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Folleto de El Clarin



**!Abajo con la  
 decisión racista  
 Bakke!**  
 una selección de artículos  
 de El Clarin

# Down With the Racist Bakke Decision!

A selection of articles  
 from *The Call*



A Call Pamphlet

35¢

# **DOWN WITH THE RACIST BAKKE DECISION!**

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from The Call

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## Introduction

This pamphlet is made up of articles on the struggle against the Bakke decision that have appeared recently in *The Call*, newspaper of the Communist Party (Marxist-Leninist.)

Far more than an individual racist decision of the California Supreme Court, Bakke is in fact an all-out attack on the rights of the masses, minorities, and women in particular. It is part and parcel of the workings of the whole capitalist system, which especially in this period of economic crises is launching an all out offensive against the working class. It is no surprise that thousands of students and young people, especially from the minority nationalities, have already risen up in mass actions to denounce this attack.

We hope this pamphlet will be a useful tool in studying the history of national oppression that lies behind Bakke, educating others about the case, and building the struggle more broadly and powerfully.

# Smash the Bakke decision!

September 26, 1977

At the request of President Carter, the Justice Department last week released its opinion on the racist Bakke decision currently being reviewed by the U.S. Supreme Court. Under pressure from minority communities, the position gives half-hearted support to "affirmative action," and then contradicts itself by condemning "quota systems."

The Bakke decision, which raises the phony issue of "reverse discrimination," is being used to legitimize the elimination of hundreds of college affirmative action programs for minorities. If the high court upholds Bakke, it will be the go-ahead for even further attacks on the right of minorities to a college education.

The case stems from a law suit filed by a white student, Allan Bakke, charging that he was the victim of "reverse discrimination" because a California medical school refused to admit him. The school maintained an affirmative action program which guaranteed a mere 16 slots out of 100 to minority students.

The affirmative action programs now under fire were won only through militant struggles during the student and civil rights battles of the 1960s. They represented one important way that minorities, victimized by centuries of discrimination and national oppression, could overcome some of this racist legacy.

All the hue and cry about "reverse discrimination" is designed to cover up the continuing national oppression of minorities that is getting worse under this system. The latest unemployment figures for Blacks alone—40.5% for Black youth and 14.5% for all Blacks—show the continuing need for special programs like affirmative action to alleviate some of the discrimination faced by Blacks, Chicanos, Native Americans and other minorities.

"Reverse discrimination" is also the rallying cry that the capitalists would like to use to split whites and minorities. They say that if it wasn't for affirmative action, there would be plenty of college slots for white students.

The fact is that no one—white or minority—is guaranteed either a place in college or a decent education. Medical schools, for instance, accept only a small percentage of all applicants and have faced drastic cutbacks in the last few years.

The supporters of Bakke hope that by shouting "reverse discrimination," they can get young people to blame each other rather than the system for the bleak future that confronts them.

But thousands have already rejected this scheme. "Smash the Bakke decision!" has become the rallying cry of a new wave of campus protest, led by Chicano and other minority students and uniting all nationalities. On Oct. 15, nationwide demonstrations will raise this demand again. This is a good time to unite many more people in the struggle for equality in education.



STUDENT rally demands minority admissions in Boston. (Young Communist photo)

## Down with racist Bakke decision

October 17, 1977

**"I would like to go to medical school someday," said Diane Waller, 18, a freshman at Howard University. "If Bakke wins, all the gains of the civil rights movement of the 1960s would be lost. It would be twice as hard for me to get into a school to study medicine."**

The young Black woman spoke as she marched along with 1,600 other Washington, D.C., students from the White House to the Capitol building Oct. 3, chanting slogans and waving placards denouncing the so-called "reverse discrimination" case of Allan Bakke now before the Supreme Court.

This protest, organized by the Black American Law Students Association, was made up primarily of Howard students. More than 350 students from McKinley Technical High School joined the march. Demonstrations like this one are part of a new round of mass protests surrounding the Oct. 12 Supreme Court decision, which could make all affirmative action programs for minorities illegal.

On Oct. 8, thousands of people marched in cities across the U.S. in actions sponsored by the National Committee to Overturn the Bakke Decision.

In Oakland, California, more than 3,000 Blacks, Latinos and whites demonstrated their opposition to Bakke despite a disruption by a small group of Nazis.

In San Jose, California, a group of 500 ran off other pro-Bakke Nazis, who had to be rescued by the police. Demonstrations were held in Los Angeles, Washington, D.C., and many other cities on that day.

More mass protests are scheduled for Oct. 15, sponsored by the Anti-Bakke Decision Coalition (ABDC), which is drawing support from a broad range of minority student organizations, including various chapters of MEChA (Movimiento Estudiantil Chicano de Aztlan). MEChA chapters in northern California have already held a protest march of 125 miles—from San Jose to Sacramento.

ABDC has called Oct. 15 the National Day of Solidarity Against the Bakke Decision, with demonstrations planned for Boston, San Francisco, Los Angeles and New York. These demonstrations will demand "Overturn the Bakke Decision Now!" and call for "multinational working class unity" to "deepen the struggle against national oppression."

The Oct. 12 Supreme Court session will begin its hearings on whether or not Allan Bakke, a

white engineer who was rejected twice in his application to the University of California (Davis) Medical School, was the victim of "reverse racial discrimination." It will review the California Supreme Court's decision, which upheld Bakke's claim that he was rejected "because of his race."

Although Bakke was rejected by about a dozen schools, he was encouraged by powerful elements within the ruling class to take UC-Davis to court in an effort to strike down all affirmative action quotas. These quotas were established after years of militant struggle to allow increased enrollment of minority students. Yet even with the quota system, UC-Davis reserves a mere 16 of its yearly 100 admissions for minority students.

Bakke has been joined by many newspaper editorials and politicians jumping on the "anti-quota" bandwagon. Of course, these same voices will not acknowledge that the real "quota system" is the one that has historically been used in this country to keep the medical schools open only to the children of the elite and to keep them lily-white.

Working even harder to sow divisions and confusion among the people has been the Carter administration, which first publicly attacked affirmative action but recently issued a new brief to the Supreme Court supposedly opposing the Bakke decision.

The latest "friend of the court" brief filed by Attorney General Griffin Bell, at Jimmy Carter's request, is filled with double-

talk. On the one hand, it attacks "quotas" while, on the other hand, it purports to defend "targets" or "goals" for increased minority admissions.

In other words, Carter is trying to strike a pose of opposing racial discrimination in the abstract, while at the same time opposing any real attempt at breaking the barriers of segregation in the schools.

The quota systems in California universities have been in effect for eight years, but as yet, have opened up the medical schools to only token minority representation. Even so, the Bakke case represents a new full-scale counter-attack on minority rights and stands against the advances won during the student and civil rights struggles of the 1960s.

The Bakke case comes on the heels of massive cutbacks in minority scholarships, minority studies and bilingual education programs. Along with the racist anti-busing movement, the Bakke case is being used to divide the working people.

The Bakke decision pits white and minority students against each other to contest the few available positions in the universities with their promise for better jobs and a brighter future. It is another indictment of the capitalist system which, despite its great riches and massive university system, is unable to provide a quality education for the millions of people whose labor and tax money has built these institutions.

The events of the past few

weeks show that this latest attack on working class and minority rights in the form of the Bakke case has struck a nerve among the masses. Large numbers of whites as well as minorities took part in protests in doz-

ens of cities. These protests show the possibilities for a new upsurge in the movement for civil rights and growing class unity in the common struggle against racial discrimination.

## 5,000 march to overturn Bakke

October 24, 1977

The movement to overturn the Bakke decision continued to gain momentum last week as the case was finally heard by the U.S. Supreme Court. The large crowd which gathered outside the court during the day of legal arguments Oct. 12 was one sign that this case has become a symbol of the struggle for equality being waged by minorities and women.

Across the country, close to 5,000 people demonstrated Oct. 15, following protests a week earlier when another 10,000 demanded "Overturn Bakke!"

The latest rallies were organized by the Anti-Bakke Decision Coalition (ABDC).

The demonstrations coincided with Supreme Court deliberations over whether Allan Bakke, a white engineer, was denied admission to the University of California (Davis) medical school because of his race.

Bakke's lawyers argue that less qualified minority applicants were granted admission in his place. The California Supreme Court decided in

Bakke's favor last year, ruling that his denial constituted "reverse discrimination" and was unconstitutional.

"People recognized immediately that this was not a case to be left only in the hands of lawyers," said Aimée Bell, spokeswoman for the ABDC, at a rally in Atlanta. "Many women, community groups and workers of all nationalities have joined together to demand that affirmative action be expanded, not eliminated."

She spoke to 100 people who picketed before the State Capitol in Atlanta as part of the nationwide protest. The rallies, which were also held in Boston, San Francisco and New York, drew large numbers of minority students and women who are determined that the system will not take away the gains in equal education won through years of hard struggle.

Among the 2,000 who demonstrated in San Francisco were many Chicanos, Asian-Americans and Afro-Americans, as well as whites. Shouts of "Abajon Bakke!" roared throughout the two-mile trek from the large-

ly Latino Mission District to a rally at the Federal Building.

MEChA, a Chicano student organization, was a major organizer of the California protest which was endorsed altogether by more than 180 organizations.

The Supreme Court may take as long as six months to rule on the Bakke case and, even then, it

may decide to send the case back to the California court due to "lack of evidence."

"The only way we're going to fight Bakke and national oppression," a Jamaican woman told 500 demonstrators in Boston, "is by taking it to the people in the streets."

## Bakke: Legacy of national oppression

October 24, 1977

The past few weeks of mass demonstrations against the Bakke decision have focused attention on the growing wave of attacks on all the basic gains of the civil rights movement of the 1960s.

In the midst of the current worsening economic crisis, whatever small advances that women and minorities have won through their own difficult struggle are being taken back. The big capitalists are trying to protect their profits at the expense of the working people, while using this new wave of chauvinism to keep working people—Black and white, men and women—at each other's throats.

The Bakke case is a clear example. The fact that U.S. imperialism is unable to provide a decent education for its youth is underscored by the competition it encourages among the different nationalities for the few available seats in its medical schools. This practice continues despite the growing need for more doctors and better health care in society as a whole, especially in the minority communities.

Closely related to the Bakke decision is the growing wave of racist attacks, especially the anti-busing segregationist movement, and the increasing growth and

influence of the Ku Klux Klan and other neo-fascist organizations. This wave of reaction is being dragged up by the capitalists in the face of a new upsurge in the workers' strike movement to split and destroy this movement.

Finally, in the midst of this sixth major post-war recession, Black unemployment, especially among the youth, has risen to astronomical heights. Unemployment among Chicano, Puerto Rican, Asian-American and Native American minorities is similarly high.

In short, the decision of the California Supreme Court in

support of the racist doctrine of "reverse discrimination" is but one part of a whole counter-offensive against the rights of minorities and women.

But it would be wrong to look at Bakke in isolation from its history. In fact, this is just what the judges of the ruling class are trying to do in declaring that affirmative action programs for minorities in college admissions constitute "reverse racism."

The real origin of the Bakke case, as well as the need for affirmative action, goes back more than 100 years to the smashing of slavery in the Civil War and the betrayal of Reconstruction that followed it. This was a historic crossroad where the Black struggle could have led to a thorough-going victory. But instead, the big northern capitalists, fearing the thousands of armed Blacks more than they feared the defeated slave-owners, smashed this attempt at reconstructing the South on a democratic basis, using Klan terror and Jim Crow justice to do so.

Millions of Blacks, rather than becoming a liberated people, were forged into an oppressed nation in the former slave areas, chained to the land and to the murderous plantation system from which there was no escape.

In roughly the same period there was the conquest of Mexico by the U.S. and the annexation of that country's northern lands. At the turn of the century,

the stage was set for massive migrations from the South and Southwest, driving millions of Blacks and Mexicans into the urban centers to serve as cheap labor in the massive war industries and agricultural fields. The system of racial discrimination was institutionalized, North and South, as part of the fabric of modern U.S. capitalist society.

The existence of an oppressed Black nation within U.S. borders sparked many struggles at that, which subsequently have developed into the modern-day freedom movement. As long as the Black masses suffered national oppression, stemming from their oppression in the plantation South, as long as they could be driven into the urban centers along with Latino and Asian workers and pitted against white labor, as long as 25 million Blacks existed as an oppressed nation, racial discrimination, segregation and attacks on democratic rights would remain increasingly a way of life in the U.S.

The growing movement of the Afro-American people in the '50s and '60s sparked a powerful movement among all the oppressed nationalities as well as mass movements against the war and for women's rights. As a by-product of this militant mass struggle, the ruling class was forced to make some concessions. An increase in the number of minorities and women in the ranks of professionals and middle class occurred. The 1954 Supreme Court desegregation decision and other victories led to the

breaking down of some of the Jim Crow barriers.

In 1969, during the height of the campus revolt of Black and other minority students, the University of California Medical School at Davis established a special admissions program for minorities. Prior to that time, less than 1% of the school was minorities, although California has a population of more than 25%.

Affirmative action in the medical school was an issue that affected the entire minority community. For example, only about 2% of all doctors in the U.S. are Black. A recent study indicated that there are only 250 Chicano doctors in the entire country. This lack of training for minority doctors has contributed heavily to the poor health care in the ghettos and barrios. This is especially true since most of the

rest of the country's doctors seek out the most profitable positions and lucrative jobs far from the health problems in the minority areas.

Student strikes, building seizures and mass protests finally forced U.C. Davis to reserve 16 out of 100 spaces for minority students, although even this was a meager step. Between 1970 and 1974, 74 minority students were admitted to the school. A few also came in through the regular admissions program.

Other professional schools in California set up similar programs. Black enrollment in medical schools climbed from 2.7% in 1968 to 7.5% in 1974.

Because the national question has not yet been resolved, all of these gains could at best be only temporary and remain relatively insignificant. For the masses of Black, Latino and Asian minori-



COLORADO STUDENTS rally against Bakke decision at Boulder  
(Call photo)

ties, conditions continue to worsen, despite the most optimistic predictions by the liberal and reformist politicians and labor leaders.

The fight against the Bakke decision is part and parcel of the struggles for Afro-American self-determination, Chicano regional autonomy in the Southwest and Puerto Rican independence, as well as for the full democratic rights of all national minorities. Unless these rights can be won through revolutionary struggle for socialism, all of the lesser reforms will only be grabbed back in periods of crisis, as we are witnessing today.

In the meantime, this long history of national oppression under capitalism makes policies of affirmative action and compensative programs necessary. Rather than being "racism in reverse," these programs are the only concrete measures that can preserve at least the minimal gains minorities and women have won through hundreds of years of struggle against discrimination.

In the case of the Black medical school applicants, for example, it is impossible to talk about the same admissions requirements as those for white applicants, when the whole system of education, stretching back over decades, is set up against them.

Rather than being an attack on the working class and poor whites, the overturning of the Bakke decision would in fact be a victory for whites as well as for minorities. The exclusion of minorities from the medical schools has gone side by side with the exclusion of all working class and poor students. This country's professional schools have always been the domain of the upper class. National oppression is a component part of class oppression.

The cutbacks in education, while hitting the minority students the hardest, have also denied educational opportunities to white workers. The increased competition between whites and minorities over educational opportunities, jobs and housing has been fostered by the ruling class and has been a key weapon of the bosses in sabotaging the common struggle for schools, jobs and basic rights.

This is why thousands of white workers and students have been marching alongside of minorities in the recent anti-Bakke actions and why many others are uniting in support of the movements for self-determination and democratic rights. This is not a question of abstract morality but one of a common struggle against a capitalist system that exploits and oppresses all nationalities.

## Autoworkers fight Bakke

October 31, 1977

UAW bureaucrats like to pose as "socially concerned." They pay lip service to union democracy and the fight against discrimination and even took a stand against the racist Bakke decision.

But when Ford workers in Pico Rivera went to the UAW Local 923 meeting on Oct. 12 to try to get support for the anti-Bakke demonstration being held Oct. 15 in San Francisco, they had even more proof that the UAW leadership is neither interested in union democracy nor in supporting the anti-Bakke struggle and the demand for affirmative action.

Prior to the union meeting, the Brotherhood Caucus, a group of rank-and-file Ford workers, passed out a leaflet calling on workers to attend the meeting and get the local to support the demonstration.

At the meeting, workers tried to introduce several motions. Tommy Stephens, union president, ruled the anti-Bakke resolution "out of order" because the UAW bureaucracy has opposed locals participating in any Bakke actions.

Stevens was forced to call for a vote, however, on whether to take up the resolution. The vote was tied, so Stephens cast the deciding vote in order to move on and stifle the discussion.

Auto workers are participating in the anti-Bakke movement in the Bay Area and will continue the struggle to get their union to mobilize around this important issue.



# Bakke attacks women's rights

November 14, 1977

The ruling class is trying to legalize the doctrine of "reverse discrimination" in the Bakke case in order to cover up systematic discrimination against minorities and women, and to wipe out the gains of the civil rights movement. While Bakke is aimed directly at a minority admissions program, another aspect of the case that has not gotten much attention is how it will affect women.

Allan Bakke, a white student, is suing the University of California, claiming that he suffered from "reverse discrimination" when he was denied admissions to their medical school. If the high court does rule in favor of him, the decision will lay the legal basis for eliminating all affirmative action programs for minorities and women both in college admissions as well as in job opportunities.

In fact, some programs have already been ended as a result of the lower court's ruling in the case. A Lockheed Corp. personnel official in California recently announced the termination of his company's affirmative action program for women, citing the California State Supreme Court's decision in favor of Bakke. In terms of university programs, several law suits have been filed in the wake of the Bakke decision, claiming that male students were victimized by

"reverse discrimination."

Women have played a significant role in the mass upsurge against the Bakke case. Many women's organizations have denounced the decision, pointing out how it would rob women of whatever gains they have won in the past.

Only in recent years have women been admitted by law into certain jobs, including heavy industry. For decades, women were stuck in the lowest paying jobs, or were kept in the reserve army of the unemployed. Likewise a career as a doctor or lawyer was unthinkable for all but a very few women.

## MOVEMENTS OF '60s

But things appeared to change temporarily due to the civil rights movement, the urban rebellions of the 1960s, and the growing women's movement. The ruling class lawmakers were forced to enact affirmative action programs, admitting that women and minorities had been widely discriminated against in employment, education and housing.

For the first time, hundreds of women along with minority students were admitted to medical and law schools. In addition, the 1964 Civil Rights Act established regulating agencies which were supposed to stop discrimination in hiring on the basis of

sex.

But far from achieving equality in U.S. society, women—especially minority women—have suffered severely during the current capitalist crisis. The massive layoffs have been devastating to women, who since 1973 have lost 10% of the jobs in heavy industry gained through affirmative action.

The capitalists reap tremendous profits by keeping women as a cheap labor force, excluded from professions and higher paying jobs. Not only do they make more money off women, but they use women's lower wages as a threat to keep down the pay of all workers.

Capitalists also use the special oppression of women to try to create divisions in the working class. The argument that minorities and women are taking jobs

and university positions away from white men is designed to hide the fact that more and more people of all nationalities and both sexes are out of work and cannot get into school.

The legal onslaught against affirmative action exposes the nature of reforms under imperialism. The capitalists only give what they are forced to, and they will work even harder to take concessions back, all the while using them to promote disunity among the masses.

Bakke and the legal precedent of "reverse discrimination" are part of a broadside attack on minorities, women, and the whole working class. While the capitalists devise new legalisms to hang on to their riches, the masses are building greater unity in the fight to smash the Bakke decision.



MULTINATIONAL CROWD at anti-Bakke rally. (Call photo)

# Unity key in anti-Bakke struggle

January 30, 1978

**Oppression breeds resistance. This truth can be seen in the mass movement which has emerged during the past year against the reactionary Bakke decision.**

The decision, made by the California Supreme Court, in effect erases many important gains for equal rights which had been won over the past decades by minorities and women. It claims that affirmative action programs are nothing but "racism in reverse." This is an attempt to cover up the real racism in this society, a whole system of national oppression which has chained Blacks, Chicanos, Asian-Americans, Puerto Ricans and Native American Indians for hundreds of years.

Last October, tens of thousands of people of all nationalities, including workers as well as students, marched through the streets of many cities demanding that the Bakke decision be overturned. Of all the actions held, the most significant for their militant stand and progressive character were those called on the West Coast by the Anti-Bakke Decision Coalition (ABDC).

The National Committee to Overturn the Bakke Decision (NCOBD) also held large actions. But its leadership has a reformist orientation directed to-

wards detaching the anti-Bakke movement from the overall struggle against imperialism and towards relying on the courts rather than on the masses.

The task still remains to forge these separate movements into one powerful and united force against this system of oppression and discrimination.

The Supreme Court's decision in October not to rule immediately on the Bakke case was designed to take the steam out of the anti-Bakke movement. While the court waits, however, new efforts are being made in industry and education to drive minorities and women from job advancement and from seats in professional schools which until recently were for whites only.

These new attacks have taken place despite the claims in the press that the Bakke decision will have only a "limited impact." With the aim of showing that the Bakke attack is not "limited," but rather a threat to the rights of all working and oppressed people, ABDC is now working to expand itself into a nationwide coalition which can lead further mass protests this spring.

The efforts to build nationwide demonstrations will begin with a national anti-Bakke conference in Los Angeles on Feb. 19. According to conference

planners, this meeting will bring together groups and individuals to organize for major East and West Coast demonstrations with April 29 as the target date.

The Feb. 19 conference should reflect the recent growth and expansion of ABDC chapters, especially in the eastern U.S.

While the ABDC represents the most advanced form of the anti-Bakke struggle, many activists are also working within the NCOBD. They are struggling, along with thousands of other honest and determined members of that coalition, to build the movement on an anti-imperialist footing while pushing for unity with the ABDC.

Working against these efforts are some of the misleaders of the NCOBD, which include, among others, the revisionist Communist Party U.S.A. and the Trotskyite Socialist Workers Party. These coalition leaders are promoting the reformist view that the only injustice involved in the Bakke case is the racist decision of the Supreme Court.

Facts show, however, that the Bakke decision is part and parcel of the whole system of racial and sex discrimination. This system extends far beyond the University of California, where the Bakke case is centered, to the communities and factories throughout the country where oppression of minorities and women is a way of life.

The court simply ratified what was already a known fact—that upper-class whites have a monopoly over the best jobs and educational opportunities.

The bosses knew this well. They understood that Bakke was a signal for even more blatant attacks, and they moved rapidly.

In November, a federal district judge declared that, based on the Bakke decision, the affirmative action program for Black workers at Kaiser Aluminum was "unconstitutional."

As school began last September, the University of California (Davis) admitted a white student named Rita Chancey after she won a "reverse discrimination" suit on the same grounds as Bakke.

Many of the regents of the university (made up almost entirely of big bankers and capitalists) were outspoken in favor of the racist decision. In fact, they were among those who first encouraged Allan Bakke to file his suit, challenging the few positions open to minorities in the university's medical school.

If it is to succeed, the anti-Bakke movement must challenge not only the court decision, but the whole system which gives rise to such decisions. The efforts to unite as many people as possible on this basis and to build ABDC into a national organization are exactly in line with the needs of the struggle.

## National anti-Bakke conference held

March 6, 1978

The nationwide movement against the racist Bakke decision took a step forward last month. A national conference was held in Los Angeles by the Anti-Bakke Decision Coalition (ABDC) on Feb. 19. The meeting marked the growth of the ABDC into a nationwide organization, which up to now had been primarily a West Coast organization.

Representing 80 organizations from Atlanta to Hawaii, 650 people came together to strengthen and unify the Anti-Bakke movement. The 80 included students', women's, minority and revolutionary organizations. The conference participants decided to launch a spring offensive, including a Week of Struggle/Una Semana de Lucha (May 6-13), to be coordinated with the celebration of the Mexican revolutionary holiday Cinco de Mayo.

The California Supreme Court's Bakke decision of 1976 outlawed affirmative action programs and labelled them as "reverse discrimination." As a result of the court ruling, many special minority admission programs at universities and affirmative action programs in employment have been eliminated. In this way, many of the civil

rights gains of the 1950's and '60's mass movements have been wiped out.

The ABDC conference also issued a call for unity among all those opposing Bakke, and urged the building of a nationwide front.

The call was aimed especially at the National Committee to Overturn the Bakke Decision (NCOBD), another group active in the movement. Possibilities exist that this call will result in a joint demonstration in April.

Summing up the status of the anti-Bakke movement to date, an ABDC spokesman said, "We have voices from the South and North, voices from the East and West calling for the overthrow of the Bakke decision. Our task is to consolidate these voices into a single roar which will shake the nation this spring."



# THE CALL/ EL CLARIN

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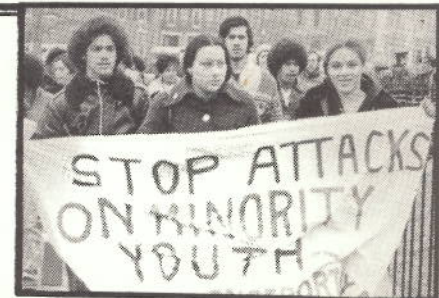
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