

In defense of civil rights advocate Lee

Bernice Powell Jackson



"We've all heard the phrase "Catch 22" meaning that one is caught in a paradox and a no-win situation. It's kind of what the old folks meant when they said caught between a rock and a hard place. That's kind of where Bill Lann Lee is right now and we all stand to lose because of it.

Bill Lann Lee is President Clinton's nominee for the Assistant Attorney General for Civil Rights. That's the job in the Justice Department which helps set the administration's policy when it comes to civil rights issues. It's a job that at times has been controversial, at times pace-setting and has often been the place where the marginalized could turn for help in finding legal remedies for their situation. Most recently it was held by Deval Patrick, who was instrumental in assisting with the FBI investigations of the burned churches in the African American community. But it's been a year since that job has been vacant, a long time for such a key position, especially during this time of many legal challenges facing human rights issues and concerns.

Bill Lann Lee, the President's choice for this vital position, is the son of a Chinese laundryman, who came to this country during the Depression as a penniless immigrant.

"A Chinese laundryman whose business was located

in Harlem. His mother worked as a seamstress and ironer in that small, cramped laundry and Bill and his brother watched their father suffer the indignities of being called a "dumb Chinaman" and being denied housing because of his race, even after serving honorably in the Army Air Force during World War II.

Bill Lann Lee, the son of the poor laundryman, was able to attend Yale University as one of its first affirmative action admissions but he graduated Phi Beta Kappa, with a magna cum laude degree in history. After studying law at Columbia, he has dedicated his entire career to working in the field of civil rights law. In a recent statement he said, "In my mind, the people I have represented in civil rights cases are people very much like my father."

But Bill Lann Lee is not just a theorist, he is practical solution-seeker, one who has a reputation for searching for common ground in the process of working for fairness for those who have been excluded and disenfranchised. Even the Republican Mayor of Los Angeles, one of Mr. Lee's opponents in a case concerning poor bus riders in that city, wrote in a letter of recommendation for Mr. Lee that, "The work of my opponents rarely evoke my praise, but the negotiations could not have concluded successfully without Mr. Lee's practical leadership and expertise."

Bill Lann Lee is an honorable man. He is a man of whom all of America should be proud and should be honored that he wants now to work in our government. He is a man who has spent his lifetime working for civil rights law, believing that, "The civil rights laws do not confer charity. Their protections have their roots in prior discrimination and exclusion of those who look different, who speak differently, who are dis-

abled and who were once enslaved. They are laws designed to overcome relegating minority schoolchildren to segregated schools, the unjust denial of employment opportunities on account of ethnicity, the artificial exclusion of women from educational opportunities, the barriers that obstruct the access of the disabled to public buildings."

Those don't sound like the words and his is not the story of an extremist. But Republicans in the Senate are determined to paint him as a radical and marginalized leftwing lawyer solely because of his support of affirmative action and his work against Proposition 209 in California. Those arguments forget the fact that affirmative action was the law of the land for nearly 30 years, so it is only natural that Mr. Lee would work on their behalf and that as a staff member of the NAACP Legal Defense Fund, it should be no surprise that he would be joining in the efforts against Proposition 209, a law which would deny him the very benefits which allowed him to move beyond the horizons of working in his father's laundry in Harlem.

So far Sen. Hatch and others in the Senate Judiciary Committee have blocked Mr. Lee's nomination and kept it from going to the full Senate, where it most likely would receive confirmation. Only Sen. Arlen Specter (R-Pa.) broke ranks in support of this outstanding candidate, while the others cited his support of the Administration's position on affirmative action as their reason for opposing Mr. Lee. Following that logic, the President cannot nominate anyone who supports his position on affirmative action.

BERNICE POWELL JACKSON is executive director of the Commission for Racial Justice in Cleveland.

I appreciate Ella Scarborough

The swearing-in of Rod Autrey as the new at-large city council member on Dec. 1 was a bitter-sweet loss of council woman Ella Scarborough from municipal service.

We knew her priorities on crime prevention, transportation and economic development that created jobs. Her replacement by Autrey, a former county commissioner, will require us to examine his priorities.

It is regrettable that Scarborough's last council motion to enforce a 10-year-old ordinance on all outdoor billboard sign companies was defeated. She has consistently held a position that compliance to requirements for size, distance and location of billboard signs is justified. However, Adams Sign Co. refuses to comply and instead wants to settle with the city. The votes that killed Scarborough's motion were from (Al) Rousoo, (Don) Reid, (Lynn) Wheeler, (Nasif) Majeed, (Mike) Jackson and (Malachi) Greene. The outcome of this "capitalism vs. environment" compromise with the council will be important to watch.

The big question now is whether Scarborough's public service record will sustain her as she files as a candidate for the U.S. Senate from North Carolina. It will also be important to watch the outcome of her political objectives. I plan to watch as well as participate in her behalf. That will be a way to appreciate her service to Charlotte-Mecklenburg and to support her expectations for an expanded service to the state.

*Mildred Swift
Charlotte*

Thanks for support of my candidacy

The writer is a member of the Charlotte-Mecklenburg Board of Education.

I have known for many years that The Charlotte Post is a viable part of the Charlotte media. Your insightful news coverage has kept the community well-informed. That is why your endorsement of my candidacy was so very important.

Thank you so much for the faith you showed in me. I will continue my efforts to improve public education for children in Mecklenburg County. Thanks for all of your support.

*Vilma D. Leake
Charlotte*



Leake

Sanctioned police brutality shows no signs of ending

By Daryl Lamont Jenkins
SPECIAL TO THE POST

Our officials are all talk and no action when it comes to ending police brutality.

According to the Department of Justice, 47,000 cases of police brutality were reported in the United States between 1986 and 1994. Of those, 293 were prosecuted. In my home state of New Jersey, a police officer has never been incarcerated after killing a civilian according to the New Jersey Coalition Against Police Brutality.

But the August brutalizing of Abner Louima, a Haitian immigrant, in New York City may finally bring action.

The Congressional Black Caucus is demanding change, as is the New York-based Center for Constitutional Rights. Both groups came to Washington, D.C., in mid-September to call attention to the problem.

Rep. John Conyers, D-Mich., announced at the Congressional Black Caucus' 27th annual conference that select members of the House Judiciary Committee will hold hearings on police brutality. Rep. Sheila Jackson-Lee, D-Texas, and Rep. Bobby Scott, D-Va., are on that committee and were on hand. "We are here to listen, but we are also here to act," Jackson-Lee told an enthusiastic crowd.

Individuals, mostly from New York and New Jersey, went before C-SPAN cameras, often with tears, to tell how police have

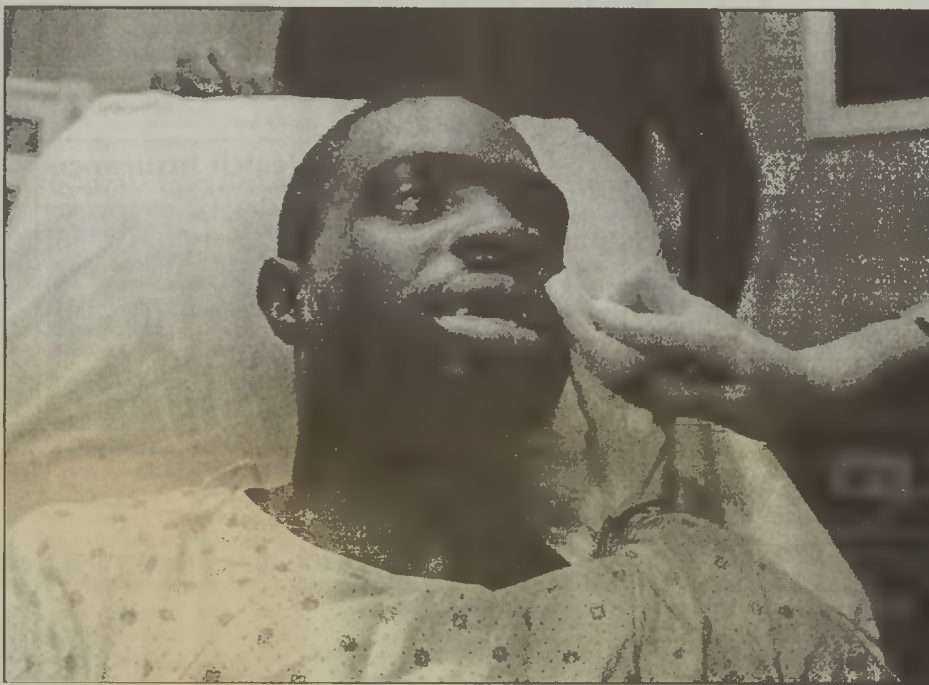
harassed, threatened or assaulted them, and to tell of loved ones they have lost to policemen.

For too long, elected officials and police organizations have been turning a blind eye to these accounts.

Why, for example, does New York City Mayor Rudolph Giuliani feel compelled to voice his outrage and scream for the death penalty when a police officer is killed, yet remain silent when the roles are reversed? Giuliani attacked Bronx District Attorney Robert Johnson, a capital punishment opponent, for not seeking the death penalty after an officer chasing a suspect fell on a broken mirror and bled to death. However, when a navy veteran was killed by a police officer, Giuliani distanced himself from the incident and barely commented on it.

Then there was the case in Elizabeth, N.J., last October where a police officer brutally assaulted a 17-year-old boy who accidentally ran into his cruiser. The local Fraternal Order of Police attempted to wage a campaign to oust the judge who rightly convicted that of officer.

We seem to be on the right track, but as we learned from the Rodney King case, it is not that simple. For true reform, we must revamp the entire criminal justice system. We must reign in vague laws that allow police officers to harass citizens and walk away scot-free. Many at the Congressional Black Caucus conference supported the idea of a



FILE PHOTO

Abner Louima was beaten and sodomized by New York City police earlier this year.

community police-review board with subpoena powers to monitor the police, something that is set up in New York, but was ignored by Giuliani until the Abner Louima case forced him to respond.

We should also call to task the folks in Washington. Ron Daniels, who heads the Center of Constitutional Rights, organized a demonstration outside the

Justice Department building on the same day as the Congressional Black Caucus conference and met with Attorney General Janet Reno. According to Daniels, the attorney general's office is supposed to issue a report on police brutality each year. "We're not aware that such a report has been issued, and if it has been issued we don't hear about it," he said.

The Congressional Black Caucus conference focused on a number of issues, from affirmative action to the plight of black farmers - all very important subjects. Every other effort we make, however, comes to naught if the issue of police brutality continues to go unchecked.

DARYL LAMONT JENKINS is a writer and activist living in Somerset, N.J.

A Black Republican cast out by the ultra conservative wing

By Glenn C. Loury
THE NEW YORK TIMES

BOSTON — Try to understand my problem. As a black conservative

intellectual, I belong to an endangered species. For if few conservatives choose to think of themselves as intellectuals, even fewer blacks can pass muster as conservatives.

Not that my position is uncomfortable. With black critics of racial liberalism being such a rare breed, I have found my voice amplified on a range of issues.

Recently, however, I have been unable to shake a troubling thought: The designation "black conservative intellectual" may not be merely anomalous but oxymoronic.

I should say at the outset that I disagree with those black liberals who think racial loyalty must propel every "authentic black" to the left wing of the political spectrum. And I reject the tenet that no "real intellectual" can ever embrace conservatism.

Today, in fact, the governing political philosophy in America is a (mildly) conservative one, and a growing number of blacks embrace political, eco-

nomic and social conservatism — some because they are religious traditionalists, others because they are middle-class suburbanites concerned about high taxes and too much government.

I am a bit of both, and so for more than a decade now I have found myself at home within the conservative intellectual movement.

But in the last few years, conservative intellectuals have developed an inflexible, hard-edged dogma when it comes to race. There was a time, from the mid-1970s through the late 1980s, when some of the most nuanced and serious thinking about race came from the right — whether it was James Q. Wilson's work on adolescent criminal behavior, Nathan Glazer's criticism of racial quotas or Charles Murray's analysis of the welfare state. They were concerned about the plight of black Americans. And their writing had a subtlety of thought and a generosity of spirit.

But today conservative discourse on race has largely been reduced to sloganeering, filled with references to black criminality, illegitimacy and cultural pathology. This talk does not

describe a tragedy shared by us all.

Instead it denounces a cultural failing said to threaten our civilization. A "get out of the wagon and help the rest of us push" approach to indigent families and a "lock 'em up and throw away the key" attitude toward inner-city law-breakers have become staples of conservative ideology. There is scarcely a thought given to the impact such policies will have on poor black communities.

Once conservatives battled rigid quotas. Now they attack all affirmative action programs meant to encourage greater inclusion of blacks in American institutions. Once conservatives promoted programs that required work in exchange for welfare benefits. Now they want to cut families off benefits entirely.

Black conservative intellectuals are faced with rebutting arguments like those made by Charles Murray in "The Bell Curve," which suggested that blacks might be genetically inferior, or countering arguments made by Dinesh D'Souza in "The End of Racism," which held that blacks are culturally inferior.

A few weeks ago when I sug-

gested to a gathering of conservatives that their seeming hostility to every social program smacked of indifference to the poor, I was told that a surgeon could not properly be said to have no concern for a terminal-ill patient simply because he had moved on to the next case. The analogy alone speaks volumes.

Just last month, I heard a top aide to a Midwestern Republican senator tell cultural conservatives that, in the name of restoring "traditional American values," his boss sought to "build a bridge to the 19th century." (Now that's turning back the clock!)

I have tried to argue with my fellow conservatives about the nuances, complexities and moral ambiguities of issues like welfare, affirmative action and drug control policy. But I have succeeded only in arousing the suspicion that I am not a "true believer."

My dilemma is not unique. Consider the case of Robert Woodson Sr., the president of the National Center for Neighborhood Enterprise. For 20 years, Mr. Woodson has been criticizing the agenda of black liberals, but he has also been helping grass-roots organiza-

tions expand economic opportunities in their low-income communities.

It distresses Mr. Woodson that so little interest in this work is shown by some conservative intellectuals even as they insist that government has no answers and that blacks must help themselves. Indeed, two years ago,

Mr. Woodson and I publicly terminated our association with the conservative American Enterprise Institute for its support of Mr. D'Souza, who was a research fellow there.

Mr. Woodson has also rebuffed conservatives who want him to speak out against affirmative action. He fears that other African Americans may see him as an instrument of forces hostile to blacks' interests. Mr. Woodson has a valid point, but few conservatives can see it. They think he is hostile to conservative interests — even though his work otherwise embodies the very ideals they uphold!

The fact, as chilling as it is unavoidable, is that many among the conservative elite seem tone-deaf on the issue of race. They can't see that our country's moral aspirations — to

be "a city on a hill," a beacon of hope and freedom to all the world — seem impossible when one sees the despair of so many of those Americans who descend from slaves.

We have unfinished business on the race front, and it won't be finished simply by enacting tax cuts, approving school vouchers, continuing the war on drugs or reforming welfare.

We need a morally astute, politically mature conservatism that acknowledges personal responsibility as one part of the social contract but also understands the importance of collective responsibility. "Those people" who now languish in America's central cities are "our" people, and "we" must build relationships with them. We cannot simply abandon them or leave them to their own devices.

The fault lies not with conservatism per se, but with those conservatives who fail to see that their creed is entirely consistent with the creative use of the moral imagination.

GLENN C. LOURY is author of "One By One From The Inside Out" and director of the Institute on Race and Social Division at Boston University.