

Consequences of Affirmative Action in US Higher Education

A Review of Recent Empirical Studies

This paper seeks to contribute to greater mutual understanding of positive discrimination in India and the US by describing and reviewing some important empirical work that has recently been carried out to evaluate the effects of affirmative action in the US higher education. Until recently the debate on the wisdom of positive discrimination policies has been largely theoretical, appealing to ethical considerations and political-philosophical values. Now, however, systematic empirical evidence on the long-term consequences of affirmative action policies in admissions to US colleges and universities has at last been made available and can be brought to bear on the discussion.

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India and the US are in many obvious ways very different. In some important respects, however, the two nations are similar. Both have functioning democratic electoral systems and are constitutionally committed to preserving civil liberties and individual rights. Both have multicultural populations including significant minorities with a long history of deprivation and disadvantage. And both have sought to address the needs of these minorities via certain forms of positive discrimination, generally labelled 'reservations policies' in India and 'affirmative action' in the US.

The policies of positive discrimination in favour of disadvantaged groups, enacted initially with strong public support, have proven increasingly controversial in both India and the United States. In each country the debate over these policies has become sharper, as participants wrestle with the inherent tension between the individual right to equal treatment and the societal goal of overcoming profound inequalities of opportunity. Although there have been a number of comparative studies of reservations policies in India and affirmative action in the US,¹ by and large the debate in each country proceeds with scant reference to the situation in the other country. This is regrettable. I believe that there is much to be learned in each country from greater understanding of the way in

which positive discrimination has been undertaken – and assessed – in the other country.

With this paper I would like to contribute to greater mutual understanding of positive discrimination in India and the US by describing and reviewing, for an Indian audience, some important empirical work that has recently been carried out to evaluate the effects of affirmative action in US higher education. In the US, as in India, higher education is one of several spheres in which positive discrimination policies have been pursued and contested. Until recently, debate about the wisdom of such policies has been largely theoretical, appealing to ethical considerations and political-philosophical values. Now, however, systematic empirical evidence on the long-term consequences of affirmative action policies in admissions to US colleges and universities has at last been made available and can be brought to bear on the discussion. By making this empirical work better known in India, I hope to encourage Indian scholars interested in positive discrimination to generate more empirical evidence on the long-term consequences of reservations policies in admissions to Indian higher educational institutions.²

I begin in Section I with a brief historical account of affirmative action admissions

policies in US colleges and universities. In Section II I provide an overview of the controversy in the US over such policies and I highlight the significance of two recent studies of their long-term consequences. The first of these studies was carried out by William Bowen and Derek Bok; I describe their methods and findings in Section III. The second key study was done by Richard Lempert, David Chambers and Terry Adams; I discuss their research in Section IV. I go on in Section V to assess the significance of some potentially important concerns that have been raised by critics of the two studies. Finally, I summarise in Section VI the main empirical findings of the studies and offer a concluding evaluation of this research.

I A Brief History of Affirmative Action in US Higher Education

Affirmative action policies in US colleges and universities go back to the mid-1960s. At that time the Civil Rights Movement – the struggle of African-Americans to attain social justice – had gained strong momentum, following a decade of mobilisation and peaceful protests against continuing segregation in the south and continuing discrimination throughout the country. In the context of

heightened awareness of racial injustice, many students, faculty members and administrators at leading US universities³ were distressed to observe how few African-Americans could be counted among their numbers. This appeared to be due in considerable part to patterns of discrimination that gave Whites significantly greater opportunities to gain access to prestigious universities. University leaders also faced pressure from US government legislation and executive orders, enacted and issued under the administration of president Lyndon Johnson (1963-68) in response to the Civil Rights Movement, to promote equal opportunity in education and employment. Many of the leaders of the most prestigious universities, where African-Americans were most under-represented, resolved to do something about this under-representation.

In the US the term 'affirmative action' initially meant not reserved seats, nor any other kind of positive discrimination, for disadvantaged groups. Rather, it meant a systematic and aggressive effort to root out negative discrimination by ensuring that information, opportunities and access in the spheres of education and employment would be made available to under-represented minority groups on the same basis as they were to the majority White population. The major piece of US government legislation linked to affirmative action was the 1964 Civil Rights Act. Based on the Equal Protection Clause of the US Constitution, this Act was designed to ensure that all Americans – regardless of race, colour or creed – would be guaranteed equal opportunity. Nothing in the US Constitution, nor in US government legislation, nor in US Supreme Court rulings, mandates any general programmes of positive discrimination in favour of members of a disadvantaged racial or ethnic group; and many people argue that the Constitution actually prohibits such programmes.

In this paper I focus on the application of affirmative action in the admission of students to higher educational institutions; the issues surrounding the hiring of faculty and administrators are somewhat different and deserve separate treatment. Admission to US universities is a highly decentralised process. Every university, public or private, has its own admissions office that oversees the admission of student applicants to its various degree programs. The criteria for admission vary from one university to another; the relevant qualifications include not only scores on

standardised pre-admission tests and secondary school grades, but also evidence of achievement in a variety of domains – e.g. music, art, athletics, community service – and often also background characteristics such as the place of the applicant's residence and whether or not the applicant's parents attended the same institution.

The early efforts of university leaders to increase the number of African-Americans among their students took the form of systematic and greatly strengthened efforts to reach out and provide relevant information to secondary schools and communities where African-Americans were strongly represented. It soon became apparent, however, that measures designed to disseminate information more equally to prospective students would not result in significantly higher numbers of admissions of the targeted group to leading universities. African-American applicants were achieving – on average – somewhat lower scores on standardised tests than the Whites with whom they were competing for admission. This was no doubt due in considerable part to the fact that the average African-American student was receiving primary and secondary schooling distinctly inferior to the schooling available to the average White student. To some extent conscientious admissions officers could seek and find, in the background of individual African-American applicants, relevant evidence – other than test scores – that would signal ability to perform successfully at a good university. But for the leading universities to increase significantly the proportion of African-American students admitted, it became clear that they would have to give some form of preference in the admissions process to African-American applicants based directly on their membership of a disadvantaged "race."⁴

For these reasons affirmative action in US university admissions (and indeed in other spheres as well) soon took the form of race-based preferences. Initially only African-Americans were to benefit from such preferences; but by the 1970s they were extended to other disadvantaged and under-represented minority groups as well – e.g. Hispanic-Americans and Native Americans. (Asian-Americans are also recognised as a minority group, but they have not been proportionally under-represented in university student bodies.) In a few cases quotas – i.e. the reservation of a given number of seats – were established for under-represented minority applicants; but most often preferences in admissions

took the form of giving some extra positive weight, in a formal or informal index of admissibility involving a variety of qualitative as well as quantitative factors, to an applicant from a disadvantaged and under-represented minority group.

Because of the lack of constitutional support for positive discrimination in the US, the legal basis for affirmative action in university admissions – in the strong form of race-based preferences – is tenuous. Indeed, affirmative action programmes in education and employment have over the last 30 years frequently been the target of lawsuits. Moreover, the political leanings of US judges, and notably those of the Supreme Court justices, has been changing in a direction increasingly unfavourable to affirmative action. This has meant that the application of positive discrimination programmes has been increasingly limited to members of groups that can clearly be shown to have been victimised by past negative discriminatory practices on the part of the institution in question. In the sphere of university admissions, the legal parameters for positive discrimination were set by the 1979 Supreme Court decision in the case of Alan Bakke – a White student who sued the Medical School at the University of California, Davis, for having denied him admission while under-represented minority students with lower test scores were accepted to fill a quota of reserved seats. The Supreme Court justices were sharply divided on the case, which led to a compromise decision. The governing opinion, held in full by only one of the nine justices (Lewis Powell), rejected altogether the use of quotas in university admissions decisions. It did, however, allow for a modest degree of race-based preference for members of under-represented minority groups, provided that this was only one of many factors weighted in the admissions process, and that the effort to achieve in this way greater diversity in the student body contributed to the achievement of the overall educational mission of the university.

Since 1979 leading US universities have defended their continuation of race-based admissions preferences in favour of members of under-represented minority groups on the grounds that the resulting (greater) diversity of their student bodies does indeed enhance the quality of education that they can provide to their students. However, during the past decade a number of successful lawsuits, approved ballot propositions, and decisions by state university

governing boards have forced the abandonment of race-based preferences in some leading US universities. A pair of lawsuits filed in 1997 against the University of Michigan's race-based admissions policies is destined to reach the US Supreme Court within the next couple of years; and it is virtually certain that the nationwide future of such affirmative action policies will depend on the decision ultimately rendered by the Supreme Court justices in the Michigan cases.

II Continuing Controversy over Affirmative Action in US Higher Education

The issue of affirmative action – in the strong sense of positive discrimination – has obviously been a controversial one over the past several decades. In the 1960s there was a clear national majority, though not a national consensus, in favour of this kind of affirmative action in a variety of spheres of education and employment. Since then the extent of the popular support has diminished, though it is still quite widespread among members of the minority groups directly affected. Most leading university administrators have continued actively to support and to practise race-based preferences in university admissions as well as a variety of (less strong) affirmative action programmes designed to increase the racial/ethnic and gender diversity of their faculties.

The controversy over affirmative action in general, and race-based preferences in higher educational admissions decisions in particular, has given rise to a great deal of debate in the US, both in writing and at various public forums and symposia. Much of the debate is animated by political-philosophical stands on such basic questions as the primacy of procedural vs substantive equality, the potential conflict between merit or efficiency and social justice, the question of individual vs group rights, and the role of representation for racial/ethnic minorities in a democratic society. The arguments on both sides resemble in many ways the debate over reservations policies in India, both in their substantive content and in the passion with which they are articulated. Because fundamental and strongly-held values are at issue, it often seems that opposing views are simply irreconcilable.

I do not propose here to go into a detailed examination of the arguments, pro and

con, over positive discrimination in US higher educational institutions.⁵ I would like, however, to draw attention to the fact that much of the debate over race-based preferences in US university admissions has proceeded without reference to any systematic empirical evidence on the consequences of applying such preferences over the past 30-plus years. For some participants in the debate, this kind of empirical evidence is irrelevant. Thus many supporters of affirmative action (in the strong sense) refer to the historical injustice of slavery and subsequent discrimination against African-Americans, and the debilitating legacy thereof, as providing a clear and overwhelming rationale for preferences in favour of African-Americans in the present. Many opponents of race-based preferences hold that discrimination is unfair, whether it is negative or positive; that only individuals, not groups, can have legitimate claims for compensation; and that group preferences not only violate individual rights but exacerbate inter-group tensions.

Some participants in the debate recognise, however, that in assessing the desirability of various policies of affirmative action one must go beyond the assertion of historical grievances and the enunciation of fundamental political-philosophical principles. A dispassionate analysis of positive discrimination in higher education will surely recognise that there are some potential benefits and some potential costs to applying race-based preferences in university admissions. It follows that empirical estimation of the actual magnitude of some of the key potential benefits and costs (in specific higher educational contexts) is needed in order to determine whether, on balance, the policy is justified. For a long time, however, there has been little systematic evidence on which to base such a benefit-cost analysis.

To the extent that empirical evidence has been adduced into the debate, it has tended to be impressionistic or anecdotal in nature. Thus, for example, supporters of race-based preferences in university admissions draw attention to cases of minority students who do well in their studies and graduate with advanced degrees; they point to the growing number of African-Americans and members of other disadvantaged minority groups in prominent positions in US society; and they cite courses in which minority students have brought significant new perspectives to classroom discussion

and the overall learning process. Opponents of positive discrimination in admissions point to cases in which minority students drop out of their degree programme or have difficulties passing certain courses; they speak of a tendency of students of colour to segregate themselves in racial/ethnic identity groups and thus reinforce rather than break down racial/ethnic barriers; and they cite cases where an under-represented minority student has suffered from being stigmatised as under-qualified because of a presumption by others that he/she was admitted only as a result of a race-based preference.

Within the last few years, however, systematic empirical evidence on the consequences of race-based preferences in admissions to US universities has finally been brought to bear on the debate over affirmative action in higher education in the US. This evidence has been provided by two major new research projects, whose methodologies and findings have been reported in great detail in the following publications. The first, and by far the broadest in scope, is a book by William G. Bowen and Derek Bok, *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions* (Princeton University Press, 1998). Bowen was for many years a professor of economics, and later served as president of Princeton University; Bok was for many years a professor of law, and later served as president of Harvard University. The second publication is an article by Richard O Lempert, David L Chambers and Terry K Adams, 'Michigan's Minority Graduates in Practice: The River Runs through Law School' (*in Law and Social Inquiry*, Vol 25, No 2, Spring 2000).⁶ Lempert is a professor of Law and Sociology, Chambers a professor of Law, and Adams a Senior Research Associate and Senior Survey Specialist, all at the University of Michigan.

These two studies are significant both in the scholarly domain and in the political arena. Bowen and Bok are highly distinguished scholars who, as presidents of two of the very best universities in the US, served as forceful advocates – and presided over effective practices – of race-based preferences in university admissions. Lempert, Chambers and Adams are also outstanding research scholars at one of the very best public universities in the US, which has pursued a strong policy of race-based preferences in admissions both in its undergraduate programmes and its

graduate schools. It is very likely because of its success in diversifying what was once an overwhelmingly White student body that the University of Michigan became the target of the most prominent set of lawsuits filed by rejected White applicants, at the instigation and with the support of the conservative centre for Individual Rights, against race-based preferences in university admissions. One of the lawsuits targets the huge undergraduate College of Literature, Science and the Arts; the other targets the much smaller graduate⁷ Law School.

The scholars who led the research projects under review are known to be strong supporters of the kind of affirmative action practised in most prestigious US universities. Readers may therefore not be surprised that, in a number of important ways, their findings reflect favourably on these affirmative action policies. Indeed, some of their findings have been introduced by the University of Michigan as evidence in its defence against the lawsuits. (Conveniently, each of the two studies provides relevant empirical evidence for one of the two lawsuits.) Nonetheless, these findings can and should be judged on their own merits. By and large, as I will argue in Section V, they do stand up against careful scrutiny and critical attention.

The authors of the two studies set themselves the research task of assessing to what extent policies of race-based preferences in admissions, in the cases of specific US universities, actually succeed in meeting their objectives. The main objectives of these policies may be articulated as follows:

(1) to identify and admit racial/ethnic minority students with a strong potential for academic success in their university studies;

(2) to create a more vital educational environment for all students by increasing the racial/ethnic diversity of the student body;

(3) to admit and train racial/ethnic minority students who will achieve career success in high-status professions and decision-making positions – thereby integrating the nation’s elite and strengthening democracy in a racially unequal society;

(4) to admit and train students who will be especially likely to contribute after graduation to their community and their society, beyond the responsibilities of their job. The first objective reflects a standard goal of admissions processes in US higher educational institutions: to enroll students

who will do well in academic programmes of study. The second objective has received much attention in US higher educational circles because of its legal significance; recall that the critical Bakke decision permits race-based preferences in admissions to a university only if the resultant greater racial/ethnic diversity contributes to its educational mission. The third and fourth objectives go beyond the narrowly-construed educational mission of higher educational institutions by asking such institutions to contribute to the achievement of broader societal objectives. The appropriateness of such goals is often justified on the grounds that almost all US higher educational institutions – private as well as public – receive significant amounts of government funding.

In each of the studies under review the authors evaluate the success of positive discrimination in higher educational admissions policies by investigating the extent to which the above four objectives are actually met in specific cases. To do this, they amass detailed empirical evidence with which to answer the following questions:

(1) Regarding academic performance: How well have the beneficiaries of race-based preferences in admissions done in their university degree programmes?

(2) Regarding educational benefits of diversity: Have all students benefited from an educational environment involving greater racial/ethnic diversity of the student body?

(3) Regarding subsequent career paths: How successful have the beneficiaries of race-based preferences been in their long-term careers? (In particular, have they succeeded in entering high-status jobs and thereby integrating the nation’s elite?)

(4) Regarding subsequent career paths: To what extent are the beneficiaries contributing unremunerated service to their community and society?

Prior to the two new studies there was available some empirical evidence on the academic performance of racial/ethnic minority students (question #1) and on the benefits of racial/ethnic diversity in educational institutions (question #2). The studies under review have provided new evidence relevant to these questions. More important, they have for the first time provided systematic evidence bearing on the long-term careers of students from disadvantaged racial/ethnic groups (questions #3 and #4). Only after surveying and interviewing graduates well after their

university years can one compile and assess such evidence. The most critical way in which the research under review has expanded the availability of relevant evidence on affirmative action in US higher education is precisely in its compilation and assessment of information on the consequences of race-based preferences for the long-run careers of the beneficiaries. In so doing, the authors of the new studies have made a pioneering contribution to the US debate over affirmative action in higher education.

III The Bowen and Bok (B and B) Study

The B and B study focused on undergraduate students in a sample of highly regarded US colleges.⁸ The B and B research team enjoyed privileged access to a massive database compiled by the Andrew W Mellon Foundation. This database, “College and Beyond” (C and B), included detailed records of the characteristics, college academic performance, and graduate degrees of a total of roughly 45,000 students – including about 3,500 African-Americans – in the class cohorts beginning their undergraduate studies in 1976 and 1989 in 28 different colleges. The C and B database was supplemented with even more detailed data related to admission of the 1989 entry cohort in five of the colleges that are reasonably representative of the full 28. Finally, the B and B team prepared and distributed a lengthy questionnaire survey on post-college experiences and reflections to the entire 1976 entering cohort and to a large sub-sample of the 1989 entering cohort of students in the C and B database, achieving a response rate of about 75 per cent

The B and B sample was confined to colleges ranked among the best 10-20 per cent in the US because it is mainly in such selective and prestigious colleges that

Table 1: Graduation Rates, 1989 and 1976 Entering Cohorts
(Per cent)

	Year	White	Afr-American	All
All B and B	1976	78	66	77
All B and B	1989	86	75	85
Selectivity 1	1989	95	85	94
Selectivity 2	1989	86	76	85
Selectivity 3	1989	82	68	81
All Colleges*	1989	59	40	58

* A representative sample of 4-year colleges.
Source: B and B (1998), Tables D.3.1 and D.3.2, pp 376-79.

race-based preferences are required in order to assure that a significant number of under-represented minority students gain admission. For analytical purposes B and B further divided their 28 colleges into three groups, according to degree of selectivity and prestige. The top group included only private colleges – such as Princeton, Stanford and Swarthmore; the second group also included only private colleges, such as Columbia, North-western and Oberlin; and the third group was dominated by colleges in large public universities such as the Universities of Michigan and North Carolina.

B and B focused most of their attention on a comparative analysis of white and African-American students, since the sample included relatively few students from other under-represented minority groups. I present their findings below, in four subsections. Subsection A addresses the question of how big an impact race-based preferences in admissions have actually had in boosting the representation of African-Americans in selective US colleges. The remaining three subsections address the extent to which the four objectives of affirmative action (spelled out at the end of Section II) have actually been met by the increased representation of African-Americans in these selective colleges.⁹

(A) The impact of race-based preferences on the admission of African-Americans¹⁰

Because of the multitude and complexity of considerations that enter into admissions decisions at selective colleges, it is impossible to know for sure which students were admitted by virtue of race-based preferences and which students would have been admitted without them. B and B's effort to estimate the impact of race-based preferences on the admission of African-American students into the colleges in their sample yielded the following results: in the most highly selective group the preferences increased the proportion of African-Americans from 2.1 per cent to 7.8 per cent; in the second group the preferences increased that proportion from 2.8 per cent to 5.8 per cent; and in the third group the preferences increased that proportion from 4.5 per cent to 6.6 per cent. Other scholars addressing this issue believe that these figures understate the effect of the preferences on admission of African-American students to such selective colleges.¹¹

Whatever the precise figures, there can be no question that the impact of race-based preferences in selective college admissions is very substantial. These preferences serve to give all under-represented minorities a boost comparable to what quite a few other applicants get for non-academic factors like athletic prowess, relatives having attended the college, low socio-economic status, and unusual geographic origin. The effect of race-based preferences is to increase the chances of admission of under-represented minorities, relative to Whites and Asian-Americans, at every level of quantitatively measured academic achievement – but not to lower the minimum (cut-off) level of such achievement required for admission.

(B) The in-college academic performance of African-Americans¹²

Data on graduation rates for White, African-American and all students who entered college in 1976 and 1989 are presented in Table 1. The figures in the table show the percentage of students who graduated within six years from the college they entered.¹³ Graduation rates from the selective colleges in the B and B sample increased significantly from the 1976 to the 1989 cohort. Among students in the latter cohort, African-Americans graduated from the B and B colleges at a somewhat lower rate (75 per cent) than Whites (86 per cent); but in both cases these rates were much higher than the corresponding graduation rates from a representative sample of all US colleges (40 per cent for African-Americans, 59 per cent for Whites). Within the B and B sample the rates of graduation were higher, for both African-Americans and Whites, the more selective was the college. It is noteworthy that the graduation rates of African-American students rose more sharply with increasing college selectivity than in the case of White students.

B and B's finding that graduation rates are positively associated with the degree of selectivity of a college remains robust even when they undertake multivariate regression analysis to control for a variety of entry qualifications – including scores on the nationwide standardised college entry test (the SAT), secondary school grades, gender, and socio-economic status. B and B offer a number of possible explanations for the positive effect of college selectivity on student graduation. First, the

more selective and prestigious colleges tend to be better endowed and financed. They are therefore able to devote more resources to the admission process (including personal interviews) and do a better job of identifying and admitting the best students among those with a similar set of recorded entry credentials. But it is unlikely that this kind of selection basis accounts for all, or even most, of the positive effect. With more resources at hand, the more selective colleges can also provide more financial aid and better academic support services to enable students to keep up with their academic work. Their students may also be more highly motivated to complete their degree programme successfully, knowing that a degree from a more selective school carries more weight in applications to graduate school and in the job market (as suggested in subsection D below).

Data compiled by B and B for the cohort of college students entering in 1989 show that there are no significant differences between African-Americans and Whites in choice of major field of study; African-Americans are as likely to choose to concentrate in the sciences as are Whites. There is a significant difference between African-Americans and Whites, however, in grade performance: the average cumulative grade-point average (GPA) is 2.61 for African-Americans and 3.15 for Whites, on a scale from 0 to 4. The lower average GPA for African-Americans is not explainable simply in terms of lower entry test scores; their average GPA of 2.61 is in fact less than would be predicted for African-Americans on the basis of their average SAT score. The average African-American graduate ranks in the 23rd percentile (from the bottom) of the graduating class; whereas the average White ranks in the 53rd percentile. Even controlling for SAT scores and other available college-entry characteristics, B and B find that on average African-Americans graduate with a significantly lower class rank than Whites.

What accounts for this apparent 'underperformance' of African-Americans in selective US colleges? Again, B and B suggest a variety of possible explanations. African-Americans on average have less favourable pre-college experiences than Whites – such as home, community and school environments that are less conducive to good study habits and learning practices (in ways that are not necessarily reflected in standardised test scores). African-Americans may well suffer from

more difficult in-college experience than Whites – such as greater problems adjusting to a new (and White-dominated) college campus environment, greater vulnerability to race-related social tensions and possibly subtle (if not overt) forms of racial discrimination. Over the last 30 years selective US colleges have made increasingly well-informed efforts to assist African-American students in overcoming such difficulties; and the more prestigious and well-endowed among them have been able to do more along these lines. Few can credibly claim, however, that they have really equalised the college environment for African-American and White students.

B and B conclude that attendance at a more selective college tends to bring significant academic benefits to any student, whether White or African-American. Although a given student is likely to graduate with a lower class rank at a more highly selective and competitive college, the likelihood of graduation and, most probably, the quality of the education received will increase with the degree of selectivity of the college. The data compiled and analysis carried out by B and B suggest strongly that it is in the academic interest of African-American students to attend the most selective college to which they can gain admission.

(C) The contribution of racial/ethnic diversity to the college educational environment¹⁴

Determining the extent to which diversity among students affects the learning process in a classroom is inherently a very difficult task. Simply measuring learning outcomes is a challenge; quantitative indicators such as grades and standardised tests have well-known weaknesses as measures of what, or how well, a student has learned. It is even more challenging to isolate in a systematic way the impact of any one factor – such as racial/ethnic diversity – on the learning process. In view of these difficulties, B and B’s systematic assessment of the contribution of diversity to learning is limited to an analysis of responses by graduates in their survey sample to several questions relating to inter-racial interactions.¹⁵

B and B report that 57 per cent of the African-Americans and 46 per cent of the Whites in their entering cohort of 1976 felt that their college experience contributed significantly to their “ability to work effectively and get along with people from

different races”. These percentages rose to 70 per cent of African-Americans and 63 per cent of Whites in the entering cohort of 1989, who were in college when minority groups were somewhat better represented in the student body. B and B also report that 56 per cent of the White students in the 1989 entering cohort knew well two or more African-American students (though the latter constitute only 7 per cent of the overall student population), and that 88 per cent of the African-American students in this cohort know well two or more White students (80 per cent of the student population). Interestingly these percentages are higher, the higher the level of selectivity of the college. Finally, B and B report the views of students themselves on the value of racial/ethnic diversity on campus. Most of the student respondents – both African-American and White – applauded their college’s emphasis on diversity; some thought that even more such emphasis is needed.

(D) The post-college career paths and achievements of African-Americans¹⁶

B and B compiled comparative data on African-American and White students for a considerable variety of dimensions of their post-college experience.¹⁷ These dimensions include completion of graduate degree programmes, income earned from one’s job, satisfaction with one’s job, and voluntary contributions to one’s community and society. I summarise B and B’s comparative findings in each of these dimensions, as well as their related analysis, in the following paragraphs and tables.

Data on the percentage of White and African-American students going on from college to earn a graduate degree are presented in Table 2. Remarkably, the overall proportion of African-Americans obtaining a graduate degree was virtually the same as the proportion of Whites. The proportion of African-Americans earning

advanced degrees (above the Master’s level) was roughly the same as the proportion of Whites; but African-Americans were a little more likely to get professional degrees in medicine, law or business, while Whites were somewhat more likely to get PhDs. The figures in Table 2 show clearly that the average rate at which advanced degrees were obtained rose appreciably with the degree of selectivity of the undergraduate college from which students graduated. But even the rates at which advanced degrees are attained by students from the least selective group of colleges in B and B’s sample are much higher than the average rates for all US colleges.

On the basis of multivariate regression analysis, B and B found that attending highly selective colleges (in their top two groups) increased the probability of obtaining an advanced degree, for both Whites and African-Americans, even when holding constant SAT scores and other pre-college variables. Students with the same SAT scores were more likely to earn advanced degrees if they attended a highly selective college, even though they were also more likely to receive lower grades and end up at a lower class rank than they would have done at a less selective school.

B and B also found that, in contrast to their ‘underperformance’ in cumulative GPA and class rank while at college, African-Americans actually ‘over-perform’ in earning advanced degrees i.e. they obtain advanced degrees in greater numbers than would be predicted by their SAT scores and other college-entry characteristics. Why might this be so? B and B allow that it might be partly attributable to affirmative action at the graduate level (though race-based preferences would presumably affect admission to graduate programmes and not successful completion of them). B and B suggest that it could also be due to a relatively greater desire of African-Americans to get advanced degrees. This in turn might well be due to the fact that African-Americans are

Table 2: Attainment of Advanced Degrees, 1976 Entering Cohort
(Per cent)

	All Adv Degrees		PhD		Professional*		Master's Only**	
	White	Afr-Am	White	Afr-Am	White	Afr-Am	White	Afr-Am
All B and B	56	56	7	4	32	36	18	16
Selectivity 1	69	61	12	6	40	43	18	13
Selectivity 2	63	59	7	4	37	39	19	16
Selectivity 3	45	49	4	3	24	28	17	19

* MD, JD, or MBA (Medicine, Law, or Business).

** Excluding MBA.

Source: B and B (1998), Table D 4.1, pp 385-86.

typically disadvantaged as compared to Whites in trying to attain high-status jobs because they tend to have fewer informal contacts – and less access to informal networks – that can help pave the way to a good job.¹⁸ Other things equal, African-American students may therefore have a greater need than White students for degree credentials; and the payoff to obtaining an advanced degree is likely to be greater for African-Americans.

Table 3 presents data on the average earnings in 1996 of White and African-American students in the B and B selective-college entering cohort of 1976, along with corresponding figures for a national sample of college entrants. Figures are shown separately for men and for women, because of the significant gender gap in average earnings in the US. It is evident from the figures in Table 3 that, on average, White male college-goers at each level of college selectivity earn more than African-American male college-goers; while the differences are significantly smaller for females. However, in every category there is clearly a substantial earnings premium associated with attendance of a higher-selectivity college; moreover, the size of the premium rises with the degree of selectivity of the college attended. Though African-American college-goers do not end up earning as much on average as White college-goers, the earnings premiums associated with going to a more selective college are generally higher (in percentage terms) for African-Americans than for Whites.

The gross earnings premiums for college selectivity that can be derived from Table 3 overstate the actual boost in pay resulting from attendance of a more selective college because they reflect to some extent the fact that the individual students going to the more selective colleges are on average more qualified than those going to less selective ones. B and B attempt to calculate the extent of this kind of selection bias in two ways. First, they compare the earnings of graduates of the colleges in their own sample with a nationwide sample of college graduates with similar talents and abilities. Second, they carry out a set of multivariate regressions of the earnings of students in their sample, in order to estimate the effect of college selectivity on higher earnings while controlling for various measures of student ability. They conclude from these analyses that the gross earnings premiums shown in Table 3 are attributable in considerably greater part

to the nature of the college attended than to the qualifications of the individual students attending them.

There are a number of plausible explanations for the boost in pay conferred by attendance at a higher-selectivity college. The most straightforward explanation is that it is due to the higher quality of education that a college with more resources, a more prestigious faculty, and a more highly qualified student body can provide.¹⁹ Yet it could also be attributable to the fact that higher-selectivity colleges give students better access to key contacts and networks enabling them to enter better graduate degree programmes and/or better jobs. The data compiled by B and B cannot distinguish between these competing explanations. Either way, however, there is clearly a significant payoff to both African-American and White students in being able to go to a highly selective and prestigious college.²⁰

In fact, B and B found that the net (as well as the gross) earnings premiums associated with attending more selective colleges are even greater for African-Americans than for Whites. This lends further credence to the proposition that academic credentials are relatively more important for African-Americans than for Whites. B and B's systematic empirical evidence strongly supports the contention that it is not only in an African-American student's academic interest, but also in his/her economic interest, to attend the most selective college possible.

B and B also carried out extensive multivariate regression analysis of the effects on earnings of a variety of different factors – including SAT scores and family socio-economic status (SES) as well as college selectivity. Some of the key conclusions from this analysis are the following. There is a high simple correlation of SES with earnings; but it is mainly due to the fact that high-SES students are most likely to attend a highly selective school. Similarly, there is a significant simple correlation between SAT scores and earnings;

but it is greatly weakened when SES and college selectivity variables are also introduced into the analysis. Thus students' pre-college standardised test scores – which are given much attention as indicators of student capabilities – have little independent effect on students' ultimate earnings.

Surveying another dimension of post-college experience, B and B asked White and African-American students who entered the 28 colleges in their sample in 1976 how satisfied they were in 1996 with their jobs. Not surprisingly, they found that most of the students who attended the selective colleges in their sample – and have since then typically entered high-status and high-income occupations – reported a fairly high or (more often) very high level of job satisfaction. It is also not surprising that satisfaction in these domains was found to be positively correlated with earnings and with such welcome job characteristics as the degree of autonomy in one's work environment.

What is less obvious and more interesting is B and B's finding that, on average, Whites in their sample report significantly higher levels of satisfaction with their jobs than do African-Americans.²¹ This differential persists even when one controls for earnings, type of work environment, family circumstances and other factors that might be expected to affect job satisfaction. One might have expected that being part of a pioneering generation of African-Americans, entering high-status occupations that were previously almost all-White, would in itself bring extra satisfaction. That African-Americans are less satisfied than their White counterparts in similar job settings may be the result of certain continuing forms of discrimination against African-Americans even when they are in the process of integrating with the nation's elite.

A final dimension of post-college experience that B and B sought to examine is the extent to which people go beyond their job responsibilities to contribute service to their community and society. Interest in

Table 3: Average Earnings in 1995, 1976 Entering Cohort
(in \$)

	Men		Women	
	White	Afr-American	White	Afr-American
All B and B	102,000	85,000	66,000	65,000
Selectivity 1	111,000	88,000	74,000	72,000
Selectivity 2	107,000	77,000	63,000	66,000
Selectivity 3	87,000	68,000	56,000	48,000
Nationwide	63,000	47,000	43,000	38,000

Source: B and B (1998), Figures 5.2 and 5.6, pp 124, 139.

this dimension stems in part from the contention of some critics of affirmative action in higher education that benefits accruing to the immediate beneficiaries of race-based preferences are confined to those beneficiaries, who are typically among the best-off members of their communities, and that few if any benefits reach the most disadvantaged members of those communities. In their survey questionnaire B and B asked questions about various kinds of contributions to community and public life that go beyond fulfilling one's immediate job responsibilities – such as participation in volunteer civic, social service and other community activities, assuming leadership roles in public and community organisations, serving as mentors and/or role models for less-advantaged community members. In general they found that African-Americans in their sample were significantly more likely to get involved in these kinds of activities and efforts than Whites – possibly because, as members of a disadvantaged minority group, they are more conscious of their own relatively privileged position and have a correspondingly greater sense of responsibility toward those who remain less fortunate.

IV

The Lempert, Chambers and Adams (LC and A) Study

The University of Michigan Law School (UMLS) is highly selective and prestigious. It is consistently ranked among the top ten law schools in the US; some would rate it in the top-five. In the Spring of 1965 there were 1,000 law students studying at UMLS; only one of them was African-American. In the late 1960s the school introduced a deliberately race-conscious admission process designed to increase the representation of African-Americans in the student body; soon afterwards, Hispanic-Americans and Native Americans were also included among the beneficiaries of race-based preferences. The new admissions policy was very successful in meeting its objective: in the 27 years from 1970 through 1996 almost 1,100 under-represented minority students – African-Americans, Hispanic-Americans and Native Americans – graduated from UMLS.

The LC and A study focused primarily on the post-Law-school experience of its graduates. (Very few students who enter UMLS leave before graduating; most of those who do are in academic good

standing and go on to other Law Schools or careers.) To supplement the available record on student background characteristics, entry qualifications and academic performance, LC and A prepared a detailed questionnaire survey on graduates' career experiences and distributed it to all of the identifiable Minority²² graduates from 1970 through 1996: 704 African-Americans, 297 Hispanic-Americans and 59 Native Americans. They distributed the same survey to all of the 149 Asian-American graduates and to a stratified random sample of 935 White graduates. The overall response rate was roughly 55 per cent. By examining publicly available law directories they gained additional information on about 90 per cent of their sample, with which to check for response bias; this information suggested that non-respondents were broadly similar to the respondents.

Most of the findings reported by LC and A compare the performance of Minorities with that of White students. Many of the findings are reported separately for UMLS graduates in successive decades (1970-79, 1980-89, and 1990-96), since there have been significant changes in the law profession in the US over recent decades. As in the case of Bowen and Bok's study in Section III, I present LC and A's findings below in four subsections. Subsection A addresses the question of how big an impact race-based preferences in admissions have actually had in boosting the representation of Minorities in the University of Michigan Law School. The remaining three subsections address the extent to which the four objectives of affirmative action (spelled out at the end of Section II) have actually been met by the increased representation of Minorities in UMLS.²³

(A) The impact of race-based preferences on the admission of Minorities to the Law School²⁴

As in the case of undergraduate admissions to selective colleges discussed by B and B, graduate admissions to UMLS involve so many quantitative and qualitative considerations that it is impossible to know for sure which students were admitted by virtue of race-based preferences and which students would have been admitted without them. Nonetheless LC and A, like B and B, devised a procedure to approximate the number of Minority students who would have been admitted to UMLS from 1970 through 1996 under a completely colour-blind process. Their estimate was that only 78 out of the 1,060 Minority students admitted did not need any race-based preference.

UMLS's affirmative action policies thus accounted for the admission of over 90 per cent of its Minority students. The proportion of Minorities graduating from UMLS rose from roughly 7.5 per cent in the 1970s to 10 per cent in the 1980s and 15 per cent in the 1990s. Without race-conscious admission policies, these percentages would have been less than 1 per cent in the first two decades and less than 2 per cent in the 1990s.²⁵

(B) The academic performance of Minorities in the Law School²⁶

LC and A were primarily interested in the post-graduation careers of UMLS students, so they did not devote much attention to student academic performance during the three-year period that each graduate spent in Law School. However, in the context of their analysis of determinants of long-term

Table 4: Bar Passage and Job Settings, Graduating Classes of the 1970s, 1980s, 1990s
(Per cent)

	Classes of 1970-79		Classes of 1980-89		Classes of 1990-96	
	White	Minority	White	Minority	White	Minority
Admitted to Bar	97.9	98.5	99.3	95.1	97.4	96.1
<i>First Job</i>						
Private Practice	69	31	85	72	82	69
Government	15	30	4	13	3	16
Public Service	5	18	3	7	6	3
Other	11	20	8	8	9	12
<i>1997 Job</i>						
Private Practice	60	41	53	47	67	58
Government	14	23	10	19	9	20
Public Service	1	2	3	4	2	4
Other	26	35	33	31	22	19

Source: LC and A (1999), Tables 1 and 2.

career success, they did examine students' cumulative Law School GPA (LSGPA) – and the extent to which it is related to measures of pre-Law-School academic ability and achievement.

There are two pre-Law-School quantitative indicators that are widely used in the Law School admissions decisions: cumulative GPA at one's undergraduate college (UGPA) and score on the nationwide standardised Law School Admissions Test (LSAT). Many studies have shown that an index based on these two indicators is a statistically significant predictor of grades earned by students in their first year at Law School.²⁷ LC and A's is one of the few studies that have examined the predictive power of these indicators on grades earned by students throughout their years at Law School. They find that, for their sample of Michigan students from the late 1960s to the mid-1990s, an index combining the two pre-Law-School quantitative indicators does indeed have a significant effect on cumulative LSGPA. Minority students enter UMLS with, on average, lower UGPA and LSAT scores; and they graduate, on average, with lower LSGPA scores.

(C) The contribution of racial/ethnic diversity to the Law School educational environment²⁸

LC and A, for the same reasons as B and B, had to rely on self-reported reflections from the graduates in their survey sample for evidence on the benefits of racial/ethnic diversity. They report that about 60 per cent of M, and about 35 per cent of W, believe that their learning experience in Law School classrooms benefited significantly from the racial/ethnic diversity of the students. Although the percentage of Minorities sharing this view remained about the same over all three decades, the percentage of White

increased from decade to decade – starting at 25 per cent in the 1970s and rising to 50 per cent in the 1990s. During this time the proportion of racial/ethnic Minority students in Law School cohorts also increase significantly, from roughly 7.5 per cent in the 1970s to roughly 15 per cent in the 1990s.

(D) The post-Law School career paths and achievement of Minorities²⁹

This is the main focus of LC and A's research, and for good reason. Almost all Minority students admitted to the UMLS go on to graduate, albeit with – on average – lower grades and hence a lower class rank than White students. Given that Minority students have no problem meeting the standards required for graduation with a Law degree, their lower average grades and class rank are of concern only if they lead to significantly less career success after graduation.

LC and A compiled comparative data on Minority and White students for a variety of dimensions of their post-UMLS careers. These dimensions include admission to the Bar (required in order to practice law in a courtroom), nature of the first job obtained after graduation, nature of the job held at the time of the survey (1997), income earned in 1996 from one's job, overall career satisfaction (as of 1997), and unremunerated contributions to one's community and society (in 1997). I summarise LC and A's comparative findings in each of these dimensions, as well as their related analysis, in the following paragraphs and tables.

Virtually all graduates of UMLS succeed in passing a Bar examination. The minor differences in the proportions of Whites and Minorities admitted to the Bar, as shown in Table 4, are not statistically

significant. Table 4 also presents data on the distribution of initial and current jobs held by Minorities and Whites, by decade of graduation from UMLS. Here there are some significantly different patterns – especially for graduates of the 1970s. Minorities were less likely than Whites to go into private practice as their first job after graduation, and they were correspondingly more likely to work in government jobs. Minorities were also more likely to work in public service settings – e.g., non-profit legal service agencies and public interest organisations (except for graduates of the 1990s). The greater tendency of Whites to be in private practice and Minorities to be in government jobs is evident in the pattern of current as well as initial job settings; but there is an overall tendency for both Minority and White graduates to move away from public service settings (which are the least remunerative) after the early stages of their careers.

Data on earned income, career satisfaction and unremunerated contributions of Minority and White graduates from each of the three decades are presented in Table 5. Graduates from earlier years were of course earning more in 1996 than graduates from later years, since they were further along in their careers after Law School. On average, White graduates from the decades of the 1970s and the 1980s earned significantly more than Minority graduates; but more recent White and Minority graduates from the 1990s had virtually the same average earnings. The differences in the earnings of Minority and White graduates from the 1970s and 1980s were due in part to the fact that a higher percentage of Whites were working in (more lucrative) private practice rather than in government service, and partly because Whites tended to earn higher salaries in private practice.³⁰ By any standard, however, the average Minority graduate from UMLS – no matter what the year of graduation – was doing very well financially in 1996.

As might be expected, both Minorities and Whites also report high levels of satisfaction with their careers. According to the data in Table 5, Minority graduates from all three decades are only slightly less satisfied with their careers than White graduates. With respect to unremunerated service to community and society, the evidence gathered by LC and A suggests that Minority graduates make more contributions than White graduates. Table 5 provides some of this evidence, in the form

Table 5: Career Achievements as of 1997, Graduating Classes of the 1970s, 1980s, 1990s

	Classes of 1970-79		Classes of 1980-89		Classes of 1990-96	
	White	Minority	White	Minority	White	Minority
<i>Average Earnings In 1996 (\$)</i>						
All	178,000	141,000	128,000	105,000	68,000	68,000
Private Practice	205,000	168,000	161,000	126,000	71,000	74,000
Government	80,000	92,000	71,000	83,000	50,000	53,000
<i>Career Satisfaction In 1997 (per cent)</i>						
Satisfied with Career	82	79	79	76	75	71
<i>Unremunerated Contributions</i>						
Pro Bono Legal Work*	90	132	86	103	58	98
Community Service**	48	65	53	63	49	53

* Average hours (private practitioners)

** Per cent serving on at least one non-profit board

Source: LC and A (1999), Tables 3, 4 and 5.

of data on two kinds of service contributions: *pro bono* legal work on behalf of the poor, and service (without pay) on the board of non-profit organisations. Minority graduates from each of the three decades were somewhat more likely than White graduates to engage in such community-oriented service activities.

Apart from documenting differences between Minority and White graduates in various aspects of career success, LC and A also carried out multivariate regression analysis in an effort to determine what factors were most important in predicting career success for UMLS graduates during the whole period under consideration. As measures of different dimensions of career success they used the following three dependent variables: (logged) earnings in 1996, an index of responses to several survey questions measuring career satisfaction, and an index of survey responses to several other survey questions measuring unremunerated service contributions. Among the key independent variables in their regression models are: years since graduation, gender, minority status, an index combining final undergraduate grade-point average (UGPA) and score on the standardised Law School Admissions Test (LSAT), final Law School GPA (LSGPA), and 1997 job sector.

The findings from LC and A's regression analyses are summarised in Table 6. Some of these findings are hardly surprising. Years since graduation has a significant positive effect on all three dimensions of career success. Male gender has a significant positive effect on earned income. Law School GPA has a significant positive effect on earned income. Some of the regression findings have already been anticipated by the comparative evidence discussed in previous paragraphs. It will therefore not surprise readers that private practice (as opposed to other job sectors) has a significant positive effect on earnings; interestingly, it also has a significant negative effect on career satisfaction. Minority status – controlling for the other independent variables shown in Table 6 – has no significant effect on earnings and career satisfaction, but a significant positive effect on unremunerated community service.

The single most noteworthy new finding from LC and A's regressions is that the UGPA/LSAT index has no significant independent effect on any of the three measures of career success (when one controls for other relevant variables,

including notably Law School GPA). This finding is especially surprising in the case of earned income, because the UGPA/LSAT index does have significant predictive power in explaining LSGPA, and LSGPA does have a significant positive effect on earnings. Evidently something involved in the achievement of high Law School grades, but *not* associated with the kind of previous achievement reflected in a high UGPA or a high LSAT, has the positive effect on subsequent earnings. This may well be a behavioural characteristic involving a student's ability to make a success of his/her Law School experience, whatever the level of past achievement – such as the determination to do well in Law School, or the ability to relate well to others in the Law School community.

It is tempting to conclude from the LC and A finding about the unimportance of quantitative entry credentials in predicting ultimate career success that UGPA and LSAT scores are given far too much attention in Law School admissions decisions; indeed, one might even view them an insidious mechanism for arbitrarily favouring White over equally competent Minority applicants. The insignificant independent effect of UGPA and LSAT scores on career success in the case of UMLS graduates, however, does not mean that such scores are generally irrelevant to career success. What it does imply is that, in the high range of such scores characteristic of UMLS students, observed differences in the scores don't matter much. And the success of UMLS Minority students who entered Law School with (on average) less impressive quantitative credentials than their White classmates certainly represents an endorsement of UMLS's

overall way of practising affirmative action in the admissions process.

V Criticism of B and B and LC and A Studies

Since reports on the two studies first appeared (B and B in 1998, LC and A in 1999), other scholars have had the opportunity to review and criticise them. The reviews of B and B's work that I have found most useful are by Terrance Sandalow (1999) and Elizabeth Anderson (2000); the former was published with a response by B and B and a rejoinder by Sandalow. LC and A's detailed report is followed – in the same issue of the journal *Law and Social Inquiry* – by five interesting sets of comments as well as a reply by LC and A to the commentators.³¹ In this section of the paper I will describe some of the main concerns that have led critics to doubt the validity or significance of some of the findings of the two studies; and I will assess the extent to which these concerns warrant scepticism about the findings.

(1) Differences between Minority students admitted via race-based preferences and Minority students who would have been admitted without any such preferences

Both B and B and LC and A present and analyse a great deal of data comparing the performance of Minority³² students with that of White students; and they find that the achievements of the former, both in their degree programmes and in their

Table 6: Incremental Variance Explained by Regression Predictors of Career Success

Predictor Variable	Log 1996 Earnings		Career Satisfaction		Unremunerated Contributions	
	Sign	Incr R-sq Signif	Sign	Incr R-sq Signif	Sign	Incr R-sq Signif
Years since graduation	pos		pos	0.016***	pos	0.03***
and (Years since graduation) squared		0.166***				
(Male) gender	pos		neg		pos	
and (Older) age entering LS		0.022***		0.001		0.007*
Minority status	neg		pos		pos	
UGPA/LSAT admissions index	pos	0.001	pos	0.001	pos	0.029***
Undergraduate major (social sciences vs others)	pos	0.002	pos	0.002	neg	0.001
Final LSGPA	pos	0.009			pos	0.005
Job sector in 1997 (private practice vs others)	pos	0.048***	pos	0.000	neg	0.002
Total variance explained	pos	0.079***	neg	0.041***	pos	0.113***
Adjusted R-squared		0.328		0.062		0.186
Sample size		0.308		0.051		0.174
		969		970		1055

Significance levels: *** = .001 ** = .01 * = .05

Source: LC and A (2000), Tables 32, 34 and 36, pp 479, 487, 489.

subsequent careers, are in many ways quite impressive. Critics of each of the studies have charged that these findings overstate the performance of beneficiaries of race-based preferences in admissions, because they lump together Minority students who owe their presence in the relevant degree programmes to race-based preferences with those Minority students who would have been admitted under a completely colour-blind process. Since the latter would presumably have better (non-racial) entry qualifications, they could be expected to show higher levels of achievement than those of their peers who needed a race-based preference to gain admission.

As noted earlier, there is no way to identify precisely the individual students whose admission hinged on race-based preferences; so it is impossible to distinguish these students and compile data for them only. But both B and B and LC and A have estimated roughly the numbers of Minority students that would have been admitted to the various degree programmes without any race-based preferences. In the case of the University of Michigan Law School, the numbers estimated by LC and A are so small that their impact on the overall findings for Minority students is surely negligible.³³ In the case of the selective colleges in B and B's sample, however, the consequences of removing 'colour-blind' admits from the Minority group are potentially more significant. According to B and B's estimates (presented in Section III), the percentages of Minority students who would have been admitted without race-based preferences are 27 per cent, 48 per cent and 68 per cent in colleges of the first, second, and third levels of selectivity, respectively.

In response to this line of criticism, B and B made use of detailed data available from some colleges at the first two levels of selectivity to distinguish between Minority students who would likely have been accepted without race-based preferences and those who would likely have been rejected. They found that the average SAT score of the "retrospectively rejected" group was only a little bit lower than that of the "survivor" group, and that the later accomplishments of the former were not significantly different than those of the latter. This suggests that the failure to focus solely on Minority students admitted because of race-based preferences did not seriously bias B and B's findings for colleges at the top two levels of selectivity. It remains quite possible, however, that such a bias

did contaminate B and B's findings for colleges at the third level of selectivity.

Yet there is another reason to question the salience of this line of criticism. There is good evidence for the hypothesis that the academic performance of Minority students, in an educational setting dominated by White students, improves when there are more Minority students present.³⁴ It stands to reason that a single Minority student in an otherwise White classroom or cohort will feel extra stress when he/she is the only representative of the Minority group. The greater the number of Minorities in a given class or cohort, the more this stress will be relieved. If indeed the performance of Minorities does tend to improve when there is a larger proportion of Minorities in the student body, then it would not be that misleading to attribute good performance by students admitted without race-based preference to the policy of preferences in admissions.³⁵

(2) Leniency toward Minority students and possibly lowered academic standards

Some critics have charged that the academic achievements of Minority students in selective universities,³⁶ as celebrated by B and B and LC and A, overstate the true achievements of these students because many professors and administrators bend over backwards to help Minorities and to be lenient toward them in enforcing requirements. It is argued that university administrators responsible for race-based preferences in admissions have a strong stake in the success of the Minority students consequently admitted, and that they therefore do what they can to ensure that these students remain enrolled and go on to graduate. It is argued also that many professors are reluctant to fail struggling Minority students, and that they are therefore more accommodating and/or more helpful to these students.

There may be some truth to these charges. Before concluding that they diminish the salience of B and B's and LC and A's findings of Minority student academic achievement, however, one must distinguish carefully between two very different kinds of leniency that might be extended to Minority students. On the one hand, administrators and/or professors might choose to invest, on average, more time and resources into the education of Minority students than they do for White students. On the other hand, administra-

tors and/or professors might choose to hold Minority students to lower academic standards than they do White students.

There is good reason to believe that in some respects Minorities continue to suffer from race-based disadvantages vis-a-vis Whites during their university careers. As noted earlier, Minorities are likely to face greater difficulties adjusting to a White-dominated university campus environment and greater vulnerability to race-related social tensions and various forms of racial discrimination. Moreover, they may suffer from low expectations and/or lack of understanding on the part of (predominantly White) professors. Under such circumstances, the application of more time and effort on the part of administrators and professors to improve the learning environment for Minorities can be seen as a laudable effort to level an otherwise unequal academic terrain.

Far from laudable, and potentially damaging, are efforts to improve academic outcomes for Minority students that involve the lowering of academic standards just for those students. This may be linked to or exacerbate the recognised problem of low expectations for Minority students. No doubt there are instances of such behavior on the part of some administrators and faculty; but here the evidence is at best anecdotal.

What seems more plausible is that academic standards might be lowered to some degree for all students, not just for Minority students, in a context in which race-based preferences result in the admission of students with – on average – lower scores on standardised entry examinations. There is in fact considerable evidence of a trend toward overall grade inflation in US universities.³⁷ This does not compromise the comparative evidence on Minority and White performance amassed by B and B and LC and A. To the extent that it results from an effort to offset possible failures by students admitted with lower quantitative academic credentials, however, it would represent a real cost of policies of race-based preferences in admissions – to be weighed against the various benefits highlighted by the studies under review.

(3) Subjectivity of evidence for beneficial effects of racial/ethnic diversity on campus

As noted in previous sections of this paper, it is inherently difficult to measure the effect of greater racial/ethnic diversity

among students on the quality of the education they receive. In many fields – e.g., the natural sciences, mathematics, engineering – such diversity would appear to be irrelevant. In the humanities and the social sciences, however, it is somewhat more plausible that a variety of perspectives brought by students of differing racial/ethnic backgrounds could advance everyone's understanding.

In the face of the difficulties of compiling hard evidence on this issue, both B and B and LC and A rely largely on evaluations of the benefits of diversity reported by student respondents themselves. To the extent that they compile more objective evidence, it relates not to the learning process but more generally to the ability of students from different racial/ethnic backgrounds to interact constructively with one another. They demonstrate that there is a widespread belief among students that diversity is beneficial for their education. They also provide evidence that a more diverse campus community contributes to student citizenship skills and to the ability of students to function in a multiracial setting. They do not, however, succeed in bolstering the claim that racial/ethnic diversity contributes to the development of students' academic and intellectual skills.

It is may be true that there are rather limited benefits of greater diversity for education in the narrow academic sense. But the evidence that B and B and LC and A provide on the lasting cross-cultural interactions and friendships that result from student racial/ethnic diversity does point to a significant contribution of diversity to a robust civil society and a vital democracy. Furthermore, this kind of evidence serves to diminish the import of a frequently-voiced criticism of race-based preferences, to the effect that they result in a high degree of Minority self-segregation on university campuses and thereby exacerbate rather than alleviate inter-racial tensions.

(4) Role of further race-based preferences in Minority career success

US graduate and professional schools, as well as employers in large organisations or firms, often have similar motivations and/or pressures to diversify as do selective undergraduate colleges. The numbers of Minorities admitted to graduate degree programmes – especially highly selective

ones like the UM Law School – are therefore very likely to be raised by race-based preferences in admissions; and the number of Minorities hired after completing undergraduate or graduate degree programmes may also be enhanced to some extent by similar preferences. Critics therefore argue that the kinds of indicators of career success used by B and B and LC and A overstate the true skills and accomplishments of Minority graduates.

No doubt there is some truth to this line of criticism. The evidence of significant Minority career accomplishments presented by B and B and LC and A, however, is so strong that it is surely wrong to attribute Minority career success solely or mainly to continued preferences after graduation. Furthermore, even when race-based preferences have influenced decisions on admissions to a graduate degree programme or initial hiring by an employer, such preferences are most unlikely to continue forward through completion of the degree programme or long-term retention of the job. In most academic institutions Minority students are expected to meet the same standards for attaining advanced degrees as their non-Minority peers. And employers are unlikely to retain for long any Minority employees who are not meeting expectations for their performance on the job. With respect to Minority graduates from the University of Michigan Law School, LC and A do cite evidence that large law firms hiring new personnel have sought to increase the racial/ethnic diversity of their ranks. However, there is no evidence that Minorities have had more trouble than Whites in retaining their positions in such firms. Indeed, private profit-making firms will not long keep a poor performer (and pay him/her a good salary) in preference to a good performer.

(5) Unusual circumstances favouring Minority career success

The 1970s and 1980s, if not the 1990s, were decades in which US society and US institutions were unusually favourably disposed to integrating talented Minorities into high-status professions and occupations. The Civil Rights movement and other struggles against discrimination against Minorities had illuminated an extraordinary degree of under-representation of Minorities among the nation's elite; and many members of the elite recognised that something needed to be done about this,

if only to preserve the legitimacy of the elite itself. Moreover, the very lack of representation of Minorities in high-status jobs meant that many opportunities were available for young and skilled Minority graduates who would be among the first of their community to enter previously White-dominated job settings.

These observations have led some to criticise B and B's and LC and A's message – that race-based preferences have worked well and should be continued – along the following lines. First, they argue that B and B and LC and A overstate the positive effects of race-based preferences, because they attribute too much of the success in integrating the US elite to the university experiences of Minorities, and too little of the success to the favourable job environment into which the Minorities were moving. Second, critics suggest that one cannot extrapolate B and B's and LC and A's positive findings into a future in which such favourable circumstances will no longer obtain.

Here again there may be some truth to the cautionary notes of the critics. But one must recognise that, even if the availability of high-status job opportunities was relatively favourable for Minorities in the decades following the introduction of strong forms of affirmative action in US higher education, the ability of Minorities to take advantage of such opportunities still depended crucially on the training and the credentials that they received at selective universities. Furthermore, any account of the job market conditions facing Minority graduates in the US must recognise that there are also continuing disadvantages associated with Minority status, such as negative stereotyping by Whites and less access to job-relevant contacts and networks. Such job market disadvantages appear, thankfully, to be diminishing somewhat over time – in part because of the extent to which Minorities have entered the nation's elite in recent decades. In this respect, at least, one might anticipate a brighter rather than a dimmer future for Minority graduates of selective universities.

(6) Significance of comparative evidence about service contributions

For both B and B and LC and A, unremunerated contributions to one's community and society constitute an important dimension of achievement by university

graduates. In each of the two studies respondents were asked about such contributions, and their responses were summarised in the form of comparative evidence showing that Minority graduates provide more service contributions than do White graduates. But this comparative evidence does not address the appropriate question, which is: how much more (in quantity and quality) did Minority graduates contribute in the way of relevant services than they would have if they had not benefited from race-based preferences?³⁸

In the absence of race-based preferences, Minority students would be redistributed downward in the selectivity hierarchy of universities. One can get a sense of what this would imply for service contributions by looking at some data on such contributions that B and B present separately for their sample of colleges and for a nationwide control group.³⁹ This evidence shows that African-American graduates from selective colleges do not have much higher rates of service contributions than African-American graduates from other colleges. One might still make a case, however, that the effectiveness of service contributions by Minority graduates is greater, the more selective is the college they attended, on the grounds that in more selective colleges they will receive better training and better credentials with which to make their contributions.

Some critics go further and argue that participation in such civic activities is at best irrelevant to professional accomplishment and at worst a form of compensation for inadequacy in one's main line of work.⁴⁰ This perspective seems a bit too cynical. Even to the extent that it is true, it still allows for a significant positive interpretation of Minority contributions beyond their main job. The fact that Minorities contribute significant unremunerated service to their communities indicates that – contrary to the jaundiced view of some critics – they are redistributing some of the benefits of their access to higher education rather than allowing the lure of personal gain to remove any sense of obligation to others.

VI Conclusions

Near the end of Section II of this paper I articulated the objectives of the proponents and practitioners of a strong form of affirmative action, in the form of

race-based preferences in US university admissions, as follows:

(1) to identify and admit racial/ethnic minority students with a strong potential for academic success in their university studies;

(2) to create a more vital educational environment for all students by increasing the racial/ethnic diversity of the student body;

(3) to admit and train racial/ethnic minority students who will achieve career success in high-status professions and decision-making positions – thereby integrating the nation's elite and strengthening democracy in a racially unequal society;

(4) to admit and train students who will be especially likely to contribute after graduation to their community and their society, beyond the responsibilities of their job.

The two studies under review provide solid empirical grounds for believing that at least three of these objectives have in fact been achieved by the affirmative action admissions policies practiced at selective US higher educational institutions.

With respect to objective #1, Bowen and Bok find that African-American students, although admitted with (on average) lower quantitative entry credentials than White students, have compiled satisfactory academic records in college. Lempert, Chambers and Adams find that Minority students, although admitted with (on average) lower quantitative entry credentials than White students, have done similarly well in their Law School studies. In neither case do Minority students on average achieve grades as high as do White students on average; but in both cases Minority students graduate at rates that are very high by nationwide standards.

With respect to objective # 2, neither B and B nor LC and A provide persuasive evidence that greater racial/ethnic diversity improves the learning process in a narrowly-construed academic sense. But they do provide some evidence that the enrolment of greater numbers of Minority students has increased the quantity and quality of inter-racial interactions and thereby improved learning in a broader civic sense.

With respect to objective #3, B and B provide very convincing evidence that African-American graduates of selective colleges have typically gone on to promising careers and well-paid jobs and that they have, as a group, contributed significantly to the racial integration of high-

status jobs. Similarly, LC and A provide even more convincing evidence that Minority graduates of the University of Michigan Law School have typically gone on to rewarding careers and that they have fully entered the mainstream of the American law profession.

With respect to objective #4, both B and B and LC and A find that Minority graduates have contributed significantly to their community and society in the form of unremunerated services.

B and B and LC and A conclude that, in the absence of race-based preferences, the student populations at selective colleges and at the highly selective University of Michigan Law School would have had broadly similar achievements – but that students would have been much more predominantly White. In altering the composition of the student body toward greater racial diversity, the strong form of affirmative action practised by selective universities appears to have greatly improved the lot of some individual Minorities and worsened (to a lesser degree) the lot of the same number of individual Whites. Its long-term effect has been to make US society's success stories more racially representative of the population as a whole, which the authors regard as a significant social gain because it moves US society closer to one of its self-professed ideals.

Some of the most interesting findings of the two studies involve their analyses of the role of students' quantitative entry credentials. B and B found that SAT scores have relatively little independent effect on college students' earnings later in life; the degree of selectivity of the college they attended is a far more important determinant of earnings. LC and A found that standardised entry test scores and undergraduate GPAs, which figure prominently in law school admissions decisions and correlate strongly with cumulative law school GPAs, have no relationship to achievement after law school – whether achievement is measured by earned income, career satisfaction or service contributions. The affirmative action admissions policies practised by selective universities have not resulted in the admission of students who are likely to attain the highest possible grades in their course work. But they have resulted in the enrolment of many more Minority students than would have been able to enrol on the basis of quantitative entry credentials alone; and these Minority students have gone on to highly successful long-run careers.

Moreover, these admissions policies have arguably also benefited White students (by providing a more diverse learning environment) and the general public (by graduating more community-service-oriented professionals and by helping to achieve a social goal of greater racial integration of the nation's elite).

Two of the sharpest points of criticism that have been raised against race-based preferences in university admissions are the 'mismatch' and the 'stigmatisation' arguments. According to the mismatch hypothesis, race-based preferences result in a mismatch between African-American students and the colleges they attend; by enabling African-American students to go to colleges that are more selective than is warranted by their non-race-based entry qualifications, they push those students into excessively competitive academic environments in which they are all too likely to fail. The stigmatisation hypothesis holds that all Minorities – whether or not they are beneficiaries of race-based preferences – are likely to be stigmatised by the presumption that any success of theirs is due at least in part to such preferences rather than to their own talents and abilities.⁴¹ These arguments share the damaging implication that race-based preferences actually hurt the very people whom they are supposed to benefit.

Each of the studies under review, however, provides strong empirical grounds for rejecting the mismatch hypothesis. B and B and LC and A convincingly demonstrate that attending a highly selective educational institution gives a significant boost to the career prospects of both Minority and White students – in part no doubt by providing them with a high-quality educational experience, but also by bringing them into a network of contacts and relations with highly-placed job-holders. B and B show that, holding constant initial test scores and grades, college students are more likely to be happy with their college experience, to graduate from college, to earn advanced degrees, and to receive high salaries, the more selective is the college they attended. In fact, the evidence presented in the studies strongly suggests that attendance and graduation from an elite institution is especially beneficial for Minorities – perhaps because it helps overcome the all too widespread presumption that, as Minorities, they are likely to be less competent and/or less well prepared than Whites.⁴² LC and A report that Minorities do indeed place a considerably

higher value on the prestige of the degrees they receive from elite universities than do Whites.⁴³

The stigmatisation hypothesis is not so decisively refuted by the studies under review. In addressing this issue, B and B found that a substantial majority of African-American respondents were very satisfied with their college experience (the percentage was higher the more selective the college).⁴⁴ Although the levels of satisfaction reported by African-Americans are not quite as high as that reported by Whites, African-Americans were more inclined than Whites to credit their undergraduate experience with helping them learn skills crucial for their subsequent careers. B and B concluded that the vast majority of African-Americans college-goers do not think that they have been harmed by stigmatisation at college and would certainly not give up preferences in admissions to selective colleges in order to reduce the degree of stigmatisation they might experience in college or thereafter. LC and A did not report any survey responses relating to stigmatisation; but it seems likely that, at an elite institution like the University of Michigan Law School, the benefits of gaining access to a superb education and a prestigious degree would also greatly outweigh any discomfort from stigmatisation that they might – or might not – experience. Hard evidence on the salience of the possible stigmatisation of Minorities in an environment of race-based preferences remains to be collected; all that one can say with some confidence is that, to the extent that it exists, such stigmatisation seems very unlikely to offset the advantages of such preferences for the beneficiaries.

Both B and B and LC and A conclude that the introduction of 'soft' (qualitative) admissions criteria, including but not limited to race-based preferences, represents a welcome and much-needed corrective to reliance on 'hard' (quantitative) entry credentials, such as scores on standardised examinations. They argue that such quantitative scores are biased against Minorities in not recognising their true long-run potential, and that qualitative considerations must be brought into the admissions process in order to admit larger numbers of Minorities capable of succeeding. Apart from giving some weight to Minority students simply by virtue of their membership in a disadvantaged group, admissions officers should presumably be alert to, and give weight to, evidence of qualitative

characteristics that suggest the potential to succeed in university studies and afterwards, even if one has not achieved high test scores and/or grades. Such characteristics might include, for example, the ability to adapt to new environments, to overcome obstacles, to persevere when facing difficulties, and to meet new challenges.

The kind of admissions decision-making that B and B and LC and A seem to have in mind is a careful, nuanced process that requires the gathering of a significant amount of 'soft' as well as 'hard' information on all applicants and the consideration of applicants' various qualifications by an experienced and conscientious admissions staff. In this process, race-based preferences do not simply take the form of a certain number of points in an admissibility index due to the applicant's minority status, to be factored in along with points for various other indicators of admissibility – an approach that I will characterise as 'quantitative' preferences. Instead, the authors suggest that race-based preferences should take a more subtle form in which minority status is considered as a presumptively positive factor, but to an extent that can only properly be assessed in conjunction with evidence on other elements of an applicant's dossier. This I will label 'qualitative' preferences. Under this latter approach, minority status will get Minority students who are in other respects less qualified than White students into the same pool of candidates considered seriously for admission, but it will not get them into the actually admitted category unless their overall profile suggests that they are good candidates for success in spite of relatively lower entry qualifications.

Nuanced race-based preferences in admissions to higher educational institutions happens to conform rather closely to the way in which affirmative action is actually practised in the most selective US universities. Certainly such an admissions process is used in the University of Michigan Law School and in the colleges at the top two levels of selectivity in B and B's sample, all of which are private, well-endowed, and have a relatively small undergraduate student body. This is not the case, however, at B and B's third level of selectivity. The colleges at this level are mainly public and/or less well-endowed than those at the upper two levels, and in most cases they have undergraduate student bodies numbering in the tens of thousands. Under these circumstances the

admissions process is necessarily much less personal and much more driven by numbers; and race-based preferences (as well as other 'soft' considerations) are most likely to take the form of extra points in an admissibility index. This kind of affirmative action is the norm in such colleges because otherwise the process would require far more personnel and far more time than can be made available for the task.

In interpreting the empirical findings of B and B and LC and A, it is important to distinguish between quantitative and qualitative forms of preferences. Race-based preferences of any kind will result in the admission of Minority students who have lower standardised test scores than Whites who might otherwise have been admitted. But qualitative preferences will be better able to identify Minority applicants within any test-score range who can actually succeed in their studies and their subsequent careers. Success in affirmative action clearly hinges on the extent to which admissions decision-makers can identify and admit those lower-scoring Minority applicants who are most likely to succeed.

The evidence amassed by B and B, so usefully distinguished according to the degree of selectivity of the colleges in their sample, shows clearly that the success of Minority students – by all of the various success indicators – is significantly and positively correlated with the degree of selectivity of the college. The impressive results that LC and A found for affirmative action in admissions to the highly selective University of Michigan Law School reinforce this point. The success of Minority graduates of highly selective educational institutions is no doubt due in part to the superior education and to the more valuable contacts and credentials that such institutions can provide to their students, as well as to the greater availability of resources that can be devoted specifically to assisting disadvantaged students. It is surely also due to the greater ability of the more selective institutions to select good Minority students – not just because the 'cream' of the Minority applicants will be attracted to the most selective institutions, but also because those institutions are able to implement a qualitative form of race-based preferences that helps identify the most promising Minority students at any given level of overall qualifications.

These observations lead me to what I believe to be the most important limitation of the sweep of B and B's and LC and A's

firmly positive assessment of race-based preferences in US higher education. Such preferences have certain costs, which I have largely ignored in this review of studies documenting the benefits of affirmative action.⁴⁵ As I suggested at the outset, a final judgment on the wisdom of affirmative action policies will have to weigh the extent of benefits against the extent of the costs. People are bound to differ on how much weight to give to different kinds of benefits and costs in this kind of assessment. What is clear from the empirical evidence amassed in these studies, however, is that almost anyone's benefit-cost analysis will come out more favourably for race-based preferences in admissions the more highly selective is the institution in question.

B and B's and LC and A's findings have persuaded me that affirmative action in admissions has been a major success at those highly selective and prestigious US educational institutions that practise it in the form of qualitative race-based preferences. In institutions where affirmative action is practised in the form of quantitative race-based preferences, however, I believe that the jury is still out. Whether this kind of affirmative action in admissions has really been a success in the undergraduate programmes of large public US universities, as well as in private colleges at B and B's third level of selectivity, will require further research focusing on the experience of Minority students at these kinds of institutions. **[FW]**

Notes

[This paper is based on seminar presentations that I made at the Indian Statistical Institute (Calcutta), the Centre for Studies in Social Sciences (Calcutta), and the Delhi School of Economics on September 19, 21 and 27, 2001.]

- 1 See, for example, Parikh (1997), Nesiiah (1997), and Cunningham et al (1997).
- 2 Indeed, I am hopeful that I will be able to join Indian scholars in this kind of empirical research.
- 3 In this and the following section I will use the term 'university' to denote both strictly undergraduate colleges and higher educational institutions that offer both undergraduate and more advanced degree programmes.
- 4 I follow convention here in characterising African-Americans, Hispanic-Americans, etc, as members of a 'race'. In fact (as many scholars have shown) these categories do not correspond to any scientific concept of race; membership in the respective minority groups is socially determined.
- 5 I intend to do this in a separate paper comparing the debate over affirmative action in the United

States with the debate over reservations policies in India.

- 6 An initial, less detailed report on their work was issued in 1999 under the title 'Doing Well and Doing Good: The Careers of Minority and White Graduates of the University of Michigan Law School, 1970-96.'
- 7 In the United States the term 'graduate' refers to schools and programmes above the undergraduate level; 'graduate' thus corresponds to what in India is called 'post-graduate.'
- 8 Since the B and B study deals only with undergraduate students, when referring to their work I will use the term 'college' to denote undergraduate programmes in both strictly undergraduate colleges and multi-level universities.
- 9 Because the last two objectives both involve students' experiences after graduation, I present the relevant findings in a single subsection on students' post-college career paths and achievements.
- 10 The information in this subsection is from B and B (1998), chapter 2.
- 11 See, for example, Sandalow (1999) and Anderson (2000).
- 12 The information in this subsection is from B and B (1998), chapter 3.
- 13 About 7 per cent of students transfer out of the college they enter and end up graduating from a different college; this percentage does not vary much across racial/ethnic groups. A much smaller number of students take more than six years to graduate.
- 14 The information in this subsection is from B and B (1998), chapter 8; the data in the second paragraph are from Figures 8.2 and 8.3.
- 15 They also provide some anecdotal evidence drawn from personal interviews with some of the members of the survey sample.
- 16 The information in this subsection is from B and B (1998), chapters 4-6 and Appendix C.
- 17 The data discussed here refer to students in the B and B sample from the 1976 entering cohort only, since students entering college in 1989 had at most a few years of post-college experience by the time the B and B questionnaire survey was undertaken in 1996.
- 18 Such useful contacts and networks tend to run along race and class lines, and as long as Whites continue to occupy a disproportionate share of the high-status jobs, African-American students will be relatively disadvantaged.
- 19 The conditions that enable a college to provide students with a higher-quality education may also raise student career aspirations and motivation to work, thereby stimulating students to make better use of the educational opportunities available to them.
- 20 If this were not the case, it would be hard to explain the intensity with which students (backed by their parents) are determined to get into the most prestigious school they possibly can.
- 21 B and B found that the same was true of reported satisfaction with life overall.
- 22 I will use the term 'Minority' hereinafter to refer to the three under-represented minority groups – African-American, Hispanic-American and Native American.
- 23 Again I present findings on the last two objectives in one subsection on students' experiences after graduation.
- 24 The information in this subsection is from LC

- and A (2000), p 494, and LC and A (2000a), pp 594-95.
- 25 The proportion of UMLS Minority students who benefited from race-based admission preferences was higher in the earlier years (the 1970s) and lower in the later years (1990s), because over the three decades the number of Minority applicants with very strong conventional admissions credentials gradually increased.
 - 26 The information in this subsection is from LC and A (2000), p 459-68.
 - 27 Likewise, SAT scores are known to be reasonably good predictors of student grades in the first year of college (though not a good predictor of cumulative GPA over all four years of an undergraduate programme).
 - 28 The information in this subsection is from LC and A (2000), pp 413-14 – including Table 5A – and p 494.
 - 29 The information in this subsection is from LC and A (2000), pp 421-58 and 468-90.
 - 30 According to more detailed LC and A data, the higher average salaries for White than Minority graduates in private practice are largely a reflection of the fact that Whites are more likely than African-Americans to be working in large corporate law firms – as opposed to small firms or partnerships.
 - 31 See Russell (2000), Nelson and Payne (2000), Wilkins (2000), Sander (2000), Guinier (2000) and Lempert et al (2000).
 - 32 In this and the following section I will use the term ‘Minority’ to denote African-Americans in the B and B study and all three under-represented minority groups in the LC and A study.
 - 33 Moreover, in their reply to critics, LC and A (2000a, pp 594-96) actually removed from their overall sample those Minority students who appeared likely to have been admitted without any race-based preferences; they then carried out multivariate regression analysis of the career achievements of the remaining students and obtained virtually the same results as with their full sample.
 - 34 See, for example, Erica J Gosman et al (1983), cited by Anderson (2000, p 297).
 - 35 This excellent point is made in reply to their critics by LC and A (2000a, pp 593-94).
 - 36 In this and the following section I will again use the term ‘university’ to denote both strictly undergraduate colleges and higher educational institutions that offer both undergraduate and more advanced degree programmes.
 - 37 The rise in graduation rates from the 1976 to the 1989 cohort of students in B and B’s sample of selective colleges, shown in Table 1, is probably due in part to such grade inflation.
 - 38 Anderson (2000, pp 290-92, 298) emphasises the importance of measuring the impact of affirmative action in terms of such a ‘value added’ criterion rather than simply a comparison of Minority and White performance.
 - 39 See Bowen and Bok (1998), chapter 6, pp 156-60.
 - 40 Thus Shelby Steele, a widely published African-American critic of affirmative action, has said: “As everyone in the academic world knows, people who are not at the top of their profession try to compensate for that by doing a lot of community work” (quoted in Gose, 1998, p A48).
 - 41 This argument is made especially poignantly

- by some successful Minorities, who feel that their own achievements are diminished and tainted by a widespread perception that they must be due to race-based preferences.
- 42 This presumption is probably based to a large extent on the fact that Minorities have lower average scores on quantitative entry tests and lower average GPAs than Whites.
- 43 See LC and A (2000), p 419. The perception that Minorities gain more than Whites from attendance of elite universities is supported also by the empirical findings of Dale and Krueger (1999) on this subject.
- 44 See Bowen and Bok (1998), chapter 7, especially pp 193-201.
- 45 These costs include the possible stigmatisation of Minorities along lines discussed just above and the possible weakening of academic standards as discussed in Section V I will analyse a much broader range of potential costs as well as benefits of affirmative action in higher education in a planned paper comparing the debate over affirmative action in the United States with the debate over reservations policies in India.

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