

**COALITION TO DEFEND AFFIRMATIVE ACTION, INTEGRATION AND IMMIGRANT RIGHTS AND FIGHT FOR EQUALITY BY ANY MEANS NECESSARY (BAMN)  
STATEMENT ON THE FISHER DECISION**

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Shanta Driver, attorney and national chairperson of BAMN, and George Washington, the attorneys for BAMN in *Schuette v Coalition to Defend Affirmative Action*, now set to be heard by the Supreme Court this fall, issued the following statement for BAMN about the Supreme Court's decision in *Fisher v. the University of Texas at Austin*:

The United States Supreme Court has today refused to overturn the University of Texas affirmative action plan. Seven Justices assumed that *Bakke* and *Grutter* were still good law and that the universities could use affirmative action to achieve a more racially integrated student body.

The Court did not strike down the University of Texas plan, and it did not hold that the ten percent plan made affirmative action unnecessary. The Texas plan remains in effect today.

The Court did remand the case to the Fifth Circuit and the District Court to determine whether there were any alternatives to affirmative action. But everyone knows that there are no viable alternatives given the segregation and inequality in elementary and secondary education and the racial bias in standardized tests.

We believe that it will take a big fight in Texas and nationally to persuade the conservative Fifth Circuit to recognize this truth. To win this fight—which it is now clear we can do—we have to return to the streets. That is how affirmative action was won and the only means by which it can be defended today.

The next affirmative action case before the Supreme Court is our case, *Schuette v Coalition to Defend Affirmative Action*. This case will be heard this fall. We will be organizing a massive demonstration at the Court on the day of the argument, and we ask for every individual and every organization that supports affirmative action to join us in building that rally and march.

Today's decision shows that we can win. And we must win. We are becoming a majority-minority country and we cannot allow our universities to return to their former segregated ways.

Almost one-fourth of the population of the United States now lives in states where anti-affirmative action proposals are in effect. We can and we will reverse those laws by winning in *Schuette*. Together we can reopen the universities to the black, Latina/o and other minority young people who deserve an equal opportunity to go to those universities.

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