

Three remarks in response to Prof. Klein's rejoinder

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1. I do indeed support some violations of freedom of contract in the interests of equality of opportunity, and I get the impression Professor Klein does as well. For example, a system of publicly funded vouchers for private schools would require raising revenues through coercive taxation. Public funding of education, whether in public or private schools, can be justified as a way to achieve something closer to equal life chances for children. It is probably true that the government doesn't love you, but your parents, who may, cannot necessarily afford to provide you with anything close to the education that other, more privileged children receive.

The equal opportunity defense of anti-discrimination law springs from the same basic motivation, namely that there are social obstacles to individuals having a fair opportunity to succeed, and that government can play a role in reducing some of these obstacles.

2. Professor Klein's diatribe against equal opportunity advocates as closet collectivists is simply an evasion of my main points, which had little or nothing to do with advocating a collective experience, political "theater," socialism, or any of the other libertarian bogeymen. I believe the debate should address the issues, not speculate on hidden agendas.

3. I agree with Professor Klein that racial discrimination in the labor market was part of a larger web of oppression of African-Americans, both social and legal. This is a point I have made in a published article (*Journal of Economic History*, June 1994). However, I also believe there is considerable evidence of discrimination having limited opportunity outside the South, where Jim Crow laws did not exist, even up to the present day.

An interesting and well-studied example of present-day discrimination: Controlling for a variety of measurable skills, such as scoring average, rebounds, assists, steals, etc., African-American players in the NBA earn about 15 percent less than equally skilled whites! The most convincing explanation is that television audiences have a preference for watching white players (see Mark T. Kanazawa and Jonas P. Funk, "Racial Discrimination in Professional Basketball: Evidence from Nielsen Ratings," *Economic Inquiry* 39 (2001): 599-608). My only point here is that we should not be too sanguine about progress toward racial enlightenment or the advisability of doing without legal protections against discrimination.