

Marshall leaves library Korean War diary

WASHINGTON (AP) — Among the 173,700 items that Thurgood Marshall gave the Library of Congress, probably the most personal is a diary he kept briefly in 1951 while on a mission to the Far East for the NAACP during the Korean War.

He jotted down big things and small — the segregation he noted at a U.S. Army post and the relaxed moments when he "swapped stories, drank whiskey" with reporters in Tokyo.

The diary shows Marshall's sense of humor and curiosity about his surroundings even as he conducted a grueling probe of Army discrimination against black servicemen.

The red-covered diary is among the documents that Marshall, who retired from the Supreme Court in 1991 and died last January, left to the library.

In 1951, Marshall was legal director of the National Association for the Advancement of Colored People, which sent him to the Far East to investigate numerous complaints of unfair trials and imprisonment of black soldiers in Korea. Gen. Douglas MacArthur had ordered an official investigation, and he also agreed to

give Marshall access to Army personnel for his separate inquiry.

"Cleared Customs without difficulty. No one to meet me," Marshall wrote of his arrival at the Tokyo airport on Sunday morning, Jan. 14, 1951. "Asked sergeant on duty, who called his captain, who called his major, who called his colonel. ... Northwest Airlines could not find a hotel."

Finally, Marshall recounted, an Army officer found him a hotel that was quiet but far from the city's center. He had dinner at the officers' club at the Army base, where he found "no segregation in club, but segregation on post."

In town, he noted, taxis for Japanese residents were old and burned charcoal, while those marked "Tourist" or "Foreigner" were Fords running on gasoline. There were "Foreigners Welcome" signs at a number of restaurants.

On Jan. 17, in a meeting with an aide to MacArthur and other Army brass, Marshall said, "Everyone promised full cooperation" in allowing him to interview black prisoners in the Army stockade near Tokyo and other matters.

The diary shows the civil rights lawyer's gregarious, playful side in the years before Lyndon B. Johnson named him to the Supreme Court in 1967, when he became considerably more solemn.

There's an entry for Jan. 16, for example, in which Marshall described how he relaxed after a day of meetings with military officials:

"Went down to (press) Correspondents' Club — was made a guest member and had lot of talk with a lot of people. All of correspondents had been to Korea at least once — swapped stories, drank whiskey, etc."

And on Jan. 22: "The slot machines at Press Club are real one-armed bandits."

Marshall went to the Army PX commissary on Jan. 20: "Converted department store — huge place — everything but what you want."

By Sunday, Jan. 21, when he worked all day in his hotel room, Marshall said his investigation was "beginning to shape up." During his three weeks in Tokyo, he interviewed scores of imprisoned black soldiers wrongly convicted of cowardice and other charges by courts-martial.

Beaten motorist honored before trials begin

DETROIT (AP) — Faded plastic flowers, a torn poster of Malcolm X and a rain-streaked mural of Malice Green memorialize the corner where the 35-year-old black motorist was beaten to death seven months ago.

"First Rodney King, now Malice Green," says a sign taped on a boarded-up building across the street.

Separate, simultaneous trials are to begin Wednesday for three white police officers who witnesses say bludgeoned Green with heavy metal flashlights outside a suspected drug house last Nov. 5.

Green was beaten when he failed to obey officers' commands.

The beating began as officers pulled Green from his parked car and he refused to open his clenched fist, witnesses said. Accounts of what he was holding vary — a wallet, a piece of paper, maybe drugs.

Green, an unemployed father of five, died of at least 14 blows to the head. Part of his scalp was torn off. An autopsy showed alcohol and cocaine in his system.

Officers Larry Nevers, 52, and Walter Budzyn, 42, are charged with second-degree murder. Officer Robert Lessnau, 32,

is charged with assault with intent to do great bodily harm. Nevers and Budzyn could be sentenced to life in prison and Lessnau faces up to 10 years if convicted.

A fourth officer, Sgt. Freddie Douglas, who is black, was charged with a misdemeanor — willful neglect of duty — and is not being tried with the others.

All four were fired. None has publicly commented on the charges.

Although nothing in a preliminary hearing indicated race was a direct factor in the beating, "the events speak for themselves," said Joann Watson, executive director of the Detroit branch of the National Association for the Advancement of Colored People.

The beating stunned Mayor Coleman Young, who became Detroit's first black mayor six years after a police raid set off the 1967 race riots. Young has made integration of the police department a cornerstone of his administration.

The case's similarity to the police beating of another black motorist, Rodney King, has some people concerned that acquittals in Detroit could provoke the kind of riot-

ing and looting that devastated sections of Los Angeles after a jury acquitted four white officers who were videotaped beating King.

But community leaders and legal experts point to the striking differences between the cases as reasons violence will not break out. Among them:

— The jury. In the first King beating trial, moved to Simi Valley, a mostly white Los Angeles suburb, the jury was made up of 10 whites, one Asian and one Hispanic. The Detroit juries will be drawn from a population that is nearly 75 percent black.

— Evidence. The inner-city tensions that existed in Los Angeles well before the King beating were exacerbated by repeated televising of an amateur videotape of the beating. The Detroit case has witnesses who saw the beating close at hand but nothing so publicly inflammatory as the famous video.

— Official response. Detroit leaders were quick to condemn the beating. The mayor called the beating "murder." Police Chief Stanley Knox immediately suspended seven officers.

Frank, Nunn argue over gay issue

WASHINGTON (AP) — Sen. Sam Nunn says turning a blind eye to openly gay off-base lifestyles for military personnel would be equivalent to taking a hands-off attitude on off-base drug use.

Nunn, chairman of the Senate Armed Services Committee, reiterated his opposition to a proposal by Rep. Barney Frank that would let gay and lesbian military personnel maintain an openly homosexual lifestyle off-base as long as they did not declare their sexuality on-base.

Nunn opposes lifting the ban against gays and lesbians in the military, but has said he could live with a compromise — now effectively in place — under which recruits are not questioned about their sexual preferences when they enlist and are allowed to serve as long as they do not make an open display of their sexuality.

"If you took Rep. Frank's proposal and you said that nothing off base matters, you would reverse everything about the code of military justice," Nunn said Sunday on NBC's *Meet the Press*.

He said the hands-off policy was tried in the 1970s "based on a military court of appeals decision that off-base drug use would not be prosecuted. That was a disaster for the military. It was an absolute disaster."

Nunn also responded to remarks in interviews in which Frank, who is openly gay, accused the conservative Georgia Democrat of being "obsessed with sex" and on "an anti-gay witch hunt."

"I appreciate Rep. Frank trying to enhance my dull image, but in terms of the obsession with sex, I'm not in Barney's league, I would say, so I'm not trying to compete in that arena," Nunn said.

The House reprimanded Frank in 1990 for his relationship with male prostitute Stephen Goble.

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