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## The ballot as a weapon for black freedom

By Ron Daniels  
SPECIAL TO THE POST

Up from the dark days of the Post Reconstruction and Southern apartheid, Black America can now boast of nearly 10,000 Black elected officials (BEO's) in this country. This is a remarkable testimony to the power of the ballot in the hands of black folks. Despite this remarkable achievement, however, there is considerable disillusionment in Black America, particularly among black poor and working people and young people about the value of the ballot in the black freedom struggle. Some eight million African Americans are not even registered to vote. And, among those who are registered, disenchantment and apathy have resulted in a pattern of low voter turn-out especially in local and state elections.

To the proponents of black voter participation this is an alarming development. A typical reaction to the phenomenon of low voter participation is to take those who do not vote to task for betraying the long and bloody struggle to secure the right to vote. It is often assumed that those who do not vote are simply uninformed and ignorant of the importance of voting within the American body politic. For many within the ranks of black poor and working people, however, the quality of life has not significantly changed as result of the thousands of BEO's who now occupy various public offices within the system. Indeed, the quality of life for those at the bottom within the black nation has actually deteriorated over the last two decades. There is a prevalent feeling among the black poor that there is no direct relationship between voting and a change in the quality of their lives. Many young African Americans see a racist and exploitative system and question whether it is possible to change that system by participating in and becoming a part of the system.

This disillusionment with voting/electoral politics is compounded by the perception that large numbers of BEO's have simply become traditional "politicians," who are disconnected from grassroots communities; politicians who have succumbed to the self aggrandizing vote trading, deal making and corruption which Black political empowerment was supposed to change. Finally, there is the view that neither the Democratic or the Republican parties really represents the interests of the masses of black people, that the Democrats take black people for granted and the Republicans are a repugnant alternative. This is the rather troubling state of affairs as it relates to Black voter participation.

In my judgement, though it is a mistake to rely on electoral politics exclusively, the ballot is still a potent weapon which must be used in the black freedom struggle. For the ballot to be the potent weapon which Black America needs to advance its interest, however, black voter mobilization/participation must be tied to a vision of social change and social transformation. There must be a clear sense that voting is about transforming an oppressive system and changing the quality of life for the masses of black poor and working people and other oppressed people. Voting must not be reduced to a mundane ritual of replacing white faces with black faces in old places. There is a need for visionary new black political leadership to rise up from the community and community struggles; a leadership that will remain rooted in the community and committed to social justice and social change. Time and time again black folks have demonstrated that they will vote for black candidates whom they feel are genuinely dedicated to changing the system and the quality of their lives.

Secondly, the ballot must be utilized to advance a progressive, people oriented political agenda. Black voters must be involved in a process of identifying the critical issues and concerns which they feel must be addressed in the electoral arena. Those issues and concerns should comprise an agenda which must be used as the guide to select candidates and to hold them accountable once in office.

Third, the black vote should not be the exclusive preserve of either the Democratic or Republican parties. Allegiance to parties and elected officials should be based solely on the degree to which parties and elected officials adhere to the black political agenda. The black vote should be positioned as a "third force" in American politics, swinging behind progressive Democrats and Republicans (if there are any) when it is in the best interest of the Black community based on the black political agenda. It is also imperative that a third force promote and support independent parties and candidates as critical alternatives to the establishment parties. As a third force, the Black vote can also seek out other oppressed groups and progressive forces to form formidable coalitions for fundamental change.

Finally, the ballot should not be seen in isolation to other tools/weapons in the black freedom struggle. Black America should never rely on the ballot alone as its primary weapon. Protest politics, mobilizing/organizing around issues, demonstrations, boycotts/economic sanctions, civil disobedience and strikes should all be used in tandem with the ballot to promote and defend the black agenda. When the ballot is properly used as a vehicle to advance a vision of social justice and social change, it can be a powerful weapon in the black freedom struggle.

RON DANIELS is an essayist and columnist from East Elmhurst, N.Y.

# Justice not so blind in hiring

By Richard Carelli  
THE ASSOCIATED PRESS

WASHINGTON — The number of female lawyers continues to grow but a new study says the Supreme Court — that bulwark of equality before the law — is not an equal opportunity employer.

The statistical analysis by Stetson University law professor Mark Brown offers dramatic "evidence of de facto discrimination against women" in the selection of Supreme Court law clerks.

Twenty-three percent of America's lawyers are women. By the year 2010, women are expected to comprise 40 percent of the attorney work force. Serving as a high court law clerk and helping a justice with research and opinion-writing virtually assures a young lawyer of a bright professional future. There's no hotter ticket for a career in law.

But women are being left out in the cold, Brown says in a study to be published in the Oregon Law Review later this year.

"I'm not claiming that the court as an institution or any one justice is purposefully picking men and not women," Brown said in an interview. "One can draw that inference from the statistics. There is an infinity of other explanations but bias, conscious or unconscious, is one possibility."

Thirty-four men and women are selected as Supreme Court law clerks each year. Each justice hires three or four clerks.

Brown's study, however, says women's chances of being cho-



sen don't match their success in law schools or even their record in landing federal appellate clerkships.

Most high court clerks, typically high-ranking students from the nation's premier law schools, are hired after working a year for a federal appeals court.

"Somewhere between success in law school and Supreme Court clerkships, women are being screened out," Brown's study states.

The study takes four decades of hiring into account. In the 1960s, 99 percent of all high court clerks were men; 89 percent in the '70s; 76 percent in the '80s.

The study cuts off with the 1993-94 court term, but shows that male dominance remained steady at 76 percent for this decade's first five years. For the last two court terms, however, the percentage of male law clerks has

been under 68 percent — 46 of 68.

Brown found Justice David H. Souter's practice of hiring male law clerks in his first four court terms the most extreme — 94 percent were men. Not included in the study are the seven men and one woman Souter hired as clerks over the last two court terms.

Only Justices John Paul Stevens and Sandra Day O'Connor "maintain facially neutral hiring practices," the study says, but notes that Justices Stephen G. Breyer and Ruth Bader Ginsburg had not been on the court long enough for a significant statistical analysis.

Over the past two terms, Breyer and Ginsburg each have hired four men and four women as law clerks.

Here's what the study found out about how often the court's other members chose men as

law clerks:

- Justice Antonin Scalia, 91 percent of the time.
- Chief Justice William H. Rehnquist, 90 percent.
- Justice Clarence Thomas, 86 percent.
- Justice Anthony M. Kennedy, 84 percent.
- Stevens, 75 percent.
- O'Connor, 61 percent.

Men make up about 70 percent of the graduates who are near the top of their class at the schools that are the most fertile spawning grounds for future clerks.

Some find Brown's study less than convincing.

Toni House, the Supreme Court's chief spokeswoman, declined to comment. But Maureen Mahoney, a Washington lawyer who served as a Rehnquist clerk in 1979, defended the high court's hiring practices.

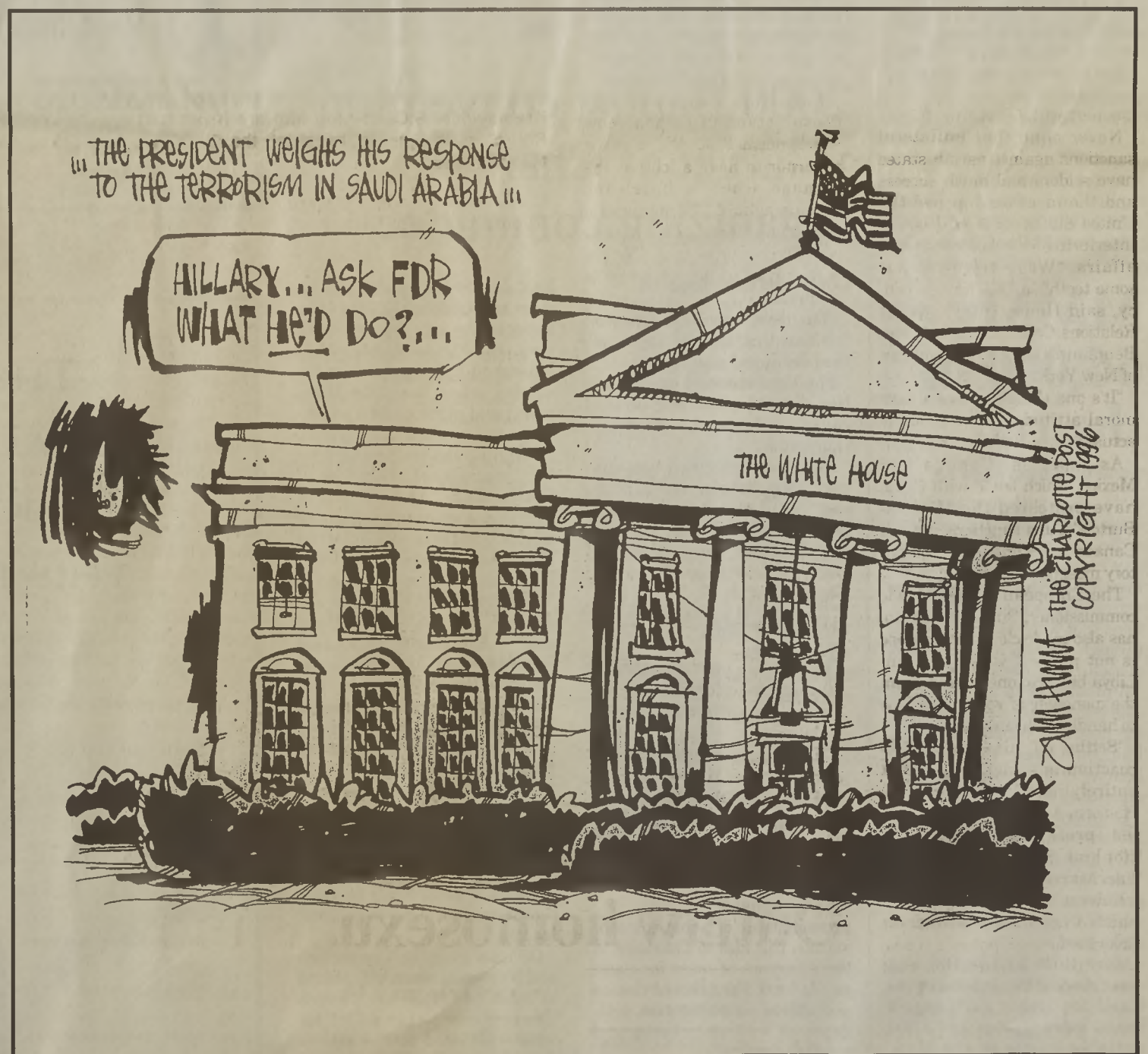
"There may be some underrepresentation but that doesn't mean there's been discrimination," Mahoney says.

"It's unimaginable that the chief justice is discriminating against women in the hiring process," Mahoney says. "And I have no reason to believe any other justice is."

Will the justices ever see Brown's study? "I can't mail it to them. As an academic, it's something you just don't do," he says.

But Brown thinks the justices might benefit from learning of the statistics. "Maybe they can fix it," he says.

RICHARD CARELLI covers the Supreme Court and legal affairs for The Associated Press.



## Spate of black church burnings is a national wake-up call

Sherman Miller



As we listen to or read news reports of yet another black church being burned in the South, we want to proclaim that these cowardly acts are the result of a racist conspiracy to destroy the underpinning of the black community. It is no secret that the black church is the strongest institution in the

black community and it is at the forefront in delivering socioeconomic progress to black people. But all wars are won based on illusion, thus the burning of the black church is merely a symptom of the most heinous crime of all: the acceptance of the belief by the younger generation that God is dead.

When I was a child, no one ever thought about stealing from the church. Most folks believed that such an act would surely land one in hell even if they never got caught and went to jail for the crime. Today, churches must be secure or

thieves will take advantage of them this suggests that the concept of things being sacred has been defrocked in the mainstream America psyche.

America is hellbent on purging any semblance of sanctified institutions. Vietnam War memorials are violated and we don't become overly distraught by these foolish actions. We merely watch the

money and power have become

God? Has everyone been relegated to chattel in the eyes of our new gangster overlords? Has God's House been relegated to Satan's shack in the eyes of America's youth?

The burnings in the black churches is a wake-up call for us to reassess the moral beliefs that are now pervading America. These burnings suggest that all of our lives have been devalued because people no longer feel accountable to a higher authority for their secret actions that escape the wrath of the civil law. Think about it: today you even hear of murder

of the incarnation of a gangster subculture mentality to guide our children's mind set? Are we now the ultimate materialistic nation where

on the steps of a church. America must not merely write off the burnings of the black churches as a loose plot by racist extremist groups. We must look further to see the moral decay in our national values that these burnings highlight. America must reincarnate the concept of sanctity if we are to survive in the 21st century because only then we folks accept that this nation is not run by predators who see the rest of us as their daily prey.

SHERMAN MILLER is a syndicated columnist from Wilmington, Del.

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