

Second Thoughts about Affirmative Action

When discussing racial affirmative action programs in college admissions it is important to distinguish between moral questions of principle -- Can such programs be made consistent with our values?; and pragmatic questions of efficacy -- Do such programs achieve desirable goals at an acceptable cost. Having thought hard about this matter for many years, my answer to the first question is a resounding "yes," but to the second question, it is a regrettable, reluctant "no."

The U.S. Supreme Court has repeatedly affirmed that racial affirmative action -- when narrowly tailored to meet the compelling public interest of establishing racial diversity in higher education -- is consistent with the "equal protection" requirements of the Constitution's 14th amendment. What's more, I'm convinced by the arguments of legal scholars and social philosophers who conclude that a racial preference for applicants to selective colleges and universities does not necessarily violate (and may even be required by) defensible norms of social justice. Indeed, I would go one step further to say that the Court's moral argument (justifying AA as a legitimate tool to achieve a racially diverse student body) is too narrowly grounded, because it ignores the issue of justice across generations. A major case for affirmative action in my view begins by observing that such programs can offset to some degree the ill-effects of historical racial discrimination that are propagated across generations via racially segregated social structures. Indeed, it seems clear to me that the opportunities available to black youngsters in the present depend, in substantial part, on the extent of opportunity that had been available to their parents and grandparents in the past. For this reason, when faced with ongoing patterns of racial segregation in private affiliations, achieving racial equality of opportunity in the present may require that some use be made of racial preferences.

Having said that, however, I must express my concern that the goal of achieving genuine equality between the races in the U.S. is, over the longer run, NOT consistent with the institutionalization of preferential treatment for black applicants to highly selective colleges and universities. Put differently, if the long-run goal is equal status for blacks, then racial affirmative action must be a transitional policy. To the extent that it becomes enshrined in an ongoing way as a conventional practice, it risks being self-defeating.

I have reached this conclusion reluctantly, and only after many decades struggling with these questions. Still, it is my candid view that, so long as access by black Americans to the most elite sites of intellectual development in this country depends on the use of less exacting standards to assess our prior academic achievements -- so long as this practice is a primary basis for our participation in these institutions -- then we will not be truly equal participants, regardless of how loudly we cry-out about the legacies of racial discrimination. (In saying this, I do not intend to enshrine any particular method of evaluating applicants. Some such measures -- like the SAT and GRE exams -- can overlook talented if not yet polished prospects -- blacks, whites and Asians alike -- applicants with worthy potential who, for a variety of reasons, perform relatively poorly on such tests. Rather, my point is that -- whatever are the methods being used to select students -- the permanent relaxation of such standards for black applicants, in virtue of our race, is inconsistent with achieving equal status for blacks in the long run.)

It is now some 50 years since the heydays of the civil rights movement and the dawn of racial affirmative action programs at elite universities. Much has changed in America since then, including the ethnic composition and the racial attitudes of the faculties, administrators and students at these most selective places. Over this period, I have come to be concerned by the specter of other non-white minorities taking the lead and even dominating the scene at places like Cal Tech, MIT and in Silicon Valley based on their skills -- this while black Americans are reduced to the position of "competing" via an insistence that our presence is required to insure that "racial diversity and inclusion" goals are met. Putting my concerns plainly, there is "fake power" -- deriving from one's ability to protest and to issue demands if one is not "included"; and there is "real power", deriving from having attained mastery over the technical materials at hand. I -- Glenn Loury -- prefer to root the standing of black Americans', over the longer haul, in "real power" not "fake power". That means, I prefer to close racial gaps at the most selective institutions by elevating the ability of blacks to compete on the merits and on a level playing field, rather than applying differential standards of evaluation to black applicants under cover of pursuing "racial justice."

I say this because, in my view, what I'm calling "real power" is the only solid ground from which genuine racial equality can emerge. While what I'm calling "fake power" is like quicksand, where one's footing is susceptible to being swept away with shifting political tides. "Real power" is rooted in the kind of deep human development that, in the case of black Americans, necessitates facing and overcoming the horrible effects of generations of racial discrimination. It is worth working towards, and waiting for. On the other hand, "fake power" hides from

the sad reality of what history has wrought, while making excuses for a non-competitiveness which history has bequeathed us. It is the easy path. But, ultimately, it is rooted in wishful thinking.

And, by the way, the folks who are running these institutions -- who are dispensing the grants, awarding the Nobel Prizes, editing the journals, appointing the faculties and giving the lectures -- those folks all know the "real" deal. They will accommodate demands for racial diversity via affirmative action, so as to make the protesters go quietly to their corners, and so that they can be left free to get on with their real work of discovery, invention and innovation. Racial affirmative action, it turns out, is the path of least resistance for them. But it is NOT the path to equality for black people in America. Developing the latent human talents of a disadvantaged and discriminated against population is time-consuming hard work which, sadly, too many people seem eager to avoid.

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