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Affirmative Action: A Feminist Economics Policy to Counteract Implicit Bias in Employment

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Abstract

Despite the research surrounding implicit bias and its effects on employment decisions, and the acknowledgement that solutions are needed to reduce the existence of this bias, specific measures are rarely discussed, and few mention affirmative action, a policy long advocated by feminist economists. In this paper, I argue for the recognition of pure affirmative as a useful tool for counteracting the role of implicit bias in employment decisions. My hope is that by understanding how affirmative action can assist in neutralizing implicit bias, it will increase the acceptance of affirmative action.

Keywords: Affirmative action, implicit bias, Implicit Association Test, Feminist Economics

1. Introduction

An important, yet controversial, policy in the U.S. for promoting diversity in the workplace is affirmative action. An encouraging sign of the increasing acceptance of affirmative action is a Pew Research Center report (2007) that found that 70% of survey respondents in the U.S. were in favor of affirmative action defined as "programs designed to help blacks, women, and other minorities get better jobs", up from 58% in 1995. Support for this specific definition of affirmative action is reinforced in other surveys of U.S. citizens, includingan approval rate of 68% (Public Religion Research Institute, 2013), 70% (CBS/New York Times, 2011), and 56% (Associated Press/Gfk, 2009). Further, in the public opinion research study on attitudes toward opportunity in the U.S., Mizell (2012) concludes that, as evidenced in the 2007 Pew report, approval for affirmative action as defined above has grown in the last 20 years.

This is encouraging given the relatively new and compelling research on the existence of what has been termed "implicit bias" and its role in employment decisions. Implicit, or hidden bias (Banaji & Greenwald, 2013) is an attitude or stereotype that is "either below conscious awareness or well practiced and therefore automatic" (Zarate, 2009). Research documents the existence of implicit bias in various areas of life, including the workplace, even in people who are very committed to diversity (Wang, 2006; Banaji & Greenwald, 2013; Mullainathan, 2015). The phenomenon of implicit bias has gotten much attention in the last year in the U.S. in the wake of several incidents of police shootings of young, unarmed, black men in Ferguson, MO, New York City, NY, and Cleveland, OH (Eichelberger, 2014; Mooney, 2014).

However, although researchers conclude that solutions need to be developed to reduce the existence of this bias, they rarely identify specific measures, and few mention affirmative actions. In this paper, I argue for the recognition of a certain type of affirmative action – long known as "pure" affirmative action (Seligman, 1973) - as a useful tool for counteracting the role of implicit bias in employment decisions. My hope is that by understanding how affirmative action can assist in neutralizing implicit bias, it will increase the acceptance of affirmative action not only in the U.S., but across the world.

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2. Resistance to Affirmative Action

The previously cited surveys showing majority support for affirmative action masks differing opinions within important demographic groups. Unsurprisingly, Black-Americans favor affirmative action at a much higher rate than White-Americans in various surveys: 72% support rate by Black-Americans vs. 49% by White-Americans (Jones, 2005); 93% by Black-Americans vs. 65% by White-Americans (Pew Research Center, 2007); and 81% by Black-Americans vs. 61% by White-Americans (Public Religion Research Institute, 2013). Political party affiliation also reveals differing support rates: 85% of Democrats and 51% of Republicans favor affirmative action programs (Public Religion Research Institute, 2013); and 77% of Democrats vs. 56% of Republicans (Pew Research Center, 2007). Further, women favor affirmative action more than men (Konrad & Spitz, 2003; Pew Research Center, 2007).

Although age of respondent has been shown in other studies not to be a predictor of affirmative action support once variables such as income, education level, and race are taken into account (Oyinlade, 2013), anecdotal evidence from my own classes reveals suspicions towards such programs. I administered a survey on perceptions of affirmative action, purposely not defined, shown in Table 1, to 148 students in my Women in the U.S. Economy course at my Midwestern U.S. comprehensive university over 4 semesters, Fall 2013-Spring 2015. The majority of students do <u>not</u> believe that affirmative action shuts out qualified white males (64.7% in question 1), is an entitlement program for unqualified women and minorities (64.4% in question 2), is the same thing as quotas (70.6% in question 3), results in the hiring of unqualified women and minorities (78.8% in question 4), makes it more difficult for the most qualified candidate to be selected (51.7% in question 5), or means lowering standards for women and minorities (69% in question 6). However, interestingly, the majority <u>do</u> believe that reverse discrimination against a majority group is widespread (55.2% in question 7). This result, coupled with the almost even split in responses between agree and disagree in question 5, indicates a suspicion of the claims made by affirmative action advocates that it raises productivity by ensuring a fairer process.

Table 1 Affirmative Action Survey and Results

```
1. Affirmative action shuts out qualified white males.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
               53.1%
                         29.9%
                                      5.4%
                                                       Median=2
2. Affirmative action is an entitlement program that gives jobs to unqualified women and minorities.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
11.0%
               53.4%
                         33.6%
                                                       Median=2
3. Affirmative Action is the same thing as quotas.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
                         28.8%
               61.0%
                                                      Median=2
4. Many job candidates hired by a company with an affirmative action program are unqualified.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
15.1%
               63.7%
                         20.5%
                                   .7%
                                                   Median=2
5. Affirmative action makes it more difficult for the most qualified candidate to be selected.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
               46.2%
                         38.6%
                                      9.7%
                                                       Median=2
6. Affirmative action means applying one standard for white males and a lower standard for women and minorities.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
               54.8%
                         25.3%
                                      4.8%
                                                       Median=2
7. Reverse discrimination is widespread.
1=Strongly Disagree 2=Disagree 3=Agree 4=StronglyAgree
6.2%
              38.6%
                        46.2%
                                     9.0%
                                                     Median=3
N=148 students
```

Source of questions: University of Connecticut Office of Diversity and Equity (2015)

A resistance to affirmative action by young adults is unfortunate. The fact that most university-level students are too young to have witnessed or experienced the discrimination that motivated U.S. Executive Order 11246 in 1965 that requires government contractors to take "affirmative action" to ensure that applicants are treated equally in all aspects of employment without regard to race or ethnicity² (Holzer & Neumark, 2000b) means that they might be especially vulnerable to uninformed views of the policy and less likely to support it.

² The Executive Order was amended in 1967 to include women.

For example, Harrison et al. (2006) showed a positive, though somewhat weak, relationship between personal experience of discrimination and support for affirmative action. Part of the disregard, and indeed, disrespect for affirmative action, could stem from careless use of the term "quota" or "preferential treatment" – which most people are against (Pew Research Center, 2009; Mizell, 2012) and is in fact illegal except under certain, narrow situations - to mean "affirmative action". For example, although 70% of U.S. respondents said that they favored "affirmative action programs to help blacks, women and other minorities get better jobs...", only 31% agreed with preferential treatment to improve the position of blacks and minorities in the economy, also defined by many people as affirmative action (Pew Research Center, 2009). Mizell (2012) found that support for affirmative action decreases when affirmative action is defined as providing preferential treatment to minorities, women, or disadvantaged groups.

An inability to exactly pinpoint what "affirmative action" is could foster confusion and resistance to affirmative action. In their article summarizing the research surrounding the effectiveness of affirmative action, Holzer and Neumark (2000a) admit the difficulty of arriving at a "working definition" of affirmative action because it is "more an amalgam of components of other legislation and of court rulings than a single coherent policy." Indeed, Cornell University Law School's Legal Information Institute (2014) defines it as "a set of procedures designed to eliminate unlawful discrimination between applicants, remedy the results of such prior discrimination, and prevent such discrimination in the future".

I address the challenge of promoting a better understanding and acceptance of the policy in employment by advocating for a discussion of it within the context of implicit bias while attention is focused on the phenomenon in the U.S. in the area of policing. The next section summarizes the literature in the feminist economics school of thought, a paradigm where researchers have advocated for affirmative action to combat employment discrimination in general, because of the recognition, missing in traditional theory, of the power inequities in the employer-employee relationship. This is followed by reviews of the literature in psychology and behavioral economics on implicit bias, which challenges the traditional economic views of employment discrimination. I then discuss affirmative action within the perspective of the extent of the "pro-activeness" of an employer in creating equal opportunities, and applying it to implicit bias. I conclude with a few suggestions for classroom exercises that can be modified for instructors in different countries designed to encourage introspection by university students of their own biases that might inhibit consideration of ethnically, racially and sexually-diverse contemporaries, and a more critical level of thinking about and understanding affirmative action as an important and effective policy promoting equal opportunity in employment.

3. Literature Review

Traditional economic theory is based on the paradigm of an autonomous and rational agent having the personal control to choose from a multitude of options in order to maximize an individual objective, subject to constraints, that for the most part are taken as given and thus unexamined (Strassman, 1999). With respect to employment discrimination, Becker (1965) was among the first in economics to propose a theory of discrimination, concluding that employers who discriminate are irrational, because a rational employer interested in maximizing profits would of course hire based on merit. Biased employers would be forced to change their prejudicial behavior if they wanted to compete since discrimination is costly.

However, discrimination's persistence in the labor market gave rise to alternative theories by feminist economists (Strassman, 1993; Figart, 1999). Feminist economists criticize the traditional economics paradigm as essentially male-centric in light of the following: the lack of recognition of the inability of many people - including children, the elderly, the infirm, minorities, and women — to engage in self-determination; the presence of interdependent relationships such as occurs in families that complicate decision-making; and coercive influences such as addictive drugs, poverty, and violence or its threat, particularly in the underground economy (Nelson, 1992; Nelson, 1993). Economists such as Madden (1973), Strober (1984), and Bergmann (1986) challenged the idea that discrimination is irrational and unprofitable with models that better reflect the economic reality that industries characterized by monopolistic behavior can afford to engage in discriminatory behavior like hiring white males over better qualified minorities or females.

Further, in recognition of the role of gender in designing and valuing occupations (Murgatroyd, 1982; Acker, 1989), feminist economists have advocated for comparable worth, or pay equity, to ensure that women who work in jobs of comparable value to those of men receive equal wages (Hartmann, 1986; Acker, 1989).

Meanwhile, research questioning the rationality of human thinking and the limits of the mind in the field of economics, which began with Simon (1955), continued with the cognitive psychologists Kahneman and Tversky (1974, 1979), leading to the development of a new field: behavioral economics. Their ideas are supported and greatly influenced by work in psychology where a significant body of research surrounds the idea that unconscious thoughts affect views and actions (Devine, 1989; Schacter, Bowers, & Booker, 1989; Roediger, 1990; Bargh, 1999). Greenwald and Banaji (1995) specifically were instrumental in noting that implicit cognition could reveal associative information that people were either explicitly unwilling or unable to report. (For a thorough review of the literature, see Zarate, 2009).

The discrimination stemming from implicit bias against African-Americans has been tested in various situations including politics (Mendez & Grose, 2014), medical care (Schulman et al., 1999), face-to-face and online market transactions (Ayres & Siegelman, 1995; List, 2004; Ayres et al., 2011; Doleac & Stein, 2013), National Basketball Association (NBA) refereeing (Price &Wolfers, 2010), and the law and the criminal justice system (Payne, 2001; Wang, 2006; Correll et al., 2007; Anwar & Hjalmarsson, 2012). Of particular interest for this paper is research on the possible influence of implicit bias on employment decisions. In one category of field experiment research, called "audit studies", actors who theoretically have identical qualifications but differ based only on their race or sex or ethnicity are sent out to apply for jobs. For example, Neumark et al. (1996) had statistically identical pairs of men and women apply for jobs as waiters and waitresses at Philadelphia restaurants. In high-priced, higher-wage restaurants, women were significantly less likely to receive an interview and job offer than men (see Riach & Rich, 2002, for a review of the older literature on audit studies). In a more recent audit study of discrimination in low-wage jobs, Pager et al. (2009) found that African-American applicants with no criminal record were offered jobs at a rate as low as White applicants who had criminal records.

Another type of field experiment is the correspondence study, such as that of Bertrand and Mullainathan (2004), who mailed fictitious résumés to employers with job openings in the Boston and Chicago areas, randomly assigning stereotypically African-American or White-American names to the resumes. They found that resumes with White-American names received 50% more callbacks for an interview compared to a statistically identical resume with an African-American name. Milkman et al. (2014) found that when fictitious prospective graduate students seeking mentoring emailed faculty across the U.S., faculty were significantly more responsive to White males than to Black, Hispanic, Indian, Chinese, and female students, particularly in higher-paying disciplines and private institutions. Rooth (2010) specifically studied the relationship between a measure of implicit bias based on ethnicity – the Implicit Association Test (which is discussed later in the paper) – and employment decisions. He found that the probability of inviting an Arab-Muslim job applicant for an interview decreased by five percentage points when the recruiter had a one standard deviation stronger negative implicit association toward Arab-Muslim men compared to Swedish men.

Why implicit bias manifests itself in employment decisions can be explained by Kahneman and Tversky (1974) using the theory of heuristics. They claim that "System 1" thinking, in which the human brain forms thoughts automatically, quickly, and subconsciously, associates new experiences with the prevailing thinking, rather than engaging in the time necessary to arrive at an optimal solution. These mental shortcuts provide an explanation for human biases and stereotypes. What is needed, they advise, are strategies for moving thinking from System 1 to "System 2", or "slow", deliberate, logical, and conscious thinking in order to circumvent discrimination in employment decisions (Milkman et al., 2008; Kahneman, 2011)

3.3 Strategies to Counteract Implicit Bias

However, although much research exists on implicit bias in the employment arena, not much exists on how to reduce it. Even two of the pioneers in the field, Banaji and Greenwald (2013), admit that this is easier said than done. Lai et al. (2014) tested the effectiveness of 17 different interventions designed to reduce implicit prejudice.

The category of intervention that was most effective were ones in which participants were exposed to counter-stereotypical examples such as being assigned to fictional groups with positive Black members who rescued the participant, for example, and/or negative White members who engaged in assault.

Tadmore et al. (2012) found that exposing a group of subjects to 20-minute multicultural multimedia presentations comparing American and Chinese cultures made that group less likely than members of the control groups to endorse stereotypes about African Americans, even though the subjects had learned about Chinese and American cultures, not African American culture. Further, subjects shown the same 20-minute lecture were less likely to choose a resume with a White-sounding name for a position of sales manager compared to a statistically similar resume of a person with a Black-sounding name.

Although there is no scientific exploration of the application of these techniques in workplace settings, two examples identified in the popular press are worth noting. First, Google has been experimenting with diversity training workshops designed to introduce employees to the science of unconscious bias (Manjoo, 2014) because 83% of its engineering employees and 79% of its managers are male, and a "severe underrepresentation" of Blacks and Hispanics exists. Second, the Fair and Impartial Policing Project (2015) conducts training on biased policing using the "science of bias" to educate officers on how unconscious or implicit bias can "impact what people perceive and do, even in people who consciously hold non-prejudiced attitudes." It is too early to know if these techniques will have long-term effects on changing the composition of the tech industry's workforce or in reducing biased policing, but it is a promising sign of the recognition of implicit bias in decision-making. In a speech at Georgetown University, the U.S. Federal Bureau of Investigations (FBI) Director James Comey referred to implicit bias as he called for police officers to avoid "lazy mental short-cuts" that could result in unjust behavior towards minorities (Comey, 2015).

3.3.1 Affirmative Action

One successful strategy for moving toward System 2 thinking relies on replacing intuition with formal analytic processes (Dawes, 1971; Milkman et al., 2008). Affirmative action is such a process in the recruitment and employment area. In her *New York Times* article, "A Tool to Explain Affirmative Action", Postrel (2003) used marketing research (Howard & Sheth, 1969) to make a case for using affirmative action to aid decision-makers in thinking outside their "evoked set", a small group of options that immediately come to mind based on experience and exposure. For example, when shoppers are asked to quickly choose a toothpaste brand, they instantly choose Crest or Colgate rather than carefully consider all possible brands. She argued that much like the way consumers select shampoo out of a possible 40 brands in a short amount of time, employers can have the tendency to immediately think of possible candidates for a job opening based on who immediately comes to mind. Due to limited time and brain capacity to consider each option, decision-makers draw upon an evoked set of the much smaller group of selections. Although an evoked set is advantageous because it allows consumers to make choices quickly, its drawback is in the exclusion of quality, diverse candidates in employment situations. Transcending the brain's limits in crucial employment decisions is the argument for "a certain type of affirmative action — not quotas or preferences, but an active effort to select from the full range of possible candidates, not merely the first evoked set" (Postrel, 2003). In other words, she argued for affirmative action as a tool to guarantee fairness and quality.

The effectiveness of affirmative action in promoting fairness and quality has been explored in prior research. In their original research using survey data of employers from four major metropolitan areas, Holzer and Neumark (2000b) found that affirmative action was successful in increasing the number of recruitment and screening practices used by employers, the number of minority or female applicants, and minority employees whose performance was no weaker than non-minority employees. Further, employers who adopted affirmative action measures were more likely to hire "stigmatized" applicants, defined as people with criminal records, welfare recipients and people unemployed more than a year. Other researchers, including Leonard (1984, 1989), Martin (1991), and Bergmann (1996), in the U.S. found improved employment outcomes in companies with affirmative action programs. (Please see Holzer and Neumark (2000a) for a thorough review of the literature.)

Research on affirmative action initiatives in countries outside the U.S. can be found in Braithwaite (1993), Sheridan (1998), Johnson et al (2003), Delsen & Poutsma (2005), and Cho and Kwon (2010).

4. Affirmative Action

Equal employment opportunity (EEO) laws in the U.S. range from requirements not to discriminate to demands for more active approaches to diversify the workplace. In Figure 1, EEO laws are placed along a spectrum representing how proactive an employer is in working toward equal opportunity.

Merely complying with anti-discrimination legislation such as the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964 is deemed a passive tactic (Seligman, 1973) to including under-represented groups into the workplace and appears at the very left end of the spectrum. The Equal Pay Act prohibits pay discrimination on the basis of sex in jobs requiring equal effort and work conditions, while Title VII prohibits discrimination on the basis of sex, race, ethnicity, religion, color, age, and disability in all aspects of employment, including compensation, hiring, firing, and classification of employees (Kay & West, 2006).

Passive Active Passive Pure Preferential Quotas Nondiscrimination Affirmative Affirmative Action Action Pure affirmative Compliance with Concerted Hiring minorities anti-discrimination efforts to expand action plus & women at a the pool of qualified preference based on % of the laws Minorities & women race, gender, etc. workforce

Figure 1: Spectrum of Workplace Inclusion Laws

Pure affirmative action is a step beyond mere compliance with the Equal Pay Act and Title VII because it requires employers not just to sit back and wait for qualified minority and female applicants to apply, but to actively reach out to ensure this happens (Seligman, 1973). A company that engages in pure affirmative action to expand the pool of qualified minorities and women who apply for jobs: advertise job openings in a variety of media outlets that reach a diversity of people (i.e., do not just advertise in a newspaper serving a mostly white geographic area); keep the job posting up for a "reasonable" length of time that ensures a diverse pool of candidates (i.e., posting a job opening for only two days means only those in an "inner circle" know about the opening); have a hiring/search committee that is comprised of a diverse mix of people (i.e., not all White males); and actively recruit in organizations that serve women or minorities, such as the Committee on the Status of Women in the Economics Profession (CSWEP), American Medical Women's Association (AMWA), the National Association of Professional Women (NAPW), the Black Coaches and Administrators (BCA) organization or the National Collegiate Athletic Association (NCAA) Minority Opportunity Interests Committee (Lapchick, 2011), to name a few.

A company that practices pure affirmative action also keeps track of the racial, ethnic, and gender make-up of the candidates as a way of managing the workforce's diversity. A lack of awareness of the diversity of applicants does not promote a color- and gender-blind process as is often thought, but rather promotes the status quo. Keeping records of the diversity of the job candidates is necessary in order to better manage diversity, in keeping with the adage of "managing what is measured". If a company is not keeping statistics on applicants' race, ethnicity, and gender, it is not able to react. Further, a company that engages in pure affirmative action is able to use this information as feedback to determine if job requirements are relevant to the job to be performed and to ensure unnecessary barriers do not exist that prevent diverse candidates from being considered, a practice that was deemed a violation of U.S. Title VII in the Supreme Court case, *Griggs v. Duke Power Co., 1971*(Kay & West, 2006). For example an Associated Press study of police department policies noted the change in standards away from physical fitness requirements and more toward life experiences. Focusing less on "push-ups per minute" has resulted in the employment of older workers and more female workers who bring other valuable attributes to the job like being less hot-headed and trigger-happy (Maguire, 2007), results confirmed by Naili (2015).

Preferential affirmative action, a step beyond pure affirmative action in terms of diversifying the workforce, is how most people define affirmative action. A company practicing preferential affirmative action is not only engaging in pure affirmative action, but also giving preference to a qualified applicant from an under-represented group. For example, in *Johnson v. Transportation Agency, Santa Clara County, 1987*, the U.S. Supreme Court upheld the Transportation Agency's decision to hire a female candidate over an equally qualified male candidate. At the time of the original lawsuit in 1980, not one of the county agency's 238 skilled positions was held by a woman and the court noted it was permissible to take sex into account for jobs in which women were severely underrepresented (Naff, 2004; Kay & West, 2006).

The legal permission to include gender, race, and ethnic characteristics in an employment decision, was effectively challenged and reversed in *City of Richmond v. Croson, 1989*, and *Adarand Constructors, Inc. v. Pena, 1995*(Naff, 2004). Thus, preferential affirmative action in the U.S. is illegal unless racial discrimination can be proven to be widespread throughout a particular industry and a narrowly tailored race-based remedy is applied (Naff, 2004). At the farthest right on the spectrum are quotas, in which employers are required to hire minorities or women as a certain percentage of the workforce. Quotas are an extreme way of integrating the workforce and remedying the effects of past discrimination and are used – and thus legal - only in specific circumstances where an employer has a history of discriminating and failure to comply with anti-discrimination legislation. For example, in 1970, a U.S. federal court found that there had never been a black state trooper in Alabama's Department of Public Safety's 37-year history. Due to the systematic discrimination, the department was ordered to reform its employment practices. Twelve years later, discriminatory employment practices continued, forcing the court to order a quota system in which for every White hired or promoted, one Black was also hired or promoted until at least 25% of the upper ranks of the department were composed of Blacks. This quota was upheld by the U.S. Supreme Court in *U.S. v. Paradise, 1987* (Naff, 2004).

In conclusion, the definition of affirmative action to which many people subscribe that involves giving preference to an underrepresented race, ethnicity or gender is not legal in the U.S. and does not represent what most people support. Pure affirmative action is designed to force consideration of qualified candidates who fall outside a decision-makers evoked set that was formed by "System 1" thinking or implicit bias, both resulting in a violation of equal opportunity. Thus, an education on how affirmative action can "slow down" thinking, and raise cognizance of implicit bias is needed from students to business managers.

5. Student Exercises

These exercises were done the first week of the semester before any discussion of diversity and discrimination occurred, in order to prevent leading the respondents into reporting results they thought might be more acceptable to the instructor.

5.1 Evoked Set

In order to highlight the concepts of the evoked set (Postrel, 2003) and System 1 thinking (Kahneman, 2011), students were asked in a survey to quickly identify a toothpaste brand and three of the greatest baseball players of all time. The results appear in Table 2. As expected based on the theories of evoked set and heuristics, Crest and Colgate received 95.3% of the responses. As to the baseball players mentioned, the responses also conformed to the theories. It was expected that a handful of very famous, universally agreed upon players like Babe Ruth, Hank Aaron, and Jackie Robinson, would be mentioned, or players who are currently in the news such as Derek Jeter or Alex Rodriguez. However, of the other players mentioned, most were from U.S. Midwestern Major League Baseball teams, where the vast majority of the students were raised.

Table 2: Implicit Bias Survey Part I

1. Write down a toothpaste brand: Crest-55.4% Colgate-39.9% All others-4.7%

2. Who is the best baseball player of all time? Write down 3 nominations.

Results and % of total responses

Babe Ruth-33.3% Hank Aaron-11.0%

Jackie Robinson, Derek Jeter-10% each

Sammy Sosa-4.3% *

Joe Mauer*, Mickey Mantle-2.9% each

Nolan Ryan-2.4%

Pete Rose*, Ryan Braun*, Barry Bonds, Kirby Puckett*, Willy Mays-1.9% each

Lou Gehrig-1.4%

Jonathan Lucroy*, Robin Yount*, Paul Molitor*, Cal Ripkin, Alex Rodriguez-1.0% each

Joe DiMaggio, Greg Maddox, Albert Pujols*, Josh Gibson, Mo'ne Davis, Honus Wagner, George Brett*, Ricky Weeks*, Carlos Gomez*, Andre Ethier, Dan Quisenberry*, Spaceman, Bo Jackson*, Ken Griffey, Jr-0.5% each

*Played for a Midwestern U.S. team, including the Minneapolis Twins, Chicago Cubs, Milwaukee Brewers Cincinnati Reds, St. Louis Cardinals, or Kansas City Royals

N=210 responses

This exercise can easily be modified for sports popular in other countries, but also movie action heroes (Postrel, 2003). My own experiment asking students to imagine they are a movie director casting a lead for an action movie resulted in 98% of suggestions for male actors and the rest for female actors: Jennifer Lawrence, Jennifer Aniston, Angelina Jolie, and Scarlet Johansson.

5.2 Implicit Association Test (IAT)

I also had students take the Implicit Association Test (IAT) through the online "Project Implicit" (2015) and anonymously report their results, which appear in Table 3. The IAT (Greenwald et al., 1998) is one of several measures of implicit bias that indirectly measures the strengths of associations among concepts. There has been much research surrounding the validity and reliability of the IAT, and in general the research is supportive (Nosek et al., 2007). Project Implicit is a non-profit organization co-founded by Anthony Greenwald, Mahzarin Banaji, and Brian Nosek, and facilitates research on implicit cognition. In the online test measuring implicit bias against African-Americans, respondents are asked to quickly pair positive words like "Joy, Love, and Laughter" and negative words like "Agony, Terrible, and Failure" to pictures of White and African-American male and female faces (Project Implicit, 2015). When a respondent pairs black faces and negative words more quickly than other pairings, it reveals implicit bias. Upon completion, test-takers are given one of the following results concerning preference for European Americans compared to African Americans: little to-no-preference; slight automatic preference: moderate automatic preference; or "There were too many errors to determine a result". Like the previous exercise, this led to an excellent discussion of bias, the limits of the mind, evoked sets, and solutions, including affirmative action.

Table 3: Implicit Association Test (IAT) Results

Result	% of Student
Your data suggest <u>little to no preference</u> for European Americans compared to African Americans.	31.7%
Your data suggest a <u>slight automatic preference</u> for European Americans compared to African Americans.	12.2
Your data suggest a <u>moderate automatic preference</u> for European Americans compared to African Americans.	
Your data suggest a <u>strong automatic preference</u> for European Americans compared to African Americans.	41.5
There were too many errors to determine a result	14.6
N=148	0.0

Source: IAT, Project Implicit Bias, 2014-2015.

6. Conclusion

The time is ripe to change the discussion on affirmative action, away from preferences and towards overcoming biases which exist in most people. Future researchers are encouraged to develop exercises that raise young persons', as well as business and human resource managers', awareness of concepts like the evoked set and implicit bias, and the potential of pure affirmative action in mediating bias. As Postrel (2003) notes, "the goal is not to meet numerical targets but to make the final selection from a broad enough sample to ensure not only fairness but quality. What's efficient for picking toothpaste isn't good enough for people."

References

Acker, J. (1989). Doing Comparable Worth: Gender, Class, and Pay Equity. Philadelphia: Temple University Press.

Anwar, S., Bayer, P., & Hjalmarsson, R. (2012). The impact of jury race in criminal trials. *Quarterly Journal of Economics*, *127*(2), 1017-1055.

Associated Press. (2009). The AP-Gfk POLL. [Online] Available:

http://opportunityagenda.org/attitudes_expanding_opportunity

Ayres, I., Banaji, M., & Jolls, C. (2011). Race effects on eBay. Available: http://ssrn.com/abstract=1934432.

Ayres, I. & Siegelman, P. (1995). Race and gender discrimination in bargaining for a new car. American Economic Review, 85(3), 304-321.

Banaji, M. R., & Greenwald, A. G. (2013). Blindspot: Hidden Biases of Good People. New York: Delacorte Press, 2013.

Becker, S.G. (1965). The Economics of Discrimination. Chicago: University of Chicago Press.

Bergmann, B.R. (1986). The Economic Emergence of Women. New York: Basic Books, Inc.

Bergmann, B.R. (1996). In Defense of Affirmative Action. New York: Basic Books, Inc.

Bertrand, M., & Mullainathan, S. (2004). Are Emily and Greg more employable than Lakisha and Jamal? A field experiment on labor market discrimination. American Economic Review, 94(4), 991-1013.

Braithwaite, V. (1993). The Australian government's affirmative action legislation: Achieving social change through human resource management. Law and Policy, 15(4), 327-54.

CBS News/New York Times Poll. (2011). [Online] Available:

http://opportunityagenda.org/attitudes expanding opportunity

Cho, J., & Kwon, T. (2010). Affirmative action and corporate compliance in South Korea. Feminist Economics, 16(2), 111-139 (2015).FBI Speeches. [Online] Available: http://www.fbi.gov/news/speeches/hard-truths-law-Comey, James. enforcement-and-race.

Cornell University Law SchoolLegal Information Institute. (2014). Affirmative action definition. [Online] Available: http://www.law.cornell.edu/wex/affirmative_action.

Correll, J., Judd, B. P., Judd, C. M., Wittenbrink, B., Sadler, M. S., & Keesee, T. (2007). Across the thin blue line: Police officers and racial bias in the decision to shoot. *Interpersonal Relations and Group Processes*, 92(6), 1006-1023.

Dawes, R. M. (1971). A case study of graduate admissions: Application of three principles of human decision making. American Psychologist, 26(2), 180-188.

Delsen, L., & Poutsma, E. (2005). Labour market institutions and economic performance in the Netherlands. *International* Economic Journal, 19(4), 169-96.

Doleac, J. L., & Stein, L.C.D. (2014). The visible hand: Race and online market outcomes. The Economic Journal, 123, F469-

Eichelberger, E. (2014). The Ferguson shooting and the science of race and guns. *Mother Jones*.[Online] Available: http://www.motherjones.com/mojo/2014/08/michael-brown-study-racial-bias-weapon

Fair and Impartial Policing. (2015). Fair and impartial policing training. [Online] Available:

http://www.fairimpartialpolicing.com/training-programs.

Figart, D. (1999). Theories of discrimination. In J. Peterson & M. Lewis (ed.), The Elgar Companion to Feminist Economics. Northampton, MA: Edward Elgar.

Greenwald, A. G., & Banaji, M. R. (1995). Implicit social cognition: Attitudes, self-esteem, and stereotypes. Psychological Review, 102(1), 4-27.

Greenwald, A. G., McGhee, D. E., & Schwartz, J. L. K. (1998). Measuring individual differences in implicit cognition: The Implicit Association Test. Journal of Personality and Social Psychology, 74(6), 1464–1480.

- Harrison D. A., Kravitz D. A., Mayer D. M., Leslie L. M., &Lev-Arey D. (2006). Understanding attitudes towards affirmative action in programs in employment: Summary and meta-analysis of 35 years of research. *Journal of Applied Psychology*, *91*, 1012-1036.
- Hartmann, H. (1986). The political economy of comparable worth. In G. Mangum & P. Phillips (eds.), *Three Worlds of Labor Economics*. Armonk, NY: M.E. Sharpe.
- Holzer, H., & Neumark, D. (2000a.) Assessing affirmative action. Journal of Economic Literature, 38, 483-568.
- Holzer, H., & Neumark, D. (2000b). What does affirmative action do? *Industrial and Labor Relations Review*, 53, 240-271.
- Howard, J. A., & Sheth, J. (1969). The Theory of Buyer Behavior, New York: Wiley & Sons, Inc.
- Johnson, D., Kabuchu, H., & Kayonga, S.V. (2003). Women in Ugandan local government: The impact of affirmative action. *Gender and Development*, 11(3),8–18.
- Jones, J.M. (2005). Race, ideology, and support for affirmative action. Gallup. [Online] Available: http://www.gallup.com/poll/18091/race-ideology-support-affirmative-action.aspx
- Kahneman, D. (2011). Thinking, Fast and Slow. New York: Farrar, Straus and Giroux.
- Kahneman, D., & Tversky, A. (1974). Judgement under uncertainty: Heuristics and biases. Science, 185, 1124–1131.
- Kay, H.H., & West, M.S. (2006). Sex-Based Discrimination: Text, Cases and Materials. 6th ed., St. Paul, MN: Thomson/West.
- Konrad A. M., Spitz J. (2003). Explaining demographic group differences in affirmative action attitudes. *Journal of Applied Social Psychology*, *33*, 1618-1642.
- Lai, C.K., Marini, M., Lehr, S.A., Cerruti, C., Shin, J.E.L., Joy-Gaba, J.,... Nosek, B.A. (2014). Reducing implicit racial preferences: A comparative investigation of 17 interventions. [Online] Available: http://ssrn.com/abstract=2155175.
- Lapchick, R.E. (2011). Building positive change: The black coaches and administrators (BCA) hiring report card for NCAA FBS and FCS football Head Coaching Positions (2010-11). [Online] Available: http://www.tidesport.org/RGRC/2011/BCA_FB_Hiring_FINALSENT[1].pdf
- Leonard, J. (1984). Employment and occupational advance under affirmative action. *Review of Economics and Statistics*, 66(3), 377-385.
- Leonard, J. (1989). Women and affirmative action. Journal of Economic Perspectives, 3(1), 61-75.
- List, J.A. (2004). The nature and extent of discrimination in the marketplace: Evidence from the field. *Quarterly Journal of Economics*, 119(1), 49–89.
- Madden, J. (1973). The Economics of Sex Discrimination. Lexington, MA: Lexington Books.
- Maguire, K. (2007). Police are easing age and fitness rules. *The Washington Post*.[Online] Available: http://www.washingtonpost.com/wp-dyn/content/article/2007/06/08/AR2007060801694.html
- Manjoo, F. (2014). Exposing hidden bias at Google. *New York Times*.[Online] Available: http://www.nytimes.com/2014/09/25/technology/exposing-hidden-biases-at-google-to-improve-diversity.html
- Martin, S.E. (1991). The effectiveness of affirmative action: The case of women in policing. *Justice Quarterly, 8*(4), 490-504.
- Mendez, M.S.,& Grose, C.R. (2014). Revealing discriminatory intent: Legislator preferences, voter identification, and responsiveness bias. USC CLASS Research Paper No. 14-17. [Online] Available: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2422596.
- Milkman, K. L., Akinola, M., & Chugh, D. (2014). What happens before? A field experiment exploring how pay and representation differentially shape bias on the pathway into organizations. [Online] Available: http://ssrn.com/abstract=2063742.
- Milkman, K.L., Chugh, D., & Bazerman, M.H. (2008). How can decision-making be improved? Harvard Business School Working Papers. [Online] Available: http://hbswk.hbs.edu/item/5976.html
- Milzell, J. (2012). An overview of research on attitudes toward expanding opportunity. The Opportunity Agenda, New York. [Online] Available: http://opportunityagenda.org/files/field-file/attitudes-toward-opportunity.pdf
- Mullainathan, S. (2015). Racial Bias, Even When We Have Good Intentions. *New York Times*.[Online] Available: http://www.nytimes.com/2015/01/04/upshot/the-measuring-sticks-of-racial-bias-.html? r=0
- Murgatroyd, L. (1982) Gender and occupational stratification. Sociological Review, 30(4), 574-602.
- Mooney, C. (2014). Thescience of why cops shoot young black men. *Mother Jones*.[Online] Available: http://www.motherjones.com/politics/2014/11/science-of-racism-prejudice
- Naff, K.C. (2004). From *Bakke* to *Grutter* and *Gratz*: The Supreme Court as a policymaking institution. *Review of Policy Research*, 21(3), 405-427.
- Naili, H. (2015). More female officers defuse violent policing style. Women's Enews, January 28, 2015. [Online] Available: http://womensenews.org/story/law/150127/more-female-officers-defuse-violent-policing-style

- Nelson, J. (1992). Gender, metaphor, and the definition of economics. *Economics and Philosophy*, 8(1), 103-25.
- Nelson, J. (1993). The study of choice or the study of provisioning? Gender and the definition of economics. In M.A. Ferber & J.A. Nelson (eds.) *Beyond Economic Man: Feminist Theory and Economics,* Chicago: University of Chicago Press.
- Neumark, D., Bank, R.J., & Van Nort, K.D. (1996). Sex discrimination in restaurant hiring: An audit study. *Quarterly Journal of Economics*, 111(3), 915–941.
- Nosek, B.A., Greenwald, A.G., & Banaji, M.R. (2007). The Implicit Association Test at age 7: A methodological and conceptual review. In J.A. Bargh (ed.), *Automatic Processes in Social Thinking and Behavior*. New York: Psychology Press
- Oyinlade, A.O. (2013). Affirmative action support in an organization. *Sage Open.* [Online] Available: http://sgo.sagepub.com/content/3/4/2158244013516156
- Pager, D., Western, B., &Bonikowski, B. (2009). Discrimination in a low-wage labor market: A field experiment. *American Sociological Review, 74, 777–799*.
- Payne, B. K. (2001). Prejudice and perception: The role of automatic and controlled processesin misperceiving a weapon. *Journal of Personality and Social Psychology*, 81(2), 181-192.
- Pew Research Center for the People &The Press. (2009). Public backs affirmative action, but not minority preferences.

 News Release, Washington, D.C. [Online]: Available:

 http://www.pewresearch.org/2009/06/02/public-backs-affirmative-action-but-not-minority-preferences/
- Pew Research Center for the People & The Press. (2007). Trends in Political Values and Core Attitudes: 1987-2007. News Release, Washington, D.C. [Online] Available: http://www.people-press.org/files/legacy-pdf/312.pdf
- Postrel, V. (2003). A tool to explain affirmative action. *New York Times*.[Online] Available: http://www.nytimes.com/2003/01/30/business/30SCEN.html?pagewanted=1
- Price, J., & Wolfers, J. (2010). Racial discrimination among NBA referees. Quarterly Journal of Economics, 125(4), 1859-1887.
- Project Implicit. (2015). Participate. [Online] Available: http://projectimplicit.net/index.html
- Public Religion Research Institute. (2013). Survey | Americans Divided Between Principle and Practice on
- Affirmative Action, Divided on DOMA. [Online] Available: http://publicreligion.org/research/2013/05/may-2013-religion-politics-tracking-survey/
- Rooth, D.O. (2010). Automatic associations and discrimination in hiring: Real world evidence. *Labour Economics, 17*(3), 523-534.
- Schulman, K.A., Berlin, J.A., Harless, W., Kerner, J.F., Sistrunk, S., Gersh, B.J., ... Escarce, J.J. (1999). The effect of race and sex on physicians' recommendations for cardiac catheterization. *New England Journal of Medicine, 340*, 618-626.
- Seligman, D. (1973). How "equal opportunity" turned into employment quotas. Fortune, 8(3), 160-168.
- Sheridan, A.J. (1998). Patterns in the policies: Affirmative action in Australia. Women inManagement Review 13(7), 243–252.
- Strassman, D. (1993). Not a free market. In M.A. Ferber & J.A. Nelson (eds.) *Beyond Economic Man: Feminist Theory and Economics,* Chicago: University of Chicago Press.
- Strassman, D. (1999). Feminist economics. In J. Peterson & M. Lewis (ed.), *The Elgar Companion to Feminist Economics*. Northampton, MA: Edward Elgar.
- Strober, M.H. (1984). Toward a general theory of occupational sex segregation: The case of public school teaching. In B. Reskin (ed.), Sex Segregation in the Workplace: Trends, Explanations, Remedies. Washington, D.C.: National Academy Press.
- Tadmore, C. T., Hong, Y., Chao, M. M., Wiruchnipawan, F., & Wang, W. (2012). Multicultural experiences reduce intergroup bias through epistemic unfreezing. *Journal of Personality and Social Psychology*, 103(5), 750-772.
- University of Connecticut Office of Diversity and Equity. (2015). Myths about affirmative action. [Online] Available: http://ode.uconn.edu/wp-content/uploads/sites/833/2015/03/Myths-About-Affirmative-Action.pdf
- Wang, L. (2006). Discrimination by Default: How Racism Becomes Routine. New York: NYU Press.
- Zarate, M. A. (2009). Racism in the 21st Century. In T.D. Nelson (ed.), *Handbook of Prejudice, Stereotyping, and Discrimination*. New York: Psychology Press, 2009.