

Op-Ed Written 26 November 2018

Debunking America's Model Minority

As our parents kissed us goodnight and tucked us in for bed, we were encouraged to dream big and reach for the stars. As children, we're told anything is possible so long as we believe, so long as we work hard. Walt Disney birthed an empire based on the belief that "growing old is mandatory, but growing up is optional."

Yet somewhere along the way, our children are forced to grow up and the very dreams we instilled in our children—dreams of attending Stanford University, of becoming a CEO, of changing the world, you name it—fade into the distant past as reality sets in and takes center stage. As much as we strive to follow Walt Disney's adage, we must admit that [few are able to stay dreamers.](#)

In our nation's history, we defended the [idea that America is a sanctuary for all](#)—a place where everyone has equal opportunity and access to success so long as one is willing to put forth the effort. But as many point out, America, just like any other nation, is built by people who are imperfect. Monumental landmarks in our history such as the [Civil Rights Movement](#), court cases such as [Brown v. Board of Education \(1954\)](#), and legislative changes such as the [Equal Protection Clause](#), [15th](#), and [19th](#) amendments tore down grim realities that served as barriers to dreams children of the past held and prove that we care about righting wrongs and creating equality in areas where we failed in the past.

One of these provisions is [affirmative action](#). Though affirmative action has found itself [in and out of courts since the 70s](#), the [2014 Students for Fair Admissions v. Harvard](#) case has recently resurfaced across media platforms. Just a month ago, *Students for Fair Admissions v.*

Harvard (2014) was heard by [Judge Allison Burroughs](#). Though Burroughs's opinion isn't [expected to be released until early 2019](#), many fear the [imminent threat of appeal](#) to the Supreme Court by whichever side loses. With a [now conservative leaning Supreme Court](#) that's [already skeptical of affirmative action](#), many [fear](#) that the Harvard case will [mark the end of affirmative action](#) as we know it.

Although affirmative action is not perfect in its implementation currently, there is no doubt that affirmative action should continue to be upheld by the Supreme Court. If upheld, we should then look to reform affirmative action to eliminate the issues that we currently see.

One of the biggest issues surrounding the *Students for Fair Admissions v. Harvard* (2014) case is the notion that [Asian Americans are minorities that do not benefit and are even harmed by the very system put in place to help minority groups](#). This unnecessarily pits minority groups against each other and leaves [Asian Americans](#) vulnerable to [racial-mascotting](#).

The second issue is whether or not the [Equal Protection Clause](#) should be applied to private action and if so, how. Currently, the Equal Protection Clause only applies to [state action](#). Though this made it possible for the Equal Protection Clause to inspire anti-discrimination actions and policies in [public universities](#) and states such as [California](#), the Equal Protection Clause doesn't directly apply to the Harvard case because [Harvard is a private institution](#).

Since race can be hard to define and illy represent an individual's actual access to opportunity and status at home, [scholars have proposed basing affirmative action on socioeconomic status instead of race](#). To better incorporate the Equal Protection Clause's anti-discrimination policies, we could look into amending the Constitution so that the Equal Protection Clause applies to private action as well. We could also amend current statutory laws

to be more specific with the guidelines in place. The challenge is identifying what the changes should be and how we should implement the changes in ways that are most effective for the greatest amount of people.

Affirmative action was [never supposed to be a long-term plan or solution](#). However because [we have yet to naturally achieve the diversity and inclusion that we strived for](#) in our schools, it is a system that is still needed today. Education is the foundational key that unlocks the door to further opportunities for children. Without affirmative action, our children will be forced to grow up and give up on their dreams because the standards that ensure equal opportunity are obsolete. To protect our children's choices, dreams, and futures, we must begin by looking for ways to reform affirmative action instead of lobbying against it.