video Demonstrates Opposition's Deplorable Tactics

Many of our readers and supporters recognize the level to which proponents of preferences will stoop in order to ensure the survival of the preferences industry. Yet an incident in Oklahoma late October reminds us of the ugliness of the opposition's tactics. A circulator collecting signatures for the Oklahoma Civil Rights Initiative (OkCRI) and potential signers were harassed at length by a woman claiming that the OkCRI is "tricking black folks" and

would end all affirmative action.

The intimidator, while claiming her right to free speech, actually prevented voters from reviewing the summary of the initiative provided by the circulator. She misused the term "affirmative action" and gave the mistaken impression that the initiative would end *all* affirmative action programs.

She not only tried on numerous occasions to put words into the circulator's mouth, she

continuously bullied her and indicated that the circulator (a black woman) was selling out her "community." Demonstrating her own bigotry, she also repeatedly insulted the person filming her (who is white), referring to him as the circulator's "master" and a "little white boy" who has a "black woman doing (his) bidding."

To view the YouTube video and read the comments and responses, visit www.supertuesday2008.org

Jennifer Gratz' Story — Discrimination Made Personal

by Tracy Haven

"If you lower your expectations, that's what you aspire to be." — Jennifer Gratz

How many of us know someone who has been discriminated against? Certainly there are those of us who believe we have been treated unfairly on some basis, but can we prove it? If we believe we have a valid point, how many of us have the internal fortitude to side-track our lives and goals in order to hold the responsible party accountable and try to bring about lasting change?

Jennifer Gratz did just that. Her experience affected not only her, but also her parents and family. In the long run, we will all benefit from Jennifer's response to that experience.

Introduction: The Truth Hurts

As a 17-year-old high school student in 1995, Jennifer had a 3.8 GPA, and her achievement and involvement in school activities would make any parent proud. She served as Student Council Vice-President and class representative in the class congress. She was a 4-year varsity cheerleader, 2-year competitive cheerleader, and President of the Spirit Club. She held membership in the national honors society and the Science Club, was a math and science tutor, the varsity baseball team's statistician, coach for the community's Little League cheerleaders, organized blood drives, and was student-escort for the senior citizen prom.

To say she was an involved student is a huge understatement, and her academic achievement, participation, and leadership should have spoken for itself when applying to the University of Michigan (UM) — Ann Arbor. Her goal was to become a doctor, specifically a forensic pathologist.

A few of Jennifer's friends were accepted to UM — some

of whom had lower test scores and GPAs, and less academic involvement than she. Coincidentally, some of those friends were considered "under-represented minorities" by the University. Jennifer was "wait-listed" and eventually denied admission to the University of Michigan — Ann Arbor, the primary UM campus.

As Jennifer remembers, "The rejection letter caused several feelings in quick succession — disbelief, confusion, disappointment, and, more than that, uncertainty about my intelligence or self-worth. I began to think, 'Maybe I'm not good enough to become a doctor if I can't even get admitted to the University of Michigan.'"

Jennifer's feelings turned to determination, and, in researching the undergraduate school's admissions system, she discovered that Professor Carl Cohen had already been looking into UM's "grid system," which had separate admissions policies based on each applicant's race. The admissions system gave preferences (in the form of extra admissions points) to those the University deemed as "minorities" deserving of special treatment.

Over the next six years, Jennifer and Barbara Grutter (pronounced "grooter"), who had been discriminated against by UM's Law School, took their separate cases through the justice system. Both cases were heard by the U.S. Supreme Court on April 1, 2003.

Here are some of Jennifer Gratz' comments about the profound effect that racial preferences and discrimination had on her life.

Q: Ten years ago you filed your discrimination suit against the University of Mich-

igan. Prior to that experience, would you ever have imagined your career being what it is today?

Gratz: No, I never would have imagined that I would be doing what I am today. I wanted to be a forensic pathologist. Also, I am incredibly shy, so debating and public speaking are not something I seek out. It is wonderful, however, to be able to work on something I believe in and have it be my job. When you know you have moved people; that is very satisfying.

Q: Did you consider not filing suit against the University of Michigan, basically just walking away?

Gratz: No, and I would do it all over again. I didn't know that people could sue large universities like the University of Michigan. I had actually heard rumors from parents, teachers, and some administrators at my high school, Southgate Anderson, that the University of Michigan (UM) did not always treat people fairly or equally. Initially, I dismissed the rumors because I had been taught all my life to treat others fairly, and I assumed that a university certainly must do the same. When I realized that race was a factor, I knew something had to be done. I credit Professor Carl Cohen for uncovering the University's discriminatory admission policy. It took Professor Cohen multiple Freedom of Information requests and years to get the University to release the actual admissions policy. I am also extremely thankful that the Center for Individual Rights took my case.

Q: Your case (*Gratz v. Bollinger*) and Barbara Grutter's case (*Grutter v. Bollinger*) are often referred to in tandem, either as contrasts in outcome or

as "companion" cases against the University of Michigan. What was your initial reaction to the rulings in the two cases?

Gratz: First of all, people often confuse the cases. *Gratz* was against the undergraduate school; *Grutter* was against the law school. The undergraduate policy received a lot of attention *prior* to the decisions. This is where the infamous grid and point systems were used. Many people don't realize that the U.S. Supreme Court ruled 6-3 in my favor that the grid and point systems are unconstitutional. The focus *after* the decisions was on Justice O'Connor's opinion in *Grutter* that race can be used for about another 25 years. What many people don't realize is that, statistically, the admissions system used in UM's law school was much worse — race was a greater factor — than it was in the point system at the undergraduate school.

The announcement of the ruling on *Grutter*, which was a 5-4 loss, came out on CNN prior to my case ruling. Information kept trickling in, and it was determined that we won 6-3, but really it was a personal victory and nothing more. I remember feeling more weight on my shoulders after the rulings came in than in the weeks prior. I could hear in my attorneys' voices that they were disappointed, and many supporters seemed to feel that the issue of preferences should just "go away" for about 20 years, that it just wasn't the time to address it. What stuck with me though was watching the University and the establishment celebrate even though the Supreme Court had just said they had discriminated against hundreds of people for years!

I would have felt like I was
(continued on page 6)

The Ideological Basis to Affirmative Action and Diversity

by Dr. George Seaver, Ph.D.

Previous *Egalitarian* articles have explored the consequences of affirmative action and diversity from several vantage points: the changed meaning of these terms since the '60s, their consequences to society, and their consequences to their beneficiaries, to name three. This article looks at a more fundamental flaw of affirmative action: the source of the religious fervor with which it is pursued, its pervasiveness and the immunity to evidence that it enjoys.

The explanation for the fervor associated with affirmative action comes from its ideological origins. It was originally a philosophy from the 1960s called Deconstruction that subsequently became an ideology and found its way into most aspects of our culture. It is now popularly characterized as the “postmodern” or “political correctness.”

Formally, it began in the United States in 1967 with the introduction at Yale University of Deconstruction, a credible philosophy, by the French intellectual, Jacques Derrida. The movement quickly developed adherents at Cornell and Johns Hopkins Universities. By 1985, Deconstruction had spread to campuses across America and became a routine part of the curriculum at the college level.

There were many other related forms of academic theories that arose during this time and that, collectively, became Post-structuralism; however, as David Lehman observed in his book, *Sign of the Times*, Deconstruction dominated all the others. It was defined as a growing movement that began its academic career in the English department, then as cultural theory and, finally, as an ideology of social justice. It professed that all interpretive works are simply composed of

the ideological prejudices of the author, called “hierarchical oppositions,” most prominent among them is the oppression of women by men and minorities by whites. Soon, Deconstruction became an ideology and came to focus on cultural and historic hierarchies, oppression and privileging and, then, its reversal.

What could explain the meteoric rise of Deconstruction

philosophy — had stalled at the academic level, its ideology had gone beyond a few elite academic institutions and became commonplace on the cultural scene. By 2002, it had reached out further still to such institutions as education, law, affirmative action and diversity.

Deconstruction's influence can be demonstrated in such diverse fields as architecture,

this condition. It was textbook deconstructive ideology and answered the author's question, “...how was he [the District Attorney] able to find so many willing accomplices.”

Also in 2007, the National Association of Scholars (NAS) participated in exposing the University of Delaware's “citizenship program,” which sought to define for its students what “good citizenship” was. The NAS found that the prescribed beliefs were that: “(1) all whites are inherently racist; (2) America is an oppressive society; and (3) helping to dismantle these structures of oppression is a personal duty.” Again, we see the unmistakable hand of Deconstruction at work as ideology.

Finally, and of greater importance, we come to preferences and quotas. Affirmative action and diversity are slogans whose meaning is not reflected in practice. Rather, what we have in reality is the practice of preferences and quotas. In both the Fourteenth Amendment and in customary practice, “equal rights under the Constitution” is a hallowed concept; the difference between this and the “affirmative action” version of equal rights comes in affirmative action's assumption of cultural hierarchies, historic oppression, privilege and reversal, that is, its deconstructive starting point.

Explicit manifestation of these assumptions is seen in many contemporary race/gender/sex policies. The Supreme Court's “disparate impact” ruling in the 1970s is founded upon the above reasoning, that disparate racial numbers implies discrimination because of historical factors. It is also shown by (then) Harvard's Cornel West in his *Keeping the Faith*, where he uses “the

(continued on page 7)

“Affirmative action and diversity are slogans whose meaning is not reflected in practice. Rather, what we have in reality is the practice of preferences and quotas.”

throughout academia and then the culture at large? American universities in the 1960s were fertile grounds for cultural upheavals and radical experiments, as the number of college students, the size of universities and the funds available to them increased rapidly in the 1960s and '70s. Also, the number of graduate programs and professors — particularly women, blacks and feminists — increased dramatically, allowing the politics of race and gender to enter unhindered into academic discourse. Thus, by the end of the 1980s in the U.S., Deconstruction went from an insurgency to an entrenched institutional power, from a philosophy to an ideology where the deconstructive concept of “the Other” beget institutional racism and “hierarchical opposition” lead to preferences and quotas. By 1992, astute observers reported that, even though Deconstruction — the

anthropology, psychoanalysis and Marxism, but perhaps its greatest consequence came in the institutions of education, law, the media and minority rights. Three recent examples will be used to make this connection clear.

In the 2007 book, *Until Proven Innocent*, Stuart Taylor and K.C. Johnson describe the infamous indictment and the media and academic campaign against three innocent white Lacrosse players at Duke University. They demonstrate that this miscarriage was against all the evidence, driven by the fact that the “defendants” were white, male and privileged, and that their accuser was black and female. A Duke professor termed them “perfect defendants;” they were part of the cultural hierarchy, the accuser was seen as historically oppressed, and the media/academy/civil rights advocates sought the a priori reversal of

A Message from the President

by Ward Connerly

As a college student, I had a political science professor who often ended his lectures by invoking the rallying cry of the civil rights movement — “We Shall Overcome.” On one occasion, I asked him, “Dr. Livingston, when will we know that we have overcome?” His reply was a three-part test: When any white would be willing to swap places with any black in America; when the typical white man won’t object to his daughter marrying a black man; and when a black man is considered a serious contender for president of the United States.

On January 3, 2008, when the democrats caucused in one of the whitest states in the nation — Iowa — and selected United States Senator Barack Obama, a biracial man who self-identifies as black, as their candidate to be president of United States of America, they fulfilled the third condition of Dr. Livingston’s test for determining whether America has overcome the historical dilemma of “race.”

By “overcoming” race in their preference for president, Iowans also helped to bury the rationale for giving prefer-

ences to blacks in other areas of American life. Clearly, the changes that have occurred in our nation over the past few decades speak eloquently in favor of our nation returning to its vision and the command of its constitution that all of its citizens be treated as equals by their government. This is, in fact, the fundamental tenet of the *Civil Rights Act of 1964*.

Although the United States Supreme Court has severely curtailed the constitutionally permissible uses of race in American life, those who continue to promote race preferences have in mind a rationale that is at odds with the Court. While the Court says that the pursuit of “diversity” is essentially the only allowable rationale, race preference proponents seek to “level the playing field” of an American society that they claim to be “institutionally racist” and purportedly intent on holding back “minorities” and women.

It is for this reason that the political success of Senator Obama is quite significant to the effort to eliminate distinctions in the public sphere based on race and other factors such as color, gen-

der, national origin and ethnicity. If the people of Iowa could see past race to select Obama, then it is clear that the government should not be using race for college admissions, public hiring and public contracting.

With this recognition of America’s modern racial landscape, the American Civil Rights Institute and the American Civil Rights Coalition are now embarked on an adventure to accelerate the removal of race preferences in our nation. Called “Super Tuesday for Equal Rights,” ACRI/ACRC are joining citizens in the states of Arizona, Colorado, Missouri, Nebraska and Oklahoma to qualify and place initiatives patterned after those that have passed in the states of California, Michigan and Washington on the November 4, 2008 ballots.

The proponents of race preferences have been making a die-hard stand to keep “Super Tuesday” from qualifying in select states. In Colorado, they argued that “preferential treatment” is not a form of discrimination, but rather a separate subject. Thus, our opponents argued that the Colorado Civil

Rights Initiative should not be allowed on the ballot because it constitutes two subjects — a prohibition against discrimination and a ban on preferential treatment. They lost the argument in the courts. In Missouri, the opponents sought to hijack and distort our language, thereby necessitating that we go to court to get the matter resolved. We did, we won, and will be petitioning on the basis of language similar to that which passed in Michigan.

The campaign to end race, gender and ethnic preferences in public education, public employment and public contracting has entered a crucial stage. Should the initiatives being submitted to the voters in all five “Super Tuesday” states succeed, as expected, the end of the era of race preferences will be close at hand. At that point, America will have truly “over-



come.” ■
Ward Connerly

Deception overturned in Missouri

We often hear about “activist judges.” Occasionally, there is one who sticks his or her neck out and does the right thing. A case in point can be found in the “Show Me” state of Missouri.

Several months ago, the Missouri Civil Rights Initiative campaign submitted its language for the ballot initiative, proposed for the November 4, 2008 ballot that would eliminate race preferences. The language proposed read: “Shall the Missouri Constitution be amended to prohibit any form of discrimination as an act of the state by declaring:

* The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting?”

The highly partisan Secretary of State and Attorney General, the latter being a Democrat candidate for governor, prepared a ballot title and summary that characterized the initiative as follows:

Shall the Missouri Constitution be amended to:
1. Ban affirmative action pro-

grams designed to eliminate discrimination against, and improve opportunities for, women and minorities in public contracting, employment and education; and

2. Allow preferential treatment based on race, sex, color, ethnicity, or national origin to meet federal program funds eligibility standards as well as preferential treatment for bona fide qualifications based on sex?”

In an unprecedented action, Cole County judge Richard Callahan overturned the language proposed by his fellow Democrats, calling it “unfair”

and “insufficient.” The language certified by Judge Callahan reads:

“Shall the Missouri Constitution be amended to:
Ban state and local government affirmative action programs that give preferential treatment in public contracting, employment, or education based on race, sex, color, ethnicity, or national origin unless such programs are necessary to establish or maintain eligibility for federal funding or to comply with a court order?”

Honor and integrity are not lost values, as Judge Callahan has demonstrated by example. ■

Super Tuesday for Equal Rights 2008

Arizona

The Arizona Civil Rights Initiative has started a volunteer signature gathering effort and a professional, paid effort will follow shortly to compliment the volunteer effort. Several elected officials have already committed their support and have joined the initiative endorsement list. With the help of the Goldwater Institute, a policy brief was recently released detailing over three dozen racial preference programs currently in place throughout various levels of government. This research further highlights the pervasiveness of state sponsored discrimination in Arizona and how a change is desperately needed.

Colorado

In September, the Colorado Supreme Court upheld the Secretary of State Title Board decision and agreed that the Colorado Civil Rights Initiative language met all necessary requirements. Now that the Supreme Court has approved the language of the Colorado Civil Rights Initiative, petitions are circulating for signatures of registered voters. The opponents have publicly stated (Roberto Corrada, professor, University of Denver Strum College of Law — at a CU Diversity Summit) that their polling shows that the “CoCRI will pass overwhelmingly once put to a vote of the people.” They are desperately trying to find ways to circumvent the Colorado Civil Rights Initiative. Ward Connerly recently visited Colorado to educate the media and public on the harms of race preferences and the tactics of the race industry.

Oklahoma

Opponents in Oklahoma are so fearful of a vote that they have dispatched individuals to block circulators and potential signers. One of these blockers was caught on tape calling the OkCRI circulator, who happened to be black, a ‘step ’em fetch ’em negro’ who was ‘obey-

ing the white master.’ Unfortunately, this type of intimidation and name-calling is par for the course among race preference advocates. The Oklahoma Civil Rights Initiative has now turned in signatures. It will be vital that people understand the harms of race preferences and the importance of giving all individuals a fair and equal chance to compete for jobs, contracts, and admission into college.

Nebraska

The National Association of Scholars (NAS) has joined the effort in Nebraska. A few years ago, with the help of several state senators, the NAS exposed the use of preferences in “opportunity hiring.” Opportunity hiring is a process that eliminates the search process from hiring new professors and provides a convenient avenue for campus administrators to promote ‘diversity’. ACRI continues to help the local effort expose these policies. The education campaign continues and the Nebraska initiative has started collected signatures.

Missouri

Executive Director Tim Asher continues reaching out to groups and media across the state. He has traveled from Kansas City to St. Louis speaking to groups and contacting media outlets to provide information on the Missouri Civil Rights Initiative. In October the MoCRI hosted Ward Connerly for a statewide education tour. Connerly spoke with eighteen different print, radio and television contacts and addressed in person the Federalist Society in both Kansas City and St. Louis as well as giving a lecture at the University of Missouri, Kansas City hosted by the student Federalist Society Chapter. Following a long and arduous court battle ending with the historic rewriting of the ballot title (*as noted in the article on page 4*), signature collection has begun in Missouri. ■

Diversity (continued)

(continued from page 1)

tion and exposure inevitable. These interactions naturally break down racial bias and stereotypes.

Consider the wildly successful television program “American Idol,” which showcases the talent of thousands of amateur singers. Viewers vote for the winners. “Idol” catapulted the singing careers for several black performers. For example, during season two, Ruben Studdard received the majority of the estimated 24 million recorded votes. The following season, Fantasia Barrino’s rousing performance lead to her victory, a multi-million dollar record deal and a starring role in the hit Broadway musical “The Color Purple.” The fact that Studdard and Barrino are black seems irrelevant compared to their musical talents.

Sports provides more examples of breaking down bias. Jackie Robinson’s 1947 Major League Baseball debut with the Brooklyn Dodgers ended over 50 years of segregation and opened the door for countless future players of different colors. The National Football League and the National Basketball Association now also have a high percentage of black players. Sports fans, especially children, support their favorite athletes by wearing their jerseys and purchasing other memorabilia. Los Angeles Lakers star Kobe Bryant tops the list in jersey sales in the U.S. and China. Although the National Hockey League’s roster is predominately white, there is a significant representation of foreign-born players that illustrates the globalization of sports.

Even in fantasy sports — where fans build their own team from existing league rosters and compete against other fantasy team “owners” — players are selected based on performance and not color. Clearly, sports fans could not care less about

the race or background of their favorite athletes.

In American classrooms, however, the outdated quest for proportional diversity distracts the public and educators from providing our children with the best education available. Denying a child the school he needs in order to meet a quota or forcing him to travel long distances to supplement a school’s diversity is a betrayal of our commitment to our kids. Color-coded classrooms and preferential treatment doesn’t teach children about the importance of confidence, hard work, perseverance or self-esteem. An educated child taught to appreciate the differences of the cultural backgrounds of others is a sound way to diminish racial bias.

Significant strides have been made in accepting blacks and other minorities into American society. Education that instills good character and values does more to break barriers than enforced classroom quotas.

Diversity, like nature, cannot be forced. It is strong enough to succeed on its own. ■

*We wish
you a safe,
healthy
and Happy
New Year.*

Jennifer Gratz' Story (continued)

(continued from page 2)

failing everyone around me if I didn't continue to fight for fairness and equality, which is why I asked Ward Connerly to help start a ballot initiative in Michigan. There were numerous people who whispered in my ear that they privately supported me, but couldn't publicly acknowledge that fact. I'm glad that I didn't know that the establishment expected us to give up before reaching the ballot, because I realize that when we lower our expectations, we often aspire to those expectations.

Q: What did the recent Supreme Court decision in the Meredith cases mean to you personally and as a leader in the battle to eliminate race- and gender-based preferences?

Gratz: I was more emotional about these decisions than I was for the decision in my own case. The ruling (in the Meredith and Parents Involved in Community Schools/PICS cases) was such a victory for us. Personally and from a principal standpoint, it was huge

and moved us 10 steps forward. We have our opponents on their heels.

Q: What do you expect the outcome of the future Supreme Court cases on this issue to be 20 years down the road?

Gratz: With all due respect to Justice O'Connor and the justices that made up the 2003 Supreme Court, I expect that in the fullness of time the decision in *Grutter* will go down in history as one of the worst decisions the Court has made.

When I entered the U.S. Supreme Court on April 1, 2003 (the day *Gratz* and *Grutter* were heard), I noted that inscribed in the building was "Equal Justice Under Law." I expect that, in the future, the Court will realize that equal can never mean unequal, no matter how good intentions may be.

Q: How does it feel to see your name referred to by members of the Supreme Court in interpreting and applying the precedent established by your lawsuit?

Gratz: There are times when the cases are referred to and I want to stand up and say 'that's me...Barbara Grutter and Jennifer Gratz are real people.' Sometimes I think people forget that these policies have real consequences for actual people. The media so often reports on a theoretical basis rather than reflecting on the fact that these policies have true consequences for people.

That being said, it's very odd to see my name in these Court cases. I was sitting in Court (for the Meredith and PICS cases) and expected them to reference *Grutter* because diversity was ruled to be a compelling state interest in that case. Within the first few minutes, one of the justices said my name, referencing my case, and I was shocked. I've had friends and family members tell me that they're studying my case in school — I don't think I'll ever get used to the idea that my case made the history books.

Q: Where do you see this effort 10 years from now?

Gratz: I hope that 10 years from now society has moved past race. I think society is ready to move forward, but the race industry and the elite establishment continue to focus on race. It's hard for society to move past race as long as our leaders continue to use race every chance they get.

I believe that by this time next year we will have seen significant progress. Opponents were on cloud nine after the *Grutter* decision, but, in 2008, after the Michigan victory and success in five more states, we will have changed the landscape and have a critical mass of states saying "treat us fairly and equally." It will essentially be the end of the era of race preferences.

Q: What do you believe are the biggest challenges and opportunities to this movement to end preferential treatment on the basis of race and gender?

Gratz: Companies and organizations need to get past being afraid of the 'race industry.' That said, I understand why big business fears the race industry... think of the impact made when someone like Jesse Jackson protests GM or Chrysler. Even the normal, everyday person is intimidated; they have a huge influence. We see this when pollsters are told one thing in terms of how someone plans to vote on the issue of race, then the votes come in and people voted with their hearts and heads in a different direction (e.g., against preferences).

This is where the opportunities come in. Our biggest opportunity is when people have a chance to stand up for fairness. It's very telling when you look at the votes in California, Washington, and Michigan. People "get it," and, when they have a chance to voice

(continued on next page)

WARD CONNERLY'S 'CREATING EQUAL' UPDATED AND RE-RELEASED



The autobiography, *Creating Equal: My Fight Against Race Preferences*, by ACRI founder and chairman Ward Connerly, has been released. Originally published in 2000, *Creating Equal* is "part memoir, part history lesson, and part road map showing the territory that lies 'beyond race.'" The new release includes an 11-page update that provides readers insight

into the more recent events occurring in the fight to "create equal" in the relationship of all American citizens to their government. Highlights of the tumultuous campaign in Michigan are provided. If you wish to purchase an autographed copy of the re-released *Creating Equal*, please call the ACRI office at 916-444-2278 or send an email request to Mariana Lerma at ml@acri.org. Cost \$25 (includes tax and S/H).

Ideological Basis (continued)

(continued from page 3)

formulations of the post-structuralists... on the role of 'otherness' and marginality" to understand "black people... as Other and alien." It is seen in the media's "Diversity Summits" of 1992 and 1999, where the New York Times asserted "We can no longer offer our readers a white, straight, male version of events and say that we, as journalists, are doing our job." It is seen in the Smithsonian Museum's policies from 1984 to 1994 to "erase the museum's racist belief system" by "honoring multiple ways of interpreting the world." It is manifested in

the movements in many law schools, notable Harvard's and Yale's, where "Critical Legal Studies" (CLS), Critical Race Theory and "Transcendental Deconstruction" (TrM) became prominent. CLS held that the U.S. Constitution was a tool of the ideology of those in power, and Yale's TrM proclaimed that "...structures of social meaning are always unstable... and historically situated..." and that "hierarchical reversing" in practice pursues a "progressive political agenda."

This bipartisan indoctrina-

tion helps explain why most institutions, including both political parties, support preferences. Affirmative action and the diversity movement are defended with a religious fervor, are pervasive in our culture and are immune to evidence because they are part of an imbedded ideology. ■

The above is an excerpt from Dr. George Seaver's publication, *American Cultural Transformation: The Origin, Practice and Result of Privileging Since 1967*. For source references, the full article and information about the author,

please refer to www.acri.org.



Dr. George Seaver is a member of the National Association of Scholars and is the owner

and a full-time employee of SeaLite Engineering. Dr. Seaver earned his Ph.D., Applied Physics, at Harvard University.

Jennifer Gratz' Story (continued)

(continued from previous page)

their opinion, they stand up for fairness and equality for everyone. I believe our opponents know that when people have a chance to vote, they're with us, therefore I think our greatest challenges going forward will be before we make the ballot — in terms of challenges to the language of the amendments, challenges to signatures, and other extreme tactics to stop the people from having an opportunity to vote to end race preferences.

Q: What disappoints you most in this effort?

Gratz: Groups like the ACLU, NOW, and BAMN and the messages they send to young people. What message does it send to tell girls that they can't succeed in math or science without special help; that they won't be able to get into a science program if "affirmative action" is eliminated? Also, to take high school kids and point at people, saying, "They're racist," to have young kids create a disturbance, to teach them to hate and that they need a preference to achieve anything is

such a horrible message to send to young people.

During the campaign for the Michigan Civil Rights Initiative, I met a 16-year-old girl who was extremely bright and happened to be considered "black." She told me a story about how she knew that she could never have a bad day or fail because, if she did, people would think she shouldn't have been accepted at that school in the first place. She would be accepted to any school she applied to — based on her merit, but because of these policies her accomplishment will be questioned. That's very sad.

Q: Your effective leadership led to the passage in November 2006 of the Michigan Civil Rights Initiative. Do you have any words of advice for the groups wanting to end racial preferences in their state, particularly those states involved in *Super Tuesday for Equality*?

Gratz: Keep things simple — refer to the language and that it is about fairness and equality for all; people get that. Our

opponents often have different, targeted messages for different groups of people (e.g., one message for women, a different message for "blacks," etc.). Our side needs to continue to take the high road and stick to the same message for all groups.

Opponents have a lot of money and resources. Be ready for outright lies, scare tactics, anything to put doubts into the minds of voters. Often what the race industry accuses us of doing is exactly what they're doing.

People are very dedicated to this issue. State coordinators have to realize what a resource they have in Ward Connerly and his organizations. Ward travels all around the country to talk to people about the issue. I was very lucky to have him as my mentor.



Stay strong and always remember that you are on the right side of the issue. ■

Do you know anyone who is interested in the elimination of racial and gender preferences? Do you know anyone who believes in equal opportunity and true equality for all Americans?

Please use the enclosed envelope and mail names and addresses of individual(s) you feel may be interested in receiving future issues of *The Egalitarian*. You may also email your submissions to jb@acri.org.



ACRI Mail Bag

Comments • Questions • Concerns
We would like to hear from you, the reader. Please send letters to:

ACRI
From You, the Reader...
P.O. Box 188350
Sacramento, CA 95818

Or email: feedback@acri.org

To view previous issues of *The Egalitarian* visit our website at www.acri.org

Activist Judges With Political Axes

by La Shawn Barber

Grinding, grinding, grinding...

As long as I live, I will never understand why more blacks aren't spitting mad about race preferences. In their minds, I suppose, it's not a preference; it's "affirmative action."

The confusion stems from not defining terms. In its purest form, affirmative action is simply taking positive steps toward including more historically excluded people — blacks and women — in a hiring or admissions pool. Their inclusion presumes they're as qualified as other applicants. But somewhere along the way, affirmative action turned into a quota system, whereby a certain percentage of women or blacks, even the less qualified, had to be hired in order to meet some arbitrary balance.

This, despite what naysayers say, is called a preference. Specifically, when a black person or a woman who is not as qualified is admitted or hired over a non-black person or a man who is more qualified, the black person or woman was given a preference over the more qualified person. From my perspective, too many blacks are satisfied with this practice and see nothing wrong with it whatsoever. The most glaring problem is that blacks who came before us fought to get rid of this kind

of thing when it benefited whites.

Consistency is important in debate and discourse. If you believe racial discrimination is objectively wrong, it remains wrong even if your racial group benefits from the discrimination.

some things than others, and part of my journey in life is to make the most of the talents I have, try to improve them, and constantly learn new things. I see life as a great, though sometimes disappointing, adventure. All I ask is to be treated with dignity and respect. I don't care if you can't stand

use of preferences in government hiring and admissions in Michigan. Fifty-eight percent of Michigan voters barred their state government from discriminating against people on the basis of race, sex, etc. Last year, a Clinton-appointed federal judge, while ruling in favor of allowing MCRI on the November 2006 ballot, seized the opportunity to smear and accuse the organization behind it of committing fraud to get people to sign the petition.

Judge Arthur Tarnow not only accused MCRI of "systematic voter fraud," he maligned state courts and agencies in his opinion. By implication, he believes the current law barring race preferences is somehow tainted because a handful of petition signers claimed they were "misled" about what they were signing. I suppose actually reading something before signing it is too high a standard for certain people.

La Shawn Barber is a freelance writer, blogger, and blog consultant. She is a columnist for the Washington Examiner, and her articles, essays, and book reviews have appeared in the Washington Post, Christian Research Journal, Christianity Today, National Review Online, and other publications.



“To me, there is nothing quite as dignified as knowing I’ve earned something based on my performance or by using whatever talents God gave me, not based on the hue of my skin.”

To me, there is nothing quite as dignified as knowing I've earned something based on my performance or by using whatever talents God gave me, not based on the hue of my skin. It is offensive to me beyond words that any white person, liberal or conservative, believes that I need remedial help or that I cannot be held to the same standards to which they (and employers or admission committees) hold themselves.

If, by being held to the same standards, I fall short, so be it. I move on to something else. It's called life. I'm better at

me or think I'm as dumb as a box of hammers. I couldn't care less about what's in your mind. Your behavior toward me is my only concern. And you can keep your crummy table scraps, too. I'll dine on far better fare.

I'll repeat myself: As long as I live, I will never understand why more blacks aren't spitting mad about race preferences.

Now, I'll get to the point of this post. As you may know, the Michigan Civil Rights Initiative became Proposal 2, a measure that outlawed the

President
Ward Connerly

Chairman
Johnny Zamrzla

Vice Chairman
Dusty Rhodes

Board Directors
John Uhlmann
Peter Schaeffer

Director of Administration
Jennifer Bollenbach

Director of Research
Jennifer Gratz

Director of Policy and Planning
Diane Schachterle

Associate
Robyn Miller

Contributors
Tracy Haven
La Shawn Barber
Deneen Borelli
George Seaver, Ph.D.

American
Civil Rights
Institute

P.O. Box 188350
Sacramento, CA 95818

Non-Profit Org.
U.S. Postage
PAID
Sacramento CA
Permit No.3521