

Affirmative Action is facing one of its most critical challenges in decades. Although many proponents thought that the latest wave of assaults had been put to rest by the Supreme Court's 2003 decision in the Grutter case upholding the University of Michigan Law School's race-based admissions diversity program, critics have been undertaking a relentless and largely successful on the ground assault against these policies ever since. Their boldest challenge is the pending amendment to the Michigan State Constitution which seeks to eliminate all affirmative action programs in the state, including admissions programs, outreach and training programs, after school programs, and other equal opportunity measures. This pamphlet seeks to set the record straight. It offers not only the facts about affirmative action but also compelling evidence as to why these programs remain central to the quest to promote equal opportunity in the United States.



Founded in 1996 as a media-monitoring think-tank and information clearinghouse, the African American Policy Forum works to bridge the gap between scholarly research and public discourse related to inequality, discrimination and injustice. The AAPF seeks to build bridges between academic, activist and policy-making sectors in order to advance a more inclusive and robust public discourse on the challenge of achieving equity within and across diverse communities.

The Policy Forum is dedicated to advancing and expanding racial justice, gender equality, and the indivisibility of all human rights, both in the U.S. and internationally.

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Affirmative Action



Mythbusters

Because what most people know about affirmative action isn't right, and what's right about affirmative action most people don't know.

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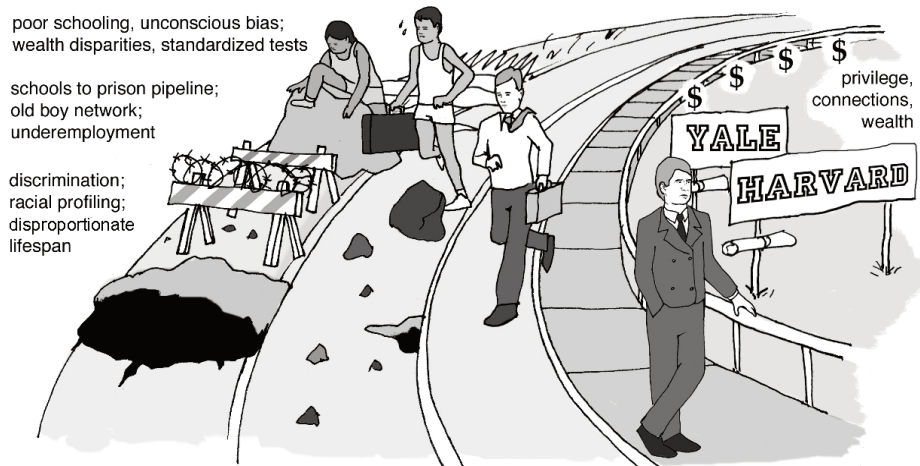


Illustration: Mike McKeogh

The (Un)Equal Opportunity Race

Here in the United States, access to the American Dream is often framed as a fair race in which the swiftest runners win. On November 7th, Michigan voters have to decide whether affirmative action programs should play any part in this competition. Critics say we should eliminate affirmative action because it gives some runners an unfair head start in an otherwise fair race. At the same time, many supporters of affirmative action say it is essential because some competitors are disabled and need a head start in order to compete in the race. But what if both of these perspectives miss the point about affirmative action?

Although much of the debate is framed in these stark terms, many Michiganders rightly wonder whether there isn't a better way of thinking about affirmative action. There is. What if we begin with the observation that the lanes on the track used by the runners are fundamentally unequal -- that some lanes are unobstructed while others are virtually impassable? From this perspective, we can see that policies that promote inclusion, like affirmative action are designed to equalize the conditions of a previously unfair race.

MYTH: Affirmative action stigmatizes its beneficiaries.

FACT: The stigma facing women and people of color has nothing to do with affirmative action and everything to do with the perpetuation of the same gender and racial stereotypes that have always been used to exclude such groups from educational and employment opportunities.

The beneficiaries of affirmative action are stigmatized for the very same reasons that these policies exist in the first place: persistent and sometimes unconscious beliefs that women and people of color are simply less talented, hardworking and competent than their white male counterparts. In this regard, affirmative action beneficiaries are easy to stigmatize because our culture is already loaded with negative stereotypes about the abilities of women and people of color. In fact, even though affirmative action has been eliminated in California, students of color there report that they remain isolated and stereotyped, stigmatized not for being affirmative action beneficiaries but for being associated with groups who are viewed as out of place in academic institutions. Banning affirmative action will not end the stigma faced by women and people of color. But, promoting affirmative action will help us create a society in which the stereotypes and negative beliefs about minorities and women will no longer suffocate the aspirations of generations of qualified and capable people from marginalized groups in American society.

MYTH: Affirmative action only benefits Blacks.

FACT: Affirmative action benefits a broad range of communities that continue to face discrimination in this country, including women, Native Americans, Arab Americans, Latinos, Asian Americans, and African Americans.

Contrary to popular belief, Blacks are not the only, or even the primary beneficiaries of affirmative action. According to the United States Labor Department, the primary beneficiaries of affirmative action are white women. The Department of Labor estimated that 6 million women and 5 million minority workers are in higher occupational classifications today than they would have been without the affirmative action policies of the 1960's and 1970's. In Michigan, a broad range of minority groups have benefited from these policies:

- Arab American students receive scholarships and admissions consideration at academic institutions.
- Asian-American businesses benefit from "Section 8", which encourages contractors to work with minority-owned businesses.
- Latinas and Latinos benefit from ESL programs and increased college admission.
- Due to national recruiting and outreach efforts between 1980-2001, which included numerous Michigan academic institutions, American Indian enrollment in institutions of higher education increased by 80 percent.

All these groups are threatened by Proposition 2, which will ban affirmative action in Michigan. In California, Latinos and Blacks have both been hit hard by the elimination of affirmative action in 1996. Both Black and Latino enrollment plummeted at the two best schools in the University of California system after the passing of California's Proposition 209, an anti-affirmative action measure.

We all know that there are numerous obstacles that litter the tracks of disadvantaged runners: people of color find their path blocked by racial discrimination; poverty leads to broken lanes filled with potholes and other dangers; women find their lanes filled with impenetrable glass ceilings; and urban youth are derailed by the school to prison pipeline. Meanwhile, those runners who aren't kept back by race, class or gender discrimination are privileged to run a race wherein their ability to compete is not impeded by arbitrary barriers. Some runners are even luckier still. They are benefited by a host of privileges such as family connections, wealth and an array of other factors that deliver them to the finish line ahead of all the other runners without breaking a sweat.

In defending affirmative action, a much more accurate and defensible view begins with the recognition that the problems that affirmative action addresses are not with damaged runners, but with damaged tracks which have lanes that favor some runners over others. In this light, affirmative action is nothing more than a set of programs developed to remove the numerous impediments that litter the lanes of those who are disadvantaged for reasons associated with their racial, gender and class backgrounds. This pamphlet will explore a range of the myths that obscure these social conditions.

MYTH: Affirmative action is no longer needed in America; equal opportunity prevails in America.

FACT: Affirmative action remains vital as a tool to offset the continuing discriminatory obstacles faced by women and people of color.

Although we wish it were otherwise, race and gender still matter – both in Michigan and throughout the United States. Michigan ranks among the country's most segregated states.

This pervasive racial segregation is a major factor in the low educational attainment and high poverty rates within Detroit and other Michigan cities. Not surprisingly, the median income for white families in the state is \$56,320; for Hispanic families, it is \$41,252; and for African American families it is only \$35,536.

Similarly, women, in general, make less money than their male counterparts. Nationally, women earn just 76 cents for every dollar that men earn. And, in Michigan, they earn just 67 cents on the dollar. Women of color must face both racial and gender segregation, usually resulting in less opportunity and greater obstacles. For example, African American women earn only 63 cents per hour for every dollar a white man earns (for similar employment) and 66 cents for every dollar earned by white women. Latinas earn only 52 cents to every dollar earned by their white female counterparts. College-educated African-American women earn only \$800 more every year than white men with only a high school degree, and \$17,727 less than college-educated white men.

Then and Now	1978	2003
Life expectancy of a black child	Five years shorter than a white child	Six years shorter
Risk of a black woman dying during childbirth	Three times as likely	3-1/2 times as likely
Infant mortality rate for blacks	Twice that of whites	Slightly more than twice
Black families below the poverty line	Four times the number of white families	Unchanged
Unemployment rate for black adults	Twice that of whites	Unchanged
Unemployment rate for black teens	Three times that of whites	Unchanged
Lawyers and judges	1.2 percent black	5.1 percent
Physicians	2.0 percent black	5.6 percent
Engineers	1.1 percent black	5.5 percent
College and university professors	2.6 percent black	6.1 percent

While we would all love to believe that as a society we have moved beyond the legacy of segregation which necessitated the creation of affirmative action, we cannot ignore the evidence of persistent discrimination and structural inequalities in American life.

MYTH: Affirmative action should be about class, not race.

FACT: While class remains an extraordinarily significant factor in the lives of many Americans, the fact is that racial bias effects minorities of all backgrounds and cannot be addressed solely through social programs which focus only on class issues.

America still has a long way to go before all the vestiges of racial discrimination are eliminated. Despite what colorblind advocates may wish to be the case, race still creates a host of economic and social burdens shared by people of color across all classes. These burdens reflect the extra costs associated with being nonwhite and are often referred to as the "Black Tax" or the "Brown Tax." These burdens may differ from community to community, however all people of color--even the most privileged--face varying degrees of racial discrimination in housing, schools, the workplace, and almost everywhere else in the United States. Class of course remains a significant barrier for many Americans of all races, yet critics who would suggest that, for instance, poor whites and non-whites face exactly the same problems are minimizing the racial differences that characterize their experiences of poverty.

Banning race based affirmative action will not advance equality nor will it lead to a renewed commitment to address the interests of poor and working class people of color.

Instead, it will simply eliminate one of the most important tools designed to address the racial burdens that limit the opportunities of people of color.

MYTH: Affirmative action programs are quota programs.

FACT: Rigid quotas have been unconstitutional for decades. Affirmative action programs today are designed to promote diversity and to remedy specific forms of unfair competition.

Affirmative action programs take many forms -- including outreach, recruitment efforts and the use of non-traditional criteria for hiring and admissions. But despite the many forms that affirmative action may take, such programs do not require or permit the use of quotas. Instead they are tailored to fit specific instances where race and gender must be taken into account to promote fair and equal access to minorities and women.. For example, public contracting is often done through an “old-boys network” that leaves almost all businesses owned by women and minorities out of the picture.

To address this problem, many affirmative action policies require more established businesses and prime contractors to *notify* women and minority-owned businesses about potential contracts so that they can have the opportunity to place bids in the competition to determine who will get these contracts. In this way, affirmative action creates a more open and genuinely egalitarian process. Yet despite the fact that such basic notification programs violate none of the prohibitions against quotas, programs like them have been rendered unconstitutional in states that have passed anti-affirmative action initiatives. Moreover, the mischaracterization of affirmative action, in general, as quotas has resulted in a ban or at least a challenge to hundreds of programs, including after-school and mentorship programs, training and apprenticeship opportunities, targeted outreach programs, and even gender-targeted health care screening programs.

MYTH: Affirmative action is reverse discrimination.

FACT: Affirmative action removes barriers that unfairly exclude women and people of color. In so doing, it promotes equal opportunity for its beneficiaries.

Affirmative action serves to offset continuing forms of discrimination . Although Americans often think of our society as a meritocracy (that is a system in which one's status is determined by a fair competition), race and gender still play a large role in who gets into colleges and universities, and who gets the best jobs.

For example, study after study demonstrates that racial stereotyping serves to lock people of color out of jobs they are qualified for.

• **Researchers in New York and Chicago have found that when two applicants with identical qualifications apply for the same job applicants with black-sounding names are called back for interviews only half as often as applicants with white-sounding names with similar qualifications.**

• **A study in New York recently discovered that, when interviewing for jobs, whites with prison records for the possession of cocaine were more likely to get called back for second interviews than were blacks with no prison records at all.**

Numerous studies also indicate that when people of color apply to college they are subject to racial discrimination built into the selection process. For instance, colleges and universities take into account an applicant's standardized test scores, and whether or not the high school the student attended was an elite school. Yet studies have proven that the Scholastic Aptitude Test (SAT) is biased towards wealthy, white males, and that people of color are far less likely to have access to well-funded, elite high schools than their white counterparts. Colleges and universities realize that judging a candidate based only on such criteria is discriminatory. Indeed, this accounts for why they have developed affirmative action programs.



• **Standardized tests fail to measure human capacity in any field. In this respect, it is not surprising that Dr. Martin Luther King, Jr., one of the most brilliant orators in the Twentieth Century, scored very low on the verbal section of the SATs.**

MYTH: Individual effort

and hard work determines who becomes prosperous and wealthy in the United States.

Given this reality, it is unfair to say that racial disparities with respect to wealth were created by our government. Thus, government should stay out of the business of trying to eliminate these disparities through the creation of affirmative action programs.

FACT: Common sense and common experiences teach us that

hard work and wealth do not necessarily go hand and hand.

Moreover, government policies have enriched some Americans at the expense of others. As a result, the beneficiaries of affirmative action find themselves at a serious disadvantage when they compete for resources and opportunities in the United States.

Many of the hardest workers in America are the least prosperous. Are our friends and family members who earn small salaries as laborers and service workers to be condemned as slackers because the wealth they have accumulated fails to reflect the long hours they have worked? Single mothers struggling to hold down two minimum-wage jobs work harder, for less, than most folks. Moreover, throughout our history, non-whites have been shut out of the most prestigious and the highest-paying jobs. Indeed, Asian Americans, Blacks, Latinos and Native Americans were all formally barred from many basic opportunities in the first half of the Twentieth Century at precisely the same time that the U.S. government assisted large numbers of white families as they moved up the social ladder and became middle-class members of society.

Up until the 1970s, many government programs served to enrich whites while shutting Blacks and other people of color out. For example, the Federal Housing Authority gave loans to white families, allowing them to buy their first homes while denying these loans to almost all Black families.

In this respect, from America's founding moments, our government has been in the business of providing wealth to whites, while simultaneously excluding or even stealing that wealth from other groups. The consequences of these government policies – many of which were still in place until a short time ago – continue to be felt today.

The additional wealth accumulated by whites leads to enhanced opportunities, greater fiscal stability, and a broader set of economic and other opportunities. It represents a marked advantage. Black families with high incomes have accumulated only about 10 percent of the wealth accrued by their white counterparts. So, without question, since the state has played a major role in disproportionately enriching whites, it should now work to level the playing field through the creation of policies like affirmative action, that serve to dismantle practices that unfairly advantage the privileged members of society.