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Onto Nature and Forms of Affirmative Action

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ABSTRACT

Affirmative Action has been a perpetual issue from its conception to the present. Despite being endlessly discussed since its beginning, a universal agreement on the nature of affirmative Action still appears entirely untouched. Affirmative Action is a public policy designed to compensate the victims of injustice on the cost of others' possession. Philosophers like Leslie P. Francis say that there should be policy of Affirmative Action for assuring a level playing field. It is because there is a disparity in the social-economical scenario distributed in the community, which is visualized in the form of absenteeism of the candidates belonging to the deprived and under-represented classes from the significant workplaces of a nation. In this paper, the author would make an attempt to analyze the questions related to nature and forms of Affirmative Action. The paper will conclude by advancing the author's position regarding this issue.

INTRODUCTION

Many-if not most- people who are for or against affirmative Action are for or against the theory of affirmative Action. The factual question of what actually happens as a result of affirmative action policies receives remarkably little attention. Assumptions, beliefs, and rationales dominate controversies on this issue in countries around the world.

Thomas Sowell (*Affirmative Action around the World: An Empirical Study,* Yale University Press: New Haven & London, 2004, Preface, p. ix.).

Historically, the term 'Affirmative Action' was first used in the 'National Labor Relations Act, 1935', which came in effect since 1935 (Thomas, 2004). The Act was in the form of a cluster of orders intended to eradicate the discriminatory behavior of all possible kinds of the employer. It is noticeable that the first systematized and legalized use of the phrase "Affirmative Action" is commonly attributed to 'Executive Order of 10925', which was issued by American President John F. Kennedy in the year 1961. The central theme of the Order was the same, but in a more refined form as it was in the 'National Labor Relations Act.' Executive Order 10925 has defined that affirmative Action is meant for taking appropriate steps to eradicate the widespread morally impermissible practices of racial, religious, and ethnic discrimination. Thus, the main objective was the same as the Act and Executive Order 10925, as revealed by President John F. Kennedy. He addressed affirmative Action is a revolutionary attempt to ensure '*equal opportunity in employment.'* (Steven, 2002).

The underlying essence of the National Labor Relations Act, 1935 and the Executive Order, was indistinguishable. Hence, the described legislation of both the efforts emulated with some refinements

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in the 'Civil Rights Act, 1964'. Thus, the Civil Rights Act was merely a replica of the composite idea which was carried by American President John Kennedy and the Leading Liberals of that time. The central underlying theme of the Act was to create a level playing field in which equal opportunity for all can be assured through fair procedures. The Act had specific preventive and precautionary provisions that all the significant institutions have to follow the fair and impartial procedures and the criteria of hiring applicants for employment regardless of their race, creed, color, and national origin. Title VI of the Civil Right Act, 1964 declared that-

No person in the United States shall. On the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (Steven, 2002).

Unfortunately, as the Act was passed, the riots erupted in the major regions of the United States of America. During these riots, America has got its new, i.e., President Lyndon Johnson. President Lyndon Johnson argued that while framing and implementing affirmative Action, we should not merely focus on the procedural aspects of hiring, because it is not enough at all. According to him so we should emphasize substantive issues more than only ensuring fair procedures of recruitment. He was addressing at Howard University, he said:

You do not take a person who for years has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, you're free to compete with all the others, and still justly believe that you have been completely fair. Thus, it is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates. . . We seek not . . . just equality as a right and a theory but equality as a fact and equality as a result (Ibid, pp.xii).

Furthermore, Lyndon Johnson, to implement the Act, has effectively issued another order, i.e., 'Executive Order 11246'. The Order contained directions for all executive departments and agencies of the Federal Government. The Order had provisions that all the government and private agencies should establish and maintain a positive program to ensure the equal opportunity of all employees. The Order stated:

It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, creed, color or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each department and agency (Ibid, op. cit).

Two years later, the clause of sex is added in the Order, which was directed to eliminate the discrimination based on sex at significant workplaces. It is interesting to discuss that the motives and intentions of both the American Presidents were the same, i.e., to eliminate all sorts of discrimination from the institutions. In response to the Order, the U.S. Department of Labor has created a select committee named "Office of Federal Compliance Program." The committee was supposed to replace the already existing committee "Equal Employment Opportunity Commission," which was established by the former "Executive Order 11925". The committee was aiming to respond to individual complaints regarding discrimination. It is interesting to mention that the 'Office of Federal Compliance Program' proved more productive to improve the situations of deprived classes of the society in comparison to the 'Equal Employment Opportunity Commission.'

The above discussion was related to mentioning the legislative initiatives taken by the different authorities of Legislature to establish an easy way to implement the policy of affirmative Action against discrimination. Now, I am going to discuss the earlier legal cases which were related to the matter of discrimination that compelled the government to make policy like preferential treatment. In this line of thinking, the first case in the U.S. Supreme Court related to affirmative Action was **'Griggs v. Duke Power Company,'** which was filed in 1971 (Steven, 2012). The petitioner argued that the Duke Power Company had adopted the criteria for hiring the job candidates, which was discriminatory against the minority groups. So, the Duke Power Company violates uniform law, i.e., 'Title VII' of the 'Civil Rights Act, 1964'. In the Education sector, the first case was **'Regents of University of California V. Bakke.'** The case was filled in 1978. In this case, Bakke's admission got a rejection at

Davis Medical School, University of California. Despite this, he has scored more marks than the cutoff of an average socially and economically disadvantaged class, i.e., minority groups. It is interesting to discuss here that 'University of California' usually reserved 16 percent seats of total available seats for the students from the socially and economically disadvantaged class. Bakke had an idea in his mind that if the quota might not have allotted to the unprivileged sections, he must have got admission in the University. That is why; he challenged the roaster of the University of California in the U.S. Supreme Court. The decision was in his favor.

Supreme Court found that the use of Quotas in the affirmative action program to remedying or compensating the effects of societal discrimination is nothing but preferably in the violation of the 'Civil Rights Act' and 'Equal Protection Clause of the Fourteen Amendment.' It is noticeable here than in later cases such as **'Grutter V. Bollinger.'** The essence of the case was the same. Here, 'Barbara Grutter' was a White female applicant. She was refused to take admission to the 'University of Michigan Law School' based on the race, which was a clear violation of the 'Fourteenth amendment' and 'Title VI' of the 'Civil Rights Act, 1964' (Bollinger, 2019). The University argued that there was a compelling interest of the state to ensure a critical mass of students from minority class and Supreme Court that affirmative action program in education permitted if it is related to the tailoring to meet a compelling government interest (Ibid, op. cit). And the case is associated with ensuring the government's attention. Hence, it is desirable and should be applied at a higher level in society to assure the well-being of everyone. Thus, the Supreme Court has accepted the decision of the 'University of Michigan.' In the later period, as the attempts made to formulate and implement the policy of affirmative Action, the desired increase in the numbers of different communities and gender appeared in more than sufficient numbers. This outcome forced the leaders of all over the world to adopt the policy of affirmative Action for inhibiting discrimination.

More recently, in **'Hopwood V. Texas'** case Cheryl J. Hopwood' being rejected by the University of Texas, School of Law in 1992, filed a lawsuit against the University of Texas on September 29, 1992, in the U.S. District Court (Texas, 2019). Hopwood, being a white female, was denied to take admission to the School of Law. Despite Hopwood being better qualified than other admitted minority candidates. After so many legal dates, the Court has given the decisions that an educational institution can adopt the policy of preferential hiring justifiably when it is related to design to correct for the past discrimination of that very institution.

Thus, the decision of the Hopwood case became the final law concerning the attention on race in recruitment processes to attain diversity in educational workplaces. Since this decision, the policy of Affirmative Action is applied in all the public and private institutions.

Affirmative Action as a concept has so many different facets differing according to the socioeconomic and historical situations of the nation. Along with this, the relativism in nature sometimes depends upon the levels of discriminations oppression and subordination. Along with the various forms of discrimination and servitude, the other societal factors also affect the nature of Affirmative Action as per the demand of respective social, political, and economic disparities. For this reason, the underlying theme of affirmative Action can be understood through the nature and forms of affirmative Action applied in nations which can be consolidated in the following forms:

The Weak form of Affirmative Action: The Weak form of Affirmative Action is associated with the following of fair procedures and regulations in the process of selecting applicants for awards or honors, competitive jobs, and other opportunities at workplaces (Kekes, 1993). The primary task undertaken under the underlying meanings and goals of the weak form of Affirmative Action is to make sure that recruitment and interviews for diversified jobs would be devoid of the unethical practices and undesirable practices of discrimination regarding the violation of fair rules and regulations. Hence, the rules and regulations applied for recruiting the candidates should be worthy of being applied to everyone equally at the same time and having the capacity to be considered as a universal criterion for selecting candidates in all over the world. Thus, a weak form of Affirmative Action can be said as adhered to John Rawls' liberty-principle of liberalism or the first principle of justice. The first principle or *Liberty-principle* believes in the fair procedures designed to ensure open

access to all the candidates regardless of their race, gender, culture, and ethnicity. It is amazing to know that the weak form of affirmative Action follows the fundamental ideas of possessive individualism too. The method of ensuring justice through the weak form of Affirmative Action undoubtedly derived from the basic assumptions of 'Procedural form of justice.' Procedural Justice demands that if the procedures are fairs, the outcomes are bind to be fair. The presence of fair rules and laws are enough to begin a race of life. A person is entitled to attain anything by his ability through fair means (Kekes, 1993: 144). Treating everyone is the same is the key notion of the weak form of affirmative Action.

The Strong form of Affirmative Action: This form of affirmative Action is not sheer associated with the following of fair procedures in the processes of recruiting candidates at workplaces. But rather it does go beyond the fundamentals of the weak form of affirmative Action to favor some candidates of deprived or backward classes. It is essentially very apparent the strong form of affirmative Action adheres to some positive steps that can be in the form of policies or laws of preferential treatment while the foremost does not have these kinds of constructions. Thus, it can be said that this form of affirmative Action is based on the *difference-principle* of John Rawls. The difference principle asserts that the inequalities are fair when they are related to the benefitting the least advantaged people of the society. Thus, this kind of affirmative Action aims to go beyond the rule of procedural justice (*Ibid, op. cit).*The goal of substantive justice is to ensure the desirable representation of the classes in the significant institutions which the candidates of deprived classes might have owned if the discrimination might not have occurred with them. Substantive Justice means distributing social goods according to the need of the people. A substantive principle tells us which cases to count as like and which as unlike. For instance, race competition is organized in a school. There is a difference between a professional racer and a village boy participating in a race, an able racer, and a disabled person. Hence, if according to the fair procedures, they are being kept in the same category, village-boy will be defeated by the professional one. It is because both the racers don't have the same physical competency.

Procedural Form of Affirmative Action: This form of affirmative action is known as the least controversial form of affirmative action. According to the Procedural form of affirmative action, procedures should be fair in the processes of recruiting the candidates. It means, in this form of affirmative Action, it has to be taken into care that all the procedural requirements might include open advertisement of the faculty positions. In the course of advertising the vacancies, an effort has also been made to inform the members of the group which is below the desirable representation (Kekes, 1993:144) The employers and admission officers must see that the information and advertising of positions should be circulated among the desirable and appropriate applicants of the sections who numerically supposed to adhere the sufficient numbers of representation in that institutions and to the applicants of underrepresented sections of the nation (Robert, 1993).

There are unethical and immoral practices can be visualized in the partial and targeted dissemination of advertisement related inquiries which result that the candidates who come from under-represented groups and women quickly cannot get the information regarding the availability of vacancies. It is because of the employer's attitudes relating to targeted passing of the advertisements for jobs in Newspaper having coverage of among the desirable candidates. For this, employers rely on some informal way of advertisements as the network of already employed workers, which were almost Whites. Thus, there is a moral and dire need for sufficient impartial and unrestricted dispersion and distribution of advertisements to the marginalized and left out a class of the society. Hence, this form of affirmative Action is highly needed to ensure an equal opportunity for employment. Thus, in this type of Affirmative Action is seen that there should be impartial dissemination of information and advertisement. And impartiality is considered as the one among the fundamental values of administration and management. This virtue ensures that the societal institutions are transparent and have integrity towards all the classes of the community (Robert,1993).

The Regulatory Form of Affirmative Action: This form of affirmative Action asserts that there should be diversified statistical projections in every institution so that those particular institutions can

produce proper knowledge or diversified knowledge. For the mentioned numerical projections, an attempt has been made that the employers and admission officers must see that the desirable numerical projections should be maintained to sustain the universalizability. Hence, this has to be taken into attention in this form of affirmative Action which contains the equal distribution of opportunities concerning all classes regardless of their gender, race, and religion. It is worthy of being mention that it should be considered as quota in which a candidate of the designed group is preferred over the candidates of non-members. It is because this kind of numerical statics is fixed under the reasonable ground by deepening scrutiny of left out or under-represented classes at workplaces (*Ibid, op. cit).*That is why it should be considered as a reasonable projection to attain the proper diversity at the workplace. It means that admission of the students should be done in such a fair way that each community should contain a sufficient proportion in the admission of University, College, and other institutions. Hence, this form of affirmative Action asserts that there should be equity and equality in each process of every societal and educational institution. In this case, proper tools have to make a proper clutch on the statistical projections of existing institutions of the respective society.

5. Preferential Form Affirmative Action: Preferential form of affirmative Action talks about the policy of preferring some left out or backward class over the forward class of the society. To prefer, some targeted class of the society to maintain their representation in respective institutions can be understood as the policy of preferential treatment. For this reason, in this kind of Affirmative Action candidates of minority groups and women are favored over the majority and forward class of the society. It means that the preferential form of affirmative Action considered as a means to maintain the representation of each class. This form of affirmative Action is the most debatable form of affirmative Action. It is because if the institution prefers qualified candidate of backward class over the equally qualified candidate of forwarding class, it is not problematic (Robert, 1993). On the contrary, if preferential treatment is related to favoring the less or unqualified candidates over well-qualified candidates. It becomes a matter of great debate. It is because here, in this case, the preference is creating an imbalance of knowledge rather than creating the diversity in institutions.

6. Outreach Affirmative Action: Outreach affirmative is quite similar to John Kekes weak form of affirmative Action. It is interesting to discuss here that lie weak form of affirmative action outreach affirmative action is also the most defensible form of affirmative Action. The reason is that outreach affirmative action also accepts that it is deliberate morally impressible and undesirable human behavior that used to favor the person of their kinds. For instance, in the United States of America, especially in Chicago, one survey was done to inquire about this kind of fact. (Carl et.al, 2003:205). It was found that minorities and women do not know the availability of jobs. Employers didn't publish the advertisements for jobs in Newspaper (*Ibid, op. cit).* Instead of it, they relied on some informal way of advertisements as networking of already employed workers, which were almost whites. Thus, there is much need for sufficient dispersion and distribution of advertisements to the marginalized and left out a class of the society. For this reason, outreach affirmative action is needed. James P. Sterba has summed up the requirement for outreach affirmative action. In his own words:

All reasonable steps must be taken to ensure that qualified minority and women candidates have available to them the same educational and job opportunities that are available to nonminority or male candidates (Carl et.al, 2003:205).

7. Remedial Affirmative Action: Remedial affirmative Action is based on the moral principle that each injury, in turn, demands compensation or remedy. In this form of affirmative Action, it is already accepted that society in some or other way, is filled with discriminatory practices. Hence, some identifiable discriminatory acts have been committed in the past by that very institution with predestined purposes (*Ibid, op. cit).*Theses purposeful discriminations led some groups of individuals in the absence or deprivation from the significant contributions. If these specific groups might have lived without undergoing the process of discrimination. For this reason, remedial affirmative Action is needed, which is designed to remedy for past injuries which appear in the forms of underrepresentation, underdevelopment, and deprivation. In remedial affirmative Action, some policies of preferential hiring are adopted to eradicate the widespread practices that cause an absence

of a left out class of the society from the significant workplaces. For remedying past discrimination, certain positive policies may be taken into the application. These preferential policies can be like certain seats or quota may be allotted to the underrepresented class of the society, it may also happen that women kept under the subordinate positions from the past some prohibitory measure adapted to counteract the present discrimination and reserved some seats for them for remedying the past wrongdoing. In this regard U.S. Supreme Court has given the argument that remedial affirmative Action is justified when it is related to fulfilling of the two requirements; Institute engaged in any proven past discrimination must be remedied, and any racial classification directed to racial discrimination must be remedied.

8. Diversity Affirmative Action: This is another type of affirmative Action which is not based on the idea of remedying the past injustices and counteracts the present wrongdoing. The prime goal of this kind of affirmative Action is to create diversity in all the existing social, political, cultural and economical public and private institutions. The roots of this kind of affirmative Action can be seen in the most popular case of the United States of America, i.e. **'Regents of University of California V. Bakke.'** The case filled in 1978. In this case, Bakke's admission got a rejection at Davis Medical School, University of California. Despite, he has scored more marks than the cutoff of an average socially and economically disadvantaged class, i.e., minority groups (Pickering, 1993) It is interesting to discuss here that 'University of California' usually reserved 16 percent seats of total available seats for the students from the socially and economically disadvantaged class. Bakke had an idea in his mind that if the quota might not have allotted to the targeted classes, he must have got admission in the University. That's why; he challenged the roaster of the University of California in the U.S. Supreme Court. The decision was in his favor.

In 'Grutter **V. Bollinger'** case 'Barbara Grutter' was a White female applicant. She was refused to take admission in 'University of Michigan Law School' based on the race which was a pure violation of 'Fourteenth amendment' and 'Title VI' of the 'Civil Rights Act, 1964'. The University argued that there was a compelling interest of the state to ensure a critical mass of students from minority class and Supreme Court that affirmative action program in education permitted if it is related to the tailoring to meet a compelling government interest. And the case is related to ensuring the government's interest. Hence, it's desirable and should be applied at a higher level in society to assure the well-being of everyone. Thus, the Supreme Court has accepted the decision of 'University of Michigan.' As the efforts are made to strengthen the policy, the profit became known to all. So, each country had tried to adopt the policy of affirmative Action. More recently, in **'Hopwood V. Texas'** case Cheryl J. Hopwood' being rejected by the University of Texas, School of Law in 1992, despite, Hopwood being better qualified than other admitted minority candidates (*Ibid, op. cit).* After so many legal dates the Court has given the decisions that an educational institution can adopt the policy of preferential hiring justifiably when it's related to design to correct for the past discrimination of that very institution.

Surprisingly, it turns out that degree to which people in general are in favor of affirmative Action depends in large measure on how that policy is described (*Cahn, 2002:199)*

It is interesting to mention that sometimes favoring and disfavoring of particular concepts, ideas and ideologies depend upon in large measure on how the concepts and ideologies are defined and analyzed. The same thing can be applied in an attempt to understand the essence of affirmative Action. Here, the author would like to present different definitions proposed by some well-known philosophers regarding affirmative Action. Each description has some specific forms and contents which are designed to eliminate some particular types of morally undesirable and impermissible characteristics in the societal institutions in the ways of discrimination, subordination, obsession, and subjugation. It is difficult to bind up the policy of affirmative Action in words, but some attempts are made to describe it, are as follow:

John Kekes has talked about two kinds of affirmative Action. (Kekes, 1993:144). The first kind of affirmative Action is weak affirmative Action. The second kind of affirmative Action is Strong affirmative Action. The basic idea of weak affirmative Action can be understood through the principle of liberty which is the key to open all the principles and derivations of liberalism. According to the

liberty principle, there should be fair and just procedures to ensure universal access to all the individuals regardless of their race, gender, religion, and sex. The justice of this kind of affirmative Action is based on a procedural form of justice. Procedural justice demands that if the procedures are fairs, the outcomes are bound to be fair. The presence of reasonable rules and laws are enough to begin a race of life. A person is entitled to attain anything by his ability through honest means. Treating everyone is the same is the critical notion of the weak form of affirmative Action.

The Strong form of affirmative Action: This kind of affirmative Action can be understood through the difference principle propounded John Rawls. The difference principle adheres that the inequalities are fair when they are related to the betterment of the left out sections of the society. Thus, the goal of Strong affirmative Action is to go beyond the rule of procedural justice to the rule of substantive justice, to fill the all the social scarcities, which they might have owned if the discrimination might not have occurred. Substantive justice means distributing social goods according to the need of the people. A substantive principle tells us which cases to count as like and which as unlike. For instance, race competition is organized in a school. There is a difference between a professional racer and a village boy participating in a race, an able racer, and a disabled racer. Hence, if according to the fair procedures, they are being kept in the same category, they are already loosing. It is because they don't have the same physical competency. The above descriptions need an assertion of John Kekes:

It is customary to distinguish between two forms such a policy may take. The aim of the weak form is to ensure both open access to the initial pool from which people are selected and selection in accordance with fair procedural rules that apply to everyone equally. The aim of the strong form is to go beyond the weak one by altering the procedural rules to favor some people to increase the likelihood that they rather than others will achieve the desired position. The strong form of affirmative Action, therefore, involves preferential treatment while the weak one does not. (Kekes, 1993: 144).

According to Myrl L. Duncan affirmative action is needed in the current society. It acts as a means to form a sustainable community where each would be considered as an individual and discrimination will be an ugly feature of history that would guide them. Myrl L. Duncan asserts:

Affirmative Action has been defined as a public or private program designed to equalize hiring and admissions opportunities for historically disadvantaged groups by taking into consideration those very characteristics which have been used to deny them equal treatment (*Duncan et.al., 1981).*

According to Robert S. Taylor affirmative Action is not a policy but rather a cluster of policies or a program consisting of at least five categories (Taylor, 2009):

1. First Category: Formal equality of opportunity: In this approach, an affirmative action program aims to implement a neutral policy to ensure that opportunities are open to everyone regardless of race, gender, religion, or any demographic attribute.
2. Second Category: Aggressive formal equality of opportunity: Instead of neutrality and non-intervention, supporters of Category 2 would aggressively use sensitivity training, external monitoring, and outreach efforts to achieve a fair outcome in admission and employment.
3. Third Category: Compensating support: In this approach, specialized training programs, financial aid, mentoring, or tutoring is provided to deprived classes to compensate for their disadvantages.
4. Fourth Category: Soft quotas; in this method, "bonus points" are provided in the selection, and admission.
5. Fifth Category: Hard quotas; this approach aims to achieve proportional representation of the population in the given society

James P. Sterba has defined Affirmative Action as follow:

A policy of favoring qualified women and minorities candidates over qualified men or nonminority candidates, with the immediate goals of outreach, remedying discrimination, or achieving diversity, and the ultimate goals of attaining a colorblind(racially just) and gender-fee(sexually just) society (Cohen et.al., 2003:199-200).

By the definitions as mentioned above of affirmative Action, it can be clearly said that affirmative Action is a policy designed to end the all the authors agree at the point that some types of injustices have occurred with some particular groups or class of the society in the past. Those injustices have compelled them to live in subordinate positions in all the possible social, economic, political, and cultural institutions of the society. And morality appeals that the victims of injustices deserve compensation and affirmative Action does it with fair procedures. Moreover, the forward class and groups which are involved in doing injustices, there is a dire need for taking preventive measures to stop further wrongdoing. It is because without taking any active efforts to stop the mentality of dominating on some social and economically backward class. For this some morally justifiable action must have to undertake and adopting the policy of affirmative Action is that kind of preventive measure which will stop the strenuous further wrongdoing in every societal institution. Along with this precautionary measure, one more instigative was needed which will create future equality. For this, some quotas and other forms of public policy have to be hired which will be centered on the direct benefitting of the left out class thing is left.

Furthermore, affirmative Action is designed to eliminate the absence of particular groups of people who have been subordinated or left out from appointment in specific jobs. For this reason, affirmative Action is a kind of insurance entity which is trying to break the tradition of promoting certain groups of people in certain appointments. In the United States of America, the government has taken the initiative to implement the policy of preferential hiring or affirmative Action. All the public and private institutions had got the strict rule and regulations to follow the policy of affirmative Action to achieve diversity.

Barbara R. Bergmann in his book "In Defense of Affirmative Action" has said that 'affirmative action is a policy that tried to eliminate three main undesirable factors from the society.' (Bergmann, 1996:07-11). The first one is affirmative Action is needed to make a substantial effort along with the procedural efforts to fight against discrimination, subordination, and oppression of certain minority groups and women that still exist in many public and private enterprises of the society. Affirmative Action is a series of practical steps that are directed to deconstruct the discrimination, preparing promising candidates for the jobs, removing the barriers that prohibit them from developing themselves. The second one is achieving race and gender diversity in all the public and private institutions of the society. This diversity would help to integrate the nation into one string. The third factor is that affirmative Action reduces poverty in the marginalized groups of the society marked by their race and gender. It is because discrimination is playing a significant role in creating a vast economic gap between white and black in the United States of America. So, Affirmative Action can be summed up as follow:

Immediate Goals of AA

- To Offset the Past Discrimination
- Compensating for the Past Discrimination
- To Counteract the Present Unfairness

Ultimate Goals of AA

- To attain Future Equality and Amity
- To achieve Racially Just Society
- To reach Sexually Just Society
- To attain diversity

Thus, it can be said that affirmative Action is a policy of preferential treatment directed to compensate the victims of injustice. In this effort, some attempts have to be taken that can be in the form of plans, and laws that are designed for the betterment of representation of deprived classes. Having the immediate goals of remedying discrimination for achieving diversity, and the ultimate goals of attaining a racially just and sexually just society regardless of their race and gender.

In this comprehensive definition of affirmative Action, two attainable ultimate goals are found namely racially just and sexually just. Both terms need complete analyzable. James P. Sterba has used the word colorblind society and racially just society as the synonymous of each other. According to him, a colorblind society is the state of a society in which race is not considered more significant. A sexually just society is the state of a society in which sex of an individual is not considered more significant. In this kind of morally praised society, all the possible opportunities which are truly desirable and distributable in the community are open for all, i.e., men and women, blacks and whites, majority groups and minority groups (Cohen et.al. 2003:199-200).

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