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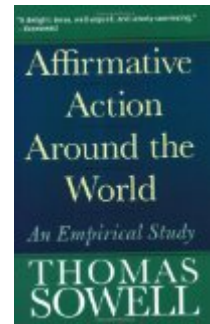
in the Humanities & Social Sciences



Thomas Sowell. *Affirmative Action around the World: An Empirical Study*. New Haven and London: Yale University Press, 2004. ix + 239 pp. \$28.00 (cloth), ISBN 978-0-300-10199-7; \$17.00 (paper), ISBN 978-0-300-10775-3.

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## A Checkered Legacy: Consequences of Affirmative Action Policies around the World

In *Affirmative Action Around the World: An Empirical Study*, Thomas Sowell offers a comparative study of affirmative action in the United States, India, Malaysia, Sri Lanka, and Nigeria. Sowell starts with the premise that much of the discussion on affirmative action in the United States and other countries has been mostly rhetorical. Unfortunately, he argues, this discussion has been informed by theories, rationales, and debates over semantics but has been insufficiently attentive—if at all—to the actual consequences. Correcting this fundamental flaw is the primary objective of this short, insightful, and provocative book, which addresses “the empirical question of just what does and does not happen under affirmative action—and to whose benefit and whose detriment” (p. ix).

Sowell is the Rose and Milton Friedman Senior Fellow in Public Policy at the Hoover Institution, Stanford University. Given the conservative bent of this institution, it is not surprising that Sowell comes out strongly against the policies of affirmative action. The evidence he provides to bolster his position is credible. Those who do not share Sowell’s ideological position have presented much of the same evidence to demonstrate the negative consequences of affirmative action. But how these “facts and evidence” are interpreted, and to what end, is the real crux of the matter. For Sowell, the evidence reinforces his case not only to end affirmative action, but also to question its very premise. Conversely, for many other social and political analysts, it is when a nation’s affirmative ac-

tion policy is not fortified by real social, educational and economic reform that negative consequences ensue. In the minds of their original architects, affirmative action policies were temporary arrangements, which would be phased out when real gains in education and employment among the minority were made. But, in the absence of those gains, affirmative action has often become a permanent policy of “preference” and has unfortunately incited animosity and hatred among the “non-preferred,” leading to ethnic conflict and violence.

In tallying up the consequences of affirmative action in the United States, India, Malaysia, Sri Lanka, and Nigeria, Sowell finds little to be happy about. In one country after another negative consequences of affirmative action far outpace anything that might be considered positive. Without exception, educational opportunities and employment positions have gone to those among the disadvantaged who are the most favorably positioned to benefit from “preferences” due to family background, family resources, and educational preparedness. For the vast majority of those designated for “preferential” treatment—whether African Americans in the United States, scheduled castes and tribes in India, Sinhalese in Sri Lanka, Malays in Malaysia, or Northerners in Nigeria—economic and racial oppression has left few of the critical resources necessary to compete effectively.[1] In the Indian state of Tamilnadu, the most privileged 11 percent of the “backward classes” have received almost half of all jobs and university admissions set aside for

these classes. The richest 17 percent of Malaysia's indigenous "bumiputera" or sons of the soil majority, who are designated as a "preferred" category, have received over half of all scholarships reserved for Malays. In the United States, this has created what many social scientists refer to as the "two nations of Black America": a growing black middle class—fortunate beneficiaries of affirmative action—and others largely bypassed by those policies, locked into ever-deepening cycles of poverty and disadvantage. When affirmative action policies, meant to "offset existing economic disadvantages," disproportionately benefit those who are least disadvantaged in the designated groups, it undermines the primary rationale of those policies (p. 187).

The strongest indictment against affirmative action policies has been the intergroup polarization and conflict that they have engendered. In nearly all cases an overestimation of benefits to preferred groups has led to bitter resentment from the non-preferred groups and has led to terrible intergroup violence. In the United States, countless legal challenges to affirmative action have come out of a climate of resentment in which there is a sense among whites, such as Alan Bakke, of "being wronged."<sup>[2]</sup> In India, widespread perception of ubiquitous and unrestrained preferences for the scheduled castes and tribes has "repeatedly erupted into lethal communal violence." The most egregious case is that of Sri Lanka, where preferential language policies, very cynically instituted to advance the political career of Prime Minister Rajasingham Badaranaike, devastated "an oasis of stability, peace and order" and ushered in a nineteen-year civil war (1982-2001) that killed 64,500 people (p. 79).

Most of the problems that Sowell cites as indictments against affirmative action, however, have to be considered in the context of shrinking economic and educational benefits for all of society. The real problem is not affirmative action but the lack of political will to implement fundamental reform, which would open up opportunities for all citizens and make the promise of affirmative action a reality in the lives of the "truly disadvantaged." But fundamental structural changes, such as land reform in India, or educational reform in the United States, where high quality primary education would be guaranteed to all children in the earliest stages of their lives, are unconscionably dismissed as "politically risky, costly and time consuming."<sup>[3]</sup> Consequently, policies such as affirmative action, meant only to be "a temporary expedient," become perpetual practices erecting new systems of privilege and disadvantage that leave more and

more people out in the margins in a continuous process of what sociologist Ralf Dahrendorf refers to as the "refeudalization" of society.

In turning to those sections in the book devoted to the philosophy and practice of affirmative action in the United States, it is important to recognize a number of flaws and misinterpretations in Sowell's analysis. First, in repudiating what he refers to as the "myths" surrounding affirmative action, he contends that blacks had both higher rates of labor force participation and higher marriage rates before the 1960s' large-scale institution of civil rights laws and policies countering discrimination. Much of the economic upturn, which Sowell attributes entirely to personal initiative, must be put in the context of the postwar economic boom, which was accompanied by the widespread availability of manual jobs requiring little education. The post-civil rights period coincided with an economy that was experiencing steady de-industrialization. Significantly, manufacturing jobs that had been stepping-stones into the middle class for blacks from the U.S. South and immigrants from southern, eastern, and central Europe in the past, were fast eroding.

Second, he questions the conventional wisdom that has evolved around affirmative action. He claims that there is nothing beyond assertions and anecdotes to prove that diversity enhances the college experience for all students; that there is no systematic evidence that black "role models" are essential to the education of black students; that a "critical mass" of black students in the academic setting might actually be detrimental to the education of black students; and finally that black studies programs are "ideological crusades" which provide sanctuary for intellectual lightweights. It is this last point which makes up the bulk of his discussion on how affirmative action has led to a mismatch between minority students and the institutions they attend, setting them up either for failure or turning them out to be bad doctors and lawyers. Sowell pontificates that colleges and universities which pledge to "develop minds and skills that serve society at large cannot be subordinated to the impossible task of equalizing probabilities of academic success for people born and raised in circumstances which have handicapped their development, even if for reasons that are not their fault and are beyond their control" (p. 153).

Third, Sowell is highly critical of William Bowen and Derek Bok, former university presidents of Princeton and Harvard, whose 1998 book *The Shape of the River* caused quite a stir when it revealed how race-sensitive admis-

sions policies increased the likelihood that blacks would be admitted to selective universities and that upon graduation these students were more likely to become leaders of community and social service organizations. In rebuttal, Sowell presents the dubious argument that the rosy picture this study paints is based on the fact that it focuses exclusively on black students who were admitted under the same standards as white students and not those who were admitted with lower qualifications than other students. The assumption here is that the qualifications of all white students in these prestigious schools are above reproach. Non-academic factors, such as special consideration for alumni children, athletes, and the wealthy and well-connected, that might tilt the scale in favor of other students, disproportionately white, does not raise Sowell's ire as much.

Fourth, he argues that in the United States as in other countries, the original rationale for affirmative action has little to do with how it actually is practiced. The disproportionate benefit that well-placed, affluent blacks receive, with little if any going to those who continue to suffer the most, has discredited the ethos of affirmative action more than anything. On this last point, few disagree.

Sowell doubts that affirmative action will ever be able to correct social inequality. Discounting the fact that this position might be more informed by his essentialist belief in the inevitability of inequality than by a genuine principled frustration at the ineffectiveness of these programs, it still seems rather disingenuous to attribute failure solely to "misguided" affirmative action programs without putting equal blame on the continued failure of countries to institute fundamental structural and institutional changes to open up real avenues for equalizing economic and educational opportunities. It is particularly instructive that the four short paragraphs that he devotes to discussing alternatives to affirmative action are spent exclusively on evoking conservative themes of individual initiative and enterprise. And by suggesting that "cultural changes within the intended beneficiary groups would be necessary in order for the poorest of them to actually utilize all the benefits theoretically available to them," Sowell seems to imply that the inability of the poorest to access benefits is due to cultural failures rather than the absence of educational and employment opportunities, both contemporary and historical.

Sowell's book raises important and provocative issues and offers a wealth of resources on affirmative action policies and practices around the world. It makes a major contribution to the literature on the subject. But his inability to wean himself from the tired yet stubborn conservative precepts of a culture of poverty, a zealous adherence to the role of individual initiative and enterprise, and a casual dismissal of the significance of structural and historical sources of inequality, makes his mission suspect. Sowell repeatedly accuses the proponents of affirmative action as "dishonest" for their refusal to acknowledge the failure of the program while continuing to mythologize its achievements. In this book, Sowell's sincerity is equally suspect since he resolutely refuses to step out of the box of worn-out conservative prescriptions to offer any "honest" solutions, which could radically and fundamentally alter the future of intergroup relations. He thus falls short of his own assurance that "the humbling admission of our inherent limitations as human beings (is no) reason for failing to do the considerable number of things which can still be done." His book gives us little hope of attaining this worthy goal.

#### Notes

[1]. The word "schedule" refers to the fifth schedule or appendix to the Constitution of India where provisions regarding the administration of tribes, castes, and territories are designated.

[2]. In *Bakke* (1978), the U.S. Supreme Court, in a split decision, ruled that affirmative action was constitutional but prohibited racial quotas; even though it ruled that Bakke had been illegally denied admission, the court declared that race could be used as one criterion in admission policies. Alan Bakke, a white student denied admission to the University of California-Davis medical school, claimed that he was the victim of "reverse discrimination." The Davis medical school had reserved 16 percent of its admission slots for minority students; Bakke's grades and test scores were higher than many of the minority students who were admitted.

[3]. Laura D. Jenkins, "Preferential Policies for Disadvantaged Groups: Employment and Education," in *Ethnic Diversity and Public Policy: A Comparative Inquiry*, ed. Crawford Young (New York: St. Martin's Press, 1998), p. 223.

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