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POLS W3245: Race and Ethnicity in American Politics
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Issue Brief – Rough Draft

Affirmative Action in Asian-America

Key Words: affirmative action, diversity, discrimination, reverse discrimination, underrepresented minorities

Description: Asian-Americans are often not the beneficiaries of affirmative action, which sometimes causes those in the group to have mixed feelings toward affirmative action policies. Higher education is a particularly important intersection in the politics of affirmative action and Asian-America.

Key Points:

- Affirmative action policies have two broad goals: to address discrimination and increase diversity
- Because Asian-Americans are well-represented in many institutions, they often do not benefit from affirmative action in the way underrepresented minorities (such as blacks and Hispanics) do.
- There is evidence that affirmative action programs at elite universities hold Asians to a higher standard than those of other races.
- The history of Supreme Court cases on affirmative action suggests that it is far from a settled issue.

Brief:

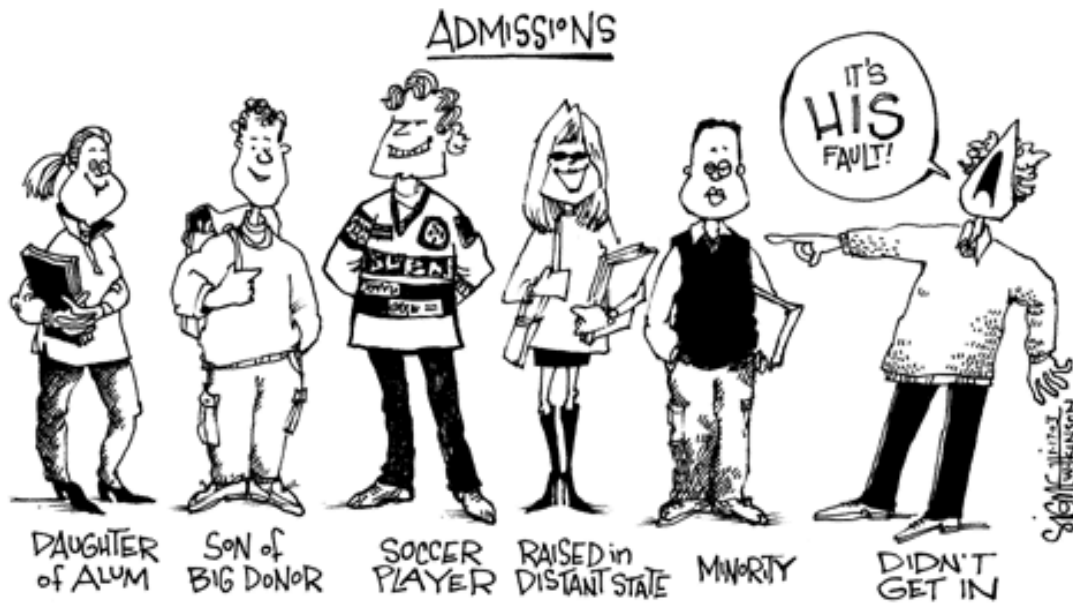
Affirmative action policies — legislative tools used to correct historical racial discrimination and diversify organizations — have proliferated in the United States since the 1960s and the height of the Civil Rights Movement. Executive Order 10925, issued by President John F. Kennedy in 1961, mandated that government contractors “take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin.” (1) Over the course of the next several decades, affirmative action policies would be adopted by many government agencies and non-government actors, and would take many different forms through these adaptations. Such policies would become important components of the practices of a wide range of institutions, including corporations hiring and promoting employees, governments subcontracting work, and universities admitting students.

This brief will examine the role Asian-Americans play in affirmative action policies. What we see is that Asian-Americans are normally not the beneficiaries of affirmative action and are not normally labeled as “underrepresented minorities” subject to such policies. Opinions of Asian-Americans on affirmative action are mixed,

according to some. (2) For Asian-Americans, issues of affirmative action take on the most salience when concerning higher education.

Affirmative action has two distinct, concurrent goals. Firstly, affirmative action policies are meant to remedy the effects of past and present discrimination against a particular minority and to act as reparations of past injustices. Secondly, these policies are often used as tools to diversify the racial or gender composition of an institution. (3) With regard to the second purpose, institutions have self-interest in affirmative action policies if they believe it is to their benefit to have their membership be more reflective of the general population. (4)

Given the first motivation behind affirmative action, some Asian-Americans feel short-changed. Asian-Americans, some critics argue, have faced historical discrimination left unaddressed by such policies and are now subject to “reverse discrimination.” According to one Asian-American school board official in California, “On the one hand, there is clearly the perception, if not the reality, that some Asians lose more than they gain from affirmative action, particularly in the context of admissions to highly competitive schools. On the other hand, Asians continue to suffer from discrimination, particularly in the areas of employment and promotions.” (5) Asian-Americans are generally well-represented in many institutions, which suggests that these policies do not need to address Asians to meet diversity concerns, the second of affirmative action’s two goals. For example, while Asian-Americans account for only about 4.5 percent of the U.S. population, they nevertheless constitute anywhere between 10 to 30 percent of the student bodies at many of the nation’s elite universities without the aid of affirmative action.(6)



Affirmative action issues seem to become most salient for Asian-Americans when concerning higher education — specifically college admissions. For example, a researcher at Princeton found a 140-point discrepancy between the SAT scores of Asian and white students admitted to elite universities, suggesting that Asians are held to a higher standard in the admissions process. Between Asians and blacks, that point

differential is 450. (7) Some critics point to statistics like these as evidence of a systematic bias against Asian-Americans in the admissions process. In one now infamous 2006 case, Jian Li, a Chinese college applicant with a perfect SAT score, filed a federal civil rights complaint against Princeton after the university rejected him, claiming racial discrimination. (Li ended up attending Yale and later transferring to Harvard.) Evidence of the effects of affirmative action on Asian-Americans can be seen at other schools: After the passage of Proposition 209 in California, which banned affirmative action at all state institutions, Asian-American enrollment at the University of California at Berkeley rose dramatically while enrollment for African Americans, Hispanics, and Native Americans plunged. (8)

Affirmative action is far from a settled issue in the U.S., and Asian Americans will likely play a key role in shaping it as it continues to evolve. In *Regents of the University of California v. Bakke* (1978) and *Gratz v. Bollinger* (2003), the Supreme Court found quota and point systems based on race to be unconstitutional in college admissions, yet it permitted a “holistic” approach in which race could be a factor in *Grutter v. Bollinger* (2003). The nebulous stance of the Supreme Court in its recent decisions suggests that the precise constitutionality of affirmative action has yet to be definitively established. What we can be sure of is that affirmative action will continue to be a pivotal issue in American education and employment policy — one in which Asian-Americans have a vital stake.



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