

Randall, T. (2011). 25 years later: Defending affirmative action after the Supreme Court retreats from Grutter.

#### Abstract

The law currently allows higher education institutions to explicitly consider race in their admissions process. However, the foundation for such consideration has never been particularly solid. In Grutter the Supreme Court explicitly reinforced that foundation while at the same time eroding it by suggesting that the reasoning that supported the Court's ruling would likely change "in 25 years." Given the changes on the Court since Grutter the Court is likely to retreat from Grutter sooner rather than later. However, while the Court may retreat from its reasoning in Grutter, there are other rationales that may support a continued use of race in the admissions process, and in other aspects of higher education.