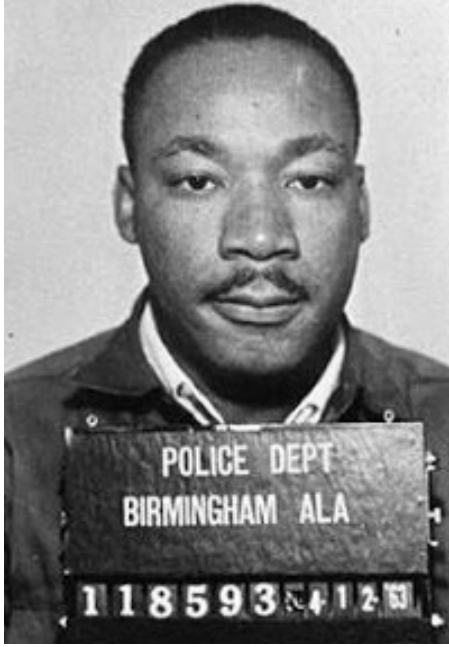


# The 'CUDDLY KING' Not the one the GOVERNMENT ASSASSINATED.

If Americans knew what King stood for, there would be no day named in his honor. It would be impossible to capitalize on his legacy by, say, selling cosmetics, as the **Mary Kay Foundation** attempted. Indeed, the celebration of King's official legacy as a cuddly figure of unity and tolerance serves to erase his politics from public memory.

Read the 1963 Letter from Birmingham Jail. In the letter King elegantly and without compromise rejects the moderation of white liberals who counsel patience and deference even to unjust law:



**"You may well ask: 'Why direct action? Why sit-ins, marches and so forth? Isn't negotiation a better path?' You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks to so dramatize the issue that it can no longer be ignored."**

The obstacle to equality, King knew, was not limited to racist ideology. It included the timidity of moderates. *"I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Council or the Ku Klux Klanner,"* he wrote, *"but the white moderate, who is more devoted to 'order' than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: 'I agree with you in the goal you seek, but I cannot agree with your methods of direct action.'"*

Today's racism is different from that of the Jim Crow era, and the methods of direct action that the Civil Rights Movement pioneered are, in our time, hard to implement successfully. King urged direct action against unjust laws. Today's civil rights action is necessarily more symbolic than yesterday's because today's racism is not a function of unjust laws so much as unjust implementation and institutions.

No one need spout racist rhetoric or pass legislation to divide and demean. As legal scholar Richard Thompson Ford argues, we live amid a tacit agreement whereby whites are still largely segregated from nonwhites in work, school, and residence. Poor people live in ghettos and prisons, under surveillance as provided by the war on drugs, policing of lifestyle infractions, and patrol strategies predicated on fear of nonwhite men. All of these follow political decisions. Officers are doing what citizens ask of them, while the private choices of those citizens help to ensure that vast economic and educational disparities persist in spite of formal equality of opportunity.

The Civil Rights Movement of the 1950s and '60s eliminated most of the legal sources of oppression, revealing informal foundations of racism so deep they are hard to fathom. Therefore the civil rights action of our time must protest not just obviously unjust laws, but also the subtle means by which white supremacy is maintained. That it is so maintained is undeniable. The median net worth of whites is thirteen times that of blacks, ten times that of Latinos. Though too many white Americans are in prison, there is still a far greater chance you'll wind up jailed if you're black. Nationally, felon disenfranchisement laws ensure that one in eight black men can't vote; in some states, the rate is much higher. Blacks are half as likely as whites to have earned bachelors degrees, and those blacks who do graduate college get less in return. Being black means you have fewer years to live. These are markers of a society riven by unfairness.

As the recent focus on police violence has clarified, that unfairness is accompanied by tension. Today's civil rights protestors are not the source of tension, but they are, like their predecessors, fostering it so that it can be turned in productive directions. This involves sacrifices by some, but they don't have to be in vain. It might be easier to see why that is—to see the value of protest—if we celebrated the actual King and his radicalism rather than the inoffensive persona created to serve the status quo.

**Simon Waxman**  
*BostonReview.net*

# PARDON ME BOYS~ IS THIS THE COVER-UP CHOO CHOO?

A president facing a major sandal, just as the highest-profile trial is about to begin, pardons the indicted or convicted officials around him to effectively stop the investigation that's closing in on his own illegal conduct. Trump soon? We'll see. But this actually describes what President **George H.W. Bush** did in 1992. Lame duck Bush gave a Christmas present to Iran/Contra co-conspirators like **Caspar Weinberger**—and to himself. On Christmas Eve 1992, just as the indicted former Defense Secretary Caspar Weinberger was about to face trial, Bush pardoned him and five others, including former Assistant Secretary of State **Elliott Abrams**, now on the job again in Venezuela, and and former National Security Advisor **Robert McFarlane**. The **New York Times** at the time reported this as *"Bush Pardons 6 in Iran Affair, Averting a Weinberger Trial; Prosecutor Assails 'Cover-Up.'"*

The Iran/Contra scandal revealed, among other things, that the Reagan/Bush White House had secretly sold missiles to Iran in exchange for hostages held in Lebanon, using the proceeds to fund right-wing forces fighting the leftist Nicaraguan government in violation of US law.

The Attorney General for Bush who  
**"... favored the broadest pardon authority..."**  
**William Barr**, is now nominated for the same position.

Barr said later that he believed Bush had made the right decision and that he felt people in the case had been *treated unfairly*.

The Republican independent counsel **Lawrence Walsh** opposed the pardons saying *"It demonstrates that powerful people with powerful allies can commit serious crimes in high office, deliberately abusing the public trust without consequences."* He infuriated the **GOP** when he submitted a second indictment of Weinberger on the Friday before the 1992 elections. The indictment contained documents revealing that **President Bush had been lying for years** with his claim that he was "out of the loop" on the Iran/Contra decisions. Walsh had discovered that **Bush had withheld his own notes** about the Iran/Contra Affair, a discovery that elevated the President to a possible criminal subject of the investigation. The ensuing furor dominated the last several days of the campaign and sealed Bush's defeat at the hands of Bill Clinton.

**There is more in Barr's past performance to be concerned with:**

A long-time unyielding conduct, and writings asserting that the President can start any wars he wants to, even if Congress votes against it.

An insupportable drive for more corporate prisons and more mass incarceration.

A view of the separation of powers, which has meant separating Congress from its constitutional powers and handing them over to the "Unitary Presidency."

An inflexible position giving Presidents—including the embattled Donald Trump effective immunities for obstructing justice and from blocking ongoing investigations.

While much of the media obsesses over every bit of *"Russiagate,"* some breathlessly anticipating the next revelation will surely bring down the Trump presidency, it's remarkable how little interest there is in the trajectory of presidential power.

with Thanks to **Sam Hussein** *fair.org*  
& **Ralph Nader**

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