

Editorials

Supreme Court And New Directions

With the election of Ronald Reagan to the presidency of the U.S. in 1980, considerable interest and speculation arose over the possible impact of Mr. Reagan on the composition of the U.S. Supreme Court. This speculation was based on the advanced ages of the nation's highest court justices, the expected retirement or death of the least five of the justices during Mr. Reagan's presidency, and Reagan's probable replacement on the Court bench.

The primary concern with all of this was and is that Reagan would in fact add to the U.S. Supreme Court replacements who are philosophically conservative and thus persons who might reverse many Court decisions that have advanced the cause of minority groups' civil rights during the past 20 or more years. Quite possibly too, Mr. Reagan's appointments to the Court would influence the cause and concerns of civil rights issues for the next 50 plus years.

The initial impact of these concerns occurred a few weeks ago following the unexpected announcement by Chief Justice Warren Burger that he will retire on July 10. Consistent with his own philosophy, President Reagan named Justice William Rehnquist, the court's most consistent conservative, to replace Burger.

Likewise, Mr. Reagan said he will nominate Antonin Scalia to fill the resulting Court vacancy. Scalia has a conservative record of decisions on the U.S. Circuit Court of Appeals for the District of Columbia. The nominations of both Rehnquist and Scalia require U.S. Senate confirmation.

The retiring Burger is 78 years of age, Rehnquist is 61 and Scalia is 50.

Ideological Balance

Legal experts believe that if Rehnquist and Scalia are confirmed the ideological balance of the Supreme Court will probably shift to the right. Contributing to this expected shift is that incoming Scalia is believed to be more conservative than the outgoing Burger. For example, conservatives are said to have strongly disliked some of Warren Burger's votes on major issues such as school desegregation through busing, affirmative action and sex discrimination. Scalia has criticized the Supreme Court's approval of affirmative action plans that include racial preferences.

Nevertheless, the New York Times reports that these legal experts do not expect these expected Court personnel changes alone to result in dramatic reversals of the Court's major issues. Only the passage of time can tell us whether the experts may be right or wrong.

Even before Burger actually ended his Court tenure, and as if by the prophesy of these so-called legal experts, the Supreme Court by close 5-4 and 6-3 votes issued a number of sweeping rulings recently some of which were a direct rebuff to President Reagan's policies and political philosophy. For example, in a victory for civil rights

supporters, the Court ruled that federal judges may order preferential treatment for blacks and other minorities to remedy past acts of discrimination - even if those who receive the benefits were not the victims of discrimination. Likewise, the white people affected by such rulings may not be the people who caused such past discrimination. This Court decision represents an outright rejection of the arguments and policies of the Reagan administration in the area of affirmative action.

Similarly, the Supreme Court ruled that consenting adults are prohibited from engaging in unnatural sexual acts - anal and oral sex - even in the confines of their own homes. Undoubtedly, this ruling was received by the Reagan administration with some mixed emotions. We base this on Reagan's apparent strong support for certain moral principles and paradoxically, in this case, on his keen support for individual rights and freedom.

Conservative Positions

In a third ruling, again at odds with the Reagan philosophy, the U.S. Supreme Court has ruled, and William Rehnquist, Reagan's choice to succeed Burger, wrote the majority 5-4 vote opinion, that if legislators have the authority to ban a product that it considers harmful, it likewise has a right to prohibit advertising such products. Constitutional law experts are in general agreement that the ruling is a significant departure from a 10 plus year trend to broaden free-speech rights to businesses and advertisers.

In a fourth ruling, after Burger's announced retirement, but before he stepped down from the bench, the Supreme Court ruled that workers may file sexual harassment suits under federal civil rights law even when they were not threatened with losing pay or their jobs. In an opinion endorsed by six of the justices, Chief Justice-designate William Rehnquist wrote that it is no defense to show that a woman complaining of harassment voluntarily engaged in sexual intercourse or other sexual conduct with her supervisor.

Again, because of Rehnquist's consistent conservative positions in the past, women's rights advocates expressed surprise that the decision was written by Rehnquist.

Indeed, the U.S. Supreme Court appears to be charting a new direction, especially with the Chief Justice-designate Rehnquist veering to the left of his traditionally conservative stances of the past. We can only hope that Rehnquist's acts are not motivated by a desire for an easy Senate confirmation followed by a return to highly conservative decisions.

Likewise, we need to hope that the possible retirement or death of one or more of the aging justices does not shift the already minor more liberal group to an even bigger minority.



Women's Signals Often Misread

By Sabrina Johnson
Special To The Post

Women - the most celebrated and criticized group in the society - are again under the microscope of research and study. Two recent studies have shown that women are misread in their signals and are more likely to smoke because it is viewed as glamorous.

First things first. Men, in their often idiotic states, are more likely to misread a woman's friendliness or pleasant manner as a sexual approach. For some reason men view being cordial as being flirtatious in the workplace. This kind of viewpoint can and often does lead to sexual harassment in the workplace.

More women work today than a decade ago and they want to make a pleasant, social environment for themselves in the office. Women are trying to move away from the stiff style of the 1976 woman working to a more outgoing professional of the 1980s. Oftentimes this requires playing it safe through imitation.



Sabrina

Men are allowed to be friendly or pleasant in the workplace. An occasional pat on the back or a relaxed conversation are acceptable. Double standards do not allow for this ease in interaction between men and women. This is most likely an outpour of the intimidation some men feel of women. Many men view sex as a power tool that women can hold the on and off button to. Thus to suppress her using the fear of sex as a retaliation to counter the act,

men misread women in the honest state. Confusing? Yes. When men are training women for jobs or tasks, they are more likely to view her outgoing personality and pleasant manner as seductive or flirtatious. When women are training men for jobs or tasks, they are more likely to view his outgoing personality and pleasant manner as being eager and willing to learn.

Women smoke because it is glamorous or points to success? Interesting. According to a federal study, college women are more likely to smoke than college men. Advertising is said to be the culprit by convincing women that smoking stimulates glamor and success.

The study states that the daily smoking rate for college women was 18 percent in 1985 and 10 percent for men in 1985. On the surface the Madison Avenue millions spent on influencing one's smoking habits have worked. Not necessarily true. Smoking is a personal decision influenced by peers, parents and elders on a small scale.

While millions have been spent on the promotion of a product, millions have been spent condemning the habit. Advertising has some influence but none great.

Women smoke for different reasons seemingly today. One of which is pressure. Because women hold higher and more pressure ridden positions today inside and outside of the workplace - smoking becomes a temporary release from that pressure.

As far as glamor goes the only thing glamorous in acquiring the habit is the perfect excuse to buy a fancy lighter and cigarette case, and of course to have the man in one's life to light the cigarette for one when in his presence.

The two above mentioned studies can be classified as summer topics of discussion. They make for good debates over dinner with friends and good beach reading. Neither have a tremendous impact on the state of the Union. However, men do need to stop "reading" women and start working with them because women are great assets in the competitive world of success. They have proved that no matter what is believed, women can do achieve and have made more positive moves in 50 years than have men.

Miller Says:

Feed Forward: A Foundation For Success

By Sherman N. Miller
Special To The Post

Most American people spend anxious moments awaiting feedback on their performance. I had a chap present a case to me where he pointed out the futility of some of this stress.

Waldo Tyler, a Columbus, OH, businessman, contends that people should spend a great deal more time on "Feed Forward." That is, they should spend enough time on the front of the projects to develop good plans, interface with the right sources of information, and obtain as much foreknowledge as possible.

Tyler's idea seems straightforward and nothing earth-shattering until you start to examine the impact of foreknowledge. Richard L. Lesh, President of the Chamber of Commerce of the U.S., writing in the June 6 issue of the "The Voice of Business," quantifies the significance of advance knowledge. "Advance knowledge of an impending merger or takeover attempt, if accurate, can confer instant wealth on those with access to it," reveals Lesh while lamenting the recent scandals involving insider



Sherman

trading on Wall Street.

Since Tyler is a second generation black businessman who owns two RX pharmacies and a cleaners, I tried to find avenues to help other minority people gain access to his foreknowledge concept. I recounted an invitation to a Rotary International meeting where I had an opportunity to fellowship with many organizations like the Rotary flourish through their membership networking capability because members have access to a wealth of expertise.

More recently I was invited to a prestigious club in Richmond, VA, for an announcement. The 2300

Club is a highly sophisticated predominantly white supper club. Dwayne L. Street, the club's manager, says they are now seeking black members. Yet I was puzzled as to why anyone would want to belong to a supper club.

I queried Street on what the club offered. "Something you will not find in public restaurants," was his reply. He told me further of a "Who's Who" New Year's function that was limited to 100 people. Street gave me the impression that they were interested in having the "Who's Who" of Richmond amongst their membership.

I left the 2300 Club under the impression that it was one of those vehicles that upwardly mobile minorities should use to gain access to the "Good Old Boy" network.

At the risk of giving crass examples, I would like to highlight other routes to gaining foreknowledge on how to shape mainstream events. Active membership in predominantly white churches or participation in interracial programs between minority and majority churches helps one gain access to senior level business or civic leaders.

Also participation on boards and commissions or their subcommittees (YMCA, business councils, etc.) may bring one into a working relationship with many leaders who are potential mentors.

If minority people think about it, there are many ways that feed forward leads to successful programs. Let us hope that deep-seated inferiority complexes harbored by some minorities do not blind them to the fact that adopting the feed forward concept is a necessity in their becoming able to take the final step from caste to class.

Martin Proclaims July "Parks And Recreation Month"

Raleigh - Governor James G. Martin has proclaimed July as Parks and Recreation Month.

Governor Martin has urged all citizens to "recognize the importance of outdoor recreation as well as the efforts of all those involved in Parks and Recreation who maintain and improve our state parks and recreation areas."

For information about activities in your area, contact your local state, city and county parks, or call the N.C. Division of Parks and Recreation at 919-733-4181.

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