

Michigan Journal of Race and Law

Volume 5 | Issue 1

1999

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Michigan Journal of Race & Law

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Recommended Citation

Michigan Journal of Race & Law, *The Compelling Need for Diversity in Higher Education*, 5 MICH. J. RACE & L. 241 (1999).
Available at: <https://repository.law.umich.edu/mjrl/vol5/iss1/11>

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THE COMPELLING NEED FOR DIVERSITY IN HIGHER EDUCATION†

Gratz, et al. v. Bollinger, et al, No. 97-75231 (E.D. Mich.)
Grutter, et al. v., Bollinger, et al, No. 97-75928 (E.D. Mich.)

FOREWORD

In the controversial 1996 case of *Hopwood v. State of Texas*, the Fifth Circuit defied the Supreme Court's opinion in *Bakke v. Regents of the University of California*, by ruling that institutions of higher education do not have a 'compelling interest' in enrolling a racially diverse student body. Since then, critics of race-conscious admissions policies have sought out similar judicial challenges in courts across the country. In particular, the Center for Individual Rights ("CIR"), which represented the *Hopwood* plaintiffs, has led the charge to prohibit colleges and universities from seeking to enroll racially diverse student bodies. CIR represents three white applicants who have brought two lawsuits against the University of Michigan challenging as unlawful its policy of considering race as one of many factors in the process for admissions to the College of Literature, Science and the Arts, and the Law School.

The University of Michigan has brought together a team of leading scholars to serve as its experts in these cases to establish the basis for the University's argument that there is a compelling need for diversity in higher education. Their research is evidence that the use of race in higher education admissions is not only constitutional, but of vital importance to education and to our society.

January 1999

† In reprinting these reports, the *Michigan Journal of Race & Law* has not made any editorial changes whatsoever and has striven to match the original documents submitted to the court within the constraints of our publishing methods.