

Much of the commentary following the Supreme Court's decision in *Grutter v. Bollinger* (2003) characterized it as a case that simply accepted the approach taken by Justice Lewis F. Powell, Jr. in *Regents of the University of California v. Bakke* (1978). This article takes issue with those assumptions, arguing that the manner in which the Court embraced the diversity rationale in *Grutter* makes it “*Bakke* with teeth,” a holding that allows affirmative action in the admissions process but also imposes significant obligations if an institution employs affirmative action. As part of this analysis the article offers a unique take on Justice O'Connor's discussion of “deference” in *Grutter*, stressing that her use of that term recognized only the right of individual institutions to choose their mission, and that true strict scrutiny was the analytic approach employed in the O'Connor opinion and remains the operative standard in its wake. Finally, the article stresses a reality that many institutions embracing affirmative action overlook: simply admitting a diverse group of students is not enough to truly comply with the mandates of *Grutter*. The article provides an overview of both the social science that makes that a reality and the ways in which institutions can and should act in order to make diversity rhetoric an educational reality.