

EMERGENCY RESOLUTION OPPOSING
ANY ATTEMPT BY THE JUSTICE DEPARTMENT TO
INVESTIGATE AND SUE UNIVERSITIES OVER
AFFIRMATIVE ACTION

WHEREAS on August 1, 2017 the New York Times reported that the Trump administration is preparing to redirect resources of the Justice Department's civil rights division toward investigating and suing universities over affirmative action admissions policies deemed to discriminate against white applicants, according to a document obtained by The New York Times. The document is an internal announcement to the civil rights division, seeking lawyers interested in working for a new project on "investigations and possible litigation related to intentional race-based discrimination in college and university admissions."

WHEREAS this attack on Affirmative Action programs flies in the face of both Supreme Court precedent as well the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) which the US has ratified and which supports affirmative measures to overcome the effects of racial discrimination.

WHEREAS, this attack constitutes a defiant disregard of the latest UN Universal Periodic Review of the US, which noted the US government's restrictions on affirmative actions as constituting non-compliance with its international human rights obligations..

WHEREAS the National Lawyers has historically supported affirmative action as one tool to attack institutional racism.

WHEREAS the National Lawyers Guild is alarmed that this action is only the latest effort of this administration's effort to fan the flames of racism which has resulted in a large rise in hate crimes.

BE IT RESOLVED that in light of these events the National Lawyers Guild condemns the efforts of the administration to attack affirmative action programs in universities and demands that the Justice department end any attempt to implement the proposed program.

BE IT FURTHER RESOLVED that the NLG will take all steps to reach out to our natural allies and to other organizations to protest this effort and to formulate strategies to protect and extend affirmative action. Specifically the International Committee will seek to coordinate advocacy, including amicus briefing, raising CERD and other international human rights conventions and principals in opposition to this latest Trump administration attack on the rights of historical targets of discrimination.

The International Committee will take the lead in implementation in this resolution.