

# The Tyranny of the Meritocracy: Democratizing Higher Education in America

*Lani Guinier*

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## THE TYRANNY OF THE MERITOCRACY

DEMOCRATIZING  
HIGHER EDUCATION  
IN AMERICA



# LANI GUINIER

Author of *THE TYRANNY OF THE MAJORITY*  
and *THE MINER'S CANARY*

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**Lani Guinier : The Tyranny of the Meritocracy: Democratizing Higher Education in America** before purchasing it in order to gauge whether or not it would be worth my time, and all praised *The Tyranny of the Meritocracy: Democratizing Higher Education in America*:

1 of 1 people found the following review helpful. Meritocracy is about access and not ability By DavidJMs. Guinier makes a very strong case as to why higher education (in this country) is fast becoming something for the elites in

society. She makes it very clear that in order to be fully informed, we first need to know definitions. Meritocracy is not about what one has earned, but is more about one's (upper) economic status. And with that said, there is little to no room for those individuals that are born into a lower class. As a society, we moving more toward higher education be only for the elites. Who can pay for expensive test preparations for the ACT and SAT? Which students can be exposed to many of the activities, functions, and opportunities that catches the "eye" of the universities and colleges? Only the elite class

This is a well written and researched book that does not come across as wonky. She makes a very good argument why and how things need to change. 3 of 3 people found the following review helpful. I've been fortunate enough to study under Lani Guinier in law school

By Jeremy C I've been fortunate enough to study under Lani Guinier in law school. She is one of the most brilliant people I've ever met. Read this, search for and watch her videos on YouTube. She is a treasure and her work is invaluable. 1 of 1 people found the following review helpful. Yes, Yes, Yes!!!

By A law school survivor Guinier drives the point home that standardized testing does not always tell the full story about a person's potential for academic success. Her sterling examples of the students in the Posse Foundation who have gone on to score undergraduate and graduate degrees is proof that people can succeed despite bad to mediocre test scores. I wholeheartedly endorse Guinier's position that a person's overall track record is a better indicator of competence than a one-time so-called "aptitude" test. Bravo!!!

A fresh and bold argument for revamping our standards of "merit" and a clear blueprint for creating collaborative education models that strengthen our democracy rather than privileging individual elites

Standing on the foundations of America's promise of equal opportunity, our universities purport to serve as engines of social mobility and practitioners of democracy. But as acclaimed scholar and pioneering civil rights advocate Lani Guinier argues, the merit systems that dictate the admissions practices of these institutions are functioning to select and privilege elite individuals rather than create learning communities geared to advance democratic societies. Having studied and taught at schools such as Harvard University, Yale Law School, and the University of Pennsylvania Law School, Guinier has spent years examining the experiences of ethnic minorities and of women at the nation's top institutions of higher education, and here she lays bare the practices that impede the stated missions of these schools. Goaded on by a contemporary culture that establishes value through ranking and sorting, universities assess applicants using the vocabulary of private, highly individualized merit. As a result of private merit standards and ever-increasing tuitions, our colleges and universities increasingly are failing in their mission to provide educational opportunity and to prepare students for productive and engaged citizenship. To reclaim higher education as a cornerstone of democracy, Guinier argues that institutions of higher learning must focus on admitting and educating a class of students who will be critical thinkers, active citizens, and publicly spirited leaders. Guinier presents a plan for considering "democratic merit," a system that measures the success of higher education not by the personal qualities of the students who enter but by the work and service performed by the graduates who leave. Guinier goes on to offer vivid examples of communities that have developed effective learning strategies based not on an individual's "merit" but on the collaborative strength of a group, learning and working together, supporting members, and evolving into powerful collectives. Examples are taken from across the country and include a wide range of approaches, each innovative and effective. Guinier argues for reformation, not only of the very premises of admissions practices but of the shape of higher education itself.

From the Hardcover edition.

"Drawing on academic research and anecdotal evidence, the book makes a strong pedagogical case." —Kirkus s "Lani Guinier, Harvard's first Black tenured law professor, has the gift of dazzling us in speech and on the page. . . . This one is a #mustread!" —Essence Magazine

"The Tyranny of Meritocracy is a timely book. With more colleges and universities adopting test-optional admissions policies, strident criticism of the new Common Core tests emerging, and major revisions to the No Child Left Behind legislation looming on the horizon, the role that standardized testing will play in the future of American education is genuinely up for debate. Voices like Guinier's that imagine alternatives to an educational system oriented around testing are a welcome addition to the conversation." —The Boston

"This little book is an answer to the big question 'Why is our so-called meritocracy so blatantly unfair?' With characteristic brilliance and insight, Lani Guinier not only answers the big question but points the way toward a more just and inclusive conception of education in a democratic society. Her transformative vision offers a hopeful alternative to our modern 'testocracy,' which values standardized test scores (which measure little more than access to privilege) over the values and qualities that will contribute to a genuinely thriving, collaborative democracy. Tyranny of the Meritocracy is a must-read for all those who have guessed, but could not prove, that our hypercompetitive approach to higher education—which rewards those with the most wealth and privilege and blames the rest for their plight—not only makes a mockery of the term 'meritocracy' but endangers our democracy." —Michelle Alexander, author of *The New Jim Crow*

"A visitor from Mars might wonder why—in assigning opportunity to individuals and status to higher education institutions—we rely so heavily on a highly imperfect operationalization of merit—the standardized test—or at least why there is so little debate about this practice. In this compelling, beautifully written book, Lani Guinier, one of our nation's greatest legal minds, launches this debate anew. Hear! Hear!" —Claude Steele, executive

vice chancellor and provost at the University of California–Berkeley “Lani Guinier has written a new book that digs deep into the issue of meritocracy . . . a very powerful report on how we are to look at meritocracy and think about it in the twenty-first century. This book has something for every generation: students, professors, and business leaders. I recommend it with great enthusiasm. Read it and learn, but also be one who looks very carefully at the issue of meritocracy and what it means today.” –Charles J. Ogletree Jr., author of *The Presumption of Guilt and All Deliberate Speed* “What I know is this: we used to advertise for errand boys of ‘good German descent’ and we no longer do. We don’t because we now know that merit lies not in ethnic descent but in other places—in the ideas we have, in the work we do. It is quite clear than in another fifty years today’s systems of judging merit will seem to a new generation to be similar to our view of asking for a good German boy. Lani Guinier, America’s leading civil rights theorist, makes us question the notion of merit today so that we may achieve our own aspirations of an enlightened citizenry.” –Mahzarin R. Banaji, coauthor of *Blind Spot: Hidden Biases of Good People*

From the Hardcover edition. About the Author In 1998, Lani Guinier became the first woman of color appointed to a tenured professorship at Harvard Law School. Before her Harvard appointment, she was a tenured professor at the University of Pennsylvania Law School. Guinier has published many books, including *The Tyranny of the Majority*, *Becoming Gentlemen* (with Michelle Fine and Jane Balin), *Lift Every Voice*, and *The Miner’s Canary* (coauthored with Gerald Torres). She was a lawyer with the NAACP Legal Defense Fund during the 1980s and was the Special Assistant to the Assistant Attorney General for Civil Rights during the Carter Administration. In 1993 President Clinton nominated her to be the first black woman to head the Civil Rights Division of the Department of Justice, which set off a firestorm of controversy. She lives in Cambridge, Massachusetts.

From the Hardcover edition. Excerpt. © Reprinted by permission. All rights reserved.

From the Introduction

SUSPENDED ON STEAM tunneling up from the government-issue heating grates, the last of the fall foliage dances just beyond the windowpane. In the crisp autumn air, the leaves ricochet off the grimy glass before coming to rest on the banks of the buildings’ curved cement ledge, just outside the science classroom. These dancing leaves are barely visible to the sixteen- and seventeen-year-old teenagers unpacking their book bags atop rows of smooth, black Formica countertop, crowded with petri dishes, glass beakers, and gas blowtorches. It’s a Monday morning in November, the time of year when high school seniors around the country carefully calculate their college admissions odds. A solemn stillness reigns as nine boys and one girl wait for the Advanced Placement physics teacher to begin the double-period lesson that is the toughest course in this public school. Of the seven high school seniors and three juniors, only one—a policeman’s son—does not have parents who graduated from college. Nevertheless all ten students are preoccupied with the same thing: getting into college. “Who remembers what the force on a turning object is called?” The teacher surveys the room as he toys with a piece of chalk. A hand from the front row shoots up. “Torque!” cries the son of a computer engineer. Wisps of his tousled, orange hair outline his pale face, suddenly ruddy with his excitement. The teacher nods. The boy beams. He quickly swivels in his chair to note the reactions of his classmates. Annoyed by their tired, first-class-of-the-day expressions, he glances back toward the teacher for approval, but the teacher has already returned to the blackboard. Undeterred, the boy blurts out, “Oh, I’m so smart.” The class seems amused but mostly inattentive. A few students suppress yawns. The others busy themselves trying to find the right page in the textbook. A deep cough from the back of the room breaks the silence. The proprietor of the cough, the policeman’s son, wears an ironic smile. He has rocked his chair back to rest against the countertop right below the gas blowtorch. Jutting out his chest he bellows, “You shouldn’t say that about yourself!” “I can,” the first boy says with a sneer. A smug grin spreads over his face. “I can,” he repeats, “when I got a 1600. Bitch.” (Today a perfect score would be a 2400.) A loud thump echoes through the classroom as the front legs of the second boy’s chair hit the floor. His eyes narrow. The smile on his face dissolves in a brew of contempt and hurt. The orange-haired boy’s sly excuse has worked. He was proud to know the answer to the teacher’s question; but his real agenda was to broadcast his perfect SAT scores. Except for the scraping of the chalk on the blackboard, the room is quiet. But unable to contain his enthusiasm, the braggart with the orange locks interrupts the class several more times, proclaiming his flawless SAT scores again and again. Awe morphs into disgust among his classmates, yet no one else speaks out. The policeman’s boy squirms. He sits hunched with his elbows cocked on his desk, his stubby fingers cupping his chin. Finally, after the fourth unanswered SAT-score announcement, the policeman’s boy sits straight up, his face still glowering from the earlier insult. “That’s enough,” he snarls. “Shut up already about your scores.” Another student, a tall, long-limbed boy, enters the fray. His parents both graduated from an Ivy League college, and his dad is a science professor. This leggy fellow chewing on a pencil has said nothing all class, but he now pitches forward in his chair as he calmly assumes the role of defense attorney for the braggart. “If I got a 1600,” the college professor’s boy says, “I’d be talking about it too.” The policeman’s son grimaces. His lip curls as he reluctantly acknowledges the shifting classroom alliance. It is now two against one. He plants his hands on the desktop. “Maybe so,” he mumbles and briefly contemplates the thought that the SAT creates a special exception for crude boasting. “But it doesn’t mean you have to be a jerk,” he finally shoots back. For the immodest boy who has hit the SAT jackpot, there is no difference between accomplishment and arrogance. In the terminology of the SATs, a 1600 (or a 2400, depending on what year the test was taken) is an achievement worthy of mentioning—several times. Indeed it is such an accomplishment that it cries out for mention not just by the boy with the perfect scores but by his peer advocate as well. Both the boastful boy and

his tall, lanky supporter know the game. The rules, so the thinking goes, are objective, neutral, and, above all, fair. And that boy won. Using the SAT test as a yardstick, college admissions officers select who they think are the best-prepared students, meaning those likely to get the highest first-year grades. Presumably the SAT not only measures college preparedness; it also provides an incentive system for high school students to work hard and take a rigorous curriculum. The tenets of high-stakes admissions testing—the testocracy—have become so widely shared that they form the building blocks of a secular religion among college-bound elites: if you test well, you deserve to enter a top college. In some ways you have earned the right not just to succeed but to preen. And, such students might think, you owe nothing to anyone, not to the community whose tax dollars supported your AP physics lab with a teacher/student ratio of one to ten, and not to your classmates, whose own egos and futures are also on the line. The testocracy, a twenty-first-century cult of standardized, quantifiable merit, values perfect scores but ignores character. Indeed, the boy with the winning scores, derisive grin, and bad manners could be a poster child for the closely fought college admissions competition. The testocracy teaches the cocky boy to internalize success and to take personal credit for the trappings of privilege, including the educational resources and networks of his college-educated parents. He has learned that individual achievement trumps collective commitment. Those who reach the finish line faster will reap their rewards here on earth. And one of those rewards is the right to brag. The boy still squirming with resentment in the back row knows the difference between being proud and being a jerk. He has the instincts of character. One should not boast, preen, or complain. Yet, he knows that, to the academic world, his character counts less than his SAT scores. He knows that the SAT opens doors to the best schools and by extension to long-term success. This boy is from a working-class family. The son of the policeman and the school secretary, he is hoping to be the first in his family to attend college. But in order to give himself and his children-to-be a better life than his parents could provide for him, he needs financial aid. He plays hockey, but because he barely got 1300 on his SATs, his athletic skill was not enough to win a much-needed scholarship. Thus far he is losing in the college admissions contest. His test scores and his self-esteem both take a beating. Reduced to protesting from the back row, he struggles to compete while staying grounded. His parents cannot afford SAT prep classes. He will simply retake the test hoping that his scores improve. From the Hardcover edition.