



Affirmative Action Works!¹

by Paul Kivel

AFFIRMATIVE ACTION WORKS. There are thousands of examples of situations where people of color, white women, and working class women and men of all races who were previously excluded from jobs or educational opportunities, or were denied opportunities once admitted, have gained access through affirmative action. When these policies received executive branch and judicial support, vast numbers of people of color, white women and men have gained access they would not otherwise have had. These gains have led to very real changes. Affirmative action programs have not eliminated racism, nor have they always been implemented without problems. However, there would be no struggle to roll back the gains achieved if affirmative action policies were ineffective.

Debates about affirmative action are about more than legal issues. Taking action to end racism is the challenge and responsibility of every single person in our society, as well as of the institutions and organizations which have such a large impact on our lives. Yet today there is a vocal minority who want to stop affirmative action not only as a legal remedy, but also as a social commitment. Now that affirmative action has led to some social changes there are those who are saying our society has gone too far in correcting racial injustice. Of course, this vocal minority is not challenging traditional forms of preference and discrimination that favor the rich, the educated, white people and men.

Affirmative action is practiced in many areas of our society in addition to leveling the playing field for people of color. There are hiring and recruiting preferences for veterans, women, and the children of alumni of many universities. There are special economic incentives for purchase of U.S.-made products, import quotas against foreign goods, and agricultural and textile subsidies. Over many decades these practices have led to a huge overrepresentation of white people, men and people of middle, upper middle and upper class backgrounds in our universities, in well-paid jobs, and in the professions. One indication that attacks on affirmative action are part of a white backlash against equality

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is that affirmative action in the form of preferences that primarily benefit white people are not being questioned.

Affirmative action measures were established to fight racial discrimination. The federal government mandated affirmative action programs to redress racial inequality and injustice in a series of steps beginning with an executive order issued by President Kennedy in 1961. The Civil Rights Act of 1964 made discrimination illegal and established equal employment opportunity for all Americans regardless of race, cultural background, color or religion. Subsequent executive orders, in particular Executive Order 11246 issued by President Johnson in September 1965, mandated affirmative action goals for all federally funded programs and moved monitoring and enforcement of affirmative action programs out of the White House and into the Labor Department. These policies and the government action that followed were a response to the tremendous mobilization of African Americans and white supporters during the late 1950s and early 1960s pushing for integration and racial justice.

Initially, affirmative action was a policy primarily aimed at correcting institutional discrimination where decisions, policies and procedures that are not necessarily explicitly discriminatory have had a negative impact on people of color. Affirmative action policies address and redress systematic economic and political discrimination against any group of people that are underrepresented or have a history of being discriminated against in particular institutions. Beneficiaries of these programs have included white men and women, people with disabilities, and poor and working class people, but their primary emphasis has been on addressing racial discrimination.

There is pervasive racism in all areas of U.S. society. For example, in 1991 Diane Sawyer with ABCTV filmed two men, one African American and one white, who were matched for age, appearance, education, and other qualities. They were followed for a day by a camera crew. The white man received service in stores while the African American was ignored, or in some cases, watched closely. The white man was offered a lower price and better financing at a car dealership. There were jobs where the African American was turned down, and apartments for rent after the African American man was told they were no longer available. A police car passed the white man while he was walking down the street but it slowed down and took note of the African American. Hundreds of studies demonstrate discrimination against people of color in different areas of everyday life.



Racism, rather than being self-correcting, is self-perpetuating. The disadvantages to people of color and the benefits to white people are passed on to each succeeding generation unless remedial action is taken. The disadvantages to people of color coalesce into institutional practices which, although they may be race neutral in intent, adversely affect people of color. It has proven necessary to take positive steps to eliminate and compensate for these institutional effects of racism, even when there is no discernible discriminatory intent.

For example, most job opportunities are heard about through informal networks of friends, family and neighbors. Since the results of racism are segregated communities, schools and workplaces, this pattern leaves people of color out of the loop for many jobs, advancement opportunities, scholarships and training programs. Federal law now requires widespread and public advertisement of such opportunities so that not only people of color, but white women and men who are outside the circles of information, have an equal opportunity to apply for these positions.

Another area affirmative action addresses is preferential hiring programs. Many times people of color have been excluded from hiring pools, overtly discriminated against, unfairly eliminated because of inappropriate qualification standards, or have been rendered unqualified because of discrimination in education and housing. Court decisions on affirmative action have rendered illegal those qualifications that are not relevant to one's ability to do the job. They have also mandated hiring goals so that those employed begin to reflect the racial mix of the general population from which workers are drawn. There is no legal requirement to ever hire an unqualified person. There is a mandate that in choosing between qualified candidates, the hiring preference should be for a person of color when past discrimination has resulted in white people receiving preferential treatment.

Sometimes people argue that affirmative action means the best qualified person will not be hired. However, it has been demonstrated many times in hiring and academic recruitment that test and educational qualifications are not necessarily the best predictors of future success. This does not mean unqualified people should be hired. It means basically qualified people who may not have the highest test scores or grades, but who are eminently ready to do the job may be hired. Employers have traditionally hired people not only on test scores, but on personal appearance, family and personal connections, school ties and on race and gender preferences, demonstrating that talent or desirability can be defined in many ways. These practices have all contributed to a segregated



work force where whites hold the best jobs, and people of color work in the least desirable and most poorly paid positions. Affirmative action policies serve as a corrective to such patterns of discrimination. They keep score on progress toward proportional representation and place the burden of proof on organizations to show why it is not possible to achieve it.

It has been argued that affirmative action benefits people of color who are already well-off or have middle class advantages, not the poor and working class people of color who most need it. A more careful analysis reveals that affirmative action programs have benefited substantial numbers of poor and working class people of color. Access to job training programs, vocational schools, and semi-skilled and skilled blue-collar, craft, pink-collar, police and firefighter jobs has increased substantially through affirmative action programs. Even in the professions, many people of color who have benefited from affirmative action have been from families of low income and job status.

Middle class people of color have also benefited from affirmative action. All people of color have experienced the effects of racial discrimination. Having more money may buffer the most extreme effects, but it doesn't protect people from everyday racial discrimination. The middle class in various communities of color is small and often fragile. Its members own less wealth and have less financial security than their white counterparts because of the past effects of racial discrimination. They also experience the full range of cultural racism and white prejudice that all people of color have to deal with.

Another argument raised against affirmative action is that individual white people, often white males, have to pay for past discrimination and may not get the jobs they deserve. It is true that specific white people may not get specific job opportunities because of affirmative action policies and may suffer as a result. This lack of opportunity is unfortunate; the structural factors which produce a lack of decent jobs needs to be addressed. It must not be forgotten that millions of specific people of color have also lost specific job opportunities as a result of racial discrimination. To be concerned only with the white applicants who don't get the job, and not with the people of color who don't, is showing racial preference.

But how true is it that white male candidates are being discriminated against or are losing out because of affirmative action programs? If one looks at the composition of various professions such as law, medicine, architecture, academics and



journalism, or at corporate management, or at higher-level government positions—or if one looks overall at the average income levels of white men—one immediately notices that people of color are still significantly underrepresented and underpaid in every category. People of color don't make up the proportions of these jobs even remotely equal to their percentage of the population. They don't earn wages comparable to white men. White men are tremendously overrepresented in almost any category of work that is highly rewarded except for professional athletics. According to a 1995 government report, white males make up only 29 percent of the workforce, but they hold 95 percent of senior management positions. Until there is both equal opportunity and fair distribution of education, training and advancement to all Americans, affirmative action for people of color will be necessary to counter the hundreds of years of affirmative action that has been directed at white males. It cannot reasonably be argued that white males are discriminated against as a group if they are overrepresented in most high status categories.

Two other aspects of this dynamic should be noted. Although all white people benefit from racism, white men receive more of the economic and other benefits of racism than white women of the same socioeconomic status. White men have always been favored in families and schools and preferred for jobs, training, educational programs, athletic programs, military careers and job advancement and promotion. Men still make more than women for comparable work, are given better educational opportunities, have more leisure time and are accorded higher status than women.

The second and equally important part of this dynamic is that not all white men are equal. If you are a white male you may or may not have gained a lot from racism. If you are not well-off, well educated or well rewarded in your life, you should look at white men who are and analyze how they accumulated such rewards. Why do many corporate executives make more in a week than their workers make in a year? Why does the average CEO "earn" as much as 157 factory workers?

Business leaders are able to exploit male workers by appealing to common bonds and common fears among white men. They have played on white male fears of losing their jobs (and their manliness) to keep them working hard, claiming that only white men had the strength, skill, intelligence, independence, strength of character and virility to do the job. White workers have often bought these arguments feeling pride and increased self-esteem in their working abilities, and feeling personally threatened by the presence of people of color and white women in the workplace.



Their ability to fight against low wages, unsafe working conditions, the restructuring of their jobs and plant closures has been diminished even while they thought they were protecting their jobs through race riots, anti-immigration laws, attacks on affirmative action and workplace discrimination, harassment and exclusion.

Collusion with well-off white men against affirmative action is not in the best interests of poor, working and middle class men. Yet many have bought the lie that who they are is based on the manliness of the work they do and their ability to keep their workplaces as white male preserves.

Affirmative action helps mitigate the historical effects of institutional racism. It also counters the effects of current discrimination, intentional or not. Not all white people are well-intentioned. Some believe that everyone should have an equal chance but still hold deep-seated prejudices against people of color. For a substantial number of whites, however well-intentioned, those prejudices lead to discrimination. Without specific, numerical goals, it has been found that many people and organizations continue to practice discrimination while professing agreement with equal opportunity.

There are so many subtle and not-so-subtle ways to eliminate people of color from the job application process it is not surprising that employers have found ways around affirmative action unless it is tied to visible hiring and promotion targets. In a society with such overwhelming evidence of racism, it must be assumed that individuals and organizations will resist efforts to end it. For instance, in 1993 the Equal Employment Opportunity Commission had a backlog of 70,000 discrimination cases. It is necessary to set goals and enforce and monitor standards because this is the only way compliance can be measured. These are the mechanisms needed to ensure that affirmative action is more than a facade.

These mechanisms are not quotas. Quotas have been used in the past to exclude particular groups of people from jobs or educational opportunities. They have been used to limit the number of Asian Americans or Jews in universities so white people would continue to have unequal access. Setting minimum goals for inclusion is the opposite of setting maximums. We need numerical goals to guarantee compliance with affirmative action policies. Numerical goals promote democratic access to education, jobs and job training.



Some people have claimed that affirmative action programs lower self-esteem in those who are favored by them, perhaps even in those individuals who do not directly benefit from them. There is no systematic evidence for this effect. It seems to be something that white people worry about more than people of color. Persistent denial of equal opportunity—and therefore inadequate access to good jobs, good education and housing—leads to poor self-esteem. It is discrimination that seems to be the more important harm to eliminate. People who are truly worried about low self-esteem among people of color should be strong advocates for effective affirmative action programs to counter discrimination.

Affirmative action programs have been effective in many areas of public life because they opened up opportunities for people who would not otherwise have them, including white women and men. Attacks on affirmative action are part of a systematic attempt to roll back progress in ending discrimination and to curtail a broad social commitment to justice and equality. Attacking affirmative action is self-destructive for all of us except the rich.

Affirmative action is not a cure-all. It will not eliminate racial discrimination, nor will it eliminate competition for scarce resources. Affirmative action programs can only ensure that everyone has a fair chance at what is available. They cannot direct us to the social policies necessary so people do not have to compete for scarce resources in the first place. The larger question to ask is why are there not enough decent paying, challenging and safe jobs for everyone? Why are there not enough seats in the universities for everyone who wants an education? Expanding opportunity for people of color means expanding not only their access to existing jobs, education and housing (affirmative action), but also removing the obstacles that cause these resources to be limited (social justice).

Affirmative action has been a symbol of white people's acknowledgment of and serious commitment to eradicating racial discrimination. It has been interpreted as such by most people of color. It is crucial that at this stage of backlash against the gains of the last three decades, we do not abandon programs that counter the effects of discrimination.

When whites attack affirmative action—if they are truly committed to American ideals of justice and equality—they should be proposing other remedies for racial inequality in our society. The hypocrisy is clear when white people who say they support equal opportunity attack affirmative action, yet want to leave intact the basic economic and racial injustices it is designed to correct. Ask



people who oppose affirmative action how they propose to eliminate racial discrimination. You can learn a lot about their true beliefs from their answers.

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