

*In spite of the most recent victory for diversity in higher education handed down by the Supreme Court in Fisher v. Texas, there seems to be no end in sight to the legal assault on race-conscious admissions plans. Rather than attempt to defend race-conscious admissions plans on the disputed legal terms, this article instead asks whether the opposition demand for race-neutral "meritocratic" admissions is itself legitimate. This article suggests that the insistence on "meritocracy" in admissions implicates an historical pattern and practice by certain advantaged racial groups of perpetuating the systemic educational disadvantages experienced by subordinate racial groups while further entrenching their own educational advantages. Recognizing this, the demand for race-neutral "meritocratic" admissions in higher education ought to be rejected as incompatible with the guarantee of equal educational opportunity first recognized in Brown v. Board of Education. At the same time, race-conscious admissions plans can be viewed as an effective antidote to this practice of educational opportunity hoarding and a critical means of disrupting the process of categorical racial inequality that has long marked the history of education in America.*