



June 29, 2023

### If not Affirmative Action, then What?

**We will fight for an America that looks like the America of today!**

The Collective five fraternity political action committees of the Divine Nine express our dismay that once again America has yielded to forces that seek to preserve White supremacy in our nation. This decision is especially alarming to us as organizations of college-educated Black men.

Today, the United States Supreme Court turned back the clock on equal opportunity. The decision by the Court in the Harvard and University of North Carolina cases is the culmination of a five-decade campaign by conservatives to undermine efforts to achieve equity in higher education and employment. Beginning with the Court's shortsighted ruling in *Regents of the University of California v Bakke*, a coordinated campaign has been underway to deny the effects of centuries of systemic racism and discriminatory practices that have led to the underrepresentation of Blacks on predominantly White college campuses and in the corporate workforce.

Despite misinformation and mischaracterizations, quotas are illegal and are not a tool used in affirmative action programs. What thoughtful institutions of higher education and companies have attempted to do is level the playing field by taking into consideration historical practices of exclusionary policies and administrative practices, and expanding the factors used in determining admissions and hiring. Affirmative action policies have not displaced 'qualified' candidates. **Black candidates have met and often exceeded admissions criteria.** Still, data confirms that Blacks are only 5 percent of all lawyers, 5.7 percent of all doctors and 4 percent of all engineers in the nation, and less than 1 percent of all certified public accountants while Blacks comprise 13 percent of the nation's population. What affirmative action has done is altered the perception of 'merit' by including individuals whose talents and training clearly qualified them for admission to college or hiring for employment but were denied opportunities due to implicit bias and outright discrimination.

Given the Court's ruling, we are recommitting our collective resources and networks to ensure that Black children, and other children of color, have access to a college education.

The Court's decision should also not dissuade our elected officials from taking affirmative steps to encourage college enrollment and private sector employment that looks like America. Congress must reinforce Title VI and Title VII of the Civil Rights Act of 1964 and add significant penalties for

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noncompliance. President Biden must strengthen the Equal Employment Opportunity Commission (EEOC) and pursue vigorous enforcement of the nation's anti-discrimination statutes. The Civil Rights Division in the United States Department of Justice must enforce the law and not waver in pursuing cases where institutions have engaged in discriminatory practices.

We stand united as the Collective fraternity political action committees of the Divine Nine in support of programs that afford opportunities to Black Americans to enroll in the college(s) of their choice and employment in professions of their choice. We will work to support candidates who commit to equity as a guiding principle in public policy.

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*This statement is released under the auspices of the Alpha Political Action Committee, the Krimson Political Action Committee, Omega Network for Action, Sigma1914 Political Action Committee, and the Brown and Gold PAC.*