



JEWISH COMMUNITY RELATIONS COUNCIL
of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties

The California Civil Rights Initiative (Proposition 209)

June 25, 1996

Statement by Judith Chapman, JCRC Chair

The Jewish Community Relations Council of San Francisco, the Peninsula, Marin and Sonoma Counties culminated an exhaustive fifteen month examination of the complex issue of [affirmative action](#) by voting at its June meeting to join with many other Jewish organizations in opposing the California Civil Rights Initiative. The initiative, which will be on the November, 1996 ballot, would write into the California Constitution language which prohibits all gender and race-based preferences in the public arena. The first paragraph of the initiative reads: "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."

JCRC members voted in a consensual majority, by a 3 to 1 ratio, to oppose the CCRI and expressed a number of concerns including the belief that: the initiative is an unwarranted retreat from society's obligation to correct centuries of discrimination directed against women and minorities; any problems arising from a complex issue like affirmative action cannot be effectively addressed through a ballot initiative changing the state constitution, but should instead be addressed through court decisions and the legislative process; the true effect of the CCRI would not be to eliminate discrimination—which is already prohibited by state and federal law—but to eliminate all public preference programs designed to remedy discrimination, including narrowly tailored affirmative action programs that our community has always supported and that are still required; and passage of the CCRI could seriously harm race relations.

A minority opposed the JCRC action for a number of reasons including the belief that: preferences based on race, gender or ethnicity are equivalent to discrimination based on race, gender or ethnicity; and affirmative action programs should be based on factors other than race, gender, or ethnicity such as economic disadvantage. This minority viewpoint will be included in the education program which will be conducted by the JCRC within the Jewish community. In addition, there was a different perception from the majority about where our community stands on the issue.

The vote on the CCRI follows JCRC's decision last November to approve a policy statement on affirmative action. Also approved by an overwhelming majority, the JCRC policy statement on affirmative action:

1. reaffirmed the crucial stake the Jewish community has in the principles of equal opportunity and individual merit;
2. reaffirmed support for affirmative action efforts designed to enhance the ability of those groups which have historically been the victims of systematic discrimination to compete;
3. opposed quotas under any guise in hiring, promotion, contracts and admissions;
4. opposed any affirmative action plans in which unqualified or clearly less qualified applicants are chosen because of a preference based on race, gender or ethnicity, and advocated that such voluntarily instituted affirmative action programs that foster, rather than remedy, discrimination should be terminated or redesigned;
5. espoused the belief that race, ethnicity or gender can be considered as a factor—but not the sole factor—in evaluating equally qualified applicants when an entity seeks to voluntarily engage in temporary policies to remedy its own bias or to promote the goal of diversity.

The JCRC's extensive fifteen month examination of the issue included the placement of a number of questions on affirmative action in the JCRC's 1995 survey, creation of a board-based JCRC Task Force on Affirmative Action, special presentations to JCRC offering a wide range of viewpoints, preparation of educational materials reflecting the full spectrum of views, and extensive canvassing of member synagogues and organizations in advance of both the November, 1995 vote on the JCRC policy statement on affirmative action and the June, 1996 vote on the CCRI.