

Over the past half-century, the national legal conversation on the role of race in higher education has evolved to reflect changes in societal attitudes regarding access and opportunity as well as in demographic trends. What began at the dawn of the civil rights era as a largely black-and-white issue focused on the urgent need to end legally sanctioned segregation gradually shifted to a broader and more nuanced discussion of diversity and equal opportunity for individuals of all backgrounds. In legal and public policy discourse, arguments about discrimination and social justice have largely given way to debates about the educational and economic benefits of diversity at all levels. This essay explores this progression of the legal rationales related to the consideration of race in higher education, and reflects on some lessons learned from this ongoing conversation about moral and educational issues that have long played a central role in American history.