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Sometimes, Perceptions of Affirmative Action Don't Mesh With Reality

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Several refrains marked the election campaign of Donald Trump. "Make America great again." "Build the wall." But another phrase commonly uttered by the president continues to animate his base: "The system is rigged."

Barely a year after the U.S. Supreme Court appeared to issue its final word on this form of affirmative action, the issue is back, following a Justice Department memo that seemed to promise Trump-administration investigations of colleges. Here's all of *The Chronicle's* coverage.

This sentiment also underscored some reactions to a recent report from *The New York Times*, based on a memo it had obtained, which generated concerns about how the Trump administration's Department of Justice would investigate race-conscious admissions policies on college campuses. But for others, who believe the policies unfairly hamper some applicants' shot at their dream institutions, it was a breath of fresh air.

A Justice Department spokeswoman, Sarah Isgur Flores, clarified on Wednesday that the memo was a "personnel posting" and that the department "has not received or issued any directive, memorandum, initiative or policy related to university admissions in general." Instead, she said, the department would be taking on a case regarding Asian-American students from May 2015.

The dust-up this week has breathed new life into the conversation about affirmative action on campuses — and about whom it benefits and who loses out.

The notion that race-conscious admissions are systematically biased against some applicants — particularly white ones — has been the rallying cry for critics for decades. And even as those critics have shifted their focus to Asian-American applicants, the perception persists that race-conscious policies perpetuate a rigged system for gaining access to higher education.

"There's a perception that African-American and Latino students are taking spots that qualified white students should have access to," said Wil Del Pilar, vice president for higher education policy and practice at the Education Trust. But the reality of race-conscious admissions policies, he said, paints a different picture.

Several experts agreed that the department's attention to investigating perceived bias in admissions policies is in step with past conservative administrations. Such policies acquire added resonance among voters in President Trump's base who felt they received a raw deal under the Obama administration.

Who's the Shoo-In for College?

If a white student and a black student, equally qualified, apply to college, a quarter of white Americans think the black student has a better chance of getting in. Among black Americans, nearly two-thirds say the white student has the edge, according to a 2007 Gallup survey.

Note: Due to rounding and “no opinion/don't know” answers, figures may not add up to 100 percent.

Polls vary on the public perception of the use of race in admissions. But at a broad-level, most Americans say that race should not be a factor in admissions.

A 2007 Gallup poll found that 23 percent of white Americans believed that race should be considered in admissions decisions, as compared to 46 percent of black Americans.

Nearly a decade later, little had changed. The polling company reported similar results in June 2016, when it found that 22 percent of white respondents and 44 percent of black respondents viewed using race in admissions favorably. Respondents were more likely to view athletic ability as a nonacademic factor that could be used in admissions decisions than they were race or ethnicity.

The Pull of 'Merit'

Applicants should be evaluated solely on merit, 70 percent of people agreed in a 2016 Gallup poll. About 60 percent said economic background or first-generation status should be a factor.

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Anti-affirmative action advocates have argued that removing race-conscious policies levels the playing field, not only for white applicants but also for well-qualified Asian-American applicants. They argue that merit should be the determining factor in admissions.

"Virtually every university in our nation discriminates against Asian and white students in their quest for 'diversity,' which is code for more black and Hispanic students," Ward Connerly, a former University of California regent and an ardent critic of affirmative action, wrote on Facebook.

Neal McCluskey, director of the Cato Institute's Center for Education Freedom, also argued against preferments in public-college admissions.

"A public college or university is a governmental entity," he wrote in an op-ed for the Washington Examiner. "Therefore, when it gives an admissions advantage to an African-American, it cannot help but violate the principle of equality under the law.

"Of course, such schools also violate that principle when they give enrollment advantages to legacies, or left-handed trombonists, or anyone else," he continued. "To be consistent with essential American principle, such schools must be open enrollment, not picking and choosing among citizens for any reason."

Most People Favor Greater Minority Enrollment ...

Affirmative-action programs meant to increase the number of minority students are a "good thing," most groups agreed in 2014 Pew Research Center survey. Only Republicans, but scarcely half of them, viewed the programs as a "bad thing."

Note: Due to rounding and "no opinion/don't know" answers, figures may not add up to 100 percent.

History has shown that banning race-conscious admissions policies hurts enrollment of marginalized communities, said Mr. Del Pilar. "The research on this is fairly clear. Institutions that implement bans to affirmative action show decreases in the number of underrepresented students that apply and are enrolled," he said.

Further, race-conscious admissions policies only play a very narrow part in admissions decisions, and more often than not are factors only at highly-selective institutions, said Natasha Warikoo, an associate professor at the Harvard Graduate School of Education. And in order to use a race-conscious policy, she said, institutions must be able to prove that they could not have used a race-neutral policy to achieve the same result.

"This is a unique American phenomenon," said Sigal Alon, an associate professor of sociology and anthropology at Tel-Aviv University. It is hard to view the animosity toward race-conscious admissions policies as stemming from something other than race, she said, given what polling data suggest.

... But Admissions Decisions Raise Hackles

When it comes to accepting or rejecting students, most white, African-American, and Hispanic people object to considering race, according to a 2013 poll by The Washington Post and ABC News.

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Still, the arguments in favor of affirmative-action policies have not resonated with those who feel that they are not getting a fair shake, Ms. Warikoo said.

"Part of the issue is how we talk about affirmative action in the United States," she said. "We say that it's great because it creates a diverse learning environment and everyone benefits." That

makes it easy for white students, who do not feel like they're getting anything from the deal, to blame affirmative action for failed admissions or outcomes.

Data show, however, that even with race-conscious admission policies in place, minority students constitute only a small fraction of the student populations at some highly-selective public institutions. According to the Education Trust, only 5.2 percent of enrolled students at public flagship institutions are black — compared with 63 percent white students.

Instead, Ms. Warikoo said, the messaging should be centered on history.

"If you really think about the history of racial exclusion in the United States and the way implicit bias continues to affect people, it's hard not to agree with race-based policies."