

***GRUTTER V. BOLLINGER* AND CIVIL DISOBEDIENCE**

By: Dr. Martin D. Carcieri

Abstract

Dr. Martin Carcieri's article ponders whether, given the considerable gap between the explicit racial nondiscrimination standard of Title VI of the 1964 Civil Rights Act and the kind and degree of racial discrimination which the *Grutter* decision allows University of Michigan and other law schools to engage in, he is morally and constitutionally permitted, as a law school gatekeeper and under well established criteria of civil disobedience, to distort prelaw students' grades and reference letters based on race in order to offset UM's racial discrimination. Dr. Carcieri contrasts the inequity of such an action with the inequity that he sees in the *Grutter* decision. Although Dr. Carcieri believes that no individual should engage in such actions, he believes that the *Grutter* decision impedes, rather than advances, positive progress for race relations and equality. Dr. Carcieri ultimate concludes that race-blind admissions are constitutionally and legally mandated by Title VI and the U.S. Constitution.

The editors of the University of Michigan Journal of Race and Law have written a response to Dr. Carcieri's article. They contend that the decision in *Grutter* was well founded and necessary for the realization of racial equality in America. These authors suggest that proposals such as Dr. Carcieri's are untenable measures of civil disobedience. They contend that, based on past discrimination and current circumstances, race-blind admissions would lessen the effectiveness of the legal education that law schools can provide.