

Affirmative action in university admissions assignment

[History](#)



Despite having the same grades as fellow applicants from ethnic minorities, she was denied access to the university on the grounds of her skin color, as the college claimed to favor a diverse student body. In the light of liberalism theory, this issue poses a great paradox by touching not only upon the question of liberty vs... Equality, but also concerning the kind of moral action and intention that is applicable in order to maintain equality in society.

Predominantly, however, it yields the conflict between pledges in favor of the phenomenon diversity against the autonomy of a person in social policy.

Opposing classical Aristotelian theory, it will be argued that despite three justifications of affirmative action, the liberal principle of personal autonomy should outweigh diversity motivated discrimination in university admissions. The main theoretical justification to this will be an extension of Kantian philosophy, which focuses upon the fact that people should never be used as means to an end but rather an end themselves. This will be extended by Robert Nozick's principle of the 'separateness of persons'.

Despite acknowledging the importance of equality in a society, Cheryl Whipcord's rejection to higher education on the grounds of ethnicity needs to be rejected, as equality means equal opportunities rather than equal outcomes and equal starts rather than equal finish. Lastly, it will be discussed that the issue of affirmative action calls for an alternative, autonomy-oriented solution in distributive justice: By respecting property rights, distributive justice should work on the origin of the problem of disadvantaged minorities, rather than creating injustice by fixing the result of inequality through affirmative action.

Affirmative action in University admission is a widely discussed liberal policy, which aims to cherish diversity in higher education. The University of Texas has this social mission to guarantee better educational experience and benefit society as a whole, by admitting people from diverse ethnic backgrounds. However, this case reflects a more general point of discussion in liberal theory as in the two opposing interpretations of personal autonomy and diversity.

Whereas diversity oriented liberals would agree to affirmative action, Kant would object, as it interferes with personal liberty. Overruling weighing this principle of liberty, affirmative action is generally justified by two additional arguments to the diversity aspect. Firstly, the corrective approach, which aims to get a true estimate of the situation by looking beyond grades, which is the educational disadvantages of people from minority backgrounds.

Secondly, affirmative action aims to compensate for past wrongs, predominantly slavery and race discrimination. By admitting minorities, they aim to reconcile for this past injustice on the way to a more equal society. In favor of these arguments, one can refer to Richard Deerskin's claim that liberals tend to prioritize equality over liberty and autonomy of the person. Accordingly, diversity oriented liberals argue that it is morally just and fair to correct the unequal distribution of wealth, family background and status.

Accordingly, John Rawls argues with his difference principle that measures should be taken according to make the least advantaged better off and thus equal out the distribution of so called primary goods, such as talents, family background and health. In the case of university admission, this means that

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the University has the right to deny admission to the best-off students (white population), in order to guarantee places to minorities on the grounds of any of the three arguments for affirmative action mentioned above.

Diversity oriented Liberal theory attributes responsibility to the state and its institutions to distribute resources equally amongst its people, as long as it benefits the society's lowest classes. John Rawls argues that so called Natural Primary goods, such as talents, health and family are not available for distribution and therefore need to be taken into account in social policy.

Despite the moral intention Of these arguments according to liberal theory, affirmative action contradicts with the interpretation of autonomy oriented liberals in all the following three lines of justification.

Ethnic minorities in a society generally receive lower-level education than the white population, are less wealthy and their less academic environment might not be able to provide children with the same intellectual grounds. Consequently, children from minority backgrounds are less likely to be admitted to good universities and reach for the best jobs. Correction of inequalities in education and upbringing might seem like exercising fairness, however, this only applies to the less well off in a society.

It is not Cheryl Whipcord's responsibility that she was born in an environment with access to good education, a stable family and talent that enabled her to achieve good results necessary for the capacity to exercise what one conceives as a good life. In order to equal out the unfair distribution of primary goods, Rawls therefore sees the difference principle as a fair way to reallocate resources in such a way that everybody has the same

chances to a good life. However, it cannot be justified to deny a person the exercise of its abilities and talents.

This leads to the major opponent of distributive justice Robert Nozick, who emphasizes the non existence of a collective entity known as the social good but rather the indispensable separateness of persons. In line with Emmanuel Kant, he argues that we must treat people as ends rather than means, following from certain moral side constraints on our actions. Accordingly, there are certain limits to the actions one shall take to benefit others. Although the state should be responsible to regulate society functioning, humans have inviolable property rights.

In his entitlement theory of the justice of Holdings, Nozick points out that one may consider something his own as long as it is in line with principles of transfer and no one else is entitled to this holding in questions. Picturing life as a race, it is unjust to inhibit someone from becoming first just because he is a faster runner than others. In the light of equality, it cannot be that a state adjusts along the Way in order to get everyone to finish simultaneously.

Distributive justice in Nozick's minimal state should be to adjust at the start, rather than adjusting the outcomes. By giving grants to children from less favored backgrounds or implementing compulsory additional education for people from families without academic background, these people can benefit from correcting for the absence of primary goods and achieve the similar results. This will further contribute to the elimination of injustice according to moral desert, namely a person's individual efforts and discipline.

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This is exemplified in the case of Cheryl Hoped, as, despite her race, she has actually had a rather tough upbringing and merely succeeded due to the effort she devoted to her academic career. These factors are neglected in affirmative action, which again proves the discrepancy between equality of people and the preservation of their property rights and affirmative action. Adjustment at start will therefore level the playground to such an extent, as to give everyone the chance to a good life according to their desert, without restricting a person's liberty.

Furthermore, this objection implies that a person cannot be expected to tolerate an unequal selection process simply in order to make less-advantaged persons better off. Although it is said to be for the common good, it actually merely benefits some individual whilst harming another individual's rights. Thus, by simply looking at race, in order to correct for inequality, the principle of holdings is violated, as this form of distributive justice interferes with the individual's right to hold what they have naturally acquired without harming anyone else before.

Moreover, the argument of justifying positive discrimination by correction is in line with the compensatory element of affirmative action. Centuries of slavery and suppression of blacks and other minorities have shaped culture and society in the United States and seem to have trapped racial minorities into an ever lower class compared to the white population. It is argued that educational institutions shall make up for past wrongs and thus favor applicants from minority backgrounds over white students.

It is highly unfair to apply collective responsibility to historical events, which are by now completely detached from the young generation. An individual would be associated with an action in the past and thus be forced to give up its status of being a separate person, in order to benefit something called the common DOD, which again, only is the benefit of another individual. Cheryl Hoped is by no means involved in former slavery or suppression of the blacks and can thus not be used as a means to compensate for inequality, as she is a separate individual herself.

According to Emmanuel Kant's categorical imperative, it is the intentions that matter not the consequences, which implies that affirmative action disregards individuals, who are the one and only components of society. Lastly, the most prominent argument for affirmative action is to yield diversity. Although a university can freely choose its mission statement and as no moral obligation to applicants in the justification of its admission policy, one might think that Cheryl Hoped has the right to be considered to factors that are within her control. As Kant pointed out, 'to act freely, according to Kant, is to act autonomously.

And to act autonomously is to act according to a law I give myself not according to the dictates of nature or social convention. ' 10 This implies that Hoped does not have to accept her rejection to university on the grounds of affirmative action. Although even Nick's minimal state allows for distributive justice, this may only be done if person deserves to benefit and another does not 1 1 . Referring to moral desert, a decision merely based on skin color is

vague, as minority children might have often grown up in similar environments as the white majority.

Secondly, it will contribute to the fact that race and racial division will never become an irrelevant factor, which is what true liberalism shall strive for.

PELF attorney Joshua P. Thompson clarifies this argument stating that ‘ using race in admissions decisions, to achieve diversity, amounts to stereotyping people by their race. In the real world, shared skin color does not automatically reinstate into shared backgrounds or beliefs. Racial diversity in a student body does not guarantee a diversity of experience and perspectives.

It is unrealistic and wrong to try to pigeon-hole people by their race. ‘ 1 2

This autonomy-oriented analysis of affirmative action leads to the question of whether diversity and autonomy are mutually exclusive. According to Gallstone, the exercise of autonomy yields diversity, whereas there are several reasons to not believe that diversity nourishes autonomy. No matter how diverse a student body might be, people generally follow patterns and will conform to the social norms of their environment, even if the latter is multi-cultural.

Thus, an attempt to artificially create diversity will not imply the automatic functioning of the other, which adds to the argument against diversity motivated affirmative action. Moreover, John Steward Mill pointed out in defense of liberal autonomy, that the common good a university represents yields diversity in itself by freedom of thought, self-development and

responsibility of its students and therefore rejects the necessity of the artificial creation of a multicultural student body.

He adds the 'to do no harm' principle, which says that an individual's freedom may be limited in order to prevent harm to others, but should only to a minimal extent interfere with personal liberty. It therefore seems that the only solution to eliminate all contradictions of this issue is to adjust people's natural primary goods from the start and reject any form of positive discrimination during lifetime. In conclusion, affirmative action in University admission can be considered a highly contradictory issue, which, despite its moral intention, yields injustice according to autonomy motivated liberal theory.

Cheryl Hoped should not have been rejected on the mere grounds of her skin color and thus her primary goods, justified by the concept of personal autonomy. Differences in efforts, talents, background and wealth cannot be estimated to such an extent as to guarantee appropriate treatment to every individual and can therefore not be seen as ideal grounds for distributive justice. Despite Aristotle claim of the inevitability of discrimination, the latter can still be effectively minimized by eliminating affirmative action as an admissions policy of higher education.

According to Kant and Nick, under no circumstances shall distributive justice interfere with personal liberty, the right to property of the person and the importance of intentions rather than consequences. Personal liberty and individuality of the person should underlie a government's mission for an equal society. If adequate policies are adapted to fix the problem of

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inequality between ethnic minorities and whites, rather than attempting to fix the result along the way, harm to other people will be prevented whilst the least well off benefit in a society.