

News at a Glance

NAACP awards Judge Constance Baker Motley its 2003 Spingarn medal

Julian Bond, chairman of the NAACP Board of Directors, recently named Constance Baker Motley, senior U.S. District Judge for the Southern District of New York, the 88th Spingarn Award honoree. Motley will receive the award during the 94th NAACP National Convention in Miami, Fla., on July 17. The Spingarn Medal is the NAACP's highest honor.

President Lyndon Johnson nominated Motley to the Southern District Court of New York in 1966. She was the first woman appointed to the Southern District bench and the first African-American woman appointed to the federal judiciary.

Motley received her senior judge status in 1986. From 1945 to 1965, she served as a law clerk and an attorney with the NAACP Legal Defense and Educational Fund. During that period, she also served as a member of the New York State Advisory Council on Employment Insurance and as a New York state senator (1964-65).

In addition to appearing before state and federal courts throughout the country, Motley argued 10 cases before the U.S. Supreme Court, winning nine, all of key importance in securing equal rights for African-Americans and the legal end of discrimination.

The Spingarn Award, first given in 1915 by NAACP Chairman Joel E. Spingarn, is designed to highlight distinguished merit and achievement among African-Americans.



Motley

Teacher suspended after racial epithet

SEATTLE (AP) — An NAACP chapter is calling for the firing of a Seattle School District teacher who used a racial slur when referring to a black student.

The teacher said he used the term as an example of how it is inappropriate to use discriminatory words.

Brian Emanuels, a computer teacher at Cleveland High School, said he was disturbed by the student's description of an assignment as "gay." He called the sophomore out into the hall and asked how the student would like being called a nigger, Emanuels said last Thursday.

Emanuels, a former Microsoft employee hired last fall by the district, returned to the classroom with the boy and said: "Well, I guess the nigger can come back in," said Brenda Little-Latham, deputy general counsel for the Seattle School District.

Emanuels said he never intended to offend or harm anyone and apologized to the student at the time of the discussion.

"It was clear to the students that I was simply making an analogy that although they may not be offended by the use of the word 'gay,' the use of that term is highly offensive and inappropriate," Emanuels said.

The local chapter of the National Association for the Advancement of Colored People was contacted by the boy's mother after the May 2 incident.

"It was both disturbing and shocking to the Seattle branch of the NAACP," the chapter's education chairwoman, Phyllis Beaumont, said last week.

On May 8, Little-Latham met with Cleveland Principal Ted Howard, the student, his parents and representatives from the NAACP and the school district. The following day Emanuels was suspended with pay while the district conducts its investigation.

The investigation, which includes interviewing Cleveland students, could be completed this week. Penalties for harassment range from a verbal reprimand to firing.

University of California regents oppose Ward Connerly's racial data initiative

SAN FRANCISCO (AP) — A decade of debate over race in academics flared anew as University of California regents formally opposed fellow regent Ward Connerly's new campaign to ban collecting racial data.

The decision was a defeat for Connerly, who eight years ago led the fight to drop race in UC admissions and went on to successfully dismantle many public affirmative action programs statewide.

Connerly's new initiative, which will go before voters next March, could strike the "race box" from many government forms by forbidding state and local governments from classifying students, contractors or employees by race, ethnicity, color or national origin.

The measure exempts data collected for medical research, descriptions of prisoners or criminal suspects, and cases where the federal government requires that agencies report racial data.

Connerly told regents his new measure stems from his experience as someone who is part white, part American Indian and part black. He said that identifying people by race is meaningless and a form of segregation. Opponents said they need the information to conduct research and stop discrimination. They noted that people have the option of leaving the box blank.

Regents debated for nearly two hours before taking the vote 15 to 3 with one abstention — with some arguing that UC had no business weighing in on a political issue.

The vote capped years of friction between Connerly and UC administrators over race.

Appointed in 1993, Connerly led a 14-10 vote of a then-Republican dominated board in 1995 to stop considering race and gender in UC admissions. The following year he oversaw passage of Proposition 209, which forbade considering race in public education, hiring and contracting.

Since then, the political makeup of the regents' board has changed as a number of vacancies have been filled by Democratic Gov. Gray Davis. Nearly two years ago, the board rescinded its 1995 vote dropping affirmative action, but Proposition 209 still prevents use of race in admissions.



Connerly

'Lynching' has twisted history

BY ALLEN G. BREED
ASSOCIATED PRESS WRITER

The word "lynching" carries a lot of historic baggage, evoking ugly images of white mobs storming the local jails, abducting black men and dispensing their own brand of justice at the end of a rope.

But in South Carolina today, it can mean two kids beating up another on the playground. In California, lynching is defined as any riotous interference with police custody. A 14-year-old black boy who escaped from officers was actually convicted of lynching himself.

None of this is surprising to historian Christopher Waldrep.

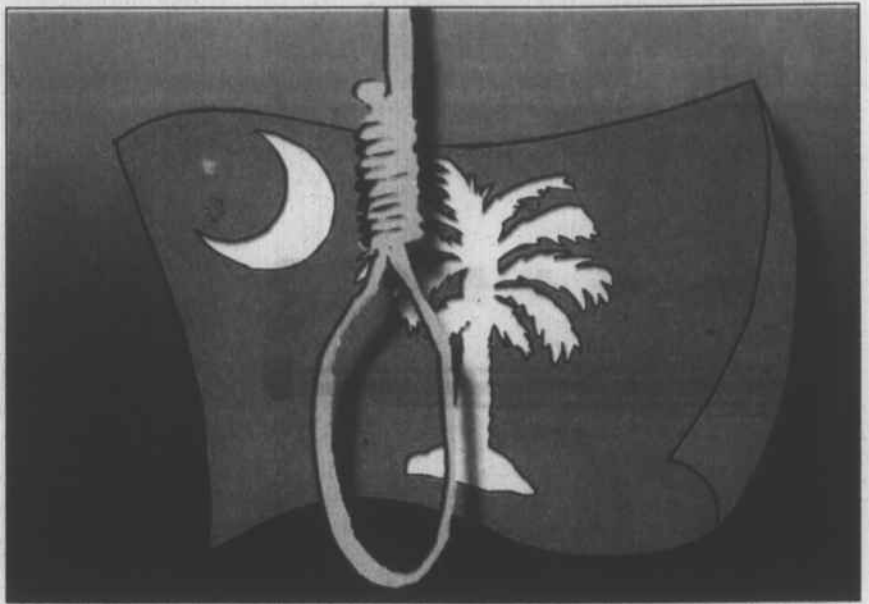
"No one has ever successfully defined 'lynching' in a way we can all agree on," said Waldrep, author of "The Many Faces of Judge Lynch."

Historians can't even agree on how the term came into being.

Some believe it was an homage to Col. Charles Lynch, a Virginia magistrate who harassed and illegally punished Loyalists during the Revolutionary War. Others say it's named for Capt. William Lynch, a Virginia justice who assumed charge over criminal proceedings in Pittsylvania County amid the mayhem of the war.

Regardless, the phrase "Lynch's Law" became a byword for vigilante justice. And in the late 1800s, it became almost synonymous with white vigilantism against blacks.

Many states passed anti-lynching laws in the early 20th century. But only four still have specific anti-lynching laws on the



books: California, Virginia, West Virginia and South Carolina, the only state where it is routinely used.

Waldrep said much of the difficulty in defining lynching is in the numbers.

The laws of California and South Carolina define a mob as two or more people. In Virginia, it is "any collection of people, assembled for the purpose and with the intention of committing an assault or a battery upon any person or an act of violence" without authority of law. In West Virginia, it's "a riotous assemblage" of five or more.

Waldrep said the Truman administration approached the

NAACP for help in drafting a federal anti-lynching law, especially in defining what constituted a lynch mob. His research uncovered "a flurry of memos" between the NAACP and the White House, though no consensus and no federal law.

People can't even agree on whether an attack need be fatal in order for a lynching to have occurred.

In Virginia and West Virginia, a mob action must result in the victim's death for it to be called lynching. But the laws are seldom, if ever, used because lynching is treated as murder — a policy illustrated by the case of Virginia resident Garnett Paul Johnson Jr. in

1997.

After a night of drinking, two white men took Johnson out to a white cross, soaked him with gasoline and burned him alive. They then beheaded his charred corpse with a dull-edged ax.

The men were tried and convicted of murder.

The California penal code defines lynching as "the taking by means of a riot of any person from the lawful custody of any peace officer." No one is sure how often the California statute is used, but it was employed quite creatively in 1997.

A 14-year-old black boy was attending a "rejoice" after a

See 'Lynching' on A11

Black officers' feud leads to one being fired

BY MARCUS E. WALTON
SACRAMENTO OBSERVER

SACRAMENTO, Calif. (NNPA) — A growing rift between the two highest ranking officers in the California National Guard, both of whom are African-American, came to a head this month, resulting in the organization's second-in-command being relieved of his duties.

Brig. Gen. Ezell Ware Jr. claims he resigned from his position as assistant adjutant general a day before he was fired. He was dismissed from his post by his superior, Gen. Paul Monroe, ending a four-year rivalry that was often played out in the pages of local newspapers.

"I no longer have the confidence in your ability to work with me to provide leadership for the Military Department to meet the new challenges that will enable us to accomplish our mission in a changed dynamic environment," Monroe wrote to Ware in a memorandum obtained by The Observer.

The two had been competitors for leadership positions in the California National Guard for years, Monroe said. Their latest rivalry was born when California Gov. Gray Davis chose Monroe as the adjutant general and appointed Ware the assistant adjutant general. Ware was also in consideration for the job.

Since then, there have been rumblings and newspaper articles documenting the tense atmosphere created by the feuding generals.

"I don't have anything to be jealous of anyone for," Ware said. "If you look at my record, I know that it measures up to anyone else's, so I don't know where this talk about there being a rivalry is coming from. He is my commanding officer, and I do what a soldier is supposed to do: follow orders. If he had a problem with me, then he should have called me in to talk about it."

While the two put on professional faces, especially after the events of Sept. 11, 2001, they just couldn't put their differences behind them, Monroe said. "We just weren't getting along," Monroe told The Observer. "We had a difference of opinions, and he wanted to be number one."

Monroe said he and Ware were not getting along but that the assistant adjutant general never

disobeyed his orders.

"It's not that he didn't do what I wanted him to," Monroe said. "It was his interpretation of my policies."

Ware told a much different story about leaving his post. He said he resigned, offering a letter dated May 1 addressed to Gov. Davis. Monroe dismissed him on May 2.

However, a spokesman in the governor's office said a letter had come in, but there was no date stamp, rendering it impossible to tell when it arrived. Ware said he



Ware



Monroe

See Feud on A11

Want To Eat Right? Shop Right!

Healthy starts here. You have lots of choices. Every time you go to the grocery store, fix a meal or go out to eat. Take each opportunity to opt for a balanced diet rich in fruits, vegetables and grains, and leave foods high in fat and salt behind. Feeling good starts with eating right. So take the first step and choose smaller portions of healthy foods. Take the second step and get active, too. It's as easy as a ten minute walk three times a day.



Start WITH YOUR Heart

North Carolina Heart Disease & Stroke Prevention Task Force
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The Chronicle (USPS 067-910) was established by Ernest H. Pitt and Nubisi Egemonye in 1974 and is published every Thursday by Winston-Salem Chronicle Publishing Co. Inc., 617 N. Liberty Street, Winston-Salem, NC 27101. Periodicals postage paid at Winston-Salem, N.C. Annual subscription price is \$30.72.

POSTMASTER: Send address changes to:
The Chronicle, P.O. Box 1636
Winston-Salem, NC 27102-1636

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