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Book Review

MisMatch:

How Affirmative Action Hurts Students It's Intended to Help, and Why Universities Won't Admit It

By: Richard H. Sander and Stuart Taylor, Jr.
New York: Basic Books

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The spectacle has been disquieting. Many thousands of academics presumably committed to upholding empirical facts—even when these are uncomfortable—have abandoned easily accessible truths in order to promote what they assume to be higher moral truths. Instead of scrutinizing reality in order to determine what actually happens, they have allowed their hopes to override their critical faculties.

What then has led these otherwise clearheaded scholars to promote fantasy over reality? As it happens, it is their dedication to promoting affirmative action. Strongly disapproving of America's history of enslaving and subsequently discriminating against persons of African ancestry, they are determined to compensate for their nation's past misdeeds. The tool with which they hope to achieve this are "quota systems" (albeit not always acknowledged as such) that admit higher numbers of minority students than would be accepted based upon standard academic credentials. This is intended to accelerate the rise of these individuals into the middle classes by providing them the first-rate education their forebears were denied.

Few would dispute the honorable objectives of this policy—certainly not this reviewer. Nor would Richard Sander and Stuart Taylor, the authors of Mismatch. Almost all persons of good-will subscribe to the idea that people should not be held back by virtue of their race, ethnicity, or religious affiliation (and for that matter, sex and sexual orientation). Indeed, virtually all Americans nowadays believe in *universalism*, that is, they endorse the principle that the same social rules ought to

apply to all persons, irrespective of their social condition. In other words, we believe that everyone deserves an opportunity to engage in upward social mobility whatever their social origins.

Accordingly, the differences over which ethical men and women today heatedly contend, and this especially applies to affirmative action, are not over ends, but means. The question is thus not about what is fair, but what will enable us to achieve more fairness. As it happens, this latter depends upon the facts on the ground. The issue is therefore not one of intentions, but of attainments. What actually works? And as importantly, what does not? In order to establish this, we require evenhanded empirical studies, as opposed to overheated rhetoric or hypocritical social programs.

Sander and Taylor have sought to provide us with the former—for which they have frequently been vilified by colleagues who have regarded them as traitors to the cause of social justice. Richard Sander, in particular, although a lawyer by training and a professor of law by current occupation, has dedicated years of study to establishing the consequences of non-colorblind programs for their intended beneficiaries. Rather than bemoan the unfairness of reverse discrimination, he has asked whether manipulating admissions standards in favor of minorities provides them with the anticipated assist up the ladder.

The answer, he has discovered, is that it does not! Specifically, in the case of law school, students with poorer entrance credentials generally earn lower grades, graduate at lower rates, and are less likely to pass the bar and therefore to become practicing attorneys. Evidently part of what happens is that students who begin with poorer academic skills feel inferior to peers who boast superior ones. This disparity was theoretically going to encourage the laggards to catch up, whereas in reality their motivation is undermined and they tend to fall further behind. In essence, because they begin to question their abilities, they conclude that they are not up to the task and hence they give up.

Meanwhile students who are accepted to schools where their preparation is comparable to that of their classmates tend to do well. Although they too may be minority members, they earn good grades, stay around to graduate and then go on to pass the bar. Despite the fact that they are presumably less gifted than their contemporaries who gained an assisted entrance into elite schools, they wind up doing better. Quite unexpectedly, because their confidence has not been shattered by a misguided boost into levels at which they were not equipped to compete, they live up to their potentials—and maybe a bit more.

The difficulty with promoting individuals beyond their current achievement levels is compounded by what Sander describes as a *cascade effect*. Since the best schools get the most prepared, yet still unqualified, minority students, schools the next tier down are also obliged to accept students below their ordinary standards. This results in mismatches up and down the academic spectrum, with many more students performing less well than they are able to—all because of efforts to advance them more quickly than their progress merits.

Nonetheless the irony of affirmative action does not end there. Administrators who have disingenuously bent admission standards in order to advance a moral agenda have taken to defending this as a means of bringing “diversity” to the campus. They correctly believe that student’s horizons are broadened by interacting with persons from unfamiliar backgrounds. The problem with this strategy, as was revealed by Morton Deutsch’s studies of a Newark housing project more than half a century ago, is that it works only when people come together voluntarily. Individuals who are forced together tend to resent it and therefore do not learn what is available to be learned.

More often than we like, the world does not conform with our hopes. Generally speaking, it is more complex and intractable than we might wish. Even so, it is what it is and if we want to introduce improvements, we must take these realities into consideration. This is one of the reasons we have institutions of higher education. They are supposed to transmit what we have collectively learned about the world so that they next generation can surpass the last. These colleges and

universities are also meant to increase our intellectual patrimony. It is therefore a paradox of the highest order that these same schools refuse to be honest regarding the consequences of affirmative action.

Mismatch is a book that deserves to be read. Although it is not the last word on its subject (what book ever is), it is a signal advance over more ideological tracts. Thus it is a shame that many well-meaning people will avoid it. Rather than have their illusions shattered, they will avert their eyes in the same way that many of Sander's colleagues made him *persona non grata* once he began publishing his unwelcome results.

We academics should be better than this. Yes, we should seek to do good—but not at the expense of distorting reality. This would betray our calling, while at the same time undercutting our ethical ambitions. Affirmative action was a noble experiment. Yet to judge from the results, it has not achieved its mission. Sadly, many of its advocates have sabotaged their moral authority by refusing to acknowledge this truth.