

# Editorials

## New Era For Supreme Court

The U.S. Supreme Court began its 1986-87 term this week in what constitutional law experts and historians are referring to as the "Rehnquist Era." William Rehnquist, an associate justice on the High Court was elevated to the chief justice's leadership chair following the retirement of Chief Justice Warren Burger. Rehnquist's associate justice seat was filled by Antonin Scalia.

The appointment of both of these men by President Reagan was strongly opposed by civil rights and women's organizations because of the conservative viewpoints and court decisions rendered by these in their prior cases. While most knowledgeable observers of the Supreme Court don't expect the conservative leanings of Rehnquist and Scalia to cause any drastic changes in the Court's direction, liberals, civil rights and women's groups have reasons for some immediate concerns.

These concerns arise from some of the Court's early agenda cases that will undoubtedly be quite controversial. Among these are the historic fact of a relatively higher percent of blacks who face the death penalty resulting in allegations of racial bias in the issuance of the death sentence. In particular, the nation's highest court will render a decision on whether racial bias continues to exist in the state of Georgia because people who kill white people wind up on death row more often than people who kill black people. For blacks who kill whites, a death sentence is a near certainty, but not so if the situation is reversed. Since hundreds of death row inmates around the nation may be affected, it shows that Georgia is not the only state engaged in such alleged bias.

## Preferential Treatment

Another controversial decision the High Court must face deals with preferential treatment for women in the workplace. This is not a "last hire - last to fire" situation as blacks have sought but is rather an issue of maternity leave and unemployment benefits. Specifically, a case in the state of Missouri wants to know whether a state must pay unemployment benefits to women who are not rehired after taking maternity leave. In a related case, California will ask as to whether an employer can be required to give pregnant women up to four months' leave and then reinstate them to their positions.

In yet another controversial case, George Wallace's Alabama will argue that state police should not be forced to promote black and white troopers in equal numbers until blacks equal 25 percent of the upper-level rank officers. In another affirmative action case, a Santa Clara County, CA, agency wants to be allowed to promote a woman over a more qualified man in order to get women into higher-ranking jobs.

While the elevation of William Rehnquist to the Chief Justice chair and the appointment of Antonin Scalia will add one additional conservative to the Supreme Court bench, most Court analysts doubt that

any sweeping changes will occur.

However, many people may perceive drastic changes because of the specific nature of some of the pending court decisions noted here. For example, as much as we deplore the historic injustice that has burdened black Americans, we would hope and pray that if and when the death penalty is used, the decisions would be based purely on the merits of the case and not on any attempt to balance in some proper proportion the number of black and white executions based on some sociological moralistic notion of who to kill. The very idea of human executions is deplorable enough even when it is believed to be fully justified, but to base it on a black-white numbers game is equally as bad as past biases that resulted in disproportionate killings of blacks simply because they were black. It is for this reason that we don't view this as a liberal-conservative issue and strongly doubt the court's votes will be decided on such philosophical lines.

## Career Or Family

Secondly, in our way of thinking, women who leave their places of employment for reasons of a legitimate pregnancy - that within the context of marriage - are not seeking preferential treatment when they request unemployment benefits if denied an opportunity to regain their jobs after the maternity leave. Likewise, we believe that employers should be required to reinstate a female in her job after maternity leave. Married women should not be forced to choose between their careers and having a family. In fact the U.S. is believed to be the only Western democracy that does not attempt to accommodate the career-child bearing relationship. The lack of compatibility on this issue is already affecting when some people get married and causing many women to delay into their later mid-30s child bearing years before having children and some just don't have any children at all. This could result in a diminishing number of families and families that can best afford to have children. Such a situation could have a long term negative impact upon future generations in America.

Finally, the Alabama position against being forced to promote black and white state troopers in equal numbers until black equal 25 percent of the upper-level officer ranks is, in our opinion quite legitimate. It simply means that the state will have to make a greater effort to seek out and locate qualified black trooper applicants, something they have not done in the past simply for reasons of race only. The California case of promoting a woman over a more qualified man simply to put women into higher ranking jobs is, to make it brief, stupid and should not even be heard by the Court.

Our main point in these comments on possible early decisions by the U.S. Supreme Court is to note that the nature of these cases does not fall within a philosophical mold of liberal versus conservative.

IT IS UP TO US TO IMPOSE ORDER—NOW



ARE WE GOING TO SIT AND LET BLACK COMMUNITIES CRUMBLE AROUND US? GRASS ROOTS AND COMMUNITY ORGANIZATIONS, MUST EMERGE, TO FORGE A UNITED EFFORT AGAINST CRIME, NARCOTIC TRAFFICKING, BLIGHT AND DECAY.

## "We The People..."

By Gerald O. Johnson  
Special To The Post

The Bicentennial kickoff celebration commemorating the signing of the U.S. Constitution was held this weekend at Disney World. A Bicentennial committee headed by Chief Justice Warren Burger was formed to plan nationwide events to mark this historical occasion. The celebration is planned to go on for three years to commemorate the writing of the Constitution, the signing of the Constitution, and the ratifying of the Constitution. The celebration is as much a revival as it is celebration. The intentions are to make us more aware of how fortunate we are as a country because of the wisdom of our forefathers 200 years ago.

The history behind the writing, signing, and ratifying is a very intriguing story in itself. It seems that getting representatives from the 13 states was a major problem. Finally, it was decided that those states represented would draft the Constitution. However, representatives from some states felt that each state



Gerald

should be sovereign. Moreover, smaller states like Rhode Island felt they were powerless in the whole matter, so they withdrew.

Finally a document was drafted, and through much debate it was signed and ratified. I doubt that these gentlemen knew at the time that they would be ratifying the greatest governmental document known to men.

This weekend revived my consciousness to the significance of the U.S. Constitution. It is the corner-

stone of our democratic society. It lets freedom ring from sea to shining sea.

Imagine what could have developed if each state had remained sovereign. Each state would have its own power and it would be an answerable to no one. They would mint their own money.

They would form their own military. Traveling to Virginia or South Carolina would be leaving your country if you were a North Carolina resident. Your money could no longer be valid currency when you left North Carolina. You may not even be allowed to leave North Carolina. Just think of how confined we would be. The very situation that the Constitution prevented from happening in the U.S. is prevalent in other parts of the world. Look at Africa, Israel, and some parts of Asia. Contiguous countries exist in disharmony. This could have easily been us.

Another significant point about the Constitution is that it was written to be flexible. It provided an avenue to adapt the document to the current needs of society.

With its representative form of government amendments can be added to fit the needs of society. The document was geared to limit the power of government, rather than giving the government power. When the document was drafted we (us black folk) were considered three-fifths of a person. This obvious wrong in the Constitution was corrected by using the Constitution. Its strength lies in its simplicity.

It is a shame that such a great document is taken for granted. Schools are not pushing the significance of this document. Parents know even less than their kids. Our apathy towards

government and politics threatens the very principles this document thrives on ... We The People. It is my hope that the bicentennial celebration will revive our awareness as well as our

dedication to the U.S. Constitution and what it stands for. The Constitution gave us the building blocks for constructing a govern-

ment that is of the people, for the people, and by the people. Only our apathy can destroy it. Let's get involved.

## Miller Says:

# Blacks Should Be Proud Of Non-African Heritage

By Sherma N. Miller  
Special To The Post

Black American History is often portrayed as a horror tale of the humiliation of slavery. Blacks' culture has become wedded to Africa, yet few blacks today can claim pure African heritage. Should not Black Americans also be proud of their non-African heritage?

While living in Richmond, VA, I got an opportunity to feel the warmth of my non-black ancestry. My paternal grandfather was a Native American Indian from near Catham, VA. His Indian heritage helped me form a very close friendship with an American Indian chap who felt we shared a common ancestry.

My initial inclination was to give very little significance to my heritage in our friendship. Yet this Indian chap would invite me to come to their Powwows to meet his family. This year I finally decided to learn more about my grandfather's heritage, so I attended the Nanticoke Indian Powwow in Oak Orchard, DE.

I saw Indian people with whom I had grown up and one person who lives in my present neighborhood. There



Miller

were about 5,000 people in attendance watching Indian dances and purchasing various arts and crafts. Many Indian dancers posed for pictures singularly or with visitors.

The powwow attendees came from New Mexico, North Carolina, Virginia, New York, New Jersey, Pennsylvania, Maryland, and so on. The master of ceremonies got these people (Indians, blacks and whites) to dance together in some traditional Indian dances. But beyond the dancing and pictures, what really did this powwow signify? A charming 80-year-old

Nanticoke Indian lady, Theresa Johnson of New York, offered me the purpose of the powwow. "A chance to see all of my relatives at one time in one place," proclaimed Johnson. John Courcy corroborated Johnson's comments, saying, "My brother, the last time I saw him was the last powwow. My aunts and uncles, I never see them until I get back to the powwow."

Since my mission was to find out if blacks with Indian heritage would be recognized by an American Indian tribe, I queried the chief of the Nanticoke Indian Association, Inc., Kenneth S. Clark.

## National Urban League

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guidance; academic support, such as tutoring, parental and community involvement; partnerships

between the schools, parents and the community; and black history and cultural programs.

Mr. Jacob stated that 52 Urban League affiliates were already involved in education initiative activities and that some had already developed action plans with five-year time frames designed to increase the number of black students in math and science courses and in college preparatory classes.

He said that the initiative is a long-term program and that, "we have no illusions that a quick fix can solve the crisis."

## Business Women's Group To Meet

The regular monthly meeting of the Mint Hill Business and Professional Women's Organization will be held on Monday, October 13, at the Western Steer Family Steak House at 6001 Albemarle Rd. Dinner is at 6 p.m. and the meeting will begin at 7 p.m.

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