

GLOBAL PERSPECTIVES ON HIGHER EDUCATION

Understanding Inequalities in, through and by Higher Education

Foreword by Philip G. Altbach

Gaële Goastellec (Ed.)



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Volume 21

Higher education worldwide is in a period of transition, affected by globalization, the advent of mass access, changing relationships between the university and the state, and the new technologies, among others. *Global Perspectives on Higher Education* provides cogent analysis and comparative perspectives on these and other central issues affecting postsecondary education worldwide.

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PHILIP G. ALTBACH

PREFACE

Access Means Inequality

This book is about access—one of the most important and complex issues in higher education today. Its chapters focus on some of the central issues relating to this theme. It seems a contradiction that access would bring inequality to higher education, but that trend is the usual case. Students, and institutions, while catering to mass access, provide vastly different quality, facilities, and focus than do elite institutions at the top, and this gulf has widened as access has expanded worldwide. Furthermore, mass higher education has, for a majority of students worldwide, lowered quality and increased dropout rates. All of these consequences have become inevitable and logical. These effects do not argue against access but rather call for a more realistic understanding of the implications of massification and the steps needed to ameliorate the problems created by dramatic increases in enrollments.

Mass higher education now forms a worldwide phenomenon. Enrollments constitute more than 150 million worldwide, having increased 53 percent in just a decade. Twenty-six percent of the age group now participates in postsecondary education globally, up from 19 percent in 2000. In many of the rich countries, access is over half and in some over 80 percent, and in much of the developing world enrollments are dramatically increasing. This increase in access has been universally hailed—contributing to social mobility for individuals, the expansion of the knowledge economy of nations, and an increase in skill levels worldwide. In the first decade of the 21st century, quite likely more students will study in academic institutions than in the previous 10 centuries combined.

Massification has moved largely from the developed countries, which have achieved high participation rates, to developing and some middle-income nations. In fact, the majority of enrollment growth in the coming several decades will take place in two countries—China and India. China enrolls about 23 percent and India around 12 percent of the age cohort. The region with the lowest enrollment rate, sub-Saharan Africa, which in 2007 was educating only 6 percent of the age group, is expanding access but has a long way to go.

THE CONSEQUENCES OF ACCESS

Access brings a series of inevitable changes to higher education systems. The specific impacts and conditions will vary by location, but all countries experience these factors to some extent. Countries that have more financial resources, a strong commitment to postsecondary education, and perhaps a slower growth curve may

be less dramatically affected than others; but the impact is universal and of great relevance to policymakers and the higher education community.

Student populations not only expand but also become more diverse. Traditionally, universities educated only a small elite—often fewer than 5 percent of the age group. These students came from top secondary schools and from well-educated and affluent families. Access opens higher education to young people from an array of social class and educational backgrounds, to students from rural backgrounds, and to students who are the first in their families to study at higher education institutions. One of the most dramatic implications of greater access constitutes the expansion of women's enrollments. Women are now the majority of students in many countries. Serving students from diverse backgrounds and generally without a high-quality secondary education is a challenge. Serving these students is often more expensive than educating a small elite because tutoring, counseling, and other services are needed but are seldom available. At one time, universities assumed that almost all of the small student populations they were educating had obtained a high-quality secondary education and were prepared for academic study. Expanded access has delivered many students who have neither the academic background nor the ability that was once the norm.

Expanded access obviously requires more facilities. Existing universities and other postsecondary institutions have expanded, new institutions have been built, but supply can seldom keep up with demand. Deterioration in the conditions of study for students is common if not universal. Overcrowding, inadequate libraries and other study facilities, and the inability to provide students with the courses needed to graduate constitute familiar circumstances.

The academic profession has been stretched to the breaking point. Close to half of those teaching in postsecondary education worldwide possess only a bachelor's degree. Class sizes have increased, and students receive little personal attention from professors. Academic salaries have deteriorated, and many academics must hold more than one job to survive. It is likely that access has produced, on average, a poorer learning environment for students, in part because the academic profession has not grown fast enough to keep up with expansion.

Demand for access has contributed to the rise of private higher education in many countries. Governments have been unable to fund public-postsecondary institutions to meet expanding enrollments, and the private sector has taken up the slack. In much of Latin America, where public universities dominated the sector two decades ago, private institutions now educate half or more of the students. Most of the new private institutions are "demand absorbing"—unselective and often poor-quality schools providing a degree and little else. Many are for-profit. First generation students may be forced to attend these new private schools, which often charge relatively high tuition, because they cannot gain access to the public sector.

Massification has created the demand for quality assurance and accreditation, but few countries have been able to set up and enforce effective regimes to ensure appropriate quality standards. This environment means that at least for the present there is little transparency or knowledge about the effectiveness of much of higher education provision, particularly at institutions that serve a mass clientele.

Access growth has meant a significant increase in noncompletion rates in higher education. Even in the United States, the country that developed the first mass higher education system and allocated significant resources to higher education, the proportion has increased significantly of students who take more than the standard four years to complete an undergraduate degree or who do not complete any degree. Many countries are unable to cope with increased demand and routinely “flunk out” a significant proportion of entering students.

Access has increased the cost of higher education—to society, individuals, and families. In much of the world, the increased cost has fallen on those who can least afford it—first-generation students and those from lower-income families. Governments cannot afford to fund access and have increased the cost of study or turned over expansion to the private sector.

THE INEVITABILITY OF INEQUALITY

The reality of postsecondary education, in an era of access combined with fiscal constraint and ever-increasing costs, is that inequality within higher education systems is here to stay. Most countries have or are creating differentiated systems of higher education that will include different kinds of institutions serving specific needs. This process is inevitable and largely positive. However, the research universities at the top of any system tend to serve an elite clientele and have high status, while institutions lower in the hierarchy cater to students who cannot compete for the limited seats at the top. Major and growing differences exist in funding, quality, and facilities within systems. Given financial and staffing constraints, institutional inequalities will continue. Students will come from more diverse backgrounds and in many ways will be more difficult to serve effectively.

All of these issues constitute a deep contradiction for 21st-century higher education. As access expands, inequalities within the higher education system also grow. Conditions of study for many students deteriorate. More of them fail to obtain degrees. The economic benefits assumed to accrue to persons with a postsecondary qualification probably decline for many. Access remains an important goal—and an inevitable goal—of higher education everywhere, but it creates many challenges.

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INTRODUCTION

The Complex Issue of Inequalities in, Through and by Higher Education

Since the sociology of higher education emerged as an important research domain in the 60's, inequalities have been one of the core research topics in the analysis of higher education systems (B. Clark, 2007). Over the last decades, in a threefold context of higher education expansion, differentiation and internationalization, leading to the increasingly important role of higher education degrees on individuals' trajectory, more complex higher education systems and increased external pressures, the amount of research on higher education has skyrocketed: the more the number of students increase, the more the role of higher education systems in the production or reproduction of one society is questioned. The re-contextualization induced by massification and the diminution of public funding per student as the principal vectors of higher education systems' inequalities have led to a concentration of research on access and funding.

INEQUALITIES IN ACCESS

Over the last 10 years, research has flourished that deals with the analysis of access and admission processes to higher education. Some focus on admission processes to discuss the students' selection and the ongoing inequalities. Others adopt an historical approach, such as N. Lemann's history of the SAT (1998) or Karabel's history of admission to elite private universities (2005). Others focus on institutional case studies, such as the recent book by Mitchell Stevens (2007), or J. Steinberg (2002) that depict the work of admissions officers. Others also challenge a specific admission process (Avery, Fairbanks & al., 2003, Goastellec, 2004). In addition to providing a general argument analyzing inequalities in access, most research focuses on the selection of an elite, particularly in the American higher education system. Adopting a different approach to the same preoccupation, other publications are more openly dedicated to the policy-making of access (Khan, 2005, Eggins H. (Eds.) 2010) or the building-up of admission policies and practices at public universities (Douglass, 2007). Others again question the inequalities shape, such as those focusing on the racial dimension in access (for example Thernstrom S. & A., 1997, Bowen and Bok 1998). In the end, the large number of books dedicated to the analysis of access testifies to the tremendous importance given to this particular process in the production of inequalities, and the plurality of approaches that may be resorted to in order to tackle it.

However, the analysis of access is no longer limited to access to higher education. Access to degrees has increasingly come under scrutiny, as the offspring

of high-income families very often monopolize the most valuable and costly degrees: in massified higher education systems, such as the French one, social specialization of the different courses of study creates a form of “segregated democratization” (Duru-Bellat, 2006). When a large proportion of one age group enters higher education, degrees become positional goods, engendering diploma races between students and social groups. This analysis echoes research (Raftery, Hout, 1993, Shavit, Blossfeld, 1993), showing that inequalities between individuals are maintained until the advantaged class reaches a point of saturation. This hypothesis, known as Maximally Maintained Inequality (MMI), underlines the fact that investments in education do not necessarily warrant higher outputs for an individual and thus questions the link between investment in human capital and the distribution of individual private benefits.

More generally the focus on quantitative democratization has been challenged by the interrogation on qualitative democratization (Prost, 1986) that also entails a shift from focusing on access to focusing on graduation and access to the marketplace. It supposes a complexification of the reading of inequalities, and an increased link between scientific research and higher education policies.

THE ECONOMY OF INEQUALITIES

Various analytic approaches concerned with the economic dimension of inequalities are simultaneously developed and intertwined with the issue of access. They can be summarized by three questions: who pays, how and with what benefits?

While some approaches propose an overview of the issue (see for example Palfreyman, 2004), others question who pays (Johnstone, 2006, Knight, 2009, or Heller, 2002 among others), and yet others focus on how they pay (Kane, 1999, or more specifically on student aid, McPherson & Shapiro, 1998). As for the question of who benefits, there are various approaches: Some works examine the collective effects of educational investments in individual education: investing in higher education is supposed to improve one society’s level of development, to participate in economic growth, etc. For example, Fitzgerald and Delaney (in Heller, 2002) have analyzed data showing that “eliminating income-related gaps in (access to) post-secondary education would add hundreds of billions of dollars to national income annually.” But other analyses have revealed that the relation was far from being universal, and that the link between the level of education and economic growth was complex and depended upon other variables. Aghion and Cohen (2003) have associated the role of education on economic growth to the degree of economic development of one given country, and Jaoul-Grammare (2007) has pointed out that higher education and economic growth were linked in the American and Japanese cases, but not in the French one. Other research investigates the individual economic return of education investments, (OECD, UNESCO, 2002, OECD, 2004). This questioning of the economics of inequalities is linked with the perceived fairness of the Higher Education systems organizations. Finally, research exploring the economic dimension points out the complexity of the issue of inequalities in higher

education and the necessity of a comprehensive approach to grasp the intertwined processes at play.

What inequalities characterize today's higher education systems, what inequalities do they produce and which ones do they fight? This book is an attempt to answer this threefold question by developing a comprehensive approach to depict and frame inequalities in and by higher education.

THE MULTIFACETED ISSUE OF INEQUALITIES

From the analysis of inequalities in higher education to the identification of inequalities produced by higher education, the issue is always multifaceted: it addresses inequalities of access and inequalities of success, individual and collective inequalities, inter-individual inequalities and inter-institutional inequalities in the amount of available resources, etc.

Drawing on an international perspective, this book, which is partly based on materials and discussions provided during an international conference on the topic of inequalities in higher education and research (RESUP, Lausanne, 2009, funded by the Swiss National Science Foundation, the Commission of the 450th anniversary of the University of Lausanne, the OSPS, and the French Ministry of higher education through the RESUP), proposes a multi-level analysis of the inequalities issue by discussing in a first part access to higher education, in a second part access to degrees, or, to put it differently, success in higher education. Finally, it addresses the question of access to the marketplace through the example of the academic market place. It thus allows for the elaboration of a longitudinal perspective of inequalities in, by and through higher education.

To do so, complementary disciplines (economy, sociology, political sciences...) and approaches (quantitative, qualitative, comparative, case-studies...) are resorted to. Besides national histories of higher education and their path dependencies, societal specificities and their understanding of what diversity means and how it can be measured, international pressures to admit common norms (such as for example gender equality...), inequalities today are thought in an increasingly multi-dimensional, qualitative way, and always more quantitatively measured. Relying on cases studies, this book takes the reader through the contemporary complexity of higher education inequalities to finally provide him I conclusion with a conceptual scheme for reading the dimensions weighting on inequalities and thinking the potential tools to address them.

The first part of this book aims at identifying and analyzing how inequalities are read, produced and balanced in and by higher education today.

One of the first questions emerging when one attempts to frame inequalities in higher education deals with how they can be defined and measured. Tackling this issue through the analysis of the Serbian case, M. Vukasovic and M. Sarrico examine the pertinent and available categories to operationalize the measurement of inequalities. Underlying the cyclical dimension of inequalities, they propose, to answer the categorical problem, possible conceptualizations of the socio-economic background.

The same difficulty is at play regarding Affirmative Action policies. Increasingly implemented by public authorities and higher education institutions, they cover a wide array of categories and practices that are differently legitimized depending on national histories. In her work, M. Moses identifies four justifications commonly used for affirmative action program: remediation and social justice (moral rationales), practicality and diversity (Instrumental rationales). She analyses how they are being combined depending on national socio-cultural and political contexts, and how these combinations differently impact the way affirmative action is supported.

The second part of the book addresses inequalities of success in and by higher education. While quantitative democratization has long been at the core of the discussion on equity in access, massification has made access to success a much more important issue. What is success about? Who has access to success? What inequalities find themselves today under the magnifying glass of social scientists?

Using a quantitative analysis, M. Jaoul-Grammare assesses the probability for a student to pursue his studies depending on variables such as gender, high school degree type, characteristics of their previous schooling, type of higher education institution, parents' profession, students' and parents' origin. By doing so, she reveals that the further an individual pursues his higher education studies, the more social factors influence his success. She thus underlines the fact that the French school system amplifies social and cultural inequalities (Matthew effect).

Questioning the same issue, C. Schmid examines the role of community colleges. In the US, Community Colleges have absorbed most of higher education's massification, offering access to higher education for disadvantaged and at-risk students. This chapter analyzes the individual societal and academic characteristics of students transferring and graduating to discuss the effect of community colleges on the opportunity gap in American higher education. In addition to shedding light on the American example, this chapter provides an opportunity to rethink the effects of higher education structures on inequalities in access to success.

This questioning is taken at a further stage of the higher education systems by P. Wakeling, whose research analyzes the displacement of inequalities in postgraduate education as the result of the global expansion and massification of higher education. Scrutinizing social class inequalities in access to postgraduate education, he reveals their differential impact in several countries. Developing a specific research on the UK case, he identifies the importance of the field of study and institutional 'track' on the probability of pursuing postgraduate education. Finally, he discusses the "raw" social class differences in progression to postgraduate study in perspective with institutional tracks.

The third part explores inequalities in access to the marketplace by taking academic careers as an example. Depending on the higher education systems and institutions, what are the main career inequalities and what individuals do they concern? How can these inequalities be analyzed? By what processes are they produced? B. Crêt and C. Musselin answer these questions by discussing the inequalities components in the recruitment of faculty members in a four-step demonstration that corresponds to four dimensions of inequalities. A first part identifies the variations affecting recruitment conditions in a historical perspective: why would

one candidate be recruited in a given period of time and not in another one? The second section grasps factors having an impact on recruitment: what inequalities pre-exist to recruitment processes and influence their results? Thirdly, it questions recruitment procedures as potentially discriminatory: Are some processes less discriminating than other? Lastly, a fourth section interrogates the outcomes of these processes to finally reveal that the best candidates present different characteristics at different periods of time.

This complexity of the dimensions weighing on access to academic careers is addressed by F. Fassa and J-A. Gauthier by taking as a focal point the gender issue. Based on a Swiss case study questioning the place of women in the academic marketplace, this chapter analyzes how structural, organizational and individual factors interact in the selection process of those who will enter an academic career and those who won't.

However, does the continuous existence of inequalities in academic careers mean that inequalities are endless? M. Kaulisch and S. Böhmer probe the link between the set of rules governing academic career systems and the composition of academics. In order to analyze inequality patterns in academic postdoctoral careers and trace inequality patterns among academics in comparison to 'elite' academics (identified here as Emmy Noether Applicants), this chapter examines the socio-biographical background of academics and their pre-doctoral education biography. The authors reveal that 'elite' academics (Emmy Noether Applicants) are more often the offspring of parents with a higher education degree, that they more often obtained very good grades in their first university degree, were younger at the time they graduated and less likely to have a child during their doctoral candidature, as well as less numerous to fund their doctorate by finding employment in academia. Nevertheless, while considering the tenure status as an indicator for inequality in academics' careers, it appears that, eight years after graduation, socio-economic background, gender and family situation are not sources of inequalities anymore. Meanwhile, academic variables such as international mobility, mark of doctorate, funding inside academia, mark of university degree, age at graduation are determinant. Can the final stage of access to tenure be a ceiling for at least some inequalities?

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1. INEQUALITY IN HIGHER EDUCATION

Definitions, Measurements, Inferences

The Serbian Case

INTRODUCTION

Inequality in education is primarily analyzed in relation to inequality in society as such, i.e. inequality in socio-economic background, class or status, as well as inequality in ethnic or racial background. Two main streams of research on this relationship can be identified: one focusing on the effects of the socio-economic background (SEB) on education careers and attainment, and the other focusing on the impact of education on social mobility, i.e. increasing one's social status or class.

Research on the effects of SEB on education careers and attainment is mostly motivated by the understanding that not all social groups or social classes are equal in this respect, i.e. that there is stratification in education which is, more or less, and for a variety of reasons, reflecting the stratification in society. Such studies may be, in broad terms, based on quantitative analysis of large samples and include statistical modeling, sometimes for comparative purposes (for example Müller and Karle, 1993; HEFCE, 2005; Wong, 1998); or be in the form of qualitative studies using interviews or surveys, therefore more psychological or ethnographical in nature (for example Ball, 2002; Bowl, 2003; Fuller et al., 2004). In addition to elements of the SEB, other independent variables may include various operationalizations of personal motivations and expectations, as well as characteristics of the higher education system: tracking, criteria and procedures for enrolment into the next stage of education, etc.

The links between stratification in society and educational stratification have been discussed in a large number of research studies (Lucas, 2001; Müller and Karle, 1993; Raftery and Hout, 1993; Wong, 1998). In line with Bourdieu and Passeron (1990), one could argue that, since the education system is formed and organized by the (social) group that is in possession of power, it seeks to reproduce the same distribution of power in society and hence, reproduce social inequality¹. In terms of instruments that the group in the possession of power has at its disposal, Bourdieu (1986) defines various forms of capital: social capital, cultural capital and economic capital. While the economic capital is relatively easy to operationally through wealth or earnings, the other two forms of capital are more difficult to quantify. Furthermore, the exchange of social and cultural capital for economic

capital, and vice versa, is less visible. Such problems with tangibility of social and cultural capital make it more difficult to develop an education system that is not characterized by educational stratification.

In this study, due to the specificities of the Serbian context, a multi-dimensional approach has been adopted. Indeed, the period under study (2000–2005) is characterized by a fast economic and political transition that could lead to short and mid-term shifts in the labor market and the related status of professions. To take this dimension into account, the classical approach concentrating on the professional status of parents as an indication of the student's SEB was abandoned. Instead, following a number of studies that focused on similar issues (Archer et al., 2003; Marks, 2005; Morrow and Torres, 1994; Peck, 2001) this study attempted to adopt a multi-dimensional perspective on SEB consisting of a number of elements: gender, age, race/ethnicity², education of parents, employment and professional status of parents, citizenship, participation in cultural events, possession or access to high culture at home, participation of both students and parents in social networks, etc. In that respect, this research tends to advocate an analysis of the direct effects various students' characteristics have on their (higher) education career as well as an analysis of possible interactions between these characteristics and their joint influence on the career in (higher) education.

Unfortunately, although it is essential to approach the issue of stratification in more complex terms than the sole professional status or educational attainment of parents, i.e. to include other student characteristics in defining disadvantaged social groups, this is possible only if such data is collected in a systematic manner, which is not the case in Serbia. The current classification of occupations originates from socialist times and is not really useful for analyzing occupational status. Other data, e.g. access to high culture, is not collected and some data (e.g. employment of students) is not reliable due to a significant grey economy. These are the reasons why the study presented here used only the parents' level of education as a reliable element of SEB.

The nature and scope of inequality in education in a particular system and context is not of relevance only for higher education research as such, but also for policy debates in light of ongoing higher education reforms. In this respect, it is of interest that one of the key arguments in favor of Serbia joining the Bologna process (on the side of decision-makers as well as parts of the academic community), is the understanding that the reforms of the degree structure and the focus on learning outcomes and student workload would increase the efficiency and effectiveness of higher education in Serbia. Higher education in Serbia, at least until the adoption of the new law on higher education in 2005³, was marked by high dropout rates (estimated to be around 45%), long expected duration of studies (4–6 years for the first degree) and prolonged time until actual completion (6.76 years for 4-year studies and 7.62 for 6-year studies). In addition to this, since tuition is free of charge for a portion of students in public institutions and due to almost nonexistent studies analyzing the economics of higher education, the system is considered to be rather fair and equitable by many stakeholders.

Neither the higher education institutions nor the system-level authorities monitor for possible effects of the SEB on access, progress and completion of higher education, despite the fact that the Statistical Office of Serbia has continuously collected some data related to this issue. Therefore, in light of the lack of studies on this issue, and the largely ungrounded assumptions about the higher education system which guide the policy making and reforms, it is of significant importance to analyze the nature and scope of inequality in higher education in Serbia, to discuss available data and offer suggestions for improvement of data collection and analysis.

The data used in the study consist of official statistics regarding enrolment and completion of higher education undergraduate programs (a standardized form completed by each student when enrolling into a year of study or completing first degrees); as well as statistical data related to general demography or education as a whole. The period chosen for the study is limited to 2000–2005, since this period is marked by relative stability in terms of external conditions: no significant strikes, no disruptions of the academic year, no student or wider political protests took place in this period, unlike the period prior to 2000. As the new Law on higher education was adopted in August 2005, data after 2005 would not be comparable to the 2000–2005 period due to different study structures.

The paper begins with a discussion on the definition of inequality, and the corresponding terms of disadvantage, exclusion and under-representation. It continues by debating what, when and how to measure, if the goal is to analyze inequality within a given higher education system. The conclusion briefly questions inferences from such measures.

DEFINING INEQUALITY

Inequality as a Lack of Equality of Opportunity

Inequality can be understood as the absence of equality, primarily in terms of equality of opportunities. Equality of opportunity first and foremost relates to access, and in this case, access to higher education, i.e. whether all students interested in enrolling in higher education can do so. This equality is primarily restricted by the limited capacities of higher education institutions. In the case of Serbia, to be eligible to apply for a place in a higher education institution, a person must have completed 4-year of secondary education (comprehensive or vocational). Furthermore, s/he needs to pass an entrance exam and, given the existence of *numeri clausi*, be ranked within the total quota to be admitted into an undergraduate program in a particular institution. Having in mind that the GER⁴ for 4-year secondary education is around 77%⁵, dropout from secondary education is around 2.3%⁶ and that the GER for higher education is 37.8%⁷, it is obvious that all those who complete 4-year secondary education cannot enroll into higher education institutions within Serbia. Some secondary school graduates may have the intention to go directly into the labor market so they would not even consider applying for

a position in higher education. However, the labor market data identifying those who enter the labor market immediately after completing secondary education are not readily available. Furthermore, the organization of competition for positions in specific institutions is not centralized (each higher education institution organizes a call and entrance exam for their own programs separately), and thus it is not possible to obtain common data on how many students compete for a particular place in a given institution⁸. Nevertheless, it is possible to identify several elements of the enrolment process into higher education, which pose obstacles to equality: First, entrance exams are organized by individual faculties in their own headquarters. Students living outside of such university centers have additional costs of travel and possibly accommodation in order to sit for the entrance exams. Second, faculties charge fees for administering entrance exams. This may be a significant expense for students of modest economic means. Third, faculties often organize preparatory courses for their entrance exams for which they charge fees⁹. Similar to the two previous examples, these courses may be an obstacle for students living outside university centers or students without sufficient economic means. Underlying all these elements is the following question: to what extent the criteria for enrolment, based on merit from previous stages of education, are associated with elements of socio-economic background (SEB).

The data collected for the higher education entrance exams do not include information on the students' SEB. However, there are data for earlier transitions, including average grades in the final three years of primary education, entrance exam scores for secondary education and PISA 2006 results. As can be seen from Table 1, students with higher elements of SEB tend to perform better, in final years of primary schools, on entrance examinations and PISA tests.

In terms of higher education, it is important to stress that competition for places in a particular higher education institution, as well as competition to be ranked

Table 1. Correlation between several elements of SEB and pupil results (from Babin, Pantić, Vukasović, 2009)¹⁰

<i>Correlation coefficient (Spearman's rho)</i>	<i>Final three years of primary education (average grade)</i>			<i>Scores on entrance exams</i>		<i>PISA 2006</i>	
	<i>Year 6</i>	<i>Year 7</i>	<i>Year 8</i>	<i>Math</i>	<i>Serbian</i>	<i>Math</i>	<i>Reading</i>
Highest attained professional status of parents	0.34	0.32	0.31	0.32	0.27	0.33	0.37
Number of books in the house	0.32	0.30	0.29	0.26	0.25	0.34	0.35
Highest attained educational level of parents	0.21	0.20	0.19	0.23	0.17	0.22	0.20
Variance explained	15%	13%	12%	11%	10%	16%	17%

within a state funded quota¹¹, is based on merit criteria: entrance exam results and grade point average from secondary education. It could, therefore, be concluded that the current system of enrolment into higher education does not ensure equality of opportunity in terms of access to higher education.

Inequality as a Disadvantage

To analyze (in)equality of opportunity is somewhat difficult, given that opportunity as a concept is complex to operationalize. On the one hand, it is linked to a number of characteristics of the higher education system and/or higher education institution. On the other hand, it also relates to characteristics of an individual. A concept which may be easier to operationalize for the purposes of quantitative analysis is the concept of *disadvantage*, which in this paper refers to the smaller likelihood of an event (initial enrolment, progress, completion) for a student with certain characteristics.

The consequence of such a disadvantage is *exclusion*. Exclusion can be seen as absolute or relative. Absolute exclusion would refer to the situation in which a certain social group is not at all represented in higher education, even though such a social group can easily be identified in society. For example, the Roma population in Serbia is almost absolutely excluded (not just) from higher education: although official statistics report that Roma constitute 1.44% of the population, their participation in higher education is less than 0.1% (Vukasović, 2007:71)¹².

Exclusion can also take the form of under-representation and thus can be labeled as “relative exclusion”. This situation occurs if the proportion of the social group in higher education with respect to the total number of students is less than the proportion of that social group with respect to the overall population. An example from Serbia would be the Hungarians, who constitute 4% of the total population of Serbia, but only 2% of student enrolments. Another example are students whose parents have primary education as their highest level of education attained: while such individuals account for approximately 21% of the active population over 35 years of age, only 7% of students come from families with such a level of education (Vukasović, 2007:71)¹³.

The quantitative understanding of exclusion resonates with the hypothesis of *maximally maintained inequality (MMI)*:

... transition rates and odds ratios between social origin and educational transitions remain the same from cohort to cohort unless they are forced to change by increasing enrolments (Raftery and Hout, 1993:56)

As presented in Wong (1998), once the earlier stages of education become accessible to all, regardless of their social status or background, as is the case in industrialized countries (although to a lesser extent in Serbia, see Babin, Pantić, Vukasović, 2009), the selection shifts to higher education in terms of limiting access to students from poorer socio-economic backgrounds. The MMI hypothesis therefore implies that those of a less privileged SEB will be under-represented or even not

at all represented in higher education, i.e. they will be *externally excluded* until the demand for higher education of more privileged SEB is satisfied.

In addition, the quality of learning outcomes may also vary from institution to institution. Furthermore, there may be differences between different fields of study: (a) implicit, e.g. in terms of assigned prestige or (b) explicit, e.g. in terms of expected earnings upon graduation. Therefore, equality of opportunities in terms of access, and the related (dis)advantage and exclusion does not relate only to the dichotomy “in” or “not in” higher education, but also to the type of institution and the field of study. In this respect, the MMI hypothesis is not sufficient and one may find the hypothesis of *effectively maintained inequality (EMI)* (Lucas, 2001) better suited to account for what can be labeled as *internal exclusion*.

Internal exclusion refers to the situation in which a particular social group may be adequately represented in higher education in general (with respect to the population as a whole), but under-represented in more prestigious types of higher education or different fields. This means that the EMI hypothesis is useful to analyze tracking in education systems:

- *explicit tracking*, in which the completion of a specific type of secondary education is a rigid explicit requirement for access to a specific type of higher education, and
- *implicit tracking*, in which these requirements may not be explicitly stated but the transition from one stage to the next, due to conditions of transition, results in tracking.

The EMI hypothesis points strongly to earlier stages in education, and underscores the importance of analyzing the inequalities in higher education as a (partial) consequence of inequality accumulated during previous education. It is worth stressing that, in this respect, the *Life Course Perspective (LCP)* postulates that the effect of SEB of individuals would be stronger for earlier education transitions. This is predominantly explained through the waning influence of parents over their children, as they grow older.

In terms of (lack of) equality of outcomes, or equality of success, it should be stressed that most of the analysis on inequality in education focuses on input, or entrance points. This may be due to difficulties in choosing an appropriate operationalization of *outcome* (see section 3) or to problems with reliability and validity of data on progress and completion of higher education, particularly in Serbia. Nevertheless, all such measures focus on visible (and measurable) events on the education pathway, while inequality in quality of outcomes, i.e. added value in terms of attained knowledge, competences and skills, personal development, motivation etc. is less visible, difficult to operationalize and, hence, to measure.

MEASURING INEQUALITY

In order to assess the nature and scope of inequality in higher education, the following questions arise: How to operationalize inequality, i.e. what to measure? When to measure, i.e. what events/occurrences reveal inequalities the most? How to measure, i.e. which data collection mechanisms are implemented?

What to Measure?

Enrolment into higher education. This question relates to the previous discussion on the aspects of inequality, disadvantage and under-representation. Many studies focus on participation rates in higher education to illustrate problems for equality of opportunity. In the case of Serbia, this is illustrated in Table 2.

This table shows that under-represented groups in higher education with respect to their proportion in the overall population are: men, a number of ethnic minorities (predominantly those ethnic groups with non-Christian Orthodox denomination), students whose fathers and mothers have less than secondary level education certificates and students who completed secondary vocational education.

As was discussed earlier, the different categories often interact with each other. For example, studies (Babin, Pantić, Vukasović, 2009) have shown that students whose parents have lower educational attainment are under-represented in gymnasiums as well, so the under-representation we can observe in higher education is, in fact, a result of their under-representation in earlier stages of education, coupled with further selection between secondary and higher education. Unfortunately, due to the lack of longitudinal studies, it is not possible to adequately analyze the differences in extent of under-representation from one educational transition to the other.

In terms of ethnic background, the interpretation of results presented in Table 2 needs to take into account additional factors. For example, the Hungarian minority seems to be under-represented in higher education in Serbia. However, this does not necessarily mean that some Hungarians living in Serbia do not go into higher education, since they can (and do) enroll into higher education institutions in the neighboring Hungary, to study in their mother tongue¹⁴, often receiving some financial aid. A different story is with the Roma population¹⁵, who, due to their living conditions, are under-represented in all stages of education and are affected by significant lack of support and thus drop out rather early and in great numbers¹⁶. Contrary to the Hungarians, Roma have no “motherland” or other option in the neighboring countries when it comes to access to (higher) education and therefore are severely disadvantaged in terms of access to any (higher) education provision.

Table 2 primarily relates to external exclusion, since no distinction is made in terms of type of higher education institution or study field. In addition to data revealing external exclusion, there is also evidence of internal exclusion in higher education in Serbia. Table 3 shows, for the population of students enrolled into higher education, correlation coefficients between education level of parents and type of higher and secondary education institution. Education of mother and father are ordinal variables, while type of secondary and higher education are dichotomous ordinal variables. University higher education is given higher rank with respect to vocational higher education, and, similarly, comprehensive secondary education was given higher rank than vocational secondary education.

Table 2. Under-representation or over-representation in terms of enrolment
(adapted from Vukasović, 2007:78)

	Categories	% of total active population older than 35 (census 2002) ¹⁷	% of enrolments 2000–2005	Under- or over-represented in terms of enrolment
Gender	Male	48	44	Under
	Female	52	56	Over
Ethnicity	Serbian	83	87	Over
	Montenegrin	1	3	Over
	Yugoslav	1	3	Over
	Bosniak	1.8	<1	Under
	Hungarian	4	2	Under
	Albanian	0.8	0	Under
	Croatian	0.8	0	Under
	Slovak	0.9	0	Under
	Ruthenian	0.2	<0.1	Under
	Roma	1.44	0	Under
Education of father	No schooling	1.9	0.1	Under
	Incomplete primary	12	0.6	Under
	Primary	21.1	5	Under
	Secondary	45.8	49.9	Over
	Higher, vocational	6.4	18.5	Over
	Higher, university	10.5	25.6	Over
Education of mother	No schooling	1.9	0.2	Under
	Incomplete primary	12	1.1	Under
	Primary	21.1	9	Under
	Secondary	45.8	57.4	Over
	Higher, vocational	6.4	14.6	Over
	Higher, university	10.5	17.4	Over
Previous education	Gymnasium	24%	43.5%	Over
	Secondary vocational (4 years)	n/a ¹⁸	56.5%	n/a ¹⁹

The results presented in Table 3 reveal internal exclusion within higher education, since students whose parents are better educated end up in more prestigious types of higher education. Regarding internal exclusion in secondary education, the indication is approximate as the data used for analysis includes students who are already in higher education, while full assessment of internal exclusion within secondary education can only be made on the basis of analysis of complete data for secondary school population.

Table 3. Association between education of parents and type of higher or secondary education²⁰

<i>Kendall's tau - c</i>	<i>Type of higher education</i>	<i>Type or previous (secondary) education</i>
Education of mother	0.206	0.173
Education of father	0.203	0.171

Table 4. Results of logistic regression modeling

<i>Response variable</i>	<i>Input variables</i>	<i>Parameter estimates</i>			
		<i>Sig.</i>	<i>Odds ratio</i>	<i>95% CI</i>	
				<i>Lower</i>	<i>Upper</i>
HEI type: university or not	Gender	0.649	0.935	0.699	1.250
	Previous education	0.000	3.081	2.132	4.453
	Father - HE: yes or no	0.010	1.537	1.108	2.133
	Mother – HE: yes or no	Not significant			
	Interaction <i>previous_edu</i> with <i>edu_father</i>	Not significant			
	Interaction <i>previous_edu</i> with <i>edu_mother</i>	0.098	1.661	0.910	3.031
Finance mode: state funded or not	Gender	0.338	0.878	0.673	1.146
	Previous education	0.007	1.446	1.104	1.893
	Father - HE: yes or no	Not significant			
	Mother – HE: yes or no	Not significant			
	Interaction <i>previous_edu</i> with <i>edu_father</i>	Not significant			
	Interaction <i>previous_edu</i> with <i>edu_mother</i>	Not significant			

The data used for the above-mentioned analysis were also analyzed through logistic regression modeling in order to reveal odd ratios related to internal exclusion. The analysis focused on two dichotomous response variables: (1) enrolment into a university (as opposed to enrolment into a vocational higher education institution) and (2) enrolment as a state-funded student (as opposed to enrolment as a fee-paying student). When it comes to independent variables, both models included education of parents and gender, and interaction between education of each parent and previous education was used as well. Gender was used in all models as a fixed variable, to allow for the comparisons between males and females, even if these differences were not statistically significant.

The values of Hosmer–Lemeshow test suggest good fits for models related to HEI type ($\chi^2=0.721$, df. 6, Sig. 0.994, % of correct predictions 64.2), while the model for financing is poor ($\chi^2=0.2.384$, df. 2, Sig. 0.304, % of correct predictions 57.1). Modeling university/no university (i.e. university/vocational HE)

by using education of parents as “has HE/does not have HE” (the first model in Table 4) suggests that, all other things being equal, those who attended gymnasium prior to higher education have a 3 times higher probability to be enrolled into a university than those who attended secondary vocational education. Furthermore, those whose fathers have higher education have approximately 1.5 times more probability to be enrolled in a university than those whose fathers do not have higher education. Both these odds ratios are significant at the 0.01 level of significance. The interaction between mothers having higher education and attending gymnasium is a significant influence (0.1 level of significance) and suggests that, all other things being equal, those whose mothers have higher education and who attended gymnasium have approximately 1.7 times higher probability of being enrolled into a university than those who do not have highly educated mothers and did not attend a gymnasium. This model correctly predicted 64.2% of observations.

Progress and completion in higher education. As stated earlier, participation rates relate to inequality in opportunity and focus primarily on access or enrolment²¹. Yet, the question remains what happens to the structure of the student population during higher education. Depending on the system of studying, there are several types of data that may be of use, such as: rates of passing/failing exams, grades on exams or grade average or rates of progression into the next year of study (in cases in which studying is organized around academic years, and not on accumulation of credits, within an ECTS or ECTS-like system).

Rates of passing/failing exams, while providing a possibility for a microanalysis of progress through higher education, require an elaborate information system, which is not (yet) in place in Serbia. When it comes to grades on exams or grade average, the key question is to what extent they represent a good proxy for the quality of learning outcomes. In line with the human capital theory vs. signaling hypothesis explanations of wage differences (Weiss, 1995), one could either see grades as mere signals, which are used primarily for selection purposes (Gipps, 1999) or see them as useful operationalizations for measuring the quality of learning outcomes. Naturally, this depends on both the method and process of assessment and the impact grades have on further education.

In the case of Serbia, due to the study system structure in place during the 2000–2005 period, as well as the data available, it was interesting to see whether there are any correlations between rates of repetition of a particular study year (as an opposing concept to rate of progression). The analysis shows that female students are repeating less: 45% of those who repeat a year of study are women. Having in mind that women are more numerous than men in general in higher education, the fact that men are the majority of those who repeat provides further evidence to the fact that females are outperforming men in terms of progress. Further analysis shows that repetition of a year is not statistically independent from education of parents. Chi-square test for independence between education of father and repetition of a year in public universities yields a chi-square value of 71.5 (df=6) at less than 0.01 level of significance, while chi-square for education of mother and new enrolment or repetition is 156.105 (df=6), again at less than 0.01 level

of significance. Coefficients of correlations (treating both categories as nominal – e.g. Phi, or ordinal – e.g. Kendall’s tau or Spearman’s rho) are significant, and stronger in the case of mothers’ education than of fathers’ education. Results reflect the situation in which students with better educated parents repeat less.

Finally, in terms of students’ progression in higher education, the final measure is the rate of completion. As was already stated, the rate of completion is estimated to be around 55% for the period under study. The exact calculation of the completion (and hence, dropout) rate was not possible due to inappropriate data sets (records on enrolment are not connected to records on completion), as well as prolongation of studies (beyond expected duration) and the continuously increasing number of students enrolling into higher education.

The data on completion available for this study does not include information on parents’ education of students dropping out, but an approximation can be obtained by comparing the population of freshmen students in terms of SEB with the last year’s students’ SEB. Naturally, some of the students who have managed to enroll into the final year of study may drop out during that final year, so the proposed comparison should be considered as a proxy. Figure 1. shows the ratio between the number of students at initial enrolment and in the final year of study, depending on the education of their parents. The average line, which corresponds to the ratio between the number of students in the first year of study and the number of students in the final year of study, was introduced for comparative purposes, to account for the high dropout rate. Values lower than average thus indicate over-representation of students of specific education of parents in the final year of study with respect to initial enrolment and vice versa, values higher than average indicate under-representation of students of specific education of parents in the final year of study with respect to initial enrolment. The data presented in Figure 1 suggest that those who drop out between the first and the final year of study are those students whose parents have less education.

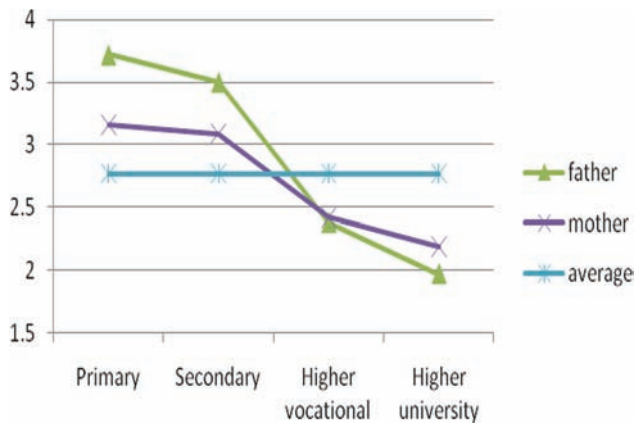


Figure 1. Ratio between number of students at initial enrolment and in the final year of study depending on the parents’ level of education.

When and How to Measure?

The problems with using existing data bring forward the question of when to measure and how to measure inequality in higher education. As discussed above, inequality is most visible during the so-called education transitions: transition from one year of schooling to the next, or from one stage in education to the following (e.g. from secondary to higher education). These transitions are events in which a variety of data is already collected, in order to enable the transition and to establish some agreed criteria for selection (if selection, due to limited capacities, is necessary). However, as was stated earlier, within a certain transition, inequalities arise not only due to procedures, criteria or the nature of that very transition, but also due to inequalities accumulated in earlier transitions. In that respect, one could argue that students go through a series of inequality cycles, and that during each cycle there is some accumulation of inequality, the scope of which depends, among other things, on the structure of the education system (time and strength of tracking, criteria for enrolment, quotas, entrance exams, etc).

Inequality cycle. The inequality cycle essentially implies that a person’s initial socio-economic inequality (which could be seen through the possession, or lack of Bourdieu’s three types of capital) contributes to the emergence of educational inequality (in terms of enrolment, progression or quality of learning outcomes, quality and prestige of institution, track destination, socialization in the school environment or academia, etc.). Thus, accumulated educational inequality contributes to further socio-economic inequality, affecting enrolment into the following stage of education or contributing to inequality in terms of the labor market outcomes, primarily in the attained (occupational) status.

Therefore, going through the education system consisting of three stages (primary, secondary and higher education), a person would “go through” the inequality cycle three times as presented in Figure 2, and would maintain his/her disadvantage,

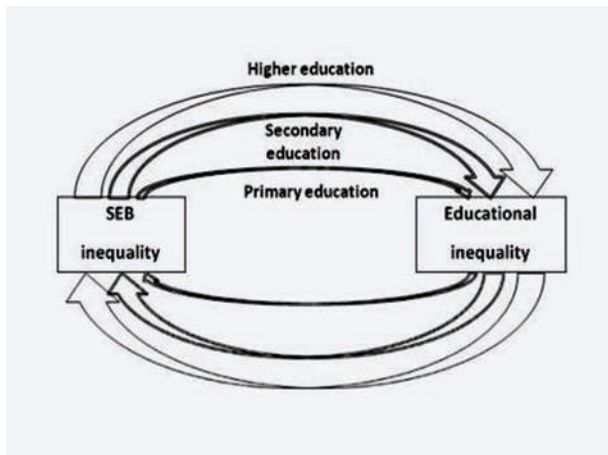


Figure 2. *The inequality cycle.*

compared to peers with more privileged socio-economic backgrounds. This disadvantage (or the increase thereof) would be easiest to identify in quantitative terms at transfer points, i.e. at points where differentiation and selection takes place (such as moving from primary to secondary education, or secondary to higher education, or higher education to the labor market). To assess the extent of disadvantage, one would need data for at least two connected “passages” through the inequality cycle.

Operationalizing SEB. Having in mind that the analysis focuses on students in higher education, i.e. people older than 18, the next question is whether one can continue using characteristics of parents as indications of SEB of students. Most quantitative research focusing on students of traditional age do not make any considerations about this question and treat social class of all students as being equal to the social class of their parents. Archer et al. (2003), however, provide an interesting example from the UK on the use of parents’ occupation in defining students’ social class until the age of 21. After 21, a student’s reported occupation is used. This approach reflects the aforementioned life course perspective (LCP).

Some studies also claim that the nature of the influence depends on the socio-economic background as such (Green et al., 2003), i.e. that the students’ SEB does affect their educational experience, but in different ways for different SEB. Along these lines, Power (2000) advocates the division of the middle class, which is often understood as one homogenous group, into several middle classes to allow for more sensitive analysis. Similarly, students from the same ethnic background but of different gender may have completely different higher education careers (e.g. in some cases racial minority boys are more disadvantaged than racial minority girls; HEFCE, 2005). All this seems to further strengthen the recommendation that research into the topic, even the one adopting a quantitative modernist approach, should avoid using crude social class definitions and should fine-tune the classification of social groups based on analysis of data, with due attention paid to elements of the student socio-economic background other than parents’ education or parents’ (or students’) occupation.

INFERENCE FROM INEQUALITY MEASURES

The data presented here show evidence of under-representation of several groups in society with respect to higher education, both in terms of external and internal under-representation. Furthermore, the data suggest that there is accumulation of disadvantage during higher education, i.e. that those who are with lower elements of socio-economic background are more likely to repeat or dropout entirely.

However, given the discussion on definitions and measurement of inequality, what is it that can be inferred from data on inequality, and what kind of data is necessary for what kind of inference?

In this respect it is of significant importance to ensure reliability and comparability of data for each of the education transitions or to conduct longitudinal studies, following a cohort throughout the education system. The latter would also provide data for analyzing the destinations of those who have left the education system at one of the transitions and also would allow focus on the socio-economic characteristics

of students at “destination”, i.e. after completion of certain years of schooling. Ideally, the data should be collected for the entire system, allowing for assessment of differences between higher education institutions and different fields of study. This is of relevance in order to distinguish between system-level effects (e.g. enrolment rules) and the institutional level or field effects (e.g. entrance exam for a particular institution in the particular field). Unfortunately, neither is the case in Serbia, which means that the fuller assessment of the nature and scope of reproduction of inequality in the (higher) education system is not possible at this stage.

On this point, it should also be stressed that such longitudinal studies should include a fine measurement of various elements of SEB, reflecting the ethnic, linguistic, educational, cultural and economic diversity found within Serbia. This could provide sufficient data for identification and analysis of causes and effects of under-representation of specific groups, which could also be used to inform future policy decisions, at both the system and institutional level.

Finally, in order to distinguish between effects of elements of SEB and personal characteristics such as motivations, expectations, perceptions and attitudes towards (higher) education, a more qualitative approach (surveys, interviews, focus groups) would be necessary. This would also enable analysis of possible clashes between the individual and the institutional habitus. However, it should also be borne in mind that variance in such personal characteristics may also be related to specific elements of SEB, and that therefore it would be necessary to control for such effects.

NOTES

- ¹ Some authors, such as Morrow and Torres (1994), use stronger concepts than “inequality” – they claim that the education system is reproducing various forms of domination and subjection.
- ² In the Serbian context, due to the composition of the population, racial diversity is not significant, while ethnic diversity is significant, especially in certain regions, e.g. the northern province of Vojvodina or the south-west region of Sandzak.
- ³ The Law on Higher Education adopted in August 2005 introduced some of the Bologna related reforms (bachelor and master degree structure, ECTS, quality assurance and accreditation). In addition, through the Law on higher education and the process of accreditation, former post-secondary vocational institutions (offering 2–3 year degrees) became academies of applied sciences, offering bachelors in applied sciences. Prior to 2005, the higher education system was university dominated.
- ⁴ GER – gross enrolment ratio.
- ⁵ For 2002, from the data base of the Centre for Education Policy.
- ⁶ Statistical Yearbook, Statistical Office of Serbia.
- ⁷ For 2002, from Vukasović (2007).
- ⁸ However, there is limited anecdotal evidence that the interest for natural sciences and mathematics is decreasing.
- ⁹ It could be argued that this borders with academic malpractice (Ivošević and Miklavič, 2009).
- ¹⁰ All correlations significant at $p < .01$.
- ¹¹ In public higher education institutions, within the total quota to be admitted, a proportion of students are partially funded by the state (i.e. they do not pay the tuition fee, although they do have other costs related to studying), while the rest pay for tuition. The proportions are determined by the state each year, while the level of tuition fees is, essentially, determined by the faculties.
- ¹² With respect to the Roma population, statistics from census or similar official sources cannot be considered as reliable since large numbers of Roma live unregistered, i.e. do not possess basic

- identification documents. International organizations, such as UNICEF or Save the Children, estimate the number of Roma to be around 5% of the total population of Serbia.
- ¹³ Active population older than 35 is used as a proxy for the population that is of age to be parents of students.
- ¹⁴ Instruction in Hungarian language is not available in most disciplines in Serbia.
- ¹⁵ Sometimes referred to as Gypsies/travellers.
- ¹⁶ Estimates of a number of (international) NGOs working in Serbia or the region state that only a small proportion of school-aged Roma children are enrolled into primary schools; 25% dropout in the first grade, a further 50% by the 5th grade, while only 25% of those Roma who started primary education complete it.
- ¹⁷ Active population older than 35 is used as a proxy for the population that is of age to be parents of students.
- ¹⁸ The data on the number of pupils in secondary education other than gymnasium does not distinguish between 3-year and 4-year secondary education.
- ¹⁹ The data on the number of pupils in secondary education other than gymnasium does not distinguish between 3-year and 4-year secondary education.
- ²⁰ All correlations significant at $p < .01$.
- ²¹ Due to the nature of the data and for reasons of better operationalization, the analysis focuses on enrolment instead of access. While access relates to the opportunity of being a student (and this is theoretically possible for any person who has completed 4-year secondary education), enrolment relates to obtaining the status of student, i.e. becoming registered as a student in a specific higher education institution.

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2. REMEDIATION, PRACTICALITY, DIVERSITY AND SOCIAL JUSTICE

*Understanding the Differing Contexts and Justifications for Affirmative
Action¹ around the World*

INTRODUCTION

During the summer of 2007, on the same day that the U.S. Supreme Court ruled that public schools could not use race and ethnicity in assigning individual students to primary and secondary schools as part of voluntarily desegregation programs, I happened to be on a Fulbright in Brazil, giving a presentation at the Universidade Federal do Rio Grande do Sul (UFRGS) on the importance of diversity and affirmative action. In another coincidence, just at the time I was speaking, the university's directors were voting on whether to institute voluntarily an affirmative action program at the university. It was an especially exciting atmosphere for an academic talk; there were protests and demonstrations happening right outside the door of the auditorium. During my research stay in Brazil, it became clear to me that discussions about affirmative action in higher education were very close to people's hearts and closely intertwined with discourse about human rights, equity, and social justice.

How do different national and social contexts affect how affirmative action policy is conceptualized, discussed, and justified? I address this central question in seeking to understand how unique national contexts shape affirmative action policies around the world, as exemplified by the experiences of five nations: Brazil, France, India, South Africa, and the United States.

Conceptualized by some as “[o]ne of the great innovations in social policy in recent times” (Kennedy-Dubourdieu, 2006:1) and by others as being “[a]t the heart of ... [the] deepest political crisis in a decade” (Hookway, 2008, paragraph 1), affirmative action policy has been emerging in some places, scaled back in others, and contested everywhere. France is beginning to address educational inequalities with set-aside policies at some elite institutions of higher education while maintaining an ideology of a united national republic (Riding, 2004; Sabbagh, 2004). India is expanding its affirmative action/reservation system to 49.5% of university seats (Sharma, 2008). And South Africa is struggling still to overcome apartheid's legacy, in part with policies aiming to provide Black South Africans with greater access to higher education (Thaver, 2006). While United States university admissions policies have been recalibrated in the wake of Supreme Court rulings and state-level ballot measures banning affirmative action in four states, several Brazilian institutions

have adopted new affirmative action/quota policies (Moses, Yun & Marin, 2009; Oliven, 2007). Each of these countries can learn from the others. Ultimately, how these educational disputes are worked out will affect the lives of many under-represented students.

Herein I pay special attention to the specific contexts of the five nations mentioned above: Brazil, France, India, South Africa, and the United States. These particular nations provide examples of affirmative action policy debates from five continents, whose cases have been well considered in the literature. Several other nations use versions of affirmative action;² however I selected these five nations for analysis because they provide both instructive and complex examples of how sociocultural and political differences may lead to different types of justification for affirmative action policies. Each has experienced significant political and legal developments leading to its current affirmative action policies.³ And each has turned to affirmative action to benefit students according to race, ethnicity, social class, or social caste.⁴ These countries have enduring national ideologies or identities. These are, of course, contested, but some themes emerge in the scholarly and popular literature.⁵ Brazil's national ideal has been that of a racial democracy, characterized by the belief that race does not matter socially or politically (Hun, 2004; Martins, Medeiros, & Nascimento, 2004). For France, it is an ideology focusing on unity, universalism, and the assimilation of immigrants into French culture and society (Begag, 2007; Kennedy-DuBourdieu, 2006; Langan, 2008). India is moving from the caste ideology of inherent inequality to a social consciousness of systemic disadvantage and the benefits of diversity in social life (Jenkins, 2008; Weisskopf, 2004). South Africa has moved gradually from the apartheid ideology of inequality to reconciliation and national unity after apartheid began to be dismantled in the early 1990s (Africa, 2006; Thaver, 2006). And, U.S. ideology centers on the nation as a liberal democracy, with *e pluribus unum* – from many, one – as its motto (Dworkin, 2000; Ravitch, 1995). Although these countries' experiences may not mirror or even represent all countries on their respective continents, they exemplify what nations around the globe are struggling with when it comes to defining, establishing, and justifying policies to increase access and equity in higher education and beyond.

My primary aims are to clarify the differing rationales for affirmative action that have emerged in diverse nations and, subsequently, to make the case for the most compelling rationales, whether instrumentally or morally based. To answer the central question, I first identify and examine four prominent justifications for affirmative action that have emerged in these nations: remediation, practicality, diversity, and social justice. This examination will include the different social contexts surrounding the establishment and public discussion of each nation's policy. I engage in philosophical analysis of the nature of the justifications put forward for affirmative action in each country, and I synthesize federal and state legislation, court decisions, news media sources, and research-based scholarship. I argue that even though they have different histories, a rationale based primarily on the argument social justice ought to be invoked most centrally in each country, with supplemental use of the other justifications when necessary to obtain public agreement. Ultimately such

justificatory emphases will result in not only greater higher education access and equity for underrepresented students in these nations, but also a higher level of agreement about the policy.

ANALYSES OF THE DIFFERENT RATIONALES FOR AFFIRMATIVE ACTION: INSTRUMENTAL AND MORAL JUSTIFICATIONS

Common justifications for affirmative action in higher education admissions typically fall into four substantive categories: *remediation*, highlighting that affirmative action compensates for past discrimination; *practicality*, highlighting affirmative action as one way to help disadvantaged people participate more fully in society and pave the way for others coming after them; *diversity*, highlighting affirmative action's role in increasing diversity on campus and amongst officeholders in society; and *social justice*, highlighting affirmative action as one important tool in the quest for greater equity and justice. These categories can be divided into two types of justification, instrumental and moral, and can either be backward-looking or forward-looking (Dupper, 2004). Instrumental justifications view affirmative action policies merely as a means to an end; the policy serves the purpose of meeting a certain goal such as providing society with successful role models from disadvantaged groups or making universities more diverse places. Moral justifications appeal to deeper beliefs about what is right and good and how people ought to be treated. The practicality and diversity rationales fall under the instrumental type and the remediation and social justice rationales fall under the moral type. In this chapter, I argue that affirmative action ought to be justified by appealing to a specific combination of the forward-looking moral and the instrumental: the social justice rationale plus the diversity rationale. While the remedial, or compensatory, rationale is an important moral justification as well, it often does not have sufficient justificatory power, either to move members of the public or the courts to supporting affirmative action in higher education admissions.

While each country has invoked in some fashion each of the rationales I put forward, we can discern a difference in emphasis on each between the nations. For example, rationales based on the need to compensate for past discrimination are compelling, and very fresh in India and South Africa, but the longer history in the U.S. has shown this rationale to be less popularly acceptable and less compelling to the courts. My intention is not to discount any of the rationales, but to highlight the ones I believe are the most compelling, both instrumentally and morally. Ultimately, I hope that my argument here can provide some needed clarity about the rationales and lead to a more coherent set of justifications for affirmative action policy that will serve to mitigate the disagreements about its necessity and its value.

I move now to a brief examination of each rationale.

Remediation

Affirmative action can be seen as a compensatory policy that is merely a “Band-aid” that does not address the larger social problems and structural inequalities

that create and complicate inequities in higher education access and opportunity (Donahoo, 2008). The remedial rationale is a moral justification aimed at righting past wrongs, and emphasizing compensatory, corrective action to rectify unfair treatment by race, ethnicity, and sex. Remediation was once the most prominent rationale used in the U.S., until the courts showed it to be a viable rationale only in some specific cases of provable past discrimination, and members of the White majority found it to be a far less compelling rationale than arguments based on diversity. In India and South Africa, where the societies remain even more stratified by race than the U.S., the remedial rationale is still the most prevalent one. Reservations and quotas serve to compensate for social disadvantage and economic disparities based on race, class, and sex.

Indeed, reservations are seen as being most valuable in India not because they promote equity, but as a remedial measure (Sharma, 2008); reservations policies are justified usually by appeal to “compensation to the victims of past discrimination and maltreatment” (Gupta, 2006:5) and as a “corrective for the historic, social and political injustices against certain groups due to prejudice on the basis of race, caste, ethnicity, region or gender” (Gupta, 2006:13). The rationale for affirmative action in South Africa also has focused on remediation. Dupper (2004) described affirmative action as a set of programs to make up for social inequalities due to past and present discrimination. Consider what President Zuma had to say on the matter: “We all know that opportunities were deliberately denied to fellow South Africans during apartheid. As part of nation-building and reconciliation, we embarked on the affirmative action policy to redress this imbalance.... The policy is not meant to harm any group, or to adversely affect anyone. Its main objective is that of redress” (quoted in Mbanjwa, 2009, paragraphs 8 and 10). Since the 1960s, when the U.S. first conceived of its affirmative action programs, the dominant discourse has emphasized backward-looking moral justifications of affirmative action as a remedial and compensatory policy. More recently, instrumental rationales have become more salient.

Practicality

A purely instrumental rationale, the argument for affirmative action from practicality centers first on societies’ need for more disadvantaged people to be educated and to join the workforce and contribute to the economy, and second for the development of more role models for disadvantaged youth, so they will not be as disaffected and will instead learn the importance and possibility of becoming a contributing member of society. In this case, “contributing” signifies making economic contributions and no longer using social welfare services. This rationale is invoked most in France, India, and South Africa. In France, the idea is that affirmative action-like policies can help disadvantaged African and Muslim immigrants gain access to an education and thus become more integrated into and content with French culture and society. As Bleich (2001) pointed out, France has held to a color-blind model, refusing even to collect race and ethnicity census data because racial and ethnic minorities are viewed primarily as immigrants.

France's affirmative action model, then, is not race- and ethnicity-conscious, but a race-neutral model that is justified using the practicality rationale. For example, in 2001, the elite *Institut d'Etudes Politiques de Paris*, known as *Sciences-Po* started a new admissions program targeting students in low-income, minority neighborhoods (i.e., priority education zones, known as ZEPs) (Polakow-Suransky, 2004). In India and South Africa, it simply makes practical sense to provide greater opportunities for such large portions of the population. If disadvantaged members of the population have more educational opportunities, they will be less likely to be on the streets, engaged in criminal activity, or taxing social services and prisons.

The arguments related to practicality have some force, particularly the notion that affirmative action contributes to role models for disadvantaged young people. Indeed, there has been some attention in the research to the importance of role models for underrepresented students (e.g., Bowen & Bok, 1998; Gándara, 1995). For example, Gándara (1995) studied 50 Chicanos and Chicanas with Ph.D.s, M.D.s, or J.D.s from selective institutions to understand the factors that influenced their educational success and social mobility. One common theme was that examples of family success like a sister at Berkeley helped to expand the students' perceived options for educational and career choices. Consider what a Chicano political scientist has to say: "my sister was a tremendous influence on me...I can remember, how many times I used to tell people my sister was at Berkeley. That was sort of a success image, a very important success image" (p. 35). Gándara found that having role models of intelligence, achievement, and success contributed to her participants' success. In addition, over half of the study's participants attributed their enrolment in college and/or graduate school to outreach and recruitment programs such as affirmative action for students of color.

However, appeal to affirmative action's practical role in increasing people's later economic productivity or engagement in mainstream public life has not been as compelling as other justifications invoked in the U.S., either in the public discourse or in the legal arena. The role model argument has been more compelling. In *Grutter*, the Supreme Court cited the importance of providing university access to people who can then return to their communities, as one compelling justification for allowing universities to consider race and ethnicity as one qualifying factor for admission. In that same case, the Court primarily invoked the diversity rationale in its opinion (Moses & Chang, 2006).

Diversity

The concept of "diversity" may be viewed as a distinctly American frame of the larger issue (Sabbagh, 2008). A variety of researchers have found that there are significant educational benefits of having diverse classrooms and campuses, specifically that it improves students' learning experiences, problem solving abilities, critical thinking skills, and preparation for life in a diverse society (e.g., Antonio et al., 2004; Chang, 1999; Chang, 2001; Chang, Witt, Jones, & Hakuta, 2003; Gurin, 1999; Gurin, Dey, Hurtado, & Gurin, 2002; Hurtado, Dey, Gurin, & Gurin, 2003; Marin, 2000). The U.S. in particular has used this instrumental justification

as part of a successful legal strategy for defending the use of race, ethnicity, or sex as one qualification in the admissions process. This rationale is now, in fact, the dominant one invoked in the U.S, and it is emerging somewhat in India and Brazil (Jenkins, 2008; Moses & Chang, 2006; Moses, 2008).

Stemming from Justice Lewis Powell's opinion in the *Bakke* decision, affirmative action is a compelling state interest because of educational benefits that flow from a diverse student body. The diversity rationale has become even more prominent after the *Gratz* and *Grutter* decisions in 2003. In both of these cases against the University of Michigan, the defense relied most heavily on the *Bakke* precedent to justify affirmative action in its undergraduate and law school admissions (Elgass, 2000). Therefore, admissions policies that satisfy the strict scrutiny standard can be considered constitutional. That is, they do not necessarily violate the Equal Protection clause of the 14th Amendment to the U.S. constitution, as long as they serve a compelling interest either to remedy past discrimination or foster racial and ethnic diversity among the student body, and are narrowly tailored to further the compelling interest. In the majority opinion of *Grutter*, Justice O'Connor wrote,

The hallmark of that policy is its focus on academic ability coupled with a flexible assessment of applicants' talents, experiences, and potential "to contribute to the learning of those around them." The policy requires admissions officials to evaluate each applicant based on all the information available in the file. (*Grutter*, 2003)

In her long-term research on affirmative action in India, Jenkins (2008) has found that there has been a gradual shift in the discourse to concepts such as diversity and disadvantage and away from caste and ethnicity. India thus is expanding its rationale for affirmative action to include diversity along with the backward-looking remediation justification. By contrast, in South Africa, the concept of diversity is fraught with controversy because during the times of apartheid, the concept of diversity itself was used to rationalize the separation of races. Like in France, "diversity" has had a negative connotation, because differences were seen as a threat to national unity. In South Africa, during apartheid, this distrust of diversity actually led to the justification of social oppression of Black South Africans (Badsha & Harper, 2000). By contrast, in Brazil the idea of increasing diversity in education and the workplace are secondary justifications used in public discussions about affirmative action. For example, there is a *Diversity in the University* program, created in 2002 by then President Cardoso's Education Ministry, which aims to help prepare Afro-Brazilian students and students in poverty for the university entrance exam, the vestibular (Paixão, 2008). Nevertheless, the heart of the arguments for affirmative action in Brazil rests on forward-looking moral ideas related to human rights, anti-racism, and social justice.

Social Justice

With a focus on equity and the redistribution of resources, the social justice rationale is a strong and visionary moral justification. Although the U.S. literature mentions

the social justice rationale as important (Bell, 2003; Moses, 2002; Moses & Chang, 2006), the most prominent justification for affirmative action is the diversity rationale. Brazil focuses on the social justice rationale and uses the diversity rationale as a supplementary justification. In the other three countries examined herein, social justice may be associated with affirmative action, but it is not the primary argument used. India and South Africa invoke social justice most often in the context of a backward-looking rationale concerned with righting past wrongs and the legacy of those wrongs.

Nevertheless, an argument can be made that India is concerned with social justice along with remediation. The inclusion of reservations policy in India's Constitution underscores that the framers saw it as the duty of the state to protect and provide for oppressed societal groups; specifically, Article 46 states that "The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustices and all forms of exploitation." And commentators such as Indian-born economist Amartya Sen have supported reservation policies in India based on social justice concerns. As the media there reported, "Sen advocated an approach to problems based on 'nyaya' rather than 'neethi,' distinguishing the two terms for justice by describing 'neethi' as a mere set of rules and 'nyaya' as the fair outcome and realization of the benefits of law" (*The Times of India*, 2008, paragraph 5). It remains, however, more typical for Indians to invoke the concept of *neethi* in justifying reservation policies.

The U.S.' reluctance to embrace fully the social justice rationale for affirmative action has stemmed from a general shift away from the ideals of the Civil Rights Movement (Graham, 1990). Affirmative action was conceptualized in the spirit of the Civil Rights Movement as one tool in the fight for equality, but because so many people resisted the notion that the U.S. needed to consider race in order to transcend it eventually, that rationale did not take hold widely enough. The turn toward more instrumental rationales was, then, strategic, and with the intention of preserving the policy in a less than civil rights-friendly political climate. The development of the practicality and diversity rationales served the important purpose of appealing to the state's compelling interest mentioned in *Bakke*. What was lost, unfortunately, was the link to the social justice rationale and, consequently, the larger emphasis on affirmative action's role in U.S. society (Bell, 2003; Moses & Chang, 2006).

In Brazil, affirmative action is justified primarily as a forward-looking moral imperative. Notably, the concept of social justice is not viewed as such a controversial concept as it is in the U.S. In fact, the rhetoric surrounding affirmative action in Brazil often highlights issues of human rights and social justice. When the Brazilian government first acknowledged a possible need for affirmative action programs, they were discussed as if they were the right things to do, after years of denial of racial problems in the country. Consider that the U.S. government rarely invokes such moral concepts in policy discussions. When institutions such as law schools, the bar association, or teacher education schools try to include

educating for social justice in their standards or curricula, the uproar and backlash surrounding such efforts are palpable. For example, Lukianoff (2007) criticized teacher education programs for requiring future teachers to show that they are committed to social justice. He equated a belief in the need for social justice as a purely political belief and argued that teacher education programs should embrace all students, even ones who do not believe in social justice. Arguments such as Lukianoff's are illustrative of the disdain the concept of social justice often faces in the U.S.

THE ARGUMENT FROM SOCIAL JUSTICE

Regardless of the conflicts in the U.S. about social justice as a concept and as a rationale for affirmative action, I would like to make the case that the social justice rationale ought to be put forward as the primary reason for supporting affirmative action. I argue that other countries ought to follow Brazil's lead in emphasizing a vision of social justice, while also relying strategically the other rationales when compelling in their own national contexts. This justificatory priority and emphasis accomplishes two important things. First, these primary and secondary rationales underscore the idea that affirmative action policies actually benefit all students, both the beneficiaries and everyone else. This may feel counterintuitive, given that critics of affirmative action often emphasize that it is a zero sum game – one underrepresented student in, one dominant culture student out; however, when we think about what a better society we will have with greater equity and social justice as well as what a better education we can provide all students educated in culturally diverse settings, then this idea makes more sense. Second, focusing on social justice keeps attention on the moral issues that underlie affirmative action, while focusing on diversity, practicality, or remediation allows nations to prioritize the most acceptable rationale.

In the end affirmative action policies are not THE way to get to social justice; they are *one* policy tool that nations may have to get to a place where social inequalities are mitigated and students of all races, ethnicities, and classes have meaningful access to and opportunities for higher education. Any justification that claims that affirmative action is synonymous with social justice is placing too much power with this one policy. Affirmative action is indeed important; it needs to be a part of a comprehensive strategy aimed at social change toward meaningful educational access, opportunity, and equity, along with a host of other social policies and programs including universal preschool and primary school, bilingual education, and democratic educational reforms to improve primary and secondary education.

There is something powerful that goes along with the social justice rationale that often is not discussed in relation to affirmative action policy. When members of the dominant societal group embrace the idea of sharing opportunities and power with all members of society, their humanity becomes more meaningful. Until affirmative action policies and other related policies are rationalized in a compelling way that many people can accept, those who have traditionally benefited from

oppressive and racist societal structures remain morally stunted and less than fully human (Freire, 1970; Moses, 2002). As I have said elsewhere:

it is right and good to strive for a moral ideal where all people feel worthy of respect, can conceive of themselves in positions of power, and have an overall sense of possibility about their lives. Surely this is a humanity worth wanting by all (Moses, 2002: 133).

CONCLUSION

As affirmative action in higher education admissions continues to be debated in countries around the world, one thing is clear. The increased access and opportunity that come with affirmative action policy benefit students who for one reason or another are disadvantaged in society. This is no small thing.

Sachs (2006) pointed out the importance of recognizing “how flexible, adaptive and contextual affirmative action has in fact been in different parts of the world. Its ambiguity and adaptability are both its strength and its fragility. It is not a fixed formula for governmental action transportable from one country to another, nor is it a precise constitutional or legal arrangement of universal application. Yet it does have a core feature. Wherever it may function and whatever its terminology, it involves focused and deliberate governmental intervention that takes account of the reality of race to deal with and overcome the problems associated with race. Racism has been so deeply entrenched over centuries by slavery and colonial domination, that its pervasive heritage cannot be wished away simply by invoking constitutional idealism” (p. x).

In justifying affirmative action, the instrumental and backward-looking rationales favored in France, India, South Africa, and the U.S should be de-emphasized or expanded to include justifications based on social justice. The social justice rationale is the heart of the policy. It explains, on a more profound level, why a society ought to act affirmatively to admit underrepresented students to higher education in greater numbers. In other words, we ought to support and argue for affirmative action policy because it is the right thing to do. Children’s birth circumstances, that is, whether they are born into a wealthy family or an upper caste family, a White family or a Black family should not dictate their opportunities. Yet, all too often they do. Perhaps current disparities are not as stark as they once were in India and South Africa. Children who face socioeconomic and other social disadvantages do not care if their access to and opportunities for education serve as a corrective for historic discrimination or to further society’s economic goals. They care about education because they know that a good education will help them reach their highest potential. If affirmative action programs help in this regard, that is why we should support them. We should, of course, also support them because they help elite institutions increase diversity in the classroom and because they compensate for past discrimination, but we cannot neglect the primary, forward-looking moral justifications for affirmative action.

When I finished my talk in Brazil that summer, the discussion was thought provoking and moving. So many Afro-Brazilian and Indigenous Brazilian students,

telling their stories about how being at the university and getting a top-notch education has made a difference not only in their own lives, but also for their communities. They did not need anyone to tell them that race, ethnicity, and class matter for their opportunities, even in Brazil's "racial democracy." It is instructive to note that many countries with a history of race-, color-, sex-, or class-based discrimination turn to affirmative action policy to help mitigate discrimination and address the resultant inequalities of educational opportunity. There are few, if any, examples of race, sex, or class neutral policies that aim (and can claim success) at ending discrimination and increasing educational access and equity.

Soon after the discussion of my paper ended, two professors came into the auditorium and announced that the university's directors had voted in favor of instituting affirmative action at UFRGS. They did not have to do so; there was no court order, no federal policy. They did so at the insistence of Black and Indigenous activist students, in the name of justice, to advance Brazilian education and society, because it was the right thing to do.

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NOTES

- ¹ I use "affirmative action" to signify a number of policies across the different nations examined here, not all of which actually are called affirmative action in those countries. For example, France does not have any affirmative action policy, but a program of what the French government calls "positive discrimination." Herein "affirmative action" is meant to convey a broad interpretation of policies aimed at providing underrepresented and oppressed students expanded access to elite higher education. In addition, the focus will be affirmative action for students in higher education, and not in the workplace. When I refer to affirmative action herein, then, it is meant to refer to all the different types of policies as they vary by nation and to the policies related to higher education outreach and admission.
- ² These include, for example, Canada, Malaysia, Nigeria, and the United Kingdom.
- ³ Given the scope of the topic, I sometimes need to make broad statements about the "national" cases; however, I recognize that is always problematic because it necessarily minimizes the differences between and regional variations within the national realities. My arguments here are meant to address national trends, but I fully recognize that these arguments may be contested, and local and regional specifics are not detailed herein.
- ⁴ As Loury (2002) pointed out: "race" refers to "a cluster of inheritable bodily markings... that can be observed by others with ease, that can be changed or misrepresented only with great difficulty, and that have come to be invested in a particular society at a given historical moment with social meaning" (pp. 20–21). As a concept, it is "fraught with scientific and ethical difficulties" (Loury, 2002, p. 205, FN 1). Brazil's affirmative action policies are conscious of race, ethnicity, and social class (Oliven, 2007). In France, affirmative action in higher education admissions affects students in low-income neighborhoods. It is technically based on social class, but the students in the eligible neighborhoods are largely from immigrant families that are North African (Sabbagh, 2004). In India, affirmative action programs are associated with low castes (Weisskopf, 2004). South Africa's

affirmative action policies primarily target its Black population (Africa, 2006). And in the United States, affirmative action is conscious of race, ethnicity, and sex (Loury, 2002).

- ⁵ National authors can speak for their countries much more comprehensively than I regarding the strength or fragility of national ideologies as well as the changes over time. Please see, e.g., France: Begag, 2007; Kennedy-Dubourdieu, 2006; Ouaja, 2006; Sabbagh, 2004, 2008; India: Deshpande, 2006; Gupta, 2006; Parikh, 1997; Sharma, 2008; South Africa: Africa, 2006; Dupper, 2004; Mbanjwa, 2009; Thaver, 2006; Brazil: Fernandes, 1965; Freyre, 1986/1933; Fry, 2004; Martins, Medeiros, & Nascimento, 2004; Oliven, 2007; Paixão, 2008; Penha-Lopes, 2006.

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