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

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