



THE LEAGUE OF WOMEN VOTERS®

February 2008

President: Pat Walter
President-Elect: Patte Newman
Secretary: Peggy Struwe
Treasurer: Corrie Kielty-Wesely
Voter Editor: Jim Johnson

Calendar of Events

February 21 (Thursday): Noon
Lunch & Learn,
US Bank Bldg 20th Floor,
13th & M.
Guest: Leslie C. Levy,
speaking on Identity Theft
See article at right.

February 21 (Thursday): 5 - 7 p.m.
LWVLL Open House
Hawley Bed & Breakfast,
545 N 25th Street
Refreshments provided
See article at right.

March 31 (Monday): Time TBA
Debates, St Paul UMC
Details TBA

February 21 LWV Lunch & Learn Focuses on Identity Theft

Leslie C. Levy, Chief of the Consumer Protection and Antitrust Division for the Nebraska Attorney General's Office, will discuss identity theft at the League of Women Voters February 21st Lunch & Learn luncheon.

Open to the public, the February luncheon will be held at noon on the 20th floor of the US Bank Building, 13th and M Streets. The cost is \$8.00 and includes lunch, tax and gratuity. Reservations are required by noon Monday, February 18th and may be made by contacting the League Office by e-mail at lwv-ne@inebraska.com or by phone at 475-1411, including name, the number of reservations requested and phone or e-mail address.

For the past five years, under Ms. Levy's guidance, the Consumer Protection Division has tripled the amount of funds received as restitution on behalf of Nebraska consumers from \$400,000 to over \$1.2 million. Nebraska is currently involved in more than 22 national consumer protection and antitrust lawsuits. Prior to joining the Attorney General's Office, Ms. Levy held positions as legal counsel to the Nebraska Retirement Systems committee at the Nebraska Legislature and as an associate in a private law firm where she worked in general civil practice.

The League of Women Voters Lunch & Learn events are held on the third Thursday of each month from September through May, at noon on the 20th floor of the US Bank Building, 13th and M Streets. All luncheons

are open to the public with advance reservations. The March 20th Lunch & Learn speaker will be Ann Bleed, Director of Natural Resources, discussing water issues in the State of Nebraska.

Debate Volunteers and Questions Wanted

Debates in contested primary races where at least one candidate will not advance to the general election are planned for Monday, March 31, at Saint Paul United Methodist Church, 1144 "M" Street. League volunteers will be needed throughout the day to greet voters, assist candidates, and maintain adherence to debate protocols among audience members. To volunteer, members should contact Sharon Nemeth, Debate Coordinator, (dnetlnk@hotmail.com, using "Debate Volunteer" in the subject line or call her at 489-3571).

Members are also encouraged to submit questions for Senate/Congressional, Unicameral, and County Commissioner candidates. Questions may be emailed to dnetlnk@hotmail.com, using "Candidate Questions" in the subject line or mailed to Questions, League of Women Voters, The Apothecary, Suite 215, 140 North 8th Street, Lincoln, NE 68508, until **March 22, 2008**. Debate sponsors will make the final determination of which questions will be used. Unused questions will be retained for possible inclusion in future debates.

The LWVLL Education Fund is funding the debates and also the taping of no more than eight hours of debate coverage for re-broadcasting on 5CITY-TV (Time Warner Cable Channel 5). The LWVNE Education Fund has approved a grant to tape and re-broadcast up to four hours of Senate and/or Congressional candidate debates. Debate co-sponsors, who are also providing funding and volunteers, are the Friends of the Mayor's Commission on Women, the Lincoln Area Agency on Aging, the National Council of Negro Women, the North 27th Street Business and Civic Association, the NAACP, and Saint Paul United Methodist Church. Candidates in selected contested primary races will receive invitation letters shortly after the March 3 filing deadline.

LWVLL Membership Open House!

Join LWV-LL members & friends
for a Membership Open House Tea
Thursday, February 21, 5:00-7:00 p.m.
The Hawley Bed & Breakfast
545 N. 25th Street

RSVP to Tari - 540.8274
or thendrickson1@neb.rr.com

We had such a great time in January at our host Peggy Struwe's historic B&B, that we've decided to start a new League tradition! Bring a friend or two, drop in when you can for great conversation and introductions to LWV-LL friends old and new.

Watch out for the “Civil Rights Initiative” Petition

By Patte Newman

Last month, the Nebraska Board of Regents unanimously voted to oppose a ballot initiative called "Nebraska Civil Rights Initiative". So what's the big deal with something that sounds innocent?

The effort originated in California in 1995 by California Regent Ward Connerly who wants to end affirmative action programs. The language of his proposition 209 amending the California state constitution reads in part: “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”

Sounds reasonable? Look again and ask: what are the effects on affirmative action programs for women and minorities? In the past, women were excluded from male-dominated jobs like fire-fighting and law enforcement. What is the impact on women's sports at UNL and elsewhere? What about housing and lending programs that work to end discrimination? What about educational scholarships for women and minorities (including LGBT communities)?

Over 70 California women's groups, civil rights organizations and even the YWCA (citing its mission to eliminate racism and sexism - having avoided taking a stand on political issues for 138 years) joined forces against the “California Civil Rights Initiative”. One part of the legislation was dubbed the “No Women Need Apply“ clause. Despite intense opposition, the amendment passed. How could this happen? The answer given by many was simply deception and big money, supported by government contractors and good ole boys in high places.

Interestingly enough, a 1995 poll gauging the likelihood of success for an anti-affirmative action initiative tested the specific language of the amendment - with 81% in favor. When told this would affect affirmative action programs impacting women and minorities or minority owned businesses - support dropped to 29%. The drop in support was the most dramatic in the category of female managers polled (from 76% to 14% support). The least dramatic change involved conservative, white males, Republicans and Bush voters (from 53% to 39%).

Ten years after passage in California, the same big money interests are imposing their values on other states. Despite tremendous opposition from a variety of religious, community and business groups, similar amendments passed in Michigan and Washington. Governor Jeb Bush pushed through legislation in Florida achieving the same effect.

Now, monied out-of-staters are bringing the same ballot initiatives to Arizona, Colorado, Missouri and Oklahoma and right here at home in Nebraska.

Despite several court rulings (see sidebar), some political candidates, political commentators and other talking heads persist in misleading claims that affirmative action involves arbitrary quotas and guarantees for women and minorities. The use of terms like preferential treatment has been used interchangeably with affirmative action, despite three U.S. Supreme Court decisions declaring “preferential treatment” as patently illegal.

Supporters and opponents of this initiative agree the amendments effectively end all affirmative action programs but substitute the term “preferential treatment” for “affirmative action” to hide the effect of the proposal.

How do we make the impact of this measure clear to Nebraskans? How do we explain the impacts on minority students, women's programs, minority recruitment efforts and a multitude of other programs that may be at risk? How do we educate people that every person asked to sign a petition prior to July 4th to reach a goal of 115,000 may be affecting

Affirmative Action in the Courts

For those who might not remember the turbulent times of the '60's and '70's, and the Civil Rights and Women's movements for equal rights: In 1964, President Lyndon Johnson established affirmative action as a formal and legal recognition that special steps were needed to allow women, minorities, and others who had not shared equal opportunities in jobs and education to get their chance. Since then controversy has raged as to whether it set unfair quotas in hiring and admissions to institutions for higher education or established unfair practices in awarding government contracts to minority or women-owned business. These issues have been battled out in judicial rulings with (among others) Bakke in 1978, declaring the use of quotas as illegal and unconstitutional in higher education, Weber a few years later declaring the use of quotas in employment was also illegal and unconstitutional, and Richmond in 1990 declaring the use of set-asides in awarding government contracts was declared illegal and unconstitutional.

Patte Newman – Continued from page 2

women and minority jobs, paychecks, educational and business opportunities? What about that pesky little incidental fact that here in Nebraska women still rank 44th in the nation of earnings of women to men at just about 71 cents to the male dollar? And that despite that fact that we rank 3rd for women in the work force (67%) but only 45th for median annual earnings (\$26,000) and a pathetic ranking of 49th for women in managerial and professional occupations. Women and minority owned business continue to struggle to get loans and contracts and women and minorities continue to be underrepresented on boards and elected office.

As for impacts on higher education; I was fortunate to experience the ultimate in my college experience with not just white males from Nebraska who scored well on tests. One roommate was from Tehran and she later stayed with us while she sought asylum in the U.S. after Khomeini's takeover in Iran. Another classmate joined Khomeini's revolutionary guards. Others included twins from Beirut who experienced nightly gunfire from the roof of their home of Lebanon. Would these students be enrolled in a school like UNL if this ballot initiative passes? Is it worth the chance? Every student deserves a well-rounded education. That knowledge of other cultures and fellow students' life experiences (so remote from our own) were as valuable to my education as any classroom lecture. Diversity enriches everyone.

Affirmative action is not preferential treatment for women and minorities; it helps build a society in which everyone is uplifted and we all benefit. It is about equal opportunity for everyone.

I will not sign any petition to put an issue on a ballot that people do not fully understand.

And this Nebraska Civil Rights Initiative is not Nebraskan, it's not civil and it's not right.

LWVUS position on Nondiscrimination and Affirmative Action

<http://www.lwv.org/AM/Template.cfm?Section=Home&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=8631>

Through legislative and regulatory approaches, as well as litigation, the League advocates affirmative action programs for minorities and women. Action has included a lawsuit to compel the U.S. Department of Labor (DOL) to issue goals and timetables governing the employment of women in nontraditional jobs and apprenticeship programs and prodding to ensure enforcement. The League has worked to combat administrative initiatives to restrict the enforcement authority of DOL's Office of Federal Contract Compliance Programs (OFCCP) and the Equal Employment Opportunity Commission (EEOC). Since 1977, the League has supported measures to combat employment discrimination in Congress itself.

The League has been outspoken in its support of affirmative action programs and policies. That support has included filing amicus briefs in key affirmative action lawsuits, including *Kaiser Aluminum and Chemical Corp. v. Weber* in 1979, *Boston Firefighters Union, Local 718 v. Boston Chapter NAACP* in 1983, *Firefighters Local Union No. 1784 v. Stotts* in 1984 and *Williams v. City of New Orleans* in 1983. The League has actively opposed attempts by OFCCP to weaken regulations that govern the federal contract compliance program. During the 1985-86 Supreme Court term, the League filed amicus briefs in three key affirmative action cases: *Local 28 Sheet Metal Workers v. EEOC*, *Local 93 International Association of Firefighters v. City of Cleveland*, and *Wygant v. Jackson Board of Education*. The Court reaffirmed the validity of voluntary race-based affirmative action in these cases.

In 1986, the LWVUS signed onto another amicus brief filed in the U.S. Supreme Court, *Johnson v. Transportation Agency*. In 1987, the Court held that public employers may adopt voluntary affirmative action plans to attain work force balances in traditionally segregated job categories—the first instance in which the Supreme Court upheld a gender-based affirmative action plan.

In 1988, the League participated in a Supreme Court amicus brief in *Patterson v. McLean Credit Union*. In its 1989 decision, the Court reaffirmed that Section 1981 of the Civil Rights Act of 1964, which prohibits racial discrimination in contracts, applies to private acts of discrimination. However, the Court also held that Section 1981 does not apply to racial harassment or other discriminatory working conditions that arise after an employment contract has been entered into.

Between 1984 and 1988, the League was an active player in successfully urging Congress to pass the Civil Rights Restoration Act, which restored four anti-discrimination laws that were narrowed by the Supreme Court's 1984 *Grove City v. Bell* decision. Subsequently, the League endorsed the Civil Rights Act, which reversed a series of 1989 Supreme Court decisions that seriously weakened federal employment discrimination laws, and strengthened protections under federal civil rights laws. In 1990, the bill passed both Houses of Congress but was vetoed by the President. In 1991 a compromise bill was passed by Congress and signed by the President. The League did not actively support the bill, in part because it placed a monetary limit on damages for sex discrimination, including sexual harassment. In 1992, the League joined other groups in supporting the Equal Remedies Act, which would remove the monetary limit on damages in civil rights laws.

In response to continued congressional attacks, the League joined other concerned organizations in the Leadership Conference on Civil Rights (LCCR) to reaffirm strong support for affirmative action programs.

In both 2004 and 2006, the League joined with other organizations to oppose the "Federal Marriage Amendment," which would permanently write discrimination into the United States Constitution by limiting fundamental protections such as health care benefits for same-sex partners.

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Time Dated Material
Please Do Not Delay

The 2008 Winter Lecture Series at the Unitarian Church Africa: Challenge and Hope

January 20: Professor Robert Hitchcock, Chair of Anthropology at Michigan State University, will give the keynote entitled “Emerging Africa, Development, Democracy, and Environmental Change.”

January 27: Professor Betty Levitov of Doane College will discuss seeing Africa through the eyes of students in her lecture “Africa on Six Wheels: A Semester on Safari”

February 3: *No WLS (conflict with Super Bowl).*

February 10: Professor Wesley Peterson of Agricultural Economics at UNL, with some of his invited colleagues, will form a panel to discuss “Prospects for Economic Growth and Development in Sub-Saharan Africa.”

Each session except for the March 9 dinner will begin at 7:00 p.m. and last for two hours. The first hour will feature a presentation by the guest lecturer, followed by a break. The remainder of the time will be an opportunity for questions and dialogue. The March 9 dinner begins at 6:00 p.m., followed at 7:00 p.m. by a panel presentation.

February 17: Professor Joseph P. Akpan is a political scientist who teaches at several universities. He will discuss “Oil Resources and Human Rights in Africa.”

February 24: Professor Janet Poley, President of the American Distance Education Consortium, will present “Revitalizing African Relationships in Education: A RARE Opportunity.”

March 2: Assoc. Professor of Agronomy at Iowa State University, Andrew Manu, will present “Food Sustainability and Natural Resource Management: A Matter of Survival.”

March 9: The final dinner will begin at 6 p.m., and will be followed by a panel of experts discussing other African issues.

Additional parking is available in the south parking lot of the Catholic Social Services building (formerly Clark Jeary) across Eldon Street from the church. *This event is sponsored by the Social Action Committee of the Unitarian Church and the Nebraska Humanities Council.*