

Liberator 4

JOURNAL FOR THE EMERGING NEW CIVIL RIGHTS MOVEMENT

Argument for Affirmative Action

Racism and sexism necessitate affirmative action. Affirmative action, now under attack, must be defended by the emerging new civil rights movement *in the most rigorous way possible*. Through this struggle, the nation will either move backward toward increasing segregation, inequality

and discrimination or forward toward integration and equality for black and other minority people and for women of all races. Students and youth involved in this fight will have an opportunity to leave a positive mark on history.

Race relations are now and have been determined by struggle. They are fluid, not fixed; there have been both huge steps forward and crushing steps backward. It is through struggle—*courageous, tenacious struggle*—that we have come as far as we have. The immense popularity of integration and the fight for equality among people of all races in our society is a testament to the strength of the original Civil Rights Movement. The progress we have achieved, while it in no way precludes momentous steps backward, puts us in a very strong position to move the whole society forward again; whether we achieve this *depends on what we do now*.

Deepening the discussion over affirmative action is necessitated by the paramount importance of the fight and by the question's immediacy.

Social and Historical Context

To understand affirmative action and why defending it is so fundamentally important, it must be put in context—both the historical context in which it arose and the current social context that necessitates it. To construct a strong and comprehensive defense of affirmative action requires looking carefully and critically at American history and society.

Affirmative action, along with other social policies and programs designed to remedy the segregation and inequality of American society, arose out of

the most recent formative transition period of the nation. The civil rights struggles and urban rebellions of the 1960s forced a partial, progressive reorganization of American social relations; affirmative action is one component of that partial reorganization.

Affirmative action was codified into law by Lyndon Johnson's administration in September 1965, two months after the rebellion in Watts, Los Angeles. The policy was widely recognized as necessary among ruling circles because broad masses of black people, other minorities, and antiracist white youth would no longer tolerate the pervasive racist inequality and segregation—conditions that existed *side by side with* and *in spite of* the belatedly achieved outlawing of formal legal segregation between the races.

The contradiction between the newly achieved steps in the direction of equality before the law and the persisting stark social inequality between black and white was the material context and the reason for implementation of affirmative action. Mass struggle was the order of the day; affirmative action along with other civil rights programs of the 1960s and 1970s was a concession to these mass struggles. At the University of Michigan, affirmative action in admissions has been the result of an ongoing student struggle to integrate the school—a struggle that has not yet been fully realized.

For the first time in American history, as a result of affirmative action and the other changes forced by the civil rights struggles, significant numbers of black, Latina/o and Native American people, with increasing numbers of other minorities, and working-class people and women of all races, gained access to historically segregated, elitist universities, jobs and other institutions. Before the Civil Rights Movement and affirmative action, elite higher education overwhelmingly excluded anyone not wealthy, white and male. As a result of the fight to integrate higher education, *many* white people as well as people from Asian national or ethnic groups who *never* would have had a chance to go to college now *do* have that opportunity.

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LIBERATOR DECLARATION

We declare our intention to defend affirmative action, integration and all the gains of the previous Civil Rights Movement. We declare our determination to struggle for a society wholly free from the racist inequality and segregation, discrimination and prejudice, sexist abuse and degradation and fundamental inequality that stifles human potential and dulls the mind and spirit. We aim for an integrated society, a society of equality and sister- and brotherhood where the ability of all is developed to the fullest. We will struggle for these aims by any means necessary.

“I am in earnest, I will not equivocate, I will not excuse, I will not retreat a single inch, And I WILL BE HEARD.”

– **William Lloyd Garrison**
The Liberator, January 1, 1831



“The whole history of the progress of human liberty shows that all concessions yet made to her august claims, have been born of earnest struggle. The conflict has been exciting, agitating, all-absorbing, and for the time being, putting all other tumults to silence. It must do this or it does nothing. If there is no struggle there is no progress. Those who profess to favor freedom and yet deprecate agitation, are men who want crops without plowing up the ground, they want rain without thunder and lightning. They want the ocean without the awful roar of its many waters.

This struggle may be a moral one, or it may be a physical one, and it may be both moral and physical, but it must be a struggle. Power concedes nothing without a demand. It never did and it never will. Find out just what any people will quietly submit to and you have found the exact measure of the injustice and wrong which will be imposed upon them, and these will continue till they are resisted with either words or blows, or with both. The limits of tyrants are proscribed by the endurance of those whom they oppress.”



– **Frederick Douglass**
Canandaigua, NY,
August 4, 1857

Introduction: At the Crossroads of History

BAMN is playing a leading role in two struggles of especially critical importance both to the defense of affirmative action and the future development of the new civil rights movement: the defense of the University of Michigan’s affirmative action policies against two right-wing lawsuits and the fight to reverse the ban on affirmative action imposed on the University of California system by the UC Regents in July 1995. *Both these struggles are now at urgent turning points.*

The lawsuits against affirmative action in admissions at the University of Michigan are of decisive importance to the future of affirmative action in the nation; these lawsuits are scheduled for trial over the 2000-2001 school year with the case against the Law School scheduled to begin on January 16, 2001. The combined outcome of these cases will determine the legal future of affirmative action in higher education both public and private.

The July 1995 decision of the Regents of the University of California to ban the use of affirmative action in admissions and employment was the starting point for the nationwide attack on affirmative action. Seizing on changes over the last two years in the political composition of the Regents, BAMN is now circulating a second mass petition demanding that the Regents reverse the ban. Rising disappointment and anger over the continuing crisis of minority enrollment at the UC’s flagship campuses, and the Regents’ failure to respond to first petition has meant even more widespread support for the second petition and greatly improved prospects for an actual reversal of the ban. Even though Proposition 209, passed in November 1996, will still restrict the use of affirmative action by the University of California, a decision by the Regents to reverse their ban would dramatically improve the climate for minority students on UC campuses and send an important message to the nation that the new movement can defeat the opponents of affirmative action—including the author of the ban, UC Regent Ward Connerly—at the very site where the attacks began—a message that times are starting to change in favor of the defense of equality and integration.

The next issue of *Liberator* will go into depth on these two struggles. This issue focuses on providing activists in the new movement with arguments in defense of affirmative action and against the most typical arguments of the opponents.

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The sharp contrast between the on-paper, formal legal equality between the races and the stark segregation and inequality of actual social life is the point of departure for affirmative action. (Virtually all indices indicate social inequality between black and white, from the most obvious areas, such as employment and quality of healthcare and education, to less obvious areas, such as the pedestrian traffic-accident death rate. Black first-time juvenile offenders are, according to a juvenile justice report released in Spring 2000, six times more likely than white first-time juvenile offenders to go to a lockup for similar offenses.)

Racism in Elementary and Secondary Education

From kindergarten through high school, racist inequality and segregation permeate education in America. Majority black and Latino schools receive less per-pupil funding, have fewer books, less academic, sports and art equipment and facilities, have less diversity of course options, more uncertified teachers, and larger class sizes. Latina/o K-12 students face more segregated conditions *now* than in the 1950s and 1960s.

Racism also weighs on black and other minority students in majority white schools through, among other things, tracking (which disproportionately pushes minority students into narrow vocational training), unequal discipline, higher suspension rates, and lower teacher expectations. Added to this, complex forms of prejudice challenge minority students in majority white schools, forcing students who would otherwise spend their full energy learning about the world and working out who they are to spend precious energy negotiating the rock-strewn waters between self-effacement and angry overreaction. Complicating this job further are both the variety of white comments and gestures that express some form of prejudice and also the uncertainty of calculating the proportions of ignorance and/or ill-will behind these comments and gestures.

Experience hones social-assessment skills, enabling black and other minority students to relate to people from a variety of different backgrounds often at a higher level of understanding than their white peers. These critical leadership skills are not adequately taken account of in traditional college admissions procedures.

Racism compels the development of resolve and thoughtful reflection. Character sown in the fields of racism harvests hard-won strengths.

Adding responsibility to education, black, Latino/a and other minority students in majority white schools are impelled to represent their race in a way that society never asks of white students; this task can be an honor and a source of pride but also, at times, a burden.

Thoroughgoing inequality remains; the profound, sometimes plain, sometimes camouflaged, privileges given to white people and to men remain. A perceptual blindspot is an important aspect of white privilege—a kind of privilege *not to see*. White privilege is more profound and expressed in more ways than white people are inclined to recognize. White students’ disproportionate reward from the crude mechanics of “legacy” admissions for applicants with alumni relatives and the preference given to the children of wealthy donors are obvious biases aiding white admissions. Another key element of white advantage in college and university admissions is the discriminatory impact of standardized admissions tests. Without affirmative action there is no way to combat this multifaceted privilege.

Affirmative action in college admissions today serves to offset the racism of our society generally and of the education system specifically. Racism and sexism have an encumbering effect: they absorb mental energy, undermine self-confidence, and influence academic performance. Af-

firmative action recognizes the encumbering effect of racism and sexism on student performance and seeks to countervail it—to *reduce the effects of inequality and discrimina-*

tion. Any real element of integration in higher education in today’s America is not possible without countervailing the effects of racism by means of affirmative action.

‘The fate of affirmative action will determine the direction of the nation.’

The History of the Nation and Affirmative Action

The importance of affirmative action can also be expressed in a related, broader way—in terms of the centrality of the questions of racism and integration to American history. The fate of affirmative action will determine the direction of the nation. The formation, existence and necessity of affirmative action are inextricably bound up with the defining peculiarities of the nation’s development.

America developed late and very rapidly among the now dominant industrial nations. It spread a technologically advanced European population eventually over the entire breadth of a vast, resource-rich continent, driving out, marginalizing and massacring the indigenous peoples of the Americas. A vast portion of what was to become the United States was acquired through the colonial subjugation and annexation of a huge portion of the nation of Mexico. The whole first period of American economic development was based on the exceptionally brutal and profitable exploitation of black slave labor. These features of America’s economic development gave rise to sophisticated systems of economic, social, political and legal discrimina-

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tion and ideological self-justification.

With slavery crushed and national union secured by the Civil War, a period of deep-going flux in the society and in race relations began. Radical Reconstruction, second only to the Civil War as the most rapid period of black progress in American history, laid the groundwork for a series of massive, extremely militant integrated labor struggles. It was

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in response to this threat of integrated workers’ revolution, with black workers and youth playing an audacious role in the vanguard, that the American ruling class began pressing in earnest for the system of Jim Crow segregation based on maintaining a permanent inferior social position for black people and other minorities. A central aim of the segregationist policy was to limit integrated working-class struggle and to limit the leading role that black workers were giving to that struggle.

Starting in the decades after the Civil War, the system of Jim Crow divided and conquered the poor, blocked the organizing of trade unions, held back economic development, and deformed all human relations in the American South and much of the North as well, until *Brown v. Board of Education* in 1954 signaled the beginning of the end of legal segregation. Today’s American society is the result of the history and legacy of slavery and segregation.

Understanding the history of the nation demands comprehending these basic facts; they form the material foundation of our nation. This history must be grasped in order to understand where the nation stands now. Social inequality for black, Latino

and Native American people exists throughout American society as a result of this still potent and ongoing history; for serious people asking the question “why?”, the answer must *begin* with these material facts.

Integration and the Direction of the Nation

Integration is the historical litmus test of the nation. Many Americans who cannot state in words exactly why this is nonetheless *feel* it to be true very intensely. Even white people still mired in substantial prejudice can often feel deep pride at the accomplishments of integration. The reason for this seldom finds clear, public expression. It is that integration and equality are inseparable and the degree to which they have been achieved measures the real progress and the real democracy of the nation.

Racism and segregation define the parameters of democracy and progress in America. The struggle against racism and for integration and equality has been the central axis of the history of our nation. Steps forward or backward on this front have always produced corresponding steps in the mutually overlapping areas of basic democracy and progress. Many of the basic democratic rights and civil liberties that we take for granted as a nation were secured during the civil rights struggles of the 1960s. A series of very important gains for civil liberties were secured as a result of the forward movement of the society during the last Civil Rights Movement, from expanded rights to freedom from unreasonable search and seizure and suspects’ right to legal counsel and to remain silent to the previously unrecognized free speech rights of high school students.

Other individual freedoms, such as the right to birth control and the right to abortion, were also advanced—and could only be won—in the context of the civil rights struggle and the struggle of the mass movement against the war in Vietnam.

The struggle between the mutually defining poles of integration and segregation forms a decisive defining characteristic of our national history. The historic importance of the fate of affirmative action stems from the fact that it represents a *very* important step toward integration in many institutions where without it there would be none.

In the struggle to defend affirmative action we will open up historic opportunities—not only to defend the previous gains of civil rights struggle—but to move our society forward toward integration and equality, toward a more just social order where the talents and ingenuity of *all* are developed to the fullest. ✘



Black high school youth march defiantly through downtown Birmingham taunting police, May 7, 1963. Young people played a decisive role in the Birmingham campaign that ended Jim Crow segregation.



May 4, 1963. Demonstrators face down police watercannons in the struggle for integration and equality in Birmingham.



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minority students in higher education—that it is a product of society and social history, *not biology*—then it follows quite obviously that society both *can* and *ought to correct its own wrong*. A social problem demands a policy solution.

Surprisingly, many opponents of affirmative action have not thought this question through. We defenders of affirmative action should put this question to the opponents bluntly. If the opponents of affirmative action are to be defending a modernized version of the slaveholders' falsification of human biology, they must be forced *to do so openly*.

Ignorance and Prejudice

A mixture of ignorance and prejudice forms the basis of all opposition to affirmative action; the proportions of these two features are then given varying meaning by their position on a scale of relative cynicism which ranges from almost naive innocence to thoroughgoing, mean-spirited racism. The majority of opponents of affirmative action, however, are not deep or hard in their conviction; their stance is characterized by absurdly superficial logic conditioned by prejudice.

We, the determined and proud defenders of affirmative action, must approach this pronouncedly heterogeneous group of opponents by matching the variations in their positions with effective variations in our method, tone, and argument: from sharp, sarcastic and ridiculing to genuinely respectful, empathetic and patient.

Most opponents of affirmative action do not go much beyond asserting that affirmative action is "wrong" because it "discriminates" by helping some minority applicants get into universities like the University of Michigan or Harvard with standardized test scores lower than some white students who were rejected. The key mechanism of the oppo-

nents' logical trick is to tear the question of college admissions out of its context—out of the *reality* of life and racism in American society. Racism dictates that opponents of affirmative action target minority students rather than white students accepted with lower test scores than other white students who were rejected. The logic runs like this: if a spot was stolen, it must have been a minority who did the stealing, not the white son of a wealthy alumnus. (An increase in the number of places in quality higher education is one necessary step to avoid this false counterposition of interests that competition for scarce resources fosters.)

One could more sensibly assert that students who claim to have been "discriminated against" by affirmative action were, in fact, not "discriminated *against*"—they were discriminated *for* somewhat *less than usual*. To see through the lie of "reverse discrimination," it is only necessary to look at the question of college and university admissions *in context* and *honestly*.

Racism, 'Merit' & Opposition to Affirmative Action

What gives the opponents' arguments the appearance of some strength is not the force of the arguments themselves but the prominence of racism in American politics and psychology and the ways in which the opposition to affirmative action provides an outlet to that racism.

In reality, the hard ideological opponents of affirmative action are unable to recognize that their black, Latina/o and Native American peers are their intellectual equals. The use of the term "less qualified" to describe the beneficiaries of affirmative action is the ordinary way this racism is expressed. The false assumption common to these opponents of affirmative action that a university admissions system minus affirmative action would measure "merit" and be "race-blind" lead them to racist conclusions and justifications.

A university admissions system without affirmative action would be no more "race-blind" than the society in which it operates. A university admissions system weighs applicants' access to quality academic preparation. This in turn is a function of race, class and a mix of other, varying important secondary factors.

Often unconsciously, opponents of affirmative action ascribe to standardized tests both a degree of

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objectivity and a subject of measurement far more broad and fundamental than the test providers *themselves* ever claim. *There are no* standardized tests that measure “merit,” how qualified a student is for higher education or an individual’s capacity for intellectual endeavor or professional accomplishment. The standardized tests on which current college and graduate admissions rely so heavily function primarily as proxies for privilege that consistently understate the general academic—not to mention *general intellectual*—capacity of black, Latina/o and Native American students. Standardized test scores do not correlate well to general academic or career performance for any racial group; they correlate *even less* for black, Latina/o and Native American students.

The Bogus “Too Late” Argument

The causes of unequal average-academic preparedness upon high school graduation between the so-called races are social—not genetic. Some opponents of affirmative action will immediately and honestly concede this point only to say that while the problem is social (*i.e.*, racism), college is *too late* to remedy the problem. In the context of the ongoing attacks on the quality of education *at all levels* for poor people, and therefore disproportionately black, Latina/o and Native American students, the argument that affirmative action in college admissions is too late is really just a *cynical evasion*, even if some opponents of affirmative action do not realize it. To propose

dismantling the gains we *have* made, supposedly because we have not achieved *enough* (not eliminated *enough* racist inequality) is an inconsistent and foolish argument. It is true that K-12 education must be improved, integrated and made equal—but that fact is

‘Systemic racist and sexist inequality partially remedied is not “reverse racism” or “preferential treatment”’; *to say so is to turn the world on its head.*’

no argument for resegregating higher education.

The unequal average-academic preparedness of high school graduates is a profound indictment of the segregation, inequality and inadequacy of our current K-12 education system, a system long-starved of the financial resources necessary to adequately carry out its task; the new civil rights movement must weigh in on this question.

The “It’s Been Too Long” Complaint

Some of the opponents of affirmative action who concede that there is no biological component to social

inequality also concede that when affirmative action was first instituted it was necessary and legitimate. They will then say, without thinking, “But it’s been over thirty years, that’s too long.” This argument is destroyed by the simple question: specifically *when* and *by what criteria* did you make the judgment that affirmative action was no longer necessary?

If affirmative action was necessary at its inception, then it is necessary now. The actual measures carried out in the name of affirmative action have never been comprehensive or powerful enough to uproot the pervasive racist and sexist inequality in our society; they *are* an important step forward.

The “It’s not Constitutional” Rubbish

Some opponents of affirmative action say “affirmative action is not Constitutional”. This is a stupid, circular argument. What they actually mean to say is “American society should revise its interpretation of the Constitution to attack the social gains of minorities and women.” The attacks on affirmative action are not a matter of correcting some absentminded 40-year misinterpretation of the Constitution by the courts, university administrations and political leaders of the United States. It was the social struggles of the 1960s that compelled the powers-that-be to open opportunities that discrimination and prejudice had closed for black, Latina/o and Native American people and women of all races through a series of measures including affirmative-action policies. Now, certain right-wing and racist forces are attempting—with some initial success—to impose *their redefinition* of the Constitution in the hoped-for absence of a new civil rights movement strong enough to defend and extend the Constitutional gains begun with the US Supreme Court’s rejection of the “separate but equal” principle in 1954 in *Brown v. Board of Education*. The question is not one of some mystical, suprahistorical, abstract Meaning of the Constitution; it is a question of which of these two social forces—the reactionary racists or the progressive egalitarians—will prevail.

The Question of Culture

The outward expressions of unequal social conditions are often utilized as a justification for social policies that perpetuate those same unequal social conditions. The argument that the cultures of black, Latina/o and Native American people are the causes of social inequality including underrepresentation in higher education is a prejudiced and circular argument.

Culture is a social product. The cultures of different communities cannot be extracted from the material condition of the society nor from the rest of culture; the

interaction of the many, diverse parts of American culture has created the whole. The culture of each oppressed community represents both the particular strengths gained from its special history of solidarity and struggle against unequal and unfair conditions and, necessarily, the disadvantages imposed by those same unequal and unfair conditions.

‘The purpose of affirmative action is to achieve a future more just than our present.’

The negative cultural impact of racist inequality and segregation *can* be changed—not by racist moral admonishment nor by the same

moral admonishment by conservative, accommodationist minority intellectuals—they can be changed by the development of militant, integrated, mass struggle against the segregated, unequal conditions that inevitably disadvantage and deform the vibrant and rich cultures of black, Latina/o and Native American communities.

The Social Roots of Inequality Must be Exposed

The nature and conditions of segregation—if *they are left unexplained*—will be used to reinforce racist stereotypes. The social roots of the poor conditions in the black and Latina/o inner cities and barrios and on Native American reservations must be exposed and criticized or they will be used illogically and hypocritically by racists as the basis for an indictment. The broken, oppressed condition of slaves was often used as a justification for the slave system. Breaking this circular, dishonest, self-justifying logic requires a critical look at the social situation which necessitates affirmative action.

Social inequality generally, and the dramatic underrepresentation of black, Latina/o and Native American students in higher education specifically, demand an explanation. Two theories present themselves: one false, and based on a spurious genetic-reductionist argument, and one that corresponds to what actually exists and is based on an understanding of social history, the realities of segregation and inequality and the impact they have on human beings.

Miscellaneous Strawmen: ‘Stigma,’ ‘Reverse Racism,’ etc.

Opponents of affirmative action set up many strawmen which we will deal with quickly now.

■ Some opponents of affirmative action, in their sympathetic guise, say that affirmative action has created a stigma of inferiority for its beneficiaries. Here lying, hypocritical, circular logic covers the fact that the stigma of inferiority comes from the discrimination, prejudice and inequality that necessitate affirmative action, not from affirmative action itself. *Before* affirmative action existed, there was much *more* stigma than there is *now*. The stigma comes from the racist misconception that black, Latina/o and Native American people are inferior to white people.

■ The terms “reverse racism” and “preferential treatment” are illegitimate because they falsify what is actually happening in our society. Systemic racist and sexist inequality partially remedied is not “reverse racism” or “preferential treatment”; *to say so is to turn the world on its head*. Any moral, historical or etymological equation of racist inequality and segregation with the programs and policies won by the civil rights struggles of the 1950s and 1960s for the purpose of reducing racist inequality and segregation is a *wretched falsification*.

■ “Affirmative action assumes that diversity is only about skin color. What about diversity of ideas?” Affirmative action makes no such assumption. Diversity is a good, healthy thing and comes along all different axes. Diversity of ideas is increased by integration.

■ “Affirmative action is compensation for *past* wrongs – but lots of groups not covered by affirmative action were wronged in history.” *True*—many religious, national, racial, etc. groups of humanity have been (and are being) wronged. No act or sum could right the past wrongs of slavery, colonial subjugation, genocide, etc.

Affirmative action and the fight for integration are about righting a *present* wrong; they are not and *could never be* restitution for the horrors of slavery or genocide, etc. Affirmative action is about the past only in that the past has produced the present and provides the point of departure for all possible futures. The purpose of affirmative action is to achieve a future more just than our present. ✕

Myth ➡ Fact

Myth: *Affirmative action hurts Asian Americans.*

Fact: Asian Pacific Americans (APAs) benefit from affirmative action programs because affirmative action has helped integrate this society and has undercut the influence of racist and sexist discrimination. In fields of study and work where APAs are underrepresented, affirmative action has been directly beneficial.

Discrimination against APAs persists: college-educated APAs on average earn 11% less than their white counterparts, and high school-educated APAs earn 26% less than their white counterparts.

The defeat of affirmative action in the University of California system led to a decrease in Filipino, Pacific Islander, Chinese, Indian and Pakistani enrollment at UC Berkeley graduate programs and also led to a dramatic increase in racist hate-crimes against APAs in the city of Berkeley.

Exposing the Racist Lie Behind the Attack on Affirmative Action

The bigoted lie that differences in human biology have produced our social order is at the base of the attack on affirmative action. The fundamental, if often unspoken, logic of the attacks on the gains of the Civil Rights Movement derives from the claims of the pseudoscientific theory of biological determinism that says that the inequality that pervades our society and structures the social order is “natural” and therefore both immutable and just, and that no social policy either *can* or *ought to* remedy this inequality.

The lie that genetics, rather than social relations, has created the patterns of inequality in our society is not new—it has been around since the authority of religion as a justification of the social order was compromised and superseded by the eighteenth- and nineteenth-century leaps in scientific knowledge. The Southern slaveholders justified the American system of black slavery with lies about the permanence and biological “naturalness” of that social order. After the Civil War, Jim Crow segregation was also justified by racist, lying references to human biology. Both these racist social systems were, in their day, justified as either a good thing that *should* not be changed or as something biologically “natural” that social policy *could* not change.

Today, opponents of affirmative action take the position that the racist inequality and segregation of our society is something that either *cannot* be changed or *should not* be changed—or *both*. They aim to eliminate the only social policies that have been an effective counterweight to the racism and sexism of our society—the only social policies that have achieved some measure of integration in higher education and employment.

The Biological-Determinist Backdrop to the Debate

Theories parallel to the American slaveholders’ racist slander of black people as inferior—theories of the biological inferiority of minorities, women and working-class people, theories that should have been decisively discarded as fake science a *very long time ago*—have swung back into a kind of fashion. We saw this in the disgraceful media hype a few years ago over the publication of *The Bell Curve*, essentially a crude biological-determinist book dressing up old-fashioned racist notions with scientific-looking charts and numbers.

Those whose profession involves justifying the social order have called on biology—science now being the recognized source of authoritative human knowledge—to explain and approve the social inequality of our society. But the transition in the justification of the social order from “The people at the top are closer to God” to “The people at the top are biologically smarter” is not a transition that science (abused, but in the end victorious) can sustain. The biological-determinist justification of the social order that seeks explanation for the stratification of our society in human genetics is as tenacious as the social order it sanctifies. It has been destroyed by scientific criticism repeatedly, marred by fraud from its inception, and yet it keeps reappearing. An unequal society must produce and reproduce bigoted ideological self-justifications as long as it produces and reproduces inequality.

The underrepresentation of black, Latina/o, Native American and certain Asian Pacific American ethnic groups in higher education is a social product of racist inequality and discrimination, not the product of biology. But, if a person is under the false impression that there is a genetic component to the unequal average-academic-preparedness upon high school graduation between the so-called races, it follows that they would oppose affirmative action—“you can’t change biology.” If a person is under the correct impression that there is no genetic element whatsoever to the underrepresentation of

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