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## Affirmative Action Defended

Laurence Thomas  
*Oberlin College*

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# Center for the Study of Ethics in Society



**Affirmative Action**

**Defended**

Laurence Thomas

Papers Presented to the Center  
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Center for the Study of Ethics in  
Society  
Western Michigan University  
Kalamazoo, MI 49008

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## Affirmative Action

## Defended

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October 14, 1987







than racism. Sexual interest, and the sexism that is generally characteristic of the male's self-conception in this regard, considerably complicates matters for women in a way that is not normally the case for men. For reasons offered in the conclusion of this essay, I reject the role-model argument for affirmative action. Finally, I shall for the sake of simplicity generally confine my remarks to a single suspect group, namely blacks.

## I

Suppose that I cause \$1000 worth of damage to your car. Then I take it that I owe you that much for repairs. This is so whether you ever intend to get the car repaired or whether, on the one hand, you are extremely rich and I, on the other, am extremely poor. To be sure, if you are extremely rich and I am extremely poor, it would be awfully kind of you to waive this debt: but I certainly have no right to your doing so. Now, suppose that one day you receive in the mail a check from me for the amount of \$1000 accompanied by a note. On the note you expect me to say that the enclosed money is for the damage which I did to your car; however, I tell you, instead, that the money is a birthday gift. From that day on, I treat you as if my debt with you has been settled. That is, never again do I make mention of owing you any money for the damage that I did to your car.

Though you have in your possession the amount of money that I owe you for damaging your car, I take it to be clear that something has gone wrong. For if the \$1000 I gave you on your birthday was, indeed, a birthday gift, then I still owe you \$1000 for repairs. If, instead, it was intended to settle the debt that I owe you, then I really should say as much and not present it to you as if it were a gift. For I assume that the following is true: X's giving A to Y can be construed as X's giving Y a gift if and only if it is not the case that X's giving A to Y constitutes a settling of a debt to Y, where it is understood that the debt is something other than that of reciprocating gifts.

Now, if I present the \$1000 to you as a gift when, in fact, I mean to settle thereby my debt to you, then I dare say that I add insult to injury, as here I am giving you the money it takes to repair the damage without acknowledging that I am responsible for the damage. I am acting as if you just so happen to have found yourself with \$1000 worth of damage to your car (something fell on it or you were the victim of a hit and run accident), and I am being generous enough to give you the money it takes to repair the damages--when in truth nothing of the sort is true. With these considerations in mind, the truth of the following claim seems evident: if X's giving A to Y is what it takes for X to settle X's debt to Y, then in giving A to Y, X is thereby settling X's debt to Y and, moreover, X implies (at least) implicitly



















more than racism in reverse she should think again. For the racism which has so tainted American history did not amount to the practice of simply hiring whites over blacks in the case of ties. Rather, the racism of this country meant that in a great many instances to be black was to be automatically unqualified for the job. It was to be summarily dismissed. The case of hiring B over W does not even come close to being a reverse of this practice.

So far, my argument has been that Small College does nothing morally objectionable in hiring B over W. But I want to say that Small College morally ought to hire B. If it is morally permissible for Small College to hire X over Y, then, even more so, it must be morally permissible for Small College to hire B over W. Indeed, it is not just a good thing that Small College take steps to correct the negative stereotypes of blacks which academic institutions have fostered by their past discriminatory practices against blacks, they owe this much to blacks. There is a wrong which should be made right. B should be hired over W precisely because Small College owes it to blacks to correct the negative presumption which has been fostered with respect to blacks. Notice, it does not matter at all whether B is actually from a low socio-economic class or is well-off. The hiring of a well-off black is no embarrassment to the argument at all, since they, too, must bear up under the negative stereotypes; and, for all we know, they may be the most effective at eradicating the negative



stereotypes of blacks that prevail.

Let me now bring out the way in which the account of affirmative action offered is institutionally-relative, as I shall say. To begin with, we must distinguish between (1) the quality of candidate an institution would like to hire and (2) the quality of candidate an institution is prepared to settle for. Quite often (2) is less than (1). For I take it that most institutions would like to hire the very best candidate on the job market each year. But, of course, as a matter of logic alone, not every institution can do that, as not everyone can hire the very best person among all available job candidates in any given year. Accordingly, some settle for less than the best person without feeling that they in any way jeopardize their standards. When adjusted to institutions, my position is this: An institution must hire a minority candidate if the minority is as qualified as a white candidate for whom the institution is prepared to settle. These remarks render the account of affirmative action offered institutionally-relative. Whether or not a minority is good enough to be hired by a given institution is tied to the quality of the white candidate for whom the institution is prepared to settle. The black candidate must be at least as good as that candidate. Some institutions are prepared to hire a candidate only if he will rank among the very top in his profession. Institutions such as these should not have to settle for a black who does not measure up in this regard. But

needless to say, it is not the case that every institution is prepared to hire a candidate only if he will rank among the very top in his profession. For if this were true, there would be very little hiring going on. In terms of whom they can get, most institutions lower their sights. They know that they will not be able to attract the very best candidates, barring some special story such as the candidate's spouse must move to the area. Barring an explanation such as this, a small college in North Dakota can be reasonably certain that it cannot compete against the ivy league schools. So, if this college plans to do any hiring at all, it must be willing to settle for less, which is not to say that it must be willing to settle for anything. And my position is that this small college in North Dakota must hire the black applicant who is as good as the white applicant it can get and for whom it is prepared to settle, though neither the black nor the white ranks among the very best candidates.

## IV

Offhand, my defense of affirmative action would seem to be ever so limited, since it explicitly pertains only to academic institutions. I suggest, however, that it is not as limited as one might suppose. The idea that the negative stereotypes, owing to slavery and racism, should be eliminated plays a central role in my argument; and we know

that these stereotypes of blacks pervade every aspect of American life. It is no accident that this is so. From the Jim Crow laws of the south to the defacto racism in the north, America has regarded blacks as second-class citizens in all walks of life. The idea that blacks are morally, intellectually, and socially inferior has been played out in virtually every crevice of the American society. It is hard to imagine an aspect of society which has not had a hand in doing so. This not to claim that everyone has set out to act in ways which convey this attitude of blacks, but that nearly everyone--including, in some instances, blacks themselves--have unwittingly participated in patterns of behavior which perpetuate the negative stereotypes of society. If so, then the arguments of this essay are more far reaching than one might have suspected.

Conspicuously absent in my defense of affirmative action is any reference to the role-model argument. Let me say a word about this argument. Briefly, this argument has it that a consideration which very much militates mightily in favor of affirmative action is that black students need black role-models: that is, if black students are to see themselves as being capable of succeeding as blacks, they need to see successful blacks. The main problem that I have with the argument is that it comes dangerously close to being in keeping with a racist view of blacks. For if in order to succeed blacks need black role-models, then it follows that the black

who should manage to succeed in the absence of any such role-model proves to be an exception. Thus, the argument comes too close for comfort to suggesting that blacks are not able to make it on their own. And this is what racists have been saying all along.

While I do not want to deny the importance of black role-models, I should like to minimize the extent to which the idea is relied upon in arguments for affirmative action at least in regards to blacks. Black people are not the problem but white people who, unwittingly or otherwise, refuse to take black people seriously. Because of the misconceptions brought on by negative stereotypes, which in virtue of living in America it is very hard not to be influenced by, many well-meaning whites fail to take blacks seriously. I want to down play the significance which the role-model argument plays in affirmative action because I want to make more perspicuous the reality that affirmative action is needed, not because blacks have trouble measuring up, but because America, being caught in the grip of the very stereotypes about blacks which it created, has enormous difficulty acknowledging the fact that blacks can measure up, notwithstanding the good intentions of the very many who indeed care. Good intentions, alas, do not make one immune to the influence of stereotypes; and this truth needs to be appreciated. I take affirmative action to be the settling of a moral debt and that it can not be -- so it





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## PROGRAMS--Winter and Spring 1988

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|--------|--|
| JAN 22 | ETHICS IN ACADEMIA:<br>A PANEL DISCUSSION<br>-Mary Ann Bunda,<br>Educational Leadership<br>-George Dennison, Provost<br>-Neil Kent, Psychology<br>-Shirley VanHoeven,<br>Communication<br>-Irene Vasquez, Religion |
| FEB 9  | SOVIET BIOETHICS<br>-Richard DeGeorge<br>University of Kansas  |
| FEB 10 | INSIDER-TRADING<br>-Gerald Postema<br>University of North Carolina   |
| FEB 19 | JUSTICE, INTEREST, AND<br>INTEGRITY<br>-Gerald Postema,<br>University of North Carolina  |
| FEB 26 | RAISING THE ETHICAL<br>CONSCIOUSNESS OF BUSINESS<br>STUDENTS: A QUESTION OF<br>RESPONSIBILITY--THE<br>B-SCHOOLS<br>PHILOSOPHIES? A MUTUAL<br>ENDEAVOR?<br>-Pamela Rooney,<br>College of Business, WMU              |
| MAR 18 | CONFLICTING INTERESTS? THE<br>USE OF HUMAN SUBJECTS IN<br>MEDICAL RESEARCH<br>-Gregg Stover, Attorney<br>Fox, Thompson, Morris<br>Stover, & O'Connor   |

MAR 24	ETHICS IN JOURNALISM: A PANEL DISUCSSION -George Robeck, Communication, WMU
MAR 30- APR 1	THE GOLDEN RULE -Bernhard Gert, Dartmouth College WMU VISITING SCHOLAR
MAY 18 7:30 PM	ISSUES IN MEDICAL ETHICS Fetzer Business Development Center [co-sponsored with Bronson Methodist Hospital] -Father John Paris, College of The Holy Cross



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JAN 14 ETHICS IN THE WORKPLACE: THE  
CHALLENGE OF AIDS--A PANEL  
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-Shirley Bach,  
General Studies Science Area

-Donald Batts,  
The Upjohn Company

-John Hartline,  
Bronson Methodist Hospital

-Michael Manty,  
NWL Control Systems

-Kelli Sweet,  
Kalamazoo Public Schools

FEB 29 CRISIS COMMUNICATION

-L. James Lovejoy,  
Gerber Products, Inc.

MAR 31 MORAL RULES AND MORAL IDEALS:  
A CRITIQUE OF THE GOLDEN RULE

-Bernhard Gert,  
Dartmouth College

MAY 23 PLANT CLOSINGS

-Louis S. Jacobson  
W. E. Upjohn Institute for Employment  
Research

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