our public schools are more recent in origin, yet no less despicable. Sheldon Richman, the author of *Separating School and State*, has documented this disturbing trend all too well. "Despite the claim of moral neutrality," he writes, "public education is linked to a particular set of values, namely, the values of the modern welfare, or social-service, state. Those values include moral agnosticism (erroneously called tolerance), government activism, egalitarianism, 'welfare rights' to taxpayer largess, collectivism, and a watered-down version of socialism that looks much like the economic theory of the 1930's known as fascism."

In other words, do away with the state's compulsory attendance laws, and you do away with its ability to deceive most children into believing that mindless compliance with the government and its often wicked agenda makes them "good citizens." No wonder Russ George's single amendment engendered such a firestorm of dissent. It was a direct assault upon the well-being and future viability of the modern megastate.

*Aaron Steelman writes from Ann Arbor, Michigan.*

# Busing and Its Consequences

***by William J. Watkins, Jr.***

Ten years ago, federal district judge Leonard B. Sand ordered the city of Yonkers, New York, to integrate its public schools. Sand accused the city of 40 years of discrimination by concentrating public housing projects in southwest Yonkers. To comply with Sand's ruling, many neighborhood schools closed their doors as busing became de rigueur. Parents fought Sand's edict (at one point 11,000 students stayed home to protest) and eventually appealed to the United States Supreme Court, which refused to hear the case.

With neighborhood schools closing and Judge Sand's order to build low-income housing in more affluent areas, whites fled in the face of diminished control over their children's education, falling property values, and crime. Whereas Yonkers' public school system boasted 53 percent white enrollment in 1986, today the figure is a mere 30 percent.

Sand's prescription was questioned from the beginning, and now is even questioned by members of the local NAACP, the organization that started the mess by jointly filing suit with the Justice Department in 1980. The national organization, of course, will hear none of this and has suspended chapter president Kenneth W. Jenkins for publicly stating that "busing had outlived its usefulness."

This is not the first time the NAACP has run into opposition from within its own ranks on issues of school desegregation. Just last year in Cleveland, black parents resisted what the NAACP called "an old-fashioned" desegregation suit and the cross-district busing it promised. During the Board of Education's hearings on the matter, the majority of witnesses (black and white) spoke in favor of neighborhood schools. A local radio station conducted a poll and found that 75 percent of the adult respondents expressed a preference for neighborhood schools no matter what their racial composition. The NAACP acknowledged it was "swimming against the tide," but stuck to its guns despite the complaints of *black* parents that the civil rights lawyers were "holocausting" their children.

While members of the civil rights establishment predict dire consequences and a society that is "separate and unequal," local leaders and citizens see things differently. Just last fall, Judge Richard Matsch ended Denver's 21-year-old ordeal with forced busing and was praised by the city's officials, most of whom are black. Mayor Wellington Webb, once a proponent of busing, agreed with Matsch's decision, commenting that "the key issue today is to assure that kids receive the best education, regardless of what neighborhood they are in." The Reverend Aaron Gray, president of Denver's Board of Education, was more blunt in describing the change: "Pre-1954 was separate and unequal. The difference today is that you can step into an African-American school and see the same amount of resources provided to a majority Anglo school." On the same note, just south of Yonkers, the former principal of P.S. 111 in the Bronx told the *New York Times* that publicly sponsored integration efforts should be abandoned for the development of "communities of color where social services, decent housing and real education are effectively delivered." He went on to boast that P.S. 111 outperformed all 31 of the predominately white schools in the district and ranked 26th of 631 schools in New York City.

The message of local black leaders and citizens is clear: while they oppose state-mandated segregation, they refuse to support schemes of social engineering that the national civil rights establishment continues to shove down their throats.

Moreover, the NAACP's influence continues to wane in the wake of charges of corruption and lavish expenditures on junkets, cars, and the like. With the dismissal of Ben Chavis in 1994 for a variety of reasons, not the least of which concerned NAACP funds earmarked as hush money for a woman alleging sexual discrimination, the organization is falling into disrepute—even among its staunchest supporters. As the old guard retires, they will be replaced with a new crop of leaders who are putting the health of their communities above quotas and formulas dreamed up by the social scientists who have already wreaked such havoc in the white and black communities.

It is heartening that lessons have been learned, but unfortunate that they were so costly, both in terms of dollars and human suffering. For example, in Yonkers, despite the opinions of the local NAACP, the city still spends $13 million on busing alone. Add to this the original desegregation plan ($37 million), and the result is one giant mistake at taxpayers' expense. Factor in the destruction of communities as families fled to areas that still possessed a modicum of self-government, and one gets an idea of the price of social engineering.

Of course one cannot feel too sorry for Yonkers, since the city dug its own grave by readily accepting federal housing money and the strings attached—one string being the threat of lawsuits if public housing was not racially dispersed. Nevertheless, the waste of tax dollars and the breakup of communities are lamentable occurrences. Now that all are realizing the importance of stable communities and schools, whether they are predominately white or minority, perhaps the era of *Brown* will finally come to a close. Consequently, communities in Yonkers and throughout the nation must now grapple with the task of rebuilding. It is a difficult task, but one

that should be undertaken with the same enthusiasm of Judge Sand and the federal judiciary's earlier experiments.

*William J. Watkins, Jr., is the assistant editor of* The Freeman.

# The Dirty Fact About College Admissions

*by Daniel J. Flynn*

Pitting the state of Texas against four students who had been denied admission to the University of Texas School of Law because of their skin color, the recent *Hopwood* v. *Texas* case could spell doom for racial preferences in public education if affirmed by the Supreme Court. The 5th U.S. Circuit Court of Appeals, whose jurisdiction covers Texas, Mississippi, and Louisiana, ruled in *Hopwood* that the use of race as a factor in admissions at public educational institutions violates the 14th Amendment's Equal Protection Clause, sending into panic an academic establishment already reeling from the University of California Board of Regents' decision last July to eliminate racial preferences on state campuses. Though *Hopwood* may very well be overturned by a higher court, or like the *Bakke* case (1978), be subverted by university administrators who operate outside the law, it's already succeeded in exposing the ugly truths about affirmative action.

In the spring of 1992, Cheryl Hopwood was rejected from the University of Texas School of Law despite posting near perfect test scores and a 3.8 grade point average (GPA). This 32-year-old mother who had to raise a severely handicapped child while working her way through college apparently lacked a "diverse" enough background for UT Law admissions officers. While her test scores and GPA outranked 40 of 41 black students accepted by the school, and all but three of 55 Chicanos offered admission, Cheryl's placement on the "diversity" test lagged far behind the Mexican and African-American students, and she was denied a spot at the law school.

The general impression in academia is that affirmative action gives minorities a "helping hand" while not really harming whites and other nonpreferred groups. The reality is quite different, as a large number of Cheryl Hopwoods across the country can attest. So disadvantaged were the nonpreferred groups at the University of Texas that approximately 700 higher-scoring whites were rejected along with Cheryl Hopwood before the first in-state black resident was denied admission.

UT Law admissions records, made public only after *Hopwood*'s four plaintiffs filed suit, reveal sizable discrepancies between the grades and test scores of whites and those of preferred minorities accepted by the school. In 1992, the year Ms. Hopwood and her three coplaintiffs were rejected by UT Law, white students accepted by the school had a mean GPA of 3.56 and LSAT scores in the 91st percentile, while black students offered admission posted a mean GPA of 3.25, with LSAT scores below the 75th percentile; Mexican-American accepted applicants' mean GPA was 3.27, with LSAT scores in the 78th percentile.

Texas Law admits students on a scale known as the Texas Index, which combines GPA and law school entrance exams. Students fall into three categories on this index: "presumptive admit," the "middle discretionary zone," and "presumptive deny." For whites, Texas Index scores of 192 or lower fell under the "presumptive deny" category. Preferred minorities who scored 189, three points lower than the threshold for denying admission to whites, were classified under "presumptive admit." Among applicants who fell within the 189-192 range on the Texas Index, 100 percent of blacks, 90 percent of Mexican-Americans, but only six percent of whites were offered spots at the school.

So immersed in special-interest politics is the school's admissions policy that Native Americans, Asians, non-Mexican Hispanics, and even foreign-born blacks are penalized in favor of Chicanos and blacks. Surely UT Law admissions officers do not view Nigerians as adding less diversity to its campus than American-born blacks? Or Vietnamese refugees as having experienced any less hardship and discrimination than Mexican-Americans?

Many sympathetic to the aims of affirmative action have even suggested that the University of Texas may have gotten its just due in court because of the extreme nature of the school's admissions program. But there is no reason to believe that Texas's admissions program was any more rigged than the programs of other schools. In fact, administrators from law schools around the country refuted this argument in an effort to tilt the court to UT's side by testifying that their affirmative action policies were nearly identical to those at Texas.

Repeated assurances by "civil rights" activists that affirmative action does not discriminate against whites but rather serves as a boost to minorities in competition with whites of roughly the same qualifications have repeatedly been proven false whenever academic institutions have been forced to open their admissions policies up to outside examination. At UT Law, Georgetown Law, the University of California, and other institutions that have had their admissions data pried open in recent years, affirmative action programs have been shown to be little more than punishment for having been born white, Asian, or any other nonpreferred group.

In those rare cases when the public is allowed to view the true nature of affirmative action programs, it is seldom the case that they do so with the approval of university administrators. More often, the reality of affirmative action is brought to light by renegade students with access to admissions data or through lawsuits. The latter was the case at both UT Law and the University of California schools of law and medicine, which released data only after being sued

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"Western culture is based on exclusion. Its society places 'others'—women, blacks, children, the old, those with alternative lifestyles, gays, the disabled—as outsiders. At the core of this marginalization is the tendency of powerful groups to 'purify' and dominate space, to create fear of minorities and to ultimately exclude their voices and their knowledge."

—*from* Geographies of Exclusion *by David Sibley, professor of geography at the University of Hull.*