Has Affirmative Action Outlived Its Usefulness in the Workplace?

**YES:** Walter E. Williams, from “Affirmative Action Can’t Be Mended,” *Cato Journal* (Spring/Summer 1997)

**NO:** Wilbert Jenkins, from “Why We Must Retain Affirmative Action,” *USA Today Magazine* (September 1999)

**ISSUE SUMMARY**

**YES:** Cato Institute research fellow Dr. Walter Williams argues that affirmative action is no longer useful in the workplace. He likens affirmative action to a “zero-sum” game where one group benefits at the expense of all other groups.

**NO:** Dr. Wilbert Jenkins presents, and then rebuts, the major points critics of affirmative action typically raise. He also provides a discussion on the relationship between affirmative action and diversity in the workplace. He argues that since diversity is good business, and affirmative action encourages diversity, then affirmative action is good business.

One of the most important outcomes of the 1960s civil rights movement in America was the concept of affirmative action. In the workplace, affirmative action can be defined as the “process in which employers identify needs and take positive steps to create and enhance opportunities for protected class members [i.e., minorities and females]” (Robert L. Mathis and John H. Jackson, *Human Resource Management*, Thompson South-Western Publishers, 2003). For most private companies, implementing an affirmative action program is a voluntary decision. However, in addition to all state and federal government agencies, those businesses that contract government work are required by law to maintain affirmative action programs in their workplace. One of the effects of these requirements has been to increase the diversity of the workforce in corporate America. And while many people feel this is a positive result, there are many others who are, both in principle and in practice, vigorously opposed to the concept of affirmative action. Many of its detractors argue that it has accomplished its goals and is, at best, no longer needed and, at worst, damaging to the American social fabric. Supporters contend that affirmative action has not yet met all its goals and is still very much needed in the workplace. The debate over the legitimacy and effectiveness of affirmative action is characterized by strong passions on both sides and represents one of the most important social issues of the early twenty-first century.

There are several compelling arguments on each side of the debate. Proponents of affirmative action believe that many of the current differences in racial and gender success in the workplace can be attributed to the effects of discrimination built up over many years. These effects cut both ways: Women and minorities suffer unfair employment treatment while males and non-minorities have received preferential treatment. Not surprisingly, supporters of affirmative action argue that it is needed to overcome the effects of past discrimination. A second argument rests on the observation that social ills like crime, drug abuse, and low educational attainment levels are most likely to occur among those at the lowest level of the socio-economic ladder, a rung that consists primarily of minorities. Since economic disparities will be reduced as a result of the increased employment and economic opportunities provided by affirmative action, social problems such as these could decline, thereby benefiting all members of our society.

The other side of the debate also has several strong points. An important consideration is the concept of reverse discrimination. Like it or not, the fact is that when we give preferential treatment to any group of individuals we necessarily discriminate against other groups. Critics of affirmative action argue that this occurs frequently, is reverse discrimination (usually against males and non-minorities), and requires adopting a “two wrongs make a right” viewpoint. Another line of reasoning against affirmative action involves the recognition that the overwhelming majority of non-protected class individuals have nothing to do with past discrimination—indeed, many were not even alive at the time—and yet it is exactly these people who are penalized by affirmative action programs. Opponents argue that it is patently unfair for these individuals to be penalized for discrimination that occurred in the past and in which they played no part.

In the two selections that follow, the question of whether affirmative action has outlived its usefulness in the workplace is addressed. The “yes” selection is presented by economist and Cato Institute Research Fellow Dr. Walter Williams. As you read his selection, pay close attention to the discussion concerning affirmative action as a “zero-sum” game. Do you find the logic behind this argument compelling? The “no” position is presented by Wilbert Jenkins, a professor of history at Temple University. During the course of this well-structured article, Dr. Jenkins presents, and then rebuts, the major points critics of affirmative action typically raise. In addition, he provides an interesting discussion on the relationship between affirmative action and diversity in the workplace arguing, in effect, that since diversity is good business, and affirmative action encourages diversity, then affirmative action is good business. Before turning to the articles themselves, one final point should be made: lest you think that the race of the authors themselves played a role in their views about affirmative action, consider that each is a male protected class member.
Affirmative Action Can’t Be Mended

For the last several decades, affirmative action has been the basic component of the civil rights agenda. But affirmative action, in the form of racial preferences, has worn out its political welcome. In Gallup polls, between 1987 and 1990, people were asked if they agreed with the statement: “We should make every effort to improve the position of blacks and other minorities even if it means giving them preferential treatment.” More than 70 percent of the respondents opposed preferential treatment while only 24 percent supported it. Among blacks, 66 percent opposed preferential treatment and 32 percent supported it (Lipset 1992: 66-69).

The rejection of racial preferences by the broad public and increasingly by the Supreme Court has been partially recognized by even supporters of affirmative action. While they have not forsaken their goals, they have begun to distance themselves from some of the language of affirmative action. Thus, many business, government, and university affirmative action offices have been renamed “equity offices.” Racial preferences are increasingly referred to as “diversity multiculturalism.” What is it about affirmative action that gives rise to its contentiousness?

For the most part, post–World War II America has supported civil rights for blacks. Indeed, if we stick to the uncorrupted concept of civil rights, we can safely say that the civil rights struggle for blacks is over and won. Civil rights properly refer to rights, held simultaneously among individuals, to be treated equally in the eyes of the law, make contracts, sue and be sued, give evidence, associate and travel freely, and vote. There was a time when blacks did not fully enjoy those rights. With the yeoman-like work of civil rights organizations and decent Americans, both black and white, who fought lengthy court, legislative, and street battles, civil rights have been successfully secured for blacks. No small part of that success was due to a morally compelling appeal to America’s civil libertarian tradition of private property, rule of law, and limited government.

Today’s corrupted vision of civil rights attacks that civil libertarian tradition. Principles of private property rights, rule of law, freedom of association, and limited government are greeted with contempt. As such, the agenda of today’s civil rights organizations conceptually differs little from yesteryear’s restrictions that were the targets of the earlier civil rights struggle. Yesteryear civil rights organizations fought against the use of race in hiring, access to public schools, and university admissions. Today, civil rights organizations fight for the use of race in hiring, access to public schools, and university admissions. Yesteryear, civil rights organizations fought against restricted association in the forms of racially segregated schools, libraries, and private organizations. Today, they fight for restricted associations. They use state power, not unlike the racists they fought, to enforce racial associations they deem desirable. They protest that blacks should be a certain percentage of a company’s workforce or clientele, a certain percentage of a student body, and even a certain percentage of an advertiser’s models.

Civil rights organizations, in their successful struggle against state-sanctioned segregation, have lost sight of what it means to be truly committed to liberty, especially the freedom of association. The true test of that commitment does not come when we allow people to be free to associate in ways we deem appropriate. The true test is when we allow people to form those voluntary associations we deem offensive. It is the same principle we apply to our commitment to free speech. What tests our commitment to free speech is our willingness to permit people the freedom to say things we find offensive.

Zero-Sum Games

The tragedy of America’s civil rights movement is that it has substituted today’s government-backed racial favoritism in the allocation of resources for yesterday’s legal and extra-legal racial favoritism. In doing so, civil rights leaders fail to realize that government allocation of resources produces the kind of conflict that does not arise with market allocation of resources. Part of the reason is that any government allocation of resources, including racial preferential treatment, is a zero-sum game.

A zero-sum game is defined as any transaction where one person’s gain necessarily results in another person’s loss. The simplest example of a zero-sum game is poker. A winner’s gain is matched precisely by the losses of one or more persons. In this respect, the only essential difference between affirmative action and poker is that in poker participation is voluntary. Another difference is the loser is readily identifiable, a point to which I will return later.

The University of California, Berkeley’s affirmative action program for blacks captures the essence of a zero-sum game. Blacks are admitted with considerably lower average SAT scores (952) than the typical white (1232) and Asian student (1254) (Sowell 1993: 144). Between UCLA and UC Berkeley, more than 2,000 white and Asian straight A students are turned away in order to provide spaces for black and Hispanic students (Lynch 1989: 163). The admissions gains by blacks are exactly matched by admissions losses by white and Asian students. Thus, any preferential treatment program results in a zero-sum game almost by definition.

More generally, government allocation of resources is a zero-sum game primarily because government has no resources of its own. When government gives some citizens food stamps, crop subsidies, or disaster relief payments, the recipients of the largesse gain. Losers are identified by asking: where does government acquire the resources to confer the largesse? In order for government

to give to some citizens, it must through intimidation, threats, and coercion take from other citizens. Those who lose the rights to their earnings, to finance government largesse, are the losers.

Government-mandated racial preferential treatment programs produce a similar result. When government creates a special advantage for one ethnic group, it necessarily comes at the expense of other ethnic groups for whom government simultaneously creates a special disadvantage in the form of reduced alternatives. If a college or employer has $X$ amount of positions, and $R$ of them have been set aside for blacks or some other group, that necessarily means there are $(X - R)$ fewer positions for which other ethnic groups might compete. At a time when there were restrictions against blacks, that operated in favor of whites, those restrictions translated into a reduced opportunity set for blacks. It is a zero-sum game independent of the race or ethnicity of the winners and losers.

Our courts have a blind-sided vision of the zero-sum game. They have upheld discriminatory racial preferences in hiring but have resisted discriminatory racial preferences in job layoffs. An example is the U.S. Supreme Court's ruling in *Wygant v. Jackson Board of Education* (1986), where a teacher union's collective-bargaining agreement protected black teachers from job layoffs in order to maintain racial balance. Subsequently, as a result of that agreement, the Jackson County School Board laid off white teachers having seniority while black teachers with less seniority were retained.

A lower court upheld the constitutionality of the collective bargaining agreement by finding that racial preferences in layoffs were a permissible means to remedy societal discrimination (*Wygant* 1982: 1195, 1201). White teachers petitioned the U.S. Supreme Court, claiming their constitutional rights under the Equal Protection clause were violated. The Court found in their favor. Justice Lewis F. Powell delivered the opinion saying, "While hiring goals impose a diffuse burden, only closing one of several opportunities, layoffs impose the entire burden of achieving racial equity on particular individuals, often resulting in serious disruption of their lives. The burden is too intrusive" (*Wygant* 1986: 283).

There is no conceptual distinction in the outcome of the zero-sum game whether it is played on the layoff or the hiring side of the labor market. . . . The diffuseness to which Justice Powell refers is not diffuseness at all. It is simply that the victims of hiring preferences are less visible than victims of layoff preferences as in the case of *Wygant*. The petitioners in *Wygant* were identifiable people who could not be covered up as "society." That differs from the cases of hiring and college admissions racial preferences where those who face a reduced opportunity set tend to be unidentifiable to the courts, other people, and even to themselves. Since they are invisible victims, the Supreme Court and others can blithely say racial hiring goals (and admission goals) impose a diffuse burden.

### Tentative Victim Identification

In California, voters passed the California Civil Rights Initiative of 1996 (CCR1) that says: "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." Therefore, California public universities can no longer have preferential admission policies that include race as a factor in deciding whom to admit. As a result, the UCLA School of Law reported accepting only 21 black applicants for its fall 1997 class—a drop of 80 percent from the previous year, in which 108 black applicants were accepted. At the UC Berkeley Boalt Hall School of Law, only 14 of the 792 students accepted for the fall 1997 class are black, down from 76 the previous year. At the UCLA School of Law, white enrollment increased by 14 percent for the fall 1997 term and Asian enrollment rose by 7 percent. At UC Berkeley, enrollment of white law students increased by 12 percent and Asian law students increased by 18 percent (Weiss 1997). . . .

In the case of UC Berkeley's preferential admissions for blacks, those whites and Asians who have significantly higher SAT scores and grades than the admitted blacks are victims of reverse discrimination. However, in the eyes of the courts, others, and possibly themselves, they are invisible victims. In other words, no one can tell for sure who among those turned away would have gained entry to UC Berkeley were it not for the preferential treatment given to blacks. . . .

### Affirmative Action and Supply

An important focus of affirmative action is statistical underrepresentation of different racial and ethnic groups on college and university campuses. If the percentages of blacks and Mexican-Americans, for example, are not at a level deemed appropriate by a court, administrative agency, or university administrator, racial preference programs are instituted. The inference made from the underrepresentation argument is that, in the absence of racial discrimination, groups would be represented on college campuses in proportion to their numbers in the relevant population. In making that argument, little attention is paid to the supply issue—that is, to the pool of students available that meet the standards or qualifications of the university in question.

In 1985, fewer than 1,032 blacks scored 600 and above on the verbal portion of the SAT and 1,907 scored 600 and above on the quantitative portion of the examination. There are roughly 58 elite colleges and universities with student body average composite SAT scores of 1200 and above (Sowell 1993: 142). If blacks scoring 600 or higher on the quantitative portion of the SAT (assuming their performance on the verbal portion of the examination gave them a composite SAT score of 1200 or higher) were recruited to elite colleges and universities, there would be less than 33 black students available per university. At none of those universities would blacks be represented according to their numbers in the population.

There is no evidence that suggests that university admissions offices practice racial discrimination by turning away blacks with SAT scores of 1200 or higher. In reality, there are not enough blacks to be admitted to leading colleges and universities on the same terms as other students, such that their numbers in the campus population bear any resemblance to their numbers in the general population.
Attempts by affirmative action programs to increase the percent of blacks admitted to top schools, regardless of whether blacks match the academic characteristics of the general student body, often produce disastrous results. In order to meet affirmative action guidelines, leading colleges and universities recruit and admit black students whose academic qualifications are well below the norm for other students. For example, of the 317 black students admitted to UC Berkeley in 1985, all were admitted under affirmative action criteria rather than academic qualifications. Those students had an average SAT score of 952 compared to the national average of 900 among all students. However, their SAT scores were well below UC Berkeley’s average of nearly 1200. More than 70 percent of the black students failed to graduate from UC Berkeley (Sowell 1993: 144).

Not far from UC Berkeley is San Jose State University, not one of the top-tier colleges, but nonetheless respectable. More than 70 percent of its black students fail to graduate. The black students who might have been successful at San Jose State University have been recruited to UC Berkeley and elsewhere where they have been made artificial failures. This pattern is one of the consequences of trying to use racial preferences to make a student body reflect the relative importance of different ethnic groups in the general population. There is a mismatch between black student qualifications and those of other students when the wrong students are recruited to the wrong universities.

There is no question that preferential admissions are unjust to both white and Asian students who may be qualified but are turned away to make room for less-qualified students in the “right” ethnic group. However, viewed from a solely black self-interest point of view, the question should be asked whether such affirmative action programs serve the best interests of blacks. Is there such an abundance of black students who score above the national average on the SAT, such as those admitted to UC Berkeley, that blacks as a group can afford to have those students turned into artificial failures in the name of diversity, multiculturalism, or racial justice? The affirmative action debate needs to go beyond simply an issue of whether blacks are benefited at the expense of whites. Whites and Asians who are turned away to accommodate blacks are still better off than the blacks who were admitted. After all, graduating from the university of one’s second choice is preferable to flunking out of the university of one’s first choice.

To the extent racial preferences in admission produce an academic mismatch of students, the critics of California’s Proposition 209 may be unnecessarily alarmed, assuming their concern is with black students actually graduating from college. If black students, who score 952 on the SAT, are not admitted to UC Berkeley, that does not mean that they cannot gain admittance to one of America’s 3,000 other colleges. It means that they will gain admittance to some other college where their academic characteristics will be more similar to those of their peers. There will not be as much of an academic mismatch. To the extent this is true, we may see an increase in black graduation rates. Moreover, if black students find themselves more similar to their white peers in terms of college grades and graduation honors, they are less likely to feel academically isolated and harbor feelings of low self-esteem.

**Affirmative Action and Justice**

Aside from any other question, we might ask what case can be made for the morality or justice of turning away more highly credentialed white and Asian students so as to be able to admit more blacks? Clearly, blacks as a group have suffered past injustices, including discrimination in college and university admissions. However, that fact does not spontaneously yield sensible policy proposals for today. The fact is that a special privilege cannot be created for one person without creating a special disadvantage for another. In the case of preferential admissions at UCLA and UC Berkeley, a special privilege for black students translates into a special disadvantage for white and Asian students. Thus, we must ask what have those individual white and Asian students done to deserve punishment? Were they at all responsible for the injustices, either in the past or present, suffered by blacks? If, as so often is the case, the justification for preferential treatment is to redress past grievances, how just is it to have a policy where a black of today is helped by punishing a white of today for what a white of yesterday did to a black of yesterday? Such an idea becomes even more questionable in light of the fact that so many whites and Asians cannot trace the American part of their ancestry back as much as two or three generations.

**Affirmative Action and Racial Resentment**

In addition to the injustices that are a result of preferential treatment, such treatment has given rise to racial resentment where it otherwise might not exist. While few people support racial resentment and its manifestations, if one sees some of affirmative action’s flagrant attacks on fairness and equality before the law, one can readily understand why resentment is on the rise.

In the summer of 1995, the Federal Aviation Administration (FAA) published a “diversity handbook” that said, “The merit promotion process is but one means of filling vacancies, which need not be utilized if it will not promote your diversity goals.” In that spirit, one FAA job announcement said, “Applicants who meet the qualification requirements . . . cannot be considered for this position. . . . Only those applicants who do not meet the Office of Personnel Management requirements . . . will be eligible to compete” (Roberts and Stratton 1995: 141).

According to a General Accounting Office report that evaluated complaints of discrimination by Asian-Americans, prestigious universities such as UCLA, UC Berkeley, MIT, and the University of Wisconsin have engaged in systematic discrimination in the failure to admit highly qualified Asian students in order to admit relatively unqualified black and Hispanic students (U.S. GAO 1995).

In Memphis, Tennessee, a white police officer ranked 59th out of 209 applicants for 75 available positions as police sergeant, but he did not get promoted. Black officers, with lower overall test scores than he, were moved ahead of him and promoted to sergeant. Over a two-year period, 43 candidates with lower scores were moved ahead of him and made sergeant (Eastland 1996: 1-2).

There is little need to recite the litany of racial preference instances that are clear violations of commonly agreed upon standards of justice and fair play.
But the dangers of racial preferences go beyond matters of justice and fair play. They lead to increased group polarization ranging from political backlash to mob violence and civil war as seen in other countries. The difference between the United States and those countries is that racial preferences have not produced the same level of violence (Sowell 1990). However, they have produced polarization and resentment.

Affirmative action proponents cling to the notion that racial discrimination satisfactorily explains black/white socioeconomic differences. While every vestige of racial discrimination has not been eliminated in our society, current social discrimination cannot begin to explain all that affirmative action proponents purport it explains. Rather than focusing our attention on discrimination, a higher payoff can be realized by focusing on real factors such as fraudulent education, family disintegration, and hostile economic climates in black neighborhoods. Even if affirmative action was not a violation of justice and fair play, was not a zero-sum game, was not racially polarizing, it is a poor cover-up for the real work that needs to be done.

References


NO

Wilbert Jenkins

Why We Must Retain Affirmative Action

The historical origins of affirmative action can be found in the 14th and 15th Amendments to the Constitution, the Enforcement Acts of 1870 and 1871, and the Civil Rights Acts of 1866 and 1875, which were passed by Republican-dominated Congresses during the Reconstruction period. This legislation set the precedent for many of the civil rights laws of the 1950s and 1960s—such as the Civil Rights Act of 1957, the Civil Rights Act of 1964, and the Voting Rights Act of 1965—and paved the way for what would become known as affirmative action.

In spite of the fact that laws designed to promote and protect the civil and political rights of African-Americans were enacted by Congress in the 1950s and 1960s, it was obvious that racism and discrimination against blacks in the area of education and, by extension, the workplace were huge obstacles that needed to be overcome if African-Americans were ever going to be able to carve an economic foundation. Thus, in the 1960s, affirmative action became a part of a larger design by Pres. Lyndon Johnson’s War on Poverty program. In a historic 1965 speech at Howard University, the nation’s top black school, Johnson illustrated the thinking that led to affirmative action: “You do not take a person who for years has been hobbled by chains and liberate him, bring him to the starting line and say you are free to compete with all the others. Civil rights leader Martin Luther King, Jr., also underscored this belief when he stated that “one cannot ask people who don’t have boots to pull themselves up by their own bootstraps.”

Policymakers fervently believed that more than three centuries of enslavement, oppression, and discrimination had so economically deprived African-Americans that some mechanism had to be put in place that would at least allow them a fighting chance. Blacks were locked out of the highest paid positions and made considerably fewer dollars than their white counterparts in the same jobs. Moreover, the number of African-Americans enrolling in the nation’s undergraduate and graduate schools was extremely low. Affirmative action became a vehicle to correct this injustice. The original intent of affirmative action was not to provide jobs and other advantages to blacks solely because of the color of their skin, but to provide economic opportunities for those who
are competent and qualified. Due to a history of discrimination, even those with outstanding credentials were often locked out. As the years wore on, it was deemed necessary to add other minorities—such as Native Americans, Hispanics, and Asian-Americans—as well as women to the list of those requiring affirmative action in order to achieve a measure of economic justice.

A number of conservatives—black and white—such as Armstrong Williams, Linda Chavez, Patrick Buchanan, Robert Novak, Ward Connerly, Clarence Thomas, Clint Bolick, Alan Keyes, and others argue that it is time to scrap affirmative action. This is necessary, they maintain, if the country is truly going to become a color-blind society like King envisioned. People would be judged by the content of their character, not by the color of their skin. Many among these conservatives also maintain that affirmative action is destructive to minorities because it is demeaning, saps drive, and leads to the development of a welfare dependency mentality. Minorities often come to believe that something is owed them.

Thus, conservatives argue against race-based admissions requirements to undergraduate and graduate schools, labeling them preferential treatment and an insult to anyone who is the beneficiary of this practice. In their opinion, it is psychologically, emotionally, and personally degrading for individuals to have to go through life realizing they were not admitted to school or given employment because of their credentials, but in order to fill some quota or to satisfy appearances. It is rather ironic, however, that they are so concerned about this apparent harm to black self-esteem, since there is little evidence that those who have benefited by affirmative action policies feel many doubts or misgivings. The vast majority of those believe they are entitled to whatever opportunities they have received—opportunities, in their estimation, which are long overdue because of racism and discrimination. Consequently, America is only providing them with a few economic crumbs which are rightfully theirs.

Although a number of affirmative action critics argue that lowering admissions standards for minorities creates a class of incompetent professionals—if they are somehow fortunate enough to graduate—the facts run counter to their arguments. For instance, a study conducted by Robert C. Davidson and Ernst L. Lewis of affirmative action students admitted to the University of California at Davis Medical School with low grades and test scores concluded that these students became doctors just as qualified as the higher-scoring applicants. The graduation rate of 94% for special-admissions students compared favorably to that of regular-admissions students (98%). Moreover, despite the fact that regular-admissions students were more likely to receive honors or A grades, there was no difference in the rates at which students failed core courses.

Many whites have been the recipients of some form of preferential treatment. For many years, so-called selective colleges have set less-demanding standards for admitting offspring of alumni or the children of the rich and famous. For example, though former Vice Pres. Dan Quayle's grade-point average was minuscule and his score on the LSAT very low, he was admitted to Indiana University's Law School. There is little evidence that Quayle or other recipients of this practice have developed low self-esteem or have felt any remorse for those whose credentials were better, but nonetheless were rejected because less-qualified others took their slots. The following example further underscores this practice. A number of opponents of affirmative action were embarrassed during 1996 in the midst of passage of Proposition 209, which eliminated affirmative action in California, when the Los Angeles Times broke a story documenting the fact that many of them and their children had received preferential treatment in acquiring certain jobs and gaining entry to some colleges.

Some opponents of affirmative action go so far as to suggest that it aggravates racial tensions and leads, in essence, to an increase in violence between whites and people of color. This simply does not mesh with historical reality. Discrimination against and violence toward the powerless always has increased during periods of economic downturns, as witnessed by the depressions of 1873 and 1893. There was nothing akin to affirmative action in this country for nearly two centuries of its existence, yet African-American women were physically and sexually assaulted by whites, and people of color were brutalized, murdered, and lynched on an unprecedented scale. Moreover, there were so many race riots in the summer of 1919 that the author of the black national anthem, James Weldon Johnson, referred to it as "the red summer." The 1920s witnessed the reemergence of a reinvigorated Ku Klux Klan. Many state politicians even went public with their memberships, and the governor of Indiana during this period was an avowed member of the Klan. The 1930s and 1940s did not bring much relief, as attested to by several race riots and Pres. Franklin D. Roosevelt's refusal to promote an anti-lynching bill.

Some of the African-American critics of affirmative action have actually been beneficiaries of such a program. It is unlikely that Clarence Thomas would have been able to attend Yale University Law School or become a justice on the U.S. Supreme Court without affirmative action. Yet, Thomas hates it with a passion, once saying he would be violating "God's law" if he ever signed his name to an opinion that approved the use of race—even for benign reasons—in hiring or admissions.

Opponents of affirmative action from various racial and ethnic backgrounds argue that it may lead to reverse discrimination, whereby qualified whites fail to acquire admission to school, secure employment, or are fired because of their race since prospective slots have to be reserved solely for minorities. It is difficult to say with any degree of certainty how many whites may have been bypassed or displaced because preferences have been given to blacks and other minorities. What can be said, though, with a large measure of accuracy is that whites have not lost ground in medicine and college teaching, despite considerable efforts to open up those fields. In addition, contrary to popular myth, there is little need for talented and successful advertising executives, lawyers, physicians, engineers, accountants, college professors, movie executives, chemists, physicians, airline pilots, architects, etc. to fear minority preference. Whites who lose out are more generally blue-collar workers or persons at lower administrative levels, whose skills are not greatly in demand.

Furthermore, some whites who are passed over for promotion under these circumstances may simply not be viewed as the best person available for the job. It is human nature that those not receiving promotions that go to minorities or not gaining admission to colleges and universities prefer to believe that they have been discriminated against. They refuse to consider the possibility
that the minorities could be better qualified. Although some highly qualified white students may be rejected by the University of California at Berkeley, Duke, Yale, Harvard, Stanford, or Princeton, the same students often are offered slots at Brown, Dartmouth, Cornell, Columbia, Michigan, the University of Pennsylvania, and the University of North Carolina at Chapel Hill—all five-rate institutions of higher learning.

Although some white women have been the victims of affirmative action, females, for the most part, arguably have been the largest beneficiaries of it. Over the last quarter-century, their numbers have increased dramatically in such fields as law, medicine, accounting, engineering, broadcasting, architecture, higher education, etc. Nonetheless, many white women vehemently have attacked affirmative action. For example, according to an ABC News poll taken in November, 1996, 52% of white women in California voted to support Proposition 209, which sought to eliminate racial and gender preferences in hiring, college admissions, and Federal contracts. What explains this behavior?

White women believe affirmative action is denying their sons admission to some schools and taking jobs away from their sons and husbands. Many worry about the psychological and emotional toll this could have on their loved ones. In fact, a bipartisan Federal panel found in 1995 that white men hold 95% of the nation’s top management jobs although they represent just 43% of the workforce. It is thus apparent that much ground still has to be covered in terms of providing adequate economic opportunities for minorities. Yet, when most critics of affirmative action who favor destroying it are asked the question of what they would replace it with, they are silent.

**Tangible Benefits**

Affirmative action has produced some tangible benefits for the nation as a whole. As a result of it, the number of minorities attending and receiving degrees from colleges and universities rose in the 1970s and 1980s. This led to an increase in the size of the African-American middle class. An attainment of higher levels of education, as well as affirmative action policies in hiring, helped blacks gain access to some professions that had been virtually closed to them. For instance, it traditionally had been nearly impossible for African-Americans and other minorities to receive professorships at predominantly white schools. Some departments at these schools actively began to recruit and hire minority faculty as their campuses became more diverse.

As expected, African-American, Hispanic, Native American, and Asian-American students demanded that not only should minority faculty be hired, but that the curriculum be expanded to include courses that deal with the cultural and historical experiences of their past. Some school administrators granted their demands, which has borne fruit in a number of ways. First, given the fact that the U.S. is steadily becoming even more multicultural, it is imperative that Americans learn about and develop an appreciation and respect for various cultures. This could enable those who plan to teach students from several different racial, cultural, and ethnic backgrounds in the public school system to approach their jobs with more sensitivity and understanding. Second, it is often crucial for minority faculty to act as role models, particularly on white campuses. Third, white students could profit by being taught by professors of color. Since a white skin provides everyday advantages, having to face people of color in positions of authority may awaken some whites to realities about themselves and their society they previously have failed to recognize. It also might become obvious to them that certain racial stereotypes fly out of the window in light of intellectual exchanges with professors and peers of color.

Since education is crucial to acquiring economic advancement, it is of paramount importance that as many educational opportunities as possible be extended to the nation’s minorities. Many studies indicate that total 50% of the population by 2050. Although much more is needed than affirmative action in order for minorities to gain the necessary access to higher levels of education and hiring, it nevertheless is the best mechanism to ensure at least a small measure of success in this regard. However, it currently is under attack in the areas of higher education, hiring, and Federal contracts. Now is the perfect time to find ways of improving affirmative action, rather than developing strategies aimed at destroying it.

Although a large number of minorities were attending and graduating from colleges and universities in the 1970s and 1980s, this trend had subsided by the 1990s. Tougher admission requirements, rising college costs, cutbacks of scholarships and fellowships or their direct elimination, as well as a reduction of grants and loans to students are contributing factors. Budgetary cuts have had a devastating effect on faculty in general, and minority faculty in particular, since they are often the first to be released from jobs. At a time when tenure and promotion are difficult to attain for most academics, it is almost impossible for some minority faculty.

Indeed, the attack on affirmative action is real. In California, without a commitment to affirmative action, the number of black students has dipped sharply. Applications from “underrepresented” minorities in 1997 on the nine campuses of the University of California dropped five percent, while overall applications rose 2.6%. The losses were even more dramatic at Ues Boalt Hall Law School, where admissions of African-Americans dropped 81% and Hispanics 50%. What are the implications of this for the nation? Certainly there will not be as many choices or opportunities for students and employers who have learned the value of a diverse workforce. This onslaught is contributing to the creation of an atmosphere in which many whites feel comfortable making racially derogatory remarks they would not have dared make a few years ago. For example, a University of Texas law professor remarked that “Blacks and Mexican-Americans are not academically competitive with whites in selective institutions. It is the result primarily of cultural effects. They have a culture that seems not to encourage achievement. Failure is not looked upon with disgrace.”

**Impact**

Three questions beg answering in this racially charged environment: What impact will the attack on affirmative action have on the recruitment of minority student-athletes? Will they eventually be subjected to the same rigorous
admissions standards as other students? Even if they are not, will they continue to enroll in large numbers at predominantly white state-supported colleges and universities with steadily decreasing numbers of minority students and faculty? Since minority athletes bring millions of dollars to schools, which, in turn, are used to subsidize the education of whites, I seriously doubt that tougher admission standards will be applied to them so rigorously that they eventually will be driven away from these schools. Administrators could not afford to lose millions of dollars.

Let's for a second imagine what would happen to state colleges that tried to recruit minority athletes to their campuses if they were all white in terms of faculty and student body. Those schools would have a difficult time convincing them to come. Furthermore, private schools not subjected to the same admission requirements would be all too happy to offer minority athletes lucrative financial aid packages.

Many industries began downsizing in the late 1980s and the practice has continued in the 1990s, helping to reverse some of the earlier gains made by minorities. With American society steadily becoming more multicultural, it makes good business sense to have a workforce that is reflective of this development. In order to make this a reality, affirmative action policies need to be kept in place, not abandoned. Why not use the expertise of African-Americans to target African-American audiences for business purposes or Asian-Americans to tap into potential Asian-American consumers? Businessmen who believe minorities will purchase products as readily from all-white companies as those which are perceived as diverse are seriously misguided.

A diverse workforce also can yield huge economic dividends in the international business sector, as became obvious in 1996 to Republicans who hoped to increase their majority in Congress and ride into the White House by attacking affirmative action policies in hiring. Rep. Dan Burton of Indiana, Speaker of the House Newt Gingrich, and presidential candidate Bob Dole, to name a few, applied pressure on businesses to end affirmative action policies in hiring. Executives informed them that this would be bad business and that the losses in revenue potentially would be staggering. In addition, it would be foolish public relations and substantially would reduce the pool of fine applicants. For the time being, the Republicans eased off.

A diverse workforce in a multicultural society makes practical and ethical sense. With all of the problems that need to be solved—such as disease, hunger, poverty, homelessness, lack of health care, racism, anti-Semitism, sexism, teenage pregnancy, crime, drugs, etc.—why should anyone's input be limited because of sex, race, color, class, or ethnic background? All Americans should be working together in this endeavor. It can best be accomplished by creating a truly diverse workforce through a continuation of affirmative action policies.

In spite of the fact that affirmative action has helped some African-Americans and other minorities achieve a middle-class status, not all have witnessed a significant improvement in their economic condition. For the most part, it has only helped the last generation of minorities. In order to make a significant impact, affirmative action policies need to be in place for several generations. Between 1970 and 1992, the median income for white families, computed in constant dollars, rose from $34,773 to $38,909, an increase of 11.9%. Black family income declined during this period, from $21,330 to $21,162. In relative terms, black incomes dropped from $613 to $544 for each $1,000 received by whites. Moreover, in 1992, black men with bachelor's degrees made $764 for each $1,000 received by white men with such degrees, and black males with master's degrees earned $870 for each $1,000 their white counterparts earned. Overall, black men received $721 for every $1,000 earned by white men.

Even more depressing for blacks is the fact that unemployment rates for them have remained at double-digit levels since 1975, averaging 14.9% for the 1980s, while the average was 6.3% for whites. The number of black children living below the poverty line reached 46.3% by 1992, compared to 12.3% of white children. At the same time, the overall poverty rate among Hispanics increased to 28.2%. Even in professions where blacks made breakthroughs by the early 1990s, they remained underrepresented. This was the case in engineering, law, medicine, dentistry, architecture, and higher education. Although blacks represented 10.2% of the workforce in 1992, they constituted just 3.7% of engineers, 2.7% of dentists, 3.1% of architects, and held 4.8% of university faculty positions.

Furthermore, while 27,713 doctoral degrees were awarded in 1992 to U.S. citizens and aliens who indicated their intention is to remain in America, 1,081, or 3.9%, of these doctorates went to blacks. Given the low percentage of African-Americans receiving doctoral degrees, most college departments in all likelihood will find it difficult to recruit black faculty. With the hatchet steadily chopping affirmative action programs, this may become virtually impossible in the near future. The same holds true for other professions.

The most feasible way to ensure that colleges, universities, and various occupations will not become lily-white again is by the continuation of affirmative action. It gives minority groups that traditionally have been locked out of the education system and the workforce the best opportunity to carve out a solid economic foundation in America. I agree with Pres. Clinton, who said, "Don't end it; mend it."

America has had over 200 years to deliver true justice, freedom, and equality to women and people of color. To believe that it now will make good the promise of equality without some kind of legislation to assist it is to engage in fantasy.

In advocating for affirmative action policies, people of color are not looking for government handouts. They merely are asking that some mechanism be kept in place to help provide the same social and economic opportunities most whites have had and continue to have access to.
POSTSCRIPT

Has Affirmative Action Outlived Its Usefulness in the Workplace?

In the 1960s, America was a society polarized across racial lines. Dr. Martin Luther King, in his famous “I have a dream” speech, presented his vision of an American society where skin color plays no role in securing economic and social opportunities. His hope was that harmony between the races would be possible if all were afforded the same opportunities to succeed. And, although he did not live long enough to see its emergence, there can be no doubt that King’s civil rights activities helped pave the way for the development of affirmative action as an important vehicle for promoting a more diverse American workplace. But in a cruel twist of fate, it seems that affirmative action has given rise to the very scenario it was intended to alleviate. As Dr. Williams noted in his article, affirmative action can cause resentment and polarization between the races. Consider these comments from Dr. Onkar Ghate, a widely respected resident fellow at the influential Libertarian think tank, the Ayn Rand Institute: “The consequence of the spread of racial quotas [i.e., affirmative action] and multiculturalist ideas hasn’t been harmony, but a precipitous rise in racial hatred throughout America, particularly in the classroom and the workplace.”

Dr. Wilbert Jenkins disputes this viewpoint in his article. He points out that if affirmative action is applied in the manner and spirit in which it was originally intended, there need be no discrimination. He argues that employers have the right to demand that job applicants, for example, be at least minimally qualified before they are considered for the job. If no protected class members are qualified, then so be it; the employer can hire all the white males he wants and not be guilty of discrimination. However, under affirmative action, if there is a qualified protected class member in the applicant pool, the employer should select that individual for the position. In this instance, failing to do so constitutes discrimination whereas selecting the protected class member does not.

Suggested Readings


