

Week 8 soc

Sociology



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Week 8 soc Affirmative action issues results from the current system of admission into universities and colleges, whereby are discriminated based on their race. The four theories – cue, small-group analysis, and attitude, and rational choice, yield better insight into collegial courts' decision-making. *Grutter v. Bollinger*, 539 U. S. 306 (2003), was a milestone case in which the Supreme Court endorsed University of Michigan Law School's affirmative action policy of admission (Umich, 2004). The court decision is likely to have been inspired by the four theories. For instance, the small group theory asserts that student's perform better while they are in a group. In addition, rational choice theory also proved a basis for court's decision-making process. The theory can be used to analyze or determine factors that promote affirmative action in colleges. However, none of the approaches is sufficient for court's decisions making. This is because the theories are not capable of explaining a court action in isolation. For instance, the choice theory explains the court's decision based on economic reasoning (Ogus, 1994). However, this type of reasoning is not sufficient in explaining issues that are not dependent on economics. In *Grutter v Bollinger*, the US Supreme Court is likely to have applied rational choice theory to make its decision. The court's argument was based on the significance of social diversity in economic and national prosperity. This indicates that one theory might be more relevant to a case than the other theories. For instance, theories of attitude can be used to defend affirmative action based on people's attitude towards foreigners.

References

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