

Reverse Discrimination Suit Seen As Assault On Affirmative Action

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WASHINGTON, D.C. CNS - Black students and leaders will not accept an end to affirmative action programs designed to make up for past discrimination of minorities in education, Atty. Herbert O. Reid, distinguished professor of law at Howard University, declared recently in referring to the controversial Allan Bakke case.

Reid spoke at a special conference on "Affirmative Action - The Reversal of Discrimination," called by the Howard U. Institute for the Study of Educational Policy in conjunction with 25 other national civil rights, educational, professional and minority organizations.

Spokespersons for the groups said that support for affirmative action will be demanded from President Carter and government agencies.

The outspoken Reid, who prepared the Amicus Curiae (Friend of the Court) brief filed by the Howard Law School, backed up several other speakers, including Dr. Kenneth S. Tollett, institute director, and Prof. Ralph R. Smith of the University of Pennsylvania and the National Conference of Black Lawyers.

Reid said the Bakke case in which a white pre-medical student seeks admission to the University of California

medical school ahead of 16 Black students poses a greater civil rights crisis than the historic Plessy versus Ferguson case when the Supreme Court established the "separate but equal" concept which was later overruled in 1954.

Although Bakke claims that he is suffering "reverse discrimination" because the California medical school refused to consider him for one of the 16 medical school openings set aside for Black students, speakers at the conference pointed out that the white student had been rejected by 11 other medical schools.

"If Allan Bakke was dis-

criminated against, it was on account of his age and not his race," declared Professor Smith in outlining "the truth about the Bakke case." In 1971, the then 31 year old Bakke was told that "when an applicant is over thirty, his age is a serious factor which must be seriously considered," Smith stated.

Moreover, Smith stated, white students are often considered for admission to University of California professional schools in slots set aside for minorities when they show evidence of being disadvantaged or deprived, but Blacks and Chicanos constitute 80 percent of the minorities in the state.

Smith also emphasized that many of the Black students and minorities admitted under special admission programs at major universities often have higher averages and are much better qualified than Bakke or other white applicants in regular admission programs.

In opening the conference Tollett told the participants and the press, "There is no question that whites have been unjustly enriched and advantaged in this society for over three hundred years at the expense and to the injury of Blacks and other oppressed minorities."

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Reverse

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Blacks must receive compensatory treatment to provide "reversal of discrimination," said Tollett. "Reverse discrimination connotes that Blacks are going to treat whites as they treated Blacks in the past, (but) Blacks do not have the power to inflict that type of injury upon whites..." he added.

When conference organizers were asked what they would do if the Supreme Court ruled for Bakke, thus ending several years of affirmative action like the end of reconstruction a hundred years ago, Reid declared "I don't want to thin about it because we are going to win...."

Smith and Ms. Barbara Williams, executive director of the Congressional Black Caucus, which helped arrange the conference, said Blacks must be prepared to lose, but Smith said he believed the U.S. government will file an Amicus Curiae brief supporting the University of California's reluctant appeal of the Bakke victory in the state court. Over 40 briefs have been filed in the case.