

In Kansas, the *Scarpelli v. Remson, et al.*, case will be heard by the Kansas State Supreme Court this year. This case involves a ruling of libel against four physicians and a college administrator on behalf of Dr. Scarpelli, former chairman of the Department of Pathology at the University of Kansas. These individuals were declared guilty by a jury of libeling Dr. Scarpelli when they filed an administrative grievance which charged Dr. Scarpelli with "willful and unlawful acts of discrimination toward black medical students... in an attempt to systematically eliminate them from medical school..."

This case represents a serious threat to the rights of individuals to file discrimination charges. Obviously, if the decision is allowed to stand, the vast majority of aggrieved individuals will not file charges for fear of libel. In essence, one of our fundamental constitutional rights, the right to seek relief and redress, will be lost. The Affirmative Action Coordinating Center (AACC) will file a friend-of-the-court brief to support the defendants. It is our position that individuals who file discrimination claims enjoy an "absolute immunity" against libel suits. You will be informed of the results of this case.

However, there are other facts in this case which should be brought to the public's attention. Many whites are against affirmative action programs which seek to insure opportunities for members of minority groups. Generally, the reason given for this opposition is that America is a meritocracy, i.e., the rewards of our society are allocated on ability and merit. Hence, most whites believe, or want to believe, that white students

Affirmative Action:

The True Nature of Merit

By Richard Hudson

and workers are more successful because of their abilities and performances under competitive situations.

This belief is fed by the opponents of affirmative action who continue to claim that better qualified whites are being replaced by less qualified minorities and women. When challenged to define what is meant by qualified, they are unable to do so. Or they will refer to some vague example which they heard of. Or they will refer to the Bakke or Weber cases to prove that whites are being subjected to reverse discrimination.

What these advocates of merit ignore is the massive evidence that shows that merit and ability have never been and are not now the basis for the allocation of rewards. They ignore the wealth of studies which show that white males have always enjoyed preferential treatment. They simply ignore such studies as the report issued by the U.S. Civil Rights Commission entitled "Social Indicators of Equality." This report shows that blacks and other minorities must be better qualified based on educational standards to receive the same occupational opportunities as white males in particular and whites in general. As Quinn, et al., noted in their book, *The Decision to Discriminate*, "American cultural

values simply pay lip service to the principle that societal rewards should be allocated upon achievement basis. That rewards in the society at large are based substantially upon ascriptive criteria, such as race, is difficult to overlook when ascription results in the burning of cities. The American Myth is not that all men are created equal, but that rewards are calibrated solely to achievement."

These advocates of merit are guilty of selectively perceiving and interpreting situations to sustain their belief. However, as the examples below illustrate, the reality of racism and sexism does not cease because one refuses to see it.

In the Scarpelli case, a vivid picture of the difficulties black students and other minorities must face is shown. For example, 35 students who failed pathology were allowed to take oral examinations. Of this 35, only one was black even though other blacks had failed pathology. Obviously, oral exams are used by teachers to subjectively pass students who are unable to pass written exams. If nothing else, this fact should destroy the myth about the ability of white medical students to get through school because they won out through fair

and competitive efforts.

Other examples include the following: White students who failed pathology were allowed to take the National Board exam to demonstrate their knowledge. At least one black student was denied an opportunity to demonstrate his knowledge through this method. In two instances, black students grades were computed incorrectly. These are some of the examples which the Office of Civil Rights of HEW cited to support its conclusions that the University was guilty of discrimination. Incidentally, the judge would not allow this report to be introduced in the record in support of the defendants' contention that there was substantial evidence that in fact the Pathology Department discriminated against black students.

In the famous Weber case, there were many facts which showed that merit had nothing to do with the success of white workers in Kaiser. "Skilled black craft workers were falsely told that openings did not exist when they applied for work. Black workers were disciplined for acts for which whites were not; black workers were required to have five years of craft experience; several whites with no craft experience had been transferred into craft jobs; and black workers who protested discrimination in the plant were subjected to retaliation."

What is to be understood here is that the examples represent the typical pattern of treatment for minorities and not the exception. What should be recognized and understood is that meritocracy is an ideology which, historically, has proven to be inapplicable to our society. In America, merit is really just a code word for racism and sexism. Yes, that is the true nature of merit.

**COPING
Good Luck**

By Dr. Charles W. Faulkner

"My luck is really bad today." "Today is just not my day." "I really have rotten luck." "Nothing ever works in my favor." Did you make those remarks? Are you waiting for things to "go your way"?

Well, you may have a long, long wait ahead of you unless you realize the following principle: "Luck" is the result of the action that you do or do not take. Man and woman make luck occur.

The inactive, passive, lazy person allows for various kinds of bad luck to occur. The person who complains about having bad luck because the suit that cost \$59.00 at a sale developed unremovable wrinkles caused the "bad luck" to occur. The person who allowed an inexperienced mechanic to work on the car which developed engine problems after the work was completed, caused the "bad luck." The person who fell in love with an unreliable individual and was, consequently, broken hearted was the cause of the "bad luck."

When we permit bad luck to occur through our inaction, there are usually reasons. We may be afraid to take action for some conscious or subconscious reason. Perhaps we don't really know why we failed to take the necessary action in a given situation.

When we blame others for our action or inaction, we allow ourselves to float like a piece of driftwood in an ocean — out of control. We give ourselves over to the control of others or to the control of the situation.

In effect, we say: "If something negative happens as the result of my inactivity, I am simply the victim of circumstances or, I will simply blame someone else." If we blame others for our difficulties, we refrain from looking within ourselves and accepting our adult responsibility. Thus, we become passive and allow our lives to get even more out of control.

When we do something that is positive, we feel good about ourselves. This feeling makes us more secure and motivates us to take charge of our lives even more.

If you detect a pattern of problems occurring in your life, ask yourself what part you play in this situation? Do you feel cornered? If so, why? What is stopping you from action? Become critical of your own behavior.

Determine if your friends and associates are negatively influencing you with their problems. Perhaps they are adding an unnecessary burden to your life. Possibly they are inducing stress into your life and making it difficult for you to deal with your own problems.

Begin to change your luck. Begin to make changes in your life. Improve your life little by little until you have conquered the major problem and ride the wondrous crest of good luck.

If you have questions you would like answered, direct them to Dr. Charles W. Faulkner, P.O. Box 50016, Washington, D.C. 20004.

CONSERVATIVE BOGEYMEN

By Edwin Feulner

Events since November 4, have certainly taught me a lesson. While America's liberals have enjoyed being buddy-buddy with us conservatives over the years, have gone out of their way to engage in "dialogue" with us, have shared food and drink with us and proved their liberalism by giving our ideas their due — it's all been phony.

Now that conservatives are in power and conservative ideas form the likely agenda for the incoming Reagan Administration, the same conservatives that the liberals loved to show off at their cocktail parties have suddenly grown horns and become bogeymen.

For example, there has been almost hysterical outrage at our recent suggestion (one that we have been making for years) that we ought to overhaul "affirmative action" policy.

Conservatives, and a number of well-known liberals and blacks, have been arguing for some time now that it is patently unfair for the federal government to require or encourage discrimination against one class of citizens (primarily white males) in order to "help" other classes of citizens (women, blacks, people with Spanish surnames). The critics of quotas say it is especially wrong when the people being discriminated against are not guilty of any wrongdoing against those who are the beneficiaries of quotas — but are simply from a group the government has chosen for special punishment.

Dr. Walter E. Williams, the noted black economist, takes this a step further and argues that "affirmative action" quotas are really racist in nature. They tell black people and others who benefit from hiring and promotion quotas that "Yes, we recognize that you're equal, but you're not equal enough to compete in the free market for jobs."

It's important to note that neither Professor Williams, nor conservatives in general, are arguing that laws which prohibit discrimination should be done away with — only that, for a variety of reasons, quotas based on race, sex or nationality have no place in a truly free society.

There are some very real differences of opinion on what the government should and should not do to atone for past discrimination.

We would like to argue that fighting discrimination with discrimination is a faulty policy. Rather, what we need are

Business In The Black

The Reagan Reader

5,000 Job Openings

By Charles E. Belle

Anyone born and reared in Illinois with the good sense to go west to seek his fame and fortune cannot be all bad. This writer should know, he and Ronald Reagan at least have that much in common.

Difference — and therefore the problem — is the President-Elect expects to dispense about 5,000 jobs in just less than ninety days. Don't know if Ronald Reagan can write that fast, but his henchmen will help him fill the bill. The fact is, Mr. Reagan, black Americans are just as interested in serving in a Republican Administration as a Democratic dominated White House.

While the "Kitchen Cabinet" of Mr. Reagan is run amuck with old rich white males, make no mistake about it, young middle class black American women want administrative positions, as well as, other minority people. Dr. Gloria Toote, a former assistant secretary of HUD, who seconded Mr. Reagan's presidential nomination the first time around will be a bell weather for black American members in and out of the Republican Party.

People like this writer who put stock in statistics will

still take a hard look at the physical number of black American people appointed by Mr. Reagan. One fear is that he will erroneously follow the stereotype latent racist remark by his confidant and "Kitchen Cabinet" friend, Alfred S. Bloomdale.

Old "Bloom", one of sixteen or so millionaires who are working with Mr. Reagan in his selection process, stated flatly, "Ronnie asked us to consider minorities. Well, we got Hispanics. We got blacks. We got ladies. But if they're not right, we didn't take them. We are after quality first."

Quality, like beauty, is too often in the eyes of the beholder. Being a black American in front of a bunch of old white males is not like making it to heaven. It could be conceived by critics as exactly the reverse! It's heartening to hear the President-Elect recognize the need for a contribution to his administration and the country by considering black Americans and other minorities for major positions within his administration.

These appointed positions are no paupers places. The

"plum book" a publication by the Government Printing Office is out. It lists the Government's salary-by-salary, department-by-department top jobs. Officially titled "Policy and Supporting Positions" it lists over 5,000 jobs. It lists not just some jobs, but a bunch of well paying positions.

Would you believe an accountant's position at the Treasury taking \$44,547 to start! Some say the dude who goes out to New Caledonia as the U.S. Representative gets \$50,112.50! At those prices, you could talk to an original aborigine of any color!

Which brings us to the focal point, President-Elect. When you get to the White House, find at least twelve per cent or 600 of those newly appointed Republican positions for black Americans.

SCIENCE JUST FACTS



Happy news for mothers: Beech-Nut Baby Foods announced recently that it has taken the sugar out of all of its products except one. The move is expected to set an industrywide trend.

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