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Friends and colleagues,

At Monday's meeting of the Council, we held a lengthy discussion on the topic of "affirmative action." Some members of the council were of the opinion that we should pass a resolution affirming the value of "diversity," but make no comment on affirmative action. I believe that such a motion ultimately rings hollow.

If we can all agree that "diversity" is a worthwhile aim, then how, in a racist society<sup>1</sup>, are we to achieve a "diverse" campus? One way would be to close our eyes, stick our fingers in our ears, and hope that our campus magically diversifies. I believe this approach to be unwise, but in demanding "diversity" without specifying a method, this is what we are asking our admissions office to do.

The only way to obtain a "diverse" campus, I argue, is to consciously seek to create one. We might call this practice "consciously and actively seeking diversity" if we like; however, if it walks like a duck and quacks like a duck, then I argue we ought to call it a duck and use the term "affirmative action."<sup>2</sup>

But, regardless of name, it is precisely this "diversity" which is under threat in the *Gratz* and *Grutter*<sup>3</sup> cases. Indeed, the Plaintiff's brief in *Gratz*<sup>4</sup> has an entire section (some 17 pages of the 50-page brief) entitled "'Academic freedom' and 'diversity' are not compelling interests justifying racial preferences."

Although the *Gratz* case may deal directly with a public university with an explicit point-based admissions schema, it seems likely that, should *Gratz* prevail, then private and public admissions offices across the nation may no longer be allowed to consciously seek to create "diversity" when admitting applicants. And, as I have argued, without consciously working for it, we will not have the "diversity" that councilmembers agree is important.

Before I close, I would like to address a couple of myths about "affirmative action." The first is that it allows

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<sup>1</sup>See, for example, the the National Center for Education Statistics' report *The Condition of Education* at <http://nces.ed.gov/programs/coe/>, which shows that African-American and Latino students consistently underperform on reading, math, and science tests relative to their white peers, and that the gap has not significantly narrowed in the past decade. The reasons for such an effect are debatable, but the effect itself is not.

<sup>2</sup>The *American Heritage Dictionary* defines affirmative action as "A policy or a program that seeks to redress past discrimination through active measures to ensure equal opportunity, as in education and employment." I again quote from the Carnegie Council on Policy Studies in Higher Education:

Affirmative Action does not mean entitlements to proportional representation. It means actions to eliminate discrimination: creation of more adequate pools of talent, active searches for talent wherever it exists, revision of policies and practices that permitted or abetted discrimination, development of expectations for a staff whose composition does not reflect the impacts of discrimination, provision of judicial processes to hear complaints, and the making of decisions without improper regard to sex, race, or other origin.

<sup>3</sup>*Gratz v. Bollinger* is the undergraduate admissions case; *Grutter v. Bollinger* is the law school case.

<sup>4</sup>I have put a copy of the brief, as well as several other documents of potential interest and links to external sources of more information, at <http://mlcastle.net/gratz/>

unqualified minority students to attend Columbia or other universities. Rather, the admissions office has stated—honestly, I believe—that it judges every accepted applicant capable and qualified, academically and otherwise, for admission and matriculation. At a school like ours, where thousands of academically qualified applicants are rejected every year, there is no need to sacrifice quality for diversity.

The second is that the “percentage plans” in use at the state universities of Texas, Florida, and other states are an acceptable substitute for race-conscious admissions policies. Firstly, such policies rely on the continued segregation of high schools. Secondly, such plans are unworkable at highly selective universities such as Columbia, where many high school valedictorians are rejected every year; more generally, the plans ignore leadership positions and all other factors that admissions departments might want to consider, looking only at class rank. And, most importantly, when such plans are designed for the express purpose of creating a diverse campus<sup>5</sup>, they may come under threat should Gratz prevail.

Many of you have asked why passing such a resolution is necessary. It is indeed doubtful that anything the ESC says will, by itself, have much of an impact upon the Supreme Court. But we can, and should, send a message to the Columbia community—to our fellow students, to prospective students, to our administration, and to our local community—that the leaders of the Engineering school do care about “diversity,” and do care about specifying concrete means by which diversity can be achieved. And, if enough councils across Columbia, across New York, across the Ivy League, and across the nation add their voices together, the sum of these voices may indeed be noticed.

Some say that we should not take a stance on such a “political” issue as affirmative action. But this issue goes beyond politics, with the potential to directly affect the academic and social lives of our campus and its students. As “student leaders”, it is our responsibility to lead by taking a stand—a strong stand—on this issue. It is irresponsible for us to remain mute and expect our administrators to do our work for us.

Sincerely,

Michael Castleman

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<sup>5</sup>According to <http://www.umich.edu/~newsinfo/Releases/2003/Jan03/r012903.html>, the *Chronicle of Higher Education* reported that aides to Florida Governor Jeb Bush “said they chose a 20-percent standard” for their state only “after computer models of 10% and 15% policies failed to produce enough black and Hispanic students.”