

BLACKS' DESTINY IN OWN HANDS

'BLACK POWER - A DECLARATION OF INDEPENDENCE OF WHITE LEADERSHIP AND WHITE DIRECTION.'

CHARLES V. HAMILTON



EDITORIALS

Nevermore! Nevermore . . .

The State of North Carolina failed to prove its case against Mrs. Sandra Dupree, the preacher's wife, who shot Harry Lee Dickens in the back of his head.

Mrs. Dupree received a verdict of "innocent" in a Vance County courtroom but she will never be free.

While it appears that Justice dropped her blindfold and the white skin of Sandra Dupree weighed heavily on the scales - she will never be free.

The public may never know the private agony that Sandra Dupree will suffer. She will suffer it. It is certain that she will have time to think about the slowly grinding mills of the gods - they grind exceedingly fine - and she will never be free.

Mrs. Dupree will walk the streets and appear to live a normal life - but she will never be free.

Sandra Dupree's prison for life is within her - and she will never be free. Fellowmen may excuse, pardon and set free the physical self, but one who deep within knows one's motives for

committing an act lives a tortured life within the mental prison bars that rear themselves and do not move until that one purges the mental self before God and the world.

Harry Lee Dickens' life is over. All the firebombings and protests cannot bring him back. The firebombings solve nothing. But protest must go on as long as injustice exists anywhere among humankind.

May the Dickens' family, friends and sympathizers not let Harry Lee's death be in vain. May it serve as a motivating force for black folk to exert every effort at the polls to elect officials who will be fairminded.

Neither time nor effort should be wasted trying to avenge Dickens' death. That is fruitless. Put that energy to work in the hardest driving voter registration campaign this state has ever known and we will get something accomplished that will deny ALL of the future "Sandra Duprees."

The real Sandra Dupree will never more be free anyway.

People Power

The unity in people power, as shown recently by the Lincoln Community Health Center's renewal of a needed grant plus some additional funds, demonstrates how the cooperative efforts of individuals and groups can make good things happen.

All segments of Durham's community, plus our state and other national representatives, combined forces to make this happen for progressive and continuing health care of the community.

Transportation in Durham for the required health services has been an important component of the needed health care. Many efforts were also made in this direction so that the elderly, the young, expectant mothers and others who need health care would be assured of such care.

The continuance of a facility near the people has been an advantage to those who sorely need health services and care.

Dr. Schmidt, Larry Suitt and other members of the Lincoln Community Health Center Staff are to be commended for the many man hours put in on their own time, at community facilities, to acquaint the community with the urgent need for the continuing programs of health care that are afforded by the facility.

The community is to be commended for its dedication in diligently working to keep the facility open. The tried and proven effectiveness of Lincoln Community Health Center was a great factor in retaining the grant as well as securing additional funds for a more complete program.

We hope that this spirit of cooperative effort will continue as the community seeks to move ahead with other needed community projects or facilities such as our library, recreation, education, government, and other health facilities.

"If there is no struggle there is no progress. Those who propose to favor freedom and yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean's majestic waves without the roar of its waters."

- Frederick Douglass

TO BE EQUAL

Court Affirms Death Penalty

By VERNON E. JORDAN Executive Director National Urban League



The question whether the death penalty violates the Constitution's prohibition of "Cruel and unusual punishment" has been hanging fire for some time now. The Supreme Court sidestepped it back in 1972 when it struck down state death penalty laws as being capricious and inconsistently applied.

Now, it has finally decided the issue, wrongly, in my opinion.

In the closing days of its term, the Court upheld the death penalty laws of Florida, Georgia and Texas, stating that they met the requirements of fairness set out in the 1972 decision. There are 147 people on the death rows of the prisons of those states today who now face execution.

Those states' laws were upheld because they met the Court's test for penalties based on the nature of the crime and the character of the defendant. In Georgia a first trial is held to determine guilt and a second trial determines the sentence. In Texas the jury has to decide that there was intent to kill, that if the act was provoked, the offender's response was unreasonable, and that the defendant probably would commit other criminal acts in the future.

According to the Court, these state laws take the death penalty out of the realm of the arbitrary and make it reasonable. But this seems to me very inconsistent.

In 1972 the death penalty was struck down because poor people and black people were executed while offenders who were white and affluent got lesser sentences. It's pretty obvious that under the state laws the Court now finds constitutional, the same pattern will emerge. A poor black man in Texas defended by a public defender is going to be looked on by a jury as one likely to commit a crime in the future and get the death penalty, while an affluent white person defended by an expensive criminal lawyer will get a lesser sentence. Just watch!

The Court is really straining here. It wants to avoid the blatant capriciousness of the old ways in which the penalty was applied and so it has talked itself into believing that judges and juries will be completely objective and avoid race and class judgments. In this it is deceiving itself.

The answer then, if there is no objective way to determine who is to die for murder and who is to live, might be mandatory death penalties for everyone convicted of the crime.

Fortunately, the Court rejected this inhuman notion in cases involving such mandatory death penalty laws in North Carolina and Louisiana. By a narrow 5 - 4 decision it ruled that such laws, by their "lack of focus on the circumstances of the particular offense and the character of the offender" violate the Constitution and don't comply with contemporary standards of

decency. Some 16 states have laws similar to those struck down by that decision, so 145 people on their death rows now will escape death.

The death penalty cases show a Court wriggling in confusion, uncertainly facing the moral dilemma of sanctioning state-imposed death while not wanting to buck the hard-line law and order trend that grips our society.

The Court declares that there is no evidence to maintain the death penalty as a deterrent so the only reason for it is the primitive one of retribution, hardly an enlightened position to take.

Justice Brennan, in dissent, rightly held that: "Moral concepts require us to hold that the law has progressed to the point where we should declare that the punishment of death, like punishments on the rack, the screw and the wheel, is no longer morally tolerable in our civilized society."

I believe America has evolved to the point where murder by the state, even for convicted murderers, is unconstitutional, cruel and unusual punishment that serves no purpose and debases legitimate authority.

It's tragic that the Court could not bring itself to outlaw the barbarism of the penalty, thus delaying the eventual, inevitable day when it will finally be declared unconstitutional cruel and unusual punishment.

Congressman Hawkins' Column

Freedom And Equality For All-- The Promises And The Contradictions

Two hundred years ago when our nation was founded, Blacks were not considered "citizens" of the United States. Blacks had no political rights and freedoms then. Other minorities and women have experienced similar problems in terms of the contradictions between the promise and the reality in our nation. Times have changed... but not enough. The real challenge lies ahead. That challenge is to complete the promises of our Constitution, which guarantees freedoms and equality for all. These great words: "We hold these truths to be self-evident: that all men are created free and equal"... Yet, at the time that these words became instilled in our national characters, and engraved in our national conscience, slavery was still very widely practiced. The contradictions are evident. That the words of our Constitution do not recognize equality between men and women is also a curious, if understandable, contradiction to the enlightened intent of that document. Two hundred years ago, women had no political voice. They were excluded from every phase of political life.

But times have changes to a great extent. Two hundred years later, in 1976, Blacks, other minorities, and women have achieved some of those freedoms, and some of that equality, which were promised by our Constitution. In many areas, Blacks, other minorities, men and women have gained political representation at all levels of government - local, state, and federal. Indeed, a great mo-

ment for Blacks and women came when Congressman Barbara Jordan of Texas addressed the Democratic National Convention as a keynote speaker - a first in the history of our nation's politics.

Still, the contradictions are evident. In 1976, two hundred years after the birth of our nation, over a hundred years after the Constitutional prohibition of slavery, Blacks as well as other minorities still suffer under the weight, not only of political injustice, but also of economic injustice. It can clearly be seen that political injustice in many cases springs from economic injustice.

In economic terms, the odds are against minorities in America. Poor housing, poor education, and the lack of educational opportunities, the lack of job opportunities, and the lack of good high-paying jobs, employment discrimination, a very high rate of unemployment - all of these factors, and others contribute to an intolerable level of poverty and economic deprivation among Blacks and other minorities in America. And this economic deprivation leads to other evils, such as crime, poor mental health conditions, broken families, and so on, all of which are intolerable.

It has only been within the last two decades that federal government programs have been introduced to aid struggling minority business enterprises. More programs are needed, however, to offset the financial obstacles facing the growth of minority business. Equal employment opportunity must be strengthened

and enforced to offset the ill effects of racial discrimination. We need better quality education for our youngsters to help insure their participation in our nation's economic well-being. Impoverished and unemployed minority persons must have adequate opportunities to find productive jobs at fair rates of pay so that they can begin to share in a new, and healthy, American economy.

Still the contradictions are evident. It is important to note that, as with Blacks and other minorities, the proportions of women in politics and government is small in comparison to what it should be. Women, who make up more than 50% of our population, hold nowhere near 50% of the elective and appointive offices of the many local and state governments, and of the federal government. Inside government and out, women, are continually discriminated against on the basis of sex.

Blacks, Chicanos, Puerto Ricans, all minorities, and women have a stake in the third century of our nation's history - to complete the promises of our Constitution, to insure that freedoms and equality exist for every person, regardless of race and background, regardless of sex. This is an enormous task which is not to be taken lightly. It must be pursued with the strength of conviction that has characterized the history of the struggles of the civil rights and women's movements in America.

INTERVIEW

[Continued From Page 1]

forces them to be objective in their deliberations and not be misled by the rantings and ravings of prosecutors. We've seen the acquittal of the Wilmington 3, we helped to win freedom for many of the Attica Brothers, the brothers at Wounded Knee, the Soledad brothers, Leotis Johnson who got 40 years for carrying one marijuana cigarette, which was planted on him (he was a SNCC organizer) and the most recent is the freedom of the Charlotte 3... The struggle paid off - today they are free on bond and we aim to make sure that they never go back to prison again."

Ms. Davis, who is a member of the communist party, was asked if her political party selection scared away people in view of the amount of false propaganda that Americans have been fed

throughout the years concerning communism.

"I've discovered that black people haven't been fooled as much by the propaganda. When I was fired by Ronald Reagan because I was a member of the communist party, a lot of black people came up to me and said, 'well although we don't fully understand what communism is about, there must be something good in it; after all they said Martin Luther King was a communist', and they did in order to frighten people away from the civil rights movement. Under socialism, its a question of basic things. You have people who are given what human beings have a right to have - free education, medical care - these are things that you shouldn't have to pay for. Who should have to pay for having a baby?"

She continued, "I should also point out that the struggle that we are building

is one that encompasses people with many different political ideologies. The political complexion ranges from people who are members of the communist party to those who are members of the democratic party. The Alliance is a coalition of all kinds of organizations and all kinds of people..."

Miss Davis said that she believed that Martin Luther King was killed mainly because he began to pull in all factions of the American working class to fight against oppression which, Ms. Davis contends, posed a threat to the social and political order of this country. She noted that the state of North Carolina is the most repressive towards workers where only 5% of the working force is unionized. She said that the situation at Roanoke Rapids, with the workers at J. P. Stevens was very encouraging.

"We're beginning to realize that the easiest way for the ruling circles of this

country to guarantee that they continue to rule and rip us off and make profit on the basis of our sweat and blood is to have us fighting among each other; to have white fighting black saying its because of black people that they don't have any jobs. That's the easiest way - divide and conquer."

This interviewer expressed amazement at the lack of national coverage surrounding the case of the Wilmington Ten which he described as "one of the most flagrant misuses of the justice system" that he was familiar with today.

"If we had, in this country, what we call a free press," said Ms. Davis, "then I would be amazed too. The fact is that there has been a nationwide conspiracy to keep news of injustices and repression away from the people. I think there's a concerted effort to prevent

people in California from finding out what's going on in North Carolina and vice-versa. How much do you read about the San Quentin six whose trial started almost a year ago?"

The interview ended with Miss Davis speaking in admiration of Dr. Jim Grant who had been imprisoned as one of the Charlotte 3.

"I felt so good last night to finally be able to see him," said Miss Davis. "He was in prison by the time my trial was over and they would never allow me to come in and meet him. It made me feel so convinced that all we have to do is to keep up the struggle as we're doing now and it won't be very long before we can manage to free Rev. Ben Chavis and the Wilmington Ten and finally all the brothers and sisters from North Carolina to California who are victims of that machine of injustice."

Things You Should Know

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THE GREATEST FEMALE RULER OF ALL TIME, SHE RULED FOR THIRTY THREE YEARS / 150 YEARS BEFORE KING TUT SHE GAINED POWER THRU SLY INTRIGUE, OUSTING HER HALF-BROTHER THOTHMES III. COUNTLESS PLOTS FORMED AGAINST HER BUT SHE VANQUISHED ALL ENEMIES / TO FIGHT MALE PREJUDICE SHE MASQUERADED AS A MAN, CHANGING HER NAME AND DECLARING THAT SHE WAS THE SON OF GOD / SHE REMAINED UNCHALLENGED UNTIL HER DEATH /



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