

This packet contains the summations of the various resolutions that were discussed and approved by the Anti-Bakke Decision Coalition for a National Day of Solidarity at the June 26th San Jose Bakke Conference. These resolutions set the basis and guidelines for the future ongoing work of the Coalition, and are the active policies for the Coalition to be carried out among all participants of the Coalition.



## To the People of Chilili

That this statewide Coalition take up concrete support for the people of Chilili and their demands for the right to take ownership of their stolen lands from the rich land-owners and corporations, and their right to self-government.

That organizations participating in this Conference go on record for their support of the People of Chilili, and further that letters of solidarity be sent to the People of Chilili, as well as financial aid, for their just struggle.

(passed unanimously)

## Resolution on Target, Place, Date and Theme

That the demonstration be held in San Francisco, California -- this is due to the great amount of organized activity in the Bay Area and Peninsula that has developed around the Bakke decision; the broad amount of outreach and support that has been generated on the campuses, communities, workplaces and different sections of people; the high concentration of Third World communities and people in the Bay Area.

That the demonstration be held at the Federal Building -- this exposes the nation-wide character of the struggle against the Bakke decision, and the fact that the Federal building represents the US Supreme Court and the US government. In holding the demonstration at the Federal Building, we would also emphasize that both the UC Regents and the US Supreme Court are the equal and main targets of our struggle to defeat the Bakke decision.

That the demonstration be held on a weekend -- this would facilitate the participation of working people and from people coming from other regions.

That the demonstration consist of a march or marches through the various Third World and working class communities in the SF area. These would all join for a mass rally at the SF Federal Building.

That the SF demonstration tentatively take place on October 15, and be coordinated as part of a NATIONAL DAY OF SOLIDARITY AGAINST THE BAKKE DECISION. We encourage organizations and Coalitions to organize demonstrations and/or united actions in other regions in the country.

That the name of the Coalition be ANTI-BAKKE DECISION COALITION FOR A NATIONAL DAY OF SOLIDARITY.

## Resolution on Principles of Unity, Slogans, and Demands

The following principles of unity, slogans, and demands were unanimously adopted by the June 26th Bakke Conference.

### PRINCIPLES OF UNITY:

1. Rely on the masses of oppressed people to defeat the Bakke Decision.
2. Oppose both the US Supreme Court and the UC Regents as equal targets.
3. Oppose the systematic oppression of Third World people.
4. Defend and expand all Third World programs, Affirmative Action programs, and all special programs for women and working people.

### SLOGANS:

1. Unite all nationalities to defeat the Bakke Decision.
2. End national oppression -- Full equality for oppressed nationalities.
3. End women's oppression -- Full equality for women.



Resolutions on Principles of Unity, Slogans, and Demands (con't.)

DEMANDS:

1. Overturn the Bakke Decision.
2. Maintain and expand minority special admissions, Ethnic Studies and other related programs.
3. Grant tenure to progressive Third World faculty, and increase the hiring of Third World staff with student input on the campuses.
4. Increase financial aids and increase the enrollment of oppressed nationality students.
5. Maintain and expand programs and services for oppressed nationality communities.
6. Maintain and expand Affirmative Action programs, increase the hiring of oppressed nationality workers.
7. Stop cutbacks in Affirmative Action programs for women, increase the hiring of women workers, especially oppressed nationality women.
8. End all discrimination on the basis of language and immigration status -- Equality of languages at all levels of education and on the job.

ADDITIONAL RESOLUTION:

That the struggle against the Bakke decision takes place on many different fronts -- i.e., the State Board of Trustees, Community College Trustees, Employers, and Trade Union bureaucrats.

Resolutions on Outreach and Propaganda, Mobilization

That the outline for the educational Bakke Decision pamphlet prepared by the Planning Committee for the June 26th Conference be accepted, incorporating the suggestions and additions made by the Outreach-Propaganda-Mobilization Workshop.

That the sub-committee of the planning committee for the June 26th Conference be delegated responsibility to finalize the draft. This should be done within two weeks.

That the draft of the educational pamphlet be presented for approval to the Advisory Committee of the Coalition.

That this educational pamphlet be used as the brochure for the entire Coalition, and be distributed by all areas and groups participating in the Coalition throughout the State.

That the educational pamphlet be translated for outreach to oppressed nationality people.

That all outreach for education be developed in many forms and reflect the principles of unity of the Coalition, and the principle of relying on the masses.

That specific local-regional outreach efforts be made to both educate and involve the following areas: 1) high school and college campuses; 2) Third World communities with specific emphasis on the Black community; 3) Workplaces; 4) women.

That a petition should be drawn up based on the demands of the Coalition.

That the petition serve as a centralized outreach tool for the entire Coalition.

That the petition should be directed at the two main targets of the mass movement against the Bakke decision, the UC Regents and the US Supreme Court.

That the petition be presented to the Advisory Committee for final approval.

That the Coalition give specific emphasis to doing outreach and developing the participation and input from Black people and communities.



Resolutions on Cultural Work and Mobilization:

That the Cultural body of workers at this Conference be recognized as the official cultural arm of the multinational Coalition against the Bakke decision.

That the cultural arm be based on support for the Coalition's principles of unity, and serve to educate and mobilize the masses to defeat the Bakke decision, and all forms of national oppression and sexism.

That the cultural arm be composed of all disciplines, nationalities, women, workers and students.

That the cultural arm be given a certain amount of autonomy in the implementation of its artistic tasks.

That the cultural arm produce a poster against the Bakke decision that will call to attention the October demonstration in SF.

That a logo be prepared by the cultural workers for the Coalition.

That a skit around the Bakke decision be developed to educate and mobilize broad sections of people against the Bakke decision, and to participate in the National Day of Solidarity events.

That specific meetings be called in each community and region which will attract cultural workers against the Bakke decision, and that the cultural workers arm work closely with the Propaganda committee to draw the cultural workers into the political movement against the Bakke decision.

That \$150.00 be raised to cover the costs of the poster.

These resolutions were discussed and developed in the workshops and small group discussions. They were then brought to the general assembly, discussed and voted on by all of the participating delegate organizations of the June 26th Bakke Conference.

All of these resolutions were approved by the Conference delegate organizations, and thus set the policy and guidelines for the future work of the Anti-Bakke Decision Coalition for a National Day of Solidarity. They are the formal decision of the Coalition that are to be carried out in the regional-local organizing committees, and all other organizations and bodies of the Coalition.

Following is the complete draft of the resolution passed on the organizational structure and functioning of the Anti-Bakke Decision Coalition for a National Day of Solidarity. This resolution emerged from the workshop on organizational structure and was presented to and discussed by the general body. The resolution passed unanimously.



Resolution on Organizational Structure

The following proposal was adopted unanimously by the Conference.

I. For the organizational structure, there should be a combination of a) local and regional independence and initiative, and b) centralized coordination and guidance on a statewide basis. It should function in a way that the various organizations, areas, and sections of people can participate democratically in shaping the decision and policies of the Coalition.

II. There would be three basic aspects to the organizational structure:

a. Local-regional Organizing Committees:

1. These would consist of organizations and individuals who unite with and agree with the Coalition's principles as established at the June 26th Conference, and who want to assist in organizing for the October National Day of Solidarity Against the Bakke Decision.

2. These local-regional organizing committees would be established basically in Northern, Central and Southern California. Additional organizing committees could be established in specific areas if necessary.

The Northern Californian organizing committee would have the specific responsibility for taking care of logistics, security type questions for the October demonstration. It would also coordinate the publication and distribution of the Coalition's pamphlets, leaflets, posters and other centralized outreach materials until such time as a functioning statewide leadership body is established.

3. The local-regional organizing committees would 1) carry out the centralized outreach activities of the Statewide Coalition, such as petitions, posters, leaflets, etc. and 2) develop their own outreach and programs for specific areas, and 3) establish sub-committees to deal with a childcare program. This would allow for initiative from the local-regional areas, as well as having them take up uniform policies and activities of the entire Coalition.

b. Advisory Committee:

1. The Advisory Committee would be open to one representative from each of the participating organizations who attended the Conference with voting representatives. The Advisory Committee would meet in two weeks and at that meeting set guidelines on how the committee is going to function. The Advisory Committee would facilitate the broadest participation in the decision making process for the Coalition.

2. A working meeting of the Advisory Committee would be convened in two weeks after the Conference to discuss and summarize the developments of the Coalition's work; to discuss and pass on the major decisions and policies, such as the guidelines for recruitment of new organizations, or the program for the rally, that would guide the Coalition's work for the future period. Once the Advisory Committee meets and establishes guidelines for new membership, it would expand and include new organizations, and would coordinate the Bakke work nationally.

3. The Advisory Committee would elect an Executive Committee (to be discussed in the next section).



c. Executive Committee:

1. The Executive Committee would be elected democratically out of and by the Advisory Committee, and would consist of people who would function as an ongoing, statewide coordinating-communications body.

2. The Executive Committee would oversee the day-to-day developments of the Coalition, distribute the information and facilitate communications to all organizations and local-regional organizing committees in the Coalition. For example, the Executive Committee would be responsible for coordinating the publication and distribution of leaflets, posters, and other outreach materials, and establish child care guidelines.

3. The Executive Committee would be representative of the various sectors, areas, and nationalities in the Coalition.



# National Committee to Overturn the Bakke Decision

P.O. BOX 3026 SO. BERKELEY STATION BERKELEY, CA. 94703 (415)549-3297

To the MEChA's:

The National Committee to Overturn the Bakke Decision (NCOBD) is interested in having discussions with MEChA about the possibility of future coordinated Bakke work. We feel that the movement against the Bakke decision can be best developed if communication links are established among groups doing long-range work on the issue and if certain efforts against the decision are coordinated.

In particular, it is our understanding that the Northern California regional of MEChA has planned a demonstration around Bakke on October 15. We have also learned that the Black American Law Students Association (BALSA), a national organization which encompasses most Black law students in the country, is planning a nationwide demonstration on October 3. A national day of protest is also part of our Committee's strategy. It would be unfortunate if these and the activities of others were not linked and the strength of our protests maximized. Therefore we would like to explore the possibility of (1) developing consistent communications links with MEChA, (2) working together to develop one nationally coordinated day of protest in October, and (3) perhaps coordinating other types of work. To achieve this task of coordination with the MEChA and also with others, apart from discussions with individual groups, our Committee is presently discussing the idea of a meeting in July <sup>— see</sup> of all groups doing anti-Bakke work. The purpose of this conference would be to discuss coordination of anti-Bakke activities nationwide.

We would appreciate your feedback on these proposals and hope to be in communication soon.

Current status of the NCOBD:

The NCOBD was formed in late April of this year at a conference held in the San Francisco Bay Area. It is the Committee's position that the Bakke decision represents a severe racist attack on all racial minorities in the U.S. Essentially it is an attempt to rollback the gains achieved by the anti-racist movement in the 1960's and to deny the continuing history of racism in this country. To overturn this racist decision, our main emphasis will be on grass-roots organizing of all those who are opposed to racism. It is only through a powerful people's movement that we can overturn the Bakke decision and fight the racism that it represents. Our Committee is composed of a broad cross-section of minority, labor, student, and community groups. Presently we have regional and local committees operating in Northern California and the Pacific Northwest, and a regional in formation in Southern California.

Enclosed are materials which explain the Committee and its work in more detail.

FIGHT RACISM - OVERTURN THE BAKKE DECISION

In Unity,

Raymond Otake  
National Coordinator, NCOBD



## FIGHT RACISM, OVERTURN THE BAKKE DECISION!

### The National Committee to Overturn the Bakke Decision

#### Introduction

The Bakke decision represents a severe racist attack on minorities in the U.S. Essentially, it is an attempt to roll back the gains achieved by the Civil Rights movement of the 1960's and to deny the history of racism in this country. The National Committee to Overturn the Bakke Decision is calling together all those people who oppose racism to unite to overturn the Bakke decision.

#### What is the Bakke Decision?

In 1973 and 1974, Allan Bakke, a 34 year old white engineer, applied for admission to the UC Davis medical school. He was denied admission both years, and also was not admitted to any other medical school. In 1974, Bakke filed a suit in Yolo County Superior Court against the University of California, alleging that he was qualified for admission, but that he was rejected because of his race, a violation of the Equal Protection clause of the 14th Amendment of the U.S. Constitution. He contended that minority students less qualified than he were admitted because they received 'racially discriminatory treatment.' He was referring to a special admissions program which allowed 16 out of 100 admissions openings for students of "disadvantaged" backgrounds. In turn, the UC filed a counter suit to insure that the constitutionality of the special admissions program be determined and not just whether or not Bakke should be admitted to the Davis medical school.

No actual trial was ever held. Instead the case was decided solely on the basis of written evidence. On this meager foundation, Judge Manker, who was summoned from retirement specifically to hear this important case, found that the program indeed did discriminate against Bakke because of his race and was therefore unconstitutional. He also concluded that Bakke was not entitled to an order of admission to Davis. As a result, both parties appealed the decision. "Because of the importance of issues involved" the Court of Appeal was bypassed and the California Supreme Court transferred the case to its own review.

On September 16, 1976, the California Supreme Court also declared the special admissions program at Davis unconstitutional. They cited the fact that no evidence was given of past discrimination at the University to warrant the exercise of programs which in practice, gave preferential treatment to racial minorities. UC in its argument to the Court, did not even attempt to give evidence of its past discrimination, though it is common legal knowledge that in cases in which past discrimination of the employer or institution has been proven, special programs for minorities and women have been upheld.

Subsequently, the UC Regents filed an appeal to the US Supreme Court. At that time, several minority and legal groups filed "friend of the court" briefs to the US Supreme Court asking the justices not to hear the appeal made by the UC Regents. Their feeling was that the UC "defense" of the case lacked the evidence necessary for the Court to make a wise decision and that the parties actually affected by the decision--the minorities-- were not represented. Thus they argued that it would be unconstitutional for the Court to hear the case. Nonetheless the U.S. Supreme Court agreed in February to accept the appeal. The Court is expected to hear the arguments for the case in the Fall of this



year, and make its decision sometime afterwards.

### The Broader Context

The Bakke decision and its implications can only be understood in the context of the history of the U.S., in particular the history of racism and the struggles against it. Racism has permeated every aspect of this country from its inception. We can look at the beginning of U.S. history, the stealing of Native Americans' land and the uprooting and slaughter of much of the original population. We can look at the period of slavery and its aftermath: segregation, the KKK, and lynchings. Or we can look at today: the racist movement against busing, forced sterilization of minority women, the unemployment lines filled with minority people, and the continued police crimes in minority communities. Racism is there, permeating every aspect of life in the U.S. Even as racial minorities have labored strenuously to build this country's wealth and resources, they have received few benefits from this labor. They have been systematically excluded from educational and employment opportunities and relegated to live in ghettos, barrios and Chinatowns where the poverty, unemployment, poor housing, and disease have been recycled for decades.

The Civil Rights movement of the 1960's represented a major attempt to change these conditions, in fact, to alter the course of centuries of discrimination. It drew attention to the racist institutions and ideas that are so firmly embedded in U.S. society. People of color demanded human rights through militant protests, boycotts, strikes, and legal and legislative means.

This powerful Civil Rights movement produced gains in the political, educational, economic and social arenas. The Civil Rights Act of 1964, affirmative action programs in employment, special admissions at the colleges, and a widespread awareness of racism as a central problem in the U.S. were some of the products of this movement. Despite the fact that certain advances were registered, these programs had severe shortcomings in their funding and actual implementation. Moreover, as the Civil Rights movement was dissipated, the difficulties increased and attacks on hard won gains intensified.

It is no accident that the Bakke case has emerged in this period. Since 1972 the U.S. has faced a serious economic recession which has resulted in bitter competition for jobs and access to higher education. While the costs of health care have soared beyond the pale of most working people, medical schools continue to ignore this crying social injustice and instead admit only an elite few to share the privilege of high income. At UC Davis' medical school, 3737 applicants fought for a mere 100 openings in 1974. The fact of widespread unemployment and the profit orientation of institutions such as medical school actually promote and perpetuate racism by pitting minorities against whites for a shrinking number of positions.

Thus the mid-1970's has witnessed a dangerous resurgence of racism. Many of the gains won by the anti-racist movement are being cutback or eliminated. Programs designed to promote equality for minorities, women, the unemployed, the aged, or the poor are being criticized and curtailed. The Ku Klux Klan and the Nazis have resumed public posture in Boston, San Francisco, Camp Pendleton, and even the Berkeley campus. And minorities fighting to preserve a minimum of human dignity and survival are met with charges of 'reverse racial



discrimination', a thinly veiled concept which seeks to portray the victims of racism as the perpetrators of racism. This concept of reverse discrimination is the legal justification for a political attack on minorities, and is the foundation of Allan Bakke's suit. Its sanction by the U.S. Supreme Court would be a jackhammer blow to thousands of minorities seeking jobs, promotions, and/or higher education in the next years or even decades. The Bakke case, then, is part of a rising trend of racism in the U.S. and its implications shed light on how all inequalities in the U.S. are increasingly ignored and means to counteract them declared illegal.

#### Bakke Decision = Racism

While the Bakke case may seem to center around the constitutionality of special admissions programs, this is merely an illusion. The real issue at stake is whether racially-based programs are constitutional or whether such programs constitute 'reverse racial discrimination.' Thus the Bakke decision will directly and immediately affect not only special admissions, but all programs in the fields of education, employment, health, etc. which utilize race as a criteria. As such, the case represents a general attack on efforts to overcome racial discrimination and is not merely a question of minority access to education. Indirectly the decision will also justify attacks on similar programs for women: reverse sexual discrimination. Indeed, this is not idle speculation as numerous suits utilizing the rationale of the Bakke case and attacking affirmative action have already been filed and are pending in the courts. Moreover, many employers who voluntarily implemented affirmative action programs may eliminate them rather than face suits based on the Bakke case.

The drastic implications of the Bakke case point out that the decision of the California Supreme Court is a direct assault on the struggle for racial equality and therefore must be overturned. Two other issues that emerged in the Court's decision make this even more clear. First, the Court said that under the Constitution in order to prove racial discrimination it is not sufficient to demonstrate that the effect of UC's past admissions policies has virtually excluded minorities. Instead, it claimed that it was necessary to prove that UC intended to be racist in its admissions policies. In other words, by this logic racism is now constitutional so long as its victims are unable to produce hard evidence that the discrimination was intentionally inflicted. In this post-Civil Rights era, documentation of this sort is hard to come by even as racism itself intensifies.

Secondly, the Court ruled that minority students admitted to UC Davis' special admissions program were less qualified by UC's own standards. This assumes that grade point averages and the Medical College Admissions Test (MCAT) accurately predict how well an applicant will perform in medical school and as a doctor. But this has been decisively disproven. For example, a recent study of the Association of American Medical Colleges showed that blacks who had successfully completed the first two years of medical school had lower MCAT scores than whites who had flunked out. And clearly such characteristics as compassion, commitment, and energy -- so important for doctors -- are not measured by these traditional methods.

The use of these concepts of 'intent' and qualification obscure the actual conditions of racial oppression, and thus, prohibit the remedying of these conditions. For example, the Court gave little consideration to the health needs



of minority communities, but contended that these needs could be met simply by altering the medical school curriculum toward an 'orientation on minorities' for white medical students. The Court also asserted that minority doctors would not be more concerned with the health needs of minority communities. In essence, the Court ignored the legacy of racial discrimination in the U.S. and the oppression faced by minorities today.

The U.S. Supreme Court

The present Supreme Court is dominated by Nixon and Ford appointees of conservative stripe. The hostility of this body to the rights of racial minorities is well known. This Court was responsible for seriously undermining the legal basis of school desegregation, for forcing victims of racism to prove the intent of their oppressor in order to have a basis to sue, and for holding that inequities in school financing (e.g. between ghetto and suburban schools) does not justify court-ordered equalization. Moreover the Supreme Court has purposely chosen to make an historic judgement about 'reverse racial discrimination' on the basis of a case rendered inadequate by UC which has never acted in the interests of minorities. This indicates that the Court may have already made up their minds to sanction 'reverse discrimination.' Clearly it would be foolish to count on such a Court to overturn the Bakke decision on its own initiative.

*no link position on history?*

It is sometimes thought that the Constitution is an eternal document that neither requires nor allows for 'interpretation' of its meaning, or that the Supreme Court is so distant that it cannot be influenced by public opinion. If this were so, one would be hard put to explain why the Court has so often changed its mind about what is constitutional. It was no accident that Jim Crow rules of 'separate but equal' were ruled unconstitutional during the Civil Rights movement. Now it is our task to generate a powerful people's movement that will force the Court to strike down the Bakke decision and debunk the concept of reverse discrimination.

*1. no connection made between slot & brry. 2. constitution is upheld can be gdn if upheld it.*

The Role of the University of California

It is a documented fact that a UC official was a prime motivator and supporter of Allan Bakke's suit. In letters to Bakke in 1973, Peter Storandt, UC Davis Assistant to the Dean for Student Affairs and Admissions, persuaded Bakke that minority admissions was the cause of his rejection, provided him with legal counsel, and explicitly encouraged a suit against the special admissions program.

The University's legal defense of the special admissions program has also come under scathing criticism. UC failed to admit or provide evidence of its long history of racial discrimination which would have justified the special admissions program. Nor did UC legal counsel debate Bakke's unwarranted contention that entering minority students were less qualified than white students not admitted into the medical school. This not only justified Bakke's suit but may also serve as an excuse for UC to dismantle special admissions if the Bakke decision is upheld by the U.S. Supreme Court.

*as minority is not enough anyway*

Finally, UC has continuously refused to hire a minority co-counsel despite the vigorous demands of minority groups. This is in line with UC lawyer Morrison's admission that his 'client is the U.C. Regents, not Third World communities.' UC's actions in the Bakke case are consistent with its traditional stand towards



minorities. At UC, as in many other schools, special admissions and other assistance programs were forcibly created, not benevolently bestowed. And once in existence, these same educational institutions attempted to cutback or eliminate the programs long before the Bakke case. With such a past history of racism, it is clear that without strong public pressure, UC will fail to present an adequate case for special admissions.

*over w. pressure UC will present a gd. case!*

Organizing Against the Decision

The National Committee to Overturn the Bakke Decision believes that the only way to defeat the Bakke Decision lies in organizing the U.S. people to actively express our opposition to it. This campaign can unite all who oppose the historic injustice towards racial minorities. This public pressure should be directed principally to those who will eventually be responsible for making the decision: the US Supreme Court. Although the main target at this stage is the Supreme Court, we must also pressure UC to make a strong defense against Bakke. Without this pressure, as was shown in the lower courts, UC will purposefully create a weak case. The Supreme Court is the main target, UC a secondary one.

Our Demands: *- all very vague*

We believe our demands can unite the vast numbers of people necessary to force the Supreme Court to overturn the Bakke decision. Three major considerations guided the formulation of our demands. First, that the Bakke decision is an attack directly on all Third World people, workers as well as students. Second, that all people have a right to quality education and employment. And third, that these demands would be maintained throughout the campaign against the Bakke decision. Thus, additional demands might be added in particular stages of the campaign (e.g. addressing U.C.) or according to local conditions. Our general slogan is: FIGHT RACISM, OVERTURN THE BAKKE DECISION!

1. Overturn the Bakke Decision

The Bakke Decision, if upheld, will institute the legal concept of 'reverse discrimination' and will thus be a damaging blow to all racially based programs. It will undoubtedly result in barring thousands of people from entering school, receiving decent jobs and social services, and from getting promoted over the next years and even decades. To fight this racist decision we must generate a broad and powerful people's movement to demand that the Court overturn the decision.

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2. Implement, maintain, and expand special admissions and other essential services for minority students at the graduate and undergraduate levels.

Educational institutions have a special responsibility to correct conditions resulting from racial discrimination. Special admissions and other services for minority students were developed to partially fulfill this mission. These programs enable minorities to learn skills with which to serve the needs of their communities and to participate in all aspects of society. The UC has a long history of racism and non-responsiveness to the realities of minority communities. Its role in the Bakke case is one more example of this stance. We must force UC and other education institutions to expand their special minority programs and services.

*educ. not just for jobs - for hist.*

3. Implement, maintain, and expand affirmative action programs in employment.

This demand speaks to the serious effect that the Bakke decision will have, and is already having, on minority workers. It warns the workers that their struggle to make a decent living is being directly attacked and seeks to mobilize the potentially giant energies of the Third World workers to fight a decision that is being directly aimed at them. The Bakke decision is not only a question of minority access to education, but is an all-around attack on minority peoples as a whole, both student and worker. This demand also encompasses the demands of women for affirmative action and calls attention to the fact that the Bakke decision is indirectly having a very negative impact on them.

*directly*

FIGHT RACISM, OVERTURN THE BAKKE DECISION !



GENERAL STRATEGY PAPER

This paper is the general strategy to overturn the Bakke decision agreed upon in the April 23-24th conference. It emphasizes the political organizing strategy because we feel that the organizing of public protest is the crucial element in overturning the decision. The additional papers, the legal and organizing proposals, will refine and expand upon those areas which are mentioned only briefly in this paper.

What is the timetable by which we are working?

The Bakke case is presently at the U.S. Supreme Court awaiting a decision. The process for the Court to make a decision is that first, written arguments from both sides plus written opinions from interested parties (amicus briefs) are submitted to the Court. Second, given time for the Court to read the documents, oral arguments of approximately 30 minutes each are presented by both parties to the Court at the hearing itself. Third, days or months after the hearing of the oral arguments a decision is made.

The deadline for submitting the written arguments of both sides and the amicus briefs is June 7th. This deadline was an extension and therein the Court indicated that this deadline is final. In the summer months the Court does not convene. Therefore, most opinions are that the hearing of the oral arguments will take place in October. We do not know as of yet the exact date. The decision itself can come days or months after the hearing. We speculate that UC is pushing for a decision before the end of the year so that it can implement the decision in its next academic year.

What can we do?

Fundamentally, the Bakke decision represents a racist attack on minorities. It is the organizing of large numbers of the American people to oppose the Bakke decision that will be the principal factor to protect and overturn the case. Legal and legislative means to fight the decision are important, but our main tool will be the mobilizing of large numbers of people to express their opposition to the Bakke case and the racism it represents.

The main target of our protest is the U.S. Supreme Court as they have the "say" on the case at this time. Just like anyone else in society, the 9 Supreme Court Justices are influenced by public sentiment and pressure. It is our task to make that sentiment clear and strong. Although the U.S. Supreme Court is the main target, we must also put pressure on the UC to make sure they put up a strong case. We must pressure UC especially in the part of in which the legal case is still being built.

Since the decision rests at the U.S. Supreme Court, a national education and organizing strategy is necessary to overturn the decision. Thus far most of the education and organizing work has taken place in California. The Western Regional Conference and our work after the conference should be seen as one step towards generating a national movement around the case.

*not the reason -  
the Bakke  
will affect the  
whole nation*



We must realize that before people will actually protest the decision, they must have an understanding of the issue. Therefore, the Bakke campaign must make distinctions between periods where more emphasis is on educational work and periods where active protest is primary.

Who we can involve in this campaign.

Opposition to the Bakke decision must be understood as part of the larger fight against racism. Therefore, this issue can potentially unite people of all ages, races and occupations who are opposed to racial discrimination. However, as a racist attack, a main focus of our work should be mobilizing all minority groups to put vigorous pressure on the Court. Already, legal suits based on the Bakke case attacking other special admission programs and affirmative action programs in employment have been filed and are pending in the courts.

Outline of the general strategy.

The political work on the Bakke decision will be characterized by an emphasis on initiative taken at the regional and local levels. However, to enhance this regional and local work, and to implement a national strategy to overturn the Bakke decision, we are proposing a number of nationally coordinated activities as well. All of this work, from the local to the national levels, will be conditioned by special objective factors. Thus, we have separated our general strategy into stages of work which take into account those special factors.

Stage I: April through early June

Two special factors which condition our work in this period are:  
1) UC is still formulating its written case for the Court, and 2) on most campuses students are still in school.

In this stage of our work we would concentrate on students and on educational work on the Bakke issue, paying particular attention to reaching minority students. In those regions where students are already more aware of the Bakke issue and have an immediate target (such as students in California targetting UC), mass pressure through demonstrations should be applied to pressure UC to put up a strong case. In California we should put forward two additional demands in this stage: 1) UC must inform the public of their actions and planned legal tactics; they must answer questions about the appropriateness of those tactics and accept suggestions for improvement, and 2) UC Counsel must allow the minority law student and legal groups who have been working on the case to review their proposed legal tactics and give active input into the case.

Education and outreach will begin in the communities and workplaces in this period as well. This will prepare us for the emphasis on community and workplace outreach and education work in the next stage. This outreach will take the form of doing educational work and reaching out to many community, labor, church and other groups and individuals to become active participants or endorsers of our campaign. We would also

*demands for N.C.*



begin our petition campaign during this first stage. The petition would protest the decision of the California Supreme Court and will be directed towards our representatives in Congress to publicly take stands and call hearings on the Bakke decision and special admissions programs. This will put indirect pressure on the U.S. Supreme Court from the legislative branch. The petitions would be circulated immediately after the April 23 & 24th conference and would end circulation in August. In late August-September we would plan for press conferences and public hearings to present the petitions to legislators. The petitions will not only act to pressure these legislators, but will also provide opportunities to educate people on the issue and will thus be an important part of our outreach work. Perhaps door-to-door petitioning can take place. Speaking tours should also be organized to help regional and local activities get off the ground and to stimulate the development of Bakke work in other areas of the country. A national media campaign will also be launched in this stage. Initially the focus of the campaign will be local and regional media. By August and September national coverage becomes a major priority.

*using the system to J. itself!!*

*putting pressure on Leg's rather than outreach*

As part of our legal strategy we will want to endorse and link up with an amicus brief which will be presented to the Court before June 7.

Stage II: mid-June through early August

Special factors in this period are that: 1) UC's written case has already been submitted to the Court and cannot be revised, and 2) on most campuses students are not in school.

In this stage of our work we will be emphasizing education on the issue and centering our work in the community and workplaces. Special attention will be given to minority communities. Since the UC's case has been submitted, we will continue to "watchdog" UC but not pay as much attention to it as in the first stage. Regional and local initiative will be crucial in this period, and it is important that our petition campaign continue and broaden. In this second stage each region should also plan one large region-wide educational event, probably to take place sometime in July. This event will draw attention to the issue from local and regional media. It will help prepare for the next stage, that of active protest. This educational event can take many forms depending upon the region. These events need not be coordinated nationally (i.e. on the same day, etc) although educational materials such as brochures or slideshows can be produced nationally for each region to use.

*not under-standing outreach*

Hopefully by this time other areas of the country will be actively working on the Bakke issue. We will try to link up with groups and individuals nation wide to develop a truly national campaign to overturn the Bakke decision. We should plan for a national meeting of the various regions in July to: 1) rediscuss the National Center, the National Coordinating Committee and the National Coordinatorship, 2) coordinate and make concrete the next stage of our work the active protest stage, and 3) begin planning activities for our work after the U.S. Supreme Court hearing on the case.

*July*



Stage III: mid-August through the date of the hearing

Special factors to take into account in this period are: 1) the Supreme Court will probably hear the case in October, 2) students begin school again in September and October, and 3) a lot of educational work and outreach has been done on the regional and local levels.

This is the period of active protest. There will be a series of local demonstrations and other events building towards a national day of protest. These local actions which build toward the national day will be held on campuses and in the communities, especially in minority communities. Such actions could be coordinated within a region, but probably not between regions.

In the last weeks before our petitions are presented, we should launch a letter-writing campaign. A flood of letters coinciding with the delivery of petitions will place pressure on legislators to act on behalf of the people they represent. This would also be a time to intensify the national media campaign to give the Bakke issue more public exposure. Holding press conferences and public hearings to present our petitions to legislators would be a part of this media campaign as well as targeting progressive newspapers, radio shows, progressive reporters, etc.

Our national day of protest will be a nationally coordinated event, not just a regional or local action. It will unite people from the campus, community and workplace, as well as people of different ages, races, nationalities who have been organizing around the Bakke case. This national day of protest should be held as close to the date of the Supreme Court hearing as possible, perhaps a day or two before, and could, for example, be held at federal buildings throughout the country.

To further plan the next stage of work after the Supreme Court hearing, as well as to finalize and coordinate the work on the national day of protest, a national coordinating committee meeting will probably have to be scheduled in mid-September.

For our legal focus during this stage we will continue to try to increase our pressure on the UC and the Supreme Court. We should also call for a public meeting with the UC legal team to discuss their oral arguments sometime before the hearing.

as heavy media  
so important



## Outline of the Legal Strategy

Within a political issue such as the Bakke decision, the organization of public pressure on the U.S. Supreme Court will be the crucial element in overturning the decision. It is also important, however, that we utilize whatever legal tactics are available. The following outlines points that will be important elements in the legal aspects of our work.

1. More research is needed around the Bakke case and its implications on affirmative action in education and employment. The information collected should be made available to all regional and local committees, organizations and individuals doing work around the issue.
2. We should develop a "fact sheet" and other materials explaining in popular form the legal issues of the Bakke case. These materials would be used for broad distribution and for use in forums and other educational events in communities and on campuses.
3. Amicus Briefs: As far as direct legal impact of the Court, it seems that we have to rely on the amicus curiae briefs ( friends of the court) written by minority and progressive legal groups and individuals. These briefs give additional information to the Court on how to view the case, and should serve to reflect the public sentiment. Part of the legal strategy will include reviewing the amicus briefs, endorsing some of the briefs formally as an organization, and encouraging other groups to endorse certain briefs.
4. It is evident through the past history of UC that only through public pressure will UC bend to the needs of minority communities. Therefore, we are putting forward two additional demands in the first stage of this Bakke struggle. These demands will be raised in the California regions and directed toward UC.
  - a. UC must inform the public of their actions and planned legal tactics: they must answer questions about the appropriateness of those tactics and accept suggestions for improvement, and
  - b. UC Counsel must allow the minority law student and legal groups who have been working on the case to review their proposed legal tactics and give active input into the case.

- a what is  
N.C. doing  
when UC  
doesn't do  
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## PAPER ON OUR ORGANIZATION

To implement the political and legal strategy at both national and local levels, a corresponding organizational structure must be developed. In the absence of such a structure, these strategy plans will lack national coordination and communication, a systematic check-up and assistance and summation process. The organizational plan must thus facilitate nationally coordinated activities, be flexible with regard to the initiation of regional and local work, and maintain a broad network of supporting organizations and individuals.

### I. National Level

Because of the national character of the campaign, the coordination of work across the country is crucial to create the most substantial impact. We also need to facilitate the exchange of information and the gathering of opinions from those most concerned or directly involved in the movement against the Bakke decision.

#### A. National Coordinating Committee

To maintain a representative and democratic process of discussion and assessment, we propose that a national coordinating committee be formed. This committee would be composed of two representatives from each region who would principally serve as liaison and who collectively would serve as the "national leadership" body. Because such a body could not meet regularly, day-to-day responsibilities of the national leadership should be the work of a "national coordinator" who would work out of a national center in implementing the agreed upon work. This national coordinator is directly accountable to the national coordinating committee. As the work expands, there may be a possibility of more than one national coordinator being selected by the NCC. This change will require the ratification by the regions.

#### 1. Functions of the National Coordinating Committee

##### a. Coordination of national work

##### Political Actions

The NCC will shoulder most responsibility for the nationally coordinated political actions. This will include developing a national education brochure, and coordinating the speaking engagements during the first stage of our work. The NCC would oversee the development, distribution, and centralization of the petitions, and direct them to the appropriate government bodies. National publicity and media work about the campaign would also be developed by the NCC, including guidelines for publicity for the national day of protest.

##### Legal Strategy

With regard to the legal strategy, the NCC would establish a communications link with the national legal groups, especially those based in Washington, D.C., and be responsible for channeling information from them to regional committees. The NCC would also designate the responsibility for follow up with regard to legal discussions with the UC Regents, as well as for further legal research work. This may involve selecting a team of persons whose task would be research and documentation work.

##### b. Organizing national meetings

After the conference as as soon as regions have established themselves



there will be an NCC meeting to review the past work and plan for a July national meeting where many representatives for each region could be called together. The purpose of this meeting would be to rediscuss the National Center and the NCC, to concretize plans for the Fall, and to begin developing the strategy past October. Hopefully this meeting will help to establish a more balanced nation wide character to the committee by bringing together persons from groups around the country which have taken up the national strategy. In September a National Coordinating Committee meeting should be called in which to finalize details of the national day of protest and also to finalize the strategy in the post-October stage.

c. Organizing finances

Another important aspect will be the development of finances to support the national work. In general, regional committees should try to remain self-reliant with regard to finances. The national, however, will seek resources through funding proposals and donations to support the cost of an office, supplies, printing, part-time staff position, etc.

d. Creating a national staff

Because the work at the national center is quite substantial, the national coordinator should designate 3-4 persons to assist in the implementation of tasks such as staffing the office, checking up with regional representatives or printing materials. This staff would not have decision making powers, but would be directly accountable to the national coordinator.

e. Facilitate the work of regional committees

The national center, under the direction of the Coordinating Committee and national coordinator, should keep consistent communication with regional committees to provide guidelines for various activities, share information from other regions and provide certain material support. For example, the development of educational materials (brochures, slide shows) should be guided nationally but be available for all regionals. Likewise the national center would distribute petitions, posters, buttons, bumper stickers, etc. to the regions.

f. Develop outreach and contact with other supporters

The Coordinating Committee will help to initiate contact with other concerned groups and individuals throughout the country and provide them with information on the campaign. Where possible, more formal ties will be encouraged to establish new regional committees.

National Decision Making

To insure our continued unity, we should systematize the national



decision making process of this committee so that it is carried out thoroughly and democratically. This should be carried out on three basic levels.

a. Major national decisions (i.e. changes on the demands target, etc.) should be made in meetings of the membership of the National Committee in which all regions are equally represented.

b. Important decisions in which it is not feasible (because of time considerations, etc.) for such a meeting to take place, should be discussed in all regions, voted upon and then raised to the N.C.C. either through a meeting of that body or a poll conducted by the National Coordinator.

c. Minor decisions, those which do not alter the general unity of the Committee, should be decided upon by the N.C.C.

The N.C.C. is the body to convene the National Committee meeting and the regional meetings to discuss and make the decisions.

### 3. National Center

Until July the Interim National Center should be located in the Northern California region. This is because of the initiation of the national committee in Northern California, and that a number of groups and individuals have already actively begun to organize against the decision. At the next National Committee meeting in July the question of the national center should be raised for further consideration and decision. By that meeting the national committee should be more representative of the regions nationally so that fuller discussion on this matter can take place.

### II. Regional Level Work

Regions at this time will be defined according to broad geographic areas - in particular, the North West, Northern California, and Southern California. However, these areas will have the opportunity to discuss other possibilities for regions as the organizing work unfolds. These opinions should be raised for consideration to the N.C.C. which can decide on what basis, how and when new regions could be formed.

Regional committees would be mainly responsible for implementing aspects of the National strategy and for broadening and expanding the base of people opposed to the Bakke decision. A regional Committee would be composed of groups and individuals supporting the general analysis and demands and committed to the implementation of tactics.



Aside from doing federal outreach work, the regional committee would plan and coordinate educational work, national activities such as the petition campaign and national day of protest. They would guide the development of locally initiated activities when possible. Regional committees would assist in organizing local focus committees in neighborhoods or campuses which could give more attention to that particular area's organizing work.

Organizationally, regional committees should be headed up by both of the representatives to the NCC. As needed regionals could create their own steering committee and work committees, such as publicity, outreach, education, finances, etc. These could give further assistance to local focus committees, as well as other groups supporting the campaign. Regional committees would meet as often as needed -- more frequently in work committees, every 3-4 weeks in general meetings.

Through the two representatives, each regional committee would maintain a liaison with the national center, and thus be kept updated with regard to legal and political developments nation wide, and to insure national coordination.

#### A. Local Focus Committee

These committees would serve the purpose of orienting and organizing particular neighborhoods or campuses or sectors and linking them up to the national strategy. This is work which could be done through door-to-door petitioning, a campus teach-in, meetings with church, labor groups, etc. Since the organization of local focus groups depends on particular conditions in each area, their initiation will be left up to each regional committee.

### III. Support Network

The national and regional levels should encourage the development of a large network of support from organizations and individuals who do not necessarily directly participate in the committee. However, they are prepared to help do petitioning and will mobilize their constituents for forums, rallies, etc. Most likely, this category will be the most substantial level of participation, at least in numbers. It is also flexible enough so that, when possible, some members of the network can temporarily assist in the actual organizing of certain activities.

### IV. Name of the Organization

To express the projected character of this group and the main task we are facing, the name of this organization will be the National Committee to Overturn the Bakke Decision. The regional committees will be identified by the name of the region in parentheses, e.g.; National Committee to Overturn the Bakke Decision (Northern California Region).

### V. Selection of the National Coordinating Committee

At the conclusion of the workshops and resolutions at the conference on April 27th, each region shall select 2 persons as ad hoc liaison/representatives to the National Coordinating Committee. The No. Cal region as the national center, though interim, should select 3 reps. All the representatives should then meet together and select one of the reps from the national center as ad hoc national coordinator. All these positions could be confirmed or altered when the regional committees are formed and formal elections take place. The national center, NCC, and the national coordinator which at this time are interim, will be rediscussed in the July national meeting.