

KNOW THE PROPOSALS:

Michigan Civil Rights Initiative (MCRI) – Discrimination/Preferential Treatment

Proposal on November 7, 2006 ballot:

Michigan Civil Rights Initiative Petition:

Signatures filed January 6, 2005; proposal ordered on ballot by Michigan Court of Appeals December 20, 2005.

Purpose:

Proposed amendment to the State Constitution to “prohibit the University of Michigan and other state universities, the state, and all other state entities from discriminating against or granting preferential treatment based on race, color, ethnicity, or national origin.”

Contact: Michigan Civil Rights Initiative (MCRI), P.O. Box 1398, Southgate, MI 48195, Chetly Zarko (734) 730-4842.

Source: *The Potential Impact of the Michigan Civil Rights Initiative on Employment, Education and Contracting* by Susan W. Kauffman, Associate Director, Center for Education of Women; *The University of Michigan. Appendix 1*

The proposed constitutional amendment would:

- Ban public institutions from using affirmative action programs that give preferential treatment to groups or individuals based on their race, gender, color, ethnicity or national origin for public employment, education or contracting purposes. Public institutions affected by the proposal include state government, local governments, public colleges and universities, community colleges and school districts.
- Prohibit public institutions from discriminating against groups or individuals due to their gender, ethnicity, race, color or national origin. (A separate provision of the state constitution already prohibits discrimination on the basis of race, color or national origin.)

PRO statements:

- **On Balanced Race Disparities:** Poverty transcends race. MCRI would not prevent, and indeed, would probably result in significantly greater use of socio-economic solutions that would benefit every “disadvantaged” individual regardless of race. MCRI does agree that K-12 education and programs that otherwise increase the availability of jobs, opportunity, and economic growth for all Michigan residents should be improved.
- **On Affirmative Action:** Affirmative Action (in terms of outreach programs to under-represented groups) would be permitted for such classifications as “inner city schools” or “rural schools” or other measures of socio-economic disadvantage. What would be prohibited under the MCRI proposal is applying different standards to individuals or groups based on the intrinsic characteristics of race, sex, color, ethnicity or national origin.
- **On “Unintended Consequences:”** It is impossible to refute a charge that something might have “unintended consequences” since what is unintended is, by definition, also

unknowable. We can, however, look to the past experiences in California and Washington. Both states have adopted similar initiatives, eliminating preferences based on race, gender, ethnicity, skin color and national origin, and have been successful for almost ten years. Additionally, the public university systems in each state are now experiencing rising admissions rates of “under-represented minorities” even without racial preferences as part of the admissions policies.

Source: *Michigan Civil Rights Initiative Committee “Proposal 2 – Frequently Asked Questions”*

CON statements:

Will make the following programs vulnerable:

- Education outreach programs that take place using public facilities or funding and that specifically target participants based on race, sex or ethnicity, including science, math or technology programs for girls.
- Summer and after-school programs for either boys or girls, like technology camps for girls.
- Recruitment and support programs for high school and community college students in career education programs that are non-traditional for gender.
- Apprenticeship, education and training programs for non-traditional occupations.
- Higher education funding for minority health professionals, who are more likely to practice in under-served communities.
- Outreach and funding for women and minority math, science and technology teachers.
- Review systems designed to monitor and address barriers to achieving full participation, such as discrimination based on race, ethnicity, gender, age, or disability.
- Government outreach programs that ensure that women- and minority-owned businesses have a fair chance to secure government contracts.
- Scholarships, fellowships and grants at all levels of education that take gender, race, ethnicity or national origin into account.
- Gender-specific community and public health programs, such as breast, cervical and prostate cancer screening, breastfeeding promotion, or prenatal smoking cessation.
- Domestic violence programs.
- Efforts to ensure adequate representation of women and minorities on boards and commissions, including advisory boards dealing with corrections, education and public health.

Source: *The Impact of the Proposed Michigan Civil Rights Initiative*, Susan W. Kaufmann, Associate Director, DEW and Anne K. Davis, Graduate Research Assistant, CEW; *The Center for Education of Women, University of Michigan; April 2006*

Websites for more information:

PRO - <http://www.michigancivilrights.com>

CON - <http://www.oneunitedmichigan.org>

Revised August 29, 2006