

7 Criticisms of Affirmative Action That Have Been Thoroughly Disproved

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On Wednesday, the U.S. Supreme Court will hear oral arguments in a case — *Fisher v. University of Texas at Austin* — that may end race conscious affirmative action at colleges for good. Plaintiff Abigail Fisher, who is white, says that racial preferences are responsible for her being denied admission to the university, even though a [ProPublica analysis of her application](#) shows that even she likely wouldn't have been accepted regardless of her race.

The U.S. Supreme Court has considered cases on affirmative action before, deciding that while diversity at universities is a compelling interest, race-neutral alternatives are preferable and race must be considered only as one of many factors in a holistic review process. Now, the [question](#) is whether the U.S. Supreme Court will eliminate whatever modest means of race conscious affirmative action universities currently have by striking down the University of Texas at Austin's admissions process as unconstitutional.

Opponents of race conscious affirmative action typically pull out the same few arguments to suggest the policy is either discriminatory or ineffective. But, according to social scientists, their rationale is misleading at best and inaccurate at worst. Here are seven central myths about affirmative action that don't hold up:

1. Students of color will be treated as undeserving. People will believe they didn't get admitted on their own merit.

If white students treat students of color as undeserving of attending selective colleges, that is the fault of racist attitudes, not of race conscious affirmative action policies, which only consider race as one of many factors for admission. As Deborah Archer, director of the Racial Justice Project and professor at New York Law School, explained last week in a debate about whether racial preference in admissions is provided for in the equal protection clause, that stigma is not actually related to affirmative action itself.

"The fact remains the root causes of racial stigma reach back much further than race conscious admissions programs. We all know that minority students face stigma before affirmative action programs and they would continue to face stigma without affirmative action programs," Archer said. "In fact, those who argue that race conscious admissions programs should be banned because they stigmatize minority students are part of the problem. Stamping all minority students with badges of inferiority by assuming they lack qualifications is racial discrimination."

It's more likely that race conscious affirmative action, which is more effective at producing diverse universities than class-based affirmative action alone, would in fact reduce stigma. Research has shown that students experience more feelings of isolation and negative stereotyping at [less diverse universities](#), as well as more hate crimes. Racial isolation also increases "stereotype threat," or the pressure to perform well academically to combat negative stereotypes, a pressure which [studies show](#) actually hurts academic performance.

But the most compelling research that rebuts this claim shows that although three-fourths of college students in states barring race conscious admissions dealt with stereotype threat, less than half of students in schools with race conscious admissions felt the same way, according to a 2010 Seattle University School of Law [paper](#).

2. Black and Hispanic students can't succeed at a selective college.

Opponents of race conscious affirmative action argue that because black and Hispanic students experience [segregation](#) that provides them with a lower quality education, they can't possibly compete at a selective university. There are two rebuttals to this argument — one being that inequality in the K-12 system shouldn't be an excuse to perpetuate it in higher education, and the other being that despite these institutional challenges, studies show students of color can indeed succeed at selective universities. In fact, [research shows](#) the opposite is true, with students of color being better off the more selective the university is.

3. Asian students are harmed by affirmative action.

If universities are trying to keep the number of Asian students low, that's a negative action — not affirmative action. And despite the fact that all students placed under the umbrella of "Asian" are typically characterized as economically and academically advantaged, leading many opponents of race conscious affirmative action to say they don't need the policy, many Asian subgroups actually face [economic barriers](#) and have lower graduation rates than their counterparts in other subgroups.

"Asian and Asian American students benefit from affirmative action the same way that everyone else does. Whenever you allow a university to engage in a holistic review of that student, the student's going to benefit," Archer said. "And for Asian and Asian American communities in particular, it's important. Not all Asian and Asian American students have access to high quality of education ... In particular, Cambodian students, Laotian students do not fare as well academically as Korean students or Japanese students, or Chinese students."

There is a [long history](#) of conservatives who oppose affirmative action trying to argue that Asian students are harmed as a way to justify their stance and gain support from the Asian American community. But although Asian Americans are often portrayed as opposing race conscious affirmative action, 69 percent of Asian American and Pacific Islanders registered to vote in California [support](#) the policy. The majority of Asian American advocacy organizations involved in public debates over race conscious affirmative action have [pushed against](#) attempts to revitalize the argument that Asian Americans are harmed by considering race as part of a holistic review.

4. Diversity isn't valuable enough to students to justify upholding the policy.

During the Intelligence Squared debate last week, Roger Clegg, president and general counsel for the Center for Equal Opportunity, argued that a diverse campus and the interracial conversations that could result from it is not a compelling enough reason to continue racial preferences, even as part of a larger calculus that considers many factors for student admission.

“What our opponents are arguing tonight is that what some students say in random conversations in and outside campus classrooms might be so insightful, and so unlikely and difficult to be learned in any other way besides these random conversations, that it is worth denying admission to some white and Asian American students because of their race so that other white and Asian American students might hear these random observations,” Clegg said.

Those “random conversations,” as Clegg calls them, are indeed pretty important. Universities and K-12 schools with a diverse student population lower racial bias among students, promote [civic engagement](#) later in life, and foster better [problem-solving skills](#) and critical thinking skills. Those conversations help students grow both academically and personally.

5. A perfect system would only admit students of color of low socioeconomic status.

Opponents of affirmative action have also argued that if affirmative action were truly effective, middle class people of color wouldn't be admitted into selective universities as often as low-income people of color. It's important to note, however, that middle class black and Hispanic families also face discrimination in various forms, and overall have significantly [less wealth](#) than white families, meaning they are still a disadvantaged group due to systemic racism.

And it's also important to point that out that socioeconomic diversity within racial groups helps combat the idea that racial groups are homogeneous, as shown by a University of California, Los Angeles 2013 [study](#) on interracial diversity. Class diversity also ensures that there are more cross-racial conversations among students, according to a 2013 [study](#) on how socioeconomic diversity facilitates a better racial climate on campus.

“There is also strong evidence for benefits for diversity in STEM, consistent with research that problem-solving skills are positively related to quality of interactions with diverse peers, as are gains in students' complex thinking skills. These are the qualities that we need to foster for all students in science and engineering,” said Shirley M. Malcolm, head of Education and Human Resources Programs at the American Association for the Advancement of Science, at a briefing on the case earlier this week hosted by the American Educational Research Association.

6. It's racial discrimination, because if we were fair, we'd admit students based on their academic strength.

In fact, students are admitted to selective universities based on many considerations that have nothing to do with test scores or grades — such as their athletic record, their extracurricular activities, their enthusiasm about the school, whether their parents or grandparents attended the school, known as

“legacy,” and any of their character traits that the university believes exemplifies the kind of student they want on campus.

After limitations were placed on race conscious affirmative action in cases such as the 1978 *Regents of The University of California v. Bakke* case and 2003 *Grutter v. Bollinger* case, race is allowed to be considered as one of many factors in a holistic review. It seems a bit insincere to argue that although these other factors are acceptable as part of the larger decision making process — including legacy admissions, which perpetuates class inequality — race is not.

“We’re talking about a policy that has shifted its definition so much because of these legal decisions that we are just talking about consideration of race as factor of a factor of a factor, so in it’s just about considering the student fully, all students fully,” said Liliana M. Garces, assistant professor in the Higher Education Program and a research associate in the Center for the Study of Higher Education at Pennsylvania State University, at the American Educational Research Association briefing. “Racial identity can be fundamental to themselves — this is just about seeing them as a whole individual in the application process.”

7. We can use affirmative action policies for class to achieve the same results

Although opponents of race conscious affirmative action insist that socioeconomic factors work as a proxy of race, there is [extensive research](#) proving how inaccurate that assumption is. Although race and income often overlap, there would still be few students of color admitted to colleges through such a system to represent any kind of meaningful diversity because the majority of low-income applicants considered would still be white.

Sigal Alon, an associate professor in the department of sociology and anthropology at Tel-Aviv University and author of the upcoming book *Race, Class, and Affirmative Action*, found that a race-neutral, class-based system would actually reduce the number of African American students in elite American universities by as much as 50 percent. For Hispanic students, 25 percent fewer students would be admitted.

“Race and poverty are two different things, and they may overlap, but using poverty does not produce significant racial integration. There is a lot of research to show that they haven’t worked,” said Gary Orfield, distinguished research professor of education, law, political science and urban planning at the University of California, Los Angeles, during a briefing on the case held at the National Press Club earlier this week.

Socioeconomic-based plans would also be much more costly for universities to implement, Orfield said. “Very few colleges can afford socioeconomic preference and very few colleges actually admit students on a need-blind basis and give full necessary aid, so it would be administratively and financially impossible for universities to do that on a mass scale,” he explained.