

ota: West Publishing Company, 1982.

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# Affirmative Action's Influence on the American Work Ethic

By Chris Tucker

*In a large embassy outside the United States, a vacancy has occurred for supervisor of the typing pool. A civil service examination is administered to all interested in qualifying to fill the vacancy. The passing score on the exam is 70. The current clerical and secretarial staff of the embassy is overwhelmingly white, and of the fourteen supervisors only one is black and one of Asian descent. Of those eligible by reason of seniority and superior performance in their current positions, the top score is earned by a white woman—89. The next two scores are also achieved by a white woman—one 86 and one 83. A black woman earns a score of 79 and a Chinese man earns a score of 69.*

*The position will go to ...*

*(A) The white woman who scored highest, the 89*

*(B) Any one of the top three scorers, whomever the personnel officer likes best*

*(C) The black woman who scored 79*

*(D) The Chinese man who scored 69.*

(Floyd 68)

If one were to believe that the United States government still rewarded hard work and achievement with awards and promotion then common sense would lead you to choose answer A. It is painfully obvious, however, that this is no longer the case. The appropriate answer is C. Yes, the black woman, although ranked fourth by test score, would receive the position solely because of her ethnicity or race.

As taken from a practice American Foreign Service Officer Examination, one of the many US civil service exams, this question exemplifies the influence

that the affirmative action program has had on the performance of our government. Affirmative action was conceived during the Eisenhower administration with the

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express purpose of advancing members of under-privileged minorities toward leadership positions. Although the rationale behind this program is quite noble, what affect is it having on our nation as a whole? Prior to the conception of this program, our nation operated, ideally, with a policy of "advancement to the most deserving." Unfortunately racism and the nepotism of "old boy networks" were impurities in the system that needed to be eradicated. If the goal of the program's creators was to force-feed minorities into the establishment with total disregard to both level of qualification and the efficiency of the bureaucracy then, in effect, they were successful. But most would maintain that this was not the intention.

Another motivating factor behind the implementation of affirmative action was the relatively small number of minority role models in high-level positions in corporate America and the government. Without such models, it was thought that there would be no motivation for any member of a minority group to aspire to reach such high plateaus in American society. The attempt to create ethnic role models was also clear through the admissions policies of many universities and colleges. But in actuality, does this social advancement program achieve its goals?

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It has been found that racial discrimination has not been reduced but rather shifted against the majority rather than the minority. Just as this sample problem suggests, a person included under the 'white' or Caucasian racial heading could be passed up for promotion indefinitely even though he or she a quite clearly proved

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herself better qualified for a given position. Similarly, an institution of higher learning may deny acceptance to a member of America's ethnic majority in favor of one of a minority even though it was clearly choosing against the more qualified person.

When considering the 'role model' topic some questions should be asked. Is it necessary to advance potentially less qualified people across the board in order to create role models for minorities to look up to? Should the quality of those minorities in high positions be sacrificed for the quantity? Should the standards by which "white America" lives be lowered for minorities? One would hope not on all three accounts. By doing these things, role models are cheapened and the racial majority is repeatedly taunted when forced to watch less qualified and possibly less motivated candidates receive jobs that they didn't deserve.

On the whole, affirmative action has not improved the plight of minorities, but merely provides the illusion of fairness and equality. If it is to be credited for anything, it is for leading our nation's work ethic toward and into the waste receptacle. Instead of telling a son, "Work hard and more times than not your diligence, achievement, and quality of work will be recognized," a parent must now express this in different terms: "Work hard and be the best and even when you become the best, hope like hell that someone of a more underprivileged racial grouping doesn't barely pass the cut." A work ethic requires the hope that effort yields success or advancement. This hope can not be generated unless a more fair system is devised. If the government would like to aid

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minorities it should raise them by their bootstraps rather than drag them by their hair.

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# There's No Business Like Show Business: The Legal Implications of Hollywood's "New Math" and its Impact on Unsuspecting Artists

By Paris Hampton

*The Rockford Files*, one of the most successful syndicated shows in television history, did not make a dime according to the studio that made it. This is an example of the accounting procedures that have a significant bearing on the focus of this article, *Art Buchwald v. Paramount Pictures*. First, let us consider that consistent growth in revenues with the growth of ancillary markets (video, cable, and foreign television) has increased the percentage of studio films that break even or make a profit from about 20 percent a decade ago to up to 70 percent today. However, below the line costs (the increase of the daily production outlay on a studio film) and above the line costs (gross participation deals or inflated upfront salaries demanded by big talent) have rendered net profit, the pool of funds that pays the remaining talent pool (actors with less clout and writers), meaningless:

*All percentage participation is added to the studio's expenses on a film. So no matter how big a hit the film is, it never moves into "net profits"—the crux of the current Art Buchwald "Coming to America" case... The virtual non-existence of net profits, in turn, makes more players fight for upfront deals. Mindful of the diversified revenue stream, players like Eddie Murphy, Arnold Schwarzenegger, and Ron Howard have opted for much larger upfront cash outlays rather than for gambling with the backend or waiting the five to seven years for all sources of ancillary interest to be returned. This too has added to the overall budgets of films. (Natale)*

Art Buchwald learned about this gamble the hard way.