

Calif. voters could overturn ban on affirmative action

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Body

SAN FRANCISCO - On Election Day, Californians can reverse a 24-year-old law that bans affirmative action, a move many here feel would honor the roiling national discussion on racial equality while addressing the effects of systemic racism in a state largely made up of people of color.

Prop 16, one of a dozen propositions before voters this election season, would seem like an easy sell in California, a solidly Democratic state whose politicians and policies have consistently been a thorn in the side of President Donald Trump. Latinos, who represent 39% of the population, are a growing political force, and Black Lives Matter protests have been prevalent in the state's major cities. White, non-Hispanic Californians make up only 37% of the population.

But polls suggest that reversing California's affirmative action ban remains a tough sell.

Political experts say factors include voters preferring the status quo, concerns that schools would begin favoring wealthy students of color, and even a perception among Asian Americans - who are 7% of the state population but this year represented 33% of first-year student in the nine-university public system - that voting in Prop 16 could ultimately cut into their own gains in universities and the job market.

"Asian communities have contributed greatly to the advancement of America," says retired attorney Betty Chu, honorary co-chair of the No on 16 campaign. "If people vote yes here, it could extinguish our community in California and America."

Karthick Ramakrishnan, a professor of public policy at the University of California, Riverside, who focuses on Asian American and Pacific Islander trends, says the biggest issue facing Prop 16 is "a gap between those who say they support affirmative action and those declaring that they'll support the proposition."

According to a recent 2020 Asian American Voter and Public Policy Institute of California survey, 47% of Californians oppose Prop 16, while 31% support it and 22% don't know. White voters oppose the measure by a two to one margin, Latinos are deadlocked at 41%, and a plurality of Asians, 43%, say they don't know which way they'll vote.

The ban on affirmative action, which California shares with eight states including Florida, Oklahoma and Idaho, says there should be no consideration for race, sex or ethnicity in public employment, contracting or education.

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The discord around Prop 16 is "reflective of California's schizophrenic relationship to issues of race," says James Taylor, professor of politics at the University of San Francisco. "Underneath a veneer of liberalism is a view of Black communities as being a nagging unwelcome presence."

Taylor points out that California may have liberal pockets, but it is also a place where police brutality took root, notably in the Los Angeles Police Department under Chief Darryl Gates in the early 1990s. And Republican leadership has thrived, as exemplified by Ronald Reagan serving as a conservative governor before he became president. In the early part of the 20th century, the burgeoning city of Los Angeles was home to white supremacy and redlining.

The result is opportunities for Black Californians, in particular, remain limited, with Black high school students lagging others in being prepared for college. The median income for Black Californians lags behind that of white residents.

The debate over how to best provide opportunities for people of color has remained a fractious one, says Melvin Urofsky, author of "The Affirmative Action Puzzle: A Living History from Reconstruction to Today."

"Few these days say they're not in favor of diversity, but the problem is how do you get it," says Urofsky. "Often, it seems like a no-win proposition to many. If a person of color gets a seat, maybe it means your kid didn't get a shot."

The issue of fair access to education has involved the highest court in the land. In a landmark 1978 case, California Regents vs. Bakke, the U.S. Supreme Court ruled that racial quotas were unconstitutional but affirmative action was valid in some circumstances.

That ruling has been cited in an ongoing lawsuit against Harvard University by Asian American students who felt they were being excluded from admissions because the school was limiting members of that ethnic group from enrolling.

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