Dequantifying Diversity: 
Affirmative Action and Admissions at the University of Michigan

Daniel Hirschman
University of Michigan
dandanar@umich.edu

Ellen Berrey
SUNY Buffalo
eberrey@buffalo.edu

Fiona Rose-Greenland
University of Michigan
frose@umich.edu

Conditionally accepted at Theory & Society

Abstract
To explore the limits of quantification as a form of rationalization, we examine a rare case of dequantification: race-based affirmative action in undergraduate admissions at the University of Michigan. Michigan adopted a policy of holistically reviewing undergraduate applications in 2003, after the U.S. Supreme Court ruled unconstitutional its points-based admissions policy. Using archival and ethnographic data, we trace the adoption, evolution, and undoing of Michigan’s quantified system of admissions decision-making between 1964 and 2004. Analysis of this rare case reveals conditions under which quantification’s ability to buttress the decision-making authority of bureaucrats is weakened. In a context in which opponents of the system had legal avenues to engage a powerful outside authority, three internal features of the University’s quantified admissions policy contributed to its demise: its transparency, the contestedness of the categories it quantified, and the existence of qualitative alternatives. Our analysis challenges the presumed durability and inevitability of quantification by demonstrating its potential modes of failure.

Word Count: Approximately 20,000.

Acknowledgments
We thank Emily Bosk, John Carson, Tony Chen, Russ Funk, Gabrielle Hecht, Steve Hoffman, Greta Krippner, Kathy Lin, John Mohr, Jason Owen-Smith, Michelle Phelps, Rachael Pierotti, Jonah Siegel, Elizabeth Young, and audiences at the Economic Sociology Workshop and the Science, Technology, and Society Colloquium at Michigan, the Society for Social Studies of Science in Cleveland, and the American Sociological Association in Denver for helpful comments on earlier versions of this work. This work was supported by the American Bar Foundation; the National Science Foundation [Grant No. 0418547]; the Northwestern University Center for Legal Studies; and the Northwestern University Graduate School.
Introduction

This is a story about the limits of rationalization. Specifically, we examine the conditions under which quantification fails to serve as a reliable tool for buttressing bureaucratic authority. Starting from the work of Max Weber and Georg Simmel, sociologists have been interested in the increasing rationalization of society associated with the expansion of bureaucracies. A more recent tradition, associated with the work of Ted Porter (1995) and Wendy Espeland (1998), emphasizes quantification as one of the foremost tools of rationalization. Quantification, at least in principle, allows bureaucrats to offload the political responsibility of making decisions onto the quantitative tools and thus shield themselves from criticisms of bias (Porter 1995). We examine a rare case in which a system of quantified decision-making was implemented, challenged, and then replaced with a more explicitly qualitative, subjective system: the dequantification of affirmative action in admissions at the University of Michigan. This case sheds light on the possible failure modes of quantification - that is, the conditions under which a system of quantified decision-making may not hold up to outside pressure and may, in some cases, be even more vulnerable than explicitly qualitative alternatives.

To date, scholars of quantification have largely taken for granted this protective power of numbers. They have not explored instances in which quantification might fail to shield expert decision-making. Rather, existing research tends to focus on the consequences of new and successful forms of quantification from credit scoring (Marron 2007, Poon 2007) to university rankings (Espeland and Sauder 2007) to standardized criminal sentences (Espeland and Vannebo 2008). In contrast, we explore the conditions under which quantification is weak. We ask: what makes a system of quantification more vulnerable to challenges and less capable of providing an authoritative aura of objectivity?
To gain leverage on this question, we examine undergraduate admissions at the University of Michigan. In the 2003 *Gratz v. Bollinger* case, the U.S. Supreme Court ruled that the University could no longer make quantified decisions about applicants based on their race. It deemed the University's points-based policy of undergraduate admissions unconstitutional for its coarse and mechanistic implementation of race-based affirmative action. At the same time, in the companion case *Grutter v. Bollinger*, the Court upheld the less quantified admissions policy used by the University's law school. Subsequently, the undergraduate college adopted an admissions policy modeled after the law school’s approach. Here, quantification provided so little protective objectivity that, in the end, it was abandoned, reversing the usual trend. To make sense of this outcome, we use archival and interview data to trace the history of undergraduate admissions at Michigan from 1964 to 2004, with a focus on the University’s use of race and merit in admissions. During this time, the University came to rely increasingly on numbers. By the 1990s, it had fully quantified its admissions process, calculating decisions solely on numeric scores. Conservative activists identified this policy as unlawful and began a legal challenge against the University. In the wake of the decision, the University abandoned its points-based policy for a process that administrators described as “holistic, individualized review.”

Drawing on the case of affirmative admissions at Michigan, we conceptualize dequantification as a process that involves several steps. Specifically, dequantification is one possible outcome in situations in which a decision-making process is quantified and then that quantified system is challenged. Here, we discuss the elements of the case – the internal features of the system of quantified admissions and the conditions characterizing the relationship between that system and its larger political environment - that led to dequantification. We highlight
features that we believe will usefully transpose, *mutatis mutandis*, to other, similar contexts of contests over quantified decision-making.

First, we argue that systems of quantification with a great deal of *transparency* may offer less authority than more complex, opaque systems. Existing studies of quantification have focused primarily on highly technical systems, which are difficult for non-experts to understand. In contrast, administrators at Michigan produced a simple points system to streamline the admissions process. The legibility of this system influenced both the selection of Michigan as a target by anti-affirmative action activists and the eventual decision by the Supreme Court.

Second, we argue that systems of quantification built on *contested or stigmatized social material* will themselves be easier to contest. In the U.S., race is a socially recognized but contentious status. To quantify race-based decision-making, people must be uniformly standardized: categorized, classified, and numerically valued according to their racial group membership. The University’s undergraduate admissions policy did just that, giving the same, often decisive, numerical advantage to all members of specific minority groups. But the University’s formal, seemingly objective, quantitative decision-making procedure conflicted with the complicated jurisprudence of race in the U.S., which places strict scrutiny on decisions based on an individual’s race.

The quantification of race helps to explain why the transparency of Michigan’s system was so problematic; if the University had only quantified unobjectionable traits, there would have been little incentive for organized groups of political opponents to challenge the system. Conversely, had the quantification of race been sufficiently obscure, opponents might not have been able to mobilize against it. A similar connection between transparency and contested social material is evident in other cases of contention over the quantification of race, particularly race
and gender in credit scoring and blood quanta rules to determine tribal membership, as discussed at the end of this paper.

A few conditions make the challenge to quantification possible. Quantified decision-making systems embedded in organizational processes—in this case, admissions decisions—are subject to varying degrees and kinds of oversight by authorities by those with some power over the decision-makers. The autonomy of bureaucrats within an organization—and thus the constraints on their use or non-use of quantification—is partly a function of the relationship between the organization and constituents or regulators and the existence of policy routes for challengers to incite change. Those institutional relationships and policy routes condition the possible forms that challenges to quantification may take, as well as affecting their likelihood of success.

Many organizational practices of quantification might be transparent and contentious but opponents lack avenues and tools for changing them. Michigan’s race-based admissions policy differed in key respects that made it vulnerable. As a public university, it was subject to the Freedom of Information Act (FOIA). FOIA law enabled politically mobilized challengers to pry open Michigan’s quantification and make it contentious. Further, race-based affirmative admissions is governed by constitutional law and thus overseen by courts, which have the authority to pass judgment and force changes in organizational practices. Note that these conditions are important in any challenge to an organization’s routines—not just a challenge to quantified decision-making—but we highlight here their connection to the specific characteristics of the system of quantification. The existence of such policy routes differs from cases in which quantified decision-making is highly politicized and dispersed across many
decision-making bodies, such as federal and state criminal sentencing guidelines (Espeland and Vannebo 2007).

Finally, given that challengers find a venue to make their case, a third internal feature of a system of quantification makes it vulnerable specifically to dequantification: *decision-making rules that can be replaced with a qualitative alternative.* The University was not explicitly required to give up its formula for quantifying applicants; it could have kept the formula but simply removed the racial component. But a viable alternative to quantified decision-making existed: holistic review, in which admissions officers consider an individual’s application qualitatively. Significantly, the Supreme Court in *Grutter* deemed this alternative an acceptable method of race-conscious admissions. Holistic review also had legitimacy within the broader field of undergraduate admissions. Elite universities already tended to use highly individualized review systems that emphasize essays and interviews. Although these alternatives are more costly than the simple quantitative system employed by Michigan, they were both practically feasible and professionally legitimate. Michigan thus differs from cases in which a quantified decision-making routine is necessary, such as a court’s need to calculate monetary compensation for difficult-to-quantify social material such as wildlife (Fourcade 2011) or a child’s life (Zelizer 1985).

Throughout, we consider the successful quantification of merit in Michigan’s admissions decisions as a point of contrast. Standardized test scores and grade point averages, as a quantified inputs, are fairly transparent but not based on contested or stigmatized social material, as there is widespread (though not complete) acceptance that they measure aptitude or ability well-enough to add information to admissions decisions. This point of comparison bolsters our argument about the relationship between transparency, contentious status, and the necessary condition of a
mobilized challenge. The University’s continued use of quantified measures of merit highlights the partial character of dequantification after 2003.

By examining the failure of quantification, our analysis sheds new light on quantification. Dequantification may be a piecemeal process, in which some but not all parts of a system of quantification are undone. Following the 2003 Supreme Court decision, the University abandoned its fully quantified points system of admissions and, along with it, the quantification of race. But numbers were not entirely eliminated from admissions decision-making. Grade point average (GPA) and standardized test scores remained core components of decision-making under the new policy. These insights help to refine scholarly conceptions of how organizations manage quantification. Quantification is neither absolute nor a simple binary. When an organization quantifies decision-making, it does so on a continuum, ranging from the consideration of quantitative inputs to entirely mechanical decision-making.

While the primary objective of this article is to refine theories of quantification, it also forwards the study of inequality by attending to cultural processes of meaning making in organizational contexts. Affirmative action is the quintessential (and the most politicized) organizational intervention for addressing racial inequality in the U.S (Hochschild 2002, Skrentny 1996). It entails both identification and rationalization—two cultural processes that, according to Lamont, Beljean, and Clair (2013), are fundamental to the production and alleviation of inequality. Specifically, affirmative action rests on the racialization of individuals’ identities and on bureaucratic measures to facilitate integration, made all the more consequential through the sanctioning of the state. Despite academic and political interest in affirmative action in admissions, only a few studies have investigated its historical emergence (Stulberg & Chen 2011, AUTHOR) or how admissions offices engage in it (Karabel 2005, Steinberg 2002, Stevens
2009), and with little attention to the tensions between racialization and bureaucratization (but see Skrentny 2002). Thus, beyond the empirical novelty of our study of affirmative action, the analysis demonstrates that organizational attempts to rationalize the reduction of inequality are riddled with a tension between standardization (with its implicit logic of merit and neutrality) and redistribution (with its logic of justice and culturally-specific identification). Organizations normalize this tension through their pragmatic routines of evaluation.

This article proceeds as follows. We first present a framework that synthesizes existing research on quantification and organizational decision-making to produce a useful theoretical vocabulary. We then provide necessary background on the history of college admissions and the legal and political debates over affirmative action. Following a summary of the research design and methods, we proceed to an extended analysis of the case of undergraduate admissions at Michigan. We conclude with a brief discussion of other cases in which the three internal features and the extenuating conditions identified here might helpfully explain the vulnerability of quantitative decision-making.

**What Is Quantification?**

Quantification, following Espeland and Stevens (2008: 402), is “the production and communication of numbers.” Contemporary works on quantification document the proliferation of quantification, from the 19th century “avalanche of printed numbers” (Hacking 1982) to cutting edge techniques in the valuation of non-market goods (Fourcade 2011, Beckert and Aspers 2011). Much of this literature addresses the causes and consequences of particular quantifications. More synthetic works (e.g. Espeland and Stevens 1998, 2008) emphasize the important effects of quantification. While a few studies of quantification to date have examined
partial resistance to new forms of quantification (e.g. Espeland 1998, Huault and Rainelli 2011), none have considered situations in which quantification fell apart.

Existing case studies of successful quantifications suggest a tentative principle: that numbers, even bad numbers, drive out no numbers. Once in place, quantification does not seem to yield easily, except perhaps to a “better” quantification, no matter how “bad” the critics allege the system to be. Much like Weber’s (1958) iron cage of rationality, quantification sticks. For example, Espeland and Sauder (2007) show that even though college administrators believe law school rankings to be flawed or illegitimate, the administrators feel compelled to compete and improve their numbers.

In order to investigate the conditions under which quantification may be more or less successful, we turn to Espeland and Stevens (2008) who argue that the power of quantification rests in both its internal construction and its context. Drawing on the tradition of actor-network theory, they explain that systems of quantification are built on networks of heterogeneous actors: the people and organizations that produce the numbers, the things or individuals quantified, end users, routines and techniques of calculation, physical media (forms, computers, calculators), and so on. Numbers gain authority depending on how well the networks among objects and humans are constructed. When well established, the networks that comprise a system of quantification “become so sturdy they are no longer disputed or subject to disassembly” (Espeland and Stevens 2008: 421). Although we do not explicitly employ the vocabulary of actor-network theory, our analysis can be understood as an extension and specification of Espeland and Stevens’ argument,

---

1 This formulation is modeled after Gresham’s Law, an economic principle dating back to the 16th century which states “bad money drives out good.” In this case, bad money referred to a devalued currency whose exchange rate was pegged to a more valuable currency (e.g. silver and gold). The ‘good money’ would leave circulation, as its material value was greater than its value as currency.

as it looks to the construction of quantification in context to understand how the networks surrounding numbers can become less powerful.

Focusing on the act of quantification itself, we identify a few key processes of standardization that are necessary for quantification and thus can potentially act as sites of vulnerability. Analytically, the initial step of quantification is the division of the world into distinct types or kinds (of experiences, of people, of anything). This is categorization—the development of a system of discrete, bounded bins into which particular cases can be coded. The imperfect process of formally dividing the world lays the groundwork for quantification (Bowker and Star 2000). After categories are produced, rules of classification come next: guidelines for assigning a particular case to a generic category (Garfinkel 1967). The guidelines for classification can range from tacit and ad hoc to clear cut and formal.

Classification enables enumeration, or the counting of particular kinds (people or otherwise). It also makes possible valuation—the process of attaching numeric values to categories. Specifically, valuation refers to the attachment of numbers that measure, not just numbers that mark (such as addresses on a house) (Espeland and Stevens 2008: 407-410). Valuation makes categories and cases commensurable, or comparable on a single scale (Espeland and Stevens 1998).

---

3 Following Goffman (1974), science studies scholars sometimes refer to this process as framing (e.g., Callon 1998).
4 This usage contrasts somewhat with the variety of definitions present in the literature (Graeber 2001, Lamont 2012). A thorough discussion of the relationship between this minimal definition of valuation as numeric assignment and these broader economic, cultural and semiotic understandings of valuation is beyond the scope of this article.
5 Categorization and classification are common social processes and they take place even without valuation. For example, in a taxonomy of species, the archetypical categorization (Foucault 1994, Bowker and Star 2000), no species is explicitly “more” or “less” than any other.
A system of quantification is composed of formal guidelines for categorizing social material, classifying individual cases, and assigning numeric values. Such a standardized system generates numeric outcomes. We emphasize systems of quantification to highlight how these steps are integrated into decision-making, in place of the more vague, standalone term “quantification.” Systems of quantification commonly build on already existing quantifications as well as past efforts at categorization and commensuration (cf. Holm 2007).

Quantification, Organizations, and Decision-Making

Modern organizations quantify voraciously. Producing those numbers requires work. Categories must be designated and differentially valued and guidelines for classification must be implemented. Organizations commonly rely on systems of quantification to make decisions and may incorporate these systems into decision-making to differing degrees. At one extreme, organizations have routines (Pentland and Feldman 2005) that consult systems of quantification in decision-making but incorporate these systems in non-mechanistic ways. Often, these routines rely on quantifications that, as “truths of nature” or “facts of the matter,” are supposed to capture a natural or social process. For example, employers look at measures of inflation, like the Consumer Price Index (CPI), when determining employees’ raises (Stapleford 2009). The importance of the CPI comes from its perceived objective measurement of economic conditions, but it may be one of many inputs into a messy process.

In a somewhat more mechanical form of decision-making, organizations rely on numbers specifically tailored to the decision at hand. For example, the SAT and consumer credit scores are systems of quantification that are closely connected to specific decisions: whom to admit and whom to lend to. While someone may care about the ability of quantified inputs to measure an
underlying reality (e.g. does the SAT really capture academic ability?), such inputs tend to be justified as valid predictors of behavior, such as college graduation, rather than as accurate representations of nature (Lemann 1999, Zwick 2004).

Finally, at the other extreme, some organizational decision-making is entirely quantified. It rests on explicit quantitative decision rules that use a calculation to generate a decision mechanistically, such as failing a student on a multiple-choice exam or, as this paper shows, admitting a student to college based on a mechanical combination of grades, test scores, and other factors. The final outcome of a system of quantified decision-making may be a number, such as a monetary award in a lawsuit based on a calculation of damages (Fourcade 2011), or it may be a binary, yes/no decision, such as choosing to build a dam (Espeland 1998) or admit a student.

A system of decision-making is more or less quantified depending on the extent of standardization and valuation. A highly quantified system consults numerous categories, has extensive rules for classifying people or things in those categories, assigns consequential numeric values, and relies heavily on numeric outcomes achieved through quantitative decision rules.

The failure of quantified decision-making can take several forms. Dequantification, then, refers to the elimination of an established quantitative practice or routine in favor of a qualitative one. Quantitative decision rules might be eliminated, so that decisions are no longer based on mathematical calculations but rather some set of numbers are still consulted. It could involve the removal of the numeric values assigned to certain categories but the continued use of those categories. In its most extensive form, a successful challenge could entail the rejection of the fundamental categorizations and classifications upon which the valuation is based. Just as the
quantification of decision-making is a spectrum, so too is dequantification. By specifying this spectrum, our analysis refines the scholarly treatment of quantification. We will return to the concept of dequantification in the conclusion, to highlight empirically the multiple ways dequantification may proceed.

**Power and Expertise in Decision-making**

Just as numbers may serve as pragmatic tools for guiding decisions, they also are mired in power dynamics. This is especially evident when expert authority comes under siege. Porter (1995) found that when the Army Corps of Engineers faced criticism from policymakers, the government engineers adopted cost-benefit analysis (CBA) to strengthen their arguments in favor of particular projects. No longer did these projects seem to be simply the engineers’ favorites, they now appeared the most beneficial for the least cost. With CBA, the engineers could mask potentially controversial decisions with the appearance of objectivity and rigor (see also Alder 2002, Jasanoff 1991). Porter (1995: 8) usefully summarizes the power of quantified decisions: “A decision made by numbers (or by explicit rules of some other sort) has at least the appearance of being fair and impartial… Quantification is a way of making decisions without seeming to decide. Objectivity lends authority to officials who have very little of their own.” Similarly, Espeland (1998) observes that elites who depend on the approval of powerful outsiders find quantitative decision techniques particularly advantageous.

Organizations’ systems of quantified decision-making promise mechanical objectivity: anyone applying the system should produce the same decision. The expertise inherent in the system replaces individual judgment. Following the logic used by Porter and Espeland, the more quantified a decision is, the more objective it should seem and the harder it should be to
challenge. Routines that simply consult numbers should be seen as less objective than fully mechanical quantitative decision rules. For our case, as Michigan increasingly quantified its admissions decisions between 1964 and 1998, we would expect that the University’s policy would become ever more invincible.

Contrary to these expectations, the legal challenge to affirmative action at the University of Michigan directly attacked the objectivity of Michigan’s quantitative decision rules: the challengers argued that these rules violated law, above all else, and also disregarded social complexities of race. The challenge to Michigan’s admissions practices only makes sense in the context of the admissions objectives the University was pursuing, the legal and political constraints it faced, the contentious complexities of racial categories in the U.S., and the ironies of standardized interventions intended to ameliorate social inequalities.

Selective College Admissions and Affirmative Action

Like other important organizational routines, admissions practices enable a university or college to select and secure resources necessary to its survival (cf. Pfeffer and Salancik 1978). Beyond the obvious need to fill classrooms, admissions practices serve the tripartite goals of financial stability, prestige, and legitimacy in the eyes of the public and the state (Killgore 2009: 472; Karabel 2005, Stevens 2009). To balance these complex organizational needs, universities rely on specialized admissions offices, administrators, policies and programs, and routines. Admissions practices are especially important for selective universities, which reject a large number of applicants. Selective universities vary in the extent to which admissions routines rely on quantification to complete this balancing act, and in the systems of categorization they use to evaluate applicants.
Since the 1960s, two attributes of a student body have become very important for the legitimacy of selective universities: academic merit and racial minority representation. The legitimacy imperative around merit was, at heart, a shift in the perception—among admissions counselors, students, and the public—that a respectable educated class should be composed of the most intelligent individuals, not just those from elite backgrounds (Lemann 1999). Universities ought to be gatekeepers of the meritocracy, not merely incubators for the children of the wealthy. Even before college rankings began to rely on SAT scores as a measure of the selectivity of the student body, universities used standardized tests to define and identify the most talented students and target them for recruitment. Since the 1980s, selective universities have worked hard to admit these students, motivated in large measure by influential university rankings that prioritize measures of selectivity (percentage of applicants rejected) and academic merit (standardized test scores and GPAs) to determine the status of universities and colleges (Stevens 2009, Espeland and Sauder 2007, Sauder and Espeland 2009).

By the late 1970s, most elite universities also sought to admit students of color, particularly black students. These students would seem to further the social justice agendas of equity and diversity and enhance universities’ public credibility “especially among non-elite populations” (Killgore 2009: 480). Affirmative action in admissions (“affirmative admissions”, cf Skrentny 2002) entails proactive efforts to increase the likelihood that racial minorities attend and graduate from universities and colleges. In admissions decisions, it gives favorable treatment to members of certain racial or ethnic minority groups above and beyond what a university or college designates as evidence of academic qualifications of merit. It defines a student’s racial group membership as a relevant non-academic factor along with such factors as extracurricular activities and alumni relations. Affirmative admissions also can occur in recruitment, advertising,
scholarships, and academic support programs, which are considered “soft” forms of affirmative action (Stulberg & Chen 2011).

**The Politics of Racialization and Affirmative Admissions**

Colleges’ efforts to affirmatively admit racial minority students have been far more controversial than their efforts to enroll meritorious students. This controversy is rooted in the long, troubling history of race in the U.S. Since the country’s inception, racial identification has been used primarily for nefarious purposes: as the basis for exploiting black people and other non-white groups and granting white people access to power, esteem, and resources (Omi and Winant 1994). Such exploitation depends on the categorization of people into different racial groups according to classification rules, the preferential valuing of those deemed white, and the stigmatization of those deemed non-white (Hacking 2005). Although slavery was legally abolished in the late nineteenth century, the decades of legalized racial segregation and discrimination that followed were legitimized by widely accepted, state-codified racial categories. By the mid-20th century, political unrest over racial inequality led to consequential legal restrictions on the use of race in organizations’ decision-making. With the passage of the U.S. Civil Rights Act of 1964 and subsequent legislation, universities and other organizations could no longer discriminate based on race. Affirmative action emerged in this period, as well, as a strategy of evaluation that allocates resources to racial minorities and promotes their pro-active inclusion in the workplace (Skrentny 2002) and at universities and colleges (Stulberg & Chen 2011).

The very categories and classification schemes that define race have been historically varied and contested since the federal government began racially classifying the population with
the first national census in 1790 (Prewitt 2005). These categories became more formalized following a 1977 directive by the Office of Management and Budget suggesting all government uniform guidelines for racial data collection according to five distinct groups: American Indians and Alaska Natives, Asians and Pacific Islanders, Non-Hispanic Blacks, Non-Hispanic Whites, and Hispanics (Snipp 2003: 573). These racial categories have since been adopted by government agencies as well as many non-governmental organizations for purposes of data collection and defining the beneficiaries of affirmative action (Skrentny 2002). However these rules of racialization do not neatly correspond with popular understandings of race (Snipp 2003) and have been challenged by political movements (Williams 2006).

Like racial categories themselves, affirmative admissions has been embroiled in political controversy. The debate centers on the fact that universities make evaluative decisions about scarce resources—slots in an entering class and financial aid—by racializing individuals and deliberately valuing people of color for their minority status. The liberal defense of affirmative action argues that race-conscious decision-making achieves important societal goals. In the 1970s, popular rationales drew on a discourse of remedying inequality, but universities and employers have stressed the value of achieving diversity since the Supreme Court, in the 1978 Regents of the University of California v. Bakke case discussed below, identified racial diversity as an acceptable admissions objective.

The popular conservative or libertarian position against affirmative action initially emphasized white supremacy but, by the 1980s, adopted a discourse of colorblindness (MacLean 2006). The colorblind position asserts that any deliberate recognition of racial categories in employment and admissions decisions is tantamount to racial discrimination and violates individual liberties. Supporters of colorblindness call for the complete elimination of affirmative
action—or, in their oppositional terms, “racial preferences.” Some propose that the government altogether stop racializing individuals by removing questions about race from the Census and other surveys.

Conservative activists have mobilized litigation and state referenda to contest public universities and public employers’ policies of affirmative action. Litigation brings in the outside authority of the U.S. judiciary. The courts, which have become increasingly conservative, have narrowed the conditions under which it is acceptable to consider race in such decisions as hiring, college admissions, and school enrollment (Anderson 2002; Nelson et al 2008). Notably, federal judges, with Republican appointees taking the lead, have applied the most rigorous type of constitutional review, called strict scrutiny, to racial classifications used by state programs to determine their legality under the 14th Amendment to the Constitution (Skrentny 2002). If a public institution, such as a university, relies on racial classifications, it must demonstrate that it is using those classifications without malicious intentions. In particular, the courts have rejected racial quotas (the use of numeric requirements and numeric goals based on racial classifications) as discriminatory, even those intended to remedy racial injustices. The question of strict scrutiny was raised in *Gratz, Grutter*, and again most recently in *Fisher v. University of Texas at Austin, et al* (2013), in which the Supreme Court allowed affirmative admissions to continue but added an ever higher burden of proof for universities that wish to practice it.

The ability of opponents of affirmative action to leverage legal mechanisms proved instrumental in the dequantification of Michigan’s admissions policy. This ability was predicated not only on access to resources, but also on framing the argument such that race and merit were

---

6 Private colleges and universities are not subject to the 14th Amendment’s ban on discriminatory government action. However, if they receive federal funds (and most do), they are held to the same prohibitions on racial discrimination as are public universities under the Equal Protection Clause of the 14th Amendment.
constructed as fundamentally different categories. Producing “race” as a problematic category, one which threatened the legitimate work of the “merit” category, turned out to be a powerful rhetorical line for the affirmative admissions challengers. The importance of this context was made evident through the design and methods of our empirical investigation.

**Research Design and Methods**

This is a theory-driven, historical-ethnographic study of a single case. Our primary objective is to trace and explain specific processes in order to refine broader theories of quantification. The processes of interest are the quantification and dequantification of undergraduate admissions. We treat admissions as an organizational routine (Pentland and Feldman 2005) that determines the makeup of a key organizational constituency: the student body, most immediately the first-year class and transfer students. Following Karabel (2005: 559, italics in original), we define admissions policies as “the criteria (academic, cultural, personal, etc.) that govern decisions of inclusion and exclusion, the procedures for assessing applications, and finally the practices of the office of admissions, which may not correspond to the official criteria and procedures.” The study focuses on the decision rules for evaluating applications and admitting and rejecting applicants, not the details of the entire admissions process.

Our theoretical interest in the power of quantification drove the case selection, framed the research question and puzzle, shaped our expectations, and directed attention to relevant evidence (Espeland 2009). The selection of Michigan builds from Luker (2008), who argues for theoretically sampling of “data outcroppings”—rich sites where we expect many insights can be found based on past theory. Similarly, Stinchcombe (2005), Small (2009), and Burawoy (1998)
advise that ethnographic and historical research makes the most headway by studying cases with extreme or rare outcomes.

Case studies are useful for establishing the existence, emergence, and evolution of a process, practice, or dynamic (Glaser and Strauss 1967; Small 2009) and for making sociological explanations more specific and more complex (Lamont and White 2009). Single case research is particularly well suited for theory-driven process tracing (Gerring 2006). Our analysis reconstructs the series of events within the case that drove quantification and dequantification. We consider the University’s reiterated problem (Haydu 1998) of “creating a class” of undergraduates (Stevens 2009) in four discrete periods of time (1964–1978, 1978–1998, 1998–2003, and 2003–2004). These four periods are distinguished by changes in organizational logic or “organizational thinking” within the institution (Douglas 1986) about race, merit, admissions, and the role of quantification of admissions decisions.

We theorize from concrete evidence, developing an explanatory argument through an iterative process of analyzing evidence and reconsidering theory. The analysis entails both deduction from general theory and induction from detailed observation and so, like other analyses that use theory-driven process tracing, it generates “highly specific propositions” based on “highly specific observations” (Gerring 2009, p. 118). To refine our understanding of the chain of causal processes that propelled quantification and dequantification, we draw from theory to consider factuals and counterfactuals, most notably by comparing the contention around the quantification of race to the relatively uncontroversial quantification of merit.

The research design relies on logical inference rather than statistical generalizability, so it is best suited to generalizing “up” to higher orders of abstraction rather than “across” to a large population of nearly identical cases (Luker 2008). In the discussion, we extrapolate the argument
to a few alternate cases in which quantification was highly contentious and failed in some respect: credit scoring, blood quantum laws, and monetary compensation in lawsuits. Following a case-study logic, we added these cases sequentially for the analytic purpose of refining our argument (Small 2009) rather than to document the prevalence of dequantification or show its variation. As we developed our argument, we referenced these additional examples to confirm, challenge, and refine our observations and explanations (Espeland 2009). In the discussion section, we show how insights derived from the Michigan case generalize to help explain the outcomes of those cases.

Evidence for this study includes archival research, interviews, ethnographic fieldwork, and textual analysis. Chronologically, the data collection began with the second author’s ethnography of affirmative admissions at Michigan between 2002 and 2005. That author conducted a total of 31 formal interviews with University officials and activists as well as participant observation of political activities surrounding the Gratz and Grutter litigation and, following the Supreme Court’s decisions in 2003, activities of the Office of Undergraduate Admissions such as staff training for the new holistic admissions policy (see AUTHOR). This material was relevant when we subsequently collaborated to design our study of dequantification. At that point, we conducted extensive archival research, examining the University’s publications and promotional materials spanning a forty-year period as well as internal organizational documents stored in the Bentley Historical Library. The data collection focused especially on policy memos outlining the admissions process as well as internal correspondence between the Office of Undergraduate Admissions and the President’s office, the Provost’s office, the College of Literature, Science, and the Arts, and other administrative units. These materials provided evidence of the development of affirmative admissions at Michigan
and the pressures placed on the admissions office. The analysis relies, too, on close readings of the arguments, rulings, and supporting documents associated with the *Gratz* case.

**Undergraduate Admissions at the University of Michigan, 1964-2004**

Over a forty-year period, the University of Michigan adopted an increasingly quantified system of undergraduate admissions and then partially dequantified this system. Given the context of political contention, in which opponents of the system had legal mechanisms to involve an authority with power over the University administration, three features of the University’s system of quantification led to its eventual failure: its transparency, its reliance on contested social categories, and decision rules that could be replaced with a qualitative alternative.

In the following sections, we document the importance of these conditions and features in the historic evolution of Michigan’s undergraduate admissions policy. The University faced changing and cumulative pressures in regards to admissions and its varying objectives of efficiency, selectivity, diversity, the admission of greater numbers of minority students, public legitimacy, and legality. The major features of admissions during each of the time periods are summarized in Table 1. Between 1964 and 1998, the University adopted an increasingly quantified admissions policy. In the period between 1964 and 1978, it began doing affirmative admissions to accept more students of color, particularly black students. It relied on a two-track admissions system in which standardized test scores and GPA were especially important for the admissions of non-minority students (virtually all of whom were white) and a holistic review of applications from students of color. Between 1978 and the 1998, the University continued to rely on quantified measures of merit and began to quantify its treatment of race. It adopted
separate grids of requirements for minority and non-minority students, with numeric thresholds; this was the initial step of quantifying the contested category of race, albeit not in a transparent manner. In 1998, the University transitioned to the points-system, which (once it was made public) was far more transparent and legible to people inside and outside the admissions office.

TABLE 1 ABOUT HERE

The *Gratz* litigation took place from 1997 to 2003. The litigation challenged both the grids and the point system and culminated in the Supreme Court’s decision that those policies were unlawful. During this legal debate over *Gratz* at the Supreme Court and in the Court’s final decision, the justices relied heavily on the transparency of the points system and raised their concerns about the University’s quantification of race. Between 2003 and 2004, the University (partially) dequantified undergraduate admissions, substituting its quantitative rules for a new policy of holistic review in the context of continuing pressures for diversity and selectivity and additional legal concerns. Throughout these periods, merit, as measured by standardized test scores and grade point average, was never a particularly controversial category.

1964-1978: Affirmative Action's Holistic Beginnings

In the first period of affirmative admissions at the University of Michigan, from 1964 to 1978, the University used a two-track system of admissions. Its admissions policy was characterized by the use of quantified measures of merit to evaluate white applicants and the use of holistic, expert judgments of character to evaluate individual racial minority applicants, the vast majority of whom were black. This bifurcated approach to assessment was driven by two significant changes that the University made to its admissions routine in the 1960s: increased use of quantified measures of merit and increased emphasis on undergraduate minority recruitment.
In 1959, the College of Literature, Science, and the Arts (LSA), the largest undergraduate program, announced that SAT scores and at least one Advanced Placement exam would be required of all applicants. This change was necessary, according to the LSA Dean, because the University would soon be flooded with applicants as baby boomers came of age. Soon thereafter, the University inaugurated its first affirmative admissions program. While the University had quietly, and without much controversy, admitted small numbers of non-white students dating to the 1950s, President Harlan Hatcher made affirmative admissions a priority. In a 1963 report to the faculty, he asserted that the University had a duty to recruit and retain “deprived” students, who he described as capable of academic work at Michigan “once the handicaps of poor training have been removed.” Inspired by the demands of the black civil rights movement, university leaders around the country were becoming more aware of racial inequality (Stulberg and Chen 2011: 22).

With the new Opportunity Awards Program (OAP), the University adopted new evaluative routines based on a new organizational logic. It began to use racial categories to define students—notably, designating men and women of color as deprived—and to assign a historically new cultural and social worth to minority students. Announced in January 1964, OAP was a scholarship program for students whose socio-economic background was one of “deprivation and disadvantage.” This was a logic of redistribution, justified with a rhetoric on creating opportunity to remedy disadvantage (Berrey 2011). University administrators specified

---


that OAP participants should be culturally deprived as well as academically talented.⁹ They downplayed the treatment of race, stating, “We apply poverty and cultural criteria in seeking students, and not race, as such. We do not give special dispensation to Black students […].”¹⁰ In practice, OAP served racial minorities and primarily black students, who comprised 85% of the first four OAP classes. For administrative purposes, all minority applicants were understood to be part of the OAP stream.

OAP included, importantly, holistic admissions decisions. Officially, OAP students needed to have a high school record of B average or above; letters of recommendation from high school teachers; a “commendable personal record”; and “proven membership in a disadvantaged group.”¹¹ These criteria were similar to those used in the standard admissions practices for non-minority students. In practice, however, the University had a two-track system for white applicants and racial minority applicants. The racial minority students were judged less mechanically than white students who applied through the University’s mainstream process. The OAP students were recruited separately through intensive personal contact and evaluated based on altered admissions criteria, with “promise” weighted over numerical scores (Greenland, Chen and Stulberg 2010).¹² Mainstream applicants were expected to have a 3.3 high school GPA as well as SAT scores in the top 25% in order to be admitted. OAP applicants who fell short of these numerical targets, on the other hand, were admitted if their letters and personal records

⁹ Ralph Gibson’s report to President Robben Fleming and SACUA, December 30, 1968, folder “Steering Committee on the Development of Academic Opportunities,” box 1, John Chavis papers. Bentley Historical Library.
¹⁰ “Need to recruit poor cited at U-M,” Ann Arbor News, 1/11/67
¹² Vice President for Academic Affairs papers, various memos dated May, 1963 through August, 1964, box 1, VPAA papers. Bentley Historical Library.
indicated evidence of promise as defined by recruiters. Administrators publicly explained the program’s criteria, citing research about the inadequacy of quantified measures as predictors of the promise of disadvantaged students:

There is considerable evidence that [disadvantaged students are] not as accurately judged by test score devices which are generally applied to those who have had both cultural and educational advantages in elementary and secondary schools. There is also evidence that their high school grades are less meaningful than their degree of motivation.\(^\text{13}\)

In short, the standardized measures of merit used to evaluate mainstream applicants were deemed insufficient to assess disadvantaged students’ potential.

Under the early holistic admissions policy, the proportion of minority students grew slowly: in 1967 less than 1.5% of the University’s 30,000 students were black. That same year, a government audit of the University’s compliance with Title VI criticized the institution as primarily serving “rich white students” (Nelson 1967). By 1969 minority students comprised 3.4% of the student body. This figure did not satisfy campus activists. Emboldened by campus anti-war demonstrations, students organized the Black Action Movement (BAM) and demanded, among other things, that minority student enrollment be increased to 10% (Brune 1994). The campus-wide BAM strike, which attracted national attention, marked the first time that the University’s admissions procedures became the object of public criticism and discourse. BAM’s activism made the category of race and its treatment in admissions decisions much more contentious.

The Board of Regents officially refused BAM’s demand, but University leaders implemented a plan that aimed to have minorities constitute 10% of the undergraduate

\(^{13}\) “Answers to some Frequently-Asked Questions about the expanded Opportunity Award Program at the University of Michigan.” University Relations Office memo, April 28, 1970, box 15, Fleming papers. Bentley Historical Library.
enrollment. To do so, they augmented the existing affirmative admissions infrastructure. In 1970, the Board of Regents voted to triple OAP’s budget.\footnote{From $980,000 in 1970 to $3 million in 1973-1974. Admissions Office budget data, 1972 and 1973 reports. Archives of the Office of Budget and Planning, University of Michigan Office of the Provost.} Recruitment procedures were streamlined. One-on-one interviews were still encouraged but no longer required, and rather than relying on just one recruiter, former Opportunity students were asked to help identify and recruit potential students. The University continued to evaluate test scores cautiously for minority students, sometimes throwing these scores out altogether.

In this first phase of affirmative admissions, then, the University laid the groundwork for categorizing and classifying students by their racial status and applying different bureaucratic procedures according to these racial categories. Race became a contentious category, but at this point in history because of its association with societal inequality and deprivation. The organizational logic regarding race was that it could be made less problematic through affirmative action, which could remedy disadvantage. Merit, as a measure of academic preparation, was largely uncontroversial. This sorting groundwork and organizational logic persisted for decades. However, the University quantified its rules for evaluating applicants.

---


In the 1980s, University administrators retained a two-track system of admissions but began to evaluate the merit of minority students according to the same criteria as non-minority students. They created basic quantitative decision rules for making those admissions decisions. The new decision rules, formalized in grids with numeric thresholds, treated race as a literal plus
factor and did so in a very transparent manner, which anti-affirmative action activists learned of and made known to the public in the late 1990s.

The University quantified the admissions policy in the face of several new challenges, most notably increased demand for admissions, new pressures to cultivate an image of selectivity, and new legal constraints on the use of race in admissions. Throughout the 1980s, the Office of Undergraduate Admissions (OUA) faced a surge in application numbers. While several high-ranking administrators preferred qualitative assessments of applicants, the office was struggling to find a way to process applications more efficiently.\textsuperscript{15} In 1975, it received 11,060 applications for its freshmen class. In 1980, this number stood relatively unchanged at 11,595. But by 1985, OUA received 16,281 applications, a 40\% increase.\textsuperscript{16} Staff members were criticized for making decisions too slowly, ignoring applicants’ enquiries, and mismanaging admit data.\textsuperscript{17}

This increase in applications presented OUA with reason to be more selective in admissions decisions. Throughout the 1980s, the University of Michigan’s national reputation steadily improved. As President James Duderstadt explained in 1987, when the University received just under 20,000 applications for freshman admission, “[W]e have become a ‘hot school,’ a ‘public Ivy’ (according to the college guidebooks).”\textsuperscript{18} It was precisely during this

\textsuperscript{15} Letter from Jack Meiland, Associate Dean of LSA, to Vice-President for Academic Affairs Billy Frye, June 25, 1984, folder “Admissions Office, 1983-1984,” box 152, VPAA papers, Bentley Historical Library. See also: letter from Robert Holmes, Associate Vice-President for Academic Affairs to Billy Frye, December 10, 1984, folder “Admissions Office, 1983-1984,” box 173, VPAA papers, Bentley Historical Library.


\textsuperscript{17} Letter from Billy Frye to Robert Holmes, June 4, 1984, folder “Admissions Office,” box 152, VPAA papers, Bentley Historical Library.

\textsuperscript{18} Memo from James Duderstadt to Robert Kennedy, June 9, 1987, folder “Admissions Office: General,” box 214, VPAA papers, Bentley Historical Library.
period of time that published college rankings—the “guidebooks”—drew widespread interest and universities were using them to cultivate a class of education consumers (Espeland and Sauder 2007: 9-10). Michigan consistently ranked in the mid-20s in the newly relevant U.S. News and World Report college rankings, with its strong academic reputation somewhat compensating for its selectivity scores, which were low compared to other top schools.¹⁹

_Bakke and the Turn to Diversity_

As the University faced new pressures around demand and selectivity, it also confronted new legal constraints on its affirmative admissions policy. In September 1978, University officials held a two-day conference to discuss its admissions procedures and minority recruitment in light of the Supreme Court’s decision in the first major legal case on affirmative action and admissions, _Regents of the University of California v. Bakke_. Alan Bakke, a white man, was denied admission to the University of California’s medical school at its Davis campus. He challenged the medical school’s set aside of 16 of 100 seats for African-American students.

The Court announced six separate opinions in this very divided decision. Five of the justices determined that the UC-Davis policy to be an unconstitutional racial quota. Of those five, Justice Lewis Powell was the only one of who found that race could be considered in admissions decisions. But he also departed from the other four justices, called the “Brennan Four,” who considered affirmative action an acceptable means of remedying racial minority disadvantage. In his solo-authored opinion, Justice Lewis Powell provided a non-remedial defense of affirmative action. He reasoned that “diversity” is a compelling goal in admissions decisions because “the robust exchange of ideas” is central to the educational mission and ensues

from an environment that is diverse along many dimensions, including but not limited to race and ethnicity. He wrote that an applicant’s race or ethnicity could be treated as a “plus factor” in admissions decisions. His opinion was not a majority opinion, but it allowed for the consideration of race in admissions while also placing the most restrictions on the admissions process. Thus it provided the most restrictive and, therefore, most defensible guidelines for universities with affirmative admissions programs.

The Bakke decision prompted the university to modify both its organizational logic of affirmative admissions, which had been based on a rationale of remedying racial minority disadvantage, and its admissions routine of holistically reviewing minority applicants. At the September 1978 conference on Bakke that the University organizations, administrators articulated an interpretation of the ruling was similar to that of universities throughout the country: the race of an individual applicant could be taken into consideration but could not be decisive in a decision (Thelin 2004: 348) and such consideration was for the purposes of fostering diversity. Conference participants also stressed the importance of using standardized test scores and high school GPA for admissions decisions. Doing so, they explained, would ensure compliance with Bakke by subjecting all applicants to the same criteria and it would simultaneously satisfy the University’s newfound concerns about selectivity. Subsequently, the University turned away from public discussion of minority enrollment targets. Its public rhetoric emphasized diversity as a social characteristic and treated students as bearers of personal and social qualities that could contribute positively to the university community (Berrey 2011). In practice, the University began to make admissions decisions based on quantitative assessments of both race and merit.
In 1980, following its analysis of the implications of *Bakke*, the University further quantified its admissions decisions. Its new policy relied on both quantified inputs and quantified decision rules, with different standards of evaluation depending on an applicant’s racial identity. Specifically, it provided clear threshold criteria for non-minority applicants and “underrepresented minority (Black, Spanish surname, Native American)” applicants, guided by a 3-by-4 grid. In-state non-minority applicants with an SAT score of at least 1000 and a high school GPA of at least 3.5 were admitted. Applicants with scores lower than these thresholds might receive a conditional admission, delayed decision, or rejection. OUA’s grid policy included “Guideline Exceptions” with different threshold SAT and GPA criteria for underrepresented minorities. In 1980, a high school GPA of 3.0 and SAT of 850 ensured admission for a minority student.

The University’s new grid system was informed by an important shift in organizational logic about admissions. Gone was the rhetoric that minority students’ standardized test scores were insufficient indicators of “promise.” Instead the University operationalized Powell’s conception of race as a “plus factor” quantitatively—as a lower quantitative threshold for admitting students of color. The grid system provided clear comparisons between minority and non-minority students.

Through the 1980s, the University modified the grid system, adding more inputs and making the quantitative decision-rules more complex. By 1987, under the direction of Cliff Sjogren, the Office of Undergraduate Admissions system had an acronym, SCUGA, which stood for School, Curriculum, Unusual, Geography, and Alumni. SCUGA added more nuance to the
1980-81 grids. Its basic infrastructure was little altered through 1996. Figure 1 presents the 1996 matrix.

[FIGURE 1 ABOUT HERE]

To process an application, admissions staff calculated what was called a GPA2. First, they created a GPA1 based on applicant’s 10th and 11th grade academic GPA. This GPA1 was then modified based on the other SCUGA factors. Each high school received a “School” score of 0 to .5 based on the average standardized test scores (SAT, ACT) of the students who attended the school and the percentage of students who attended college. Similarly, students’ curricular choices (“Curriculum”) were ranked on a scale from -.2 to +.4. These scores were then added to the recalculated GPA to account for mediating factors such as the difficulty of the school and the curriculum chosen.

Unlike the first grids, SCUGA incorporated other, non-academic, organizational priorities into the calculation of a student’s GPA2. A student’s “Unusual” personal accomplishment could net them a bonus to their GPA of up to .3, although relatively few students received this bonus. Students received a “Geography” bonus for being residents of northern Michigan, rural areas, and some Western and Southern states. Finally, students received a bonus for having an alumnus relative (“Alumni”). Together, these factors constituted GPA2, a mélange of individual academic performance, contextual modifications intended to measure that performance more accurately, and other variables to satisfy organizational interests in recruiting students with alumni relatives, from underrepresented regions, or with unusual, non-academic talents. Using this quantified

---

21 1995 SCUGA p. 2
22 “It is expected there will be no more than 20 to 30 students who would qualify for a “U” factor.” 1995 SCUGA p. 3.
system, admissions officers mechanistically calculated admissions decisions. To determine a student’s decision, they compared the GPA2 (on the left column of Figure 1) to the student’s standardized test score (on the top row) to find the appropriate cell.

With SCUGA, the University continued to treat race in a coarse fashion. It racialized students by assigning them to one of two categories: “majority” (white, Asian American) or “underrepresented minority” (African American, Latino, Native American). For each year, the University produced multiple grids. In 1996, the university created a single matrix that included in-state minority and non-minority students, as shown in Figure 1. According to that matrix, an in-state, white student with a GPA2 of 3.0 and an SAT of 1100 would be rejected, while an in-state African American with the same scores would be accepted.

Although the decision rules of SCUGA were more complex than the first grid system, they were recognizable and legible based on the written policy. And the inclusion of race within the grids facilitated the easy interpretation of minority status as a coarse, quantified boost to an applicant’s admission chances comparable to better grades or test scores. Admissions director Sjogren heralded the simplicity and rationality of SCUGA to a national audience.\(^{23}\) He presented the criteria as objective indicators that could be easily modified to account for any extenuating circumstances that could influence the decision-making process. In an interview with the *Ann Arbor News*, he explained the benefits of this formula-based admissions decision: the “simplistic design” and “the ease with which scales can be adjusted to accommodate more or fewer enrollments, or to place greater or lesser emphasis on individual admission factors.”

In the late 1980s, a public controversy erupted over the University’s high rate of out-of-state admissions. Through the 1980s, applications from in-state students decreased and by 1987,

forty percent of the entering class was from outside Michigan. The public in Michigan reacted with outrage over the denial of admissions to in-state students with formerly sufficient test scores and GPAs.\textsuperscript{24} For years, OUA field representatives had explained admissions criteria in numerical terms. Now, Michigan residents decried the admissions process and demanded an explanation – in numbers. Newspapers profiled Michigan high school graduates whose applications were rejected by the University. Such stories focused on test scores, grade point averages, and other measures of merit as evidence that well-qualified in-state students were not being admitted. An article from \textit{The Flint Journal}\textsuperscript{25} is exemplary:

Even seniors ranking academically in the top 10\% of their class are receiving admissions rejection notices from the university:

A Grand Blanc High School senior with a 3.88 GPA, out of a possible 4.0, was turned down for admission to the Engineering School.

A Holy Rosary Catholic senior finished third in his class academically with a 3.62 GPA but was rejected for pre-law “due to a large increase in applicants.”

In their letters of complaint to the University, aggrieved families described the numeric profile of the rejected applicant. Like the OUA counselors, they had come to understand merit-based admissions decisions in quantifiable terms. Aggrieved families did not reject quantified decisions on principle. In fact, the public outcry reveals widespread acceptance of quantified measures of merit. The problem was that those measures did not apply to all applicants evenly.

In a 1987 newspaper article, Sjogren described the University’s selectivity and spoke candidly about the standards used by his office: “We turned away 7,000 qualified students this year. That means they had a 3.0 grade-point average and 1,000 or better on the Scholastic Aptitude Test. Those are students who are in the top one-third nationally, and we believe they could have done the work at Michigan.” He explained that the average high school GPA for

\textsuperscript{24} E.g., University of Michigan, Proceedings of the Board of Regents, Mar 1987:1096
entering freshmen had risen from 3.2 a few years prior to 3.5 or 3.6. “That sets the standard for instruction up higher. The gap has widened, making it more difficult for minority students to keep up.” Minority students’ applications were judged differently: “It's no secret that we're taking minorities with lower GPAs than majority students … We don't go out and tell the world about it, but we're not making a secret of it either.” The newspaper article described the SCUGA system and explained how OUA staff used it to make decisions about applications.

For admissions administrators, it was perfectly reasonable to quantify their evaluations of students’ qualifications and to evaluate students differently based on their racial minority status. The administrators treated this heightened standardization of admissions as efficient, effective, and fair. However, the ease of reading affirmative action policy off the SCUGA decision admissions grid played a crucial role in the decision by affirmative action opponents to challenge affirmative admissions at Michigan.

*Uncovering the “Smoking Gun”*

At this same time, anti-affirmative action activists had political momentum and resources to push their cause. Most importantly, they had FOIA, which served as a legal mechanism for producing transparency at Michigan and engaging the external authority of the courts. In December 1995, Carl Cohen, a professor of philosophy at the University, submitted a FOIA request for Michigan’s admissions policies. Cohen had been a longtime opponent of affirmative action. After a few months, Cohen received the SCUGA grids and then wrote up a scathing report and sent copies to the regents and President Duderstadt. Of the SCUGA grids, Cohen

---

28 Interview with Carl Cohen.
noted, “In ten cells in which GPA is 3.0 and above but SAT scores are below 1000, majority applicants are rejected, but minority applicants accepted.”\textsuperscript{29} He concluded by highlighting the contrast between the University’s admissions process and its stated policy of non-discrimination: “Admission practices at The University of Michigan show very marked preferences by race and ethnic category. This is not consistent with our formal profession of strict equality of treatment by race.”\textsuperscript{30}

Cohen’s report had a tremendous impact on campus and beyond. Opponents of race-conscious admissions used it in support of their national political activities. Republicans in the Michigan State House and Senate held hearings on discrimination and affirmative action at the University and called on Cohen to testify. A group of Republican representatives began recruiting plaintiffs to file a lawsuit challenging Michigan’s policies, and they contacted the Center for Individual Rights (CIR) to take charge of the litigation. CIR, a conservative non-profit organization, had recently led the first successful challenge to a university’s affirmative action policy since Bakke. In Hopwood v. Texas, the Fifth Circuit ruled that the University of Texas law school could not consider race in admissions decisions, thus rejecting the argument that diversity was a compelling state interest that justified race-conscious admissions policies. Because Texas changed its admissions policies, the Supreme Court declined to hear the case and thus Hopwood only prohibited race-conscious admissions in the 5\textsuperscript{th} Circuit states of Louisiana, Mississippi, and Texas.

In seeking to expand the scope of Hopwood, CIR settled on Michigan as its next target. The legibility of the SCUGA grids and the interest generated by Cohen’s report were instrumental in this choice. As Curt Levy, CIR’s director of legal and public affairs, recounted

\textsuperscript{29} C. Cohen. Racial Discrimination in Admissions at the University of Michigan. p. 3
\textsuperscript{30} C. Cohen. Racial Discrimination in Admissions at the University of Michigan. p. 10
during an interview before the Supreme Court decision was announced,

Ultimately when we started looking at the grids and stuff, it really stood out… [P]art of the reason [we chose Michigan] was A., you had these plaintiffs … And B., you already had some P.R. going about it, so we knew we’d get some publicity for the case…. But more than anything else, the grids provided a very graphic representation of, you know, a two track admission system.\textsuperscript{31}

Or, as Carl Cohen described his experience of showing the report to CIR: “They loved it. These grids, one of them says ‘Phew, the smoking gun!’”\textsuperscript{32} With the FOIA request, opponents of affirmative action brought the grids, with their transparent rendering of the quantification of race, into the public spotlight.

In October, 1997, CIR filed two separate legal claims against the University alleging that its admissions policies were unconstitutional. \textit{Gratz} represented two individuals who had applied for admission to the undergraduate college and were rejected, at least initially. \textit{Grutter} represented an individual who had applied to and been rejected from the law school.

\textbf{1998-2003: The Points System, Overturned}

Between Carl Cohen’s 1996 report and the October 1997 filings, the University made another substantial change to the format of its admissions policies. For the 1998 admissions cycle, the grids were replaced with the Selection Index, also known as the points system (see Figure 2). The new system was designed by a statistician in order to reproduce the decisions made through the SCUGA grids without separating in-state, out-of-state, minority, and non-minority applicants.\textsuperscript{33} The particular quantitative rules for decision-making were changed, but the system of quantification remained essentially intact.

\textsuperscript{31} Interview with Curt Levy.
\textsuperscript{32} Interview with Carl Cohen.
\textsuperscript{33} Deposition of David Hunter.
Under the Selection Index policy, applicants could be admitted if they got a total of 100 points, of which at least 75 had to come from their academics. As with SCUGA, the Selection Index relied on a mix of academic and non-academic factors. Students received 20 points times their 10th and 11th grade academic GPA, up to 12 additional points from their standardized test scores, and more points based on the strength of the curriculum and characteristics of the student’s high school. As with SCUGA, students could also receive points for various non-academic factors including Michigan residency, alumni relatives, and exceptional personal accomplishments, along with a single point for an outstanding admissions essay. Finally, the heterogeneous “miscellaneous” category was worth up to 20 points for students from socioeconomically disadvantaged backgrounds, scholarship athletes, and, crucially, underrepresented racial minority students.

The points system remained in place virtually unchanged during the period of the Gratz litigation, from 1998 through 2003, as the University believed it unwise to change the policy during the litigation process. On the defensive, University officials continually denied that the changes were made in response to the publicity surrounding the grids. They argued instead that the points system was a mechanically simpler way of achieving the same objectives. As with SCUGA, the Selection Index does not seem to have been designed to further entrench the

---

34 For details, see “1998 Guidelines for the Calculation of a Selection Index for all Schools and Colleges Except Engineering”, Admissions Lawsuit Collection, Box 14, file: “Defendant Motions”, Bentley Historical Library.
35 As well as 5 points for men in nursing, and 20 points for a somewhat mysterious “Provost’s Discretion” category.
36 Interview with Chris Lucier. The only notable change was the introduction in 1999 of a system whereby admissions officers could flag files for review by a committee independent of their score on the Selection Index. This change was emphasized in the District Court legal filings, but played little role in the eventual Supreme Court debate.
expertise required to understand or challenge the system. In contrast, by collapsing all categories of students into a single system, the University furthered the transparent comparison of race to other admissions variables.

The *Gratz* litigation challenged the constitutionality of both the SCUGA grids and the points system. In doing so, it involved the U.S. courts, which exercise constitutional authority over the university. The plaintiffs charged that the University’s race-conscious undergraduate admissions policies gave explicit preference to racial minority applicants without sufficient justification. In legal terms, they argued that the policy did not pass the test for strict scrutiny. The central legal question in *Gratz*, as in *Grutter*, was whether the University’s treatment of race in admissions decisions violated the Equal Protection Clause of the Fourteenth Amendment or Title VI of the Civil Rights Act of 1964. In our terms, the litigation contested the University’s valuation of underrepresented minority students in its race-conscious admissions decisions.

In both *Gratz* and *Grutter*, the burden on the University was to show that its use of racial classifications in admissions both served a compelling state interest and was narrowly tailored to achieve diversity. Michigan claimed that its policies passed the standard of strict scrutiny by arguing the diversity rationale: that diversity is a compelling state interest because it brings educational benefits. According to this rationale, universities should be able to consider race in admissions to ensure diversity because students have better learning and leadership outcomes when they interact with students of other racial and ethnic backgrounds. The University also argued that its undergraduate and law school admissions policies were carefully designed to achieve diversity.

*Gratz* and *Grutter* represented the apex of decades of political contestation over the treatment of race in admissions decisions and, more generally, over race-conscious
organizational practices. They were the first major challenges to affirmative admissions since *Bakke* to culminate in a Supreme Court decision. The litigants’ opposing positions mapped onto the broader social, legal, and political contention concerning race in the U.S. The debate cleaved most sharply between those who believed that organizational decision-making should be colorblind because any consideration of race is tantamount to discrimination (the plaintiffs) and those who believed that race deserves consideration in decision-making for the purposes of achieving diversity (the defendants) or remedying racial inequalities (student-activists who intervened in *Grutter* at lower levels of the court). While these broader political debates set the stage, the arguments in *Gratz* focused on the mechanics of affirmative action itself.

*Mobilizing the Transparency of the Points System*

Opponents of Michigan’s affirmative action policies drew on the transparency of the points system to argue that the University’s treatment of race for admissions purposes was unlawful. While the SCUGA grids initially had captured their attention, their legal arguments in *Gratz* focused on the Selection Index. Crucially, the points system and the 20-point award for certain racial minorities made the logic of the policy easily legible and, thus, easy to critique. The plaintiffs’ brief stated: “Beginning with the entering class in 1998, mere possession of the specified racial or ethnic status has been enough to entitle an applicant automatically to 20 points out of a total of 150 . . . The existence of a ‘two-track’ system could not be more apparent.”38 The plaintiffs argued that the existence of the 20 points proved that Michigan was coarsely calculating admissions decisions using a numeric value based solely on an individual’s race —

38 Plaintiff’s Brief, p. 21.
what Powell would describe as the “functional equivalent of a quota.”\textsuperscript{39} The plaintiffs interpreted the 20 points not as an objective measure of any social reality but as a crude, mechanistic form of racial favoritism. In its defense, the University claimed that the Selection Index, in practice, was implemented in a way that gave individualized attention to all applications, considering “race or ethnicity as one of many factors in admissions.”\textsuperscript{40}

The Selection Index also captured the Supreme Court’s attention during oral arguments. The frequency with which the 20-points award was mentioned is illustrative. The justices, the plaintiff’s attorney Kirk Kolbo, and Solicitor General Theodore Olson (who argued for the U.S. Department of Justice as amicus curiae in favor of the plaintiffs) collectively mentioned the terms “20 points” and “20 point bonus” a total of 17 times during the arguments.\textsuperscript{41} In contrast, the University’s attorney John Payton referenced it only twice and in the same sentence: “the 20 points for race and 20 points for athletics.” Payton tried to avoid any discussion of the points system. He typically responded to the justices’ questions about the 20 points by speaking, instead, of every application receiving “individualized consideration” and being “read in its entirety.” As evident in his defense, Michigan’s numbers were not helpful for protecting the University’s authority.

\textit{The Contentiousness of Race}

The plaintiffs made their case in \textit{Gratz} by amplifying the contentiousness of race. They framed Michigan’s policy as problematic on the grounds that any use of racial categories in decision-making is socially harmful. As Olson stated during oral arguments, “[The] Court has

\textsuperscript{39} Bakke, 438 U.S. at 318.
\textsuperscript{40} Brief for the Respondents, \textit{Gratz}, p. 11.
\textsuperscript{41} Quotations from the \textit{Gratz} oral arguments are not footnoted. Quotations from other documents in the Gratz litigation are listed in abbreviated format.
said that racial preferences, racial stereotyping, which it is, is stigmatizing, it's divisive, it's damaging to the fabric of society, it's damaging to the goal ultimately to eliminate the problems that racial discrimination and racial differences have created.”⁴² For these critics, racial categories were nefarious, so they should not be evaluated as socially desirable.

In response, Michigan invoked the diversity rationale to downplay the contentiousness of race. The University characterized race as problematic but still socially meaningful because it was a basis of division and segregation in society. The University’s brief claimed that most students have consequential experiences that follow from their racial status: “Notwithstanding decades of progress, there remain significant differences in our lives and perceptions that are undeniably linked to the realities of race.”⁴³ The brief explained that most students grow up in homogeneous settings and, as a result, have few opportunities for “meaningful interactions across lines of race and ethnicity” before coming to college. Further, the University suggested that racial classifications can be socially beneficial. As it argued, students’ ethnic and racial differences are consequential for a university’s educational mission: “Bringing together students with different life experiences creates opportunities for rich and vivid exchanges, as students reflect on those experiences in a new context and share their own interpretations of them.”⁴⁴ The presumption was that race was not an altogether controversial category but rather one that could be mobilized to improve the educational experience.

At the Supreme Court, numerous debates ensued over the University’s quantification of race, centering on whether race was a socially meaningful category that should be valued in

---

⁴² None of the plaintiffs’ attorneys went so far as to argue that race was socially meaningless and should therefore be ignored altogether, as that was not the question before the Court. This rejection of any race-conscious decision is an argument made by some opponents of affirmative action and one that has been increasingly accepted by conservative judges.

⁴³ Brief for the Respondents, Gratz, p. 25.

⁴⁴ Brief for the Respondents, Gratz, p. 11.
decision-making. A question posed by Justice Stephen Breyer, a liberal justice who ultimately concurred with the majority opinion in Gratz, reveals a moderate distrust of the University’s policy. During oral arguments, Breyer posed a hypothetical scenario: how would the University compare an African-American to a white male athlete from a poor family? He indicated that the Selection Index wrongly disadvantaged the white applicant because of his race, stating that the applicant “just can't overcome that 20 points—the best he can do is tie.” Breyer interpreted the points system as an inflexible thumb on the scale that unfairly favored any given African-American (or, presumably, Hispanic or Native American) applicant over any given white (or Asian) applicant. His comments can be read as skepticism about the University’s practice of crudely classifying applicants according to two homogenizing racial categories (underrepresented minority or majority) and assigning them differential numeric values (20 points or 0 points) according to quantitative decision rules.

In response to Breyer’s hypothetical scenario and the questions from the justices that followed, Payton argued that admissions counselors actually read the applications of both the black student and the white student. “They both receive individualized consideration. They're both reviewed in their totality. They both may be sent to the admissions review committee where they get a second reading.” The attorney hoped to persuade the justices that the University’s admissions decisions were predicated on expert judgments, not on rote classification of individuals or mechanical application of standardized decision rules.

Justice Antonin Scalia, in an exchange with Payton, reiterated his concern with the University’s standardized treatment of race. Scalia asked whether any racial minorities who were academically qualified for admission received the 20-point bonus but were rejected. Payton replied that he did not know. He then cited the record as stating “most of the qualified minority
applications do end up getting admitted.” He emphasized that this was a by-product of the way the policy was implemented, not an unlawful motive inherently codified in the math.45 “[T]he design is not ‘Gee, admit all qualified minorities.’” Payton was attempting to present the 20 points as an important quantitative input, not the linchpin of a rigged system. But the exchange between Scalia and Payton was a defining moment in the debate. It adumbrated the Court’s decisions, announced a few months later.

The Court's Rulings

In the Grutter decision, the Court agreed with the University’s position on diversity, upholding Powell’s opinion in Bakke as precedent. The ruling meant that universities could continue to consider race in admissions selections as long their policies treat race as one of many factors and are flexible enough to ensure that applicants are treated as individuals. The Gratz decision, however, found both the grids and the points system unacceptable.46

---

45 Archival records seem to contradict Payton’s claims. At least through the mid-1990s, the University’s undergraduate admissions policy seems intended to admit all qualified minority students. As one memo put it: “The use of affirmative action in the admission process is best understood by recognizing the fact that students admitted under the guidelines are academically qualified to successfully complete Michigan degree requirements. Thus, the significant difference between our evaluation of underrepresented minority applicants and majority students is the difference between meeting qualifications to predict graduation rather than selecting qualified students one over another due to the large volume of the applicant pool.” (“Admission Policy for Minority Students.” University of Michigan Vice Provost for Academic and Multicultural Affairs. Box 20, file “Affirmative Action Ad Hoc Committee 1995-1996.” Bentley Historical Library, University of Michigan.) That is, the University’s policy was designed to admit qualified minority students (qualified meaning likely to graduate) and the most academically successful or otherwise valued non-minority students among a large pool of qualified candidates.

46 The Supreme Court’s decision in Gratz upheld the finding of the U.S. District Court for the Eastern District of Michigan that the SCUGA policy was unacceptable. It overturned the District Court’s finding that the points system was acceptable.
The Court’s majority opinion in *Gratz*, delivered by Chief Justice William Rehnquist, drew on constitutional law and the legibility of the Selection Index to support its findings. In our analytic terms, the opinion concurred with the plaintiffs’ position that the category of race was too contentious to be evaluated quantitatively. For the Court, the University’s undergraduate admissions policy of was unconstitutional because it was not designed to treat any individual applicant as a person with unique attributes: “the LSA’s automatic distribution of 20 points has the effect of making ‘the factor of race . . . decisive’ for virtually every minimally qualified underrepresented minority applicant.”

In the majority opinion, the Court also laid out the legal parameters for race-conscious decision-making in admissions. It explained that the automatic distribution of the 20 points was not narrowly tailored to achieve educational diversity. Its directive was that race-conscious decisions had to employ a “highly individualized, holistic review of each applicant’s file, giving serious consideration to all the ways an applicant might contribute to a diverse educational environment.” The Court wanted holistic expertise, not mechanical objectivity.

The Court also rejected the University’s argument that the Selection Index was a necessarily simplified system needed to efficiently manage a large volume of applications. As shown above, this objective of efficiency had animated the University’s adoption and development of quantified admissions since in the 1970s. The majority opinion stated, “The fact that the implementation of a program capable of providing individualized consideration might present administrative challenges does not render constitutional an otherwise problematic

---

47 *Gratz* Majority Opinion, p. 23.
According to this reasoning, the University’s quantitative decision rules on admissions could be replaced with qualitative ones and still produce good admissions decisions. Ginsburg, in her dissenting opinion, interpreted the legibility of the points system quite differently. As she argued that the Selection Index was lawful, she characterized the 20 points as evidence of the University’s trustworthiness: “[I]f honesty is the best policy, surely Michigan’s accurately described, fully disclosed College affirmative action program is preferable to achieving similar numbers through winks, nods, and disguises.” Ginsburg was acknowledging, if not affirming, the University’s goal of enrolling a reasonably large number of minority students. Regardless of her interpretation, the plaintiffs and the justices who signed the majority opinion in Gratz definitively believed that the University’s treatment of race in admissions was riddled with subjective bias and inaccuracy. The transparency of the University’s policy, the plaintiffs’ success at highlighting the contentiousness of race, the adjustability of the decision rules, and the involvement of outside authority of the Court—drawing on the peculiar nature and conservative leanings of contemporary jurisprudence on race—contributed to a decision that ruled against the University’s quantified decision-making.

*The Absence of Debate over Quantifying Merit*

Throughout the Gratz and Grutter litigation, there was relatively little contention over Michigan’s reliance on quantified measures of merit (as the constitutionality of those measures was not in question). No one questioned whether merit could be quantified or whether SAT scores and high school GPA, as quantitative measures of merit, should be considered in admissions. The legal participants treated these measures as reliable and objective and, therefore,

\[\text{Gratz Majority Opinion, p. 4.}\]
\[\text{Ginsburg’s Dissent, p.8.}\]
legitimate bases for determining an applicant's qualification for admission. O’Connor’s concurring opinion in Gratz went so far as to describe non-academic factors as “soft” variables, reflecting the Court’s presumption that quantified measures of merit were accurate and scientific.

In Gratz, quantified measures of merit were marshaled as objective facts of the matter to argue against the University’s admissions policies. Critics contrasted the valuation of race and the valuation of merit to demonstrate the decisive advantage given to minority students. During oral arguments, Solicitor General Olson stated, “The 20 point bonus . . . is [equivalent to] one full grade point, nearly twice the benefit of a perfect SAT score. [E]very qualified candidate who gets the bonus gets into the University. It might just as well be an admissions ticket.”

More fundamentally, the plaintiffs, the University, and the Supreme Court in Gratz all assumed that race and merit were distinct, unrelated categories and thus that decisions based on quantitative measures of merit were not, by default, race-based. During oral arguments, Justice Scalia went even further than this to suggest that race and merit were distinct categories at odds with one another. Scalia stated that the University could effortlessly admit more racial minority applicants with one simple change: “Just lower your qualification standards,” he said to Payton. “You don’t have to be the great college you are. You can be a lesser college if this value of [diversity]—of having everybody in a mix with people of other races is so significant to you.” Scalia’s statement presumed that the admission of the most meritorious students was in conflict with the pursuit of racial diversity.  

---

50 Some defenders of affirmative action later derided Scalia’s statement as racist, arguing that it disregarded the racial bias of test scores and rested on a demeaning view of people of color as unintelligent. Brown-Nagin (2005: 804-5) observed that Scalia “uncritically accepted the plaintiffs’ simplistic views of merit and their corresponding narrative of entitlement to admission.”
The University agreed that race and merit are distinct categories, but it argued that both were relevant for its objective of crafting an academically excellent, diverse student body. It also recognized some fuzziness between race and merit. Its brief references the “test score gap” between minorities and non-minorities, acknowledging that quantified measures of academic merit are correlated with racial group membership. Similarly, Ginsburg, in her dissenting opinion, noted the relationship between African-American and Hispanic status and low scores on standardized tests. But neither the University nor Ginsburg argued that this correlation made test scores an unreliable predictor of academic performance. Long gone was the 1960s University position that minority students could not be accurately judged by test scores.

In the Grutter litigation, a few participants attempted to problematize the quantification of merit. Political activists and Michigan students who intervened in Grutter at the Sixth Circuit Court of Appeals (although not at the Supreme Court), organized by the Coalition to Defend Affirmative Action and Integration and Fight for Equality By Any Means Necessary (BAMN), made a remedial argument for race-based affirmative admissions. They claimed that affirmative admissions is necessary not to achieve diversity but rather to offset racial discrimination in society at large and in current practices at the University. In making this claim, the interveners posed a provocative argument about the University’s quantification of merit: its “numerical admissions criteria” were racially discriminatory. In their brief to the U.S. Supreme Court, they questioned the plaintiffs’ assertions that the LSAT and GPAs were “objective” and “race-neutral” measures. Their position was that standardized test scores should not be important in admissions decisions. Citing social scientific research on bias in standardized test scores, the

---

51 Ginsburg’s Dissent, footnote 5.
52 It is an argument that defendant organizations avoid, as it requires the organization to accept culpability for discrimination.
interveners noted that students’ LSAT scores did not correlate with their later career success as lawyers. The gap between the scores of white students and those of black, Latino, and Native Americans, they claimed, was a product of “the cumulative effect of discriminatory tests, segregated education, social inequality, and the depressing effect of racial prejudice on the undergraduate grades and overall academic performance of minority students.” At a January 2003 conference, BAMN organizer Shanta Driver posed the issue more bluntly: “The SAT and ACT are a racist lie.”

Despite this punchy rhetoric, the arguments that the *Grutter* intervenors and BAMN activists made about the racism implicit in standardized tests were not central to the legal debates and did not impact the final decision. The only other legal filings that criticized standardized tests and GPAs as measures of merit was an amicus brief submitted in Grutter by the American Sociological Association and four other organizations representing social scientists, in support of the University, although that brief did not disavow altogether the use of standardized test scores in admissions selections. Somewhat surprisingly, Justice Clarence Thomas, known for his conservative views, took a position similar to the interveners’ in his separate dissenting opinion in *Grutter*, although to oppose affirmative admissions (Brown-Nagin 2005).

The lack of contention over quantified measures of merit in the disputes over both *Gratz* and *Grutter* is revealing for the dequantification of affirmative action at Michigan. The majority of justices opposed the quantification of race in admissions decisions. However, the Court was not upset at the mere idea of quantifying individuals or their eligibility for admissions. Quantified measures of merit remained largely taken-for-granted throughout these disputes, and

---
53 Brief for respondents Kimberly James, et al, p. 5.
54 Note: The authors of this paper are members of two of these organizations.
their apparent objectivity and separation from race implied the possibility of race-blind admissions based solely on merit.

2003-2004: Dequantifying Diversity

The Supreme Court’s decisions in *Gratz* and *Grutter*, announced on June 23, 2003, precipitated the dequantification of Michigan’s undergraduate admissions policy. It ushered in a flurry of activity in the undergraduate admissions office. In consultation with lawyers, Regents, and University officials, OUA administrators finalized and implemented a new admissions policy for freshman applicants to the University’s colleges and schools.

The admissions process was, in fact, partially dequantified. The OUA did this by removing the quantitative decision rules and the quantitative inputs not directly related to academic merit. The most important change was the adoption of a qualitative review process. Every application would be read and assessed by two or three people, with each reader ultimately assigning a grade to the application. A subset of applications would be discussed in smaller committees, as well. All applications were ultimately approved by an enrollment working group.

The University made considerable efforts to make the text of the new policy and descriptions of the procedures accessible to the public. In August 2003, the University of Michigan News Service issued a press release.55 It described the university’s new process for gathering more information about applicants and its multiple layers of “highly individualized review,” with commentary from the University president and provost stressing that the basic goals and priorities of the admissions process had remained the same. OUA’s web site featured a page detailing the goals and steps of the new review process. The site outlined the procedures to

be followed if reviewers disagreed about an application and detailed the “broad range of criteria” that readers and admissions counselors would consider.

Although the text of the new policy was widely advertised and made explicit, the actual decision-making process was not. Many parts of the new admissions policy read as cut-and-paste statements of the text of the Court’s decision in Grutter. The opening of the policy stated:

Admissions is more art than science… With this new evaluation procedure, we have sought to further improve our process by finding better ways to ensure holistic, individualized review of the many facets of every application. Our new admissions program fosters such an individually-tailored review and decision-making process for each application by expanding flexibility and use of professional judgment, while at the same time maintaining consistency in the way all applications are evaluated.

According to the policy, the review process would prioritize an applicant’s academic achievements—grade point average, test scores, courses taken, and high school environment—while still taking into account other qualities that would make him or her a successful student at the university. These qualities included “socioeconomic status, race or national origin, special skills and talents, [and] unusual life experiences.” These guidelines entailed an important shift in the University’s thinking about race. An applicant’s race was no longer just a categorical designation—a check box to be marked. In the qualitative review process, race was also a cultural identity to be expressed. As the new policy stated, applicants needed to “demonstrate the ways in which they would contribute to the life and diversity of the University.”

The qualitative review process required new inputs—namely, information about students’ individual viewpoints, skills, and qualifications. The updated application was six pages longer than the previous version. The application still asked students about their race, although a new question asked if the applicant identified as multi-racial or multi-ethnic. Other new questions covered such topics as the applicant’s financial responsibilities within their family, their
grandparents’ college attendance, and a choice of one of two questions about diversity (for an analysis, see Kirkland and Hansen 2011). The new application also included revised recommendation forms that gave high school teachers and guidance counselors expanded space to comment on a student’s preparedness. Despite these changes, the application and review process continued to rely on the quantitative measures of merit, namely standardized test scores and GPAs.

The new admissions procedures were so extensive and labor-intensive that the undergraduate admissions office had to restructure its internal operations. OUA grew quickly from around 80 to 133 employees, with between five and seven employees working a second shift. OUA first conducted two weeks of training workshops for 32 admissions counselors, staff, and outside application readers. In November 2003, OUA held a second, shorter training for additional application readers (attended by the second author).

Under the new policy, each reviewer would grade an applicant according to a rating scale: outstanding, excellent, good, average/fair, and below average/poor. The training materials provided general descriptions and numerical ranges characterizing students in each of these categories. An “outstanding” student was described as having an SAT I of between 1440 and 1600 (the highest possible score), as well as an essay that showed “superior writing ability.” Each reviewer would make a recommendation based on his or her rating of the applicant. An “outstanding” student might be categorized as a “high admit” who should be considered for merit scholarships, while an average student’s application might be labeled “deny with reservations” if they appear qualified but have several deficiencies. The new policy still attempted to standardize decisions, but without rigid, formal, quantitative decision rules. Instead, the policy relied on
training investigators to produce similar judgments by providing detailed examples.\textsuperscript{56} As the director of training explained, these descriptions and ranges were “just suggestions.”

Although the policy’s goals and the steps of the review process were well publicized, the new ratings scale was not. On their applications, students still were asked to check boxes indicating their racial status, and they could write about race in their essays. But outsider observers could not readily tell what, exactly, the admissions office did with that information about race. The new qualitative process exemplified what some legal scholars characterized as a “don’t tell, don’t ask” regime of race-conscious decision-making (Ayres and Foster 2006). If transparency was the hallmark of the points system, carefully managed vagueness was the hallmark of the new holistic assessment.

Thus, key aspects of the undergraduate admissions review process were dequantified following \textit{Gratz} and \textit{Grutter}. Instead of attempting to patch the points system or abandon affirmative action, the University abandoned its quantified decision-making rule.\textsuperscript{57} Accordingly, the University eliminated the numeric values it had previously placed on racial categories. However, the new holistic review retained many of the same quantitative inputs. The points system as a quantified system of decision-making relied on numerous earlier acts of quantification – grades, GPAs, SAT and ACT scores – and those underlying inputs remained vital to the admissions process, although in a more consultative fashion.

\textsuperscript{56} On trained judgment as a form of objectivity, see Daston and Galison 2007.
\textsuperscript{57} The \textit{Gratz} decision did not require the elimination of the Selection Index, but rather the elimination of the quantification of racial categories. For example, we could imagine the University creating a review process that scored applicants’ contribution to diversity on a scale from 0 to 20, and otherwise relying on all of the other, uncontested, quantifications in the Selection Index. Inside the University, however, such a move does not appear to have been considered: the University interpreted \textit{Gratz} as saying that race could only be considered in a holistic framework, and there was not a major push to abandon race-conscious admissions.
The University of Michigan was not the only higher education institution to alter its admissions practices in this period. The field of college admissions was changing. Several of Michigan’s peer institutions, including the University of California, the University of Texas and the University of Wisconsin, underwent fights over affirmative action in the 1980s and 1990s (Lipson 2001, 2011). These institutions all defended affirmative action (at least initially), and turned towards individualized admissions review in order to achieve diversity. In 2003, when Michigan began to implement its individualized review system, it examined the practices of its peer institutions as potential models for its own. Nonetheless, these field-level changes do not fully explain why the Supreme Court favored the Law School’s holistic review process in *Grutter* or why it rejected LSA’s mechanical, quantified process in *Gratz*, and it was these decisions that spurred Michigan to dequantify affirmative action and admissions.

**Summary**

This evidence establishes the quantification and partial dequantification of affirmative action and admissions at Michigan. Post-Gratz, admissions at Michigan was no longer a fully quantitative decision-making system, although the newly implemented holistic system still relied on the quantification of merit and was thus only partially dequantified.

As we argue, the political context and the internal features of the University’s system of quantification, collectively, contributed to this outcome. Because Michigan’s quantified decision-making rule was simple to understand, requiring nothing more than basic arithmetic to critique, it created a relatively transparent window into admissions decision-making. That the system relied so heavily on fairly simple racial categorizations made it especially vulnerable because race itself was and remains contested and legally circumscribed. The transparency of the
University’s admissions process and the categorical valuation of race attracted the attention of anti-affirmative action activists, who had legal mechanisms to create a consequential challenge. Their litigation brought in the authority of the Supreme Court, which had legal jurisdiction over the use of race in college admissions. The transparency of the points system made it relatively easy for lawyers and judges—who were experts in the law but not in admissions or higher education—to understand the system, hone in on exactly how it treated race, and then argue about the merits of that treatment. Because the points system treated all members of underrepresented racial minorities as part of a unified category, a single kind of object, it conflicted with the legal rationale and rhetoric of diversity, which justified race-conscious decision-making only in terms of the unique contributions of individuals. The University’s routine of admitting competitive students could be accomplished without a quantitative decision rule. Likewise, there existed viable, high-status, holistic alternatives for affirmative admissions—most evidently, the Law School’s policy of holistic review, upheld in *Grutter*. In sum, given that challengers had a policy route to force change, the transparency of the quantified system, its reliance on a contested category, and the existence of qualitative alternatives to quantified decision-making all contributed to the weakness of the system and the desirability of its objectivity.

**Discussion and Conclusion**

We began our analysis by tracing the history of one quantified decision-making practice—undergraduate admissions at the University of Michigan, as administrators made it more and then less mechanically quantified—in order to improve scholarly understandings of the relationship between quantification and authority. Through an examination of the history of
affirmative action at Michigan, we have identified three internal features of a system of quantification and extenuating conditions relevant to the strength and weakness of that system. These insights serve as a springboard for elaborating existing theories of quantification as well as the scholarly understanding of the cultural processes that contribute to inequality. In the following section, we revisit Porter’s account of quantification to elaborate the relationship between quantification and authoritative decision-making. Where possible, we note other cases with similar dynamics, or to which our analysis might be usefully extended.

**Elaborating Quantification’s Weaknesses**

Porter’s research remains the most authoritative account of changes in quantification and decision-making, but the history of admissions at Michigan fits poorly into it. In his study of why quantification spread so widely in the 19th and 20th century, he demonstrates that decision-makers adopted quantification because it was less subjective and more mechanical. Through a careful history of accounting, actuarial science, and cost-benefit analysis in civil engineering, Porter (1995: xi) shows that powerful insiders’ reliance on the veneer of mechanical objectivity protected their expert judgment from external pressures. His work was an important refutation of the scholarly assumption that decision-makers quantify simply in order to make better, more accurate decisions. Scholarly research on quantification inspired by Porter has since emphasized the power of quantification to protect expert decision-making (Espeland and Stevens 2008).

However, contrary to this scholarship, quantified decision-making did not inoculate the University. If nothing else, the Michigan case offers a striking demonstration that quantification is not always more powerful than qualitative alternatives. More generally, the relationship between quantification and decision-making is not binary. Social processes are not simply
“quantitative” or “qualitative,” but may rely on numbers to a greater or lesser degree. In turn, dequantification may be more or less partial.

By identifying the features of Michigan’s system of quantification and the extenuating conditions that made the system vulnerable, our analysis points towards some of the limits of quantification. Considered separately, each of these features helps us to revise scholarly assumptions about the power of quantification to successfully produce authoritative, mechanically objective decisions (Espeland and Stevens 2008). Here we outline five insights that can inform future studies of quantification.

The first theoretical insight concerns the transparency of quantification. When systems of quantification are transparent, they expose the logics and routines underpinning the system and thus present many opportunities for critics and authority figures to weigh in on the system’s construction. Transparency, like the other features we identified, is not an immutable fact of the world but the result of a complex social and political history. Quantification is commonly perceived as objective and impartial, but that perception depends on how open or closed the system is to outsiders’ understanding and reinterpretation. It varies depending on the kind of decision being made, the groups making the decision, and the details of the quantification process. Quantification only serves as a way of “making decisions without seeming to decide” (Porter 1995: 8) when the numbers themselves are granted authority independent of the process of their construction—that is, when they become a black box (cf. Latour 1988). Because a transparent system of quantification is legible to many outsiders, it is less capable of providing a barrier to challenges. The implicit or explicit normative decisions that guided the construction of the system of quantification (its choice of categories, rules of classification, and valuation) are

58 We thank our anonymous reviewers for several helpful suggestions relevant to this discussion.
exposed and capable of being challenged directly and openly discussed, as the Supreme Court
did in the *Gratz* oral arguments.

Analogous dynamics around transparency are evident in the recent history of consumer
credit scoring. Consumer credit scoring systems in the 1970s were characterized by a similar
legibility. This transparency became known widely once opponents managed to uncover the
precise systems used through political strategies such as congressional investigations (Hyman
2011). Like Michigan’s points system, some credit scoring systems explicitly categorized
individuals by race, awarding more points to white borrowers. This explicit invocation of race
was successfully banned through the Equal Credit Opportunity Act of 1974. The racial identity
of borrowers, along with gender and other contentious identities, was subsequently removed as
an input in credit scoring. Since then, credit-scoring systems also have grown more complex. As
the categories used have become less familiar, skeptics have faced increasing difficulty in
organizing to challenge the systems (Simon 1988, Krippner 2013).

Our second theoretical insight concerns the social material refers to the social material
that is the basis of quantification. When systems of quantification rely on contentious categories,
they fail to acquire the legitimacy associated with objectivity. Existing work on the objectivity
afforded by quantification assumes that objectivity always protects decision-makers. Since
objectivity is a purported virtue, the more objective (less subjective) a decision appears to be, the
harder it should be to contest. Implicit in this assessment of objectivity is an understanding that
the objects being quantified *ought* to be treated as objects, specifically as objects of a uniform
category. Our case shows that the categories on which quantification rests are not always settled.
Some – like race in admissions – are hotly contested. Problems in these underlying categories
offer openings through which the quantification itself may be challenged. This contestation could
take the form of denying the existence of the category, its uniformity, or its relevance to a particular decision. Thus, we theorize that systems of quantification will be seen as more legitimate, and thus be more resilient to challenges, when they rely on and make commensurate categories that have very little social or political salience and are taken for granted or simply unknown.

Credit scoring again illustrates this point nicely. Once credit scores were cleansed of their explicit reliance on the contested category of race and gender, they became sufficiently credible to use as the basis for automated systems of mortgage underwriting (Straka 2000, Stuart 2003). Regulators concerned with issues of redlining and other forms of racial discrimination agreed that automated processes that explicitly excluded information about race were more likely to be fair and objective than the older, more holistic or subjective forms of assessment.

Third, for systems of quantification tightly linked to specific decision-making practices, the policy routes available to challengers become highly relevant. Challengers may have avenues to appeal to authorities at different levels. Such authorities include actors within an organization but outside the decision-making unit at a higher level (such as a university president), and authorities completely outside the organization but with sufficient capacity to force changes inside the organization. In the contemporary United States, as in many countries, courts are an obvious and pervasive outside authority to which challengers of a system of quantification might potentially appeal, although the U.S. Congress, U.S. presidents, and governors can exercise tremendous influence as well. To the extent that these authorities are capable of forcing a change in the system, their own rules, standards, norms, expertise, and reputational concerns become important factors shaping the possibility of dequantification. At the other extreme, a system of
quantification employed by an organization with no outside actor capable of exercising authority will only be vulnerable to internal challenges.

The membership rules used by Native American tribes clearly illustrate this point. Many Native American tribes in the United States rely on a simple quantified system to determine tribal membership, called “blood quanta” rules (Gover 2008, 2010). These rules grant membership to anyone who is a close enough relative to a tribal member, with the exact quanta (degree of relationship) varying by tribe. Today, the membership requirement for a tribe tends to be between somewhere between ½ degree blood quantum (one parent) to 1/16 degree (a great-great grandparent) (Gover 2008). These rules are simple (and thus highly transparent) and also contentious, and so unsurprisingly, these practices have been subjected to many challenges. Due to the sovereign status of tribes, the primary policy route to changing the membership rules is through a popular vote among members, and these challenges have had little success (e.g., ICTMN 2003). Disputes are within tribal nations and concern their own rules of membership, so there is no outside actor with authority, such as a federal agency or the U.S. courts, that can force changes on the tribes (Spruhan 2006).

Fourth, for the dequantification of a routine, practice, or process to occur, the practice must have a non-quantitative alternative. More generally, the very existence of viable alternatives informs the debates over the practice. These alternatives vary in their ubiquity and legitimacy, and in how much they rely on quantification. At Michigan, administrators could have abandoned race-based affirmative admissions in order to maintain quantified admissions. Following Gratz, however, it could not keep both. Thus, the power of a system of quantification rests in part on the lack of a viable alternative process of decision-making or ignorance of such alternatives. More generally, the potential weaknesses created by the other three factors are, to
some extent, interdependent with the presence of alternatives. Without a viable alternative, it will be difficult for an outside authority to force a change. At best, the outside authority could force an end to the practice entirely – but as noted at the outset, this is not the same as dequantifying the practice.

The lack of viable alternatives to quantification recurs frequently in cases involving monetary compensation. For example, in legal cases involving the death of a child, courts assign an economic value to children’s lives. Zelizer (1985) shows how challenges to the economic valuation of children’s lives in the early twentieth century resulted in a change in the basis on which monetary damages were calculated (from a standard involving the economic loss of the child to one emphasizing the emotional damage to the parents), but not the elimination of damages entirely. Similarly, Fourcade (2011) traces various attempts to quantify the damage done to nature by oil spills for the purpose of assessing damages to oil companies in lawsuits. French and American experts relied on different techniques, from measures of the loss of enjoyment and reputation loss to resort communities to contingent valuation surveys. Despite the contentiousness of each method, some quantification was inevitable – there is simply no legitimate qualitative alternative to monetary damages.

Fifth, for decisions that generate an outcome that is one point on a range (“how much”), some aspect of the decision-making routine must be quantified. Some form of quantification is inevitable. On the other hand, for decisions that generate a categorical outcome (“yes / no”), there exists at least the possibility of the complete elimination of quantified decision-making. In these instances, quantification is a possible, but not necessary, form of rationalization. Thus, organizational decision-making practices that produce “yes/no” decisions rather than “how much” will likely be more useful cases for understanding the limits of quantification.
Although our primary focus has been on explaining the significance of our case for theories of the power of quantification, our findings also speak to the potential for quantification to serve as a tool for ameliorating inequality. As Lamont et al. (2013) argue, cultural practices of rationalization (including quantification) are key components in the production, reproduction, and potential alleviation of inequality. Rationality, as Weber (1922) long ago noted, is closely associated with notions of merit. At Michigan, academic merit was explicitly commensurated with race (and other variables): one point of GPA was made “equivalent” to belonging to an underrepresented minority group. While academic merit squared perfectly with the underlying logic of rationalization, race did not. The initial justification of affirmative action – redistribution to redress historical wrongs – was predicated on a logic of justice and an interpretation of racial minorities as a culturally unique group worthy of organizational resources. Opponents of affirmative action argued to the contrary, claiming that the policy reinforced the assumption that minority students were less qualified, less deserving, as individuals.

By making race and merit commensurate, Michigan’s grids and points system made explicit comparisons between race and merit possible. The system’s treatment of race was *irrational*, in that it violated the implicit logic of neutrality that is a hallmark of standardization. Although Michigan had abandoned redistribution as a justification for affirmative action by the time it developed the points system, the system’s apparent tradeoffs of merit and race reinforced opponents’ contentious interpretation. The logic of diversity that Michigan had adopted in the 1980s seemed to justify the treatment of individuals as unique and unclassifiable, but the actual practices of the office homogenized individuals as members of large, and questionable, categories.
More broadly, our case suggests that the quantification of decision-making (as one form of rationalization) will tend to conflict with decision-making based on criteria other than merit, particularly the criteria of redistributive justice that constitute many anti-inequality interventions. The case of Michigan also indicates that organizations will rely on elaborate decision-making routines and justifying rationales to manage the pragmatic and political tensions around interventions that are supposed to be both meritorious and equalizing. Further, to the extent that merit is already defined and attributed in ways that support prevailing inequalities, quantification will contribute to inequality.

We hope that our analysis sparks further research on the determinants of the strength of quantification in different settings. As organizations increasingly turn to quantification to make consequential decisions, opportunities to investigate challenges to these decisions abound. As discussed above, single cases are useful for proving the existence of dynamics and for theorizing processes, More in-depth research into the cases briefly reviewed here, such as credit scoring, could elaborate further on the features and conditions we identify. However, single case studies are limited in their ability to identify patterns of variation, the likelihood of different outcomes, and the full range of scope conditions. One avenue of research could consider the range of quantitative decision-rules, to understand the differences between those that generate qualitative ("yes/no") or quantitative ("how much") outcomes. Likewise, a comparative analysis of federal sentencing guidelines at the state and federal levels could test and refine our arguments by, for example, examining the variation in contention around the guidelines and the outcomes. Similarly, a study of the dynamics of quantification and authority around lawsuits challenging employment tests as discriminatory could usefully extend and refine our arguments, and complement existing sociolegal accounts (e.g. Stryker 2001).
For better or for worse, systems of quantification vary in their ability to transform decisions into uncontestable exercises of seemingly objective procedures. Quantification, despite its manifold successes, is thus neither inevitable nor irreversible.

**Bibliography**


Small, Mario. 2009. "'How many cases do I need?': On science and the logic of case selection in field-based research." Ethnography 10(1):5-38.


Zwick, Rebecca. 2004. Rethinking the SAT. Psychology Press.
Figure 1: 1996 SCUGA decision grid for instate students. The letters in each cell refer to an admissions decision – “A” is accept, decisions starting with “r” are rejections (e.g. “rtst” is a rejection for low test scores).
Figure 2: 1998 Selection Index Worksheet.

![Selection Index Worksheet](image_url)

<table>
<thead>
<tr>
<th>ACADEMIC</th>
<th>OTHER FACTORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>Geography</td>
</tr>
<tr>
<td>42</td>
<td>10 Michigan Resident</td>
</tr>
<tr>
<td>44</td>
<td>6 Underrepresented Michigan County</td>
</tr>
<tr>
<td>46</td>
<td>2 Underrepresented State</td>
</tr>
<tr>
<td>48</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Alumni</td>
</tr>
<tr>
<td>52</td>
<td>4 Assign only 1 option</td>
</tr>
<tr>
<td>54</td>
<td>Legacy (parents/stepparents)</td>
</tr>
<tr>
<td>56</td>
<td>or Other (grandparents, siblings, spouses)</td>
</tr>
<tr>
<td>58</td>
<td>Essay</td>
</tr>
<tr>
<td>60</td>
<td>1 Outstanding Essay</td>
</tr>
<tr>
<td>62</td>
<td>Personal Achievement</td>
</tr>
<tr>
<td>64</td>
<td>1 State</td>
</tr>
<tr>
<td>66</td>
<td>3 Regional</td>
</tr>
<tr>
<td>68</td>
<td>5 National</td>
</tr>
<tr>
<td>70</td>
<td>Leadership &amp; Service</td>
</tr>
<tr>
<td>72</td>
<td>1 State</td>
</tr>
<tr>
<td>74</td>
<td>3 Regional</td>
</tr>
<tr>
<td>76</td>
<td>5 National</td>
</tr>
<tr>
<td>80</td>
<td>Miscellaneous</td>
</tr>
<tr>
<td></td>
<td>20 Socio-economic Disadvantage</td>
</tr>
<tr>
<td></td>
<td>20 Underrepresented Racial/Ethnic</td>
</tr>
<tr>
<td></td>
<td>5 Minority Identification or Educate</td>
</tr>
<tr>
<td></td>
<td>20 Men in Nursing</td>
</tr>
<tr>
<td></td>
<td>20 Scholarship Athlete</td>
</tr>
<tr>
<td></td>
<td>(assigned by athletic counselor only)</td>
</tr>
<tr>
<td></td>
<td>20 Provost’s Discretion</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TEST SCORE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT/SAT I</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>01-19</td>
</tr>
<tr>
<td>6</td>
<td>20-21</td>
</tr>
<tr>
<td>10</td>
<td>22-26</td>
</tr>
<tr>
<td>11</td>
<td>27-30</td>
</tr>
<tr>
<td>12</td>
<td>31-36</td>
</tr>
<tr>
<td></td>
<td>400-920</td>
</tr>
<tr>
<td></td>
<td>930-1000</td>
</tr>
<tr>
<td></td>
<td>1010-1190</td>
</tr>
<tr>
<td></td>
<td>1200-1350</td>
</tr>
<tr>
<td></td>
<td>1360-1600</td>
</tr>
</tbody>
</table>