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Beyond Mandates: Realizing the Value of Diversity Through Merit and Equal Opportunity

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Abstract. Recently, many people have been discussing the idea of diversity in politics and society. However, one cannot help but wonder what exactly this "diversity" is referring to; is it only an outward show, or does it have practical benefits that require institutional support from public policy? Although diversity is both intrinsically and extrinsically beneficial, these values will be better realised through equal opportunity and merit-based channels rather than by mandatory affirmative action quotas. Based on the classical theories of justice and recognition, as well as current empirical studies and policies, three national cases are analyzed in this paper—post-apartheid Black Economic Empowerment in South Africa, preferential college admission policies for ethnic minorities in China, and the United States context after Students for Fair Admissions v. Harvard (2023). Although the mandatory diversity plan has raised the proportion of some groups to a certain extent in a short time, tokenism and social discontent may also be emerging; thus, the aim of cultivating all-around diversity will not be fully achieved. On the other hand, a merit-and-opportunity system can produce diversity naturally by expanding access to it; it is not a result of special arrangements for particular groups. Expanding educational and economic opportunities provides more stable ways for people to achieve the purpose of diversity.

Keywords: diversity, multiculturalism, affirmative action, tokenism, equality of opportunity

1. Introduction

In the early 1990s, scholars of organisations began to report a noticeable increase in ethnic diversity among the workforces of developed-economy industrial countries. At first, it was thought that a larger number of people in the group would increase intergroup conflict; however, some studies have shown that reduced groupthink due to this diversity may also lead to better decisions [1]. As the social sciences gradually joined the long tradition of biodiversity research in the natural sciences, the idea of diversity also expanded to encompass all aspects of human organisation, such as ethnicity, race, gender, religion, cognition, and so on.

At the same time, a normative shift took place. Governments and enterprises have gradually begun to consider the differences among individuals not just as an observation of society, but also as something to be created. Multicultural policies, affirmative action quotas and corporate Diversity, Equity and Inclusion (DEI) initiatives have all been widely implemented in democratic countries. However, the problem of how to realise the benefits of diversity has been more difficult to address

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than the issue of whether diversity is beneficial. Recently, a wave of criticism directed at DEI programs, the Supreme Court of the United States' 2023 ruling in Students for Fair Admissions v. Harvard and other research in recent years have provided new data to this question [2].

This paper will consider a specific problem mentioned in the above discussion—whether diversity should be achieved through a compulsory requirement for group-based results, or by creating an equal-opportunity environment that allows for diverse outcomes through wider participation. The main idea is that diversity is in and of itself valuable and externally beneficial; however, mandatory requirements often have negative effects such as tokenism, resentment and structural dependence, thus failing to achieve the goal of promoting diversity. A system of merit and opportunity will be more stable.

The following sections are as follows. Section 2 reviews the theory and practice of diversity, multiculturalism and affirmative action. Section 3 introduces the internal and external features of diversity. Section 4 presents three national cases of mandatory diversity and identifies their unintended consequences. Section 5 analyzes the tokenism problem as a structural cost of group-based allocation. Section 6 develops the merit-and-opportunity framework as an alternative path. Section 7 concludes.

2. Literature review

2.1. The theoretical debate on diversity

The two schools of thought set up the current dispute. First, based on multiculturalist political theory, one thinks that all groups of people have different cultural backgrounds and should be recognised in the constitutional system. Taylor [3] holds that a lack of recognition can be a type of harm, and therefore, liberal-democratic institutions need to accommodate the public affirmation of cultural differences. Kymlicka [4] develops an additional argument in line with liberal theory and proposes that some group-differentiated rights are not only consistent with but necessary for protecting individual liberty. Both scholars have provided the philosophical support for many mandatory diversity policies in recent years.

A second school of thought is Rawlsian liberalism, and it promotes the concept of a fair opportunity for everyone [5]. Institutions in this sense refer to those that do not have moral bias in the starting conditions to allow talent to enter careers and positions. Recently, Sandel [2] has put forward a serious critique of one of the natural extensions ofthe framework, the idea of meritocracy, and has argued that meritocratic rhetoric fosters hubris in the successful and humiliation in the unsuccessful. Sandel's diagnosis can be accepted without endorsing his deflationary conclusion; that is to say, one does not need to give up meritocracy but must pay more attention to the equality of opportunity upon which a reasonable meritocracy is based.

2.2. Empirical evidence on diversity's effects

A number of studies in the organisation have investigated how diversity affects group performance. Milliken and Martins' [1] early studies listed both the costs and advantages of various types of diversity. Subsequently, work has provided a theoretical foundation for the gains of diversity. Page [6] demonstrated through mathematics that, under certain conditions, diverse problem-solving groups outperform groups of similarly able experts. Bohman [7] extended this idea to the political sphere and proposed that differences among the people can serve as an epistemic support system to

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prevent serious errors in a democracy. Recently, more industry research reports that executive-team diversity is positively correlated with the financial performance of a company [8].

2.3. The costs of mandated diversity

Another body of research documents the unintended costs of trying to achieve diversity by means of quotas and mandates. Kanter's [9] early work on tokenism found that members of underrepresented groups who are acknowledged under special circumstances often experience increased attention and divisiveness from the majority, as well as the demand to fit into stereotypical roles. Holgersson and Romani [10] have used this framework in a contemporary organisation and confirmed that token status still generates identifiable psychological and professional costs, although the experience is modified by organisational culture. The latest work of this type of study points out that there is now a significant decline in enthusiasm for corporate DEI initiatives; moreover, many compliance-driven implementations have diminished the legitimacy of diversity itself [11].

2.4. Cases of affirmative action across national contexts

At present, three representative cases with special value for empirical evaluation of national affirmative action systems are available—South Africa, China and the United States. Makgoba [12] investigates how the policy of Black Economic Empowerment in post-apartheid South Africa has been constructed discursively as transformational but has produced distributional results that do not amount to structural change. Liu [13] has documented that preferential admission policies for ethnic minorities in China are in conjunction with significant pre-college disparities in educational resources, and the observed gaps in outcomes stem from differences in opportunity structures rather than group ability. Recently, the policy changes in China have reduced the range of these preferences [14]. The Supreme Court of the United States' ruling in Students for Fair Admissions v. Harvard (2023) has successfully ended race-conscious admissions in higher education; Driver [15] believes that, based on a colourblind principle, the long-term effects of this policy are still being debated.

The three observations are as follows. Firstly, the empirical cases of diversity's benefits have been widely accepted by both theoretical camps. Second, the dispute is not whether diversity is good, but rather what legitimate ways to promote it. Third, most of the existing studies have focused on individual cases and have not done much to compare the experiences of South Africa, China and the United States under a norm of equal opportunity.

3. The value of diversity

3.1. Intrinsic value: Diversity as the outcome of adaptation

The actual value of diversity cannot be known from the popular saying that only the best are selected; instead, all kinds of life change because of different environments. Differences in genes and those not in a person's genes are what selection pressure acts upon, and over time, these individuals have adapted to changes in the environment. Similarly, various forms of cultural, economic and political organisation can be seen as different modes of life in which people are facing the same problems and learning from one another's efforts to deal with them [6]. Since we can talk and travel freely around the world, whatever has worked well in one place can likely be applied to others. Diversity is not an external objective that society has set for us; rather, it has naturally arisen

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and been maintained in social systems due to changes in the external environment over a long period of time.

3.2. Extrinsic value: Decision-making and organizational performance

Extrinsic value of diversity has been studied by many researchers in the past. As shown in Page [6], given a sufficiently difficult problem and an ample supply of high-performing problem-solvers, a randomly selected diverse group generally outperforms a homogeneous group of high-ability individuals. Intuitively speaking, different people have different ways of thinking and are thus less likely to reach an incorrect conclusion by themselves too early. Bohman [7] develops a parallel argument in political theory, believing that the epistemic benefit of democratic deliberation stems from error correction, and this error correction requires the presence of multiple social perspectives.

Organizational research offers supporting data. Milliken and Martins [1] have shown through many studies that diversity in cognition and information generally promotes creative problem-solving over the medium to long term, although there are certain short-term coordination costs. According to recent industry research reports, the companies with the highest levels of gender and ethnic diversity at the top quartile of their executive teams have performed better financially than those in the bottom quartile [8]. Although the reason for this correlation has not been determined, given that it has shown a stable trend for a long time and occurred in many places, one can think that diversity may have certain positive effects rather than just a psychological one.

Based on the above reasons, the case for valuing diversity is strong. How to realise this value in practice through public policy is also a relatively contentious issue.

4. Mandated diversity and its discontents

4.1. The multiculturalist rationale

The primary reason for the requirement of diversity is a multiculturalist one. Kymlicka [4] thinks that, in a liberal state, some cultural groups cannot be treated equally without a special right system for that group's institutions. Taylor [3] believes that the people's failure to recognise the group will result in a moral injury, and this must be prevented by liberal institutions. Based on the above, multiculturalists have put forward a series of policies for language rights, group representation and, most significantly, affirmative action measures in employment and education. Most people believe that due to deep-rooted historical injustices in society, simply providing equal opportunities will not address long-standing differences, and substantial guarantees of true equality are thus required.

This is a relatively weighty moral argument that stems from serious and long-standing injustices in history. Thus, both empirical and normative questions have arisen—have the mandatory requirements achieved the goal of substantive equality they were supposed to realize? The three national cases are as follows.

4.2. Case study: Post-apartheid affirmative action in South Africa

Following the formal end of apartheid in 1994, the African National Congress-led government of South Africa introduced an all-encompassing programme of Black Economic Empowerment, which later expanded into Broad-Based Black Economic Empowerment to address the structural inequalities that had accumulated over the past decades due to legalised racial discrimination. The

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government ordered the company to hire formerly disadvantaged groups, such as Black South Africans, women and people with disabilities, and meet certain targets for ownership and procurement.

Empirical studies show that the policies have had different effects. Makgoba [12] believes that, although the framework has been introduced by authorities and companies as a major reform, it has not been altered in thought, speech or behavior. A lack of distribution has been seen repeatedly in the analysis of the policy's effectiveness; at the same time, the problems of widespread economic inequality have also not improved. The form of representative diversity produced under the policy is still structurally based on state-mandated allocation rather than on market-driven economic mobility. The South African case demonstrates that even if there are changes in composition and reformatory language under the directives, these modifications do not result in the intended material equality.

4.3. Case study: Preferential admission policies in China

China has had one of the largest preferential admission systems in the world for a long time and awards bonus points in the national college entrance examination to students from designated ethnic minority groups. This is intended to address the large difference in school resources between minority and majority-ethnic areas before entering college.

Based on empirical research, although the policy has broadened access for ethnic minorities in higher education, the academic results have been uneven. Liu [13] reports that minority students admitted through special admission policies often have difficulties adapting to the academic environment of top-tier universities; these difficulties are not due to differences in intelligence but rather to the scarcity of resources in their previous schooling. Recently, the Chinese government has reduced the scope of the preferential policy, decreased the number of bonus points distributed, and limited their area of application [14]. The path of the policy shows an implicit acknowledgment that requiring compensation upon admission cannot fully compensate for investments in upstream educational infrastructure which determines opportunities from the start.

4.4. The United States context after SFFA v. Harvard

A different Path has been taken in the United States. After decades of judicially approved race-conscious admissions, the United States Supreme Court ruled in Students for Fair Admissions v. Harvard (2023) that race cannot be used as the standard for school admissions under the Equal Protection Clause of the Fourteenth Amendment. Driver [15] thinks that it is a colourblind constitution and that, in the long run, the access to excellent higher education will be negatively affected. Regardless of whether one believes that a decision is good or bad, its existence shows that there is no consensus at the legal and political level for mandatory provisions, but generally, there is such consensus for opportunity-expansion measures.

All three cases are similar in form. Compulsory requirements can alter the structure of schools, enterprises and other organisations in the short run. They are less likely to achieve the deeper purposes of skill training, economic mobility and long-lasting representation that the advocates wish for. They are also subject to political backlash and thus may not be sustainable in the long run.

5. The tokenism problem

A typical structural cost of compulsory diversity requirements is the problem of tokenism. Kanter's [9] original research on women in male-dominated companies identified three types of perception

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mechanisms for differential treatment of numerically underrepresented groups—increased visibility, polarisation due to the majority group, and pressure to conform to stereotypical roles. Although the original work focused on gender, the framework has since been applied to many other groups of minorities in organisations.

Holgersson and Romani's [10] recent work has revisited this framework and found that, although organisational culture can moderate the experience of being a token, the fundamental perceptual mechanisms Kanter identified remain valid four decades later. Token employees are often treated as representatives of their demographic group rather than as individuals, are frequently asked to speak on issues from a minority perspective instead of discussing the merits oftheir work, and are held to a higher standard for the same errors as their non-token colleagues. The accumulated mental stress from the above reasons is significant.

Tokenism is not inherently a result of various hires. It is a problem of how those hires are framed by the surrounding institution. Where a hire is widely believed to have been made due to the candidate's demographic characteristics rather than demonstrated ability, that hire will be the focus of resentment from non-minority employees and self-doubt for the minority hire. This will be the same regardless of the actual qualifications ofthe hire, as tokenism is a problem of perception rather than one of competence.

Recent studies of the backfire effect of corporate DEI programmes have indicated the cost of compliance-driven diversity initiatives. Kabigting [11] believes that DEI programmes intended as compliance measures rather than as fundamental aspects of the organisation have lost public trust and led to a contraction of the organisation. From 2023 to 2026, many well-known companies have reduced or ceased the DEI initiatives they had implemented in the years after 2020, and the disclosure of board-level diversity by these companies has also declined.

The literature on tokenism suggests that the problem is not how to appreciate diversity but rather how to involve all members of the organisation in ways that do not make them appear as outliers. Based on the available evidence, it can be said that this is more easily achieved in an environment where the underlying selection process is widely considered fair on the grounds of independence; that is, where opportunity is widely available and selection is widely seen to be merit-based, rather than where it is perceived as quota-driven.

6. Toward a merit-and-opportunity framework

Two propositions are derived from the above analysis—diversity has genuine inherent and external values, but mandatory requirements for creating diversity often lead to side effects that obstruct its realisation. A justifiable substitute must therefore recognise the value of diversity but need not use quotas as its main method of realisation. The two supports for such an alternative are a clearer concept of merit and an actual guarantee of equal opportunities.

The first pillar aims to separate the concept of merit from that of meritocracy as a full-fledged social system. Sandel [2] has put forward a severe criticism of the second, pointing out that the meritocratic idea promotes hubris in the successful and animosity among others. This critique is largely valid, but they do not require disregarding the system of merit-based selection for individuals. What is required is that the selection of people based on demonstrated capacity should only be considered reasonable if the distribution of opportunities to develop that capacity is already fair. Where opportunities for skill acquisition, certification and experience are unevenly distributed by birth, what appears to be merit at the selection stage is in fact to some extent a measure of inherited advantage. The solution is not to abandon merit-based selection but to strengthen the work before it.

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The second is the Rawlsian idea of a fair equality of opportunity [5]. On this principle, people with the same talents and drive will have similar chances of success regardless of their families or social status. To realise the ideal of fair equality of opportunity in practice, a substantial amount of public funds must be allocated to expand early childhood education and primary and secondary school services in low-income areas, as well as skills training and professional career opportunities. It must also be free from legal or informal barriers that prevent qualified candidates from a particular group from participating.

A well-understood merit-and-opportunity system promotes the benefits of diversity without resorting to quotas. Where there are generally available opportunities and the selection process is perceived to be fair, various results will naturally occur due to the distribution of talent and motivation at the bottom. Empirical studies of the effects of diversity show that such diversity will generally provide the cognitive, organisational and democratic benefits associated with the intrinsic and extrinsic values of diversity.

Such an approach also addresses the principal vulnerabilities of compulsory mandates. It avoids the tokenism dynamic and, therefore, is not bound by group identity. It is less likely to face political opposition because no group has to accept that its members are being excluded from an opportunity due to demographics. And it is generally compatible with both liberal and multiculturalist ideas of justice, as it provides the material basis that multiculturalists are correct to demand while maintaining the equal treatment of individuals that liberals are right to advocate for.

7. Conclusion

Diversity is a widely discussed idea now, and well-run institutions should also be diverse. Diversity intrinsically meets the changing needs of the environment; extrinsically, different ideas, organizations and forms of democracy have been born out of this diversity. However, the problem of how to realise this value through public policy has not been solved. This paper has put forward that compulsory mandates - such as affirmative action quotas, representation targets and compliance-driven DEI programmes - generally result in side effects that harm the substantive goals they hope to achieve. Tokenism, structural dependency on state-mandated allocation, and political backlash are all recurring features of the three national cases mentioned above.

Based on a clearer concept of merit and an actual guarantee of equal opportunities for all, a merit-and-opportunity model will be more justifiable. It does not offer a perfect solution to the problems of historical injustice, and without continuous public investment, it will not be implemented. However, it can enable the emergence of diversity as a result of increased opportunities rather than as a product of group-based allocation, and it achieves this in a way that is less prone to the tokenism and backlash dynamics that have weakened compulsory regimes.

The paper has the following deficiencies. It has studied three national cases, and the results obtained may not apply universally in all institutions. The normative argument is based on the Rawlsian system and is not entirely agreed upon. Future research can extend the comparative analysis to other countries productively and examine the empirical impact of opportunity-expansion policies on diversity outcomes in more detail.

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