

Introduction

Today we have joined together to celebrate the achievements of two remarkable graduates of the University's Physics program: Dr. Elmer S. Imes, the first African American to earn a Ph.D. in physics and enter a research career, and Dr. Willie Hobbs Moore, the first African-American woman to receive a Ph.D. in physics.

Yet, while important milestones in the history of American science, these achievements actually are part of the University's long tradition in providing leadership in the important goal of providing educational opportunities for all of our society, perhaps most recently evidenced by last summer's Supreme Court decisions that established that "diversity in higher education is an interest of the state" and that to achieve it, some consideration can be given to race.

As some of you know, I was a named defendant in these cases...the et.al. in *Grutter vs. Bollinger, et. al.* But beyond that, during my presidency we launched a major initiative known as the Michigan Mandate, which not only managed to double the number of underrepresented students and faculty on our campus, but continued Michigan's long tradition of leadership in diversity in higher education. (And, in the process, probably made us a high profile target for various groups attempting to challenge the methods higher education has used for the past several decades to achieve diverse campus and provide educational opportunities for underserved populations.)

Why Is Michigan So Special?

Perhaps the first question, is just why has Michigan successful in attracting talented students from previousl underserved populations, who have, in turn, achieved remarkable success on our campus?

In a sense this goes back to the earliest days of the university, when one of our first presidents, James Angell, suggested that our mission was to provide “an uncommon education for the common man”. Here, Angell was referring to the working class, since the colonial colleges of the East were primarily concerned with educating the elite. But this definition of “common man” rapidly broadened to include African Americans and women in the 1860s. At a time when our state was hostile to immigrants, the university took great pride in the international nature of its student body. In fact, Michigan awarded a Ph.D. to the first Japanese citizen, who returned to play a key role in the founding of Tokyo University. During the 20th Century, when Jewish students faced quota barriers in Eastern universities, they came west to places like Ann Arbor and Madison, where they were welcomed without restrictions.

Of course, this long-standing commitment of the university both to diversity and educational opportunity was sometimes not well-received either by state or federal governments. But fortunately, the University’s unusual constitutional autonomy and its rather weak reliance on state appropriations gave it the control of its own destiny to achieve these goals.

The Situation Today

The increasing diversity of the American population with respect to race, ethnicity, gender and nationality is both one of our greatest strengths and most serious challenges as a nation. A diverse population gives us great vitality. However the challenge of increasing diversity is complicated by social and economic factors. Far from evolving toward one America, our society continues to be hindered by the segregation and non-assimilation of minority cultures. Our society is challenging in both the courts and through referendum long-accepted programs as affirmative action and equal opportunity aimed at expanding access to higher education to underrepresented communities and diversifying our campuses.

Yet at Michigan we remain convinced that our university's capacity to serve our society, our nation, and the world successfully in the challenging times before us would depend in large part on our ability to achieve and sustain a campus community recognized for its racial, cultural, and ethnic diversity. Indeed, our diversity has been a cornerstone of our efforts to achieve excellence in teaching, research, and service.

During the 1980s, we launched a strategic initiative we named the Michigan Mandate, designed to change the institution in profound ways so that it could more capably serve a changing nation and a changing world and to link academic excellence and social diversity. The purpose of the Michigan Mandate was to guide our University in creating a community that:

- Supported the aspirations and achievements of all individuals, regardless of race, creed, national origin, or gender;
- Embodied and transmitted those fundamental academic and civic values that must bond us together as a scholarly community and as part of a democratic society;
 - Valued, respected, and, indeed, drew its intellectual strength from the rich diversity of peoples of different races, cultures, religions, nationalities, and beliefs.

Yet universities are institutions that are persuaded by commitment of the mind rather than the soul. Hence, it was essential to develop a compelling rationale for why the University must change to better reflect and serve an increasingly diverse society.

We set out the following rationale for the Michigan Mandate:

- The most compelling reason is that it is the morally right thing to do. Plurality, equal opportunity and freedom from discrimination are the foundations upon which the University—and indeed, our nation—are built. It is more than what we do; it is what we must be if we are to call ourselves a truly public University.
- America of the 21st century will be a nation without a dominant ethnic majority. It will be truly pluralistic. To serve America's rapidly changing population, our universities must provided the

educated people and ideas needed by our society both to understand and to build unity out of diversity.

- We do not believe a university can achieve excellence in teaching and scholarship unless it also benefits from the varied intellectual perspectives and experiences of America and the world in every aspect of our community.
- Diversity is essential to any university as we approach the new century for a fourth reason. Unless we draw upon a vast diversity of people and ideas, we cannot hope to generate the intellectual and social vitality we need to respond to a world characterized by great change.

The strategy was both complex and all-pervasive, involving now only a considerable commitment of resources (e.g., fully-funding all financial aid for minority graduate students) as well as some innovative programs such as our Target of Opportunity program for recruiting minority faculty. It also was one of those issues that we believed required leadership on the front lines by the president, since only by demonstrating commitment from the top could we demand and achieve comparable commitments throughout the institution.

By the mid 1990s Michigan could point to significant progress in achieving diversity. By every measure, the Michigan Mandate was a remarkable success, moving the University far beyond our original goals of a more diverse campus. The representation of underrepresented students, faculty, and staff more than doubled over

the decade of the effort. But, perhaps even more significantly, the success of underrepresented minorities at the University improved even more remarkably, with graduation rates rising to the highest among public universities, promotion and tenure success of minority faculty members becoming comparable to their majority colleagues, and a growing number of appointments of minorities to leadership positions in the University. The campus climate not only became far more accepting and supportive of diversity, but students and faculty began to come to Michigan because of its growing reputation for a diverse campus. Of particular note was the increasing diversity of the leadership of the university. When I stepped down as president in 1996, fully half of the universities executive officers (5 of 10) were African American, including my immediate successor as interim president, Homer Neal.

Perhaps most significantly, as the campus became more racially and ethnically diverse, the quality of the students, faculty, and academic programs of the University increased to the highest level in history. This latter fact seemed to reinforce our contention that the aspirations of diversity and excellence were not only compatible but, in fact, highly correlated.

But, of course, this story does not end with the successful achievements of the Michigan Mandate in 1996. Beginning first with litigation in Texas (the Hopwood decision) and then successful referendum efforts in California and Washington, groups such as the Center for Individual Rights began to attack policies such as the use of race in college admissions. Perhaps because of Michigan's success in the Michigan Mandate, the university soon became a target for those groups seeking to reverse affirmative action with two cases

filed against the University in 1997, one challenging the admissions policies of undergraduates, and the second challenging those in our Law School. Although I had been succeeded by Lee Bollinger by that time, I was still named personally as a defendant in one of the cases (here I referred to myself as the “et. al” in the *Gutter vs. Bollinger, et. al.* case), although I had little influence on the strategies to defend both cases to the level of the Supreme Court.

Yet there is a certain irony here. Never in our design or execution of the Michigan Mandate did we ever consider admissions policies to be particularly relevant to the strategy. To be sure, we knew that those admissions policies contained affirmative action provisions that were consistent with those used elsewhere in universities with selective admissions, and we instructed our staff to make certain they were also consistent with the law and ongoing court rulings. But we simply didn’t believe that tinkering with admissions policies was the key to achieving diversity. Hence it was ironic that these rather standard policies should be the target of those groups seeking to challenge our efforts.

Although the Supreme Court decisions were split, supporting the use of race in the admissions policies of our Law School and opposing the formula-based approach used for undergraduate admissions, the most important ruling in both cases was, in the words of the court:

- “Student body diversity is a compelling state interest that can justify the use of race in university admission”
- “When race-based action is necessary to further a compelling governmental interest, such action does not violate the

constitutional guarantee of equal protection so long as the narrow-tailoring requirement is also satisfied.”

Hence, the Supreme Court decisions on the Michigan cases reaffirmed those policies and practices long used by those selective colleges and universities throughout the United State—or at least so we thought.

At Michigan, we felt it was important that we “carry the water” for the rest of higher education to re-establish this important principle. Throughout our history, our university has been committed to extending more broadly educational opportunities to the working class, to women, to racial and ethnic minorities, and to students from every state and nation.. We are absolutely convinced that there is a very strong linkage between academic excellence and campus diversity. Hence it was natural for us to lead this battle for equity and social justice.

The Battle Continues

Yet, while an important battle has been won, the war is far from over. As some of you may have seen in the lead article in this week’s Chronicle of Higher Education, university after university is now backing away from minority programs aimed at recruitment, financial aid, and academic enrichment. Schools such as Harvard, Yale, Princeton, and MIT are either eliminating entirely such programs or opening them up to non-minority students from low-income households or who demonstrate a commitment to promoting racial diversity (whatever that means).

Why? They have been scared by their lawyers who interpret the Michigan decisions as prohibiting any activities which are not race-blind. Apparently these institutions are unwilling to face up to the challenge in the way that Michigan did. They saw how much we had to spend (\$20 million) and the long battle we had to fight to win our case. And, perhaps as a results, it could be that the decisions in the Michigan case cause more damage to the cause of diversity than good, particularly if they empower the lawyers on our campuses to block our successful efforts to broaden educational opportunity.

We also face further struggles at Michigan. Even as I stand here this evening, there is a well-funded effort to obtain the 317,000 signatures necessary to put a referendum on the November ballot seeking a constitutional amendment that would outlaw the consideration of race in college admissions in Michigan, negating the Supreme Court decision of last summer. Although this effort is spearheaded by an auslander, Ward Connerly, of California fame, early polling suggests that over 70% of likely Michigan voters would support it. Hence we are not out of the woods yet...by a long shot!

Concluding Remarks

At Michigan we remain absolutely convinced that there is a very strong linkage between academic excellence and campus diversity. Indeed, in an increasingly diverse world, it is hard to imagine how the contemporary university can provide both a high quality and relevant education, not to mention contribute original scholarship and research, without reflecting such diversity among its students, faculty, and staff.

Furthermore, as a leader of society at large and a reflection of that society, the university has a unique responsibility to develop effective models of multicultural, pluralistic communities for our nation and our world. We must strive to achieve new levels of understanding, tolerance, and mutual fulfillment for peoples of diverse racial and cultural backgrounds both on our campuses and beyond. We need to shift our attention from simply access to educational opportunity to success in achieving educational objectives.

To be sure, higher education in America is far more diverse today than we were twenty years ago or even ten years ago. Yet the challenges remain, and the struggle for diversity must continue.

Today's celebration of the remarkable achievements of Dr. Imes and Dr. Moore serve to remind us of just how important this commitment is to the future of our nation.