

# Supreme court of the united states

Law



17 February Supreme Court of the United States Differences between the of Michigan's use of race in its undergraduate admissions process and its use of race in its Law School admission process that led the Supreme Court to rule the former unconstitutional and the latter constitutional

The difference between the two cases to warrant different rulings is the suitability of the university's applied criterion to achieve the objective of equal representation by race. Even though the university's use of race in both cases relates to Equal Protection Clause, its application in the Grutter's case is consistent with 'narrowly tailored' use to achieve diversity and other factor to qualification are equally significant to the applicants' selection process. Consequently, the use of race is not an isolated factor to selection and this undermines discrimination of applicants from minority races. The case of Gratz, however, fails to identify the 'narrowly tailored' application and instead offers advantage to applicants from minority races. This is because the university offers additional 20 percent points to applicants from minority races, a factor that makes race an isolated and significant factor to qualification. The 'narrowly tailored' concept therefore establishes constitutionality of the university's provisions under the Grutter case but unconstitutionality under the Gratz case (Supreme Court of the United States 4; Supreme Court of the United States 131).

Reasons for Lee Bollinger's suit in Gratz v. Bollinger and Grutter v. Bollinger Lee Bollinger was sued in both cases because he is an agent to the artificial person and therefore acts on behalf of the institution. He is therefore not sued on his personal capacity but on capacities of the positions that he held at the times that interests on the case arose. In the Grutter case, for example, he is sued in the capacity of the Dean of the Law School and the <https://assignbuster.com/supreme-court-of-the-united-states/>

capacity of the University's president while in the case of Gratz, he is sued in his capacity as the University's president.

#### Works cited

Supreme Court of the United States. "Jennifer Gratz and Patrick Hamacher, petitioners v. Lee Bollinger et al., No. 02-516." Supreme Court of the United States. N. d. Web. February 17, 2015. < <http://jay.law.ou.edu/faculty/Scaperlanda/Gratz.pdf>>.

Supreme Court of the United States<sup>1</sup>. "Barbara Grutter, petitioner v. Lee Bollinger et al." Supreme Court of the United States. N. d. Web. February 17, 2015. < <http://www.law.cornell.edu/supct/pdf/02-241P.ZO>>.