

## **The Controversy Circulating Affirmative Action**

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Affirmative Action is a contentious policy that has been at the center of many debates for decades. This policy has been getting even more attention lately as lawsuits have emerged from prestigious institutions such as Harvard and the University of North Carolina at Chapel Hill. While this essay primarily focuses on affirmative action within the context of universities, it's important to note that the policy is also implemented by employers. Its objective is to address the historical discrimination and institutional oppression faced by certain groups by granting them preferential treatment in admissions. Delving into the various dimensions of this debate, it becomes evident that one common concern revolves around the perception that students from majority groups may suffer as a result of this policy, being denied admission in favor of less qualified candidates. However, a thorough examination of the primary grievances expressed by policymakers and citizens reveals that the most hotly debated issue pertains to whether affirmative action genuinely benefits minority individuals in the long term.

Considering the disparities in educational quality that students face based on their socioeconomic backgrounds, I find myself in favor of Affirmative Action as a necessary measure to address the underrepresentation of minority students in universities. However, I acknowledge that some students encounter difficulties once they are enrolled, primarily due to academic mismatch—a concept I will delve into later in this essay. Consequently, I firmly believe that

Affirmative Action cannot solely serve as a last-resort approach to achieving educational equality. To truly bridge the gap, it is imperative to introduce a comprehensive policy that ensures equal funding for elementary through high school education.

Examining America's troubled history, particularly regarding the mistreatment of minority groups, it becomes evident that systemic racism has persisted throughout the years, albeit in more subtle forms. Past injustices, such as redlining in the 1950s, continue to inflict harm on numerous communities today—a topic that will be explored in greater detail later in this essay. It is within this context that Affirmative Action exists, seeking to level the playing field that has been uneven due to the nation's historical roots in racism and the oppression of minority groups. Consequently, a comprehensive policy is necessary to rectify these entrenched inequities and ensure fairness for all.

The current discourse surrounding Affirmative Action primarily revolves around three key aspects: how it can be enhanced, whether such improvements are necessary, and whether the policy is still warranted at all. While some argue that Affirmative Action is no longer necessary, asserting that minority groups are no longer subject to oppression, this viewpoint fails to acknowledge the persistence of institutionalized racism that continues to inflict harm upon these communities. This can be seen by looking at wealth disparities between minority groups and caucasian groups, and a long history of market discrimination when it comes to mortgage loans toward minority groups (Angela Hanks, Danyelle Solomon, and Christian E. Weller). A study from the Center for American progress found that “African Americans own approximately one-tenth of the wealth of white Americans” and “Latino and certain Asian American and Pacific Islander (AAPI) household wealth falls far below their white counterparts’ as well” (Angela Hanks, Danyelle Solomon, and Christian E. Weller). Therefore, it is evident the treatment of

minority groups appears to be different than that of the 1950s, yet there are still major problems in achieving equity that has yet to be solved.

It is not a foreign concept that having a higher education inherently leads to an individual attaining a job that will pay more money than a job that does not require a degree. This is where Affirmative Action comes into play. The policy is necessary seeing as there is no equity and oppression and discrimination against minority groups continue, therefore Affirmative Action must still be a policy used in college admissions. Assisting minority groups in obtaining a higher education and degrees actively helps to fight against institutionalized racism. However, the policy currently is not helping students in the best way that it can. Affirmative Action does not benefit as many minority students as previously believed. Education in America must be reformed to correctly benefit students who have not been given equal educational opportunities in life, as that is the root of the problem.

One of the more prominent complications that Affirmative Action has ensued is the problem that is Academic Mismatch. This can be seen in the admittance process there are different types of admittance, false positives, and false negatives. Meaning that when a student is admitted there may be some students who would have succeeded at that institution who were denied entry (false negative) and then students who were admitted but did not succeed at that institution (false positive). In an article from an academic journal, *Affirmative Action, Duality of Error, and the Consequences of Mispredicting the Academic Performance of African American College Applicants*, written by Jeryl M. Mumpower, Radhika Nath, and Thomas R. Stewart, they study the concept of false positives and false negatives and argue how this policy itself is not designed with the best predictive accuracy. They look to an old study by Hammond, arguing that

“any policy problem that involves uncertainty and thus possesses the potential for dual error, will lead to unavoidable injustice.”(Jeryl M. Mumpower, Radhika Nath, and Thomas R. Stewart).

The study also finds that “The probability that an unqualified minority-group applicant will be admitted is only 0.03, in comparison with a 0.06 probability that an unqualified majority-group applicant will be admitted”. Seeing as majority group applicants who are unqualified are still being admitted at a higher rate than minority group applicants is a huge indicator that Affirmative Action is not working well. Ideally, no unqualified applicants are admitted but seeing as this will occur in an admittance system where there is so much uncertainty it does reveal that even amongst unqualified students majority groups are still admitted at a higher rate. Therefore the error that exists in university admittance is prevalent amongst minority students and Affirmative Action has not been fixing the problem.

To add to the conversation on Academic Mismatch, a law professor at the University of San Diego and the U.S Civil rights commissioner, Gail Heriot, did some research on the subject as well. He finds that “there’s a similar dropout rate among students admitted due to affirmative action policies and white students admitted as “legacies” with entering credentials that match those of students admitted because of a race preference” (Elizabeth Slattery, the Heritage Foundation). So one can conclude Academic Mismatch can be extremely harmful, often leading to lower grades and more instances of students dropping out of school. Affirmative Action within the status quo is therefore not as successful in helping minority group students succeed academically as previously thought.

Since Affirmative Action is not supporting students in the best way it can, another problem that ensues is the general lack of support it receives from the public. In California, a state where Affirmative Action is currently not in place, a poll to bring back the policy was

taken. From this poll, it was found that “31% of likely California voters surveyed said they would vote for the proposal...while 47% said they oppose it...22%, were undecided” (Phil Willon, Los Angeles Times). To look specifically at the voters who were not white or Latino, “40% supported the measure and 38% opposed it” and the Latino vote was reportedly split half and half (Phil Willon, Los Angeles Times). These results can be credited most likely due to the fact that Affirmative Action has not had extremely effective results in ensuring the educational success of minority students.

Having established that Affirmative Action within the status quo does not do all that much to actually better the lives of minority group applicants, many people have argued for different ways to reform the policy to work positively. One of the ideas is class-based Affirmative Action. A civil rights report found that “School districts serving predominantly students of color receive about \$2,000 less per pupil than districts who serve fewer students of color.’...K-12 funding is about \$16,000 per student, school districts composed predominantly of students of color have about 15 percent less spending capacity to draw from.”(Aakanksha Saxena). Revealing the problems that occur in education from an early age due to the lack of funding in schools that are primarily consisting of students of color. This is why many make the argument that class-based affirmative action is needed more than race-based, seeing as due to wealth disparities in certain areas that have an unfair disadvantage in the quality of education they receive.

Socioeconomic disadvantages are what harm many groups in our current political and social climate. Groups who are experiencing these disadvantages are largely minority groups, seeing as Affirmative Action is a policy that is supposed to be helping groups who are being treated unfairly in the United States, then by implementing class-based Affirmative Action this

reform could possibly solve the problem with Affirmative Action. Anthony Carnevale at Georgetown University found that “a child growing up with socioeconomic disadvantages...is expected to score 399 points lower on the math and verbal sections of the SAT than the most socioeconomically advantaged children. Racial disadvantages impose an additional 56 points.” Revealing that socio-economic issues play a serious and large role in the reason why students have lower performance on exams which is crucial in admittance to universities. More than likely due to not receiving an education with quality as good as those who don't face many socio-economic struggles. Therefore many people then make the connection that class-based Affirmative Action would help.

The reason that mainly students of color are statistically receiving a less quality education is largely due to Redlining. The Federal Housing Administration from 1934 to 1968 would refuse to give people of color mortgage loans in order to keep them segregated where they live in poorer urban areas meanwhile caucasian people were encouraged to move to the suburbs (Becky LeBret 2019). The Fair Housing Act passed in 1968 ended this however the effects are still clearly seen today, a part of redlining was zoning and the less desirable neighborhoods are where people of color were pushed. Adding to this is “the systematic denial of various services to residents” (Becky LeBret 2019) which played a large role in making these areas lower-income and socioeconomically disadvantaged. Seeing as where one lives will dictate the school one attends and the funding for that school comes from property taxes from that area, it is the reason the quality of education is poorer and as a result, these students are disadvantaged from the very beginning in their educational careers.

Many people believe that class-based Affirmative Action would not help minority students as much as if the system would be left as is. However, what many fail to realize is that it

is because of institutionalized racism like redlining against minority groups that still perpetuates a cycle of failed educational attempts in students of color. In a book written by a Law Professor at Georgetown University, Sheryll Cashin, she finds that “truly disadvantaged— black and brown children trapped in high-poverty environs—are not getting the quality of schooling they need”. Therefore reforming the policy to a more class-based Affirmative Action it would then take into account the socioeconomic factors that are disproportionately affecting minority groups students as opposed to majority groups students.

While there are many different reasons why class-based Affirmative Action could work well for achieving equity amongst students of color in regard to University Admissions, there are also arguments that it would ultimately reap the same results as what is already in place. Peter Schuck from Brookings Institute, argues that the problem of Academic Mismatch still would not be solved and more false-positive admittances would occur. He states that “using social class or economic disadvantage rather than race” would be “impracticable or would make matters worse”. Due to the fact that “A root cause of their disadvantage is inferior schooling, and affirmative action is simply a poultice”, class-based Affirmative Action would not change the inferior schooling these students receive so the same problems that occur under the status quo now would not change. It is for this reason that many argue in order to actually level the playing field for oppressed students, there must be a combination of Affirmative Action as well as elementary education being funded equally across all schools in the nation to truly achieve equality in higher education.

Keeping all of this in mind, there are still some critics who argue that no change needs to be done at all to Affirmative Action. Rather than trying to reform the policy or the education system, the nation should be satisfied with the way Affirmative Action works within the status

quo. A college admissions counselor from Amherst College, Dix Willard, is extremely supportive of Affirmative Action and argues that students should be grateful for how the policy has worked to help them in college admissions. He believes that it is because of Affirmative Action that the application process is “fair” and that every student gets their application evaluated for a longer and more extensive period of time before making a decision due to thinking about each student with a more holistic perspective. Specifically stating that “In order to create a socially and culturally appropriate class for the institution each year, they need to consider specific data along with the non-specific "holistic" aspects of each applicant.”. Therefore supporting the idea that this policy made a new process of looking at applications to give all students a fair chance.

He continues his argument for Affirmative Action by giving some specific examples of it benefitting students. Stating for example that “It means that admission officers learn to actively look for applicants who may be under-represented on campuses such as LGBTQs or Native Americans.” However, he does admit that this does not mean students who are legacy for example won’t “get a pass in many cases” but he does bring up the point that “it's not as automatic as it once was; they still have to be able to do the work to some extent.”. This is the main argument that people who are supportive of Affirmative Action make, arguing that it levels the playing field because every application is looked at on a holistic level, and therefore students are not judged solely on one area but rather the entire application.

Having a Holistic point of view when looking at an application may allow for more time to look at and evaluate the application, however, it does not solve all the problems with the admissions process that exists. If Affirmative Action truly did allow for more equal chances at gaining admissions into schools then we would see a bigger jump in the amount of minority



group students obtaining degrees. However, we have not. The Huffington Post reports that there have only been “moderate gains for African-American and Hispanics in terms of overall enrollment, but these gains do not extend to elite schools...population growth is factored in, since 1980, the number of African-American and Hispanic students enrolled at top schools is essentially the same.”. In the past forty years has had Affirmative Action in action, but we have yet to see a large increasing amount of students of color in top colleges. This is indicative that there is a problem and that Affirmative Action needs to be reformed in order to generate equality amongst all applicants.

The solution to achieve a fair admissions process that assists minority students lies in pushing for education for elementary grade levels to be quality and equal to that of schools where the quality is currently way higher combined with the process of Affirmative Action. The long list of problems that come into play with Affirmative Action is largely due to the fact that this policy is trying to last-minute bandage up a problem that begins years before. Jesse Mechanic of Huffington post argues that “The problem with affirmative action in higher education is that it should be the last piece of a consistently evolving puzzle, not the first.”. Furthermore, supporting the idea that it is the disadvantages some children face in regards to the poor education they receive due to whatever their economic standing is that is the first part of the problem that has yet to be solved which is why Affirmative Action is not working the way it is intended to.

The lack of funding in schools creates disparities in the quality of education between minority and majority groups. According to the Stanford Review, “while only 33 percent of majority-minority schools offer advanced math courses such as calculus, 56 percent of predominantly white high schools offer these courses.” explaining that a lack of resources in a

student's educational career has extremely negative impacts. The review also found that a "20 percent decrease in per-student spending can lead to 25 percent lower earnings and a 20 percent higher incidence rate of poverty." Having fewer courses available to students, especially challenging courses that would look good on an application, is just one way that minority groups of students face a disadvantage in the college admissions process. Another more concerning problem is that with less challenging courses available students are not able to really challenge themselves academically and may not be prepared for the intense pressure one faces academically at a higher level of education.

So in order to reach minority groups better, we must solve the issue at its root first in order to actually level out the playing field. In order to do this, we must achieve equal spending in elementary education nationwide. This is obviously an extremely difficult task to achieve, given lawmakers would more than likely have polarizing opinions on this, however, at a state level, it might be simpler to achieve this goal. It is so important that this does happen soon because Affirmative Action does not do much to help students if the root of the problem is not solved. It is unfair that a student's socioeconomic standing is the leading factor that ultimately ends up determines whether or not they end up succeeding academically. The Stanford review puts it rather bluntly, "access to quality education in America often hinges on a child's zip code", and it is unjust that it is this way, and must change.

The ongoing debate on Affirmative Action has many different polarizing opinions. Some argue that it works well in the status quo and needs no change, others argue that it needs to go and work against what it's intended to do, and many argue it just needs to be reformed. In this paper, it is found that the ongoing injustices that minority groups have faced have not ended and therefore Affirmative Action should not be repealed. When Affirmative Action is not in place we

see a major decrease in students admitted, in California where Affirmative Action does not exist the “percentage of black undergraduates has fallen from 6 percent in 1980 to only 3 percent in 2017” (Leah Shafer).

The institutionalized racism that has plagued the United States since the beginning of its creation has bled into our modern era. There is no denying that it has when we look at academic institutions starting from Pre-K going all the way to High School and there is a clear difference in the amount of funding and quality of education students receive. Where schools that have predominantly white students generally receive higher funding than schools that have students who are predominantly of color. This being because of redlining in the 1950s which ultimately divided groups of people ensuring that minority groups would live in areas with decreased quality of living in regards to education, health, and security.

Due to the decreased socioeconomic standing that many minority groups are at, this results in those groups having increased difficulty in obtaining degrees. They are flat-out discriminated against and given unfair circumstances that block their access to quality education which later down the line results in decreased chances of gaining admission into universities. While Affirmative Action currently is not the best option for ensuring educational equality among students, it is the only option within the status quo to assist minority students in admittance to Universities. Whereas when it is not in place the amount of minority students admitted is decreased greatly. The solution to achieving equality in University admissions is to tackle the root of the problem, which is to ensure equal funding of elementary education, however, it is extremely difficult to achieve this in the political climate of America today. Therefore in the meantime, Affirmative Action must stay in place because otherwise, the number of minority students at universities would decrease greatly.

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