"why?". The Supreme Court has agreed to hear arguments and the case was said to be perfect for an argument in defense of affirmative action—both applicant were allegedly "equally" qualified. This was a total distortion of the facts. The candidates were NOT equally qualified. Debra Williams, the African-American teacher, had significantly higher academic credentials than did the other teacher. I submit an insightful column that accurately sets forth the real issue in the Piscataway case. The column was written by the distinguished economist, columnist, and educator Dr. Julianne Malveaux and appeared in the December 11, 1997 issue of *Black Issues in Higher Education.*

THE MYTH OF EDUCATIONAL ATTAINMENT: WHEN A BLACK WOMEN'S MASTER'S DEGREE EQUALS A WHITE WOMAN'S BACHELOR'S DEGREE

The Black Leadership Forum—an organization that includes the NAACP Legal Defense and Education Fund, the National Urban League, the National Council of Negro Women, and others—deflected energy from the controversial *Taxman* v. *Piscataway* case that the Supreme Court had committed to hear this session. The forum agreed to finance 70 percent of the nearly $450,000 settlement that the plaintiff and her lawyers will receive from the Piscataway school board.

Sharon Taxman was the White business education teacher who was laid off in a downsizing while Debra Williams, an African American business education teacher, was retained. Since the two women were hired the same day and deemed "equally" qualified, the school board justified retaining Williams on the basis of "diversity."

Faster than she could spell diverse, Taxman was filing a lawsuit. Her quest for "equality" was affirmed by every court up to the Supreme Court, which had agreed to hear her case. Civil rights activists thought this was the wrong one to take to the nation's highest court, so they bought Taxman out.

I'm not sure how I feel about the buy-out. It's like postponing something tragic—in this case, the apathy that comes from a Supreme Court which appears to be indifferent to diversity as well as equality. But I am convinced that there are at least two villains in this story—and one of them is the Piscataway School Board.

Come again? To some, these guys seem like the good guys. They retained an African American teacher and laid off a White one, upholding diversity. At the same time, though, they tragically argued that two workers were "equally" qualified when one held a master's degree while the other had a lesser education.

If we were Debra Williams I'd be fuming through the ears. The myth that hard work and the quest for education would give you a leg up was busted in her case. Rather than the school board affirming her superior education, they told her that her master's degree was not worth enough for her to be considered more than equally qualified over a colleague with less education. (I almost typed inferior for less, but that is the oppressor's game.)

A careful examination of what happened in Piscataway explains why affirmative action has become America's whipping post. Instead of White employers telling White employees that they aren't competitive, the White employees are told that a position was assigned or retained because of affirmative action. That is the kind of lazy dishonesty that fuels the myth of White superiority.

Consider Proposition 209. We all know that it was championed by Republicans Pete Wilson and Ward Connerly, but the early poster boys were two White men who presented themselves as academics and said they could not find jobs in the California State University system, despite their "qualifications."

To be sure, these men both had Ph.D. degrees. However, neither had earned academic distinction. They were not published, nor had they ever actually applied for jobs in the California state system—a fact uncovered in a blistering report by investigative journalists.

Nonetheless, one of these men said he could not find a job as a philosophy teacher in California. In the year he said he looked, five philosophers were hired, and three were White men. But he didn't challenge their status. There was an eminently qualified White woman hired, and he didn't challenge her status either. And an African American woman, also hired, was not the target of his ire.

Where was this undistinguished, unpublished, nonapplying product of our nation's system of higher education supposed to get a job? It didn't matter. In his warped mind, some mythical Black person was out there holding his job—and by golly, he was going to make affirmative action beneficiaries pay. Thus, Proposition 209.

Enter the second villain of this New Jersey-spawned affair. Taxman must have her head in the sand. Hasn't she ever heard that people lose their jobs. Spit happens, and the best thing to do with spit is to wash it off and move on.

Instead, she put her life on hold, apparently because she could not stand the notion that some Black woman should get a job she thought she should have. Never mind that the Black woman, her colleague, had more education. Never mind that her colleague was the better teacher. Taxman is White and she has wrapped herself in the privilege of Whiteness. Thus, her lawsuit.

The Supreme Court wouldn't see that because they are mostly White, too. Those who opposed Taxman would have had to overcome both the Court's distaste for affirmative action—and its pejorative description of such policies as "race-based preferences"—as well as a fealty to Whiteness.

The civil rights community bought Taxman off because they understood that the Piscataway school board improperly packaged this case, choosing affirmative action and diversity as the wrong reasons to let an inferior teacher go. If the school board had looked more carefully at the two women and their qualifications, this case may not have gone to court.

There's the rub. Spit happens. Downsizing takes place. What the Taxman case has said so far is that when downsizing doesn't fall on the shoulders of Black people, White people are ready to go to court. Or when all else is supposedly equal, White folks are supposed to prevail.

This is a premise that deserves challenge. But then there are others, such as the premise that a White woman's bachelor's degree is the equivalent of a Black woman's master's. That is only the case in a racist society.

HONORING KAREN HYMAN SUSMAN

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. BENTSEN. Mr. Speaker, I rise to honor the memory of an extraordinary woman, Karen Hyman Susman of Houston, who passed away December 3, 1997, at the age of 55. Her passing is a tremendous loss for her family, including her husband Stephen and their two children, Stacy and Harry; her friends; and all who believe in the honor of public service.

A distinguished attorney and dedicated community leader, Karen Susman contributed in countless ways to building a better future for Houston, especially the city's Jewish community, the arts, and education.

Mrs. Susman volunteered 20 tireless years to the Anti-Defamation League and its mission, including serving as Southwest Regional Chair and National Commissioner. She took ADL to a new level in terms of fund-raising and programming. She also served on the Board of Directors of the National Conference of Christians and Jews and on the Community Relations Council of the Jewish Federation of Houston, working with leaders of many faiths to improve religious and cultural understanding in Houston and throughout the nation. She dedicated her time and energy generously to other Jewish organizations as well, including the Lion of Judah Jewish Federation, Congregation Beth Israel, and the King David Society Jewish Federation. She and her husband, Stephen, endowed the Karen and Stephen Susman Hall, Slifka Center for Jewish Life, at Yale University.

Karen Susman was also a dedicated and valuable member of the Houston arts community, active on the boards of the Houston Symphony, Glassell School of Art, Houston Grand Opera, and the Contemporary Arts Museum. She had a great commitment to art as part of a strong community and worked to ensure that Houstonians from all walks of life could enjoy our city's many artistic and cultural treasures. She was especially concerned about increasing opportunities for young people to learn about art, serving on the University of Houston Art Department Friends Board and the Yale Art Gallery Board of Directors.

Karen Susman was not only a dedicated volunteer and community leader, but a distinguished lawyer as well. A graduate of the University of Houston Law Center, she was a Board Certified specialist in family law and frequently served as a court-appointed mediator.

Whatever she did, Karen Susman's intelligence, enthusiasm, and integrity served her and all those she encountered well. She brought a tireless energy, an unflagging drive, and a passionate caring to each of her endeavors, wearing many hats along the way. Karen Susman will be remembered for these qualities and her dedication to making the world a better place.

Mr. Speaker, Mrs. Susman's life was full, but her years among us were far too few. A remarkable woman, a distinguished attorney and volunteer, Karen Hyman Susman embodied the best of Houston and of Jewish life and experience. We are all infinitely richer for her legacy and were blessed with her wisdom, compassion, dignity and humor.

CONGRATULATING JOE CORSELLO

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. WELLER. Mr. Speaker, I rise today to congratulate Mr. Joe Corsello of my hometown