

Can you imagine, in this day and age, an educational institution discriminating against a racial minority? Can you imagine what the outcry would be?

"You mean, you're preventing these qualified students from attending your college because of the color of their skin?!"

Well, you don't have to imagine it. It's happening. And at arguably the most prestigious college in America—my alma mater, Harvard. The ethnic minority isn't blacks or Jews, as it was in years past. The target this time is Asian Americans. And it's just as wrong.

After millions of dollars in legal fees, millions of records examined, and hundreds of hours of depositions and testimony, Harvard's once purposely opaque admissions policies have been laid bare. It's not a pretty picture.

Here's what we now know:

Harvard Admissions rates student applicants in three main ways: 1) Academic performance; 2) Extra-curricular achievements; 3) "Personal qualities." That's fine, as far as it goes, if the criteria were applied fairly. But they're not.

Asian American applicants consistently score higher in the first two criteria—academics and extra-curricular activities, which can be objectively assessed—than white students, Latinos and African Americans. So how does Harvard justify its Asian American quota? With the help of category three—"personal qualities," which include vague and largely subjective factors like "likability," "maturity," "integrity," and "effervescence."

According to Harvard's own internal reports, Asian American applicants are routinely and systematically marked much lower on this personality scale by Harvard admissions officers who almost never meet or interview applicants. But here's the kicker: the personality ratings given to Asian students by admissions officers are vastly different than the personality ratings Harvard gets from its own alumni interviewers, who actually meet the applicants in person. Alumni interviewers score Asian applicants as high as whites.

In other words, Harvard artificially and fraudulently downgrades Asians on "personality" to get the results it wants. And what Harvard wants is to suppress the number of Asian Americans admitted.

Based on the data that Harvard was forced to turn over, economist Peter Arcidiacono of



Duke University concluded that with the same application profile in terms of test scores, extracurricular activities and personality factors, an Asian American male applicant would only have a 25% chance of admission—versus 32% if white, 77% if Hispanic, and 95% if black.

What's the real-life result of all this? In 2013, Asian Americans made up 19% of the incoming freshmen class. According to Harvard's own Office of Institutional Research, if the personality factors had not been rigged, that percentage would have been 43%.

Title VI of the Civil Rights Act of 1964 guarantees that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, or be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Each year, Harvard takes hundreds of millions of dollars from the federal government.

In *Grutter v. Bollinger*, the Supreme Court upheld the University of Michigan Law School's affirmative action policies, deciding that race could be used as a "plus factor" to achieve diversity, but never as a quota. Yet, by placing strict limits on the percentage of Asian American applicants it will admit, racial quotas are *exactly* what Harvard is using.

One strongly suspects this quota system isn't limited to Harvard. In the last ten years, Asian American students have been limited to an 18-22% presence across the Ivy League. Or maybe that's just a coincidence.

Writing for the majority in *Grutter v. Bollinger* in 2003, Justice Sandra Day O'Connor wrote that the Court "expects that 25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today." With less than a decade to go, the lvy League shows no indication that it's giving up on those racial preferences. Instead, these colleges have doubled down. Objective standards regarding admissions continue to be increasingly disfavored as the illegal goal of racial balancing is advanced. This racial balancing is justified by the left's desire to achieve "racial diversity"—its insistence on seeing every person only through the prism of race, as if the most important thing any of us has to offer is the color of our skin. Not long ago, that was called "racism." It's still called racism.

It needs to end, once and for all—for the sake of deserving Asian American students, for the sake of Harvard's own integrity, and for the sake of the American principle that the rules must be the same for everyone.

Chief Justice of the Supreme Court John Roberts said it best: "The way to stop discrimination on the basis of race is to stop discriminating on the basis of race."

It's time we did just that.

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