

# **Overturn Bakke Decision !!**

The history of the multinational working class and oppressed masses in the U.S. is characterized by long years of intense struggles against national oppression, against the slavery, racial discrimination and brutal exploitation of oppressed nationalities. The special admission programs in colleges and schools, special hiring procedures in industries such as steel, and other "affirmative action" programs designed to increase the participation of minorities in educational, housing and employment opportunities were concessions forced out of the bourgeoisie through the struggle of the 60's. Now that the imperialists are suffering a world-wide crisis, they are striving to make workers and oppressed people pay for that crisis by cutbacks in salaries, services and benefits gained. Affirmative action programs are one of their targets. They are currently under consistent attacks by the racist U.S. bourgeoisie, by cuts in funding, as well as by the complete elimination of such programs.

## **BAKKE CASE**

The Californian Supreme Court's decision of last year on the Bakke suit is an example of these attacks. Briefly: the Medical School of California at Davis admits 100 medical students every year. Under its "affirmative action" program, 16 of these 100 slots are assigned to minority applicants. Allan Bakke, a rejected white applicant, filed a suit against the University, alleging "reverse discrimination" and a violation of equal rights according to the 14th amendment of the U.S. constitution. The California Supreme Court upheld his claim against the "affirmative action" program, and the case is currently being appealed in the U.S. Supreme Court.

The Bakke decision is a heavy blow against the rights of minorities, and already thousands of workers and oppressed people throughout this country are waging a militant struggle to demand the overturning of that decision. Its effects are not limited merely to the guarantee of minority admissions to the Medical School of the University of California at Davis. It establishes the legal precedent for the elimination of many such programs throughout the country, not just in education, but also in labor contracts and in housing. The Bakke case, constitutes the stepping stone for far-reaching attacks against the hard-won gains of oppressed minorities in the U.S. The most reactionary sectors of the bourgeoisie are using Bakke's claim that he was rejected from

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medical school because he was white, in order to charge "reverse discrimination" and as a way to take back the small gains of the 60's. This is one of the many clear signs that they are attempting to prepare the grounds for fascism by stirring up racial hatred and division. In fact, two mass rallies in California were recently attacked by members of the American Nazi Party yelling "Bakke equals white power"--actions which are being especially encouraged and backed by the bourgeoisie today.

#### BAKKE AND WOMEN

Special mention must be made of the implications of the Bakke decision on the rights of women. Women, along with the oppressed nationalities, are the most oppressed sectors of the working class. Women too are oppressed and discriminated against in capitalist society and their basic democratic rights consistently denied. The mass struggle for women's rights also made some gains which capitalists have been taking back recently as one of the ways to resolve their crisis (remember the Supreme Court rulings overturning maternity and social security benefits for women). The Bakke decision is a legal precedent in which the so-called "constitutionality" of special admissions and hiring programs which establish quotas for women can be challenged. It gives the capitalists a legal excuse to eliminate those programs which they had already been forced to establish or to refuse to establish them on the basis of their supposed "unconstitutionality". Thus, the Bakke decision seriously threatens the gains that had been won as a result of the mass struggles, especially those for working women, such as the quotas establishing that a certain minimum of women has to be hired by companies such as American Telegram and Telephone, New York Telephone, General Electric and others. This is especially hard on working women who need to keep their jobs for the survival of their families in these times of serious economic hardships.

#### A GENUINE REFORM

"Affirmative action" programs do not eliminate racial discrimination and national oppression, but they open up a limited amount of educational and job opportunities that otherwise would be closed

to minorities. Due to the economic exploitation, inferior education and lack of opportunities of which they are victims in this racist, capitalist society, they are barred from such professions as medicine and from the higher paying skilled jobs. They are generally the last to be hired, the first to be fired and scarcely to be promoted. Affirmative action programs establish quotas that guarantee a certain amount of minorities to be admitted in universities, hired in certain jobs, etc.

#### OUR TASKS

We support the struggle to defend "affirmative action" and to overturn the Bakke decision. We also demand that these programs be continually expanded. We must be alert against leaving

minority quotas at their present level as an attempt to put a ceiling on the number of minorities that can participate in educational and employment opportunities. Concretely, we are urging all progressive people to campaign in union locals for the passing of resolutions condemning Bakke. In the shops, we are struggling for a contract that guarantees the rights of oppressed nationality workers and implement affirmative action programs in hiring and promotions.

The struggle to overturn the Bakke decision is the struggle against national oppression. Understanding the national question and the need for multinational unity and solidarity in struggle are vital in the success of the U.S. proletarian revolution. In order to be successful in this struggle, we must rely on the struggle of the masses. The courts within the capitalist system are an instrument of the capitalist class which is in power. The capitalist class uses the courts to oppress the workers and maintain its own rule. The courts in turn serve the interests of the capitalists, and are not impartial overseers. They simply implement and interpret the system of laws which are designed to protect the rich and further oppress the poor. Thus we cannot rely on this instrument of class domination to grant us our rights. We must fight for them!

In the hundreds of mass demonstrations and rallies against the Bakke decision that have been held around the country, many different forces have participated. First of all, there are all the honest, progressive and revolutionary people--the masses--who spontaneously react against all forms of oppression. Then there also the many opportunists attempting to take control of the spontaneous anger of the masses. Reformists, for example, have jumped on the bandwagon spreading among the masses false illusions and faith in the system and on the possibility of resolving our problems through the courts. Trotskyites and revisionists as well have recognized in the issue an opportunity to peddle their own bankrupt lines. In the areas where we work there are a number of coalitions attempting to organize the anti-Bakke struggle. At present we are carrying out independent work in this struggle, while studying the different forces involved so as to make a correct decision, one that best serves the interests of the working class.

#### BAKKE AND THE WORKING CLASS

Affirmative action programs benefit not only minorities but the whole of the working class. It is in the interests of all workers to support the struggle to end national oppression and racial discrimination as this is precisely one of the tools of the bourgeoisie to continue to oppress workers by keeping us divided and fighting each other for a few jobs, and other opportunities. By keeping the oppressed nationalities much below the level of the rest of the population, the bourgeoisie uses the minorities to keep down the level of the rest of the workers and to divide and weaken the working class.

The anti-Bakke struggle is not just a matter of reserving a few slots for selected Blacks, Chicanos at a medical school, etc. Petty-bourgeois reformist are attempting to make the anti-Bakke struggle one for securing their "piece of the pie" in certain prestigious professions such as medicine and law. But the real issue, and this is what we must strive to focus in this struggle, is the right of all workers--whether white, Native American, Puerto Rican--to equal access to all jobs, all services, all educational facilities etc. It is really the working class that is most threatened by the Bakke decision since what is really at stake are some of its most fundamental democratic rights and its unity and solidarity as a class.

The right to a decent job, and the right to quality education are basic democratic rights which are constantly denied to workers in capitalist society, especially those of oppressed nationalities, and women. Capitalism is based on the division of society into classes and on the exploitation of man by man--and national oppression is based on class society. It is in the interests of the capitalist to keep the working class from uniting. Consequently, they foster division along national lines, age, race, sex, job category, etc. This is done by offering better educational opportunities, higher pay and other benefits to a selected few and keeping each sector thereon at a higher level than the next one.

The national question in the U.S. is inseparably linked with the class question. We cannot talk of ending national oppression in the U.S. without ending the capitalist system. And only by defeating the dictatorship of the bourgeoisie and establishing our own dictatorship of the proletariat and building socialism we end all class divisions and definitely put an end to all national oppression. The working class, led by its vanguard party, and the oppressed masses in this country, will certainly continue to surge forward in revolutionary struggle until complete victory is achieved. The anti-Bakke mass struggle is but a step in this direction.

Let us continue to build it!

DOWN WITH THE BAKKE DECISION!

STOP NATIONAL OPPRESSION!