

【紧急动员】改写亚裔孩子职业人生第一次竞争（大学入学）就受歧视的现实

2/21/2012，美国最高法院决定审理大学录取过程中“族裔考量”是否违宪。您--关爱孩子未来的家长--现在就可以花一分钟时间来帮助孩子共同抵抗歧视，增大孩子上他们理想大学的机会。请您立即投票赞成（FOR）80-20 全美亚裔教育基金会的民调书，清楚明白地表明亚裔在这宗案子上的立场。

<http://admin.80-20nj.info/cgi/80/e?l=8/11e/f&w=no>

资料显示，亚裔在美国要比其他族裔成绩优秀许多才能上同样的学校。要上同样的名校，亚裔 SAT 要考 1550 分，白人 1410 分，而非裔只需要 1100 分*（英文和数学满分是 1600）。亚裔入学这么高的门槛使得许多亚裔的大学申请者产生心里恐惧，有些干脆拒绝列出他们的亚裔身份—其实学校一看名字还是能知道哪些孩子是亚裔。

未来几周，我们需要征集到至少五万个签名，让结果写入 Amicus Curiae (“法庭之友”的文书)作为证据资料递交最高法院。我们要表明亚裔赞同以考生的综合素质（而不是族裔）作为美国高校的招生标准。综合素质包括申请学生现在的学术成绩和未来可能的成功潜力，例如申请人是否能在不利的生活环境中仍能不懈努力等 (i.e. overcome adversity under socio-economic constraint). 我们相信这样的定位能给所有的考生提供一个公平竞争的机会，也能给学校足够的弹性来制定他们的教育目标。

之所以要五万个签名来支持这项活动是因为现在最高法院不知道亚裔作为少数族裔在这个案例上态度。通过我们初步的调查，绝大多数的亚裔是支持取消‘族裔’这个录取考量标准的。现在我们需要确实的数据来证明亚裔的立场，所以 80-20 全美亚裔教育基金会设计了 this 民调书。

如果您愿意让您的孩子客观理性地看待种族这一美国特有的重大社会现实问题，在申请书上不卑不亢地填上自己的亚裔身份，而不惧怕会受歧视而上不了理想学校的话，请现在就到下面的网站来签名赞成 80-20 的民调书，并请您的其他朋友都来签名。父母请各签一个名，学龄孩子也可以签名！（必须是绿卡或公民才可以投票，谢谢合作。）

时间紧迫，谢谢您支持签名和帮助转发！

(*Source: "No Longer Separate, Not Yet Equal: Race and Class in Elite College Admission and Campus Life" by Thomas Espenshade (Princeton University Press, 2009)

紧急动员：决战最高法院，请投庄严一票

捍卫你孩子公平竞争入学名校的机会

A historical moment has arrived. On February 21, 2012, **the Supreme Court decided to review a pending lawsuit that challenges the prevalence use of strong racial preferences in college admission.**

Please take this survey to project your voice to the Supreme Court.

<http://admin.80-20nj.info/cgi/80/e?l=8/11e/f&w=no>

Your children's future is literally in your hands!

Currently, Asian Americans are being held at a much higher college admission standard. To receive equal consideration for the top colleges, out of a 1600 SAT maximum (verbal & math)

1550 for Asians = 1410 for Whites = 1100 for Blacks.

The strong racial preferences instilled such a fear among Asian American applicants that many refuse to state their ethnicities in college applications. (Well, most of our LAST NAMES are a dead giveaway!) If you want your children to face such a harsh reality, then do nothing. Otherwise please **take ONE minute to cast your vote.**

We aim to gather **50,000 signatures** and submit this national survey results to the Supreme Court. We will submit an Amicus Curiae ("friend of the court" brief) **advocating a race-neutral, merit-based college admission policy**; with broadly defined merit to include current scholastic achievement and evaluated future potential of an applicant. This nuanced position would provide fair and equitable opportunity to all applicants; while still provide the schools broad discretion in defining education objectives.

Please fire up all your Asian American friends and families to vote. The clock is ticking; the deadline to submit a legal briefing is less than two months away. Every single vote counts. Yes, parents should sign as two separate individuals, school children counts too if they understand the concept and have an opinion.

"YOU must be the change you wish to see in the world" — Mahatma Gandhi

What is at stake?

For many Asian American parents, there is no larger issue at stake. We spend tens (even hundreds) of thousands of dollars, devote most evenings and weekends over 18 years, scarifying and enduring all hardships in order to give our children the best college preparation, only to find out that **we are a “wrong minority” whose qualifications are summarily discounted**, by as much as 450 points out of 1600 SAT total, in order to make room for the others. The others have decided long ago, without our consent and without our knowledge, that such **reverse discrimination** is “GOOD” for our kids and call it a “celebration of diversity”. We beg to disagree: The very American ideal of Equal Opportunity, afforded to people of all races and ethnicities by the **“Equal Protection Clause” in 14th Amendment of the US constitution, must prevail.**

“Racial balancing is not transformed from ‘patently unconstitutional’ to a compelling state interest simply by relabeling it “racial diversity”. — Chief Justice John Roberts

Why the survey?

The Supreme Court takes up contentious issues and set legal precedents for the lower courts. The rulings are based on the Justices’ lifelong personal experiences, **available factual data**, and their interpretation of the US constitution.

There have been insidious attempts to confuse the college admissions issue by labeling racial preferences as a struggle between the “white” and the “minorities”. It is NOT, **Asian Americans have been used as a sacrificial lamb** to paper over a deep-rooted social problem: large and persistent achievement gaps among racial groups. The Supreme Court might as well be confused, considering FOUR Asian American organizations have already filed Amicus Curiae saying Asian Americans all love racial preferences in college admissions. **This survey will set the record straight: NO, the vast majority of Asian Americans DO NOT support racial preferences.** Our internal opinion poll shows Asian Americans prefer a race-neutral and merit-based policy by a 10:1 margin. **This national survey will produce NEW factual data** for the Supreme Court to consider, blocking a potent argument by our opponents. Broad Asian American participation is critical.

“I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.” — Dr. Martin Luther King

Why Amicus brief?

Amicus Curiae (“friend of the court” brief) is a legal process to influence the Court decision by someone who is not a party to the lawsuit but has a vested interest in the outcome. This third party volunteers to offer pertinent information to assist the Court in decision making. Any Amicus brief for this case must be filed before the April 10th, 2012 deadline.

Why now?

Only 5% of the US population is Asian Americans. Normally fractious and indifferent, we are mostly invisible. This Supreme Court case is closely contested, which enables us to **tip the balance through a cohesive action**. It is equivalent to a minority exerting a disproportionately influence by throwing a block vote in a tight election.

The opportunity for the Supreme Court to review college racial preferences is very rare. It only happened twice before: In 1978 Bakker and 2003 Grutter, the decisions were extremely tight, with **5:4** votes in favor of the schools. The current Court is more hostile to racial preferences. We can tip the balance by influencing the opinion of just **ONE** Justice through **unity** and **hard work**.

A Supreme Court ruling can have a multi-decade influence across the country. If we do not act **NOW**, it would be **too late** for all our children who are already born today.

Can we win?

We have a **> 50% chance** to win if we act in unity and with determination.

There are eight Justices (The ninth, Justice Kagan has recused herself): Four (Alito, Roberts, Thomas, Scalia) are reliable opponent to racial preferences, and Three (Breyer, Ginsburg, Sotomayor) are reliable supporter of racial preferences, this leaves Justice **Kennedy** the **key swing vote**.

Three likely scenarios:

- 1) Kennedy rules in favor of racial preferences: In a 4:4 tie, the Fifth Circuit court ruling stands, the status quo is maintained for the next two decades. We **LOSE BIG**.
- 2) Kennedy strictly limits the use of racial preferences: In a 5:3 ruling, the schools would be under “strict scrutiny” to justify any use of racial preferences. We have a significant win.
- 3) Kennedy upholds the 14th Amendment “Equal Protection Clause”: In a 5:3 ruling, all racial preferences are banned. We **WIN BIG**.

Don't be tricked

Be aware of the **trick questions** from racial preferences supporters:

“Are you against affirmative action?” (Implying you are not progressive)

“Affirmative Action (AA)” is a toxic and much abused phrase. It means totally different things to different people that it is completely meaningless to answer yes or no without explicit definition. Check out the official Department of Labor definition: “take affirmative action to ensure that all individuals have an **equal opportunity** for employment, **WITHOUT regard to race, color**, religion, sex, national origin, disability”. The original meaning of AA is “stop past racial discrimination now or face penalty.” In common practice, however, AA has been stretched beyond imagination and morphed into “apply reverse discrimination to others so that some preferred minorities can be equally represented despite of lesser qualifications.” It has become an entitlement program. In addition, AA means “racial” to some, “socioeconomic” to the others. Please answer the question using words other than AA. Otherwise your opponent would take your yes/no, switch the meaning, and insist you said so.

“What? You don't support diversity?” (Implying you are narrow minded)

Diversity is more than skin deep: We support a diversity of ideas and socioeconomic backgrounds, which can be achieved through a sharp focus on individual character strengths without resorting to race and ethnicity. For example, the schools could use a combination of socioeconomic conditions and performance of a student within such constraint to identify high-potential individuals. If a socioeconomically disadvantaged group produces a disproportionately large percentage of students in this category, and therefore disproportionately benefits from such a preference, so be it. The key departure from the current practice is that **individual efforts** are needed to gain admission, rather than relying on a caricature of **group characteristics**, such as race and ethnicity. After all, a poor African American kid and a poor Asian American kid from equally socioeconomically disadvantaged family backgrounds should compete based on their personal drives to succeed despite of the adverse conditions. Racial preferences disproportionately benefit suburban wealth minorities who happen to have the “right” skin color, at the expense of their poor brethren and all others.

“What? You don't support equal opportunity for under-represented minority?”

We support **Equal Opportunity**, we oppose **Equal Representation**. Equal opportunity is to provide opportunity consistent with one's qualifications and let him to rise or fall based on performance. It doesn't imply equal outcome. Equal representation, on the other hand, is to make the outcome proportional to the population regardless of one's qualifications. It insists on equal outcome, which is

Communism in disguise. Confusing the two dichotomous concepts would drag us into gratuitous battles against our community interest.

Equal Representation is also known as “**Racial Balancing**”. After being consistently ruled as unconstitutional, its supporters now call it “**Racial Diversity**”. After all, who does not love diversity?

“Let’s show solidarity with other minorities in our struggle against the white majority.”

In the multi-cultural society today, viewing everything through the 1960s prism of black vs. white struggle is not only antiquated but downright dangerous. The real issue is some people used Asian Americans as a pawn in a proxy battle to achieve racial balancing. The interests of **four million** Asian American children were sacrificed for someone else’s gain, all without our knowledge or consent. They have the right to sacrifice their own children’s futures if they truly believe in their causes, but they have **NO** right to do this to **YOUR** children unless **YOU** give the consent. This is the reason we launch this survey project to hear **YOUR** voice. Please cast your solemn vote.

“Do you NOT have any compassion toward under-privileged people?”

Quite contrary, we do. True compassion is to attack the root cause of the problem. Do you help a cancer patient by putting on a Band-Aid, and then wear it as an honor badge proclaiming “I helped him”? You are killing him by giving false hope while delaying real treatment. The patient needs chemotherapy, which is painful, lengthy but effective. The root-causes of the low academic achievement in some ethnic groups are the lack of parent involvements, low community expectation, and poor quality of the K-12 education. Achieving success requires hard work, persistency and sacrifice. It is already too late by the time a student gets out of the high school. Giving out college admissions on a platter only feeds entitlement. Please read the following reports to appreciate how **racial preferences** actually **hurts the intended beneficiaries**, with “academic mismatch” leading to self-segregation and less classroom diversity [1], undermining minority enrollment in science and engineering [2], reducing the graduation rate [3], and damaging the minority pipeline in academia [4].

[1] “The Role of Ethnicity in Choosing and Leaving Science in Highly Selective Institutions”, R. Elliott *et. al.* 37 Research in Higher Education 681 (1996)

[2] “Encouraging Minority Students to Pursue Science, Technology, Engineering and Math Careers”, US Commission on Civil Rights, Briefing Report, Oct 2010.

[3] “Are Black/White Disparities in Graduation and Passing the Bar Getting Worse, or Better?” by R. Sander. http://www.elsblog.org/the_empirical_legal_studi/2006/09/sander_2_black_.html

[4] “The Occupational Choices of High-Achieving Minority Students” (Harvard University Press 2003)

“Race is just ‘one of the many factors’, a ‘tie breaker’, a ‘nudge factor’.”

What a patent lie! Study after study show racial preferences as a dominant factor in college admissions. If all other credentials are equal, Asian-Americans need to score 140 points more than whites, 270 points higher than Hispanics, and 450 points above African-Americans out of a maximum 1600 on the math and reading SAT to have the same chance of admission to a top private college. Please show any data to the contrary before making the “tie breaker” argument again.

“Asian Americans lack personal appeal, which offset their academic performance.”

We challenge the colleges to open up their admission files for social study before propagating racial stereotype. Asian stereotyping like this helped keep Jeremy Lin on the bench until his coach ran out of other “warm bodies” to play. It is even sadder that some Asian Americans also buy into such crap.

Do you see the sinister cycle? Raise the bar on Asian Americans => Force us Asian Americans to work harder to break through => Increase the difference between the ethnic groups => You folks must be academic robots => Robots are weird, lacks personal appeal => Justify the decision to raise the bar even higher to make room for the others.

“We are a ‘model minority’, need to work harder, achieve more for the same recognition.”

Just say NO! We want equal opportunity based on our qualifications, as enshrined in the “Equal Protect Clause” of the 14th Amendment of the US Constitution.

The “model minority” stereotype has inflicted considerable damages to the Asian American community by justifying the exclusion of assistance programs to the needy and discounting the achievements of all individuals. College admission is just one such example.

“I had a 3.7 undergraduate GPA. As an Asian I didn't qualify for loans or grants as I was not an 'under-rep' minority so worked 3 jobs to get through school. One of them was to tutor 'under-rep' minorities that usually had GPA in the 1's and 2's and had an overall graduation rate of 30%. Just lowering the bar to absolute rock bottom to meet diversity quotas is absolutely, positively absurd. They never graduate...because most weren't qualified to go. Fix the problem in K-12 because it's pointless by college.” —BrandonH, St. Louis, upon reading **“Some Asian’s College Strategy: Don’t Check ‘Asian’”**

“You are stirring up racial tension by talking about such a sensitive topic.”

Just the opposite, we ask the society to pay lesser attention to race and more to individual qualifications. America may have been the only developed nation to even allow the race question to be asked in

college applications. Canada, Austria, and the European nations DO NOT ask this question. Why are we so fixated in identifying every ingredient in the melting pot, if we do not intend to use such data for the purpose of differential treatment?

“The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.”

— Chief Justice John Roberts

“Sky will fall on African Americans and Latinos if the Supreme Court bans racial preferences”

Why would racial preferences proponents refuse to look at the real-life data? 40% of the US population lives in states in which public universities are not using preferences. Has the sky fallen in these states? The best example is California. After Proposition 209 was passed in 1996 banning racial preferences, there was an initial drop in Blacks and Latinos enrollment. The enrollment returned to the highest pre-1996 level in 2002, increased another 40% by 2007, together with increased socioeconomic diversification and improved classroom integration. Through a focus on improved K-12 education, the number of academically strong minority students has also increased remarkably. This is exactly the right approach: Forcing everyone into a race to the top, rather than pulling everyone down to the bottom. The proponents of racial preferences only want to advertise what happened immediately after Prop 209, and refuse to acknowledge what happened afterward.