

IZVORNI ZNANSTVENI RAD ORIGINAL SCIENTIFIC PAPER

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**POZITIVNE MJERE: JESU LI
ONE PO SVOJOJ PRIRODI
POTLAČUJUĆE?**

**AFFIRMATIVE ACTION:
OPPRESSIVE IN NATURE?**

SAŽETAK: Pozitivne mjere, suprotno vjerovanju mnogih, pogađaju baš one za koje se pretpostavlja da bi im trebale pomoći: članove manjinskih skupina.

KLJUČNE RIJEČI: mjere pozitivnog djelovanja; diskriminacija; gospodarsko blagostanje; potlačenost

JEL kategorija: J71

ABSTRACT: Affirmative action, contrary to the views of many, hurts the very people it was presumably enacted to help: members of minority groups.

KEY WORDS: affirmative action; discrimination; economic welfare; oppression

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UVOD

Proteklih pedesetak godina program mjera pozitivnog djelovanja u visokom obrazovanju predmet je kontroverze u američkom društvu. Kako je na sveučilištima porasla zastupljenost manjina, kritičari ju u praksi drže krivcem obrnutog rasizma. S druge strane, pristalice ovog programa vjeruju da je ovakva politika korisna jer izrazito cijene raznolikost u području visokog obrazovanja. Također vjeruju da je ona opravdana jer predstavlja oblik naknade štete manjinama zbog višestoljetnog ropstva i potlačenosti. Ali nemaju pravo.

Mjere pozitivnog djelovanja su zapravo smanjile raznolikost na ovim institucijama. One ne potiču manjinske skupine da ulože trud, a pogoduju imućnim manjinskim skupinama, te svakako ne siromašnima. Štoviše, korisnici ovih mjera pate od sindroma varalice. Pozitivne mjere ne čine ništa drugo nego prikrivaju temeljne uzroke siromaštva i neuspjeha.

U prvom dijelu donosimo kratku povijest pozitivnog djelovanja. Drugi dio analizira tvrdnju da se upisni kriteriji snižavaju zbog manjinskih skupina. Zadatak trećeg dijela je pokazati da pozitivno djelovanje pogoduje šamo srednjem i višem sloju manjinskih skupina. Četvrti dio istražuje “sindrom varalice”, a peti se bavi ušutkavanjem uzroka ugnjetavanja/diskriminacije u društvu. Šesti dio donosi zaključak.

PRVI DIO: POVIJEST MJERA POZITIVNOG DJELOVANJA

Da bismo razumjeli kako mjere pozitivnog djelovanja stavljaju podzastupljene skupine u nepovoljan položaj, bitno je razumjeti zašto su one uopće uvedene. U prvim godinama postojanja rasne segregacije, ona je u SAD-u smatrana zakonskom ustavnom doktrinom. To se uvelike promijenilo 1954., kad je slučaj *Brown protiv Odbora za obrazovanje* ukinuo zakonsku opravdanost rasne segregacije. Sudska odluka bila je iskra koja je pokrenula raspravu o građanskim

INTRODUCTION

Throughout the last half a century, affirmative action programs in higher education have created a controversy in American society. As universities have increased minority representation, the practice is now more clearly seen by its critics as guilty of reverse racism. On the other hand, supporters of this program believe that this policy is beneficial because they highly value a continued increase of diversity in higher education. They also believe it is justified as reparation to minorities from centuries of slavery and oppression. They are wrong.

Affirmative action has actually reduced the diversification of these institutions. It incentivizes minority groups to decrease their effort and benefits affluent, not impoverished minorities. Moreover, the supposed beneficiaries suffer from imposter syndrome. Affirmative action merely papers over the underlying causes of poverty and failure.

In section 1 we offer a brief history of affirmative action. Section 2 is devoted to analyzing the claim that lower standards for admission are employed for minority groups. The burden of section 3 is to demonstrate that its benefits are mainly to middle and upper class minority group members. Section 4 is devoted to an exploration of “imposter syndrome” and section 5 to “Silencing” the causes of oppression/discrimination in society. We conclude in section 6.

SECTION 1: HISTORY OF AFFIRMATIVE ACTION

In order to understand how affirmative action places underrepresented communities at a disadvantage, it is important to understand why it was implemented in the first place. Throughout the first years of its existence, racial segregation in the U.S. had been a legal constitutional doctrine. This largely changed when in 1954, *Brown vs. Board of Education* dismantled the legal justification for segregation. The court’s decision

pravima, na državnoj razini. Prvi istinski znak promjene pojavio se 1961., kad je predsjednik John F. Kennedy donio Izvršnu naredbu 10925. Ona poslodavcima koji su imali državne ugovore (West, 1998.) zabranjuje diskriminaciju pri zapošljavanju na temelju rase, vjere, boje ili nacionalne osnove. Premda je i u prošlosti bilo izvršnih naredbi koje su zabranjivale rasnu diskriminaciju, Kennedyjeva izvršna naredba prva je koja je uzela u obzir nediskriminaciju te “je poduzela pozitivne mjere kod zapošljanja kandidata, te uvela tretiranje kandidata, prilikom zapošljavanja, u neovisnosti o njihovoj rasi, vjeri, boji ili nacionalnoj osnovi” (West, 1998., str. 612).

Iako je termin “pozitivno djelovanje” tada prvi put upotrijebljen, suvremeno korištenje tog termina datira od predsjednika Lyndona Johnsona. On je 1965. napisao Izvršnu naredbu 11246, koja kaže da svi poduzetnici ili ugovaratelji s državnim ugovorom u vrijednosti \$10 000 ili više moraju u svoj ugovor dodati klauzulu o jednakim mogućnostima te moraju poduzeti pozitivne mjere kako ne bi bilo diskriminacije (West, 1998.). Osim što je sprečavala diskriminaciju prilikom zapošljavanja, Izvršna naredba također je pokrenula osnivanje Ureda za usklađenost državnih ugovora (OFCC), čija je zadaća bila definiranje i praćenje obaveznih pozitivnih mjera, koje su morali provoditi poslodavci koji su zapošljavali pedeset ili više ljudi, uz ugovore u vrijednosti od \$50 000 za poslove koje su obavljali za vladu (West, 1998.). Do tog trenutka mjere pozitivnog djelovanja odnosile su se samo na diskriminaciju pri zapošljavanju. Tek se sedamdesetih godina prošlog stoljeća taj koncept počeo širiti i na visoko obrazovanje.

U početku se on odnosio na pitanja vezana za profesore, a ne studente. To je stoga što je diskriminacija studenata u javnom obrazovanju već proglašena neustavnom, zahvaljujući slučaju *Brown* i Natpisu VI Zakona o građanskim pravima, koji zabranjuje diskriminaciju po rasnoj/nacionalnoj osnovi za bilo koji program ili aktivnost kojeg financira država (West, 1998.). 1973. je Ministarstvo stambenih poslova, obrazovanja

was the spark that opened up the discussion of civil rights, on the federal level. The first true sign of change happened in 1961, when President John F. Kennedy issued Executive Order 10925. This prohibited employment discrimination based on race, creed, color, and national origin, by employers who hold federal contracts (West, 1998). While there have been previous executive orders in the past that prohibited race discrimination, Kennedy’s order was the first one to take it past nondiscrimination and “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” (West, 1998, p. 612).

While this was the first time the term “affirmative action” was used, the modern employment of the term dates from President Lyndon Johnson. In 1965, he wrote Executive Order 11246, which states that any contractor or subcontractor with a federal contract of \$10,000 or more must include an equal opportunity clause in its contract and must take affirmative action to ensure that no discrimination occurs (West, 1998). Aside from stopping employment discrimination, the executive order also created the Office of Federal Contract Compliance (OFCC), which defined and monitors the affirmative action obligations of contractors with fifty or more employees and \$50,000 or more in business with the federal government (West, 1998). Up to this point, affirmative action only dealt with discrimination in employment. It was not until 1970’s when the concept was applied to higher education.

Initially it was mostly focused on faculty-oriented affairs, not on students. This was because discrimination against students in public education was already made unconstitutional with *Brown* and Title VI of the Civil Rights Act, which prohibited race/national origin discrimination by any program or activity receiving federal financial assistance (West, 1998). In 1973, the department of Housing, Education, and Welfare (HEW) amended Title VI to authorize “affirmative action” “to overcome

i socijalne skrbi (HEW) dopunilo Natpis VI te odobrilo “pozitivne mjere” “kako bi se savladali učinci uvjeta”, što je rezultiralo ograničenim sudjelovanjem pripadnika određenih rasnih ili etničkih skupina (West, 1998., str. 619). To je dovelo do toga da su visokoškolske institucije počele usvajati programe provođenja pozitivnih mjera pokušavajući poboljšati nizak broj upisanih studenata koji dolaze iz podzastupljenih zajednica. Postojala je bojazan da nizak broj upisanih studenata iz redova manjina sa sobom nosi povećan rizik koji bi institucije smatrao odgovornima za kršenje Natpisa VI, a to bi pak ugrozilo njihovo financiranje državnim sredstvima. Moguća svrha ovog programa bila je pokušaj kompenzacije i naknade štete manjinama zbog višestoljetne potlačenosti i diskriminacije u sferi radne snage.¹ Kad je to dospjelo u sferu upisa na visokoškolske institucije, došlo je do novih problema.

DRUGI DIO: NIŽI KRITERIJI ZA MANJINSKE SKUPINE

Kako bi se povećao postotak upisanih studenata pripadnika manjinskih skupina, prijamni uredi ublažili su uvjete upisa za manjine kako bi se upisale željene kvote.² Ovaj pokušaj je donio sa sobom četiri nenamjerne posljedice onima kojima je ovaj program “trebao pomoći”. Prva od tih posljedica je da se ovime potiče da visokoškolske ustanove snize svoje kriterije. Druga je da dolazi do efekta neusklađenosti, što znači povećanje stope prekida školovanja među pripadnicima manjina. Treće: u ovakvom sustavu, rušenje na ispitu pripadnika manjinske skupine priziva kritiku “rasizma”. Većina profesora bi rado izbjegla ovakvu vrstu problema. Stoga se javlja problem pripadnika manjinskih skupina koji uspiju diplomirati, ali im nedostaju vještine potrebne za uspjeh. I četvrto, oni najčešće ne biraju studije iz STEM područja, već iz područja koja se ne odnose na tržište, što, također, nije dobra priprema za život nakon završetka studija. Štoviše, to sve škodi onima koji su upisani na temelju vlastitog truda

the effects of conditions” which resulted in limited participation by members of particular racial or ethnic groups (West, 1998, p.619). As a consequence, higher education institutions began to adopt affirmative action programs in order to address the low number of underrepresented communities enrolled. The fear was that with a low percentage of minority students, there was an increased risk that the institutions could be held liable violating Title VI, which could threaten their ability to receive federal funds. The presumed purpose of this program was to compensate minorities for centuries of oppression and discrimination in the workforce.¹ When it entered the realm of higher education admission, it created additional problems.

SECTION 2: LOWER STANDARDS FOR MINORITY GROUPS

In order to promote an increase in the percentage of minority groups, admission offices lower the acceptance standards of minorities in order to meet their desired quotas.² This aspiration comes with four unintended negative consequences for those “helped” by this program. The first is that it incentivizes high school prospects to lower their potential effort levels because they know that the standards they must meet have been lowered. The second is that it leads to a mismatch effect which increases the dropout rate of the minority groups. Third, under this system, failing a member of a minority group calls forth criticisms of “racism.” Many professors would prefer not to be involved in such issues. Thus is born the problem of minority group members graduating, but lacking the skills usually associated with that accomplishment. Fourth, they tend to major not in STEM fields, but rather in non-market oriented degrees, which, also, do not well prepare them for life after university. As well, it harms those who were accepted under their own steam. The faculty typically teaches to the level of the average ability of its students. When this is decreased, so must be the degree of knowledge imparted.

i postignuća. Fakulteti obično obrazuju do točke prosječne sposobnosti studenata. Ako je ta razina smanjena, smanjuje se i stečeno znanje.

Kako bi se lakše shvatila logička podloga prve od posljedica, treba ju promatrati kroz perspektivu prosjeka ocjena te kriterija kao što su SAT (Scolastic Assessment Tests) i ACT (American College Testing). Pretpostavljamo da što je veći angažman kojeg student uloži u školovanje, veći je i njegov prosjek ocjena.

Kad ne bi bilo vladinih programa poput pozitivnih mjera za potlačene, s jedne strane bi postojala usklađenost prosjeka ocjena, SAT testova i njihovih rezultata, te s druge strane kvaliteta visokoškolske institucije. Prestižne institucije bi upisivale kvalitetne studente, a one manje prestižne one s nižim rezultatima. Postojala bi tendencija usklađenosti studenata i institucija.

Uplitanjem vlade dolazi do komplikacija. Upisni kriteriji na sveučilištu se snižavaju za pripadnike manjinskih skupina. Što čini manjinu ovisi o demografskom sastavu na instituciji, ali u prosjeku manjinu čine svi osim bijelih muškaraca³. To dijeli dosad homogenu krivulju potražnje za “klijentima” na dva dijela; jedan dio se odnosi na većinske studente, a drugi na sve ostale.

Sniženi kriteriji upisa za studente manjinskih skupina pomiču krivulju ponude ulijevo, izjednačujući se pritom s nižim prosjekom ocjena, te rezultatima SAT-a i ACT-a. Postoji konkretna razlika između studenata koji zastupaju obje skupine. Studente pripadnike manjina se stoga pogrešno percipira⁴ kao one koji su manje uspješni, i od strane profesora i čitave akademske zajednice. To doprinosi negativnim stereotipima o njima te pogoršava stigmatizaciju istih.

Tu je i efekt nesklada. Prema tvrdnjama Sander i Taylora (2012.), ako snizite upisne kriterije za kandidate iz manjinskih skupina, oni će tada izabrati prestižnije fakultete, a nisu kvalificirani za njih. Nisu pripremljeni za količinu i težinu rada, koji su na takvim fakultetima standardni,

To understand the rationale behind the first consequence, one must view it through the perspective of the Grade Point Average (GPA) market as well as other criteria such as SAT and ACT. We assume that an increase in the amount of work/effort a student puts into his school work should correlate with an increase in GPA.

In the absence of government programs such as affirmative action, there would be a match between GPA, SAT and scores, on the one hand, and the quality of the institution of higher learning on the other. More prestigious institutions would admit high quality students while less prestigious would admit those with lower scores. The tendency would be that there would be a good fit between student and institutions.

The complications begin when government interference is. Then the admission standards for minority groups at university are lowered. What constitutes a minority depends on the demographic of the institution but on average, it includes all except straight white males³. This splits an otherwise homogeneous demand curve of colleges for “customers” into two; one for majority students and another for all others.

The lowered standards for minority students shift their demand curve to the left, creating a new equilibrium with lower GPA, ACT and SAT scores. There is now a concrete difference between students representing each of these two groups. As a result, all minority students are inaccurately perceived⁴ as inept not only by the faculty but by the entire academic community. This adds to the negative stereotypes of these people and exacerbates their stigmatization.

Then there is mismatch effect. According to Sander and Taylor (2012) if you lower the admission standards for minority group applicants, they end up choosing to go to more prestigious institutions, for which they are not qualified. These students are not prepared for the amount of work and difficulty that is the standard for their selected institutions, which leads to failure

a to vodi ka neuspješnom studiranju i višoj stopi prekida školovanja među pripadnicima manjinskih skupina. Prema studiji koju je provelo Kalifornijsko sveučilište u San Diegu (UCSD), 57% studenata koji su bili korisnici pozitivnih mjera je diplomiralo, za razliku od 73% njihovih kolega koji nisu bili korisnici tih mjera (Rose, 2005.).

Jedna od posljedica efekta neusklađenosti je manja prisutnost manjina u STEM područjima. Prema tvrdnjama Centra za obrazovanje i radnu snagu pri Sveučilištu u Georgetownu, diplomanti s najvišom godišnjom plaćom dolaze iz STEM područja, a najniže plaće imaju oni koji su diplomirali u polju društveno korisnih djelatnosti (Carnevale, Cheah, & Hanson, 2015.). Pod pretpostavkom da stručnjaci iz STEM područja imaju u prosjeku veće plaće, logičan je zaključak da će većina novoupisanih studenata htjeti upisati baš ta područja. Smisao obrazovanja je učiniti sebe što poželjnijim na tržištu rada, što u konačnici donosi bolju zaradu pojedincu. Studenti pripadnici manjina, koji se upisuju na institucije za koje su nedovoljno kvalificirani, kaskaju za svojim kvalificiranijim kolegama. Umjesto da se specijaliziraju za matematiku ili kemiju, oni se radije odlučuju za englesku književnost, fotografiju ili ostala ne-STEM područja. U najboljem slučaju, studenti iz manjinskih skupina bi trebali ustrajati u svom obrazovanju i diplomirati, a u najgorem slučaju izgledaju kao potpuni neuspjeh te im se povećava rizik od prestanka fakultetskog obrazovanja općenito.⁵

S druge strane, da pozitivne mjere nisu nikad ozakonjene, ti studenti pripadnici manjina bi se upisivali u škole koje više odgovaraju njihovim akademskim sposobnostima. Ne bi trebali ulagati tako velik trud te bi bili uspješniji. To bi utjecalo i na stopu prekida školovanja. Veći broj fakultetskih diploma vodio bi višoj zaradi nakon ulaska na tržište rada, što bi suzbilo ili smanjilo siromaštvo. Polazna pretpostavka je bila povećati dobrobit manjinskih skupina. U stvarnosti, pozitivne mjere su korisne manjinskim skupinama, ali ne onima kojima su prvotno bile namijenjene.

in their classes and increases the dropout rate for these minorities. According to a study done by the University of California at San Diego (UCSD), it was discovered that 57% of affirmative action students received a degree, compared to the 73% of their non-affirmative colleagues (Rose, 2005).

Another consequence of the mismatch effect on minority students is that it will lead to a decrease of their presence in the STEM fields. According to the Center on Education and Work Force of Georgetown University, the majors that have the highest median annual wages are those in the stem fields and those that have the lowest wages are human services majors (Carnevale, Cheah, & Hanson, 2015). Given the premise that stem related majors produce higher salaries on average, it is logical to conclude that most incoming students would want to major in those fields since the point of getting an education is to make yourself more desirable in the job market, which results in higher earnings for the individual. Minority students who attend institutions for which they are underqualified tend to trail behind their more qualified peers. Instead of specializing in mathematics or chemistry, they tend in the direction of English literature, photography, or other non-STEM fields. This would be the best-case scenario, if the minority group students persevere with their education and get a degree. Worse, this makes them feel like failures, and increases their risk of dropping out of higher education altogether.⁵

On the other hand, if affirmative action had never enacted, those minority students would have been accepted by schools that are more compatible with their academic abilities. They would not struggle, there, in their courses and would have more success. This would decrease their drop-out rates. An increase in college degrees would help raise their income when they enter the workforce, which would help combat poverty. The presumed was to enhance minority well-being. In reality, it does benefit minority groups, but not the ones they were intending it to help.

TREĆI DIO: KORIST OD POZITIVNIH MJERA IMAJU PRIPADNICI SREDNJEG I GORNJEG SLOJA MANJINSKIH SKUPINA

Jedini koji su imali koristi od pozitivnih mjera su imućne manjine, kojima ti programi nisu ni trebali. Oni nemaju financijskih poteškoća s kojima se suočavaju njihovi siromašni kolege pa obrazovanje zauzima važnu ulogu. Oni imaju novčana sredstva koja mogu potrošiti na dopunsku nastavu koja će im pomoći u svladavanju gradiva u školi. Dok većinske skupine imaju jednak pristup korisnim resursima, osnovna razlika leži u tome da je zahvaljujući pozitivnim mjerama ljestvica za manjine, koji žele upisati određene visokoškolske ustanove, postavljena niže.

ČETVRTI DIO: SINDROM VARALICE

Pretpostavimo da studenti pripadnici manjinskih skupina uspiju prevladati sve prepreke koje pred njih postavljaju pozitivne mjere te uspiju dobiti teško zaradenu diplomu. Dokazuje li to da sustav funkcionira i zapravo pomaže onima kojima želi služiti? Pristalice pozitivnih mjera završili bi ovu priču rekavši da student sada može dobiti dobar posao te živjeti sretnim i ispunjenim životom. Ali okrutna je istina da siromašan student ne može nikad zapravo ostvariti sretan život jer nikad ne može biti u potpunosti siguran je li doista zaslužio diplomu. Nije to utopija, već osobni pakao.

Gore opisani scenarij psiholozi nazivaju sindromom varalice. Sindrom varalice se opisuje kao “stanje u kojem pojedinac sumnja u svoja postignuća te ima stalan unutarnji strah da će biti razotkriven kao prevarant” (Langford & Clance, 1993., str. 495).

Iako se prvotna studija, koju je provela Pauline Clance Suzanna Imes, fokusira na žene, ova se teorija može primijeniti na bilo koju skupinu ljudi koje društvo percipira kao uspješne i ostvarene. Zahvaljujući povijesnim i društvenim objašnjenjima, vodeća perspektiva kaže da manjine imaju smanjenu vjerojatnost uspješnosti. Razmislimo o studentu koji

SECTION 3: BENEFITS OF A.A ARE MIDDLE/ UPPER CLASS MINORITY GROUPS

The only beneficiaries are the affluent minorities who never needed the programs in the first place. They do not have the financial struggles their impoverished counterparts have, so their education takes on a more important role. They also have the financial resources to invest in tutoring which can help increase their work performance at school. While the majority group has the same access to these beneficial resources, the main difference is that due to affirmative action, the bar is lower for the minority students to get admitted into their desired institution.

SECTION 4: IMPOSTER SYNDROME

Let us assume the minority students overcomes all the obstacles set up by affirmative action and gets their coveted degree they have worked so hard to obtain. This should prove that the system works and actually helps the people it intends to serve right? Those who support affirmative action would conclude this story by mentioning how the student can now get a prosperous job and live a happy and meaningful life. But the hard truth is the poor student could never truly achieve happiness in their life because they would not be completely certain if they actually earned their degree. This doesn't sound like a utopia but rather a personal hell.

The scenario described above is what psychologists refer to as imposter syndrome. Imposter syndrome is defined as “which an individual doubts his or her accomplishments and has a persistent internalized fear of being exposed as a fraud” (Langford & Clance, 1993, p.495).

While the original study done by Pauline Clance Suzanna Imes focused on women, the theory could be applied to any group of people who are not generally perceived by society to be high achieving. Due to historical and social explanations, the mainstream perspective is that minorities tend to

je prevladao sve prepreke i dobio svoju zasluženu diplomu. S obzirom da društvo već smatra da su manjine manje vjerojatno predodređene za uspjeh, pozitivne mjere samo potkopavaju ovo postignuće. Ljudi će se pitati je li ta osoba zaslužila diplomu vlastitim trudom i radom ili ju je dobila na pladnju. U tom bi slučaju ta osoba bila nepouzdan liječnik, odvjetnik, inženjer ili računovođa.

To će tom studentu, očigledno, donijeti više zla nego dobra (Cingos, 2013., Heriot, 2013.). Negativne posljedice sindroma varalice su i unutarljudske i međuljudske. Manjina konstantno preispituje svoja postignuća, ali to čine i drugi, kao npr. potencijalni poslodavci te kolege.

Pretpostavimo da student afričkog podrijetla upiše prestižno sveučilište na temelju vlastitih zasluga. S prvom poteškoćom će se suočiti u predavaonici. I kolege pa čak i profesori će ga tretirati kao manje vrijednog u odnosu na studente koji čine većinu. Oni će to objasniti tako što će reći da je on upisan zahvaljujući sniženim kriterijima te će zaostajati u radu za svojim kolegama.⁶ Ovo je potpuno nepravedno jer je ovaj student zaslužio svoje mjesto zahvaljujući vlastitim trudu i postignućima. Prevladavanje ove prepreke bilo bi izuzetno teško.

Posljedice ovog štetnog programa slijedit će ga čitavog života. Kad crni student dođe na tržište rada, suočit će se sa sličnim teškoćama kao kad je upisao fakultet. Kad poslodavac vidi njegovu prijavu za posao, reagirat će isto kao i profesor na fakultetu. Zbog toga što društvo već percipira manjine kao lijene, poslodavac može diskreditirati postignuća crnog studenta kao nešto što je dobio, a ne zaslužio. U svakom slučaju, ovakva pretpostavka je loša pozitivna mjera.

Ako student upiše diplomski studij,⁷ situacija će biti slična. I na diplomskom studiju će pokušati zadovoljiti kvotu crnih studenata, pa čak i ako to znači neupisivanje najboljih studenata.

Pretpostavimo da pozitivne mjere nisu nikad uvedene. Svi studenti bi se upisivali samo na temelju vlastitih zasluga. Nitko ne bi crne studente

have a lower probability of being high achieving. Consider the student who overcame all the obstacles and earned their coveted degree. Given the fact that society already views minorities as being less likely to be high-achieving, affirmative action undermines this accomplishment. People wonder whether such a person obtained his degree under his own steam, or, was it served to him on a platter, in which case he will be a less reliable doctor, or lawyer or engineer or accountant.

This, obviously, causes more harm than good to the poor student (Cingos, 2013, Heriot, 2013). The negative consequences of imposter syndrome are both intra and inter-personal. The minority constantly questions their own accomplishments, as do others, such as potential employers, fellow employees.

Suppose a student of African descent is admitted to a prestigious university based on merit. The first hardship he will face is in the classroom. The black students' fellow peers and even professors will treat him as inferior to those who are a part of the majority class. Their rationalizing would be that he was accepted with lower standards and will fall behind his fellow students in quality of work.⁶ This is completely unjust since he earned his spot by merit. It would be difficult in the extreme to overcome this obstacle.

The consequences of this pernicious program will follow him for the rest of his life. When the black student enters the job market, he will have to face similar struggles that he did when he first entered university. When the employer sees his application he will have the same reaction as the professor originally had. Because society already perceives minorities as being lazy, the employer can discredit the black student's accomplishment as being given to him, rather than being earned. To be sure, this assumption is exacerbated affirmative action.

If the student enrolls in a graduate program,⁷ the situation would be similar. They, too, try to meet a race quota even if it means they do not select the most qualified students.

držao manje vrijednima. Oni bi bili tamo jer su to zaslužili. To ne bi samo ukonilo teret s psihičkog zdravlja crnih studenata, već bi i ublažilo diskreciju s kojom se manjine suočavaju. Nitko ne bi mislio da su “manjinama diplome poklonjene”, već bi prepoznali i priznali njihove zasluge te pridonijeli eliminiranju postojeće stigme.

U ovom trenutku ni National Basketball Association (NBA) “ne izgleda kao Amerika”. Crnci čine 13% američke populacije, ali preko 85% sportaša ove lige su Afroamerikanci. Nijedan od njih nije dogurao dotle zahvaljujući provođenju pozitivnih mjera. A isto se može reći i za igrače bijelce. Ali pretpostavimo situaciju da nametnemo ovaj sustav pozitivnih mjera članovima NBA lige. To bi značilo da su crnci ograničeni na prisustvo od 13%, a udio bijelaca bi radikalno skočio. Kako bi se igrači bijelci osjećali u ovakvom sustavu? Možemo samo pretpostaviti, ali vrlo je vjerojatno da bi bili u sličnom položaju kao i crni diplomanti koji “imaju koristi” od pozitivnih mjera.

PETI DIO: UZROCI “UŠUTKAVANJA” POTLAČENOSTI / DISKRIMINACIJE U DRUŠTVU

Jedna od najistaknutijih tvrdnji koje govore u korist pozitivnih mjera je da one pomažu u borbi protiv potlačenosti i diskriminacije manjina, kojima su one stoljećima bile izložene. To je pogrešno, ali široko rasprostranjeno razmišljanje.⁸ Pa ipak, postojeći sustav ima velik broj pristalica. Zašto? Tu je neshvatljivost najbolje objasnio Bruce Yandle konceptom krijumčara pića i baptista. Ta teorija kaže da nespojive interesne skupine mogu postići dogovor definiranjem pravila tako da interesi obaju grupa budu zadovoljeni (Yandle, 1998.). Pravila stvaraju neučinkovitost tržišta, ali obje skupine budu zadovoljne rezultatima. Čak i u slučaju obostranog zadovoljstva tih skupina, društvu u cjelini bi bilo bolje da nikakva pravila nisu ni bila uvedena. Primjer kojeg Yandle koristi kako bi objasnio ovaj koncept je pokušaj ograničavanja

Suppose affirmative action was never implemented. All student admittances would be based on merit. No one would look upon the black student as inferior. He would be there because he has earned rightful place. Not only would this lift a burden on the black student’s mental health but it would also lower the amount of discretization minorities have to face. No one would think that degrees were “given to minorities” but would recognize the accomplishment and help remove the present stigma.

Right now, the National Basketball Association does not “look like America.” Blacks comprise some 13% of the U.S. population, but over 85% of the athletes in this league are African-American. Not a one of them landed there due to affirmative action. And, the same can be said for the white players. But, suppose we were to impose this system on these team members. This would mean blacks would be limited to roughly 13% of the membership, while the proportion of whites would sky-rocket. How would the white players feel about such a system? One can only speculate, but, it is highly possible they would be in a position similar to black scholars who “benefit” from affirmative action.

SECTION 5: “SILENCING” CAUSES OF OPPRESSION/DISCRIMINATION IN SOCIETY

One of the highest profile claims in support of affirmative action is that it helps combat the oppression and discriminations minorities have endured in this country. This is fallacious, and widely known to be so.⁸ Yet there is strong support for the current system. Why? The explanation for this irrationality is best explained by Bruce Yandle’s concept of Bootleggers and Baptists. The theory states that disparate interest groups, with widely different motives, can nevertheless agree on a regulation where both of their agendas will be implemented (Yandle, 1998). The regulation creates an inefficiency in the marketplace but both groups are satisfied with the outcome. Even if these groups are content, society

prodaje alkohola nedjeljom Južnjačkih baptista i krijumčara alkoholom. Motiv baptista po tom pitanju je stav da je ispijanje i prodaja alkohola u Božji dan nemoralno te su željeli da svi poštuju šabat. A krijumčari pića su zagovarali zatvaranje licenciranih trgovina pićem kako bi oni povećali svoju dobit nedjeljom i stekli prednost pred konkurencijom.

Pokušajmo primijeniti taj koncept na sadašnji slučaj. Baptisti bi, u ovom našem slučaju, bili oni koji žele ostvariti društvenu pravdu i ispraviti nepravde koje su mučile manjine stoljećima. Njihovi su motivi hvalevrijedni i namjere su im ispravne, ali oni vjeruju da će se sustav popraviti sam po sebi ako društvo samo poveća broj pripadnika manjina s fakultetskom diplomom i stekne prednost tog tipa. To vodi nenamjernom uštkavanju manjina. Derick Jensen definira uštkavanje kao zaboravljanje svjetskih strahota ako previdimo i “zaboravimo” svakodnevne životne probleme (Jensen, 2004.). Uz pozitivne mjere, društvo će zaboraviti sve bitke koje manjine vode svaki dan te će čak možda i naći opravdanje za njih zbog uobičajene reakcije da će se manjine snaći upravo zahvaljujući pozitivnim mjerama. Drugim riječima, pozitivne mjere su način koji pomaže tradicionalnim ugnjetavačima da opravdaju sebe te da misle da su oni ti koji su generirali promjenu, a da uopće ne promišljaju o temeljnim premisama koje su u korijenu ugnjetavanja.

S druge strane, motivi krijumčara pića za podupiranje pozitivnih mjera su pokvareni. Ti ljudi žele zadržeti postojeću društvenu hijerarhiju jer oni od nje imaju najviše koristi. To su ugnjetavači. Ta interesna skupina želi zadržavanje pozitivnih mjera jer priželjkuju visoku stopu prestanka školovanja među pripadnicima manjina, te im odgovara da se manjine stigmatizira kao lijene, kako bi oni sami ostali na vrhu društvene hijerarhije.

Tko su točno ti ljudi? Ne možemo navesti njihova imena jer nitko od njih to ne bi priznao. Dovoljno je reći da se radi o rasistima koji bi rado crnce vratili na “plantaže”. To su oni koji likuju kad

as a whole would be better off if no regulation was implemented. The example Yandle uses to explain this concept is how both Southern Baptists and Bootleggers wanted to restrict the sale of Alcohol on Sundays. The motives for the Baptists were that it was immoral to drink and sell alcohol on the Lord’s day and they wanted everyone to respect the Sabbath while the Bootleggers wanted the closure of licensed liquor store so they could increase their profits on Sundays and obtain an advantage over their competitors.

Let us apply this concept to the present case. Here, the Baptists would be those who want to achieve social justice and right the wrongs minorities have suffered in the past. Their motives are admirable, and their hearts are in the right place, but they believe that the system will fix itself if society just increases the number of minorities with college degrees and obtains other such advantages. This leads to unintended silencing of minorities. Silencing is defined by Derick Jensen as forgetting the atrocities of the world as we overlook and “forget” daily the problems in life (Jensen, 2004). With affirmative action, society seems to forget all the struggles minorities have to deal with in daily life and can lead even to the justification of these struggles because a common response is that minorities have an easy way out due to affirmative action. In other words, affirmative action is a way for those who are traditionally oppressors to feel good about themselves and think they have caused change without actually addressing the foundational premises that create the oppression

The Bootleggers, on the other hand, have more vicious motives for supporting affirmative action. These people are those who want to keep the social hierarchy as it is right now because they will reap most of the benefits. These tend to be the oppressors. This interest group wants to maintain affirmative action because they want to make sure minorities continue to have a higher dropout rate in universities and that the stigma that minorities are lazy lives on so they can continue to be on top of the social hierarchy.

dode do pada blagostanja crne zajednice. To su ljudi koji, primjerice, dobro znaju da će zakon o minimalnoj plaći dovesti do nezaposlenosti afroameričkih tinejdžera, te ga upravo iz tog razloga i podržavaju.⁹ Među njima su i oni koji podupiru kontrolu prodaje oružja, upravo zato jer ona znači smanjenje sigurnosti crnaca, koji su proporcionalno onda i najveće žrtve zločina.¹⁰

ŠESTI DIO: ZAKLJUČAK

Pozitivne mjere pri upisu na sveučilište zapravo su smanjile raznolikost institucija i pogoršale stopu uspješnosti pripadnika manjina. One manjine u konačnici stoje više jer ih ne potiču da ulože trud prilikom upisa na visokoškolske institucije, pogoduju bogatim pripadnicima manjina, a ne siromašnima, kojima bi, po svoj prilici, trebale koristiti, kreiraju sindrom varalice među pripadnicima manjina, te su metoda ušutkavanja i prešućivanja osnovnih uzroka siromaštva.

Who, precisely, are these folk? We cannot name names, since it would be exceedingly rare for anyone to admit any such motivation. Suffice it to say that these are the racists who want to put black people back on the “plantation.” These are the ones who revel in welfare losses on the part of the black community in general. These are the people, for example, who know full well that the minimum wage law creates unemployment for African-American teenagers, and support it for that very reason.⁹ Among them, also, are those who favor gun control, precisely because it will reduce the safety of blacks, who are, proportionately, the greatest victims of crime.¹⁰

SECTION 6: CONCLUSION

Affirmative action on the admission to higher education institutions has actually regressed the diversification of the institutions and success rate of minorities. It is more costly to the minorities because it incentivizes minority groups to lower their effort to obtain admission to the institutions, it benefits the minorities who are affluent instead of the impoverished ones that it presumably wants to help, fuels the imposter syndrome in minorities, and it is a way of silencing the underlying causes of poverty.

BILJEŠKE

¹ Za slučaj koji podupire ovakvu politiku kao naknadu štete vidi Robinson, 1998, 2000, 2002. Za kritiku, koja se protivi bilo kakvim nadoknadama djeci i unucima crnih robova, uključujući i ovaj, vidi Horowitz, 2000, 2002. Za umjerena stajališta o naknadi štete vidi Block, 2002.

² “Kvota” je riječ koju pristalice pozitivnih mjera ne vole. Njima su draže riječi poput “ciljeva” ili “svrhe” jer su politički korektni. Međutim, nemoguće je poreći da se upravo to događa ovim programom.

³ Ova je grupa “toksična” iz razloga koje autori ne uspejavaju shvatiti.

⁴ Teško je, ako ne i nemoguće, pasivnom promatraču vidjeti razliku između studenta pripadnika manjine koji je upisao fakultet zahvaljujući “vlastitom trudu” i onog kojim je trebala pomoć pozitivnih mjera.

⁵ Alternativno, i manje poželjno, je da studenti počnu dobacivati rasne ili seksističke primjedbe u vezi fizike, matematike i sl. To je još pogubnije nego da profesori i administratori to i prihvate.

⁶ Neće pasti predmete jer bi se samo rijetki profesori usudili srušiti ga. Za opće slučajeve pozitivnih mjera vidi Block, 1982, 1992, 1998; Block, Snow i Stringham, 2008; Block i Williams, 1981; Cingos, 2013; Derbyshire, 2012; Gordon, 1998; Heriot, 2013; Herrnstein i Murray, 1994; Levin, 1987, 1997; Lynch, 1998, Malek, 2002; Mercer, 2003; Mulcahy i Block, 1997; Pojman, nedatirano; Rockwell, 1995; Sander i Taylor, 2012A, 2012B; Sowell, 1975, 1981, 1982, 1983, 1984, 2000, 2016; Taylor, 2013, 2015; Taylor i Sander, 2012; Whitehead, Block i Hardin, 1999; Whitehead i Block 2004; Williams, 1982, 1985, 2003, 2005, 2011; Woods, 2004.

⁷ Otprilike 39% prvostupnika upisuje diplomski studij (Baum & Steele, 2017.).

⁸ Vidi fn. 6, supra.

⁹ Ponovo, iz istog razloga, ne možemo navesti imena. Za slučaj o Zakonu o minimalnim plaćama, vidi Sowell, 2013.

¹⁰ Vidi Harrella, 2007. Za slučaj protiv kontrole prodaje oružja, vidi Lotta, 1998.

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¹ For the case in favor of using this policy as reparations, see Robinson, 1998, 2000, 2002. For a critique, which opposed all payments to the children and grandchildren of black slaves, including this one, see Horowitz, 2000, 2002. For a moderate position on reparations see Block, 2002

² “Quotas” is a word not much enamored by supporters of affirmative action. They prefer the more politically correct “goals,” or “targets” or some such. Yet, it is difficult to deny that this is precisely what occurs with this program.

³ This group is alleged to be “toxic” for reasons that escape the present authors.

⁴ It is difficult, if not next to impossible for the outsider to distinguish between minority students who are accepted “under their own steam” from those who required an affirmative action boost.

⁵ Alternatively, and even less preferable, the students start to claim there is something racist or sexist about physics, mathematics, etc. Even more deleterious than that some professors and administrators acquiesce.

⁶ He will not fail the courses, since only the rare professor would dare to do any such thing. For the general case against affirmative action, see Block, 1982, 1992, 1998; Block, Snow and Stringham, 2008; Block and Williams, 1981; Cingos, 2013; Derbyshire, 2012; Gordon, 1998; Heriot, 2013; Herrnstein and Murray, 1994; Levin, 1987, 1997; Lynch, 1998, Malek, 2002; Mercer, 2003; Mulcahy and Block, 1997; Pojman, undated; Rockwell, 1995; Sander and Taylor, 2012A, 2012B; Sowell, 1975, 1981, 1982, 1983, 1984, 2000, 2016; Taylor, 2013, 2015; Taylor and Sander, 2012; Whitehead, Block and Hardin, 1999; Whitehead and Block 2004; Williams, 1982, 1985, 2003, 2005, 2011; Woods, 2004.

⁷ Approximately 39% of people with bachelor’s degrees go on to a graduate program (Baum & Steele, 2017).

⁸ See fn. 6, supra

⁹ Again, we cannot name names, for the same reason. For the case against the minimum wage law on these grounds, see Sowell, 2013

¹⁰ See Harrell, 2007. For the case against gun control, see Lott, 1998

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