

Sandel, M.J. (2020) *The Tyranny of Merit: What's Become of the Common Good?*

Farrar, Straus, and Giroux.

Review by Kenneth Oldfield

Michael Sandel, a professor of government theory at Harvard University Law School, considers how merit, an allegedly neutral standard, has become the guiding principle for deciding which candidate is best qualified for a position. Given their power to grant credentials, college faculty have become the primary arbiters in establishing who's competent, who's not, and what graduates must know to be deemed qualified. Who will be credentialed and who won't. Having a college diploma proves you are smarter than someone who didn't go beyond high school, if that far. Sandel asserts that this obsession with 'credentialism,' as he calls it, has caused too many college graduates to harbor feelings of conceit and condescension toward the uncredentialed, especially members of the working class (hereinafter also meant to include poverty-class individuals), whom Sandel defines as those employed in 'manual labor, service industry, and clerical jobs.' Credentialism is, in Sandel's words, 'the last acceptable prejudice.'

The uncredentialed are not oblivious to this bias. Sandel argues that these feelings of elitism among the credentialed help explain the growing resentment and discontent being seen among American workers, people whose living standards have steadily declined over the last forty years or so, a downslide due in large part to globalization, the ongoing upward redistribution of wealth associated with trickledown economics, stagnating wages, decreasing social mobility, and a diminishing sense of community.

Sandel describes the results of the upward redistribution of wealth caused by trickledown economics and globalization as 'approaching daunting proportions.' He cites research showing that the top one percent of the US population has an annual income equaling that of the bottom fifty percent combined.

America's financial elites are not the only ones pulling away from the rest of America. The same thing is happening with the US Congress. Sandel reports that while half of the country's labor force is working-class, only two percent of Congress held working class jobs before assuming office. This unrepresentativeness is equally daunting when considering these legislators' education levels. Every Senator and ninety five percent of House members finished college. Sandel describes the state of our national government as the 'oligarchic capture of democratic institutions.'

Provoked by recent history, President Trump, and certain plain-spoken Republican leaders, the uncredentialed have become increasingly unwilling to blame themselves for their declining status. Some Democrats, on the other hand, have too often been saying and doing things that working-class people consider, and understandably so, demeaning. Sandel cites Hillary Clinton's 2020 presidential campaign comment about Donald Trump's supporters being a 'basket of deplorables' as an example of the dismissive attitude too many members of America's elite hold toward

uncredentialed Americans. The deplorables expressed their disaffection and alienation by denying Clinton the presidency she craved. Shortly after being elected, Donald Trump proudly announced, 'I love the poorly educated.'

WHAT SHOULD BE DONE?

In the penultimate chapter of his book, Sandel offers several reforms meant to counteract the tyranny of credentialism. Here are a few of his recommendations.

First, he says governments should commit more resources to 'community colleges...technical, and vocational training programs.' This heightened support will enable these schools to instruct people in the trades, where he says the better paying jobs are and will remain. Along with training, these classes will encourage students to reconsider how Americans define success. The enrollees will be advised to see that achievement is more than having a four-year degree and earning lots of money.

Second, and borrowing an idea from Oren Cass's book *The Once and Future Worker: A Vision for the Renewal of Work in America*, Sandel suggests that US government officials follow the lead of some European policy makers by subsidizing low-paying jobs. Doing vital work, jobs that do not require a college diploma and might not pay a high salary, are, nonetheless, as essential to society's well-being as are the so-called professions. The Covid19 virus and its variants have reminded Americans of the centrality of otherwise taken-for-granted employees. These workers include, among others, supermarket clerks, delivery drivers, and home health aides. The proposed government subsidies will allow American workers to earn a living wage and presumably avoid having to work more than one job to stay afloat.

Third, Sandel recommends that the government redirect the tax burden from wages and salaries to wealth, speculation, such as credit default swaps, and consumption. (This last revenue source ought to have been clarified with examples to show how it will improve workers' lives). Sandel says that adopting these changes will greatly improve the living standards of many uncredentialed Americans. Money solves a lot of problems.

WHERE TO GO NEXT

Sandel's *Tyranny* is a well-researched, well written, informative, and provocative work. His assessment and proposals for remedying the ills engendered by the ideology of merit are sound. He should continue critiquing the prevailing belief in meritorious selection but with two thoughts in mind. First, he should weigh how his word choices have limited his characterizations of the injuries spawned by the dogma of credentialism and, by extension, his list of possible reforms. Second, he should use a more contrarian mindset when evaluating the institutional constraints that have contributed to the reign of meritocratic thinking. Deploying these two standards will impel Sandel (and other researchers) to develop still more proposals for reversing an ever-growing state of inequality among Americans.

The following paragraphs provide a sampling of specific terms and contextual questions that when viewed from another vantage point will, ideally, prompt Sandel to discover additional ways to resolve the problems caused by the tyranny of merit.

First, government *entitlement* programs are commonly seen as benefitting those who think they deserve something for nothing. Sandel discusses entitlements in this light. Legally *entitlement* simply means if you meet the criteria, you are entitled to the benefits. Sandel should extend his analysis and discussion to include explaining that material inheritances, financial assets, and other properties, are entitlements. If you are named in the will, you are entitled to the benefits, even if you never did anything to earn them. Sandel should argue that it's doubtful that many scions of wealthy families feel guilty or humiliated by inheriting a large fortune, unlike how working-class people are expected to think when they receive government assistance. These workers meet the eligibility criteria, so they are entitled to the benefits, the same as the people who are entitled by law to receive a large inheritance. This enhanced delineation of entitlement would make for a welcomed edition to the curriculum of the vocational schools Sandel says deserve more funding.

Second, he uses *privileged* to describe the numerous advantages most Harvard law students have enjoyed throughout their lives. If there are privileged children, there must be underprivileged children because these are relative terms. Labeling one group underprivileged while not calling the other group overprivileged has obvious political implications for how we view socioeconomic outcomes and the sources of the many resulting disparities. Again, the idea of over and underprivileged children should be included in Sandel's revised vocational school curriculum.

Third, he discusses how working-class white people are embittered by accusations of having white privilege, while being denied the respect they deserve for their considerable knowledge, talents, and expertise. Sandel's future writings, and not just those regarding credentials, should, where appropriate, refer to overprivileged children (past and present) and the wealthy in general as having class privilege, yet another topic vocational school students should encounter in their studies.

Fourth, Sandel called credentialism 'the last acceptable prejudice.' Based on the evidence he cites in *Tyranny* concerning the strong relationship between people's socioeconomic origins and their odds of earning a college credential, he would be better off saying instead that classism is the last acceptable prejudice.¹

Finally, Sandel favors enhancing socioeconomic diversity among Harvard Law students to improve that program's learning environment. He doesn't mention the myriad ways the Harvard Law professors' choice of texts, assignments, and in-class talking points (conversations that inevitably spill outside the classroom) influence their students' thinking and actions, and thus the overall learning environment. Sandel should expand his support for class-based affirmative action among Harvard law students to include their instructors.

This democratizing initiative would expose not only the students, but many of their professors and other people at the school to a broader range of perspectives on legal issues, practices, problems, and potential ways to address these faults. If this faculty diversity program were adopted, it would help mitigate the prejudicial faculty hiring practices that others have identified (Borthwick & Schau, 1991) and that persist (Stegall & Feldman, 2019) at America's top tier law schools. As one

¹ Given the discussion and large number of references listed in Chapter Six, 'The Sorting Machine,' Sandel had good reason to conclude that the common practice of calling them 'class rooms' is fitting. Unfortunately, he never refers to them as class rooms.

of the nation's leading law programs, were Harvard to implement the proposed faculty hiring policy, it would likely inspire most if not every other American law school to follow suit. Optimally, this same hiring reform would then spread throughout American higher education.

CONCLUSION

Social class, particularly the notion of challenging the legitimacy of inherited wealth, is the third, fourth, and fifth rail of American politics. Given his notable success in crafting and publishing other well-received books, Sandel is urged to keep educating Americans about, first, the significant role social class background plays in determining who is eventually judged qualified to benefit from the current system of structural nepotism. Second, he should use his deep understanding of merit to formulate still other ways beyond those listed in *Tyranny* to show readers and other researchers how to level the playing field so maybe someday everyone will have the same opportunity to achieve the American Dream.

Reviewer Bio

Kenneth Oldfield is emeritus professor of public administration at the University of Illinois-Springfield. He has published articles on various topics including property tax administration, Graduate Record Examination predictive validity, the Office of Economic Opportunity, personnel selection and orientation, community college funding disparities, property-assessment uniformity, tax increment financing, the human genome project, graduate internships, the philosophy of science, and the sociology of knowledge. His current research, conference presentations, and publications focus on democratizing higher education by recruiting more students, professors, and administrators who are first-generation college and of poverty or working-class origins.

Bibliography

- Borthwich, R. J. & Jordan R. S. (1991). Gatekeepers of the profession: An empirical profile of the nation's law professors. *University of Michigan Journal of Law Reform*, (25)191-238.
- Stegall, Eric J. & Feldman, A. (2019). The Elite teaching the elite: Who gets hired by the top law schools? *Journal of Legal Education*, 68(3)614-622.