

Affirmative Action, Diversity, and Racial Justice: Reflections from a Diverse, Non-elite University

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The Supreme Court's ruling in the 2013 *Fisher v. University of Texas* decision¹ largely ratified the 2003 *Grutter* decision in the previous case relevant to affirmative action (affirmative action) in college admissions.² *Grutter* had reaffirmed and to some extent strengthened the holding of Justice Lewis Powell in the 1978 *Bakke* case (the first, and for a long time the only, educational affirmative action case) that “diversity” in an entering class at a college was a “compelling state interest” that justified an admissions policy giving preference to members of disadvantaged racial groups.³ In 1978, that group was understood to be African Americans.

In this essay, I want to argue that the practice of, and general discourse concerning, affirmative action in higher education admissions has failed to take significant account of the following concerns: implications for the diversity rationale for affirmative action of changes in the racial and ethnic demography of the college-going population, the changing economic profile of affirmative action beneficiaries, and, most significantly, of increasing inequality of educational opportunity at the K–12 level, contributing to diminished opportunity at the college level, both resulting from increased overall economic inequality. Once we take these factors into account, the preponderance of arguments in favor of affirmative action in higher education admissions turn out to be significantly weaker than supporters take them to be.

However, my reservations about affirmative action have almost nothing in common with the objections articulated by the Supreme Court's affirmative action opponents, and by conservatives in general. I will state these objections briefly, in the context of explaining the ruling in the *Fisher* decision. That ruling was on relatively narrow grounds. The University of Texas's affirmative action program, the one challenged by Abigail Fisher, was neither directly upheld nor declared unconstitutional. The Court ruled that the prior Court, the Fifth Circuit Court of Appeals that had upheld the program, had failed to apply a sufficiently stringent test for its constitutionality. That test is referred to in constitutional parlance as “strict scrutiny.” That test essentially means that any policy that employs racial categories — for example, one that gives favorable treatment to someone on account of race — is inherently suspect, and there is reason to worry that it is arising from a prejudicial aim or motive.

The idea of “ideal” and “non-ideal” theorizing is useful here. One might say that the Supreme Court wants to build in a “non-discrimination” principle as a general principle of justice in an ideal world — that is, one that would apply equally and symmetrically to whites and people of color. By contrast, those who defend affirmative action on justice grounds see racial preference as a tool to rectify present injustice caused by past unjust discrimination — that is, as a principle essentially crafted for a non-ideal world, to move it toward a more just one.

The Court's "ideal-theory" take on race-sensitive social policy in education, and society more generally, is completely misguided. The premise that a race-sensitive social policy is inherently suspect because the use of race in a policy is likely to be harmful and prejudicial no longer has any foundation (as it did during the segregation era). Race remains a significant axis of advantage and disadvantage. Hence it is entirely rational to craft social policy with race in mind. There should not be a default presumption against those race preferences that aim to mitigate racial disadvantage or to achieve some positive race-related value, such as educational diversity.

Other popular objections to educational affirmative action are, for this reason or others, invalid. For example, (1) affirmative action is not unfair to white applicants who would have been admitted but for the existence of race-preferential admissions policies. It is no more unfair than an admissions policy that gives preference to athletes is unfair to nonathletes, or a policy that gives credit for exceptional community service is to those who have not engaged in it. Any selective procedure will disappoint the nonselected. That does not make it unfair to them.

(2) Contrary to the so-called "mismatch" theory, affirmative action admits are not unqualified nor unable to take advantage of the educational opportunities at the colleges to which they are admitted.⁴ Selective colleges do not admit applicants who cannot do the work, even if their GPA or SATs are lower than members of some other admitted group. Although blacks and Latinos admitted under race-preference policies disproportionately end up in the bottom quartile of their graduating classes, this unsurprising fact does not mean that these students do not succeed at their colleges. According to William Bowen and Derek Bok's landmark study of affirmative action, *The Shape of the River*, they do succeed, and in addition are largely professionally successful after college.⁵

AFFIRMATIVE ACTION AND RACIAL JUSTICE

Nevertheless, viewed from the broader perspective of racial justice, the argument for affirmative action is considerably weaker than its proponents seem to take it to be. The perception that affirmative action is a — even the — central plank in a racial justice approach in education can be plausibly claimed to have diminished attention to much more robust requirements of racial justice in education.

Let me first clarify that the form of affirmative action I am concerned with is specifically that of *college admissions*. My criticisms do not apply to affirmative action in employment, especially employment within universities, and I will not be discussing this employment context but only that of college admissions.

The first problem to note is the way that educational affirmative action has become entirely identified with "diversity." In the early years of affirmative action — from the late 1960's until, essentially, its challenge in the 1978 *Bakke* decision — the race preference aspect of affirmative action was understood to rectify a history of racial injustice. President Lyndon B. Johnson stated this point memorably in his 1965 speech at Howard University.⁶ Colleges began to admit African American students who often came from relatively disadvantaged backgrounds. These students did not present standard college qualifications, and it was understood that a history of

subordination was the cause of this underqualification. Affirmative action had a frankly justice-based significance and was seen as correcting for a history of racial injustice, in two different ways. First, it placed a counterweight against prejudices toward black applicants stemming from long-standing undervaluing of their intellectual abilities. Second, even when the black applicants were genuinely less qualified (not wrongly thought to be, as in the first point), their underqualification was recognized to be a product of a history of subordination. And it was thought that these students, if given a chance at a selective institution, and perhaps with some extra support, would be able to flourish there.

This entirely “non-ideal” way of thinking about educational affirmative action in higher education has almost entirely disappeared from the way colleges talk about affirmative action, and to a large extent from popular discourse as well. The main reason for this is that the “rectifying historical injustice” rationale was decisively rejected in *Bakke* and all subsequent Supreme Court affirmative action decisions. It is worth remembering that in the *Bakke* decision, four justices (Joseph Brennan, Byron White, Harry Blackmun, and Thurgood Marshall) did appeal to an historical injustice and rectification rationale for affirmative action. The “diversity” rationale had only one adherent — Justice Lewis Powell. But since the former four plus Powell all favored some form of race preference in admission — even if for completely different reasons — and because Powell and the remaining four justices explicitly rejected the justice rationale, the diversity rationale and the race preference it was taken to permit was regarded as the decision of the Court.

Colleges had to adjust to the shift. They could no longer use rectification of historical injustice to justify taking black applicants. They shifted to the diversity rationale, and the 2003 *Grutter* decision simply ratified what had by then become standard practice. The *Fisher* decision kept diversity-based affirmative action alive, albeit in a somewhat weakened state.

THE SOCIAL JUSTICE PROBLEM WITH THE DIVERSITY RATIONALE

Despite the jurisprudential convergence on the diversity rationale, various commentators, those both critical of and sympathetic to affirmative action, have pointed out its weakness as a basis for race preference in admission. The main problem is that diversity by itself, totally severed from any corrective justice considerations, cannot explain why race should be privileged among other forms of diversity — ethnicity, religion, economic background, political ideology, urban versus rural background, international versus native, sexual orientation, gender expression, and so on — and thus cannot ground specifically race-based affirmative action.⁷

A different and less-noted problem with a pure diversity rationale for racial diversity is that it fails to take account of important ethnic differentiation within the “black” group. Part of the post-1965 immigration includes a significant population of Afro-Caribbeans (Haitians, Jamaicans, Trinidadians, and so on) and a smaller but growing number of African immigrants. As several commentators have noted, these immigrant groups, and especially their offspring, are significantly overrepresented among the black populations at many elite institutions.⁸ This is not entirely surprising. Africans are the most educated immigrant stream defined by continent,

and upon arrival are more educated than African Americans.⁹ Afro-Caribbeans have an “immigrant advantage” in that those who immigrate are generally significantly better educated than the average member of their home society — the familiar “brain drain” problem.¹⁰

These groups pose a significant challenge to the way affirmative action has come to be understood and practiced. They are certainly “black” in a racial or racialized sense, but they do not fit the profile of inherited and long-standing disadvantage that the original justice-based approach to affirmative action was targeting. However, from a pure diversity point of view, they pose no concern. Indeed, a case can be made that Afro-Caribbeans and Africans are in a sense “more diverse” than African Americans, in that their cultures are more different from mainstream white American culture than is made-in-the-USA African American culture.

So a diversity rationale with race as the operative category will have difficulty allowing colleges to give race preferences within the black pan-ethnic group to the group arguably its most appropriate beneficiaries, namely African Americans. Thus the racial justice potentiality of affirmative action is seriously weakened theoretically, and no doubt to some degree in practice, by the shift from the historical justice to the diversity rationale, imposed by legal developments.

AFFIRMATIVE ACTION BENEFICIARIES IN THE LARGER CONTEXT OF COLLEGE-GOING OR COLLEGE-ASPIRING BLACKS AND LATINOS

A second justice-related problem with affirmative action is revealed in considering black and Latino college or college-aspiring students who are potential beneficiaries of affirmative action in the context of the total group of black and Latino college or college-aspiring students. There are about 2,300 four-year institutions of higher education in the US, in addition to the community college system. The vast majority of black and Latino students — and of students in general — attend nonselective or not-very-selective institutions. Thomas J. Espenshade and Alexandria Walton Radford, in their 2009 comprehensive study of race and class at elite colleges, estimate that about 91 percent of students at four-year institutions attend colleges that accept no fewer than 50 percent of their applicants (about 73 percent of those are at institutions that accept 75 percent or more).¹¹ (The institution where I teach falls into the former category.) So the vast majority of students attend public community colleges, colleges, and universities that are minimally selective. (Of course, many top-rank flagship public universities are selective and are among those that practice some form of affirmative action.)

How are these black and Latino students not at selective institutions doing? As is well known, the plight of students of modest means in higher education has seriously deteriorated in the past thirty and especially fifteen years. States have significantly decreased their contribution to the maintenance of their public colleges and universities. According to one typical study, between 1987 and 2012, state support for an individual student declined (in inflation-adjusted dollars) from roughly \$8,500 to \$6,000.¹² This trend has resulted in oft-cited shifts of college costs to students and families, particularly the very ones that can least afford them. Students now often drop out, temporarily or permanently, for cost reasons, or graduate with huge

student loan debts.¹³ In addition many potential students whose counterparts could and would have attended public colleges in the 1970s and early 1980s when the cost was a fraction of what it is now simply do not attend at all.¹⁴

The defunding of public higher education by state governments is not a product of diminishing resources in the society in general. As a whole our society is wealthier than it was in the 1970s. But the rewards of that greater wealth have gone almost entirely to the top 10 percent, 1 percent and .1 percent, while the “great middle” and bottom of the wealth and income hierarchy has largely stagnated.¹⁵ The decline in state support, with its deleterious impact on moderate and low-income students, their families, and their educational prospects, was not and is not inevitable. A proportional tax on the extreme increases in wealth at the top of wealth pyramid could easily bring us back to the period in postwar American educational history when there was a widespread belief that public higher education was the guarantor of equality of opportunity, that is, where access to education was largely independent of family resources.

These developments have disproportionately disadvantaged black and Latino families, for the simple and well-recognized reason that these families are disproportionately in the income and wealth categories that are dependent on robust state support for higher education.¹⁶

This situation might be unfortunate, one might say, but what does it have to do with affirmative action? On a minimal level, from the point of view of racial justice, I want to compare their effects. Educational affirmative action is still understood by many progressives as an important form of racial justice in education despite the shift in the official rationale from justice to diversity; but the justice gain in educational affirmative action is dwarfed by the justice loss in debt-free access to higher education. Far more black and Latino students are affected by the character of and their access to less selective institutions than is the number who benefit from affirmative action.

Keep in mind that the benefit to the individual affirmative action beneficiary is not that she gets to have a high quality education she would otherwise not have. It is that she gets to attend a higher ranked institution than she would have in affirmative action’s absence; but given her relatively strong qualifications (otherwise she would not be able to benefit from affirmative action) she would have attended an institution only a rung or two below the one she did get to attend because of affirmative action. So in comparing the benefit to affirmative action beneficiaries to the cost of the defunding of public higher education, the *degree* of benefit to the affirmative action beneficiary has to be factored in, along with the size of the two groups whose educational loss and benefit is being compared.

My point, then, is that those concerned with racial justice in education have reason to be much more concerned with the defunding of public higher education than with affirmative action — with the needs of the much larger and also more disadvantaged black and Latino population in minimally selective state universities and community colleges. I worry that affirmative action is using up some of the energy and commitment available for a concern about racial justice in higher education.

I worry that this concerned community has been lulled by affirmative action, and perhaps by the public drama around it, into thinking that affirmative action is where the racial justice action is, thus dampening a concern for the injustice of the severe reduction in access to a debt-free college education for the vast numbers of black and Latino students attending not-very-selective institutions.

AFFIRMATIVE ACTION AND K–12 EDUCATION

A different worry about affirmative action concerns the problems of K–12 education. Espenshade and Radford find that (on the average) a black student with a 310-point lower SAT score than a white student has an equal chance in admission as the white student if all other factors in their applications were equal.¹⁷ That black students need the 310-point bump (the Hispanic bump is less but still fairly large) to attain the admissions percentages they achieve under affirmative action suggests what is in any case evident, that these students are not receiving a secondary school education equivalent to that of white students. Espenshade and Radford estimate that if race preferences for blacks and Latinos were eliminated (and no other changes made) at the selective institutions they studied, the black proportion of these institutions would fall from 8 percent to 4 percent and Latinos from 8 percent to 6 percent.

To put this another way, if blacks and Latinos received a secondary school education that allowed them to compete with whites with regard to purely academic qualifications (holding other extracurricular qualifications constant), they would be able to gain at least that 8 percent, without the colleges using race preferences in admission. This would be preferable to the current situation in admissions for several reasons. First, affirmative action is a controversial program, opposed by many whites and a not inconsiderable segment of blacks and Latinos. Yet by and large the *diversity achieved by affirmative action* is not opposed but is welcomed. So if the diversity could be achieved without the affirmative action — as it now is, and to a much greater degree, at less selective institutions such as the one where I teach — that would be preferable.

Second, blacks and Latinos admitted under affirmative action do not do as well — as measured by the imperfect but plausible criterion of class rank at graduation — at affirmative action institutions as do white students, and do not do as well as they themselves would (in this particular respect) at a lower-ranked institution. As Espenshade and Radford point out, this is primarily because students with stronger academic records coming in tend to do better during their time in college, and the reverse for weaker academic records. They find that 50 percent of black students end up in the bottom 20 percent of their class, and that black students graduate with a 17 percent lower class rank than whites; this effect obtains for any student with academic qualifications comparable to these black students.¹⁸ Were black students to enter these institutions with average academic qualifications the same as whites, they would likely attain the same average class rank on graduation.

Finally it is perhaps speculative but not implausible to think that blacks admitted under a non-race-preference admissions regime would not labor, at least to the same degree, under disadvantages such as stereotype threat that go along with

being admitted under the race-preference programs of affirmative action (though these disadvantages tend to be exaggerated by opponents of affirmative action).¹⁹

All these are reasons why equalizing educational opportunity at the K–12 level would have a positive effect on the current goals of affirmative action programs without some of its current negative features. Of course equalizing educational opportunity at the K–12 level would also serve racial justice in its own right. It would be a much more substantial benefit to currently disadvantaged black and Latino communities than is affirmative action. It would embrace both a much larger and a more disadvantaged segment of those populations than does affirmative action.

This is no doubt obvious, and someone can favor both affirmative action and a serious commitment to educational opportunity at the K–12 level, a commitment currently lacking in the political landscape despite some attention to it with regard to the achievement gap. However I suspect that affirmative action also serves as a moral safety valve in relation to the stark inequities of K–12 education just as it does with respect to the plight of black and Latino students in the nonselective higher education sector (or who would be there if not for the high cost), mentioned earlier. We comfort ourselves with the thought that if 8 percent of black and 8 percent of Latino students are present at selective colleges, the educational system can't really be that bad. Because of the few that are given the not insubstantial race boost involved in affirmative action, advocates of racial justice in education do not face up to what it would really take to create equity at the lower level.²⁰

THE DIMINISHING QUALITY OF STUDENT AT MORE SELECTIVE COMPARED TO LESS SELECTIVE INSTITUTIONS

Finally, the argument in favor of affirmative action depends at least in good part on the advantage to the beneficiaries of affirmative action pertaining to their attendance at the colleges that affirmative action affords them compared to the colleges they would attend in the absence of affirmative action. Without denying that such an advantage exists, there is reason to think that it is not as large as advocates of affirmative action tend to think, insofar as they base their sense of that advantage on the rankings of colleges provided by various ranking entities, such as the *US News and World Report*.

The increased attention to, competition for, and reliance on these rankings on the part of both the public, and particularly the college-applying sector of that public, as well as the colleges themselves, has contributed to the ironic and seldom noted effect of reducing the quality of students at relatively more prestigious colleges in comparison to those at less prestigious ones. One example of this effect is the increasingly wealthy profile of students at more selective colleges. For example, the percentage of students from the top income quartile has risen from one-third to one-half the students at a number of selective colleges. The share of twenty-four-year-olds from families in the top quartile of income who hold college degrees increased from 40 percent in 1970 to 70 percent in 2011, while that from the bottom quartile increased only from 6 percent to 10 percent. (It is plausible to think that similar increases, at least from the wealthy group, have taken place at the selective colleges also.)²¹

This shift toward the greater presence of wealthier students at selective colleges is plausibly attributable to several factors independent of the quality of the student, that is, of the student's potential to be successful at the institution in question. One is a substantial shift in financial aid from so-called "need-based" to "merit-based" aid. That is, colleges use their aid funds to compete for superstars of a given year's cohort, leaving capable but financially strapped students without the means to attend, where in the past they would have been able to, under a more need-sensitive financial regime.²² The superstar students will, as a group, end up attending a selective college anyway, but the overall result is that less capable but prepared-to-pay (that is, wealthy) students will take the places in the selective colleges as a group that the *more capable but financially needier* students will not be able to. Thus the overall effect is to diminish the quality of student at the selective colleges.

A second, oft-noted process is that wealthier families have become both more focused and more sophisticated about finding ways to advantage their offspring in the competition for spots at the selective colleges — from hiring test-prep tutors to help the student do better on standardized tests to private college counselors who help the student burnish their applications in various ways (picking the right kind of extracurricular activities and letters of recommendation, help with writing the college essay, and so on).²³ Some of these efforts might increase the *qualifications* of the helped applicants, in the sense of presenting accomplishments it is reasonable for colleges to take account of in admission. But they do not increase the *quality* of the applicant. The overall effect of these developments is, like the one just discussed, to reduce the quality of student at the selective colleges by squeezing out the quality student who does not have financial access to these qualification-enhancing processes, and substituting wealthier students who would not be admitted to the colleges to which they are admitted were it not for these application burnishings.

Other developments could be mentioned.²⁴ The point is that the intensified focus on the college rankings has had an overall effect of increasing the presence of lesser quality wealthy students at selective colleges at the expense of nonwealthy students with greater potential, and thus increasing the quality of more "cost-sensitive" students at the relatively less prestigious universities. If graduate programs and employers were aware of these developments and their implications, they would look more favorably at graduates of less selective institutions in comparison to more selective ones than they currently do in thrall to the rankings — at any particular segment and prestige gap within those rankings. Were the prestige rankings to adjust themselves more accurately to the quality of student, the advantage and the perceived advantage of attending a more rather than (relatively) less selective college would shrink, and this development would benefit the greater proportion of black and Latino students at the less prestigious institutions, as graduate schools and employers looked more favorably at them in comparison with graduates of more selective colleges.

In sum, I have argued (1) that affirmative action to some extent diverts attention from the more urgent needs of educational justice — for better quality K–12 education, and better quality and more accessible public higher education, (2) the "diversity"

framework that the Supreme Court has imposed on affirmative action weakens its justice import in practice, (3) some of the perceived advantages of affirmative action rely on an increasingly false sense of the quality differences between more and less highly-ranked institutions at any segment of those rankings, and (4) aligning those rankings with the quality of student (and quality of instruction at the different kinds of institution) would have the net effect of benefiting black and Latino students as a group. Taking everything into account, I suspect that while the case for affirmative action can be made, it is considerably weaker than its proponents take it to be.²⁵

1. Fisher v. University of Texas at Austin, 133 S. Ct. 2411, 570 U.S., 186 L. Ed. 2d 474 (2013).
2. Grutter v. Bollinger, 539 U.S. 306, 123 S. Ct. 2325, 156 L. Ed. 2d 304 (2003).
3. Regents of the University of California v. Bakke, 438 U.S. 265 98 S. Ct. 2733, 57 L. Ed. 2d 750 (1978).
4. Richard Sander and Stuart Taylor Jr., *Mismatch: How Affirmative Action Hurts Students It's Supposed to Help and Why Universities Won't Admit it* (New York: Basic Books, 2012).
5. William Bowen and Derek Bok, *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions* (Princeton, NJ: Princeton University Press, 1998).
6. "You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, 'You are free to compete with all the others,' and still just believe that you have been completely fair." From David Boonin, *Should Race Matter? Unusual Answers to the Usual Questions* (New York: Oxford University Press, 2011), 146.
7. Elizabeth Anderson, "Understanding Affirmative Action" in *The Imperative of Integration* (Princeton, NJ: Princeton University Press), 135–54. Two other criticisms are that if race is justified as a proxy for different viewpoints (in the classroom) as the *Grutter* majority seems to suggest, why should the colleges not select applicants for that characteristic directly; and that the implication that different races have different viewpoints stereotypes racial minority groups.
8. Sara Rimer and Karen W. Arenson, "Top Colleges Take More Blacks, but Which Ones?" *New York Times*, June 24, 2004. <http://www.nytimes.com/2004/06/24/us/top-colleges-take-more-blacks-but-which-ones.html>.
9. Marilyn Halter, "Africa: West," in *The New Americans: A Guide to Immigration Since 1965*, ed. Mary C. Waters and Reed Ueda (Cambridge, MA: Harvard University Press, 2007), 290.
10. Cynthia Feliciano, *Unequal Origins: Immigrant Selection and the Education of the Second Generation* (El Paso, TX: LFB Scholarly Publishing, 2005).
11. Thomas J. Espenshade and Alexandria Walton Radford, *No Longer Separate, Not Yet Equal: Race and Class in Elite College Admission and Campus Life* (Princeton, NJ: Princeton University Press, 2009).
12. The decline in state support for public higher education is a well-documented trend. See for example Lawrence Biemiller, "Over 20 Years, State Support for Public Higher Education Fell More than 25 Percent," *The Ticker* (blog), *The Chronicle of Higher Education*, April 9, 2012, <http://chronicle.com/blogs/ticker/over-20-years-state-support-for-public-higher-education-fell-more-than-25-pct/42217>.
13. For figures on cost, debts, and impact on low-income students, see Andrew Delbanco, *College: What it Was, Is, and Should Be* (Princeton, NJ: Princeton University Press, 2012), especially 114–15.
14. When I first taught at University of Massachusetts Boston in the 1970s, tuition and fees were about \$500 per year; now they total around \$12,000.
15. Joseph E. Stiglitz, *The Price of Inequality: How Today's Divided Society Endangers Our Future* (New York: W.W. Norton & Co., 2012).
16. For example, in 2009, the African American and Hispanic share of the college age population was 33 percent, and enrollment at the top 468 colleges 15 percent; in 1995 those figures were 27 percent and 12 percent. Share of two- and four-year "open access" institutions among African Americans and Hispanics

was 24 percent in 1995 and 37 percent in 2009. So the white share of more selective institutions is actually increasing and the black and Hispanic share of nonselective is increasing. Anthony P. Carnevale and Jeff Strohl, "White Flight Goes to College," *Poverty & Race, PRRAC Newsletter* 22, no. 5 (September–October 2013): 2, http://www.prrac.org/pdf/SeptOct2013Carnevale_Strohl.pdf.

17. All other measurable factors, that is. Espenshade and Radford, *No Longer Separate, Not Yet Equal*, note that they are not taking into account letters and personal statement. But it is hard to imagine that the quality of the letters from black students is equivalent to 310 SAT points in the minds of admissions offices; there is little reason to think there is a significant overall racial difference in the quality of letters.

18. Espenshade and Radford, *No Longer Separate, Not Yet Equal*, 245, 249.

19. One qualification here: black students actually receive lower grades in college than their academic qualifications would predict, and this is true of Hispanic students and Asian students as well, though not to the same extent. Many different theories have been advanced for this effect, the idea of stereotype threat perhaps being the best known. See Douglas S. Massey et al., *The Source of the River: The Social Origins of Freshmen at America's Selective Colleges and Universities* (Princeton, NJ: Princeton University Press, 2003), 153.) This effect is not relevant to my argument, however, since all agree that if black students' standard academic qualifications coming into college were equal to whites, this would substantially improve their college performance relative to whites. However it could be relevant if one of the reasons that blacks underperform their academic qualifications is a psychological effect — emanating both from them and from others — due to thinking that they have been admitted under a race-preference program. That would constitute a consideration against race-preference programs (though of course not a conclusive one).

20. It is noteworthy that back in 1991, Stephen L. Carter already made this point, along with the one that affirmative action "programs are increasingly dominated by the children of the middle class." See Stephen L. Carter, "Racial Justice on the Cheap," *Reflections of an Affirmative Action Baby* (New York, NY: Basic Books, 1991), 71.

21. For trends in changes in the income profile of college students, in both selective and nonselective institutions, see Michael McPherson and Morton Schapiro, eds., *College Access: Opportunity or Privilege?* (New York: The College Board, 2006). See also Catherine Rampell, "Freebies for the Rich," *New York Times*, September 24, 2013, http://www.nytimes.com/2013/09/29/magazine/freebies-for-the-rich.html?_r=0.

22. This process is described in McPherson and Schapiro, eds., *College Access*.

23. Delbanco, *College*, 118.

24. *Ibid.*

25. A revised, longer version of this article has been published in *Theory and Research in Education*: see Lawrence Blum, "Affirmative Action, Diversity, and Racial Justice: Reflections from a Diverse, Non-elite University," *Theory and Research in Education* 14, no. 3 (2016): 348–362.