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Affirmative Action and Utility Theory

Jennifer J. Clark

Senior Thesis
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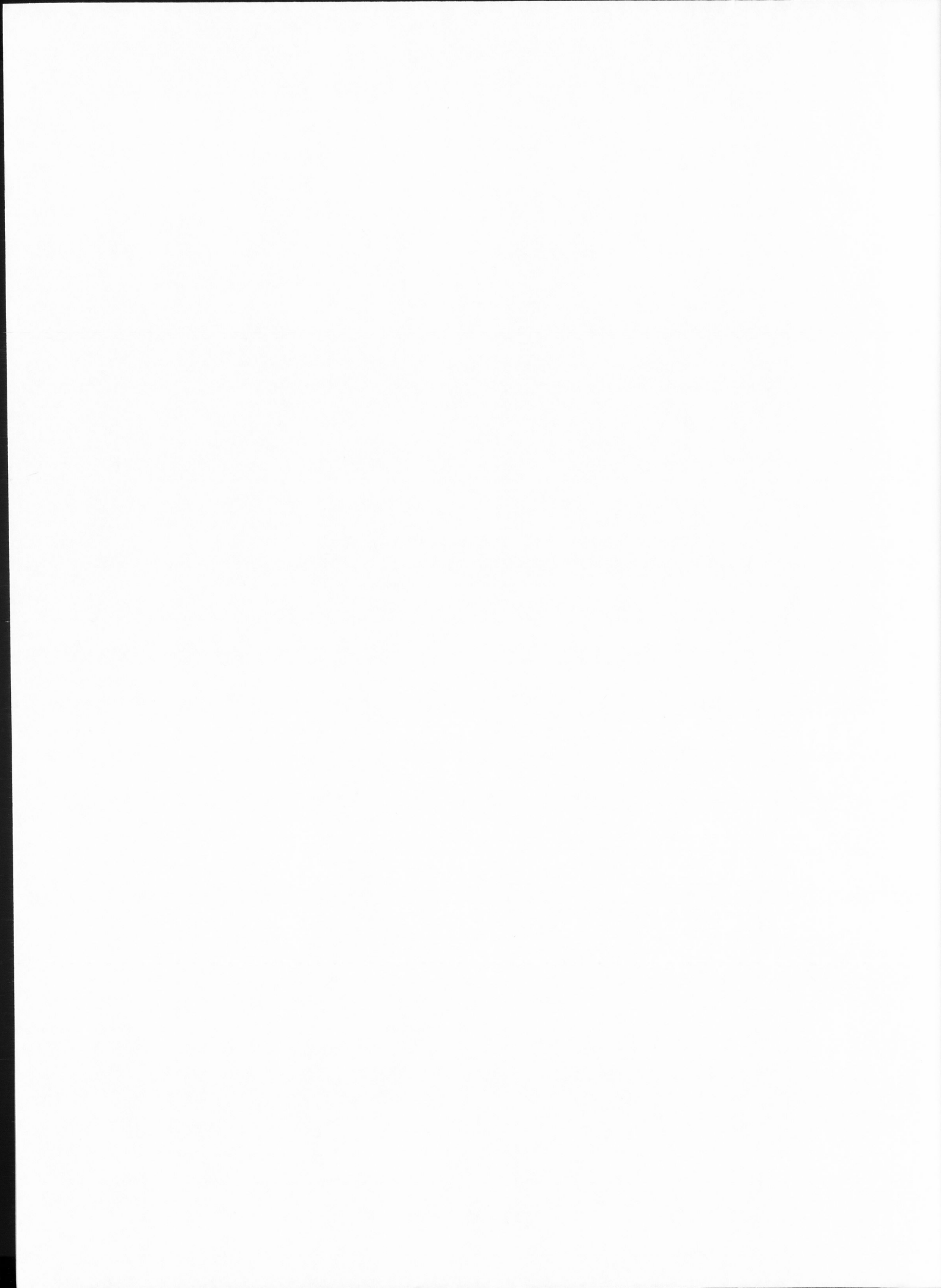


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Affirmative Action and Utility Theory

Blacks¹ have been discriminated against for many decades in the United States. In 1964, the Equal Employment Opportunity Commission was created to eliminate discrimination in hiring practices. Affirmative action plans were later implemented to create equity in places of employment. Both affirmative action and the EEOC were designed to create equality of the races and eliminate racial tension in the United States.

Because of the broad reach of its social policies, affirmative action has been widely discussed in philosophical circles. Many arguments have been made for and against it. I will discuss the utilitarian arguments for and against affirmative action and the inherent problems of the application of utilitarian theory to valuative ideas. I will also discuss the failure of affirmative action and a likely reason for its failure.

Since the creation of the Equal Employment Opportunity Commission in 1964, the fate of the black people in America has not improved greatly. The black still earns less money

¹Affirmative action was designed to help all races, both sexes and all people with handicaps. To simplify the writing of this paper, when I use "blacks" or "non-whites" I refer to all people for whom affirmative action is supposed to be a benefit. I will also only use the term "race" when the true implication is any group of people benefitted by affirmative action.

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from his employer than the white.² Fewer blacks are in leadership positions in their employment than whites. More blacks are in less-prestigious occupations than whites.³ Apparently something went wrong with the ideas of the EEOC and the policy of affirmative action. An answer for the failure of affirmative action could lie in its theoretical backgrounds or in its application in the world.

Defining the Nature of Sound Philosophical Arguments

Philosophical arguments about ethical problems focus on the ethical acceptability of an argument on both its theoretical level and its application in life. The theoretical level of an argument is the discussion of its basic reasoning. Sound arguments have both a justifiable theoretical background and comply with what happens in the world. For example, an argument which claims that being *treated equally* is fundamental (and therefore more important) while being *equally treated* is derivative (less important), has the idea of fundamental and derivative rights as the theoretical basis of the entire argument. The idea of fundamental rights being more important than derivative rights is sound and agrees with how most people view the allocation

²See Figure 3.

³See Figure 1.

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of rights; hence, an argument with this allocation of rights as its basis is sound. This argument would be unsound if it included unsound theoretical backgrounds or premises which do not fit well with the way things happen in the world.

As a philosophical theory, utilitarianism has the measurement of costs and benefits to society as its theoretical background. Measurement is integral to utilitarian arguments; therefore, the costs and benefits being discussed in a utilitarian decision must be quantifiable. When utilitarians object to affirmative action their objections suggest affirmative action fails because the costs of limiting a person's rights are greater than the benefits of diversity and the possible easing of racial tension which comes from diversity. But rights, racial tension, and diversity are qualitative terms which cannot be quantified. These terms cannot be measured unless characterized in terms of quantifiable terms such as money lost through racial infighting in a company. Other quantifiable ideas such as the amount of money it costs to train a less-competent employee are acceptable for justifying the utilitarian's objections, but the usual utilitarian objections to affirmative action do not use quantifiable terms such as these. Because the primary utilitarian objections to and arguments for affirmative action focus purely on the

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relative philosophical value of rights rather than the quantifiable outcomes of infringing upon or supporting those rights, these objections to and arguments for are invalid as utilitarian arguments. They are, however, valid philosophical arguments because they are based on the valid principles of fundamental and derivative rights.

Utilitarian Arguments for Affirmative Action

In defending affirmative action as a social policy, politicians have generally used utilitarian arguments. Utilitarian arguments attempt to determine a position which will promote the greatest benefit for the greatest number of people while keeping the parts of the policy which harm to a minimum. According to Michel Rosenfeld,⁴ there are three basic utilitarian arguments for affirmative action: an argument based on pure utilitarianism and two arguments based on limited utilitarianism. All three arguments claim that affirmative action promotes the greatest utility in the form of benefits to society. Society benefits through the use of diversity to reduce the inefficiency of racial tension. The pure utilitarian argument presents the benefits of affirmative action without considering the harm done to individuals. The

⁴Michel Rosenfeld, Affirmative Action and Justice: A Philosophical and Constitutional Inquiry, (New Haven: Yale University Press, 1991), pp 94-115.

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two limited utilitarian arguments consider the problems of harm to individuals, but continue to defend affirmative action. Each uses different justifications for the loss of individual rights. The first limited utilitarian argument for affirmative action defends the loss of the white male's right to equality by focusing on the idea that the efficiency gained by affirmative action provides a much greater benefit to society than the loss of the white male's individual rights causes harm. The second limited utilitarian argument for affirmative action focuses on the difference between equal treatment and treatment as an equal and the difference between internal and external preferences to justify the greater good of affirmative action over the individual rights of the white male.

The Pure Utilitarian Argument

In defending affirmative action, the pure utilitarian argument claims that the benefits to society which affirmative action provides are justification enough for the policy to be ethical. The benefits affirmative action supposedly provides include:

- the more rapid integration of the workforce
- an easing of tension between the races and sexes
- the development of good role models for all races

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- the destruction of negative stereotypes through a more diverse workforce
- the diversifying of higher education
- the promotion of better services for minority communities.

These benefits are supposed to give rise to a stronger black economy and decrease the number of poverty-stricken blacks without greatly affecting the white population in the country.

The allocation of scarce jobs to black workers will supposedly lead to a greater increase (or a lesser decrease) in wealth for blacks than the allocation of jobs based purely on competence. Because blacks have been so poorly treated and discriminated against in the past, any increase in the betterment of their economic or social positions is supposed to be much greater than the loss to white society. The gain of a job by a black male will supposedly positively influence his entire community while the loss of a job to a white male will supposedly affect only that man and his family.

The Rights Utilitarian Argument

The utilitarian argument based on the idea of rights states that affirmative action either does not violate the rights of white males or that there is a greater benefit gained by the whole of society if a white man's rights are lost to benefit a black man. Affirmative action does not violate the rights of a white man if both candidates for a

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position are equally competent for a job and the only difference between the two candidates is race. Even if the two candidates are not equally competent, preferring the black candidate over the white is justifiable because of the need to compensate for past discrimination against blacks. Society is supposed to receive more benefits from the compensation of past discrimination than harm from violating the right to equal treatment of the white male.

This argument claims that the right to equal opportunity is derivative to the fundamental right to equal respect. Treating someone with equal respect means treating that person with no bias. Giving someone equal opportunity does not guarantee treatment with equal respect. For example, a personnel officer could open up a position for district manager in a nation-wide company and offer all people, regardless of race, equal opportunity to apply for the job; however, this does not guarantee that the personnel officer will interview each applicant equally or evaluate each interview equally. To guarantee equal respect of applicants, the personnel officer would have to guarantee that he will not treat separate applications or interviews differently. The personnel officer's equal treatment of applicants is more beneficial to society because injustice in treatment is seen as more damaging than injustice in opportunity. Apparently,

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society will benefit more from the equal treatment given applicants through affirmative action than it will be harmed by the loss of equal opportunity for all people to get a job.

The Rights-Preference Utilitarian Argument

To justify affirmative action, the utilitarian argument based on rights and preferences expands the ideas of equal respect and equal treatment, and adds the idea of internal and external personal preferences. The right to *equal respect* is a fundamental right based on the idea that all people are equal in their moral capacity to make decisions. The right to *equal treatment* (or opportunity) is a derivative right which gives each person the right to receive an equal share of scarce resources. Requiring that all people receive an equal share of scarce resources (and therefore granting equal opportunity to get that scarce resource) presumes that all needs for these resources are equal. For example, if all people with a disease received equal portions of a scarce medicine, a person who uses the medication to slightly improve his quality of life would receive too great a share of the medication, while a person who would die without a greater portion would be slighted in comparison. If, however, both ill people were treated with equal respect, their needs would be assigned greater value than their right to equal portions

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of the medication. Justice is better served if equal respect holds a greater value than equal treatment.

The above example about ill people can also be used to define whether a personal preference is internal or external. Both persons in the example have a personal preference to receive the medication--they both want the medication for their own enjoyment. If, however, the person with the lesser degree of the disease would prefer that the person who is dying to receive a greater share of the medication, that person would be showing an external preference--he desires that another person receive the scarce resource. A decision about the allocation of goods based on external preferences is a decision by a person to allocate a good to another (external) person. These preferences can be either altruistic or selfish. For instance, if the slightly ill person would want to have the dying man receive the greater amount of medicine because the medicine causes extreme, negative side-effects and he hates the dying man, the slightly ill man is still expressing an external preference.

In a decision about the allocation of goods which is based on internal preferences, a person would decide how to allocate the goods based purely on his desires for his own welfare or comfort. In the medicine example, a person making a decision based purely on internal preferences would decide

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that he should get the medicine even if his use of the medication would only improve his comfort. Internal preferences do not take account for others needs. The person who receives only greater comfort would not even consider the person who would die without the medication.

External preferences cloud utilitarian decision-making because they put the factor of other people into the decision-making process. It is much easier to make a utilitarian decision based purely on internal preferences. Utilitarian decisions should be made on the basis of costs and benefits to society. Internal preferences give utilitarians a basis for decision-making which is easy to determine. It is much easier to determine how a decision will benefit or harm society if the parameters of the decision are not so complex that there is no way to determine their effects on society. External preferences confuse the decision-making process by creating too many parameters on which to base a decision.

Objections to Utilitarian Arguments for Affirmative Action

The three main utilitarian arguments for affirmative action can all be objected to by changing the relative values placed on the qualitative terms within each argument. These

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objections are all raised by Rosenfeld in his book.⁵ I will discuss the objections to each particular argument for affirmative action in turn.

Objections to the Pure Utilitarian Argument

The argument for affirmative action based on pure utilitarianism predicts many benefits to society. The problem with this argument lies in that there is no real way to know if the benefits will actually happen. There is no way to know if greater efficiency will come from diversity in the workplace; there is no way to know if there will be a lessening of racial tension from a greater number of blacks being hired. Utilitarians cannot tell us whether society will benefit from the application of affirmative action because there is no way to know if these benefits, which are supposed to be received from the use of affirmative action will even occur. As hard as they may try, utilitarians cannot predict the future.

The argument also claims that the benefits gained by blacks through affirmative action are greater than the losses sustained by whites. There is no way to measure the benefit received by blacks and the loss sustained by whites. Because this cannot be measured, a pure utilitarian cannot make any

⁵Ibid.

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claims about the benefit received by blacks or the loss sustained by whites. Intuition would tell us that people are generally affected the same amount in the same circumstances. The loss sustained by a white man through affirmative action should be equal to the benefit gained by a black man. If this is the case, there can be no net gain in utility through affirmative action.

Objections to the Rights Utilitarian Argument

The rights based utilitarian argument for affirmative action claims that no harm is done to whites if both whites and blacks are equally qualified for a job and the black person is selected because he is black. There are three problems with this argument: it is a rare case in applications for high skill jobs when there are two equally qualified people of different races applying for the same job; the continual selection of black applicants with the same competency as white applicants leads to a lack of respect for applicants, regardless of race; and the continual selection of black applicants because of their race leads to a lack of respect for black workers by both co-workers and their home communities.

Because of the discrimination against blacks which has occurred for many years in all areas of their lives, many blacks live in the poorer neighborhoods in the country. In

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these poor neighborhoods, there is a great lack of opportunity to learn and to remove a family from the situation of the poor community. The lack of opportunity to learn and "move out" limits the opportunity for the blacks to gain the same job and educational experiences to which comparable whites have greater access. Although these "poor neighborhood" blacks have a great opportunity to get low skill jobs, getting higher skill jobs has been the problem blacks have truly faced.⁶ In jobs requiring high skills, this lack of experience and opportunity gives rise to problem of finding two applicants for a job who are both equally qualified and of different races. It is unusual to find a hiring situation in which there are two applicants of different races with the same qualifications.

The rights utilitarian argument also focuses on the need to treat applicants with equal respect. Affirmative action is supposed to eliminate unequal treatment of applicants; however, by hiring a black man because of his race, personnel officers are treating the white male with unequal respect. The fundamental right to equal treatment claimed by this argument is violated when a person is hired because of his race, regardless of that race. Even though the argument attempts to justify the unequal treatment of whites by

⁶See Figure 1.

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recalling the past discrimination of blacks, there is no justification that affirmative action will solve the problem of past discrimination. As seen in the last section, there is no way to predict what effect affirmative action has or will have on the conditions of blacks in America.

Objections to the Rights-Preferences Utilitarian Argument

The rights-preferences utilitarian argument makes no claims about the benefits affirmative action is supposed to have for society. The main points of the argument lie in justifying the fundamental nature of the right to equal respect over the right to equal opportunity and in determining the relative value of internal and external personal preferences in making utilitarian decisions. There is no question of the logic behind the fundamental nature of equal respect. The objections to this argument lie in the problems of separating internal preferences from external preferences.

Because human beings are social beings, they tend to make decisions about allocation of goods with more people than just themselves in mind. To continue with the medication allocation example, when a person decides he needs a share of the medication, he will decide based upon not only his own wants, but also the wants of his family or other significant people in his life. For example, even if he wants no

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medication because he realizes that other people live if they get the medication and he will only receive an increase in comfort, he will also consider the wants of his children and spouse. For example, he will have a greater desire to get the medication if his spouse is also ill and needs greater care than he can give her if he is in pain. The very fact that he has a family will force him to consider them in any decision that he makes which will affect them also. It is impossible for him to separate them from his decision-making process.

Affirmative action is not like the medication example in that the loss of a job does not mean the loss of a life. However, affirmative action does affect the lifestyle of the family. If a man loses or gains a job because of affirmative action, his family will be affected. Since it is impossible for white males to distance themselves from their families, it is impossible for them to make a clear utilitarian decision about the allocation of the scarce resource of jobs. It is impossible to justify affirmative action based on internal preferences alone.

Objections to Affirmative Action in General

The utilitarian objections to affirmative action raised by Rosenfeld in his book mainly focus on the problem of prediction described above. Because it is impossible to predict the benefits which will come from the implementation

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of affirmative action, it is impossible to justify the claims purported by utilitarians who support affirmative action. Other objections can be raised to account for the failure of affirmative action. Some of these objections are:

- the harms of preferential hiring in general
- the harms of hiring the less competent applicant
- the harms of "race"
- the harms of extending the benefits of affirmative action to all blacks.

These objections are objections I have raised separate from the objections raised by Rosenfeld in his book and described in the previous section.

The General Harms of Preferential Hiring

This objection to affirmative action focuses on the need for competent, professional employees. If a hospital hires a doctor, they should hire the most competent doctor they can. Incompetence in areas like medicine can have disastrous results, causing a greater loss to utility than the benefits received from diversity in the workplace. An incompetent doctor could make lethal mistakes with patients. To hire a less competent doctor, regardless of race, carries the unnecessary risk of a lost life. The loss of life combined with the loss of competence is unjustifiable for utility purposes.

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The Harms of Hiring the Less-Competent Applicant

The objection to hiring less-competent employees can be extended to lower-skill occupations, also. Although the short-term benefits of an ease in racial tension through diversity in the workplace exist, most businesses overlook the idea that long-range goals of good service and high-quality goods are compromised through the hiring of less competent employees. Less competent employees tend to care less about the company they work for. The work they perform is generally of lesser quality than the standard wanted by the company.

The attitude of a firm can be greatly affected by the philosophies of its employees. A manager's attitude about his work influences the way the employees he manages view the company. If the manager is less competent and cares less about the company, the employees he manages will also care less about the company. Employees who have a negative attitude about their company tend to do "shoddy" work and to treat customers with less respect. A reputation of shoddy craftsmanship and poor rapport with customers can put a company out of business. A utilitarian cannot justify the potential loss of a company to support the lower competence levels which may be brought about by affirmative action.

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The Harms of "Race"

The controversial nature and implications of the term "race" are the focus of this objection to affirmative action. Because of the extensiveness of past discrimination of blacks, "race" has become an exceedingly controversial subject. Discriminatory practices have not been eliminated. Affirmative action is based on race and hence has the opportunity of being abused quite easily by those for whom discrimination is still a viable response to the term "race." Abuse of affirmative action is likely to be so rampant (in either preferring or discriminating against blacks) that any small gain in utility will be lost to the costs of abuse.

The Harms of Extending Affirmative Action to All Blacks

Whether or not affirmative action is justified, the idea that all blacks are reasonable candidates for affirmative action is unjustifiable. Extending affirmative action to all blacks is unjustifiable for four reasons: the problem of racial tension in the workplace, the problem of lack of respect by co-workers, the problem of lack of respect by blacks in the black community, and the problem of benefitting the blacks who need the benefits.

As in the previous objection to affirmative action, the idea of "race" is stressed in this objection. The problem of the volatility of "race" is so rampant that affirmative action

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for all blacks may only worsen the problem of discrimination. In an all-black neighborhood it may make sense to hire only black policemen because policemen of the same race as the majority of the people in their precinct are more likely to understand the particular problems presented by that race. Policemen are also more likely to know how to effectively communicate with people of the same race. Affirmative action programs would be justifiable through utilitarianism in this situation. However, if the racial tension of a company is extreme, an affirmative action program could cause more problems than it would solve. It is unreasonable to assume that affirmative action could solve the problem of racism in some companies and professions. In situations where racism is rampant, it would be better to promote the autonomy of the separate races than to force integration. Forcing integration in the workplace causes problems because employees are forced into racial situations in which they are not comfortable. In an uncomfortable situation, employees tend to act less competently and thereby lessen the quality of their work. When the quality of work is lowered, a loss to the company results. As seen in the objection to affirmative action based on hiring less-competent employees, less-competent employees can be the true demise of a company. It is unjustifiable for

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a utilitarian to justify the potential loss of a company for the sake of affirmative action.

Another problem arises when affirmative action is used to benefit all blacks. When a black man is hired through an affirmative action program, he is hired by his race. He may be competent for the job, but co-workers around him may distrust his competence because of the fact that he was hired through affirmative action. Because affirmative action promotes hiring based on a parameter other than competence, the question of competence arises in the minds of those who work with the affirmative action recipient.

Both white and black co-workers will question the competence of a person who is hired through affirmative action. However, in the case of blacks who question the competence of someone who is hired through affirmative action, the problem extends itself to the black community. When a black person gets a good job, he becomes a role-model for the youth in his community. If he gets the job through affirmative action, however, the youth in the community see him as a person who got the job because he was black, not because he worked and prepared for it. Their role-model becomes either less effective as a teacher of the responsibility to prepare for jobs, or he becomes a role-model of someone who got something for nothing. Neither of these

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situations is good for the psychological and physical well-being of the black community.

The fourth problem of hiring blacks through affirmative action is the problem of hiring those who really need the help. As seen in the section "Objections to the Rights Utilitarian Argument," most of the jobs for which blacks in poor communities are qualified are low-skill jobs. The jobs these people need are high-skill jobs. When a black person does get a high-skill job, he is usually already qualified for the job. He has already completed college and does not need the help to get the job. He is competent and has worked his way up to the job. There is no use in hiring him through affirmative action because he probably would have gotten the job based on competence anyway. Affirmative action does not help those it was intended to help.

The Results of the Introduction of Affirmative Action

All of the arguments against affirmative action mentioned previously focus on the problem of predicting the outcome of the use of affirmative action. Although the book from which all of the arguments above were taken was published in 1991, 27 years after the introduction of the Civil Rights Bill of 1964, none of its arguments look at what has been the results of affirmative action after time to see if the arguments are valid in the light of passing time.

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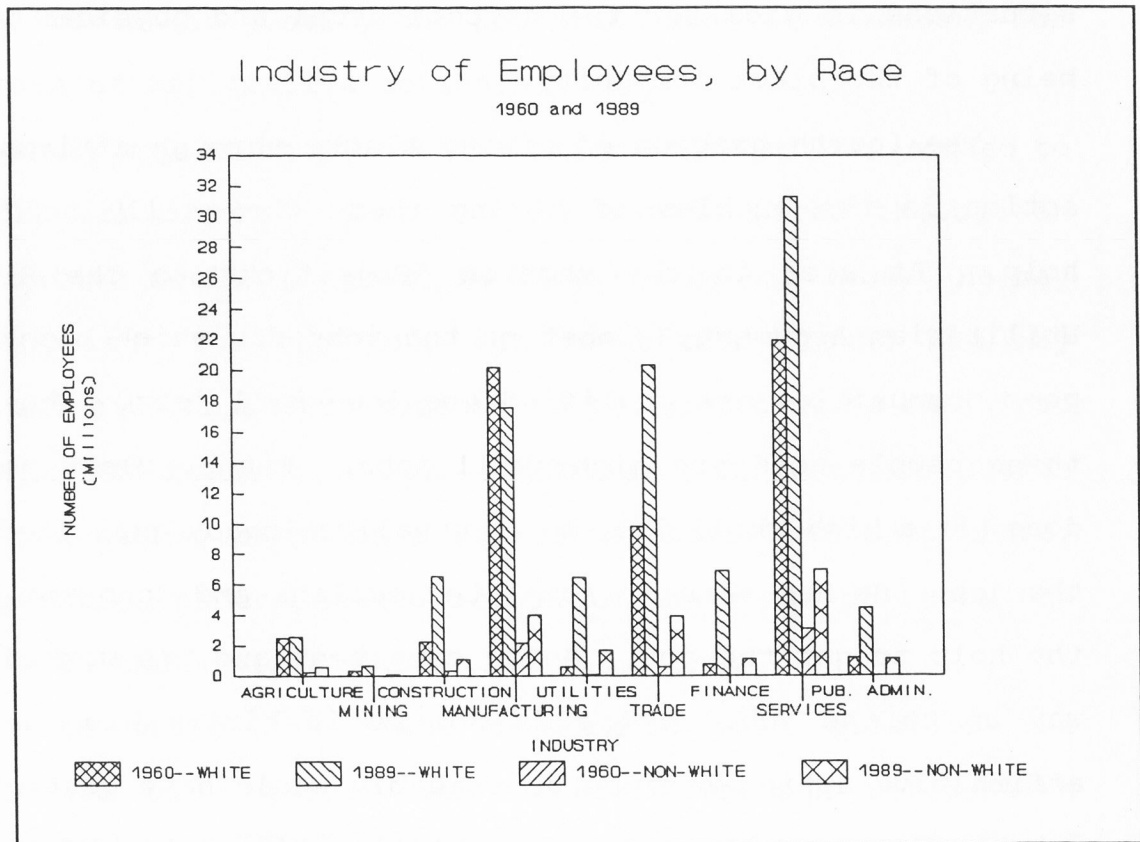


Figure 1: Source: Dept. of Commerce, Bureau of the Census: *U.S. Census of Population; 1960, Vol. 1.*

In 1960, 11.9 percent to the workforce was non-white employees.⁷ In 1989, 17.5 percent of the workforce was non-white.⁸ The number of non-white employees increased by 80 percent in the 29-year period between 1960 and 1989. The

⁷U.S. Bureau of the Census, Statistical Abstract of the United States: 1964, 85th ed., (Washington D.C.: 1964), pp. 229-234.

⁸U.S. Bureau of the Census, Statistical Abstract of the United States: 1991, 111th ed., (Washington D.C.: 1991), pg. 400.

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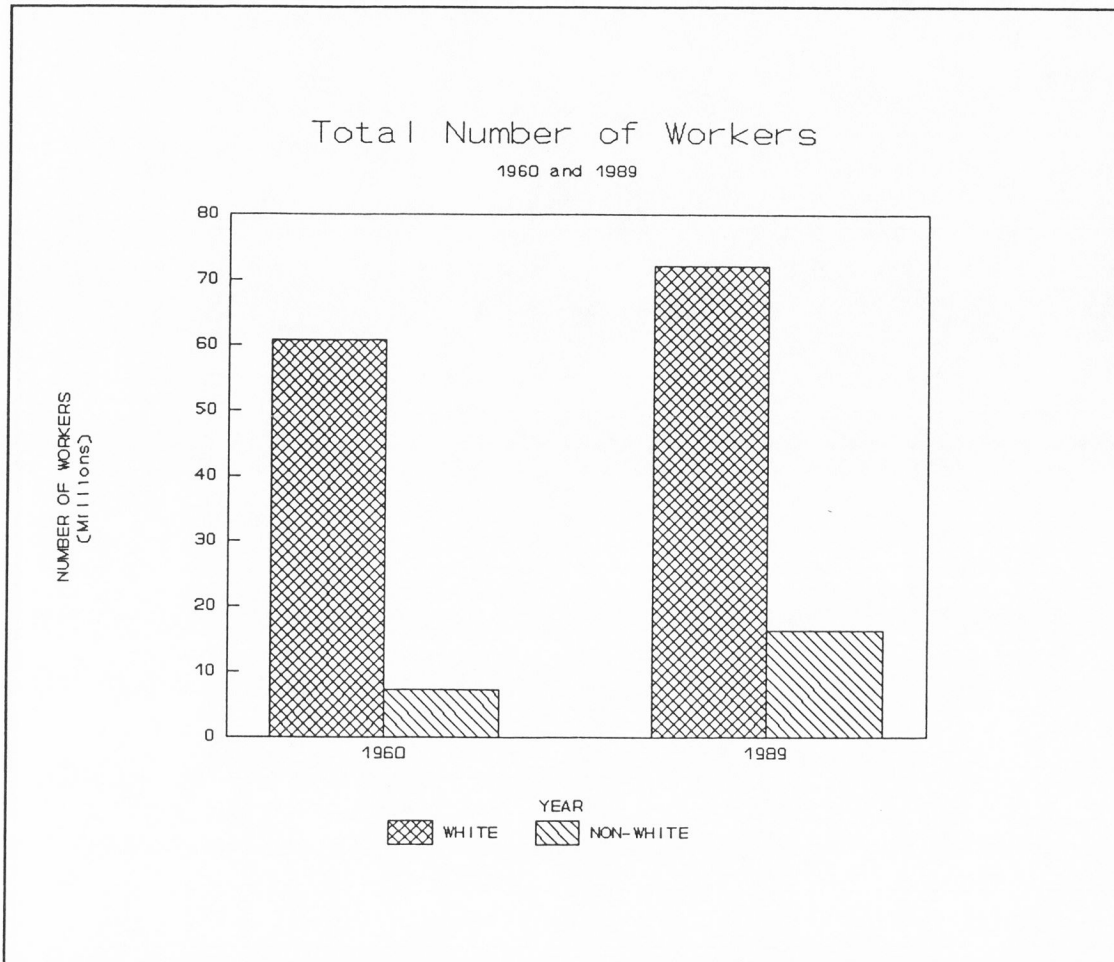


Figure 2: Sources: *Employment and Earnings*, January 1989, and Bureau of the Census: *U.S. Census of Population; 1960*, Vol. I.

number of white employees increased by only 16 percent in those same years.

However, the majority of the non-white employees have entered lower-paying jobs such as agriculture, manufacturing,

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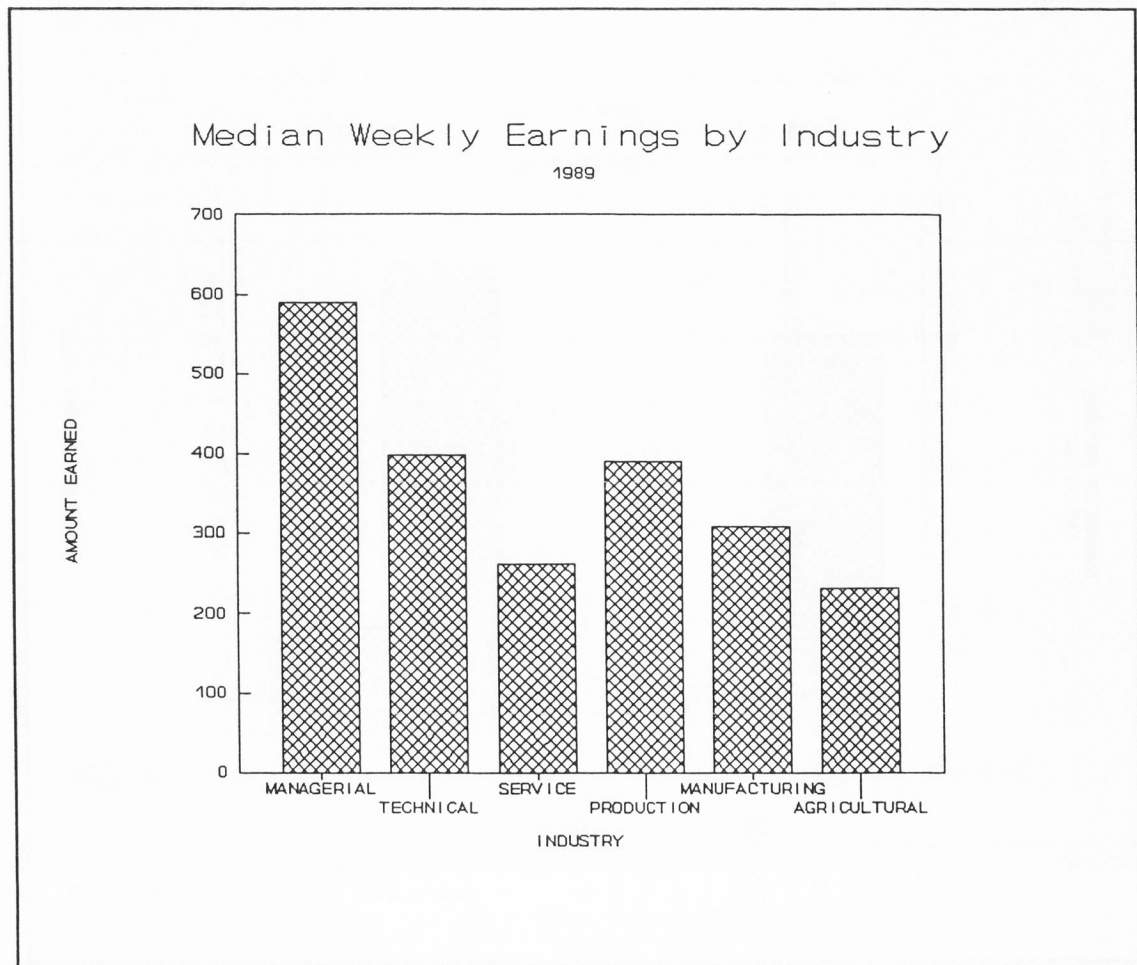


Figure 3: Sources: U.S. Bureau of Labor Statistics (unpublished), and Bureau of the Census: *U.S. Census of Population; 1960*, Vol. I.

and services.⁹ In areas of higher pay, such as construction, utilities, and finance, whites have had greater increases in

⁹U.S. Bureau of the Census, *Statistical Abstract of the United States: 1964*, pp. 229-234, and *S. A. of the U. S.: 1991*, pp. 400 and 415.

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rates of employment than non-whites.¹⁰ Although affirmative action has increased the number of black entering the workforce, the jobs they receive are not as high-paying or as prestigious as the jobs whites have been receiving. Apparently, affirmative action has not worked as intended to improve the situation of non-whites.

A Philosophical Reason for the Failing of Affirmative Action

As seen in the last section, affirmative action has not accomplished its intended effects in the last 29 years. Affirmative action has failed in three ways:

- it has not equalized the percentage of workers in each industry.
- it has not equalized the pay scales of employees for the same job.
- it has not reduced the number of non-whites living in slums.

The utilitarian objections to affirmative action do not answer the question of why affirmative action has failed--they only give reasons why affirmative action should not be implemented. The utilitarian objections focus only on the theoretical ethical problems of affirmative action, they do not look at the results of the implementation of affirmative action. By only focusing on the background reasoning behind affirmative

¹⁰Ibid.

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action, the proponents of these objections do not realize the full extent of the possibilities of the failure of affirmative action when it is put into practice. An argument against affirmative action which focuses on both the theoretical background and the actual results of affirmative action would give a better understanding of the failure of affirmative action. Such an argument is the argument from responsibility.

The Argument from Responsibility

The theoretical background for the argument from responsibility is the idea that responsibility for the actions of the self should be paramount in the lives of men. Responsibility for our own actions is the basis of the legal system of the United States. In philosophical terms, it would make no sense to punish or credit a person for actions for which they hold no responsibility or which they did not commit. If Person A (a sober, 33-year-old legal driver in his own car) were to hit Person B's three-year-old daughter while driving 45 mile per hour down a residential street, it would make no sense to punish Person C (a passenger in the car) for the actions of Person A. Person C holds no responsibility for the actions of Person A. The same result would follow if Person A were to donate \$500,000 to his favorite local charity. It makes no sense to credit Person C with Person A's actions.

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Responsibility of actions is central to the idea of correctly and ethically rewarding good or punishing evil. Rewarding good and punishing evil are necessary controls on human behavior in civilized societies. If there is no reward or punishment in a society, the society begins to fall. Punishment is a deterrent of unethical behavior and reward is a promoter of ethical behavior. Without these rewards and deterrents, society falls because there is a lack of control on human behavior.

The idea of responsibility is linked with hiring employees. Ideally, employees should be hired on the basis of competence and qualification. Competency relies on the idea of responsibility. The idea of being "competent" is defined as "having suitable skill, experience, etc., for some purpose."¹¹ Competent individuals have shown responsibility for their actions by getting the necessary skills for a job. When an employer hires a competent individual, he assumes the individual takes responsibility for his actions because he has acquired the necessary skills for the job.

What happens to the idea of responsibility when there is an affirmative action plan in place? In this case, the employer must put the idea of responsibility aside. The

¹¹Stuart Berg Flexner, ed. The Random House Dictionary, (New York: Random House, Inc., 1980) pg. 179.

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employer must use a qualification other than that of responsible action (through the demonstration of competence) as part of his decision in hiring. Affirmative action requires that employers place a non-responsible qualification (race) above the qualifications which show responsibility for action (competence).

In placing competence, the most important hiring criteria, below the criteria of skin color, affirmative action sets in motion the idea that responsibility for action (demonstrated through competence) is not as important as having a certain skin color. When skin color is placed above this responsibility to be competent for a job, society infers that responsibility is less important than the external criteria of race. The loss of the importance of the responsibility to be competent leads to drastic results for society. When responsibility is placed as being of secondary importance to race, society begins to sense that there is less need for punishment and reward because actions for which we are not responsible can be used as a benefit or a detriment to ourselves. When punishment and reward are lessened, behavior becomes less ethical because there is less encouragement of ethical behavior or deterrence from unethical behavior, and society begins to fall.

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The lack of encouragement for responsibility which affirmative action promotes has another problematic outcome. Affirmative action was implemented to encourage the hiring of all blacks, not just those blacks who had previously been discriminated against. In compensating all blacks, affirmative action basically says to blacks, "I don't care if you deserve it or not, I'm going to compensate you for wrongs you never received." The idea of receiving compensation for a wrong we never received should be just as reprehensible to humans as receiving punishment for a wrong we never committed. Receiving such unjust compensation in addition to being hired on external criteria teaches blacks that they do not have to be as responsible as whites in acquiring the competence and qualifications they need to be hired. For whites, anger arises because the blacks do not have to be as responsible for their job qualifications. These attitudes which arise from affirmative actions are destructive to society by lessening rewards and punishments and also are destructive to the principles of affirmative action itself. Affirmative action is supposed to overcome racial tension; however, the negative attitudes that arise from its application promote racial tension.

Affirmative action is laden with problems. It oppresses the right to equal respect, it destroys the idea of hiring by

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competence, it lessens the need for responsibility for preparation, and, worst of all, it does what it was designed to overcome--it promotes racial tension.

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