ARGUMENT AGAINST PROPOSITION 16

The California Legislature wants you to strike these precious words from our state Constitution:

"The state shall not discriminate against, or grant preferential treatment to, any individual or group, on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting."

Don't do it! Vote NO.

Those words—adopted by California voters in 1996 as Proposition 209—should remain firmly in place. Only by treating everyone equally can a state as brilliantly diverse as California be fair to everyone.

REPEAL WOULD BE A STEP BACKWARD

Discrimination of this kind is poisonous. It will divide us at a time we desperately need to unite.

Politicians want to give preferential treatment to their favorites. They think they can "fix" past discrimination against racial minorities and women by discriminating against other racial minorities and men who are innocent of any wrongdoing.

Punishing innocent people will only cause a never-ending cycle of resentment. The only way to stop discrimination is to stop discriminating.
HELP THOSE WHO REALLY NEED IT

Not every Asian American or white is advantaged. Not every Latino or black is disadvantaged. Our state has successful men and women of all races and ethnicities. Let's not perpetuate the stereotype that minorities and women can't make it unless they get special preferences.

At the same time, our state also has men and women--of all races and ethnicities--who could use a little extra break. Current law allows for "affirmative action" of this kind so long as it doesn't discriminate or give preferential treatment based on race, sex, color, ethnicity or national origin. For example, state universities can give a leg-up for students from low-income families or students who would be the first in their family to attend college. The state can help small businesses started by low-income individuals or favor low-income individuals for job opportunities.

But if these words are stricken from our state Constitution, the University of California will again be free to give a wealthy lawyer's son a preference for admission over a farmworker's daughter simply because he's from an "under-represented" group. That's unjust.

GIVE TAXPAYERS A BREAK

Prior to the passage of Proposition 209, California and many local governments maintained costly bureaucracies that required preferential treatment in public contracting based on a business owner's race, sex or ethnicity. The lowest qualified bidder could be rejected. A careful, peer-reviewed study by a University of California economist found that CalTrans contracts governed by Proposition 209
saved 5.6% over non-209 contracts in the two-year period after it took effect. If the savings for other government contracts are anywhere near that, repealing this constitutional provision could cost taxpayers many BILLIONS of dollars.

EQUAL RIGHTS ARE FUNDAMENTAL

Prohibiting preferential treatment based on race, sex, color, ethnicity or national origin is a fundamental part of the American creed. It's there in our Constitution for all of us ... now and for future generations. Don't throw it away.

VOTE NO.

Ward Connerly, President, Californians for Equal Rights.

Gail Heriot, Professor of Law.

Betty Tom Chu, Former California Constitution Revision Commissioner.