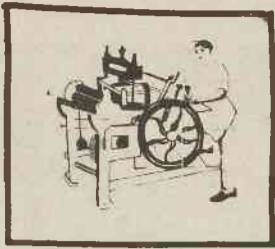


FC378 140b



# BLACK INK



*The essence of freedom is understanding*

VOLUME 15, NUMBER 7

BLACK STUDENT MOVEMENT OFFICIAL NEWSPAPER University of North Carolina, Chapel Hill

FEBRUARY 23, 1982

## Judge questions past attitudes toward blacks



Judge A. Leon Higginbotham

**AZALEA MACKEY**  
Staff Writer

The American legal system should be careful of its actions because it will be under scrutiny hundreds of years from now, said a Philadelphia U.S. Court of Appeals judge during a lecture Feb. 12 in Memorial Hall at UNC-CH.

Judge A. Leon Higginbotham, a judge, educator, author and frequent lecturer, spoke to about 200 persons on "Race and the American Legal Process, as he delivered the fifth annual Martin Luther King Jr. Memorial Lecture.

Higginbotham invited the audience to come with him in a time machine as he prepared the basis of his speech. He impressed upon the members of the audience that in order to view the method in his madness, they were to imagine that they were in heaven. Through the use of slave advertisements and other historical material, he then brought to life Thomas Jefferson and Martin Luther King Jr.

By using a dialogue between King

and Jefferson, with King being the dominant speaker, Higginbotham was able to survey race in relation to three aspects of the American legal system: the U.S. Constitution, state legislatures and judges.

"When Jefferson wrote in the Constitution 'We hold these truths to be self-evident, that all men are created equal,'" Higginbotham said, "he didn't mean all men, but he did mean only men; therefore, he discriminated against white women as well."

Higginbotham said that he blamed the judges of the Revolutionary War period because they failed to recognize blacks as human beings.

"I question the minds and attitudes of the people of states like North Carolina, who fought so strongly during the Revolutionary War, and then, through state legislatures, included slaves along with land and money as payment to soldiers for fighting for the cause of freedom," he said.

"In 1891 it was not a crime to kill a slave, but yet it was a crime to steal a horse, cattle or even hogs," Higgin-

botham said. "I find this strange, because the same men who upheld these laws were the men who believed so dearly in Christianity."

Higginbotham warned the audience that action by parts of today's legal system would be history tomorrow.

"Hundreds of years from now, when future generations look back on our actions, they will not go unquestioned," he said. "They will ask us, as we did of those before us, if we were the best that we could have been. Will we have been oblivious to the needs of the oppressed? Will history say that because of our self-involvement, we neglected the weak? Will they say that we took justice as far as we would go? How will we answer these ambiguities?"

Higginbotham was appointed to the appeals court for Philadelphia in 1977 after serving as a U.S. district judge for 13 years. He also served on the Federal Trade Commission and on more

(Continued on page 8)

### Campus black faculty and staff agree

## UNC-CH needs more aggressive recruiting

**CHERYL WILLIAMS**  
Staff Writer

The recruitment of the lack of black faculty at the University is an ever present concern according to black faculty and administrators. The racial figures explain the situation.

The Chancellor's report, dated Sept. 30, 1981, shows 54 black faculty are on the University staff. The total number of faculty is 1,880.

"There ought to be more black faculty on a faculty this size," said Burnele Powell, chairman of the Committee on the Status and Recruitment of Black Faculty. He is also an assistant law professor at the UNC-CH School of Law. "I don't think it has been any secret that my committee has been one of the voices saying that there is ample room for improvement," he said.

"There has been an ongoing concern for the number of black faculty on campus," said Audrey Johnson, associate professor at the UNC-CH School of Social Work. She is a member of the Black Faculty-Staff Caucus. The caucus is a committee that addresses problems which may affect blacks on campus.

"I think Vice Chancellor of Student

Affairs, Harold Wallace and Gillian Cell (UNC-CH affirmative action officer) are trying to help," Johnson said. It is hoped that there will be improvement from the past."

Wallace said he is pleased that the University has its present number of black faculty, but he added there is a need for improvement. "As we (the University) look at other universities in the country, we are pleased about the number of black faculty. Having said that, we want to do better because you provide a better education when you provide a diversity of faculty," Wallace said.

"We compare pretty well with other institutions, but there is no complement because we must do much better," he added.

Black faculty, as well as faculty in general, is acquired through recruitment. Recruitment is implemented by individual departments.

For example, if the history department has an opening for an instructor, it would advertise the position through journals and other publications to attract a variety of applicants. The Affirmative Action Office works with the department to ensure that all applicants receive fair consideration and to see that no applicant is discriminated against on the basis of race, religion, sex, color or national origin.



Audrey Johnson

However, the department makes the final decision, whether to hire the applicant.

Powell, Johnson, Wallace and Benjamin Rawlins (UNC-CH assistant affirmative action officer), all black, do not object to this method of recruitment. However, they do feel that black faculty is not being recruited properly and aggressively.

"People aren't coming if they aren't properly recruited," Johnson said.

"We must increase the number of black faculty be aggressively recruiting blacks to

our graduate schools, and hopefully, other schools will do the same," Wallace said.

Powell said one way to improve the recruiting of black faculty is to make it rewarding for the departments to black applicants.

"Make the benefits so worthwhile that the departments would have to be almost derelict if they weren't showing progress," Powell said. "Because presently, if one (department) is not successful in recruiting black faculty — it just means that one is not successful in recruiting black faculty."

Rawlins said many reasons exist for the lack of black faculty. He cited two major reasons. One reason is the small number of blacks going into academic areas. The other reason is the University's inability to compete salaries and benefits from other universities, he said.

Powells said he agrees few black graduates apply for academic positions. "I think it is true to say, there are not as many blacks who have graduated as a whole as there are whites, and to that extent, the problem of recruiting more blacks is made more difficult," Powell said.

Wallace said two ways to attract more blacks is to improve the salary and to attach importance to higher education during the early years.

continued on page 3