

# EDITORIAL / OPINION

## Along the Color Line "no Glory For Old Glory"

by Dr. Manning Marable

One of the most controversial Supreme Court decisions in years was the recent ruling which protected the protest act of burning the American flag as a protected form of free speech. By a narrow five-to-four majority, the high court declared that flag burning may be a detestable act, but it is nevertheless an expressive conduct protected by the First Amendment to the Constitution. "We do not consecrate the flag by punishing its desecration," declared the court, "for in doing so we dilute the freedom that this cherished emblem represents." Significantly, the ruling was supported by two conservative Justices appointed by former President Reagan.

The politicians scaled the heights of political demagoguery in denouncing the Supreme Court's decision. In last year's presidential election, George Bush utilized the phony issue of mandating the pledge of allegiance in schools to smear Democratic challenger Michael Dukakis as "unpatriotic." Bush was quick to declare his criticism of the recent ruling, stating his "personal, emotional" belief that "flag burning is dead wrong."

In a rare display of bipartisan unity, Republicans and Democrats clamored to display their patriotism. House Speaker Tom Foley declared that "Americans look on the burning of the American flag with abhorrence, and it is deeply offensive to virtually all Americans, and it will be a difficult matter for them to understand how it can be justified under any circumstances." Republican Congressman Ron Marlenee of Montana reminded his colleagues of the flag-bearing soldiers depicted at the Marine Corps memorial and declared that "those six brave soldiers were symbolically shot in the back." Democratic Congressman Doug Applegate fumed that the justices had "humiliated" the flag, and wondered aloud, "Are they going to allow fornication in Times Square at high noon?"

Even more irrational and jingoistic were conservative ideologues, who felt betrayed by the Reaganites on the Supreme Court who inexplicably voted with the few remaining liberal justices. Former Nixon speechwriter and conservative journalist Patrick Buchanan was livid. "The Supreme Court has turned a hate crime into a constitutional argument," Buchanan stated. "They don't understand the meaning of the flag." In Buchanan's opinion, the ruling "is an invitation to civil war, when you undermine the symbolism" of the American flag.

Should the public burning of "Old Glory", the stars and stripes, merit a prison sentence? More than two out of three Americans polled oppose

the Supreme Court's insistence that the First Amendment rights of those who reject the government and its flag had to be preserved. Nevertheless, the high court's ruling was correct, although I would advance different reasons to preserve the right of those who choose to destroy the flag as a form of political protest.

The flag is not symbolic of the heritage of the entire people, but rather a civil icon of the federal government. Should any state punish dissenters for attacking symbols of the government as an act of protest? Suppose Soviet dissidents gathered in Moscow's red square and burned the government's red flag? If Soviet authorities imprisoned the protestors, the same American politicians in both parties would demagogically insist upon the release of the prisoners.

If pro-Contra demonstrators burned the Sandinista flag in Managua, Nicaragua, Buchanan would be praising them. Why is the American flag any different? No government should have the right to imprison or punish those who reject its banners or symbols, whether the icons are stars and stripes, or hammers and sickles.

Where do you draw the line in prohibiting legitimate protest? A constitutional amendment could be passed to outlaw the burning of the flag. Would artists' paintings which used the flag in a critical manner also be forbidden? Perhaps there would be a demand to outlaw any political demonstrations which burned models of the statue of liberty, or photographs of the president. Within a few years, we might be jailed for writing letters to newspapers which criticized U.S. policies.

What does Old Glory really represent to millions of Americans who have experienced racism, unemployment, poverty, and homelessness? The stars and stripes flew over slave markets where Black families were permanently divided. It was unfurled at the massacre of Wounded Knee in 1890, when hundreds of Native Americans were slaughtered. It flew from public buildings which were segregated by law for decades. The flag was carried into illegal and immoral military operations from Vietnam to Grenada. There's no glory in Old Glory for those who have been deliberately denied the American Dream. And as long as equality and justice are illusions for millions of people, the flag will be an ironic reminder of absence of real democracy in this country.

Protectors who burn the flag, however, do not advance the struggle for democracy, because they create easy and emotional targets for public outrage. Instead of burning the flag, we need to challenge the political system it represents in order to achieve economic opportunity and social justice for all.

## CIVIL RIGHTS JOURNAL AN AFRICAN PEACE IN ANGOLA

by Benjamin F. Chavis, Jr.

After fourteen years of war in and on the People's Republic of Angola, it now appears that peace will have a chance of becoming a reality. President Jose Eduardo dos Santos is to be congratulated for working with the Presidents of other African nations to find a peace proposal that would be accepted in the interest of the people of Angola and the peoples of southern Africa.

At a recent summit meeting of African presidents which was held in Gbadolite, Zaire, Jonas Savimbi, the leader of the Angolan rebel group, UNITA, agreed to the peace proposal that was a product of African diplomacy and peacemaking. UNITA, with the backing of South Africa and the United States, had unsuccessfully waged war against the government of Angola during the last fourteen years. Now that President dos Santos has taken another initiative to bring a lasting peace to Angola and more stability to the southern African region, it will be interesting to see whether or not the Bush Administration will change its current policy of supplying weapons of mass death and destruction to UNITA.

We should remember that last year Angola defeated South Africa and UNITA at the battle of Kuito Kunevale in southern Angola. This victory by the government of Angola set the stage for the Peace accords that were signed near the end of 1988 between Angola, Cuba and South Africa. These Peace Accords set the stage for the process that is now unfolding regarding independence of Namibia under United Nations Resolution #435 which calls for South Africa to stop its illegal occupation and exploitation of Namibia.

The peoples of Angola, Namibia, Mozambique and from other frontline states have suffered much from the destabilization and war-making barbarity of the racist apartheid regime of South Africa. Angola has suffered one of the highest amputee rates per capita of any nation in the world as a result of these brutal acts of war. Now that another step has been taken to ensure peace in the region, it is important that the international campaign against apartheid be increased.

One of the most remarkable issues concerning the peace proposal and agreements between the government of Angola and the UNITA group is the fact that the basis for peace is the future of Angola and the future of all of southern Africa in the context of African unity. What was displayed in Zaire at the summit of African presidents was the best of African unity. The fact that soldiers from UNITA and from the government of Angola will no longer shoot at each other will be good news to all people.

It is our hope that the government of the United States will no longer support and encourage UNITA to attack Angola. The United States should send medical aid for the victims of the war rather than more land mines and bombs which will do nothing more than increase the number of victims.

An African peace is a peace with justice and with respect for the right of self-determination of the peoples of southern Africa. Once again if this peace holds, the future for Angola is very bright. The United States should officially and diplomatically recognize this African nation because in the world community the struggle of the Angolan people is respected and saluted. A LUTA CONTINUA

## AUTHOR OF ROE vs. WADE SPEAKS OUT

"I fear for the future. I fear for the liberty and equality of the millions of women who have lived and come of age in the 16 years since Roe was decided. I fear for the integrity of and public esteem for this court," said U.S. Supreme Court Justice Harry A. Blackmun, a United Methodist layman, after witnessing the chipping away at his most famous opinion.

Justice Blackmun, author of the landmark 1973 Roe v. Wade opinion establishing a woman's right to terminate an unwanted pregnancy, sharply dissented from the July 3 decision on the Missouri law barring abortions by public employees including physicians, the use of public facilities for non-life threatening abortions and the testing of fetuses 20 weeks or older to see if they can survive outside the womb.

"For today, at least," he said, a constitutional right to abortion remains. "But the signs are evident and ominous and a chill wind blows," he concluded.

Lashing out at other justices for eroding the framework of Roe v. Wade, Justice Blackmun charged it with "discarding a landmark case of the last generation and cast(ing) into darkness the hopes and visions of every woman in this country who had come to believe that the Constitution guaranteed her the right to exercise some control over her unique ability to bear children. The plurality opinion is filled with winks and nods and knowing glances to those who would do away with Roe explicitly."

Justice Blackmun, often described as a quiet, humble man, has interrupted the stillness of the Supreme Court on other instances as well.

He delivered a unanimous opinion on reapportionment that could become a model for courts when re-

quired to realign the districts of state legislatures. He also charged six of his colleagues, including his boyhood friend Warren E. Burger, with displaying "a preternatural solicitude for corporate well-being and a seeming callousness toward the investing public," in restricting lawsuits by victims of stock fraud.

But no previous decision by Justice Blackmun produced more ripples in the judicial world than his January 1973 ruling in Roe v. Wade. For this, Justice Blackmun reportedly received a barrage of hate letters objecting to his decision, which struck down anti-abortion laws in most states.

According to the 81-year-old justice, a member of Metropolitan Memorial United Methodist Church here, his majority opinion favoring abortion did not mean that he is "pro-abortionist."

Early in his 1973 decision, Justice Blackmun introduced the issue of when life begins, one that was skirted by the high court in its three-month debate of Webster v. Reproductive Health Services.

He said in 1973, "the court majority agrees that it cannot resolve the difficult issue" and states that those trained in medicine, philosophy and theology "are unable to arrive at any consensus." When life begins is just one key ruling state legislators will decide in the future.

While the 5-4 vote July 3 stopped short of overturning Roe v. Wade, states now have power to impose sharp control over who gets an abortion.

Justice Blackmun is the first United Methodist to serve on the Supreme Court since the retirement of Charles E. Whittaker in 1962. He has been a member of the denomination's Board of Publication and as a trustee of the Methodist-related Hamline University in St. Paul, Minn.

## ADAM ABDUL-HAKEEM (LARRY DAVIS) WINS RIGHT TO SEE ATTORNEYS

Judge David Ross of the Appellate Division of the Supreme Court of the State of New York issued an order requiring the Department of Correction to make Adam Abdul-Hakeem (formerly known as Larry Davis) available to his attorneys by whatever means necessary, whether he can walk or not. Mr. Abdul-Hakeem, paralyzed as a result of injuries incurred from a series of brutal beatings at the hands of Rikers Island prison guards, has been prevented from seeing his attorneys by Correction authorities who had insisted that he was "malingering" and therefore did not require assistance in gaining access to them.

"It's a very important victory," noted the internationally prominent civil rights attorney William Kunstler, who appeared on behalf of Mr. Abdul-Hakeem today. "They're trying to kill him! Larry Davis did something that no human being has ever done in the history of the United States. He was acquitted twice, first on murder charges, and then for the attempted murder of six cops. He was found to be acting in self defense. That's something that the cops cannot stand." Mr. Kunstler said it is urgent that Mr. Abdul-Hakeem be transferred to federal custody. "It was proven in court that [Rikers Island guards] tried to kill him, after an inmate was let loose on him who slashed him with a razor. State custody is dangerous."

Mr. Abdul-Hakeem has been the target of a murderous police vendetta since 1986 when he first charged that corrupt officers recruit poor young Blacks and Puerto Ricans for a drug ring they operate out of the 44th Precinct in the South Bronx and the 34th Precinct in Harlem. Judge Ross' order was a response to an emergency application filed by attorneys Harry Kresky and Michael Hardy, acting of counsel to the International People's Law Institution, and Mr. Kunstler, who feared that Mr. Abdul-Hakeem's life would be in jeopardy if he were not allowed access to them over the July 4 holiday weekend.

On the eve of Memorial Day weekend last month, Mr. Abdul-Hakeem was severely beaten by Rikers Island guards and then secretly transferred to the Downstate Correctional Facility in Fishkill. New York without the knowledge of his family or attorneys after having been threatened that he would be killed if he did not keep silent. Ricardo Burgos, Mr. Abdul-Hakeem's close friend who has stepped forward to corroborate his story of drug trafficking by corrupt police officers, was also badly beaten by prison guards that weekend.

"More than 100 years ago Frederick Douglass, the brilliant Black leader of the abolitionist movement, raised the question of what Independence Day, the Fourth of July, meant for the Negro," noted Dr. Lenora Fulani, the independent candidate for mayor of New York City who chairs the Adam Abdul-Hakeem/Ricardo Burgos Coalition to Save Our Youth. The Coalition staged a vociferous demonstration outside the courthouse on behalf of Mr. Abdul-Hakeem and Mr. Burgos. "African Americans and all 'Negroes' --people of color, lesbians and gays, women, and other disenfranchised groups--are still trying to answer that question today, when justice is being systematically undermined at every level of the system--starting with the Supreme Court of the United States.

"I'm glad that justice was carried out today," continued Dr. Fulani, who was at the courthouse when Judge Ross announced his decision. "The Coalition is inspired and moralized by it, and we will be out there for Ricardo and for Adam. Because it takes hand to hand combat to get even a little bit of justice."

Attorneys for Mr. Burgos will go before Judge Vincent Vitale of the Supreme Court of Bronx County to demand that their client be given medical treatment for injuries resulting from the beating he received last month. Mr. Burgos, who is currently awaiting trial for a quadruple homicide, is charged with having acted in concert with Mr. Abdul-Hakeem and another person, both of whom were acquitted of the murders.

Mr. Abdul-Hakeem is scheduled to go before State Supreme Court Justice Richard B. Lowe III as part of the proceedings involved in his trial for the murder of a reputed drug dealer.

## KEMP TAKES ACTION IN FAIR HOUSING ENFORCEMENT

Acting for the first time under the authority of the Fair Housing Amendments Act of 1988, Secretary of Housing and Urban Development Jack Kemp issued a charge of racial discrimination this week in housing against a real estate agent and a landlord who refused to rent a house to a black man in Little Rock, Arkansas.

"President Bush and I believe that fair housing is a fundamental right of all Americans and I will not hesitate to bring the full weight of the Federal Government to bare in the fight for equal opportunity in housing," said Secretary Kemp. "Melvin White represents the thousands of Americans who feel the sting of bigotry every day. This is a landmark in civil rights enforcement because he is the first American to have his government stand up for him in court under the new fair housing law."

In a complaint filed with HUD, Melvin White, a black man, alleged that he was denied the opportunity to rent a house located at 211 Linwood Court, Little Rock, Arkansas. Named as respondents in the complaint are Natalee Schay, a real estate agent, and B. Jeffrey Pence, owner of the house.

According to Mr. White, upon his arrival at the house, he was informed by Ms. Schay that the house had been rented -- despite the fact that other individuals were told the house was available and that the house was not actually rented until almost five weeks after Mr. White's visit. Based on the evidence gathered by HUD investigators, HUD determined that reasonable cause exists to believe that the alleged discrimination has occurred.

"Our goal at HUD is fair housing for all. We hope to use conciliation, but when necessary we will not hesitate to file cases such as this one to ensure that rights are protected," Kemp said.

The Fair Housing Amendments Act of 1988 authorizes HUD to investigate complaints of discriminatory housing practices and, if such a complaint cannot be resolved through conciliation, to determine whether reasonable cause exists to charge illegal discrimination. Because the parties in this case refused to conciliate, HUD commenced an enforcement action by issuing the charge. This is the first complaint to reach this stage of the process.

Now that HUD has issued a charge of discrimination, the complaint will be heard by a HUD Administrative Law Judge or a Federal District Court. In either proceeding, the complaint will be prosecuted by government attorneys.

Civil penalties, under the new Fair Housing Law, can be as high as \$10,000 for a first offense. The Fair Housing Act also provides that any party may, within twenty days of the issuance of the charge, elect to have the complaint heard in federal district court.

Complaints of housing discrimination can be filed at a local HUD office 1-800-424-8590.

## LETTER TO THE EDITOR:

★★★★★★★★

Recently, a considerable amount of discussion has been made about MS. Joyce Boles regarding her publication called the N.E. Reformer. The latest edition which is number 5, has May crossed out with June inserted, and has added my name to the list of neighborhood representatives who are supposedly responsible for the decline of the Inner Northeast area of Portland. Ms. Boles is constantly writing about persons not being truthful, while at the same time is printing untruthful statements. She has printed an article specifying that I am a do nothing member of the Northeast Coalition of Neighborhoods who has been a member for decades, pluralized. However, ten years ago, I was a student leader at Portland University, with no prior experience with the Northeast Coalition. She adds that I have done a work project on something obscure relating with cable access, but fail to mention that the Portland Cable Access headquarters is located within the Northeast area for community, or church organizations to use. She does not speak on any of the large number of subjects or tasks, that I have performed in the Northeast Coalition, which are all beneficial to the Inner Northeast area.

But let's talk about Ms.Boles, who at one time was a member of the Northeast Coalition of Neighborhoods. First, she was a member of Humboldt Neighborhood Association until

it was realized that while going to Bureaus, Businesses, and Organizations for information, she was not there on behalf of Humboldt Neighborhood Association. Second, Ms. Boles was a member of Vernon Neighborhood Association, because at the time she supposedly had a business within the area, yet no business even existed. Third, she was a nominee for secretary of Concordia Community Association, but was removed when it was discovered that she did not reside within the neighborhood boundaries. To me, that's three strikes and you're OUT.

Her publication is printed somewhere, but where? Who is helping her insult the Mayor and his staff?

Where is the needed revenue coming from that assists in degrading the Northeast Coalition of Neighborhoods, its Coordinator, staff and elected officers, I repeat elected officers? Is there really racism or bias involved, because she could not remain a member of the Northeast Coalition in good standing?

If at all possible, I plan to file suit against Ms. Boles, the location where she has the tabloid printed and sources of revenue received for this publication on slander and defamation of character.


Charles C. Flake  
N.E. Community Volunteer

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