

EDITORIAL

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Charles Washington
Publisher & Editor
Gary Ann Taylor
Business Manager
Iesha Williams
Graphic Design

Mark Washington
Distribution Manager
Larry J. Jackson, Sr.
Director of Operation
Laphael Knight
Graphic Design

Contributing Writers:

Professor McKinley Burt,
Lee Perlman,
Joy Ramos

4747 NE Martin Luther King, Jr. Blvd.,
Portland, Oregon 97211
503-288-0033 • Fax 503-288-0015
Email: Pdxobserv@aol.com

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Letter To The Editor

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Why We Need Affirmative Action

BY BERNICE POWELL JACKSON

The state of Washington is facing a proposition on its ballot in November which would effectively end affirmative action in that state, as did Proposition 209 in California. The debate on affirmative action has proven to be an emotional one which often is based on anecdotes of individuals who believe they have not received a fair chance to go to school or for a job because of affirmative action. Let's try to take away some of the emotion and just look at some realities.

First, let's look at one significant case study. It's the U.S. Supreme Court, the highest court in the land. If there is one point of deep chasm between perceptions of fairness between people of color and European Americans, it is around criminal justice issues. So, the need for the active participation of people of color at the nation's highest court is imperative.

Yet the numbers of people of color in the nation's highest halls of justice are astounding. In our nation's history only two Supreme Court justices have been people of color—both African American men. There have been no African American women, no Hispanic men or women, no native American men or women and no Asian American or Pacific Island men or women who have had the privilege of serving on this court.

Even more astounding is the record of the Supreme Court clerks, those

young lawyers who are hired by the justices to do much of the reviewing and writing of first drafts of opinions for cases before the Court. According to a recent *USA Today* article, of the 800 Supreme Court clerks hired since 1965, when civil rights legislation was passed, 675 have been European American men and 80 have been European American women. Only 18 have been African American and 28 either Hispanic or Asian American. There has never been a native American.

A closer examination of the Supreme Court's hiring practices shows that half of the African American clerks were hired by one man—Justice Thurgood Marshall, the first African American to serve on the Court and himself a significant actor in the civil rights movement. Justice Thomas, the only other person of color to have served as a Justice, has hired one African American clerk among his 33 clerks in his seven years on the bench. Currently, in this session of the Court there is one Hispanic woman who is serving for Justice Steven Breyer.

What does this mean for our nation that both the Supreme Court justices and these important behind-the-scenes-shapers of our justice system are by and large white men?

It may mean that by only choosing from a very limited pool of candidates that they are not getting the full breadth of experiences and insights which they might as they consider our nation's

most important cases. It means that institutional racism has for generations kept out women and people of color and that the Supreme Court, other than Justice Marshall, has not examined how to deal with it. It means that our nation has not been well-served by having for the most part only one race and gender shape the judicial decisions of our multiracial, multicultural land.

Justice Thomas, having just addressed the National Bar Association, the nation's African American legal association, has expressed an interest in increasing the number of people of color clerks on the Supreme Court. But this is too important an issue to justify on the interest of individual justices. The Court needs the best and the brightest to serve as clerks. But the Court as a whole needs to examine the system of recruiting and hiring its clerks so that the best and the brightest are also reflective of our great nation. It is doubtful that this Court, which has outlawed affirmative action for others, would choose to use it for itself. But by whatever means, the Court and its employees must be more reflective of our nation. The NAACP and the Hispanic National Bar Association plan a protest outside the Supreme Court on October 5, its opening day for the fall session.

We can't unelect Supreme Court justices, who serve for life and are supposed to be removed from public opinion, but we must find a way to express our concern and our outrage.

Dear Editor,

Last week, Senators Smith and Wyden voted against consumers and for big banks. They opposed a proposal by Senator D'Amato (R-NY) that would have stopped one of the biggest bank rip-offs: the double-dipping ATM surcharge. The Senate defeated the proposal. ATM surcharges are unfair to consumers. Since the ATM networks began allowing the new surcharge fee over two years ago, the

Dear Editor,

The last time I felt the kind of frustration I feel now with a national phenomenon was when the late George Wallace, having taken his infamous stand at the door of the University of Alabama, stated on television that his position on segregation reflected the will of the majority of the American people. Both the news media and the apparent bulk of Congress, by inference, have gone their own voyeuristic way regarding the Clinton-Lewinsky debauchery on the basis of the public's alleged interest in it while, in fact, a very good many of us have shrunk from hearing more than the initial blanket report that mischief had been done. Trying to get away from the blow-by-blow (pun intended) account has been as painful and as futile as an experience I once had when regaining consciousness following a hemorrhoidectomy. My agony was so intense and so all-encompassing that I wanted to crawl out of my body. More and more everyday, I wish I could crawl out of this godforsaken country.

President Clinton's behavior was indefensible, but it has to be viewed against a background for which every jackdog of us directly or indirectly is responsible. It began when Hollywood paved the way for its eventual license to depict bare flesh and sexual intimacy with release of films based on salacious stories from the Old Testament—to wit, those of David (Gregory Peck) and Bathsheba and Sampson (Victor Mature) and Delilah. I was in my teens, as I recall, when they were released, and I remember thinking that these

average additional charge to non-customer is \$1.27. Add that to the fee banks charge for their customers using another bank's ATM, and the cost of using an ATM is nearly \$2.50, sometimes even higher. With over 80% of banks surcharging, consumers do not have a lot of choice in the marketplace.

Surcharging is not only anti-consumer, but it is also anti-competitive. The surcharge hurts small banks and credit unions. More and more small bank customers

are switching their accounts to big banks to avoid surcharges. That may seem like the marketplace working, but the Federal Reserve Board has shown that big banks charge higher fees than small banks and credit unions. If these lower-priced competitors are driven from the market, then the big banks, facing less competition, will raise their fees even more. Every consumer will lose, and the big banks will keep on picking consumer pockets. ready in their hearts. Yes, President Clinton was incomprehensibly stupid to risk so much for so little. Yes, he chose a most inappropriate place to be your average John Doe. Yes, now that the hounds of hell have treed him and not satisfies with that, continue to bay with unrelenting vigor, he is, without doubt, bereft of any power to exert a positive influence on the course of national and international events. Any day is black when Republicans have cause to rejoice, and this is, indeed, a very black day. They have followed their Starr from the East and are born again to eternal life in Congress. Come, Armageddon! You are overdue. Let the GOP enjoy their coup in uncontested bliss, however, let those of us with a few brains left remind the electorate that one bad Democrat no more makes all republicans saints than one bad Lewinsky makes all women of Jewish extraction whores. (Let's call that spade a spade too while we're at it.) What most disturbs me about

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Consumers should not be charge twice to use the ATM only once. The Congress had an opportunity to protect consumers from the fee-gouging ATM surcharges, but because Senators Smith and Wyden voted with the big banks, consumers can expect bank fees to keep on going up.

Sincerely,

John Valley
OSPIRG
Consumer Advocate

this entire debacle is the hypocrisy involved. We haven't been a moral country in my lifetime (sixty-three years). A nation's moral standards are in no respect reflected by the way or in what numbers its citizens worship, but rather, by the social inequities it fosters and the nature of entertainment it seeks.

On going proof, of our blatant self-deception exchanges hands every day: "In God We Trust" is perhaps the biggest ever to see the light of day.

It is the almighty dollar on which it is printed that we both worship and trust. What goes is what is profitable. that is the bottom line.

If, in fact, we as a nation believed in a deity who metes out justice, we would, to a man, be fleeing the country like lemmings in anticipation of a replay of Sodom and Gomorrah.

With profound disgust,

D. June Fredman
NE Portland

Jefferson High School: Reconstruction IV-Conclusion

BY-PROF. MCKINLEY BURT

We cited "the critical importance of feeder schools" as we closed last week's reprise of the stellar performance of over-achieving principals, members of the "National Association for Schools of Excellence."

We could simply point to the obvious truths of such statements as, "a tree is not stronger than its roots," but more directly in support of our assertion was the testimony of those successful inner-city academics. And, unfortunately, there are many residents of the Northeast community who also attribute the problems of Jefferson High School—high drop out rate and lagging academic achievement—to documented deficiencies of the elementary schools (not a Northeast problem alone).

This assessment of what must be a critical element of any Jefferson High School "reconstruction" is seen to lead to a very interesting observation. For many months now we have seen the frenzied antics of the educational power structure orchestrating this process, generating reams of uncorrelated data and statistics.

And over the unheeded protests of an intelligent community of caring parents, teachers, students and activists who have long understood and documented the problem, this controlling group has gained momentum. Expensive consultants have been employed to report what is al-

ready known to school administrators (stamps of approval are expensive).

The continuous release of daily (and conflicting) press reports has caused confusion and has raised protests among taxpayers far beyond this community. The hiring of expensive press agents or spin doctors does not suggest that there are solutions at hand. The implication is that things are out of control, and the entire city is suspicious.

So that "interesting observation" of ours is, given all the academic truths that are seen to be 'self evident,' how much longer will the Portland School administration be allowed to indulge socio-ethnic fantasies? Or is it the case that this institution is not in control of its own destiny—and never was? Some insight may be gained from, "A Peculiar Paradise: A History of Blacks in Oregon, 1788-1940, Elizabeth McLagan, 1980 (The Oregon Black History Project).

And more than fifty years later the same pervasive theme is with us. Tradition and social mores are seen to go with the territory—and it will take real commitment rather than liberal rhetoric and spins form academic citadels to bring about a change in the mind set. Or maybe the following approach.

Interestingly, a number of people in the community report that their

very first conversations with white newcomers brought the query, "How in the world did you 'permit' these disastrous schools to exist—didn't you realize what was being done to your children? 'We' just won't hold still for it!"

Another important concept of the 'new Jefferson Trinity' was slated for review this week: "The Science and Technology arm-Has Congress halted 'visas' for foreign technicians?" There is not space this week for the full treatment of this subject and the vigorous analysis it deserves, but rest assured that it will be followed through in depth.

Our concern is with the tentative plans that we announced earlier for a technological academy as part of the Jefferson format. Having come to the education scene (Portland State University) from an industry and financial background, I had some real-time experiences to underwrite my commentary. And see my "Black Inventors" book.

My specific concern was that Congress might reverse its stance on the freeing of visas for the importation of foreign technical workers. Then, where would the Jefferson High School graduates work?

Congress did exactly that last week, though promising 10,000 scholarships for "underprivileged students to 'study' math and science." Do you buy it?

Messages About Alcohol Are Confusing

BY JOHN CLAY

The large newspaper headline read: "Drinking produces painful history." The stories that followed were about the devastating impact of alcohol on an entire family.

The front page of another section in that same day's paper carried a feature story under another section in that same day's paper carried a feature story under another large headline: "A celebration of pinot noir." On the page were several photos of happy people drinking, with this prominent quote from one man: "It's sex in a bottle.

As a former newspaper editor and now a media communication officer for the Oregon Office of Alcohol and Drug Abuse Programs, I pondered those stories for an extra moment. Together they were another example of the confusing messages everywhere about alcohol and other drugs.

About the same time I went to Salem's new Riverfront Park, where popular swing dance lessons were being offered, with live music. The band and the lessons were in a roped-off area where alcohol was served, so young people had to stand

outside. I'm sure the message for many of them was that the real fun goes along with drinking inside that "forbidden zone."

Need more reasons that young people have trouble making good decisions about drinking? Just watch any major-league game on television, especially an event such as the Super Bowl. Some of the most creative advertisements are for beer during big games - and the ads work.

Is it any wonder that so many college students can be found drinking in the bleachers at football games?

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