

# EDITORIAL

The Portland Observer

## p e r s p e c t i v e s

### Immigration Vs The American Black Family

BY PROFESSOR MCKINLEY BURT

One of the principal subjects of debate in African American communities across the country is whether an increasing tide of Asian and Hispanic immigration constitutes a serious threat to the economic welfare of blacks.

A number of those blacks who strive to remain "politically correct" in their stance on the matter seem to be yielding to growing pressures from a majority that perceives the matter to be of critical concern; twenty major urban areas (metropolitan statistical districts) where blacks perceive themselves to be at a fast increasing disadvantage in terms of social services, housing, foundation grants and scholarships, business loans and minority "set-a sides." Their leaders have not articulated those concerns.

It is truly a remarkable phenomenon that it is almost exactly a hundred years ago that African Americans began to voice the alarm that "European Immigration" was threatening the "loss of all the great gains we have made since emancipation". And it was quite true if we refer principally to economic development. We have just seen from the writings of E.F. Richings (Evidences Of Progress Among Colored People) that there were many advances of no small proportion; from store to factory.

As we prepare to assess here the escalating impact of current immigration--this time from lands to the west and the south--I would remind the reader of other research that has been published in these pages; Particularly, the series I did several years ago on "European" immigrants. I chronicled the well-funded fears of the African American of that day that

both his jobs and land were under siege by the hordes pouring in from across the Atlantic (The AFL union, just being put together by Samuel Gompers, rewrote the constitutions of the craft guilds to read "for white males only". (See Commager's, Documents of American History).

To further correlate the past to the present, we may examine the employment history of that past time through the research of Dr. W.E.B. Dubois and his peers or one of the standard labor histories of blacks published by the academic presses; usually circa 1620 to 1941.

The process of displacement of African Americans in job, land and body politic was thorough and traumatic--accomplished by law, violence and withholding of the franchise. Even the black veterans of the Ninth and Tenth Calvary, who had been prom-

ised rich farm and ranch land along the Union Pacific Railroad their valor had made possible, found no place at the table with the German and Scandinavians who were 'given' these lands.

So, it is against this ugly history of the travails caused by that great surge of immigration that reached its peak just before World War I (1914), that African Americans judge and evaluate the new diasporas of the Asian and Latino peoples from the Pacific Rim and from Latin America. A study of both contemporary materials and classics like the 1966-- and Census Reports from the time the Bureau was formed--reveals there are both parallels and differences between today and yesterday.

As we proceed with this series in coming weeks we will see that blacks who are examining the "new immi-

gration" seriously are not thinking just in terms of 'bodies'--new arrivals from Vietnam, Korea, China, Japan, India, Thailand or from Mexico, Honduras, etc. and South America--but also in terms of the capital, skills and leverage many of these people bring with them. And these African Americans are saying to themselves, "the very nature of society here is competition, what chance has an economically-disabled black population in the struggle for survival in those twenty major urban centers."

Not only are there such obvious disabilities as the banks which redline and give preference in loans to Asian shopkeepers and wholesalers, and "downtown" real estate interests who give them opportunities for choice locations including shopping malls that are denied to blacks--but these immigrants pos-

sess another major asset, the same as the early European immigrants. They have strong economic and financial bonds with the "old country from whence they came.

And thinking African Americans are saying "Here we go again, the new Harlems and other ghettos--'Bantustans' administered by other racial groups who, with the connivance of the white establishment, will take the money home to the suburbs. And the projected growth in large scale minority owned business, how will it compete against the immigrants who already are importing investment capital from the homeland?"

Last week we saw the black family reeling from catastrophic changes in the workforce. Are the mounting challenges survivable? More next week.

## Legal Aide Series 26: Repossession

Buying on credit is risky, especially in hard economic times. If you lose your job or get hit with unexpected expenses, you may not be able to make regular payments as outlined in the purchase agreement or contract. Often this agreement allows your creditor to take back or "repossess" the item if you miss any of the payments. If threatened with repossession is not allowed unless the original purchase agreement you signed says it is. The creditor also cannot legally repossess unless the agreement states he or she has a "security interest" in the item. This means you have a right to keep the item only as long as you make payments on it. The creditor has legal ownership until you've made all payments, and can take it back if you miss any. If, however, an item is repossessed when the agreement does not allow it, you may be able to sue the company.

In most cases, if the creditor has

the right to repossess, he/she is not required to give you advance notice or to take you to court before trying repossession. But if the company usually accepts late or partial payments, it cannot "suddenly" repossess because of a late or partial payment. You could have a defense, if repossession suddenly happens and the creditor fails to warn you he or she no longer accepts late or partial payments. If there's a disagreement over whether you owe payments, repossession may also be illegal and you may be able to sue the creditor.

One way to avoid repossession is to sell the item you owe money on and pay off the remaining debt. But if you sell it yourself, you should legally get the creditor's permission first because the creditor is still the legal owner. And make sure you make enough from the sale to cover the remaining payments.

Even if your purchase agreement

allows repossession, you can legally stop it by refusing to let a creditor into your house. This will block repossessors from taking items such as furniture, appliances or a vehicle in your garage. But you can't stop repossession of a car parked in front of your house simply by locking it. If you're going to try blocking a repossession attempt, you might notify the creditor of this so you can head it off before it's attempted. But a creditor may respond by getting a court order. And this you must obey.

The court order could require you to give up the item sought or to pay money penalties instead. If you don't obey a court order, the creditor can get the court to "hold you in contempt," and you might face fines or jail, or both. A court order allows the creditor to get help from police officers or sheriff's deputies in repossession. Law enforcement officials, however, won't get involved before

there's a court order. And Creditor's can't use force themselves, even with a court order. If a creditor does use force, such as entering your garage or house without your permission or driving or towing a car away while you're inside it, you can sue the creditor for money penalties.

You can try to retrieve the item after repossession by paying off the entire debt along with repossession charges before the creditor tries to sell it. Repossessed things may not be resold privately. You must be sent a written notice of the sale, along with the time and place of sale, as well as the item's price, must be reasonable. If not, you can sue the company. But remember, repossessed goods are usually sold for far less than fair market value in actions and resales. A low selling price alone is not the basis for winning a lawsuit. Money from the sale is used to pay off the debt plus repossession and resale expenses. The

law requires that you get any cash left over.

If you owe less than \$1,250 on the item when you stop making payments, you owe nothing more after repossession, even if the item is sold for less than the amount you owe. For example, if you owe \$1,200 on a car and the creditor sells it for \$900, you cannot be sued for the remaining \$300. But if you owe more than \$1,250 when you default on payments, you may still owe on it after repossession. This is true even if the creditor resells the item for less than what you owe and then sues you for the difference. For example, if you owe \$2,000 on a car and a creditor sells it for \$1,500, you can be sued for the remaining \$500. But the creditor cannot sue you more than 180 days after the repossession or 75 days after the sale, whichever comes first. If after

contacting the company, you still can't get your things back, you may be able to sue.

Before making decisions about repossession, such as whether to refuse a repossession attempt or sell the item yourself, you should get a lawyer's advice. For more information, call 620-3000 and ask to listen to Tel-Law tape #7069, Debtor's Rights. For legal advice, call Multnomah County Legal Aid at 224-4086, the Volunteer Lawyer's project at 224-1606 or the Lewis and Clark Legal Clinic at 222-6429.

Multnomah County Legal Aid Service provides legal advice and representation to low-income people living in Multnomah County having creditor problems. Appointments may be made by calling our downtown office at 224-4086 or our Community Law Office (on the Portland Community College Cascade Campus) at 295-9494.

### Children First

Continued from front

amendments (Children First members can call the office and be mailed, at no-cost, a list of Board nominees and/or a copy of

### New Portland PayLess Drug Store

Continued from front

information collected from each Heating, Ventilating and Air conditioning (HVAC) unit allows the equipment to be run at peak efficiency. Lighting and temperature control are linked to the time of day, automatically changing the thermostat setting to conserve energy.

All this adds up to a savings of

over 20 percent in energy usage compared to stores that are not similarly equipped, according to Sweeney. "Taking care of the environment is everybody's concern," concluded McAlear. "We will continue to do everything we can as a company to promote environmental responsibility."

meet until 6pm. You are welcome to attend and observe the Board meeting.

In the coming weeks there will be important Regional Meetings held in Portland (Wednesday, December 8, 7pm at Central Lutheran Church, 2104 N.E. Hancock) and Eugene (Tuesday, December 7, 7pm at First United Methodist Church, 1376 Olive). Please make every effort to attend these meetings which aim to develop a local action agenda.

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### SPEND AN HOUR WITH OUR HIGH SCHOOL STUDENTS



### BEFORE DECIDING WHERE TO SEND YOURS.

IT WILL BE TIME WELL-SPENT. Especially if you're a parent of a 14-17 year old. That's because the Catlin Gabel Upper School is holding an open house on Sunday, December 5, from 1 to 3 p.m. You'll see our campus through the eyes of our seniors as they take you on a tour. You can also meet some of our teachers. Their insight will enable you to learn about the small student-teacher ratio and the academic challenges that have prepared many of our students for the best colleges in the country. For more information, call 297-1894. Or simply plan on attending our open house. It's a decision that you should have no trouble making.

THE OPEN HOUSE AT CATLIN GABEL UPPER SCHOOL

8825 SW Barnes Road, Portland, 297-1894

### The Portland Observer

(USPS 959-600)  
OREGON'S OLDEST AFRICAN AMERICAN PUBLICATION  
Established in 1970 by Alfred L. Henderson

Joyce Washington  
Publisher



The PORTLAND OBSERVER is located at  
4747 NE Martin Luther King, Jr. Blvd.  
Portland, Oregon 97211  
503-288-0033 • Fax 288-0015

Deadline for all submitted materials:

Articles: Monday, 5:00 pm—Ads: Tuesday, noon  
POSTMASTER: Send Address Changes to: Portland Observer, P.O. Box 3137, Portland, OR 97208. Second class postage paid at Portland Oregon.

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Subscriptions: \$30.00 per year.

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