

# OPINION

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## Stopping Injustice in its Tracks *'Jena 6' protest shows new day dawning*

BY JUDGE GREG MATHIS

Last Thursday, thousands of black Americans gathered in the small town of Jena, Louisiana to support the teenagers who have come to be known as the Jena 6.

The scene was reminiscent of a 1960s freedom march and many of those old-school leaders, including Reverends Jesse Jackson and Al Sharpton. But there were also some new faces. Young faces. All excited to play a part in making sure injustice is stopped in its tracks.

The Jena 6 may have unwittingly sparked the next big youth movement in the African-American community. And it's about time. We have been waiting for more of our young people to get active.

The Jena 6 are a group of black

teenagers who have been arrested and charged with crimes related to their alleged involvement in the assault - many say it no more than a high school fight - of a white teenager in December of last year. The



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fight was one of many racially charged events that occurred in the town after white students hung three nooses from a tree on the Jena High School campus. Those white stu-

dents only received three days of in-school suspension.

The six are accused of beating and knocking a white teen unconscious. The teen was treated at the hospital and later that evening at-

tended an event at the high school. Five of the students involved in the alleged attack - Robert Bailey, Jr., Mychal Bell, Carwin Jones, Bryant Purvis, and Theo Shaw - all of whom

were 17 - adults under Louisiana law - were initially charged with assault.

Jesse Ray Beard was 14 at the time and was charged as a juvenile. The district attorney later increased the assault charges to attempted second degree murder. Many of the town's black residents, and many across America, believed the increased charges were disproportionate to the crime and were racially motivated.

In June, on the first day of Mychal Bell's trial, the district attorney reduced the charges.

Despite conflicting witness accounts on whether or not he was involved in the attack, Bell was found guilty. On Sept. 14, Bell's conviction was overturned when a Louisiana court decided he should

not have been tried as an adult. Though charges stand against the others, they have also been reduced.

If not for the intense and consistent public outcry against the biased treatment these six young people were receiving, Mychal Bell may have received a sentence of up to 20 years on Sept. 20. Instead, our people - young and old - traveled to Jena and put the town on notice: black American youth will stand up and fight for justice.

There are many reasons why our young people haven't been as active or as conscious as they should have. Perhaps they believed no good would come of it. Conditions for many are the same today as they were 40 years ago. Or, maybe they

thought the old-guard wouldn't accept them. Many of our more established leaders have been reluctant to pass the torch. Whatever the reasons, the demonstration in Jena shows us that a new day is dawning. Young black people played a key role in promoting the march and rally on social networking sites such as Facebook and MySpace. They sent emails and text messages to their friends, clueing them in on every development in the case. Their organizing style may not look that of years past, but it is real and it is effective. Let's hope it continues.

Judge Greg Mathis is national vice president of Rainbow PUSH and a national board member of the Southern Christian Leadership Conference.

## Wrong Turn on Equality

### Supreme Court erodes gains

BY MARIAN WRIGHT EDELMAN

The July 28th Supreme Court decision to strike down voluntary school integration plans in Louisville and Seattle, will erode gains in racial equality won through landmark court cases and the struggle by Americans of all races in the Civil Rights Movement.

The action by the conservative five-justice majority assaults both the spirit and intent of the Warren Court's 1954 *Brown v. Board of Education* desegregation ruling, which had a domino effect of undoing legally sanctioned racial apartheid in all aspects of American life.

Although lower courts had upheld both Louisville's and Seattle's voluntary plans, which achieved diversity using race as one of the criteria for school placement, the High Court ruled both plans unconstitutional.

Chief Justice John Roberts, joined by Justices Scalia, Thomas and Alito, said boards of education cannot take the race of an individual student into account to help foster racial integration of schools. Writing for the majority, Roberts stated, "To achieve a system of determining admission to public schools on a non-racial basis is to stop assigning students on a racial basis."

The practical implication of Robert's reasoning is that if Americans were only "colorblind" in implementing social, economic and political policies, the problem of racial bias would go away. This is naïve at best.

As a society, we are not at the point where we can rely on individuals to make colorblind decisions on a range of matters.

Justice Stephen Breyer was right in his dissent to call this ruling a radical step away from settled law. Writing on behalf of himself and Justices Stevens, Souter and Ginsburg, Justice Breyer asserted that race-conscious considerations can be valuable tools in "eradicating earlier school segregation, bringing about integration or preventing retrogression."

The Court's ruling will now throw many school districts and local communities into confusion, stripping many of

the tools used for decades to implement voluntary antidiscrimination measures. It also will open the door to re-litigation of other established integration plans.

The legacy of 250 years of slavery and a century of segregation laws are still with us. We simply have not come far enough that we can dispense with any remedies to end discrimination.

In America, where nearly all of us are descended from people who came to these shores from other lands, many in desperation and many in chains, laws that protect minorities are as vital as our founding principles, however poorly honored in practice.

Racial, ethnic and cultural diversity are essential elements of our national character as is the equal protection of the law guaranteed by the Fourteenth Amendment - a more solid bedrock of America's quest for justice for all.

The idea that we no longer have to

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take affirmative measures to preserve civil rights is no more valid than the idea that we no longer have to take strong measures to uphold the First Amendment or any of our liberties.

There have been numerous challenges to our rights of free speech, freedom of assembly, and freedom of the press over the last 200 years. Just as those fundamental, charter freedoms require preservation, so do the protections of racial equality arising from the Fourteenth Amendment, the Brown decision and the Civil Rights Acts.

I am appalled that Chief Justice Roberts suggested his ruling was faithful to the heritage of Brown. Roberts got it wrong. Brown was crafted to eliminate racial separation. The Roberts court overturned school integration plans that sought to achieve racial diversity in the classroom. It is my hope that those who now sit on the Supreme Court will commit themselves to advancing justice and building bridges between those of different racial and income groups - not burning those bridges.

Marian Wright Edelman is president of the Children's Defense Fund.



## Voting Rights Denied

### D.C. residents deserve representation

National Urban League President Marc H. Morial issued the following statement after the U.S. Senate last week failed to stop a filibuster of the proposed D.C. House Voting Rights Act:

By a slim three-vote margin, the Senate failed to overcome a filibuster by a minority of senators (including Sen. Gordon Smith-R-Ore.), that kept the measure from proceeding to a vote on the floor, a major setback in a decades-long fight to secure congressional representation for the nation's capital.



This was the first filibuster of a voting rights bill since the era of segregation.

District of Columbia residents pay taxes, serve on juries and fight and die in our nation's wars. Yet, despite this, they have had their hopes of gaining congressional representation stalled so close to the

finish line. Residents of our nation's capital deserve their constitutional right to representation now, something that has been long enjoyed by all Americans residing outside D.C. With-

out a full voice in Congress, they are merely second-class citizens.

Crafted as a compromise, the legislation would add two seats in the U.S. House - one for D.C. and the other for Utah, the next state expected to get a new seat. It enjoyed support from both sides of the aisle and easily passed through the U.S. House last April.

It is shameful that in this day and age, a small group of United States Senators would filibuster a voting rights bill.

It is ironic and sad that DC residents, once again, had their rights denied by a body in which they are not represented.

I urge the Senate to stop blocking Americans' right to vote and revisit this issue during this session of Congress. D.C. residents deserve voting rights now!

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Invite all for 40 Days for Life  
from September 26<sup>th</sup> to November 4<sup>th</sup>  
by

**Prayer & Fasting**  
**Vigil at MLK Blvd. and Beech St.**  
**Community Outreach**

Make a Difference and stop **Planned Parenthood**, the **nation's largest abortion provider**, from putting a large three-story abortion facility at Beech & MLK.

Please come to special vigil on  
Wednesday, September 26<sup>th</sup> from 5:00pm till Dark