

Embracing Diversity: The Institutionalization of Affirmative Action as Diversity Management at UC-Berkeley, UT-Austin, and UW-Madison

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While affirmative action in universities is the subject of extensive empirical scholarship, little research has been conducted on the role of university officials in crafting, defending, and transforming race-based affirmative admissions. Through forty-five in-depth interviews with thirty-nine admissions officials and top administrators at three selective public universities between 1999 and 2004, this study uncovers how a near-consensus in favor of race-based affirmative action has emerged among these players. Whereas scholars, citizens, and activists debate the morality and legality of race-based affirmative action as an equal opportunity policy, admissions decision makers have come to view race-based affirmative action in addition as a central, diversity management technique. This article claims that interest group capture theory and judicial implementation theory are insufficient to explain the diversity consensus. I suggest that neoinstitutional organizational theory has great potential to describe and situate the thought processes leading these key actors to forge this policy transformation.

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INTRODUCTION

The main contribution of this article is to reflect upon how and why university officials at three selective flagship campuses have articulated their embrace of racial diversity discourse and policymaking in general and race-based affirmative action in particular. This article employs neoinstitutional organizational theory to explain how the embrace of racial diversity has become central to the organizational culture of top university officials and how this diversity consensus has led selective universities to design, institutionalize, defend, and transform affirmative action policies in the university setting. Race-based affirmative action has been a central procedure for these university officials in student precollege, outreach, admissions, financial aid, housing, and retention policies in addition to university employment and contracting procedures. On campuses where race-based affirmative action has been legally banned, university officials have created innovative, race-neutral diversity policies (such as percentage plans and individual assessment) that seek to restore racial diversity without using race-based affirmative action (Lipson 2001).

While it may seem obvious and inevitable that racial diversity has become a central guiding principle among university officials, a survey of the history of American universities reveals that this diversity embrace is a relatively recent phenomenon, emerging in the late 1960s. Until recently, racial diversity has not become a central focus of university officials. Universities are elite institutions that provide education to students, generate research innovations, produce college graduates for the workforce, and operate as money-making multiversities that at once both boost local economies and draw on the private sector to support their operations in the face of declining government support. It is not immediately apparent why racial diversity would or should be central for universities given their primary focus on liberal arts education, production of scholarship, preprofessional training, and entrepreneurship.

Why have university officials come to embrace race-based affirmative action and other diversity policies as central to the performance of their universities? The diversity consensus in university administration presents an opportunity to examine two competing models of organizational change: capture theory and neoinstitutional organizational theory. According to capture theory, a cadre of "civil rights professionals" has over time come to win turf wars within the academy by building and expanding niches of diversity positions. External interests strategically secured turf, taking over a bureaucracy that is supposed to be neutral (and hence free from capture by a narrow interest). In contrast, neoinstitutional organizational theory explains the diversity consensus through a much more glacial, much less hostile, endogenous argument about shifting professional norms across organizational fields without relying primarily on the strategic self-interest assumptions and without agreeing with the cooptation conclusion of capture theory.

Thus far, few scholars have sought to rigorously explain this diversity consensus in *university administration*. Pusser (2004) takes it for granted in his study of how external interests mobilized to persuade the University of California Regents to ban race-based affirmative action in the 1995 SP-1 and SP-2 Directives. While his study focuses on how these external interests came to pressure a pro-race-based affirmative action university system to eliminate race-based affirmative action, the scholarship does not systematically analyze why it is that the University of California administrators sought to defend race-based affirmative action (*ibid.*). Welch and Gruhl examined the impact of *Regents of the University of California v. Bakke* (1978) on law and medical school admissions, but their impact study focused more on the enrollment outputs and less on the “black box” of what the policies actually look like (Welch and Gruhl 1998). Skrentny (2002) has initiated research on affirmative action in universities, but his work primarily examines the ironies of affirmative action in government employment and contracting rather than university admissions and enrollment.

In contrast to the dearth of research on the diversity consensus in university administration, extensive research has been undertaken on the organizational support for race-based affirmative action in executive agencies, private foundations, and corporations. For example, Skrentny has explained how government officials in *executive agencies* created and developed affirmative action policies in the absence of interest group pressure (Skrentny 1996, 2002). Edelman and Kelly and Dobbin have shown how *corporations* have come to embrace affirmative action and other diversity policies (Edelman, Fuller, and Mara-Drita 2001; Kelly and Dobbin 1998; Edelman et al. 1991). Shiao (2005) has examined how private *foundations* have come to embrace diversity initiatives. But little has been written about how and why *university officials* came to embrace affirmative action in undergraduate admissions as a diversity policy.

To some, the rise of the diversity consensus in university admissions might appear to be entirely predictable. After all, most selective universities have been practicing race-based affirmative action and other racial diversity policies since the late 1960s or early 1970s. Many have defended race-based affirmative action in legal battles since the 1970s, culminating in the 1978 *Bakke* case. That said, some experts and activists dispute that university officials embrace diversity. Many argue that the diversity consensus is superficial. For example, student activists with BAMN (the Coalition to Defend Affirmative Action, Integration & Immigrant Rights, and Fight for Equality By Any Means Necessary) publicly condemn university administrators, especially at UC-Berkeley and the University of Michigan, for not being committed enough and only embracing diversity superficially in response to pressure by student groups such as BAMN. Many antiaffirmative activists also argue that university administrators’ support for affirmative action and other diversity policies is surface-level. Ward Connerly (2002, 2004) views administration as

pushing race-based affirmative action aggressively, but he agrees with BAMN that this agenda exists only because of pressure from groups like BAMN.

On the one hand, it would appear, this commitment to racial diversity *should* be surprising. Higher education administrators have many goals and incentives, and race-based affirmative action could be seen as going against many of these goals and incentives. It is a controversial policy that, on many campuses, involves admitting students with lower grades and test scores, thereby rejecting students with higher grades and test scores. Thus, the policy offends the many constituents who view the policy as “reverse discrimination.” Second, higher education leaders increase and maintain the prestige of their institutions by maintaining high standards for admission, particularly by keeping grades and test score averages for admitted and enrolled students high. And universities are under substantial pressure to admit students from high socioeconomic status families who can afford to pay the mounting tuition costs. Aggressive racial diversity policies would seem to go against many of these goals and incentives. Nonetheless, the university officials I interviewed for this research project affirm that the diversity consensus is real, and I argue that this embrace of diversity is not merely a surface-level commitment. Rather, I find that university officials at the three campuses view racial diversity initiatives as a high priority, central dimension of their professional roles and responsibilities.

RESEARCH DESIGN

This article examines the rise of the diversity consensus in university administration, focusing particularly on undergraduate admissions officials at three selective public universities. This analysis of affirmative action reform in undergraduate admissions at the University of California, Berkeley (UC-Berkeley), the University of Texas at Austin (UT-Austin), and the University of Wisconsin-Madison (UW-Madison) is based on in-depth interviews, archival analysis, and admissions and enrollment statistics. This article provides a qualitative probe into the subjective considerations that help to set diversity policy. This historical-descriptive research provides insights into the nature of this commitment to racial diversity, suggesting that it has become a central, taken-for-granted symbolic commitment in university administration. The article concludes by examining the consequences of this diversity consensus for affirmative action politics and policy. Both genuine commitments to the idea of racial diversity and legitimacy concerns contribute to these administrators’ consistent support for race-based affirmative action and other policy tools aimed at achieving racial diversity.

I chose to focus on three campuses instead of studying a larger number of campuses because of the nature of the study—in order to understand the nuances of affirmative action reform, it was necessary to talk with

administrators in depth and pay careful attention to the details of admissions procedures and the storylines of political battles. In addition to the interviews, my fieldwork involved archival analysis of reports and collection of data on undergraduate applications, admissions, enrollment, and retention. I chose the flagship campuses because the effects of race-based affirmative action policy are greatest at the most selective campuses (Bok and Bowen 1998; Kane 1998, 21–22). Less competitive schools admit such high percentages of applicants that race-based affirmative action is much less of a factor (Bok and Bowen 1998).

I chose to study UC-Berkeley and UT-Austin for several reasons. The University of California (UC) System and the University of Texas (UT) System were the first two university systems to be banned from using race-based affirmative action in the mid-1990s. California and Texas are two of the most racially diverse states in the country. In contrast, Wisconsin is a predominantly white state—the percentage of African Americans, Asian Americans, and Hispanics living in Wisconsin is far below the national average. UW-Madison differs from UC-Berkeley and UT-Austin in another critical dimension—race-based affirmative action has never been banned at UW-Madison. Whereas I sought to study how officials at UC-Berkeley and UT-Austin responded reactively to bans on race-based affirmative action, I chose to examine whether and how UW-Madison officials acted proactively to defend their campus's race-based affirmative admissions policies against potential attacks. Despite the differences in the demographic profiles and the presence/absence of race-based affirmative action, these three campuses have important commonalities: all three are nationally competitive, prestigious, public research universities.

I conducted forty-five semistructured interviews between 1999 and 2004 with thirty-nine university officials who have taken part in reforming affirmative action on the three campuses. This included university chancellors and presidents, top administrators, regents, directors of admissions, faculty who served on or chaired admissions committees, other faculty, administrators, and student activists with deep involvements in the area of admissions policy. The interviews ranged in length from thirty minutes to two hours. I tailored specific questions to each of the university officials based on my knowledge of their role in setting, applying, or otherwise influencing affirmative action policy on their campus. I asked all respondents their attitudes regarding race-based affirmative action and their perception of their peers' attitudes. In many cases, the respondents provided me with their historical, political, and sociological accounts of the institutionalization of affirmative action and the opposing legal mobilization by critics of race-based affirmative action. The university officials often suggested reports that I should read in addition to other officials to interview.

On the one hand, these three campuses are not representative of all selective, public universities. All three campuses are located in towns with

reputations as liberal havens; perhaps the university officials are far more liberal and supportive of affirmative action than university officials at other selective public institutions. All three campuses have long legacies of student protest movements, and the administrators are thus particularly attuned to actual and potential student unrest. UC-Berkeley is one of the most racially diverse campuses—largely because more than 40 percent of the enrolled students are Asian American—in one of the most racially diverse states in the country. Largely because of the large Latino population, UT-Austin is also one of the most racially diverse of the selective public universities in the nation. And both of these institutions were banned from using race-based affirmative action in the mid-1990s as a result of SP-1 and Proposition 209 in California and *Hopwood v. Texas* (1996) in Texas—which was invalidated by *Grutter v. Bollinger* (2003). Thus, these two campuses became “ground zero” on issues of racial diversity and affirmative action, which is why I chose to study them in the first place.

Nonetheless, there is good reason to believe that the findings concerning these three campuses can be generalized to a significant degree to selective public universities across the nation. First, fifty-two selective colleges and universities endorsed race-based affirmative action and issued statements in favor of the University of Michigan in the *Grutter* and *Gratz v. Bollinger* (2003) cases (University of Michigan 2005). Both pro- and antiaffirmative action organizations concede that the diversity consensus is a real phenomenon among university officials. And commitment to racial diversity is rising to the top of the list of desired attributes for top administrators of selective higher education institutions. As selective colleges and universities become increasingly reliant on corporate funding and increasingly connected with corporate and military recruiters, the pressures mount to embrace the diversity consensus. Further research will need to be conducted to ascertain the generalizability of these three cases.

CAPTURE THEORY AS EXPLANATION FOR DIVERSITY CONSENSUS

According to many critics of race-based affirmative action, “civil rights professionals” have “captured” university administration by both lobbying administrators to support race-based affirmative action and by influencing the hiring of these employees such that supporters of race-based affirmative action fill the vast majority of the positions (Connerly 2000). In the interest group literature, the transformations of organizations’ culture, personnel, and policy paradigms are commonly explained through “capture theory” (Lowi 1979; Wolfinger 1974; Wilson 1999; Stigler 1971). Whether implicitly or explicitly, scholars and political actors who oppose race-based affirmative action (Connerly 2000; Citrin 1999a; Thernstrom and Thernstrom 1997;

Schuck 2003; Detlefsen 1991) tend to use the vocabulary of capture theory to explain the rise of the diversity consensus. According to capture theory, government agencies are prone to being taken over by the regulated interests that the agencies are charged with regulating. Capture theory integrates the cooptation-focused analysis of the old institutionalism of sociology (Selznick 1949) with the individualistic, principal-agent analysis of positive theory (Moe 1984) to show that one or more regulated interests takes over the regulating agency (Wilson 1999; Schuck 2003).

Public choice theory provides an individual-maximizing mechanism for how this group-based cooptation can take place. According to public choice scholars, individual rational actors seek to maximize their preferences by understanding the institutional rules so that they can best achieve their preferences within the institution (Rowley 1993; Moe 1984; Ostrom 1991; Chubb and Moe 1990; Schultze 1977). According to this positive theory, institutions “reflect preferences of individuals or corporate actors” (Powell and DiMaggio 1991a, 9). Capture theory is rooted partly in the new public choice theories and partly in the old institutionalism of sociology, which “demonstrate[d] the subversions of the organization’s intended rational mission by parochial interests” (*ibid.*, 13). According to the old institutionalism of sociology, conflicts of interest are central, and vested interests are the primary source of inertia. Old institutionalists found cooptation to be the central nature of embeddedness within local organizations. By examining the informal structures and the interest aggregation of strategic incentives of rational actors, old institutionalists found organizational goals to be displaced by capture.

NEOINSTITUTIONAL ORGANIZATIONAL THEORY AS EXPLANATION FOR DIVERSITY CONSENSUS

Capture theory has come under criticism in economics and political science even in areas of classic state regulation (Wilson 1980; Teske 2003; Meier 1988). In the area of diversity in higher education, there are additional reasons to resist a capture theory analysis of the diversity consensus in organizations. While capture theory may provide a plausible explanation for classic cases of economic regulation (e.g., how utility companies fend off unfavorable regulations by regulatory commissions), the theory is not as well suited to explain civil rights policy development and implementation—in this case, how administrators have come to support diversity initiatives in universities and other large organizations in the United States. First, there is no clearly identifiable regulated interest in the case of the diversity consensus—civil rights organizations have not infiltrated university administration in the way that regulated industries have captured various regulating agencies. Second, there is no capture. The word “capture” evokes the discourse of coercive power (see Lukes (1974) for a discussion of the first, second, and third faces

of power), whereby one interest controls the behavior and perhaps even the consciousness of another interest. Instead, my research is consistent with neoinstitutional organizational theory on the constitutive nature of law and organizations, which postulates that endogenous, in addition to exogenous, factors explain transformations in the development and implementation of administrative policies and procedures (Edelman and Suchman 1997).

Third, there is no mandatory regulation. Capture theory is premised on the notion that regulated interests seek to reduce or eliminate costly, mandatory regulations. But universities have voluntarily adopted race-based affirmative admissions programs on their own initiative (Skrentny 2002) except in a small number of campuses that are under court-ordered desegregation mandates or consent decrees. This is a case of organizational actors choosing to add a redistributive policy rather than a case of a regulated interest capturing an agency to chip away at a regulatory policy. Finally, I argue that the diversity consensus is rooted in the rise of an idea (Reich 1988) rather than simply the dominance of a political interest; the diversity discourse became dominant in universities, foundations, corporations, and government agencies—including the military—through discursive shifts in American political culture more than by elite interests capturing organizations. Discursive power, more than coercive power, explains the rise of the diversity consensus in American organizations (Foucault and Gordon 1980; Digeser 1992).

According to Powell and DiMaggio,

the new institutionalism in organization theory and sociology comprises a rejection of rational-actor models, an interest in institutions as independent variables, a turn toward cognitive and cultural explanations, and an interest in properties of supraindividual units of analysis that cannot be reduced to aggregations of direct consequences of individuals' attributes or motives. (1991a, 8)

As Powell and DiMaggio explain, “most institutional economists and public choice theorists assume that actors construct institutions that achieve the outcomes they desire, rarely asking where preferences come from or considering feedback mechanisms between interests and institutions” (*ibid.*, 9). According to neoinstitutional organizational theory, in contrast, institutions “represent collective outcomes that are not the simple sum of individual interests” (*ibid.*). Organizational theorists take issue with public choice models of political behavior that undertheorize the powerful role of organizational culture. Instead, organization theorists emphasize taken-for-granted expectations and rules of appropriateness (March and Olsen 1984, 741) that are “absorbed through socialization, on-the-job learning, or acquiescence to convention” (Powell and DiMaggio 1991a, 9).

In public choice theories, “institutions are the products of human design, the outcomes of purposive actions by instrumentally oriented individuals” (*ibid.*, 8). Instead of assuming that individuals have preexisting preferences

that they seek to maximize through strategic influence within the parameters of institutional rules, organization theorists argue that institutions are “not necessarily the products of conscious design” (ibid.). Instead of viewing institutions as merely constraints on individual maximizers’ options, neoinstitutional organization theorists argue that “individuals face choices all the time, but in doing so they seek guidance from the experiences of others in comparable situations and by reference to standards of obligation” (ibid., 10). The very preferences that individuals seek to maximize are often themselves constituted by the institutions’ cognitive frameworks:

Institutionalized arrangements are reproduced because individuals often cannot even conceive of appropriate alternatives (or because they regard as unrealistic the alternatives they can imagine). Institutions do not just constrain options: they establish the very criteria by which people discover their preferences. In other words, some of the most important sunk costs are cognitive. . . . The constant and repetitive quality of much organized life is explicable not simply by reference to individual, maximizing actors but rather by a view that locates the persistence of practices in both their taken-for-granted quality and their reproduction in structures that are to some extent self-sustaining. (Ibid., 9, 11)

A second distinguishing characteristic of the new institutionalism of organizational theory is its emphasis on isomorphism within organizational fields across organizations. DiMaggio and Powell define organizational fields as “those organizations that, in the aggregate, constitute a recognized area of institutional life: key suppliers, resource and product consumers, regulatory agencies, and other organizations that produce similar services or products” (1991b, 64–65). In the case of affirmative action in university admissions, several related organizational fields overlap: university admissions, university financial aid, high school guidance counselors, and other student life diversity initiatives. Whereas the old institutionalism of sociology focused on cooptation in local organizations, the new institutionalism of sociology analyzes how organizations across the nation are similarly influenced by trends that saturate organizational fields (e.g., college admissions, financial aid, advancement, etc.). Powell and DiMaggio write that “environments, in this view, are more subtle in their influence; rather than being coopted by organizations, they penetrate the organization, creating the lenses through which actors view the world and the very categories of structure, action, and thought” (1991a, 13).

DiMaggio and Powell describe three mechanisms of institutional isomorphism in organizational fields: coercive, mimetic, and normative (1991b). Coercive isomorphism focuses on the political influences and legitimacy imperatives organizations face; mimetic isomorphism refers to the imitative practices resulting from “standard responses to uncertainty”; and normative isomorphism is associated with professionalization (ibid., 67). Coercive isomorphism “results from both formal and informal pressures exerted on

organizations by other organizations upon which they are dependent and by cultural expectations in the society in which organizations function" (ibid.). This coercive isomorphism can result from governmental mandates. In addition, "staff become involved in advocacy for their functions that can alter power relations within organizations over the long run" (ibid.). Coercive isomorphism can also be rooted in more subtle influences, including pressures to please donor organizations (ibid., 68; Shiao 2005) and accreditation agencies (as Welch and Gruhl (1998) found was the case in post-*Bakke* affirmative admissions practices at law and medical schools).

Mimetic isomorphism refers to the tendency of organizations to imitate other organizations when "organizational technologies are poorly understood (March and Olsen 1976), when goals are ambiguous, or when the environment creates symbolic uncertainty" (DiMaggio and Powell 1991a, 69). Normative pressures toward isomorphism stem from the conformity resulting from professionalization, which has two important sources: (1) legitimation and professional socialization due to the influence of university specialists on preprofessional students and (2) the "growth and elaboration of professional networks that span organizations and across which new models diffuse rapidly" (ibid., 71). The "filtering of personnel" is one central mechanism that results in normative isomorphism (ibid.), and "entrants to professional career tracks who somehow escape the filtering process . . . are likely to be subjected to pervasive on-the-job socialization" (ibid., 72).

In short, neoinstitutional organizational theory finds that institutions "evolve glacially and in ways that are not typically anticipated," as opposed to the public choice theory argument that "institutions adapt to individual interests and respond to exogenous change quickly" (ibid., 10). Neoinstitutional organizational theory predicts organizational stability rather than rapid change; isomorphism within organizational fields across organizations; embeddedness that is constitutive rather than cooptational; taken-for-granted expectations rather than calculated actions; and the legitimacy imperative as a greater source of inertia than vested interests.

As a new institutional scholar in sociology, Skrentny analyzes the discourse and behavior of political actors through the taken-for-granted rules that construct the "boundaries of safe/legitimate, risky, and illegitimate action and discourse" (1996, 9). Skrentny argues that

these essentially cultural boundaries direct the logic of political action. The boundaries are usually taken for granted, and to the extent that social action is based on calculations, they are usually factored into the calculation unreflectively. Thus, the interests and rationality, or logic, of political actors are essentially constituted by these boundaries of legitimacy and illegitimacy. (ibid.)

The boundaries are in some instances inscribed in formal law; for example, the criminal code identifies that assassination of political elites is

an illegitimate action. But many other boundary lines are drawn without the aid of formal law. For example, advocating the government takeover of manufacturing industries would be outside of the boundaries of legitimacy for any elected official at the national level. To do so would be outside of the safe zone of American politics. Few political actors take such risks; rather, “the logic of action usually stays unreflectively in the safe zone of legitimacy” (ibid., 10). Political action and discourse is “shaped by the perceived context, by the perceived audience, of the action and/or discourse and the assumed expectations of that audience” (ibid.). Local political elites perceive a different geographical audience than do national elites. And over time, the perceived audience of national elites changes.

Skrentny drives this point home when he argues that the rise of affirmative action occurred despite, rather than because of, the power of organized interest groups:

An adequate understanding of American politics should begin with a focus on these taken-for-granted boundaries of legitimate action and discourse, the social construction of interests, and with an appreciation of the often very powerful moral expectation in politics, rather than with the assumption that groups rationally pursue their interests in some universal or natural way, and succeed or lose depending on their own organization or resources. In 1964, even if civil rights interest groups wanted it (which they did not), no significant resources could be raised for a racial preference lobby, and no amount of money could have pushed racial preferences into a national policy without a revolution. (Ibid., 13)

As Skrentny and other scholars of neoinstitutional organizational sociology (Edelman and Suchman 1997; Powell and DiMaggio 1991b) argue, rational interests and logics of action are constituted by discourses that demarcate legitimate and illegitimate actions. Actors strategize to perpetuate and/or change existing discourses, and the actors are at the same time immersed in the discourses in ways that they take for granted.

According to capture theory, one would expect to find that some universities are taken over by a localized conflict over vested interests as a result of a new breed of pro-diversity administrators who shift policy to embrace their self-interested preferences for racial diversity. The alleged diversity interests would win an overt power struggle within an individual university campus. A neoinstitutional organizational theory analysis, on the other hand, would explain the rise of the racial diversity consensus through shifts in taken-for-granted expectations resulting from organizational culture change across selective universities at the level of organizational fields (admissions, student life, financial aid, etc.). The rise of the diversity consensus should result from constitutive national trends in the organizational fields rather than from cooptation of local university campuses. The legitimacy imperative, rather than vested interests, should be the primary source

of inertia. Socialization ought to be most influential via professional networks and preprofessional training when the university administrators were themselves university students. Instead of finding university officials to be driven by explicit diversity values, norms, and attitudes, one would expect to find that taken-for-granted routines, classifications, scripts, and schema drive their behavior.

Uncovering the Diversity Consensus

The claim that the administrators of the nation's most prestigious and selective colleges and universities are largely converts to the central importance of racial diversity in their institutions may seem obvious to many, but there exists a great debate about the depth of this commitment. Many pro-affirmative action student activists remained disappointed by administrators, arguing that universities only provide the minimal lip service without financial or other institutional backing (Munkatchy 2000; Lancaster 2000).

Despite this lingering skepticism, scholarship has begun to assert that diversity discourse in universities is becoming standard operating procedure (Lynch 1997; Schuck 2003; Green 2004). The disagreement among scholars hinges on the explanations for this transformation. Critics of race-based affirmative action object that administrators' stances on affirmative action serve as a litmus test for administrative positions in selective universities. Indeed, according to former UW-Madison Regent Fred Mohs, "adherence to diversity," which in practice ends up being translated by the administration as "support for affirmative action," is written in many positions—including the Chancellor—as a component of the job (Mohs 2002). In my interview with him, Mohs articulated that it would be almost unthinkable for the chancellor or president of a selective university to oppose race-based affirmative action or to refrain from calling for increasing racial diversity as one of the most important goals for the university. Several administrators asserted off the record that there are clear affirmative action litmus tests at UW-Madison for chancellors, for the dean of the law school, and for the admissions office; candidates who fail to aggressively advocate race-based affirmative action are summarily rejected. Indeed, few critics of race-based affirmative action within university administration would publicly voice their objections—as former Regent Mohs asserted, the peer pressure and job risks would be too great (*ibid.*).

At selective universities across the country, top administrators and faculty have come to defend race-based affirmative action. All of the presidents of the Big Ten and the University of Chicago, through the academic consortium called the Committee on Institutional Cooperation (CIC), signed a joint statement in which they reaffirm their commitment to affirmative action (Committee on Institutional Cooperation 2001). Educational organizations such as The American Council on Education (ACE) (in conjunction with

the American Association of University Professors (2000)), The College Board (Gladieux 1996), and the National Association for College Admission Counseling (2001) also took stances in favor of affirmative action and diversity efforts during the mid- to late 1990s, when race-based affirmative action was being challenged in California, Texas, Washington state, and Florida. In addition, accreditation organizations have included racial diversity and affirmative action policies as criteria by which they evaluate colleges and universities (Welch and Gruhl 1998).

Former President Rhodes of Cornell University (1999), former President Atkinson of the University of California System, and President Faulkner of the UT-Austin (Committee on Institutional Cooperation 2001), former Chancellor Berdahl of UC-Berkeley (1998), former University of Michigan President Lee Bollinger, and numerous other top administrators have also endorsed affirmative action through op-eds and other public venues. The University of Michigan expended substantial resources to promote racial diversity and defend race-based affirmative action in the *Grutter* and *Gratz* decisions (Gurin 2004; Stohr 2004). While the University of Michigan devoted far more resources in its lawsuits than other universities did in their litigation, Michigan was following in the footsteps of a long tradition of university support for racial diversity and race-based affirmative action. For example, the former president of Harvard and former chancellor of Princeton published an often-cited book (Bok and Bowen 1998) that seeks to document the benefits affirmative action has on its recipients, and university professors and administrators at other campuses have continued this line of research (Lempert, Chambers, and Adams 2000). Other professors and administrators have become involved in their quest for diversity and affirmative action by testifying in court in defense of affirmative action (Wellborn 2000; Johanson 2000; Gurin 2004) and filing *amicus* briefs for the *Gratz* and *Grutter* cases.

I do not mean to imply that all university administrators are outspoken supporters of race-based affirmative action. Many administrators and faculty are quietly ambivalent toward, if not opposed to, race-based affirmative action (National Association of Scholars 1999). Nonetheless, the only outspoken critics of race-based affirmative action who were involved in setting admissions policy at the three campuses were former UC Regent Ward Connerly, former UW Regent Fred Mohs, and UC-Berkeley Political Science Professor Jack Citrin—who temporarily served on the UC-Berkeley Faculty Senate's Admissions, Enrollment, & Preparatory Education (AE&PE) Committee. Jenny Franchot, the deceased former chair of the AE&PE Committee, came close to opposing race-based affirmative action (Franchot 1997). But she held moderate and nuanced views on affirmative action: she sought to reform, rather than abolish, race-based admissions. This near-consensus in favor of affirmative action is consistent with other authors' findings about affirmative action attitudes among admissions administrators (Lynch 1997).

Nor do I suggest that the vast majority of faculty is in favor of affirmative action. Indeed, a small number of professors (W. Lee Hansen at UW-Madison, Jack Citrin and Sheldon Rothblatt at UC-Berkeley, and Lino Graglia at UT-Austin) actively oppose race-based affirmative action at all three campuses. And while they have been unable to mobilize many other faculty members to actively join their cause, survey evidence suggests that a sizable percentage of professors share their opposition. Indeed, a 1996 Roper poll of faculty nationwide found that 57 percent of professors at UC-Berkeley should not “grant preference to one applicant over another for admission on the basis of race, sex or ethnicity,” whereas 31 percent believed that their university should grant such preferences (National Association of Scholars 1999). Given the high degree of sensitivity of citizen opinions about race-based affirmative action to question wording (Steeh and Krysan 1996; The Pew Center for the People and the Press 2003), these results from the Roper poll should not be read as definitive.

Critics of race-based affirmative action in universities mourn that the culture of political correctness on campuses promotes a censorship, or at least self-censorship, of antiaffirmative action voices. According to Kuran (1995), university critics of race-based affirmative action have the incentive to falsify their preferences in order to avoid possible sanctions for expressing a view that runs contrary to the pro-diversity embrace of top administrators. Proponents of this “preference falsification” view point to intimidation tactics against the few outspoken anti-race-based affirmative action activists like Connerly—whose talks have been disrupted by protesters at campuses such as UW-Madison and UT-Austin (Connerly 2000, 209)—who have been accused of being racist, and who have been marginalized by university administrators (and even by state legislators in the case of UT-Austin Law School Professor Lino Graglia) (Walt 1997). In the administrative meetings I attended at UW-Madison on issues pertaining to diversity and affirmative action, the speakers tended to take for granted that race-based affirmative action and other diversity initiatives are agreed upon and necessary policies. Affirmative action critics who attended these meetings were faced with the difficult task of using their few minutes of public input to challenge the diversity discourse and policies. Once the antiaffirmative action speakers finished, the meetings generally returned to the original pro-affirmative action assumptions and assertions.

Almost all admissions officials I interviewed at the three campuses were committed to the diversity goal and supportive of race-based affirmative action as a means of achieving this goal. With the exception of one UC-Berkeley faculty member, Political Science Professor Jack Citrin (1999a, 1999b) and the two regents mentioned above, every undergraduate admissions official I interviewed—including former UC-Berkeley Chancellor Berdahl (who had been the UT-Austin President at the time the *Hopwood v. Texas* (1996) ruling was handed down), former UC-Berkeley Chancellor

Heyman, and UW-Madison Chancellor Wiley—conveyed their commitment to the diversity goal and to race-based affirmative action as a means of achieving this goal (Berdahl 2000; Heyman 2000; Wiley 2002b).

Of the thirty-nine respondents I interviewed across the three campuses, thirty-two (79.5 percent) explicitly voiced their support for race-based affirmative action to me, whereas only seven (17.9 percent) voiced their opposition (and only one respondent, faculty admissions committee chair Cal Moore, declined to explicitly state his views on race-based affirmative action). At UC-Berkeley, ten of the fifteen respondents (66.7 percent) supported race-based affirmative action and four (26.7 percent) opposed race-based affirmative action. The ten supporters included the following; none, I should clarify, continue to serve in these positions: UC-Berkeley Chancellor Michael Heyman; Chancellor Robert Berdahl; Director of Undergraduate Admission and Relations with Schools Bob Laird; Nina Robinson, Director of Policy, Planning and Analysis for Admissions and Enrollment; Provost Carol Christ; Pat Hayashi, Associate Vice Chancellor, Admission and Enrollment and Special Assistant to the President of the University of California Office of the President; Judith Pacult, Deputy Senior Vice President for Business Finance at the University of California Office of the President; and faculty admissions committee members David Leonard, Jerome Karabel, and William Lester. The only four respondents were openly opposed to race-based affirmative action: then UC Regent Ward Connerly, former admissions office work-study student Kevin Nguyen, former faculty admissions committee member Jack Citrin, and faculty member Sheldon Rothblatt (now emeritus). Of these four, only two (Ward Connerly and Jack Citrin) served in official capacities in positions of power over diversity policy.

At UT-Austin, ten of the eleven respondents voiced support for race-based affirmative action, and only one respondent, Law Professor Lino Graglia, actively opposed race-based affirmative action. The ten supporters of race-based affirmative action (constituting 90.9 percent of the respondents at UT-Austin) included former President Robert Berdahl, Associate Vice President and Director of Admissions Bruce Walker, Larry Carver (then Associate Dean for Academic and Student Affairs in the College of Liberal Arts), Larry Burt (Associate Vice President and Director of Student Financial Services), then faculty admissions committee chair John Ruskiewicz, student activists Jamie Munkatchy and Andre Lancaster, and Law Professors Stanley Johanson, Guy Wellborn, and Gerald Torres.¹

1. While the focus of my inquiry was on undergraduate admissions, my interviews at UT-Austin included numerous law professors. Because the Fifth Circuit Court of Appeals' *Hopwood v. Texas* (1996) decision focused on the role of race-based affirmative action in the Law School's admissions policy, I learned during my research at UT-Austin that the law faculty was at the center of the debate over affirmative action campus-wide, including the debate over undergraduate affirmative admissions.

Of the thirteen respondents at UW-Madison, only two (15.4 percent)—then UW Regent Fred Mohs and emeritus professor W. Lee Hansen—opposed race-based affirmative action. The remaining eleven supporters included Chancellor John Wiley, Paul Barrows (then Vice Chancellor for Student Affairs), Ruby Paredes (Data Manager and Institutional Planner, Equity and Diversity Resource Center), undergraduate Director of Admissions Rob Seltzer and Associate Director of Admissions Keith White, Steve Van Ess (then Director of the Office of Student Financial Services), Greg Vincent (then Assistant Vice Chancellor and Director, Equity and Diversity Resource Center), a former faculty admissions committee chair and committee member,² Law Professor Alta Charro, and Patricia Brady (General Counsel University of Wisconsin System).

It is important to note that these respondents were not selected through a random sample and hence are not necessarily representative of the entire population of university officials who played important roles in developing or reforming race-based affirmative admissions policies. For example, the majority of regents of the University of California did vote to ban race-based affirmative action in 1995, and I only interviewed one of these regents. But decision making by university regents was not the focus of my inquiry, and I only interviewed then UC Regent Connerly and then UW Regent Mohs because they were both so active and central in their efforts to oppose race-based affirmative action in undergraduate admissions at UC-Berkeley and UT-Austin, respectively. If I had interviewed all of the UC regents, then the percentages of respondents in favor of race-based affirmative action would have declined markedly. Thus, the descriptive statistics listed above are not intended to be subject to rigorous standards of validity and generalizability. That said, I asked every one of these respondents about their perceptions of the organizational culture of university officials, and all agreed that the vast majority of university admissions officials are defenders of affirmative action, which is consistent with my interview results. I will now turn to qualitatively analyzing the content of these interviews.

As mentioned above, all of the respondents agreed that the organizational culture of the university admissions officials is overwhelmingly in favor of race-based affirmative action and racial diversity. At UC-Berkeley, Nina Robinson (former Director of Policy, Planning and Analysis for Admissions and Enrollment) voiced the commitment to diversity within the top administration in my interview with her:

Berkeley has longstanding and deep commitment to diversity and equity. The leadership is committed to diversity. I'm sure there are pockets that never think about diversity. Affirmative action is a topic people have

2. Both asked to remain anonymous.

a hard time with. People agree about ends, but people have different levels of commitment to affirmative action. There's a range. . . . Every chancellor we've had has been very committed to diversity. All three I've worked with have been extremely committed. Student Affairs has a long cultural commitment. . . . Many of us were involved outside of work in personal life in the struggle. (Robinson 2000)

At UW-Madison, Paul Barrows echoed this embrace of diversity in my interview with him:

In today's society in order to get a full and complete education, you need to have a student body as well as a faculty and staff for that matter that reflects the different cultures and backgrounds of the broader community, of our nation—of our society and nation. Our perspective as an institution is that we believe in the educational value of diversity. (Barrows 2000)

One UW-Madison faculty member serving on the faculty admissions committee volunteered in my interview with him that “It was taken for granted that people would support [the Diversity “Plan 2008”], and they did.” John Ruszkiewicz (the UT-Austin chair of the Committee on Admissions and Registration at the time of *Hopwood*) came to similar conclusions, finding a consensus in favor of racial diversity measures at UT-Austin (Ruszkiewicz 2000). These observations are in line with neoinstitutional organizational theory, which argues that the organization change or stability tends to be heavily driven by the taken-for-granted nature of organizational culture.

According to Jack Citrin, “[UC-Berkeley Director of Undergraduate Admission and Relations with Schools] Bob [Laird] came to work the first day of the fall semester of 1995 [after the Regents' SP-1 Directive banning racial preferences was passed] wearing ‘I support affirmative action’ t-shirts! So did the other staff members. The neutral image of bureaucrats is obviously not accurate” (Citrin 1999b). When I interviewed Laird, he wasted no time expressing his support for race-based affirmative action and bitterness at the formal bans: “Almost everybody in the admissions office shares frustration with the anti-affirmative action climate. Like me, most people in the office work here because this is a place where work has been aligned with their attitudes” (Laird 1999). Indeed, Laird has recently published a memoir titled *The Case for Affirmative Action in University Admissions* (2005). To Citrin, this overt, politicized support for race-based affirmative action by admissions administrators was evidence of “capture.” But, as I argue below, this narrative history of the diversity consensus at the three campuses better fits with the framework of neoinstitutional organizational theory.

Reflecting on thirty years of work in the admissions field, UT-Austin Associate Vice President and Director of Admissions Bruce Walker agreed that the admissions officers are overwhelmingly supportive of affirmative action:

I've always been a supporter of affirmative action and a supporter of diversity. . . . Admissions officers tend to know the value of diversity. I'd bet if you were to poll admissions officers on affirmative action, 90 percent are pro-affirmative action. It's part of what attracts us to this profession in the first place. We see it as a part of the helping profession. (Walker 2000)

This perspective was representative of interviews with other admissions officials and top administrators at the three campuses.

It was striking that most of the university officials volunteered their support for race-based affirmative action early on in the interviews I conducted. I deliberately chose to ask them these "sensitive" questions at the end of the interview out of concern that I would offend these "neutral" administrators by asking them to take stances on such explosive issues; needless to say, as Jack Citrin observed, most of the admissions officials made no efforts to hide their views on affirmative action. Except for UC-Berkeley Professor Citrin, former UW Regent Mohs, and former UC Regent Connerly, all of the university actors I interviewed (who are or were involved in setting admissions policy in an official capacity) expressed their support for racial diversity and race-based affirmative action. Many of the admissions officials I interviewed explained that they entered the profession in the early 1970s in part because admissions work was in line with their commitments to the civil rights movement. According to Pat Brady, general counsel for the UW System, university administration is so consistently committed to race-based affirmative action because of the formative role of the civil rights movement in this generation of administrators:

Can 10,000 Frenchmen be wrong? I suspect part of it is the age of the administrators. They were affected by the civil rights movement and remember it when they grew up. History is a big deal here. Administrators came of age at a time when this was played out in the streets. It's generational. . . . I think there is a deep commitment to diversity. But again, there are tremendous resource problems. . . . I wouldn't say [support has been] monolithic, but I would say there is consistent support at all levels. (Brady 2002)

This commitment went all the way up to the top. Then Chancellor Berdahl at UC-Berkeley reflected during my interview on the amount of time and energy he has spent on opposing, and minimizing the blow of, the formal bans:

Well, I think the whole issue has consumed an enormous amount of energy I've put in . . . both in terms of the struggle over the issue that is at least in Texas the accumulation of material for fighting the *Hopwood* case in court and all of the deliberations that came after the *Hopwood* case was passed. (Berdahl 2000)

The scope of the diversity consensus within the admissions office at all three campuses was striking. Director of Admissions Rob Seltzer, who was previously the Associate Director at the University of Michigan, described affirmative action attitudes among admissions officers at UW-Madison:

Within the office, there's always variation, but [the officers] are very committed to the goals on diversity. Frankly, it's hard to be out loud against affirmative action [at the office]. Nobody's going to say "let's take race off the application". . . . There is a serious commitment here and at Michigan to the goal of diversity. (Seltzer 2000)

One of the main reasons Seltzer was hired at UW-Madison was that the university was looking for an admissions director who would support aggressive, race-based affirmative action. Seltzer repeatedly mentioned that "they in part hired me to push the envelope" (Seltzer 2000). At UC-Berkeley, Sociology Professor Jerome Karabel wrote about this historical commitment to diversity initiatives in his influential 1989 report to the AE&PE committee (known as the Karabel Report) (Karabel 1989), which provided the blueprint for race-based affirmative action until the UC regents' 1995 SP-1 Directive³ and the voters' 1996 Proposition 209 ballot initiative⁴ banning the use of race-based affirmative action went into effect for the undergraduate admissions process in 1998.

As was the case at the other two campuses, almost all of the top admissions officials at UW-Madison were supporters of affirmative action policy and other diversity efforts. The current and former chancellor, the University System president, the admissions director and assistant director, and the faculty members of the admissions committee all voiced support for race-based affirmative action. According to one former chair of the faculty admissions committee, "the committee was entirely in favor of affirmative action" (off-the-record interview). UW-Madison Chancellor Wiley has been extremely active in defending race-based affirmative action against its critics, even speaking at debates in favor of race-based affirmative action and publishing a piece on the university Web site (Wiley 2002a) that attempts to debunk the empirical claims of W. Lee Hansen, an emeritus economics professor who has served as one of the few vocal critics of race-based affirmative action at UW-Madison (Hansen 2001). Wiley defended the role of race-based affirmative action in the UW-Madison undergraduate admissions before the UW regents on September 6, 2001 (Menge 2001; Campfield 2001). In his

3. SP-1 reads as follows: "Effective January 1, 1997, the University of California shall not use race, religion, sex, color, ethnicity, or national origin as criteria for admission to the University or to any program of study."

4. Dubbed the "California Civil Rights Initiative," Proposition 209 amended the California Constitution to ban discrimination "against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting."

presentation, he critiqued the assumptions made by critics of affirmative action, claiming that "the fundamental arguments of the opponents are based on a fallacious model of college admissions" (quoted in Campfield 2001).

Wiley continues to deny that the university even practices racial preferences, a denial that even many supporters of affirmative action find disingenuous. According to Wiley, "Every one of those students [admitted this fall] was admitted for a sufficient reason, not because of race. There is nothing in our policy that could fairly or accurately be termed 'race preferencing.' Every one of our students has earned their place" (quoted in Campfield 2001). But this quote likely demonstrates his belief that the meaning of the word "preference" has become loaded. After all, it is undeniable that the university gives preferences in admissions decisions to underrepresented students of color (and to many other targeted individuals) in its admissions.

On the other hand, Director of Admissions Rob Seltzer admits that racial preferences play an explicit component of the UW-Madison undergraduate admissions policy: "The university has a compelling educational interest in fostering diversity. The fact that the student belongs to one of these [underrepresented] groups is considered to be a plus factor in our review, but this fact alone never determines that we will admit the student" (quoted in Campfield 2001). Support for diversity and race-based affirmative action extends to the highest levels of the UW System administration. According to Katharine C. Lyall, then President of the UW System, "It would be much easier to let the plan we have expire and do nothing. But we are committed to maintaining educational opportunities for all citizens. We're a public university, and minority parents pay taxes to support this university just as whites do" (quoted in Selingo 1998).

Only one of the seventeen regents of University of Wisconsin System spoke out against race-based affirmative action. Former Regent Fred Mohs stepped up his criticism of race-based affirmative action in 2002, and this was one of the factors leading to the reevaluation of affirmative action by the regents in their meetings that year (Mohs 2002). Mohs was largely marginalized and criticized for his antiaffirmative action efforts. Regents President Jay Smith publicly reaffirmed the UW System's support for its diversity efforts and race-based affirmative action policies (Smith 2001). The regents voted to continue taking race into account in admissions, and Mohs was not able to win any converts to his antiaffirmative action efforts. Even though the majority of regents were businessmen who were appointed by former Republican Governor Tommy Thompson (who later became Secretary of Health and Human Services during the first term of President George W. Bush), the regents still dodged the opportunity to end race-based affirmative action. Thompson refused to join Mohs's cause, seeing such a movement as divisive and dangerous to the image of the state Republican Party.

Nonetheless, Mohs succeeded in bringing his criticism of race-based affirmative action to the policy agenda in Wisconsin. One of Mohs's

criticisms—and one that is shared by the anti-race-based affirmative action Wisconsin Association of Scholars—was that the university is being secretive about how it practices race-based affirmative action. Unlike the undergraduate admissions policies at the University of Michigan and the University of Texas, undergraduate admissions policies at UW-Madison have never had an explicit listing of weights for targeted groups. In addition, UW-Madison has been very protective of its admissions data, objecting to open records requests by the Wisconsin Association of Scholars. According to Mohs, “There are no numbers; there are no files. It is opaque. It is all done orally with no written records. It’s definitely an attempt to protect the UW admissions office from legal discovery” (quoted in Menge 2001). He was correct that the university officials were strategically molding university policy to defend race-based affirmative action. The university did indeed attempt to avoid the litigation that Michigan, Texas, Washington state, and Georgia have faced. One key strategy was to design the policy without numerical targets or goals; Director of Admissions Rob Seltzer and Associate Director Keith White both emphasized that the UW-Madison was less vulnerable to lawsuits because their policy never had a point system (Seltzer 2000; White 1999, 2002). As I note later in the article, Paul Barrows also acknowledged that UW-Madison was moving away from the compensation rationale and toward the diversity rationale as a way of making the affirmative admissions policy less vulnerable to lawsuits (Barrows 2000).

Many scholars and activists question the depth of the administrators’ commitment to race-based affirmative action. While she has not extended this criticism to universities, legal environments scholar Lauren Edelman is skeptical of the corporate leaders’ commitment to diversity. Instead, she finds that the rhetoric of diversity management has watered down the meaning of diversity to refer to any and all variations (including, e.g., diversity of ideology, religion, geographic background, personal interests, etc.) rather than focusing primarily on racial and ethnic diversity (Edelman, Fuller, and Mara-Drita 2001). Schuck has also criticized the shallowness of diversity commitment in his writing: “our diversity talk is as superficial and casual as our talk about liberty, equality, fairness, and other values that pervade our public philosophy and policy debates” (Schuck 2003, 15).

Of all the people I interviewed, no one was more skeptical than former UC Regent Ward Connerly. While he deems the phenomenon pervasive enough to refer to pro-diversity actors within universities as “diversity professionals” who have captured the administration of elite universities, Connerly expressed suspicion that this diversity consensus and commitment is shallow when I first interviewed him:

I think it’s superficial. I think it’s a fig leaf to give constitutional protection and to justify their budget. . . . The passion is not there. If the pressures [from pro-affirmative action activists] were not there tomorrow,

the attention would go away . . . Administrators don't do a darn thing to enrich the lives of the students [of color]. . . . The administrators lie. They avoid the heavy lifting of integrating students. They don't care, they don't do diddly squat. If the numbers are there, they're satisfied. They would change in a heart beat. It's phony. (Connerly 2002)

Admissions officials were stuck in a difficult position in that both pro- and antiaffirmative action activists questioned their motives and their records. Many pro-affirmative action student activists at all three campuses criticized the universities for not doing enough in the way of standing behind minority outreach, precollege programs, financial aid, admission, retention, ethnic studies curriculum, and campus climate (Munkatchy 2000; Lancaster 2000, 1996). Student activists in UW-Madison's Civil Rights Defense Coalition (CRDC) and in UC-Berkeley's and UT-Austin's BAMN chapters conceded that most of the administrators support diversity and affirmative action rhetoric. But the student activists were disillusioned because they did not see the universities producing. At UW-Madison, the administrators produced ambitious goals for racial diversity in 1988 and again in 1998. The diversity goals were not met in 1998, and many proponents and opponents doubted the university would meet its goals by 2008.

But in the case of university administration, there was not as much watering down—when university officials talk about diversifying the student body, they are very clear in that they mean racial diversity. Skeptics tend to criticize the motives and/or the products of the “diversity machine.” While one foe, Ward Connerly, and many supporters of race-based affirmative action doubt the depth and underlying motives of the diversity consensus, most affirmative action opponents I interviewed voiced the opposite concern—that support for affirmative action is deeply ingrained in the organizational culture and ideology of the university administration. W. Lee Hansen (2002) argued that “you probably have two groups—one is really committed, one who gets it off of the table.” He concluded that UW-Madison Chancellor Wiley, who attended virtually all forums on race-based affirmative action and even served as the pro-affirmative action role in public debates around Madison, is much more actively committed to race-based affirmative action than former Chancellor Ward. After carefully articulating his deep and longstanding commitment to race-based affirmative action, Chancellor Wiley agreed with Connerly that the external legitimacy pressures help to sustain affirmative action on campus:

I think [Ward Connerly] is wrong about that. But another factor is a political reality. How long can a university survive if it is not serving the needs of its citizens and taxpayers? Whites aren't the minority in Wisconsin, but they are in many other states. . . . Public universities are there to serve the public, not just to serve those whose parents push them hard or who take test prep courses. (Wiley 2002b)

Overall, almost all of the people I interviewed agreed that commitment to diversity and affirmative action was consistent and deeply rooted in the organizational culture of the university. But while most of those I interviewed agreed that the university administrators are committed to affirmative action, they were quick to point out the disappointing admissions, enrollment, and especially graduation numbers.

W. Lee Hansen has written many reports on affirmative action at UW-Madison. One of his criticisms of the UW-Madison plans is that they failed to achieve their ten-year goals of doubling the number of enrolled minority freshmen. He pointed out that the enrollment of new minority freshmen increased by only 21 percent between Fall 1988 and Fall 1998, nowhere near the 100 percent increase that the 1988 Design for Diversity plan projected (Hansen 1999b). Hansen criticized the university for continuing to pass diversity initiatives that (he argued) cannot succeed. He believed they could not succeed because of racial gaps in performance that are rooted in K-12 inequalities stemming from socioeconomic inequality along racial lines. While he supported efforts to equalize racial performance in K-12, he was firmly opposed to the use of race-based affirmative action in universities as a method of promoting diversity and equalizing racial performance in higher education. UW-Madison has a long history of promoting diversity and affirmative action efforts, but these initiatives have consistently failed to achieve their ambitious goals.

Interest Group Capture?

Proponents of capture theory explanations use this evidence to argue that pro-diversity officials have captured university administration. It appears that capture theory is indeed accurate in certain respects. After all, the university officials quoted above did explicitly and publicly articulate their pro-diversity values, norms, and attitudes. neoinstitutional organizational theory would expect to find that such conflicts would be peripheral to organizations, that inertia is driven by the legitimacy imperative, and that this persistence is driven by unreflective classifications, routines, scripts, and schema. It is hard to argue that university officials' public statements in favor of race-based affirmative action constitute taken-for-granted, unreflective activity. Instead, the officials' explicit support for racial diversity and race-based affirmative action appear to be more in line with explicit, vested interests based on political actors who pursue their self-interest and strategically engage in organizational socialization and litmus tests in hiring/retention decisions as a way of pursuing their value commitments. In this respect, capture theory does at first appear to succeed at explaining the diversity consensus.

However, much of the capture theory of the old institutionalism fails to mesh with the university officials' narratives of organizational change in

university administration. Instead, this research on the diversity consensus at the three campuses suggests that endogenous factors—rather than the exogenous dynamics of capture—best explain the diversity consensus. At all three campuses, university administrators value racial diversity. Universities have traditionally served as a magnet for people concerned with social justice issues. In addition, civil rights groups opposed the rise of race-based affirmative action in its early years (Skrentny 1996), so there is little evidence that these interest groups undertook a capture early on. Instead, organizational sociologists have found that the people with the ambition and skills to take these positions tended to be proponents of race-based affirmative action. They gradually transformed admissions policies by institutionalizing and reforming race-based—along with class-based and disadvantage-based—affirmative action. According to this line of research, an endogenous framework of policy evolution provides a more thorough and accurate explanation of affirmative action reform than does an exogenous capture framework.

Capture theory, as I will argue, pays inadequate attention to the power of the legitimacy imperative; to the normative and mimetic isomorphism in selective universities across the United States across the organizational fields of admissions and student life; and to the endogenous, constitutive nature of embeddedness. This endogenous framework of neoinstitutional organizational theory contrasts sharply with the exogenous capture theory framework. Note how Ward Connerly's analysis employs the language of capture theory:

We have built up this huge industry—and I do not use this term pejoratively—in universities, corporations, journalism, the NAACP, and minority contractors. This huge cadre of people . . . believe in this “race matters” paradigm so much that they depend on it. They can never get rid of it. It's about protecting turf, protecting power. Business wanted to cover its ass. It wanted to inoculate itself from lawsuits by showing that it had minorities and women equal employment officers. (Connerly 2002)

According to neoinstitutional organizational theory, in contrast, professional networks of organizations play a central role in transmitting and disseminating symbolic commitments such as the diversity embrace. University officials operate through these professional networks of diversity professionals (Skrentny 2002; Welch and Gruhl 1998; Lynch 1997). Universities recruit admissions administrators and top administrators from other universities. For example, UW-Madison recruited University of Michigan Assistant Director of Admissions Rob Seltzer to be Director of Admissions at UW-Madison because of his reputation for expertise with software management and aggressive implementation of race-based affirmative action. The training of admissions officials emphasizes diversity and affirmative action. Admissions directors at all three campuses pointed out that commitment to diversity

and affirmative action are two of the values that draw people to become admissions officers.

At the policy level, university officials provided accounts of mimetic isomorphism in addition to normative isomorphism. Put simply, university officials at all three campuses reformed their affirmative admissions policies and procedures in part by modeling them off of other comparable universities. My interviews and analysis of university reports uncovered numerous examples of this mimetic isomorphism. For example, former UC Associate President Pat Hayashi explained how the UC campuses during the 1980s reformed their policies by modeling them on the Ivy League and other elite private institutions: "The strategy was, in my mind, to model our efforts after what the elite privates said they did. You borrow a little legitimacy from [these institutions]" (Hayashi 2000). Later, when universities in California, Texas, Florida, and Washington state were legally banned from using race-based affirmative action, officials at these campuses borrowed from each others' policy innovations, especially percentage plans and individual assessment (Lipson 2001).

A small number of affirmative action critics in admissions offices complained about the pro-affirmative action and, in general, liberal, anti-Republican organizational culture of the admissions staff. One former UW graduate expressed his frustrations to me off-the-record about the diversity orthodoxy in the admissions office: he alleged that a pro-affirmative action and an anti-Tommy Thompson sentiment permeated the organizational culture of the office. Similarly, Kevin Nguyen, who later served as the Executive Director for Ward Connerly's American Civil Rights Institute (ACRI) in Sacramento, found that the organizational culture of the UC-Berkeley undergraduate admissions office was extremely pro-diversity and pro-affirmative action in the early 1990s, when he held a work study job in the admissions office. Nguyen observed that "the university was moving very decisively to blunt the attack on race-based admission" (Nguyen 2001). While the complaints of these two young admissions officials might be seen as evidence for capture theory, it instead could be seen as lending support to neoinstitutional organizational theory, which explains normative and mimetic isomorphism across campus admissions offices as a result of preprofessional training in university degree programs and on-the-job socialization, in addition to the taken-for-granted nature of the diversity embrace (DiMaggio and Powell 1991).

The professional networks extend beyond hiring of candidates from other academic institutions. In addition, admissions officials rely on educational research by professional organizations, academics, accreditation agencies (Welch and Gruhl 1998, 81; Skrentny 2002, 177), and other non-governmental organizations. In addition to universities, other educational organizations, including The College Board, the Law School Admissions Council, the American Bar Association, the National Bar Association, and the American Association of University Professors, have endorsed diversity

efforts and conducted their own research to document the compelling benefits of diversity in higher education (Gladieux 1996; Holzer 2000; Holzer and Neumark 2000).

Support for race-based affirmative action in university admissions has been longstanding. University professors and administrators began pushing for affirmative action as early as the late 1960s (Skrentny 2002, 171) as they perceived that merely opening the door would not be sufficient to reduce racial inequalities. Access was the primary motive—"there was rarely any pretense in admissions of preventing current discrimination practiced by the university. Universities increasingly saw themselves as compensating for discrimination that took place in the past or currently in the wider society—'societal discrimination'" (ibid.).

This is in line with neoinstitutional organizational theory, which theorizes that professional networks aid organizations in their transformation of equal opportunity into affirmative action. According to Kelly and Dobbin, EEO specialists in the employment sector developed "new rationales for these threatened practices . . . collectively through professional networks" including "management consultants, management journals, professional networks, and business associations," making the case for these new rationales to their executives (Kelly and Dobbin 1998, 981). This, they demonstrate, is how affirmative action offices and programs morphed into diversity management offices and programs (ibid.). The accounts from the university officials I interviewed suggest similar patterns of normative and mimetic isomorphism for affirmative action in education too.

Judicial Implementation Theory: Diversity Consensus as *Bakke's* Impact?

According to one line of argumentation, the diversity consensus can largely be explained as a function of compliance with the *Bakke* decision. In his sole opinion, Justice Powell struck down quotas that are rooted in the diversity rationale while upholding the constitutionality of racial preferences that are rooted in the diversity rationale so long as race was merely a "plus factor." Powell's opinion praised the Harvard University model of affirmative admissions, which involved racial preferences via the labor-intensive individual assessment of applicants rather than administratively efficient formula-based admissions. So long as race was merely a "plus factor" rather than the primary factor in affirmative admissions decisions rooted in the diversity rationale, Powell concluded that race-based affirmative action would be constitutional in large part because of the importance of First Amendment protections for universities in their desire to promote the educational value of diversity. The *Bakke* decision closed the door to the method of quotas for universities that justified their affirmative action procedures via the diversity rationale. And

Bakke continued the Supreme Court's trend in equal protection case law of closing the door on the compensation and remedial rationales for race-based affirmative action (Naff 2004)—which culminated in *Wygant v. Jackson Board of Education* (1986) decision—thereby nudging university officials to explicitly root their policies in the diversity rationale. Thus, according to judicial implementation theory, universities' embrace of diversity is a result of university officials' strategically shifting their policies to comply with *Bakke*, thereby implementing *Bakke* and insulating their affirmative admissions policies from legal assault.

Although this article primarily contrasts capture theory and neoinstitutional organizational theory, I will briefly analyze judicial implementation theory (Canon and Johnson 1999) in this section. Judicial implementation theory identifies the implementing population (admissions officials in this case), the consumer population (citizens, and college applicants and students in particular), and secondary populations (interest groups, public officials, the media, and attentive and mass publics) and examines the extent to which courts exert policy-making influence via the precedential power of their decisions.

On the one hand, it is almost certainly correct that *Bakke* was influential and that university officials sought to comply with this landmark case: university officials explicitly reinforced their policy justifications to mesh with Powell's *Bakke* opinion (Welch and Gruhl 1998). In their study of affirmative action in law and medical school enrollments, Welch and Gruhl found that admissions officials, as the implementing population, were committed to affirmative action and to complying with *Bakke*:

Despite initial fears by civil rights organizations, hindsight indicates that most of these officials were at least somewhat committed to increasing minority enrollment. They believed they should make this effort, and they established procedures to do so. To the extent that the court's ruling made this goal more difficult to achieve, these officials might be less than enthusiastic to implement it. Nevertheless, they apparently did continue to implement it. Our findings that the schools with the best record of minority enrollment before *Bakke* were also the ones with the best record a decade after *Bakke* suggest the influence of the implementing population. (Welch and Gruhl 1998, 136)

While Welch and Gruhl find that these admissions officials did not *comprehensively* understand the *Bakke* ruling, the authors found that these "implementers" *believed* that they understood *Bakke* and believed that they were complying.

The university officials I interviewed also regularly cited *Bakke* and used the language of *Bakke* to defend their policies. For example, Larry Carver (Associate Dean for Student Affairs at UT-Austin) mourned that "affirmative action as we know it is over. *Bakke* is dead" after the *Hopwood* opinion struck

down the diversity rationale for race-based affirmative action in the Fifth Circuit Court of Appeals jurisdiction (Louisiana, Mississippi, and Texas) (Carver 2000). In the lead-up to the UC regents' vote on the SP-1 Directive, Nina Robinson expressed her surprise that race-based affirmative admissions policies were being attacked: "we felt that when we met the conservative interpretation of *Bakke*, we had bent over backwards" (Robinson 2000). Welch and Gruhl have also documented how the *Bakke* decision influenced admissions officials—their study focused on law and medical admissions officials. Perhaps surprisingly, their research concluded that *Bakke* did not substantially alter the way these officials perceived their affirmative admissions policies. Nor did *Bakke* have any substantial, discernable impact on admissions or enrollments in these law and medical schools. Nonetheless, Welch and Gruhl conclude that *Bakke* was influential in that it institutionalized and legitimized the existing use of the diversity justification and the method of racial preferences (Welch and Gruhl 1998, 87, 133). Only one official, Paul Barrows at UW-Madison, spoke of shifting rationales from compensation to diversity as a compliance strategy:

You know, we probably haven't articulated that as clearly as we should, but there are two basic reasons why we do affirmative action. One of them is *compensatory*—you are making up for past discrimination. And that one is the one that the folks in the U.S. Office of Civil Rights keep telling us is the biggest one that's under challenge. Unless you can document that an institution specifically discriminated and you tailor a narrow remedy to address that discrimination then U.S. Office of Civil Rights is trying to encourage institutions to move away from that. The big thrust now is on the educational value of diversity. You know, *The Shape of the River* argument in Bok and Bowen's book. (Barrows 2000)

While Barrows was the only one to explicitly state that compensation was, and still is, one of the guiding justifications for affirmative admissions at any of the three campuses, his articulation of the move to the diversity rationale is quite in line with the responses of other top university officials at the three campuses.

Judicial implementation theory is useful in pointing to the various populations that influence—and are influenced by—policies upon which courts have issued rulings. The "implementers" I interviewed were aware of the *Bakke* opinion and did shift their discourse, and in some cases, policies, in response to *Bakke*. In this respect, judicial implementation theory is useful in explaining the impact of court cases. That said, this article is not an "impact study" of a court case. Indeed, such an inquiry would distort the analysis of the diversity consensus and affirmative action reform, for it artificially places court cases at the center of the inquiry. In interview after interview, respondents were quick to emphasize the broader context of

competition for university admissions, racial and socioeconomic demographics, university budgetary politics, state and federal electoral politics, and numerous other factors that contribute to affirmative admissions reform. They were critical of attempts to artificially study affirmative action policy and law in isolation from these other contexts. According to these historical narratives, *Bakke* appeared to influence how admissions officials designed and discussed affirmative action, but *Bakke* did not appear to dictate that universities institute or retain affirmative admissions policies. The university “implementers” could have simply decided to respond to *Bakke* by eliminating affirmative admissions procedures. Thus, judicial impact theories are not sufficient to explain the diversity consensus.

In addition, the Canon and Johnson judicial implementation theory is too primitive in its analysis of policy change because of the way it compartmentalizes actors into implementers, consumers, and interpreters. As Edelman and Suchman articulate via their “legal environments” approach, organizations such as universities are at once policy developers, interpreters, and implementers (Edelman and Suchman 1997). Ambiguity about the terms of compliance arises from vague court rulings or even the entire absence of regulations. Organizations respond by developing and reforming their policies. Courts then use these organizations’ policies as yardsticks for compliance. Thus, the organizations take on important roles not only in implementing policies, but also in developing, mediating, and interpreting law (*ibid.*).

The *Bakke* decision played an important role in influencing affirmative admissions policies in universities. Indeed, the *Gratz* and *Grutter* decisions revealed just how important *Bakke* remains. After all, the University of Michigan Law School officials explicitly designed their individual assessment policy to mirror the Harvard model that Justice Powell praised in *Bakke* (Gurin 2004; Stohr 2004). In her majority opinion in *Grutter*, Justice O’Connor praised the law school for being so faithful to the *Bakke* precedent. In contrast, the Court in *Gratz* criticized the admissions point system used by the College of Literature, Science, and the Arts (LSA) at the University of Michigan for its heavily quantitative and inflexible use of race-based affirmative action. The Court struck down the policy allotting twenty points on a one hundred-fifty point scale to underrepresented applicants of color, scolding LSA for not heeding the principles articulated by Justice Powell in *Bakke*.

While *Bakke* is central to the diversity consensus—which *Grutter* has inscribed into the law as formal legal precedent—it is important to situate this seminal case. In order to understand the rise of the diversity consensus, it is important to learn why university officials came to embrace racial diversity both before and after *Bakke*. Judicial implementation theory is unable to answer this question. To gain insights into this question of organizational change, I will return to the application of neoinstitutional organizational theory.

SP-1, Proposition 209, and *Hopwood*: The Diversity Consensus and the Impact of the Formal Bans on Race-Based Affirmative Action

The scope of the diversity consensus is most evident when race-based affirmative action has come under attack. Other scholarship has shown that university officials joined forces in aggressively defending race-based affirmative action against legal attack (Gurin 2004; Stohr 2004; Pusser 2004; Chavez 1998). When race-based affirmative action was banned at UC-Berkeley by the UC Regents' SP-1 Directive and by Proposition 209, the university admissions officials quickly overhauled their admissions policy to comprehensively institute individual assessment and percentage plans. UT-Austin took the same steps when the *Hopwood* decision—and Attorney General Morales's broad interpretation of the decision—banned race-based affirmative action at public universities in the Fifth Circuit jurisdiction.

At both campuses, the move toward individual assessment and away from formula-based admissions led to a massive increase in the workload of these largely pro-affirmative action admissions officers—the university officials succeeded in increasing the budgets for their admissions staff, but the price they paid was having to read every single one of the forty thousand applications twice at UC-Berkeley, an unfathomable workload (Lipson 2001; Laird 2005). While UC-Berkeley was banned from considering race in this individual assessment, Connerly's antiaffirmative action SP-1 Directive paradoxically mandated that the UC campuses institute reforms that provided "special consideration" to "socially and economically disadvantaged" applicants who overcome adversity. That is, Connerly's antirace-based affirmative action regents initiative was also a mandatory disadvantage-based affirmative action policy in disguise (Lipson 2001). The university officials at UC-Berkeley would likely have instituted disadvantage-based affirmative action as a substitute to race-based affirmative action even without Connerly's mandate. But this convergence in favor of disadvantage-based affirmative action among Connerly and the pro-diversity university officials contributed to its rapid institutionalization.

UT-Austin and UC-Berkeley instituted both individual assessment and percentage plans soon after the formal bans on race-based affirmative action. At UT-Austin, the percentage plan was both more powerful and publicized, whereas the percentage plans at UC-Berkeley took a backstage role. The percentage plan in Texas became the core diversity policy tool for UT-Austin for several reasons. First, the Texas legislature, under the leadership of pro-affirmative action African American and Hispanic Democratic legislators, passed the Top Ten Percent bill, imposing percentage plans on the public universities in the state. That said, the legislators learned of the percentage plan proposal from pro-affirmative action university professors in Texas who invented the idea (Torres 2000). Second, the particular version of percentage plans enacted by the state legislature was, and still is, the most powerful

percentage plan in any state. This is because the Top Ten Percent law in Texas guarantees admission to the campus of the applicant's choice rather than guaranteeing admission merely to one of the campuses within the public university system. Even though Florida's 20 percent plan guarantees admission to the top fifth of Florida high school graduates, compared to Texas's Ten Percent Plan only guaranteeing admission to the top tenth of Texas high school graduates, the Texas plan is much more powerful because percentage plan recipients in Texas are entitled to admission to the campus of their choice (Holley and Spencer 1999; Montejano 2001). Regardless of how low the Top Ten Percent applicants' standardized test scores are, they are automatically admitted to UT-Austin if they so choose. In contrast, the 12 percent plan at the University of California and the 20 percent plan in Florida only guarantee admission to the university system, meaning that weaker percentage plan students may only be admitted to the least selective campus in the university system (Hebel 2002; Horn and Flores 2003).

One main lesson to be learned from the university officials' response to SP-1 and Proposition 209 at UC-Berkeley and to *Hopwood* at UT-Austin is that their embrace of race-based diversity led them to search for alternative, race-neutral diversity tools in order to minimize the formal bans' blow to racial diversity on campus. With the assistance of the state legislatures—and, paradoxically, even Ward Connerly himself—the university officials quickly settled on two race-neutral reforms (individual assessment and percentage plans) that were instituted with the restoration of racial diversity constituting one of the core goals. A second main lesson to learn from the universities' response to the formal bans on race-based affirmative action is that the line between race-based and race-blind policy making can be quite blurry and that this leads some antiaffirmative action activists to accuse these university officials of failing to fully comply with the bans. Jack Citrin and Ward Connerly have both put forth and later partially retracted accusations that the admissions officials at UC-Berkeley were “slipping” race in through the back door via individual assessment (e.g., by preferring applicants from school districts that are predominantly African American or Hispanic, by preferring applicants with names that are predominantly African American or Hispanic, and/or by preferring applicants who identify or give clues that they are African American or Hispanic in their personal statements). In short, the university officials aggressively defended race-based affirmative action and racial diversity initiatives despite antiaffirmative action ballot initiatives and litigation.

The Neoinstitutional Organizational Explanation for the Diversity Consensus

The historical narrative in this article suggests that several factors may have come together to produce this diversity consensus. As explained above,

one important, endogenous factor contributing to the diversity initiatives at the three campuses appears to be the pro-diversity organizational culture within admissions administration. I refer to the second factor as the legitimacy imperative, borrowing from Skrentny's framework (1996, 11). In the case of affirmative action reform in universities, this legitimacy imperative deeply influenced admissions policy. In his historical research on the evolution of affirmative action in the employment sector, Skrentny traced reforms to the shifting boundaries of legitimacy within which political actors operated. These boundaries also appear to have shifted for university administrators. While commitment to racial diversity initiatives has been central at UC campuses for over four decades (Lemann 1999; Douglass 1997, 1999), racial diversity was not a primary ingredient in the legitimacy recipe forty years ago at most universities.

These legitimacy concerns are partly resolved through the projection of symbols (Edelman 1985). As discussed above, universities project an image of themselves as racially diverse through visual images and through descriptive statistics. These symbols matter—universities advertise themselves as brand names, and the reception of such branding and advertising campaigns affects the composition of the university and thereby the financial resources the university needs to survive (Karabel 2005). This leads to a difficult question: if university administrators perceive that a racially diverse campus is important to its constituencies, who are the members of this perceived constituency? After all, applicants and enrolled students constitute the most apparent constituency, and yet there has been little systematic evidence showing that racial diversity of colleges and universities is a central concern influencing high school seniors' college enrollment decisions. But university administrators I interviewed expressed a variety of constituencies that they identified as being concerned about diversity. First, administrators expressed that citizens in African American and Latino communities are rightfully concerned about how welcoming the campuses are to them. Second, administrators perceived that they would lose out on top talent, including students, faculty, and administration, of all races who value racial diversity if these recruits perceive that the campus is not adequately diverse or inclusive. In addition to depending on tuition dollars, universities also rely heavily on state aid, and administrators at UC-Berkeley and UT-Austin pointed out that African American and Latino/a state legislators pressured them to produce greater representation of African American and Latino/a students and faculty on campus.

But the perceived audience extends beyond student and faculty recruits, communities of color, and minority legislators. Administrators also interact with institutions such as the news media, accreditation agencies, private foundations, corporations, and the military. Scholarship on diversity has found that the diversity embrace has penetrated these institutions. Thus, it should not be surprising according to neoinstitutional organizational theory that corporate and military recruiters have put pressure on universities such

as UW-Madison to increase the racial diversity of the universities' graduates (Stohr 2004). Nor should it be surprising that university officials have perceived pressure to increase or maintain racial diversity from accreditation agencies (Welch and Gruhl 1998, 81) or private foundations (Shiao 2005).

All three universities project a commitment to racial diversity, and all three universities advertise themselves as being racially diverse. The universities have been quite strategic in marketing their successes by pushing outside indicators of success (Rogers-Dillon and Skrentny 1999) and deciding which minority groups count in the diversity statistics. UW-Madison includes international students in its diversity numbers in part because this draws attention away from the low African American and Latino/a representation. UC-Berkeley officials include Asian students into their diversity statistics when they seek to advertise how diverse the campus is, but they exclude Asian students when they mourn the reductions in African American and Latino/a representation since SP-1 and Proposition 209. Both UT-Austin and UC-Berkeley draw attention away from the small size of the African American student population by aggregating the African American and Latino/a numbers together.

Of course, organizations vary in their success at delivering on their symbolic commitments. Student diversity activists at UW-Madison have been very critical of the administration (and the state legislature) for not adequately funding precollege, financial aid, recruitment, housing, ethnic studies, ethnic housing, and other programs. And the university has been criticized especially by W. Lee Hansen (2002, 1999a) for not meeting the diversity goals and timetables it set in the 1988 Design for Diversity Plan (Selingo 1998). In contrast, UC-Berkeley has for the past two decades found more human and financial resources to push expansive diversity programs (Garrison 2002). And UT-Austin has expanded these programs tremendously since 1996, albeit in a race-neutral form as mandated by the *Hopwood* decision (Hanson and Burt 2002) until *Grutter* overturned *Hopwood* in 2003. After *Hopwood* banned the diversity rationale for race-based affirmative action in the Fifth Circuit states (Texas, Mississippi, and Louisiana), UT-Austin quickly implemented the Top Ten Percent Plan that was mandated by the Texas Legislature. In addition to this aggressive percentage plan—which, as mentioned above, guaranteed admission to the campus of their choice to Texas high school graduates—the top university officials came together to institute an integrated racial diversity program that sought to achieve racial diversity through race-neutral methods by encompassing admissions, financial aid, and residential life. The Longhorn Opportunity Scholarships were a centerpiece of this integrated effort. In my interview with Larry Burt (Associate Vice President and Director of Student Financial Services) about the Longhorn Opportunity Scholarships, he proclaimed that the creation of the Longhorn Opportunity Scholarships was his proudest achievement over his long career at UT-Austin.

(Burt 2000). These scholarships offer \$4,000 per year for up to four years if recipients maintain required grade levels. The scholarships are targeted to disadvantaged students from underrepresented high schools throughout the state (Bhagat 2004).

At UW-Madison, the top university officials were most proud of the PEOPLE program (Pre-College Enrichment Opportunity Program for Learning Excellence) (University of Wisconsin 2006), along with the more recent incorporation of the Posse program (Barrows 2000; Paredes 2004). Administered by the UW-Madison School of Education, the PEOPLE Program seeks to “help students successfully make each transition from middle school to high school to college.” The program serves approximately 1,200 students of color and low-income students at some level. The students currently come from “Madison, Milwaukee, Racine, and Waukesha public school districts, and the Ho-Chunk, Menominee, and Lac Courte Oreilles Nations to be joined by Lac du Flambeau and Bad River Nations in 2006” (PEOPLE program). The PEOPLE program begins either in the sixth or ninth grade, directing the students to “personal discovery, academic improvement and career exploration” (ibid.). The UW-Madison officials touted PEOPLE as the biggest and best of its kind in the nation, claiming that only Ohio State University had any comparable program (Barrows 2000; Paredes 2004). In addition, UW-Madison diversity officials have begun to incorporate the Posse Program by the Posse Foundation, which “identifies, recruits, and trains incredible youth leaders from urban public high schools and sends these groups as ‘Posses’ to top colleges and universities in this country” (The Posse Foundation, Inc. 2007). UW-Madison is one of only twenty-four higher education institutions with Posse Programs. UW-Madison currently has eighty Posse students; forty-seven came from Chicago and thirty-three were from Los Angeles. Twenty-two more Posse students enrolled for the Fall 2006–07 academic year (Lucas 2006).

While some universities’ diversity initiatives may be less successful than others at achieving their goals, it would be misleading to conclude that the diversity consensus is mere lip service. UW-Madison continues to practice broad, race-based affirmative action. UC-Berkeley and UT-Austin did practice significant race-based affirmative action prior to the bans, and UT-Austin (unlike Texas A&M University) is resuming the use of race-based affirmative action now that the *Grutter* decision invalidates the *Hopwood* ban on race-based affirmative action (Gates 2003; University of Texas 2003). All three campuses have significant precollege programs and recruiting efforts. In addition, all three campuses have reformed their admissions policies to maintain racial diversity by expanding disadvantage-based affirmative action.

Regardless of their own attitudes toward diversity policies, administrators represent an organization, and the organization provides them with incentives to promote certain practices. University administrators are charged with the task of recruiting high-caliber students who will perform well, enjoy their

time in university, pay their tuition, stay at the university, graduate, and contribute to the university as alumni. Reputation is a very important part of the recipe for a university's success—it is important that people have positive associations with the given university. While university officials at UC-Berkeley, UT-Austin, and UW-Madison are very proud of their campuses' academic reputation and are not fearful that the reputation will slide, they are nonetheless fearful that drops in racial diversity, resulting from bans on race-based affirmative action, will scar their universities' image and hurt the universities' student quality, enrollment sizes, and financial health (the untested hypothesis being that significant numbers of prospective students avoid campuses that are not adequately diverse). Former UC-Berkeley Chancellor Chang Lin-Tien expressed this legitimacy concern with remarkable clarity and awareness:

I've done much soul-searching on this, and if I thought that there was not any way we could maintain the kind of diversity we want and we need here because of this new policy, I would have resigned. But I'm not giving up. Our outreach can improve. Our admissions system can improve. But what I'm very worried about is the perception this creates, the damage it could do psychologically to the minority students that we very much want to come here. They may well think now that the University of California is not welcoming to them. That is where our biggest fight will lie. (Quoted in Sanchez 1996)

The administrators were very troubled both by the postban drop in representation of African Americans and Latinos and by the news headlines that reported these drops. Many administrators were concerned that African Americans and Latinos would blame the university itself for the drops instead of attributing the bans on race-based affirmative action to former California Governor Pete Wilson (Chavez 1998), colorblind legal mobilization (Cokorinos 2003; Keck 2006), voter opposition (Sniderman 1997), or other external factors. Note, for example, the boundaries of legitimacy that constrained Bob Laird, who served as the UC-Berkeley admissions director at the time of SP-1 and Proposition 209:

I had to balance my own emotions against the need to move 52 readers to a different professional viewpoint, regardless of our personal feelings. One of the most basic tenets in our office was that managing the admissions process was a public trust. We had to uphold that trust, even with a policy that most of us disliked. At the same time, I knew that I would lose the confidence of my staff members—and therefore my ability to lead the office—if any of them began to doubt my commitment to access for underrepresented minority students. (Laird 2002)

UT-Austin Law Professor Gerald Torres was similarly concerned about trespassing the boundaries of legitimacy in Texas: "This is going to be

a majority-minority state. If we don't close the gap [between whites and students of color], then it will be an unstable system" (Torres 2000). At UC-Berkeley, Nina Robinson also feared a backlash by disgruntled Californian communities of color:

Well, I think that there is a kind of naïve sense on the part of people who wish things were different, that outreach is going to be able to compensate for not having affirmative action as a tool in admissions, and there is together with the kind of hope that outreach is going to compensate for not having affirmative action in admissions; there is all this concern about K-12 and what terrible condition the K-12 is in, and then there's a sense that the university can fix K-12 through its outreach programs, and I think it is really elusory thinking and that I'm very worried that the university is going to get in a position in which it's not going to be able to deliver on these promises and therefore be subject to a backlash when it could never have had much of an impact in and of itself in K-12. (Robinson 2000)

These comments by Torres and Robinson overlapped with those of other university officials I interviewed, particularly presidents, chancellors, and other top administrators. Given the bad publicity that UCLA and UC-Berkeley have been receiving this decade for low African American admissions and enrollments (especially for African American males), this fear appears to be well founded.

CONCLUSION

While additional research is needed to understand how university officials design and transform affirmative action policies at selective campuses across the United States, this article has set the stage for this line of research by studying the views university officials at three selective campuses hold concerning racial diversity and race-based affirmative action policies. Administrators professed strong support for race-based affirmative action and racial diversity at the University of California, Berkeley, the University of Texas at Austin, and the University of Wisconsin-Madison. The interviews I conducted and archival records I collected suggest that the organizational culture of university administration in general, and specifically in the admissions profession, has become explicitly pro-affirmative action and pro-diversity at the three campuses.

This article calls attention to the strengths of neoinstitutional organizational theory in explaining university administrators' embrace of racial diversity. The new institutionalism of sociology and organization theory calls attention to the endogenous transformations that appear to have given rise to the racial diversity consensus in higher education. As diversity management

becomes institutionalized, and as university officials view race-based affirmative action as a core component of a diversity management policy agenda, race-based affirmative action becomes both more entrenched and more diluted—more entrenched in that it gains powerful backing from corporate, university, and military elites, and more diluted in that race-based affirmative action loses its civil rights roots as a social justice policy.

In short, affirmative action endures because it is useful for the managers rather than solely because it is morally or legally warranted to protect the rights of the recipients. As the conservative antiaffirmative action activists increasingly frame themselves as the heirs of Martin Luther King Jr.'s civil rights movement, the defenders of race-based affirmative action have gambled on a strategy of distancing their movement from rights-based discourse and relying instead on instrumental, diversity management arguments. The irony is that the centerpiece policy of the civil rights nondiscrimination agenda may be losing its social justice core. Further reflection is needed to determine whether affirmative action's entrenchment as a managerial tool results in universities reinforcing the very inequality that they claim to be undermining.

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