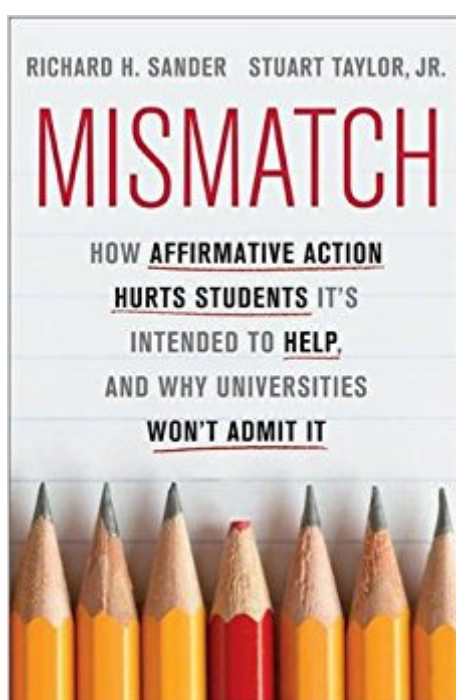


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# Mismatch: How Affirmative Action Hurts Students It's Intended To Help, And Why Universities Won't Admit It



## Synopsis

The debate over affirmative action has raged for over four decades, with little give on either side. Most agree that it began as noble effort to jump-start racial integration; many believe it devolved into a patently unfair system of quotas and concealment. Now, with the Supreme Court set to rule on a case that could sharply curtail the use of racial preferences in American universities, law professor Richard Sander and legal journalist Stuart Taylor offer a definitive account of what affirmative action has become, showing that while the objective is laudable, the effects have been anything but. Sander and Taylor have long admired affirmative action's original goals, but after many years of studying racial preferences, they have reached a controversial but undeniable conclusion: that preferences hurt underrepresented minorities far more than they help them. At the heart of affirmative action's failure is a simple phenomenon called mismatch. Using dramatic new data and numerous interviews with affected former students and university officials of color, the authors show how racial preferences often put students in competition with far better-prepared classmates, dooming many to fall so far behind that they can never catch up. Mismatch largely explains why, even though black applicants are more likely to enter college than whites with similar backgrounds, they are far less likely to finish; why there are so few black and Hispanic professionals with science and engineering degrees and doctorates; why black law graduates fail bar exams at four times the rate of whites; and why universities accept relatively affluent minorities over working class and poor people of all races. Sander and Taylor believe it is possible to achieve the goal of racial equality in higher education, but they argue that alternative policies—such as full public disclosure of all preferential admission policies, a focused commitment to improving socioeconomic diversity on campuses, outreach to minority communities, and a renewed focus on K-12 schooling—will go farther in achieving that goal than preferences, while also allowing applicants to make informed decisions. Bold, controversial, and deeply researched, *Mismatch* calls for a renewed examination of this most divisive of social programs—and for reforms that will help realize the ultimate goal of racial equality.

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## Customer Reviews

“The highly anticipated Sander-Taylor book, *Mismatch: How Affirmative Action Hurts Students It’s Intended to Help, and Why Universities Won’t Admit It*, was published Tuesday, on the eve of the oral argument in *Fisher v. Texas*. It is, in a word, magisterial. No matter what the Supremes decide, this work will be regarded as a major — perhaps the major — discussion of the use and abuse of race in American higher education, easily displacing Bowen and Bok’s unduly influential *The Shape of the River*, which it respectfully but effectively eviscerates.... As someone who has attempted to follow racial issues closely, I can assure you that you will learn, as I did, a great deal that you didn’t know and be impressed by the wealth of social science evidence ably and judiciously presented to support and extend the mismatch theory.... *Mismatch*, in short, is a major contribution to the debate over affirmative action, a model of vigorous but fair and balanced argument and analysis.” — John S. Rosenberg, *Minding the Campus*“This book probably will make constitutional history. Written at the intersection of social science and law, its data conclusively demonstrate the damage that has been done to intended beneficiaries by courts’ decisions that have made racial preferences in college admissions an exception to the Constitution’s guarantee of equal protection of the laws.” — George F. Will“As a longtime defender of affirmative action, I used to think the so-called mismatch problem was an overhyped myth. But Sander and Taylor make a convincing case and, more important, good recommendations to keep affirmative action alive — without preferences.” — Clarence Page, *Chicago Tribune*“[Sander and Taylor] are intelligent critics who support the modest use of race in admissions but think very large preferences have harmful effects.... [T]his book is at its best when it skewers college and university officials — who feel morally superior for defending affirmative action — for in fact pursuing what Yale Law professor Stephen Carter has called ‘racial justice on the cheap.’” — Richard Kahlenberg, *The New Republic*“This lucid, data-rich book is simply the best researched and most convincing

analysis ever done of affirmative action in higher education, a work at once impeccably scholarly and entirely accessible to anyone interested in the social and legal ramifications of well-intentioned policies that, as the authors show, have a boomerang effect on the intended beneficiaries.âJudge Richard A. PosnerâAs a high-profile defender of affirmative action, I used to think the so-called âmismatchâ problem was a bit overblown. Richard Sander and Stuart Taylor have caused me to think again. How many bright and promising minority students, we must ask, have failed because they were steeredâwith the best intentions, of course â into elite schools for which they were less prepared academically than most of their classmates? What better ways can we devise to boost academic achievement and expand the pool of qualified students of all races? We don't do future generations of students any favors by trying to ignore this issue or pretend it doesn't exist. If common-sense moderates don't step up and engage this debate, we only allow extremists to take control of it.âClarence Page, Pulitzer Prize-winning columnist for the Chicago Tribuneâ[A] powerful new book that explains the nefarious consequences of [undergraduate and graduate admissions programs] for the supposed beneficiaries of racial preferences. The dirty secret â not a dirty little secret, but a dirty huge secret â is how massive in size their racial preferences are.âEd Whelan, National Review Online, Bench MemosâThe authors offer extensive data in support of their conclusions that the present system is not serving those students well.... This information will be argued over all the same, but the authorsâ evenhanded suggestion that what might be a better strategy is to raise educational attainment by investing more in elementary and secondary education for lower-income students â âtargeting economic need before racial identity,&#39; as they put it â seems unobjectionable on the face. The subject may be hard to talk about, but it must be, and this is a valuable contribution to opening that needed discussion.âKirkus ReviewsâMismatch is a story of good intentions gone terribly awry. Sander and Taylor document beyond disagreement how university admissions officesâ racial quotas and preferences systematically put black and Hispanic students in schools where they are far less well-prepared than others.âMichael Barone, Washington Examinerâ[W]hat Mr. Sander and Mr. Taylor have accomplished here is incredibly impressive. The authors have done an excellent job of pulling together the available research, and Mr. Sander in particular has been dogged in his pursuit of fresh numbers&#133;].... Mr. Sander and Mr. Taylor, of course, have their share of critics, and Mismatch will not be the last word on this subject. But they have put the nation&#39;s universities in a put-up-or-shut-up situation: They can either admit that preferences do harm, or they can release the data that prove otherwise.âWashington TimesâSander and Taylor have marshaled a formidable

amount of evidence to substantiate the mismatch theory, and...the payoff is persuasiveness.... Mismatch is very much in the tradition of the muckraking that Lincoln Steffens did a century ago when he took on the corruption in American cities; indeed, the book could be titled 'The Shame of the Colleges.' Wall Street Journal; [A] sober, reasoned, more-in-sorrow-than-in-anger critique of affirmative action.... One of the virtues of this book is that it is based on a rigorous, dispassionate examination of the facts. It is packed with easy-to-follow graphics and statistical analysis, as well as extensive case evidence based on interviews. The American Spectator; Racial discrimination is unlawful and has been rightly repudiated by the American people. The corrupt silence concerning such discrimination in college and university admissions suggests that at some level these people know they are doing something for which they should be ashamed. Unfortunately they are doing their intended beneficiaries no favors. That's proved beyond demur by Sander and Taylor's Mismatch. Michael Barone, Creators Syndicate; [Mismatch: How Affirmative Action Hurts Students It's Intended to Help, and Why Universities Won't Admit It is] a fine book, and the evidence gathered under the first part of the subtitle is convincing.... I was even more intrigued by the second part " about the reluctance of the universities and respectable opinion in general to recognize the defects of the policy. It's a subject that cannot be discussed, least of all in the precincts of American institutions dedicated to fearless free inquiry. Clive Crook, Bloomberg View; Sander and Taylor attack affirmative action programs in a bold and comprehensive way.... General readers will learn much from this work, though it is recommended more for graduate students in public policy as well as students and faculty at law schools. Choice; An influential book. Michael Kinsley, Bloomberg View; [A] wealth of information.... Dr. Sander and Mr. Taylor present an excellent explanation of what is currently meant by affirmative action and demonstrate how it has been abused. New York Journal of Books; [A] remarkable new book. [Sander and Taylor] have shifted the focus of the entire debate. Bypassing the standard arguments about core principles, their extensive research focuses on the actual effects of racial preferences on the students they were intended to benefit. Drawing upon data never before available to independent-minded scholars, they find, to their dismay, that such policies actually do more harm than good to black and Hispanic students. From now on, it will be impossible to have a serious debate on this subject without extensive reference to the evidence provided in this volume. National Review; In the real world, there is little doubt that racial preferences are a failure. In their judicious book Mismatch, Richard Sander and Stuart Taylor Jr. catalog the

twisted effect of preferences on schools beholden to them.â;Rich Lowry, National Review Online&#147;[Stuart Taylor&#39;s] book is wonderful.... [It&#39;s] the most thoughtful account of the possible policy disadvantages of affirmative action in putting students who are mismatched...at universities where they&#39;re not prepared.â;Jeffrey Rosen, on NPR&#39;s Diane Rehm Show&#147;In their outstanding book, *Mismatch*, Richard Sander and Stuart Taylor Jr. document the paradoxical results of giving large preferences to racial and other minorities. Sander and Taylor argue persuasively that the trouble with preferences is not the injustice done to people like Abigail Fisher, who was denied admission to the University of Texas while less qualified black and Hispanic applicants were accepted â though that is unfair â but also the harm it does to those to whom such preferences are extended.â;Mona Charen, *Creators Syndicate&#147;*The devastating new book *Mismatch&#133;*has so much overwhelming evidence on the harm done to students who are black, Hispanic, or from other &#145;under-represented&#39; minorities, that it will be hard for anyone with pretensions of honesty to be able to deny that painful fact.... Sander and Taylor have written an outstanding book that deserves to be read and pondered in many places for many years. They have performed a major service for all those who have an open mind on affirmative action.â;Thomas Sowell, *Claremont Review of Books&#147;*[An] eye-opening new book.... The argument Sander and Taylor make is unpopular among academic administrators, and, they illustrate, it has been systematically suppressed. But the evidence that they present makes obvious that the solution to educational inequity is not to be found in continuing to mask it with racial admissions preferences that harm students.â;Science Careers&#147;Anyone who wants an honest look at the hard facts about racial preferences in admissions to colleges and universities will find it â perhaps for the first time â in a book titled *Mismatch* by Richard Sander and Stuart Taylor, Jr.... The careful analysis of documented facts makes *Mismatch* a rare and valuable book for people who want to think.â;Thomas Sowell, *Creators Syndicate&#147;*The evidence on [the wrongs perpetrated by affirmative action programs] is hotly disputed, but Richard Sander and Stuart Taylor Jr. make a compelling case in their book *Mismatch*.â;David Brooks, *New York Times&#147;*The best argument against affirmative action is presented in *Mismatch*, by Richard Sander and Stuart Taylor. The subtitle says it all: *How Affirmative Action Hurts Students Its Intended to Help and Why Universities Won&#39;t Admit It*.... If Sander and Taylor are right, affirmative action may be a policy that hurts Asians and helps no one. But this is an uncomfortable thing to say. For one thing, we don&#39;t know that they&#39;re right â there is a hot debate over their thesis. But even if they are right, the remedy is bound to be very divisive..... It&#39;s worth noting that it should be relatively easy to tell whether Sander and Taylor are right, except that it&#39;s very hard to get

the data. And it's hard to get the data because institutions fight like hell to keep it from being released. It's no surprise that we can't all agree on a remedy for historical racism. But it should be easy to agree to study the problem.â€”Megan McArdle, The Daily Beast

The debate over affirmative action has raged for over four decades, with little give on either side. Most agree that it began as noble effort to jump-start racial integration; many believe it devolved into a patently unfair system of quotas and concealment. Now, with the Supreme Court set to rule on a case that could sharply curtail the use of racial preferences in American universities, law professor Richard Sander and legal journalist Stuart Taylor offer a definitive account of what affirmative action has become, showing that while the objective is laudable, the effects have been anything but. Sander and Taylor have long admired affirmative action's original goals, but after many years of studying racial preferences, they have reached a controversial but undeniable conclusion: that preferences hurt underrepresented minorities far more than they help them. At the heart of affirmative action's failure is a simple phenomenon called mismatch. Using dramatic new data and numerous interviews with affected former students and university officials of color, the authors show how racial preferences often put students in competition with far better-prepared classmates, dooming many to fall so far behind that they can never catch up. "Mismatch" largely explains why, even though black applicants are more likely to enter college than whites with similar backgrounds, they are far less likely to finish; why there are so few black and Hispanic professionals with science and engineering degrees and doctorates; why black law graduates fail bar exams at four times the rate of whites; and why universities accept relatively affluent minorities over working class and poor people of all races. Sander and Taylor believe it is possible to achieve the goal of racial equality in higher education, but they argue that alternative policies--such as full public disclosure of all preferential admission policies, a focused commitment to improving socioeconomic diversity on campuses, outreach to minority communities, and a renewed focus on K-12 schooling --will go farther in achieving that goal than preferences, while also allowing applicants to make informed decisions. Bold, controversial, and deeply researched, "Mismatch" calls for a renewed examination of this most divisive of social programs--and for reforms that will help realize the ultimate goal of racial equality.

This review of admissions and performance data for admitted minorities makes a few emphatic conclusions: "affirmative action" and admissions "preferences" have not gone away at the University of California, or other selective institutions. The authors say that the first few years after Prop 209,

before administrators had found ways to evade the strictures of Proposition 209, provided a "natural experiment." Under-represented minority enrollments dropped, but the numbers of such graduates rose, presumably (though not conclusively) because such students were better prepared, and not laboring under a presumption that they were admitted despite inferior qualifications. Once old practices started anew, albeit under a new policy of "holistic" review of applications, "under-represented minority" students again under-performed whites and Asians. Rick Sander, a law professor, points out that the trend is most visible at law schools, even such nominally conservative institutions as George Mason, forced to adopt admissions policies similar to its peers, or to lose its accreditation. One must note the most startling, unexpected commentary: US Supreme Court decisions, beginning with Bakke (1978), which appeared to limit the use of special racial and ethnic preferences, have, on the whole, proven ineffective at doing so. In addition, the authors provide evidence that minority students trained at "minority schools" achieve more professional success, attend graduate school at a better rate, and are more successful as academics, than those trained at elite undergraduate institutions. Given these "counterintuitive" conclusions, it can only be expected that the public remains unfamiliar with the arguments presented here. In addition, the book contains some damning indictments of academia: Rick Sander was blackballed from various academic panels. A case is made that his "scientific experiment" should have been confirmed or disproven by other researchers; however, data has been withheld by the University of California, the California Bar Association, and the Mellon Foundation. The latter reserved the right to "vet" the objectives and proposed lines of inquiry of future researchers before making its data available. A pleasant surprise: the statistical analyses were quite readable, even for one naturally disinclined toward the endeavor. Some academics have criticized the study's methodology, in what to the uninitiated appears like cogent arguments. The authors' response to a few such critiques, included in the book, also seems convincing. One conclusion seems inescapable here: these studies should be repeated, and confirmed or disproven in a more rigorous fashion, meeting the standards of scientific inquiry. In the meantime, such critiques as have been publicized appear at best to be incomplete.

This is an important book on the highly controversial subject of racial preferences in college admissions. Its main thesis, mismatch, is that preferentially admitting students to a highly competitive academic environment where their classmates are much more academically prepared tends to be harmful to those students, and it cites many examples of this mismatch effect in the science, technology, engineering, mathematics (STEM) and law school context where such



students tend to get lower grades, graduate and pass the bar exam at lower rates, and drop out of STEM majors at much higher rates. Substantiated by extensive University of California (UC) admissions and graduation data before and after Proposition 209, the 1996 voter-approved amendment that bans the use of race as a factor in public university admissions, some of the book's other key points are that (1) the very large preferences used by the two most elite UC campuses, UC Berkeley and UCLA, before the ban resulted in much lower graduation rates for the preferentially admitted underrepresented minority (URM) groups than for the white and Asian-American students; that (2) after Proposition 209, the URM graduation rates for the UC system have improved dramatically because the URM students generally meet the admissions standards applicable to the other students; and that (3) although the URM enrollment rate at UC Berkeley and UCLA has dropped significantly after the ban, the number of URM students that actually graduate from those two campuses has remained stable. The book also describes the measures that the UC has taken to increase its URM enrollment since Proposition 209: developing extensive outreach program to better prepare URM students to meet the UC admissions requirements; de-emphasizing the importance of standardized test scores and grades by adding many more nonacademic (mainly socioeconomic) factors to the admissions process; and using an opaque, vague, and subjective "holistic" admissions process where hidden preference for URMs could be exercised. Considering many more nonacademic factors in the admissions process lowers the overall academic quality of the student body, particularly at the two most elite UC campuses. This not only disadvantages the high-performing students from stable, well-off households in particular, but also devalues the effort and talent of all students in general. Although one can reasonably argue whether racial preferences in college admissions are good or bad, practicing them secretly through an opaque process to get around the mandate of the California voters is shameful. As a four-time UC graduate (UC Berkeley, UCLA, UC Santa Barbara), I am disappointed to see that the hard-earned excellence and reputation of the UC is being compromised. This, unfortunately, is an unintended consequence of the racial preference ban: elite California public universities have resorted to lowering admissions standards for all students in order to marginally increase racial diversity. The book is easy to follow, and the authors provide convincing evidence to support their mismatch thesis. That said, the data merely support what common sense indicates: placing comparatively weak students in a highly competitive academic environment such as STEM and law school where their classmates are stronger academically is harmful to the weaker students. This common-sense thesis is controversial mainly because it is in the racial preference context. Also, the book's recommendations to mitigate the mismatch effect are nonstarters: (1) requiring

transparency in the admissions process; (2) disclosing to the preferentially admitted students their expected performance outcomes so that they can make informed decisions; and (3) reducing the size of the racial preferences. First, although the Bakke (1978) and Grutter (2003) Supreme Court decisions permit race to be used as one factor among many in college admissions for increasing racial diversity, they also mandate that it not be the determinative one. Transparency in the admissions process may reveal that race plays a larger role than what is allowed under Bakke and Grutter. Why else would elite universities keep their admissions data and student performance outcomes secret all these years? Privacy concerns? UC Berkeley has been revealing its admissions data by race and ethnicity each year since around 1990, after its chancellor publically apologized for the fact that the university's admissions process had disadvantaged Asian-American applicants. As such, it appears that there exist ways to show such data without violating the privacy of the students, but that many elite universities are fighting hard to conceal them probably because they already know what the data will show. Second, the reason that universities use large racial preferences is that they must reach deep into the URM applicant pool in order to have, in their view, an adequate level of racial diversity on campus. Reducing the size of the preferences will reduce racial diversity to an unacceptable level. Finally, it is unrealistic to expect that a preferentially admitted student will forego the opportunity to attend an elite or desired university, even if the university were fully disclosing the mismatch risks to him. Overall, this is an excellent and important book, but I knock off one star for the impractical recommendations.

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