

*Affirmative Action, as defined by Merriam-Webster Dictionary: An active effort to improve the employment or educational opportunities of members of minority groups and women.*

Affirmative Action is a well explored, yet controversial topic. It is no surprise that the policy, which favors those who tend to suffer from discrimination, ignites passions on both sides of the spectrum. At the heart of the controversy is the debate over procedural and structural fairness. Procedural fairness focuses on the procedure, and is concerned with equal opportunities given in the decision making process, irregardless of the outcome. Structural fairness, on the other hand, is concerned with other factors outside of the procedure which may have influenced its outcome.

Evidently, Affirmative Action forwards a paradigm of structural fairness analysis, which takes into account exogenous factors which may have influenced the admissions or hiring process. Instead of simply evaluating the merits of the applicant in a vacuum, it factors in criteria such as religion, race, and sexual orientation. This procedure, which purpose is to end discrimination in admissions and hiring processes, has ironically been called discriminatory.

It is my opinion that considering Affirmative Action as either a panacea or a complete failure is reductionist and ignores the nuances of the policy. Discrimination is well alive and can be seen on a daily basis. The idea of “solely judging an applicant on merits” is a false comfort and not neutral. For some, an applicants “merits” may well include race and sexual orientation. Even if there is no intent to discriminate, unconscious bias still exists and drives many admissions process. A recent Stanford study of over 50 million traffic stops concluded that blacks and Hispanics were significantly more likely to be pulled over by police than their white counterparts.\* Did the officers intend to explicitly discriminate against those drivers? Hopefully not. However, if this unconscious (and conscious) bias exists, how can we address it?

Policies are needed. It is not enough to educate people. These biases are deep rooted in our subconscious and society. Even if that may change in the future, it does nothing to address the grievances of those who have been denied opportunities now. Study after study has shown that these biases exist. The only viable check against them are initiatives that actively seek to correct this structural unfairness that minorities face. Affirmative Action is not a cure all and have many flaws which need improving. However, totalizing it as a bad policy writ large ignores it’s many contingent goods.

Cites:

*“Stanford researchers develop new statistical test that shows racial profiling in police traffic stops”*

*Edmund Andrew, journalist at Stanford News. Accessible at:*

<https://news.stanford.edu/2016/06/28/stanford-researchers-develop-new-statistical-test-shows-racial-profiling-police-traffic-stops/> Published: 6/28/18