

FOREWORD*

Linda Taylor Ferguson**

Good morning. Before beginning the program this morning, I was speaking with another attorney regarding the nature of the comments that I would make at this opening session. I decided that I would be informal because I feel that whenever I am speaking to members of the National Conference of Black Lawyers (NCBL) or its supporters, I am talking to friends. I thought that I would start by comparing the political climate in which we were beginning to organize NCBL as we formed our Los Angeles chapter some years ago, to the state of affairs that has forced us to come together and to revitalize ourselves as an organization again today.

One of the most concrete recollections that I have about our initial formation was the first social event that we as a new chapter of the National Conference of Black Lawyers sponsored here in Los Angeles. We had prepared a formal reception in a very nice home in Baldwin Hills, complete with a fully stocked lawyer's bar and appropriate hor d'oeuvres and were just preparing to make our introductory remarks regarding the necessity and purpose for the formation of a new black lawyer's association in Los Angeles. At that very moment, the television was on and all of our attention became focused on the sight of armed Los Angeles Police officers burning down an entire block in the black community because they had received word that the SLA was hidden in one of the homes. We watched the police forbid the fire department from entering the area to prevent the fire from spreading, and saw numerous instances of brutality towards people in that area as the police commandeered their homes to position themselves to fire additional ammunition at the house in which they suspected that SLA members were hiding. There was clearly no attempt made to take any of these individuals alive, they were burned beyond recognition, *on television*, at the orders of the Los Angeles police.

You can probably imagine the tone of our meeting as we, as lawyers, attempted to talk about our mandates to fight within the judicial system when we had just viewed one of the most graphic contradictions that existed in the system, both then and now, that will thwart the efforts of any attorney to seek justice in the courtroom. Only Patty Hearst and the Harrises managed to survive that ordeal and to stand trial, and that was solely attributable to the fact that they were miraculously out of the area at that moment.

We had a very different climate to work in then; most of us had just completed our legal education. We still recalled the recent events such as the courageous closure of Yale University by its president to protest the de-

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nial of due process to Bobby Seale as he stood trial in New Haven, Connecticut in 1970. The issues were so vivid then and the contradictions so glaring that the work for which we were committing ourselves needed no definition; only a clear set of priorities remained as our major task.

Today, we face a more sinister state of political affairs. Our lives are being manipulated by an actor, who is being controlled by the Pentagon, which is controlled by transnational corporations with a design to repress, control and exploit each of us for the profit of a few. My friend and I were also discussing how we as black people so easily misread the manner in which we are being manipulated, and very often find ourselves bickering with each other over the same "resources" as though there were not enough in this country for us all to share. We are presently falling into the rhetorical trap that causes us to believe that there are not sufficient resources in this country to provide for all its citizens, as we observe the many cuts made in human needs programs for the sake of allegedly "balancing the budget". When we take the time to actually study the budget, we all realize that this country is spending more money on government controlled programs, but the priorities have changed. The money is now being spent for missiles, bombs, jet fighters and other war materials as we prepare for our so-called "self-defense." We have also become the arms brokers of the world as well as the self-imposed police force of any nation who dares to disagree with U.S. policies.

This broadside attack on so many human needs programs has caused our work to become even more frustrating than ever before. As the public education system comes under attack, simultaneously with the welfare and social security programs, health care and abortion rights, housing subsidy cuts, and the elimination of supplemental food and nutritional programs, our priorities and resources become more confused than ever. Correspondingly, the military build-up raises the issues of the draft, the military budget, and nuclear annihilation and as the enormity of these attacks on our basic survival rights increase, it becomes more difficult for us to come together and to organize.

As I speak, a custodian is emptying the trash cans in the hall. He is white. If you flew here for this conference, you would not have seen the traditional black sky caps that have serviced the Los Angeles International Airport for 40 years, because their contract has been taken away and given to a white company. The Los Angeles County Board of Supervisors just voted to terminate the custodians (most of whom are black) that have worked for the county for many years and to sub-contract with private white companies for custodial services. As close as the trash cans in the hall—as far away as the Pentagon—the issues are not so obscure. We must organize.

In California, we have just elected new Republican leaders. As lawyers, especially progressive lawyers, we will have to face the reality that the entire complexion of the judiciary will change again. We have had the brief luxury of being able to encounter a few open minded judges recently as a result of former Governor Jerry Brown's commitment to integrating the bench. We will see quickly, I fear, a rapid reversion to the days when black attorneys will again be shown little respect in California courtrooms. Additionally, and perhaps with even deeper consequences for us all, our electorate

has decided to neutralize the constitution with the so-called "Victims Bill of Rights" and the prison bond issues that will make it much more difficult for us as lawyers, even with reasonable judges, to present the rights of our clients before the courts in a climate where the population has decided to resolve problems by incarcerating more minorities and for longer periods of time.

We also face in California at this time, the outrageous fact that public education has become such a low priority, that this state is now at the very bottom, 50th of the 50 states, in per capita expenditures in public schools. Our black state superintendent of public instruction was just defeated in the last election and replaced by a conservative who has expressly stated that he will allocate resources only to the schools who produce the highest achieving students in the state. For poor and minority students, we all know the results of such a policy.

We, as lawyers, will also experience our own direct attacks. Those of us in private practice will experience the economic depression as deeply as the clients on whose support we rely. Those of us in agencies will be laid off as the cuts in the budgets are implemented. Those of us in legal services will experience even greater attacks. Not only will budgets be reduced, but the programs are existing under restrictions in the method and manner in which services can be rendered, and are ultimately earmarked for elimination. We will also see more discipline being administered to young and outspoken lawyers and we will have to prepare ourselves to lend each other support in these difficult times, just to maintain our rights to continue fighting for all of the other issues that we recognize as essential. To continue to do the work that we must do, to continue to fight and struggle for the survival rights of black people, we as lawyers cannot work in isolation from each other. We must come together, analyze the work that must be done, develop a systematic approach to that work, and put that approach in a vehicle that can give legal assistance to our communities in the most effective way possible.

I think that we have the individuals and skills in this room to do this. And I think that we can do it through a strong NCBL. The work that we can do as a strong and united body is tremendous. We can assist in the organizing of a challenge to the budget shifts, to the stripping of constitutional rights and to the military build-up. We can further, and more importantly, assist as lawyers in the protecting and defending of the right to challenge policies that will only destroy our communities. We can fight this country's collaboration with South Africa, and we can fight the move to imprison our young black brothers. We cannot fight as individuals—we *must organize*—we must move together.