

**STATE OF MICHIGAN LAW DAY 2004 ESSAY CONTEST**

**“To Win Equality by Law”**

**8<sup>th</sup> Grade – 3<sup>rd</sup> Place - By Mario Admon**

**L’Anse Creuse Middle School North – Macomb, Michigan**

**Teacher – Mr. Keith Wieand**

***Should a school be required to hire teachers who reflect the diversity in the American population, even if the most qualified teachers in the applicant pool are Caucasian males?***

I disagree with the schools being required to hire teachers simply to reflect the diversity in American population. A teacher should be selected solely based on qualifications and not by race.

My position is strongly supported by the Core Democratic Value of Equality. The concept of equality means that any citizen of the United States has the equal protection of the law. No single group should have an enhancement or denial of impartial treatment simply because of race, religion, or gender. This equal protection of the law, secured by our constitution, would be violated if laws were enacted forcing favoritism of one race or gender over another. The certain individual that is best qualified should have the occupation as a teacher, without race being a factor. One of the deepest ideas behind the Constitution is this concept of equality of all races, religions, and genders.

The Supreme Court case University of California Regents v. Bakke, 438 U.S. 265(1978) also supports my position. Allen Bakke was planning to attend medical school after his studies at the University of California. Each year, the medical school admits 100 students and of those, some are accepted through a special program provided for members of a minority group. Bakke applied for a position twice and was rejected both times even though his qualifications exceeded those in the affirmative actions program. He thought that this act was unconstitutional and therefore took his argument to the Supreme Court. The justices determined that the medical school's admissions practices were unconstitutional and the Court demanded the college grant him a seat. Their view of the justices was, "[t]he guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color. If both are not accorded the same protection, then it is not equal." Bakke at 289-90. According to the Supreme Court, everyone should have equal opportunities and race should not be the characteristic that determines who receives the job.

In my social studies class, I have learned about World War II. The Japanese carried out a covert attack on Pearl Harbor which was the leading event prompting war. In the time of crisis, all Japanese-American citizens, mainly from the west coast, were forced to live in concentration camps. The government thought that this was necessary for security matters, in order to prevent sabotage or espionage. Some of the Japanese-American thought this was unconstitutional, and took it to court. The courts agreed with them and, as a result, reparations were paid to those who were denied of their rights during the war. Once again, the judicial system has decided that race should not be a controlling factor in a person’s fate. All men and women are created equal,