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***L'affirmative action e uguaglianza di  
opportunità? Una riflessione sul recente  
dibattito filosofico politico***

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## ABSTRACT

Equality of opportunity is the most desirable form of fair distribution, as its ultimate aim regards the achievement of equality among individuals and their chances. However, unpredictable circumstances and complications affect the application of equality of opportunity standards. For instance, positive or negative luck in birth status, family backgrounds, human well-being and wealth, may dramatically affect opportunity distribution among individuals. Whereas luck favors some individuals more than others, a just society should provide measures to equalize or - at least - compensate for disparities between individuals. The development of efficient policy measures, such as affirmative action involves the purpose of trying to find a solution to the differences among individuals.

Affirmative action is a set of positive policies meant to improve the educational and job opportunities of members of discriminated groups. Therefore, affirmative action effectively complies with the theoretical construct of substantive equality of opportunities, as defended by John Rawls and other authors within the political and philosophical debate from the 1970s onward. If we assume that a substantive equality provides identical opportunities for each person, these opportunities need to be sufficient to develop the qualifications required to realise one's life plans.

Affirmative action policy is directly related to Dworkin's idea of *equality of welfare* and *equality of resources*. According to Dworkin, a general social satisfaction requires to equalise welfare among individuals. Furthermore, an equality of resources overcomes a mere equality of opportunities, because it proposes -independently from external variables- a parity in the achievement of individual goals. Therefore, we

should not let the distribution of resources be influenced by preexisting social and economic differences.

The crucial question of my dissertation is centered around the question whether affirmative action is an efficient policy that yields its expected outcomes. Many researchers have discussed the effects of affirmative action. Although its enactment seems to have a substantial impact, which especially affects educational systems, it also appears too drastic to generate an increased graduation rate among black people. A controversial issue regarding affirmative action, concerns the criteria, the guidelines, and the benchmarks for supporting a particular research instead of supporting others.

Indeed, should an affirmative action policy be considered as a compensation towards underprivileged persons? Or rather should this model be interpreted as a proper tool for the realisation of one's talent? It turns out to be a difficult task to make a well-considered decision in this area. Different authors give have provided alternative interpretations of affirmative action policies.

Dworkin explains affirmative action, affirming that it fixes the educational system in a less artificial structure, contributing to dissolve exclusion of certain groups and communities. Ronald Dworkin also states that affirmative action is one of the most efficient tools available to combat racism. Furthermore, Laura Purdy gives us three crucial points on affirmative action policies. In Purdy's opinion, an affirmative action program compensates members of disadvantaged groups, mitigates ongoing discriminations, even of those suffered in the past. Affirmative action helps us to provide a guarantee for the society in achieving the highest possible level of equality. We need to thoroughly understand social discussions, in order to discern in its strict meaning what does affirmative action pertain to. On one side, Andrew Valls, suggests that affirmative action programs determined by racial

discrimination, may be justified. The author affirms that libertarianism may subscribe “calls” in order to compensate black people for discrimination previously suffered by Afro-Americans. Accordingly, Valls illustrates how affirmative action equally provides to amend effects of the violations occurred by increasing opportunity rights. J. Edward Kellough focuses his researches on the impact that an affirmative action plan has on job and educational opportunities towards women and minorities. It is basic to separate the outcomes of a commonly non-discriminatory policy from the consequences resulted from an affirmative action program. Additionally, we need to consider that a symbolic meaning of affirmative action exists and it is sufficient to justify its own application. In Kellough’s opinion, the affirmative action programs are a symbol of the commitment of some organisations to solve women’s and minorities’ matters regarding discrimination. Affirmative action, from this perspective, sounds to be a powerful reminder of the unacceptableness of that discriminations, and the policy appears as the willingness to take adequate measures to the problem.

Although the debate on affirmative action has emerged from the very beginning, the discussions on the matter was conducted without clear evidences on the effectiveness of the policy. However, a first effort in terms of research in this area has been recently made. An improvement in women’s careers is coupled with educational opportunities. University, in particular, furnishes people of the requirements needed to achieve profitable and respected working positions. So, for an individual, the opportunity to get a high school diploma or to earn a degree, may have a cardinal significance in shaping his own life. In the early 70’s, as affirmative action policies were launched, entrance examinations for colleges and universities were radically modified, to the extent of including several minorities. The situation is still precarious and uncertain: the solution to the above-mentioned social

problems will extensively depend on the efficiency of an affirmative action policy in pushing for opportunities for the benefit of selected groups. Even if affirmative action produces a positive impact on the integration of women and minorities, potential costs, which should be borne by the organizations in charge of supporting the policy, need to be considered as well. The social cost of the program, in terms of loss of opportunity for fair-skinned people, seems to be almost irrelevant. Hence, more research on the area may unquestionably benefit the society, as it will enable governments to meticulously define the real gain for women and minorities, as opportunity costs for the remaining groups.

A methodological solution shows us that a common answer cannot be found, since the adequacy of affirmative action should be evaluated one by one as the instances occur.

Hence, we should firstly ascertain which role do circumstances play on our research. For example, the educational system in the US, in almost all cases, charges students and families. To join a prestigious college, a student needs high grades and means. In this case, an affirmative action program may make the educational system more equal and more suitable for all. Through the medium of affirmative action, it would be possible to support talents, which, in the absence of an availability of resources, may not be developed. Here, an affirmative action program will exactly hit the mark for which it has been created.

Differently, in the Italian educational system, for instance, the answer to the main question of my dissertation, would considerably change. Indeed, most of Italian universities are free, as the system is largely supported by public wealth. So long as the educational system in Italy is nearly free of charge, and as it offers a first-class didactic work, an affirmative action program would not have a particular incidence in changing the system.

Following another approach, Rawls' difference principle, we can say that the application of such principle considers that inequalities among individuals are only acceptable and justifiable whether they lead –in absolute terms- to an increased benefit for unprivileged groups. In that case, the concept of fairness must be a priority compared with the moral concept of what should be considered as “*good*”. This idea should be the leading thread for every real social choice. We have repeatedly asked ourselves whether or not we should treat affirmative action program as unprecedented inequalities.

The separate shares created by the application of an affirmative action policy do not contrast with the idea of parity, but only if used as a flexible model. Hence, exceptional quotas resulting from the application of an affirmative action policy, should only provide a quantitative indication of the goal we have to strive towards and should lay down the end to be attained. According to what we have just delved into, I believe that the response to the question we had formerly raised should be positive.

In order to achieve an equality in the future, a society has to be willing to temporarily quit just treatments, as long as it creates general benefit for all. However, this concept must go further than solely overcoming differences. Indeed, an affirmative action program has to complete the decisive steps of this process, namely the respect for diversity and the appreciation of differences.

In conclusion, affirmative action faces an arduous challenge. It consists in the elimination and the reparation of the disadvantages suffered by fixed groups, without leading to discrimination, and, above all, without creating a mechanical homogeneity of society.

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