

Race-Based Affirmative Action: Elite Dishonesty

By Raheem Williams



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Introduction

On June 29, 2023, The United States Supreme Court decided *Students for Fair Admissions v. Harvard* in a massive win for Constitutionalists and the rule of law. The Supreme Court's majority opinion correctly noted that although there is no denying that some racial groups have been harmed and disadvantaged by racist policies and cultural norms, the solution cannot be more racist policies. An honest reading of the Constitution's 14th Amendment cannot permit racial discrimination in public policy or public institutions. Although this repudiation of a fundamentally racist policy practice should be universally celebrated, reality tells a different story. Several ultra-selective institutions wrote Amicus briefs defending racist admission policies¹ and have since come out against the U.S. Supreme Court decision². This means there is a need to address some facts about affirmative action to put the Supreme Court decision in context.

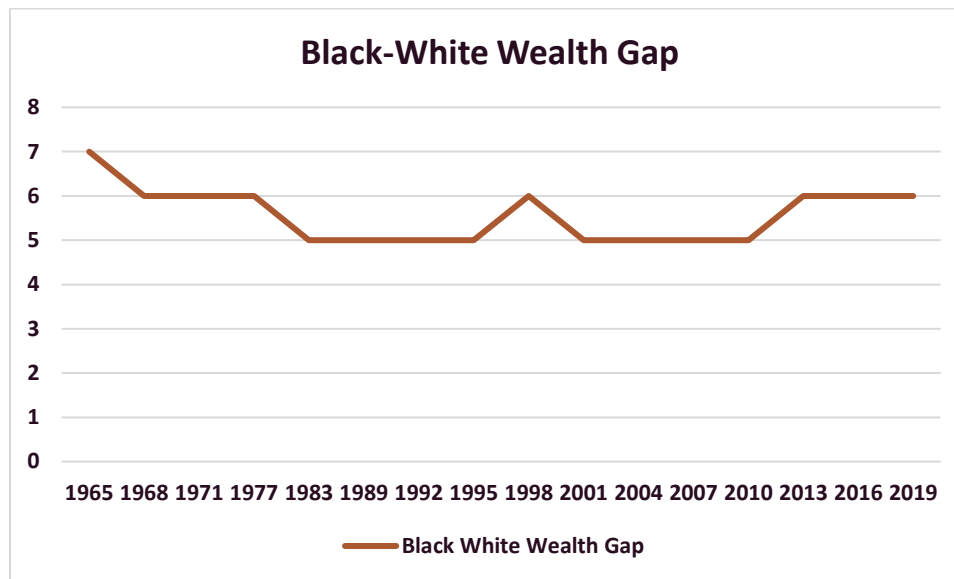
Most Americans Are Against Race-Based Affirmative Action

Although backlash was swift from far-left media personalities³ and politicians⁴, most Americans approve of the Supreme Court's decision to end racial consideration for college admissions. An ABC/Ipsos poll found 52% agreed with the decision and only 32% disagreed⁵. This is in alignment with a Pew poll, conducted before the decisions, showing 50% of Americans are against race-based affirmative action and only 33% approve of it⁶. Black people were most likely to support affirmative action before and after the ruling with only 25% approving of the Supreme Court ruling to end it⁷. However, this isn't without dispute as a post-ruling YouGov poll found even black and hispanic Americans strongly disprove of race-based affirmative action. The poll found 55% of hispanics disapproved of race-based affirmative action (28% favored the policy). Similarly, it found that 47% of blacks disapproved (36% favored the policy)⁸. Regardless of mixed polling, a consensus of polling shows, most American oppose racist policies.

The Impact on Black Americans is Grossly Exaggerated

Affirmative action was already banned in Idaho, Arizona, Florida, Nebraska, New Hampshire, Oklahoma, Washington, California, and Michigan⁹. The impacts here vary with some research showing slower increases in minority enrollment and others showing notable declines. For example, in the case of Florida, there was a marginal decline in black enrollment, but this was due to the state's preeminent historically black college/university (HBCU) experiencing a decline while all other state universities saw increases¹⁰. Although there is evidence of a loss of diversity at highly selective schools in the overall research, there's little evidence affirmative action

provided macro-level benefits for the black population. The implementation of affirmative action and similar programs coincided with a freakish presence in the black-white wealth gap post-implementation of affirmative action policies (See chart below).



Source: Derenoncourt, E., Kim, C. H., Kuhn, M., & Schularick, M. (2022). Wealth of two nations: The US racial wealth gap, 1860-2020 (No. w30101). National Bureau of Economic Research

Given the variety of issues faced by black Americans stemming from historic injustices, it's unfair to say raced-based affirmative action was a net negative. However, it's also dishonest to proclaim the programs as a major driver of black social mobility because highly selective universities never educated many black kids.

A Pew analysis showed that most universities accept most applicants. Affirmative action will at worst end the tokenization of minorities at a few selective colleges. Using 2017 data, of the 1,364 four-year colleges, only 17 admitted fewer than 10% of their applicants. Extremely competitive schools account for less than 3.4% of all colleges¹¹. Thus, there's no reason to believe the Supreme Court's decision will prevent black kids or other minorities from attending college because black Americans, like most Americans, were never dependent on highly selective institutions for higher education.

The aforementioned becomes exceptionally clear once one considers social mobility measures. U.S. News, a premier college ranking organization, ranks colleges on social mobility based on the enrollment and graduating students from families that make less than \$50,000 a year in gross

income and are recipients of Pell Grants. Schools that actually get degrees into the hands of poor students of color, almost none of the top 10 schools are very selective and none of the top 50 are elite Ivy League institutions¹².

Elite colleges are grossly lagging in impact when you judge them on how many disadvantaged students they educate.

Elite Illusions

Although several selective colleges have lamented the end of race-based affirmative action, these complaints are best viewed as crocodile tears. In our current era of rapidly evolving information technology, prestigious and elite invitations could dramatically increase enrollment without sacrificing quality. These institutions elect to be ultra-selective, critically lowering their acceptance rate in addition to reserving spots for less qualified legacy and athletic admissions.

Likewise, Ivy League student populations have become increasingly foreign at levels that displace Americans¹³. This too is an elective feature of our “prestigious” universities. Almost all of the most selective schools in America have been caught up in an admissions scandal in which they allowed ultra-wealthy families to buy admissions. Many of these schools have multibillion-dollar endowments¹⁴, yet still engage in ethically suspect and legally dubious cash grabs in their admissions processes¹⁵. These schools do not genuinely care about being accessible to minorities or anyone else for that matter.

Ultra-selective schools are built around the Appeal to Rigor fallacy, in which they leverage low acceptance rates to convince the general public that they are substantially better than all other schools. U.S. News utilizes a methodology that gives substantially more weight to peer reputational assessments (20%) than affordability (15%) and social mobility (5%). The peer reputational rank survey is sent to “experts”, not employers, and is likely biased towards schools already highly ranked. In short, the metric we use to determine whether a school is elite is so biased towards schools we already consider elite that it ensures little change amongst top schools¹⁶. The measure does not attempt to rank critical factors like free speech and open inquiry, which are critical features to prevent a university from becoming a monolithic ideological echo chamber.

Mismatch Theory

The mismatch theory is a concept often cited by opponents of race-based affirmative action. Mismatch theory argues that affirmative action creates mismatches between the talent of students being enrolled and the rigor of the institutions. The argument is that using arbitrary attributes like race instead of merit pushes less qualified students into academic institutions that are too difficult, causing these students to fail when they could have succeeded at less rigorous institutions. The empirical literature on this subject is very mixed with some studies finding support for the theory and some dismissing it. The mismatch theory is elusive to prove or disprove¹⁷. Furthermore, one could argue that race-based affirmative action is unconstitutional because it is fundamentally based on racial discrimination regardless of whether the mismatch theory is valid or not.

Conclusion

Affirmative action does not make education more accessible to minority students. Its limited application at ultra-selective institutions hasn't manifested into positive macro-level impacts for the disadvantaged racial groups it was supposed to help. Ultra-selective institutions are built around the concept of exclusion, not inclusion, and elect to be that way. The concerns about ending affirmative action expressed by elite universities should be viewed as disingenuous because they can simply accept more students. The institutional higher education infrastructure that provides the most opportunity for disadvantaged minority groups is cheaper, serves far more students, and is likely to remain unfazed by the end of affirmative action policies.

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Raheem Williams is a policy analyst at the Center for Urban Renewal and Education (CURE). He has worked for several liberty-based academic research centers and think tanks. Raheem taught Intro to Microeconomics at North Dakota State University before joining the Reason Foundation's Pension Integrity Project. At Reason, he worked on pension reform in Florida, North Dakota, and North Carolina. As a writer, Raheem covers tax and social policy.

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Raheem has served as a Koch Fellow in 2014, the inaugural Policy Director for the North Dakota Young Republicans in 2018, a Republican Leadership Initiative Fellow in 2018, a 2019 America's Future Foundation Writing Fellow, a current member of the Louisiana Advisory Board for the U.S. Commission on Civil Rights, and a member of New Orleans Federalist Society. Williams is a 2023 Fellow of American Conservatism and Governing at the Manhattan Institute.

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