



[My Account](#)

OP-EDS

The end of the beginning: Fight to end racial discrimination in admissions is far from over

By **Edward Blum**

Published June 25, 2026 7:00am ET

[Add Washington Examiner on Google](#)

Monday is the third anniversary of the **Supreme Court's** landmark opinion in *Students for Fair Admissions v. Harvard*, the case that ended racial classifications and preferences in college admissions. The scope and effects of this decision have proven it to be one of the most consequential civil rights rulings in modern **American history**.

The decision reaffirmed one of our nation's foundational legal principles: The Constitution and our civil rights laws do not permit colleges and universities to treat applicants differently because of their race. Moreover, the opinion affects the use of race in other areas of our public policies — employment, contracting, and government grants — where racial preferences are likely forbidden in these contexts as well.

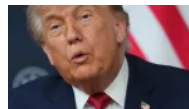
RECOMMENDED STORIES ▶



The tragedy of the commons: Why we can't have nice things



People are fed up, and Trump needs affordability win. Here's his chance



Is someone inside the Trump administration undermining the EPA?

Just as Justice John Marshall Harlan wrote in his famous dissent in *Plessy v. Ferguson* (1896), “In respect of **civil rights**, all citizens are equal before the law,” so too, 127 years later, Chief Justice John Roberts reaffirmed that principle when he wrote: “Eliminating racial

discrimination means eliminating all of it.”

ADVERTISEMENT

The *SFFA* decision accelerated a broader national reconsideration of race-conscious policies in government, business, philanthropy, cultural institutions, and the nonprofit organization sector. The results: Hundreds of colleges and universities revised their admissions policies by eliminating explicit racial preferences; corporate America began reassessing diversity, equity, and inclusion initiatives that relied on race-based decision-making; scholarship providers opened opportunities that had long been restricted to certain racial groups; and federal and state agencies began reevaluating programs that distributed benefits based on ethnicity and racial identity rather than individual qualifications.

To highlight just a few: McDonald’s ended a race-restricted scholarship program; Southwest Airlines opened its travel award program to all applicants rather than just Hispanic travelers; the American Bar Association revised its Legal Opportunity Scholarship after litigation challenged its eligibility criteria; and the Smithsonian Institution opened its internship program to all applicants rather than just one ethnic group. Challenges have also targeted race-based teacher scholarship programs, minority business certification systems,

race-restricted university scholarships, and corporate supplier diversity initiatives.

Federal agencies have finally begun to reestablish these guiding principles. The Department of Justice and the Equal Employment Opportunity Commission have warned that DEI initiatives are not exempt from civil rights laws. The Department of Education has cautioned institutions against using proxies or indirect methods to circumvent *SFFA*, while the Justice Department's Civil Rights Fraud Initiative is investigating recipients of federal funds that maintain discriminatory programs.

ADVERTISEMENT

Yet we should remember that landmark Supreme Court decisions rarely mark the end of a fight. More often, as with *Brown v. Board of Education* (1954), they mark the end of the beginning, not the beginning of the end. It took years of additional litigation, legislative action, public advocacy, and courageous citizens to demand compliance with the law before the promise of Brown became reality.

The same is true today.

**DOJ SAYS UCLA USED RACE-BASED
ADMISSIONS FOR MEDICAL SCHOOL**

ADVERTISEMENT

Ensuring compliance with the *SFFA* principles requires vigilance and persistence. Many colleges continue to implement unlawful proxies and workarounds in order to achieve targeted racial outcomes through different means. Some well-known corporations have merely rebranded their DEI initiatives rather than ending these discriminatory practices. And some government programs continue to distribute benefits based on race and ethnicity despite the constitutional dictate forbidding these preferences.

The legal challenges to these shameful evasions will continue until the goal of a truly colorblind nation is achieved.

Edward Blum is the founder and president of Students for Fair Admissions.

ADVERTISEMENT

Tag:

Civil Rights

Colleges and Universities

DEI

Discrimination

Harvard University

Lawsuits

Racism

Supreme Court

Promoted Stories



After 60, Leg Strength Comes From One Simple Daily Move

ApexLabs