

OPINION

Americans have a Hard Time Talking about Race

Disparities grow as issues ignored

BY JUDGE GREG MATHIS

Americans have a hard time talking about race. So, instead of dealing with an issue that continues to have a lingering impact, we ignore it. We sweep it under the rug, along with our ability to deal with a social and political system that creates racial disparities on a variety of levels.

While our heads are buried in the sand, disparities in opportunity continue to grow, with African Americans, more than any



other ethnic group, lacking access to decent schools, affordable housing, jobs that pay a livable wage and quality healthcare.

It's time for America to get real: race does matter.

Talking about this makes some of us uncomfortable. Too

bad. African Americans have been uncomfortable for hundreds of years, battling slavery, American apartheid and social and political systems built on racist foundations. And though we've overcome much,

we've still got a lot of ground to cover.

The median income for black households still lags behind that of whites. And though more of our people are finishing high school, less than 20 percent of us finish college while 30 percent of whites receive their college degree.

Owning your own home is critical to building personal wealth. But the benefits go beyond the financial. Yet, African Americans own homes at a rate much lower than whites; While other ethnic groups are able to build their own wealth while simultaneously strengthening their

communities, African Americans seem stuck in a holding pattern.

For every step America makes toward racial harmony, we seem to take one step backward. If you don't believe me, take a look around.

Our lingering race issue can be seen in the cries for 'proof' that the President was, in fact, an American citizen, an eligible to serve in the nation's office.

We can see it in the outrage that many conservatives seemed to have over having a socially conscious hip-hop artist perform at the White House. And it's

clearly visible in the anti-immigration reform debates being held around the country, in venues large and small.

To be clear, this is not about blame. Personal responsibility is critical to individual success. But there is no denying that institutional racism and discrimination can derail even the most ambitious of us.

If America refuses to address its ongoing race issue, then it cannot address the systems that perpetuate injustice.

Judge Greg Mathis is a retired Michigan District Court judge and current syndicated television show judge.

Immoral, Illegal, counterproductive and Un-American

If laws on torture are ignored, terrorists win

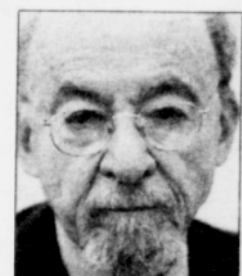
BY PETER WEISS

Osama bin Laden's death has laid to rest the mystery of his whereabouts. His body lies under the ocean. But now his death raises another increasingly popular question. Was he tracked down thanks to tips elicited through the torture of captured al-Qaeda operatives?

The answer should be clear: no, torture doesn't "work." The damage done by systematically resorting to torture far outweighs the benefits obtained from the very rare instances where reliable information is obtained from torture.

Defenders of the Bush-Cheney policies that gave us rampant human rights abuses at the Abu Ghraib and Guantánamo prisons claim, on flimsy evidence, that waterboarding and other forms of torture produced information that eventually led the Navy SEALs to bin Laden's hideout in Pakistan.

Defenders of Obama's policy of ending torture, such as White House counterterrorism advisor John



Brennan, tell us that the trail to bin Laden's compound was assembled over a decade, from a multitude of bits and pieces of intelligence. As New York Times reporters Scott Shane and Charlie Savage explained, "harsh techniques played a small role at most" in leading the Navy SEALs to Osama Bin Laden.

Professional interrogators, like Air Force Major Matthew Alexander, insist that torture is the wrong way to go because it tends to produce unreliable or deliberately deceptive information. In addition, torture creates more terrorists than it unmasks.

It's also unnecessary, as I learned first-hand many years ago. I did part of my army service in World War II at an interrogation center for high-level German POWs. We got a lot of valuable intelligence without ever laying a hand on them.

But it's not necessary to deny that torture ever works in order to come to the conclusion that it should never be used. People who believe in morality — and not everyone does — will oppose torture because they consider it deeply immoral. People who believe in the rule of law will refuse to employ it because it is illegal. And people who

are proud to be Americans should reject it because it is profoundly un-American. The U.S. Constitution forbids cruel and unusual punishment.

In 1863, in the middle of the Civil War, a German immigrant law professor at Columbia University, Francis Lieber, drafted "Instructions for the Government of Armies of the United States in the Field," which President Abraham Lincoln subsequently promulgated. The Lieber Code, as it came to be known, is the fountainhead of all subsequent documents dealing with what is prohibited in warfare, both in this country and throughout the world.

At its core is this sentence: "The law of war does not only disclaim all cruelty and bad faith... offenses to the contrary shall be severely punished, and especially so if committed by officers." The United States is a party to the Geneva Conventions of 1949, which spell out the law of war in detail, and, as of 1994, to the Convention against Torture.

In 1980, in a case brought by the Center for Constitutional Rights, the Federal Court of Appeals for the Second Circuit said, "The torturer has become like the pirate and slave trader before him hostis humani generis, an enemy of all mankind."

Another reason to obey the injunction against torture, one that military officers frequently cite, is the blowback effect. If the U. S. tortures foreign detainees as a matter of policy, as it did during George W. Bush's administration, what is to prevent other countries from using torture on American detainees, as the North Koreans did during the Korean War?

Finally, there's something about a slippery slope. If the law can be broken because doing so "works," where will that stop? How about convicting Guantánamo detainees on secret evidence? Or locking up "really bad people" — that's what Dick Cheney called the ones in Gitmo — for life without trying them at all, as the government is getting ready to do? Or doing away with the presumption of innocence, as President Barack Obama did the other day when he declared that Private Bradley Manning "broke the law," despite the fact that the alleged WikiLeaker hasn't even been tried yet?

If the law is discarded in the fight against terror, terrorists can rack up a win.

Peter Weiss is a vice president of the Center for Constitutional Rights

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