



“Challenging People to Shape
a Better Future Now”

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On Race, Court is Out of Touch

In its decision Monday on affir-
mative action, the Supreme
Court punted. It reviewed the
University of Texas affirmative
action program — in which race is
admittedly “a factor of a factor of
a factor” in admission, one of
many factors used with a universi-
ty committed to the educational
benefits of a diverse student body
— and said the lower court had to
give it even stricter scrutiny. Or in
essence, take another, harsher look
and come back next year.

In making the decision, the court
once more revealed how out of
touch it is with reality. The 14th
Amendment to the Constitution
was passed to provide equal pro-
tection of the laws to African
Americans emerging from slavery.
But 150 years of slavery was fol-
lowed by 100 years of apartheid,
as the courts and the Congress per-
verted the purpose of the
Reconstruction Amendments (13-
15).

Finally, under Chief Justice Earl
Warren, the court, driven in part by
the civil rights movement and in
part by Cold War concerns that
legalized discrimination might dis-
credit the U.S. in the nations
emerging from colonialism, ruled
that segregation was unconstitu-
tional and accepted affirmative
action to bring equality of opportu-
nity to all Americans. And that



**RAINBOW/
PUSH**

The Rev.
Jesse Jackson

revolution in civil rights for blacks
led directly to the women’s move-
ment, the gay liberation
movement, and the Latino move-
ment.

Now, conservatives on the court

... take a clear look at reality and
sustain the original intent and clear
mandate of the Constitution,
particularly its 14th and 15th
Amendments

want to distort the Constitution
once more, and rule that affirma-
tive action based on race is
unconstitutional, even when it is
undertaken to provide opportunity
to those who were locked out. In
essence, the court is saying that
equal opportunity has been
achieved, and that considering
race as a factor is thus inherently

discriminatory.

But African Americans still
make far less than whites do.
African-American unemployment
is twice as high. The wealth gap
has widened, not closed. African-
American children still enter a
world stacked against them. Too
many are born to poverty, raised
on mean streets. They go to crowd-
ed and underequipped schools,
starved by the “savage inequality”
of funding. They are targeted by
banks for higher interest rates, and
the most exotic mortgages. They
are more likely to be arrested for
nonviolent crimes like those

berg dissented from the opinion,
arguing that more scrutiny is not
needed. After a yearlong review,
the university, she writes, reached
a “reasonable, good faith judgment
that supposedly race-neutral initia-
tives were insufficient to achieve
the educational benefits of student-
body diversity.” The purpose is
constitutional; the means appropri-
ate. Nothing else should be
required.

In this case, in the Voting Rights
case likely to be announced this
week and in future cases, the court
faces a choice. It can ignore the
reality of race in this country,
enforce an ideological position and
trample the basic constitutional
mandate of equal rights under the
law. Or it can take a clear look at
reality and sustain the original
intent and clear mandate of the
Constitution, particularly its 14th
and 15th Amendments. The rights
of African Americans — but also
the rights of women, of the GLBT
movement, of Latinos — will
depend to no small degree on how
the court rules.

*The Reverend Jesse Louis Jack-
son, Sr., is one of America’s
foremost civil rights, religious and
political figures.*

That’s why Justice Ruth Gins-

You Can ‘Sag’ Butt it will Cost You

Do you ever wonder what
message our young men
are really sending when
their pants are sagging to the point
of showing their underwear? Has
it crossed your mind that they
might be mooning us? Before we
can figure it out, they pull up their
pants, only for them to gradually
fall right back down. Focusing
solely on body language, it’s not a
stretch to think they are saying,
“Kiss my butt.” Or, words to that
effect.

Whatever they are trying to say,
an increasing number of public
officials are making it clear that
they don’t want to hear it. Wild-
wood, N.J. is the latest city to
place a ban on sagging pants, clas-
sifying it as indecent exposure.
The ban, which goes into effect
July 2, applies only to the board-
walk in the Jersey Shore resort.
Mayor Ernest Troiano, Jr. told the
Associated Press: “It’s amazing —
and this is a pun — how far decen-
cy has fallen through the cracks.”

This so-called fashion statement
originated in prison. Yes, the
joint. Prison clothing is often ill-
fitting. But belts are prohibited in
most institutions because they
might be used for suicide or hang-
ing.

Still, that’s no reason extend that
style beyond the prison walls.
They are wearing pants so low that
they are obstructing the way that
they walk and exposing where the
sun doesn’t shine. And their
staunchest defenders aren’t doing
a good job of arguing their case.

Consider Hip Hop rapper The
Game’s recent comments about
Wildwood’s new law. TMZ
reported that he said, “N*****
should sag down to their socks out
there. They trying to get people to



**HIP HOP
UNION**

Jineea
Butler

not sag, please. Can’t tell people
how to wear their f***ing clothes.
What time are we in? This ain’t the
f***ing slave days. F*** that.”
He goes on to say, “I am with the
sagging movement. First five peo-
ple to get fines, I will pay their
tickets ... I will go there and sag

bans. In addition, school districts,
transit agencies and airlines ban
wearing pants that expose skin
below the waist or underwear.

Interestingly, before the crack
down on those showing their
crack, there were unofficial street
standards for sagging. They called
for wearing pants one or two sizes
larger to sag below the elastic
designer label on the boxers that
matched and clearly defined your
outfit. It was a requirement that
boxers and the outfit had to show-
case a brand from head to toe. The
unspoken street rules went so far
as to stipulate that if you didn’t

difficult to sit by as people belittle
our entire Hip Hop community on
basis of only a slice of our com-
munity. Mr. Mayor have you taken
the time to speak with the young
men in question? Fortunately,
there’s more to them than meets
the eye. And as one ACLU official
said, having bad taste shouldn’t be
a crime.

Just as public officials have a
duty to look beyond our clothes,
rappers need to clean up their act,
too. I think many of them don’t
understand the saying made
famous by French writer Francois-
Marie Arouet aka Voltaire, “With
great power, comes great responsi-
bility.”

My questions to The Game are:
When these people follow you, are
you going to give them a job when
they are “sagging down to their
socks”? Are you going to stop the
paper trail that might hurt their
careers? How will these five peo-
ple even get in touch with you to
pay the fines? No matter how rele-
vant or powerful a rapper aspires
to be we can’t allow them to plant
messages that poison the mentality
of our youth. If The Game is seri-
ous about making change; why not
pursue the proper protocol to over-
turn this law.

Critics say if young men wear-
ing pants below their waist want to
know how they are perceived by
others, all they have to do is look
at what “saggin’” spells when the
letters are reversed.

*Jineea Butler, founder of the
Social Services of Hip Hop and the
Hip Hop Union, can be reached at
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[@flygirlldyjay](https://twitter.com/flygirlldyjay)*

No matter how relevant or powerful a
rapper aspires to be we can’t allow
them to plant messages that poison
the mentality of our youth.

cause I am a sagging Sagittarius.”

Whether the law is valid, racist
or unjust, we should not encourage
our young people to break the law.
After The Game pays the tickets
for the first five people who defy
this order, what happens to the
next 10, 000 who follow suit? Be-
cause the first offense is \$25 –
\$100, he’s only committing to a
maximum of \$500. The fine can
go as high as \$200 and 40 hours of
community service. Is The Game
going to do their community ser-
vice, too?

Other jurisdictions – including
Lynwood, Ill.; Terrebone Parish in
Louisiana; Albany, Ga.; Opa-
Locka, Fla.; Collinsville, Ill. and
Hahira, Ga. – have adopted similar

wear a coordinating belt you were
deemed improperly attired.

Sadly, many young people can’t
give you a good reason for why
they are showing their butts – lit-
erally.

When asked, most will tell you
that they feel more comfortable
with their pants exposing their
backside. People of my genera-
tion used to say that we sag our
jeans because we felt uncomfort-
able with the sizes and styles that
were available. Consequently,
Urban Fashion was born. Design-
ers for Karl Kani, FUBU and
Cross Colours began to make
clothes that addressed our vision
for a more comfortable feel.

As bad as the sagging looks, it’s