

Veterans' Organization Responds to SCOTUS Affirmative Action Decision

DoD's use of racial preferences is hurting our military, profoundly threatening our readiness.

HOUSTON, TEXAS, UNITED STATES, June 30, 2023 /EINPresswire.com/ -- [The Supreme Court decision](#) in *Students for Fair Admissions v. Harvard College and University of North Carolina* (Nos. 20-1199 and 21-707) is a "victory for the Constitution, equality of opportunity, and meritocracy," said Claude M. McQuarrie III, President, Veterans for Fairness and Merit.

"The race-based practices at not only Harvard/UNC but also our Nation's service academies violate every equal protection principle cited by the Court in its well-reasoned decision,"

McQuarrie said. "The Court has reaffirmed those principles, effectively ending the use of racial preferences in college admissions, restoring faithful adherence to the Constitution."



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The Court noted at footnote 4, “The United States as amicus curiae contends that race-based admissions programs further compelling interests at our Nation’s military academies. No military academy is a party to these cases, however, and none of the courts below addressed the propriety of race-based admissions systems in that context. This opinion also does not address the issue, in light of the potentially distinct interests that military academies may present.”

“The Court thus did not adjudicate DoD’s misguided attempt to justify its race-based,

discriminatory practices in service academy admissions,” McQuarrie said.

[DoD’s brief had claimed](#) that its practices are a “national security imperative” and “essential to achieving a mission-ready fighting force,” he explained.

Importantly, however, the Court’s decision implicitly rejects DoD’s claim that the use of racial preferences at colleges having ROTC programs (the largest source of commissioned officers) would be a “compelling interest” that could excuse enforcement of the Constitution, McQuarrie said. “Moreover, the Court did not articulate any rationale for why its reasoning does not apply to the service academies. It simply did not decide whether DoD’s claim of a ‘compelling interest’ at the service academies (which, if proved, might excuse noncompliance) had been proved.”

McQuarrie added, [“As VFM’s amicus brief](#) explained in detail, the time has come for our service academies to change their admissions practices to eliminate all consideration of race and to treat all applicants using a single standard based on objective, race-blind, exclusively merit-based evaluation of all fully qualified applicants.”

“Similarly, the Department of Defense must end its practices of using race-based preferences in all accession, service school selection, assignment, command selection and promotion board activities,” he said.

“Our warfighters need and deserve only the best-qualified leaders. Leader quality determines mission success or failure and life or death on the battlefield,” McQuarrie said.

“Compromise of selection standards by use of ‘diversity goals,’ whereby race (which has no correlation to leadership ability) dilutes merit, is an unacceptable failure of our collective moral obligation to always provide warfighters with the best-qualified leaders.”

“DoD first made its assertion of a ‘national security imperative’ in 2003, seeking judicial cover for its discriminatory practices, which in recent years have become pervasive. Its claim is unproven, untrue and contrary to generations of recent history,” McQuarrie said.



“As VFM’s brief showed, DoD’s use of racial preferences is hurting our military, profoundly threatening our readiness. Until DoD abandons its harmful practices and returns to race-blind, equal opportunity, and exclusively merit-based personnel management, our national security will continue to suffer,” he added.

“Rather than forcing warfighters to ask courts to examine whether DoD can prove its specious claim, DoD should take its cue from this decision and do what other institutions will now be required to do: follow the letter and spirit of the Constitution,” McQuarrie said.

ABOUT VFM: Veterans for Fairness and Merit (VFM) is a 501(c)(19) veteran’s organization with over 600 members, most of whom served in combat, including 21 recipients of the Medal of Honor and recipients of over 900 other combat valor awards, 45 former POWs, and 121 retired general officers. It filed an amicus curiae brief in SFFA v. Harvard/UNC. It advocates for equal opportunity, race neutral and exclusively merit-based military officer accession, assignment and promotion policies for the United States military. Claude M. McQuarrie III, a West Point graduate and attorney, is its President.

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