

THE CHRONICLE OF PHILANTHROPY

OPINION

A Post-Affirmative Action World Demands More — Not Less — Funding for Black Leaders

In 2024, let's resolve to double down support for leaders of color and stand up against perceived legal threats.

By *Cora Daniels*

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The end of the year is always a good time to think about what we are grateful for. In a year that saw the Supreme Court strike down affirmative action, the answer to me is clear: I am grateful for leaders of color, including Black, Latina/o, Native, Asian American-Pacific Islander, and all the intersections of identities, including gender and sexuality, they hold and lead from.

I feel obligated to express my gratitude because in our current post-affirmative action dystopia, it can sometimes feel like standing up for Black leaders, and leaders of color more broadly, is a radical act.

Although the Supreme Court decision ending affirmative action was limited to institutions of higher education, in the months since the June 29 ruling, some grant makers have gotten [even more skittish](#) about their commitment to equity.

The court's decision does not come in isolation but is part of an overall retrenchment of racial-equity policies and strategies. A *Chronicle of Philanthropy* [special report](#) released about a month before the SCOTUS ruling found that the flurry of high-profile racial-justice pledges following George Floyd's murder had already deflated.

Akilah Watkins, the first Black woman to lead the Independent Sector, the national membership organization that brings together nonprofits, private foundations, and corporate donors, has seen the doubly chilling effect firsthand. (That in 2023 I'm still writing sentences about the "first Black" anything shows how far we still must go to achieve the equity that was at the heart of affirmative-action policies.)

Watkins has spent much of the past year talking to nonprofit leaders and donors concerned that the ruling will lead to a reversal of racial-equity gains across the field. While the impact may not show up for a few years, Watkins says the court's decision has already led some organizations to take a different approach to how they communicate their diversity and equity work.



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“I’m concerned that the Supreme Court’s affirmative-action decision may lead to a shift in the ethos of the nonprofit sector, threatening core sector values like equity,” says Watkins. Instead of stepping back, she suggests that the decision should spark a “renewed dedication to advocacy and a collective effort to address systemic barriers to equity.”

Fending Off Attacks

I saw Watkins in action at an invitation-only gathering she hosted for Black and brown leaders during her organization’s Upswell conference last month in Dallas. Advertised as a time for “connecting, sharing, organizing, around affirmative action,” the invite drew dozens of leaders of color who came together for more than four hours of sharing and strategizing.

To foster candid dialogue, we were instructed not to provide details of the conversation outside the room. But at least as significant as those details was the need for such a gathering in the first place.

Imagine if instead of feeling they needed to strategize together to fend off attacks, Black and brown leaders could have spent those four hours “connecting, sharing, and organizing” around the important work they do. Each time philanthropy questions whether it can still fund racial-equity and justice work, the journey to build a more just and equitable world slows down — again.

What if instead of cowering in the face of the affirmative-action ruling, philanthropy doubled down on its support of leaders of color?

Given that racial inequity has been baked into our nation for hundreds of years, a strategy of funding more is hardly radical. In fact, it’s exactly the approach some [philanthropic and legal scholars](#) suggest. They argue that instead of tightening the purse strings, the ruling demands that philanthropy increase unrestricted funding to leaders of color. And they note that fears of lawsuits are largely unwarranted since foundation grants are not covered by the affirmative-action ban.

Such assurances aside, the anti-equity opposition will undoubtedly continue to [misinterpret the law](#) in its quest to prevent any work that focuses on race and seeks to build a more equitable society. It can feel natural to hide as attacks like these accelerate.

However, I’m reminded of something Robert K. Ross, president and CEO of the California Endowment, said over the summer, which has stuck with me months later. During a *Chronicle* [webinar](#) on the affirmative-action ban, Ross urged fellow funders not to hide from the fight.

“Anyone can sue anyone for anything. That is the world we live in,” he said. “But ultimately, if you end up getting sued for doing the right thing, then you end up getting sued for doing the right thing. You don’t stop doing the right thing because you got sued — that is another lesson of social justice in this country. Instead, you stay smart and stand tall.”

In other words, there is no reason to fear standing on the side of equity.

In reality, nothing is stopping philanthropy from funding racial-justice work at high levels — SCOTUS hasn’t changed that. The Association of Black Foundation Executives, or ABFE, even has a [repository of resources](#) specifically to help philanthropy withstand political and legislative attacks on racial equity and justice.

Fittingly, I was at Upswell to help lead a session on Bridgespan [research](#) that discusses the assets and skills leaders of color bring to their work *because* of their racial and ethnic identities. The study was published almost a year to the day before the Supreme Court ruling and long before Ross uttered his call to action.

Yet its sentiment feels even more important now than when it was written. That’s because the anti-equity opposition wants us to waste time being afraid so that we pull our attention away from who we are fighting for and what we are working toward. In the New Year, let’s refuse to be distracted.

We welcome your thoughts and questions about this article. Please [email the editors](#) or [submit a letter](#) for publication.

FUNDRAISING LEADERSHIP

DIVERSITY, EQUITY, AND INCLUSION



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