Harvard Undergraduate Admissions Case

What is the issue?

- In 2014, a group called Students for Fair Admissions (SFFA) alleged that Harvard University discriminates against Asian-American applicants in the undergraduate admissions process.
- This case contains elements that strongly resonate with the Indian debate on reservations.

What did the lawsuit claim?

- The lawsuit claimed that Asian-Americans were held to higher standards compared to students from other races.
- It also claimed that the Harvard was using an illegal quota system that informally capped the number of Asian-Americans, but gave preferential access to African-American or Latino students.
- This claim was made despite the fact that Asian-Americans are roughly 6% of the U.S. population, but was 23% of the entering batch in 2018.
- In the same year, there was only about 15% African-Americans and 12% Latino students entering into Harvard.
- This difference in share makes it prima facie difficult to understand their grievance.

Did Harvard use Race as factor?

- Harvard acknowledged that they did use race as one factor among many, mainly to ensure a diverse student body.
- They claimed that their use of race was consistent with law.
- In October 2019, the Federal District court ruled in favour of Harvard.
- However, if the case goes to the Supreme Court (SC), dominated by conservative judges, there is a chance this ruling might be reversed.
- If the SC strikes down the use of race as a criterion for admissions, it would mean an end to affirmative action (AA).
- [Affirmative Action - In the context of the allocation of resources or employment, it is the practice of favouring individuals belonging to groups known to have been discriminated against previously.]
- This is a complicated case not just for the future of AA in the U.S., but because it has the potential to impact anti-AA sentiment everywhere.
What are the arguments?

- **In favour of Harvard** - Economist David Card, argued by examining the statistical evidence in detail. He examined SFFA’s claim that Harvard could achieve its diversity goals by using a variety of race-neutral admissions practices. In an impressively thorough report, Dr. Card demolishes the SFFA’s arguments successfully. Dr. Card shows that academic achievement is only one of the criteria for judging excellence.

- **In favour of SFFA** - Economist Peter Arcidiacono argued by focusing exclusively on academic achievement. It shows that the African-American and Latino students with lower academic scores were admitted at the expense of Asian-Americans with higher scores. Dr. Card demonstrates that Dr. Arcidiacono’s empirical analysis didn’t account for the overall context of each candidate’s application. This context may include the quality of high school, socio-economic circumstances, resources and opportunities available to the applicant.

- **Harvard’s stance** - Harvard’s applicant pool consists of students with outstanding academic credentials, and the process is very competitive. So, to choose from this pool, a strong candidate cannot be defined only on the basis of test scores; non-academic aspects have to be considered. Harvard claims that they judge excellence in a variety of forms, and include students with diverse experiences, backgrounds, skills, etc., This multi-dimensionality is possible when the student body is racially diverse.

- **Even if SFFA wins** - If it wins this case in the SC, it might be the final nail in the coffin of AA. Even if AA for minorities and women were dismantled, the implicit quota for the whites will stay intact in the form of legacy admissions. Universities defend this practice by claiming that it fosters a healthy and diverse campus and alumni community. But this lawsuit made it clear that legacy preferences favour affluent white students.

What is the Indian parallel?

- In India, the fact that entry-level cut-offs are lower for reserved category students is seen as proof that the reservation policy is “anti-merit”. This leads to its corollary, viz., abolition of reservations is needed in order to improve merit.
Our universities should adopt a more holistic set of criteria for admissions. This would reduce the excessive and unhealthy obsession with board examination scores and will reorient the admission priorities. It would also enable universities to account for various sources of disadvantage due to poor socio-economic circumstances. This is not to argue that marks should not count at all. But the admissions based on marks, with allowances made for socio-economic circumstances, need not mean an automatic death of “merit”. The challenges in increasing access to higher education to students from deprived backgrounds are enormous. But these challenges are inherent in any strategy that expands access to higher education, and have to be dealt with.

What is the conclusion?

- SFFA sounds disconcertingly similar to the Indian “Youth for Equality”.
- Affirmative Action or reservations in India, is essentially a policy of compensatory discrimination.
- This discriminates in favour of groups which are traditionally discriminated against. E.g.: African-Americans and Latinos in the U.S.; Dalits and Adivasis in India.
- Because of historical and contemporary discrimination, these groups would typically be under-represented in formal institutions.
- In order to compensate for that, preferential policies are needed.
- Those who are against AA argue that the preferential policies are unfair and foster inequality, because they use criteria other than “merit” for admissions (race in the U.S.; caste and tribal status in India).
- However, these critics must also argue against the opaque methods of entry that completely divorces it from merit, which is not the case now.
- These methods are legacy admissions (U.S.) or discretionary management quotas or donations-based admissions (India).
- [Legacy admissions - Preferential admissions for students whose parents graduated from that educational institution.]

Source: The Hindu