

# CIVIL RIGHTS

BY MAXWELL G. PANGLE

"Fools rush in where angels fear to tread". A great number of people are rushing into print on this very controversial question. Perhaps I also can add somewhat to the general confusion. In this case, we are thinking only of grants or permissions allowed by some form of government to its citizens or subjects, so they must not be confused in any way with the so-called natural rights. It is very doubtful if there are any such things any way. Permissions granted by The Creator are not rights but blessings. The Constitution is correct when it speaks of the blessings of liberty.

When we refer to the constitution in this article, we mean The Constitution of The United States unless otherwise stated.

It will make things easier later on if we explain something about the form and nature of our government. Its Form is a republic. That simply means that it is a representative type. Our laws are made by representatives elected by the qualified citizens. Also certain other important officials are elected by the citizens and most of the other officers are appointed by these few who have been elected. It is a very common mistake to refer to our government as a democracy. If all of the people were permitted to vote on all of the laws proposed to them, then that would be somewhat like a democracy. So far in this history of mankind, there never has been a true democracy. We are in the habit of thinking of certain principles and practices as favoring the masses of common people rather than the

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more wealthy ones and we call these principles democratic. In that sense, perhaps our government is as democratic as any in the world. Yet, Great Britain is a kingdom, but many people think of her as being more democratic than we are. The name of a political party gives little or no evidence as to the degree of democracy contained in its stated platform. Each citizen has a perfect right to his own opinion on this subject, but should really know what his party stands for before he votes. I think this is a patriotic duty.

Now, as to the nature of our government. It is federal in nature. This means that forty-eight separate and sovereign states have agreed to surrender some of their political powers to a superior sovereignty called the federal government and, under it, became a united group. Here we have the unique condition of two concurrent sovereignties functioning together in the same government; that is, the state, or commonwealth, and the federal government. One of the important duties of the constitution is to define the duties and powers of each. All powers not delegated to the federal government and not denied to the states belong to the states or to the people. Some times it is very difficult to determine which government has the authority, so it becomes necessary to have the courts decide the question. It is very important that the reader be careful to avoid any confusion of terms here. The government among the thirteen colonies after the Revolutionary War was called Confederation and the government among the southern states during the Civil War a Confederacy. Neither of these constituted a real unity among the constituent states. Ours is a Federal Government and its unity is signified by the name United States. The Constitution, the laws passed by the congress in accordance with the Constitution, and treaties made by the federal government constitute the supreme law of the land. Even so, the state has very much broader sovereignty and MORE powers than the federal government.

To me, this fact is of very grave importance. One of the plainest facts of history is that all governments have a tendency to become tyrannical over its own subjects unless restrained. Of course, there have been a great many benevolent rulers even among monarchs.

I believe that, in any government, the ultimate sovereignty and final authority resides in the people. Very frequently, the citizens surrender this political power to the government and become slaves to it. The communist practice of using a secret spy system seems to have deprived the people of all liberty or sovereignty. Yet, there is always the possibility of revolution. Many writers think that the communist world is on the verge of revolution right now. Perhaps the reader is thinking, "Why all this fuss about a tyrannical government? There is no danger of such a thing in this country." Brother, don't fool yourself. The framers of The Constitution recognized this very evident possibility and wrote it accordingly. If you will study the constitution seriously, you will find that a very large part of it is composed of articles defining the rights of both citizens and the government and written with the express purpose of defending the citizen against the possibility of tyranny on the part of the federal government. We, as citizens, must maintain this protection. How can

## FRED GENTRY TO APPEAR AT SING

Benefit Albert Schweitzer Hospital Fund. Decoration Is Also Announced

BY MRS. WARD McCALL

BALSAM GROVE — The regular Fourth Saturday night Gospel singing at the Balsam Grove School will be next Saturday night beginning at 8:00 o'clock. Fred Gentry, of Hendersonville, is expected to be among the singers present. He was unable to be with us at the last singing due to a TV program in Spartanburg, S. C., late in the afternoon. There were a lot of people disappointed and we're sorry, but that's a thing that happens once in a while. We do hope he doesn't disappoint us this time. There will be a bake sale, also refreshments available. Proceeds go to the Albert Schweitzer Memorial hospital fund. All singers and listeners are invited to attend this Gospel singing.

### Decoration Set

There will be a decoration at the cemetery near Mack McCall's next Sunday morning at 11:00 o'clock. Everyone is invited to attend.

### Other Items

Mr. and Mrs. L. V. McCall of Newton, N. J., spent Thursday night with Mr. and Mrs. Tinsley Brown and also visited Mr. and Mrs. Vardirey McCall and family Thursday afternoon.

Mr. and Mrs. Mark Mason, of Pickens, S. C., spent last week with Mr. and Mrs. J. C. McCall and family.

Mr. and Mrs. James Owen and family of Brevard visited relatives in Jackson county during the week end.

Mr. and Mrs. Ford Galloway and girls, of Hendersonville, and Wiley Owen of Brevard, were guests of Mr. and Mrs. Ward McCall and family Sunday.

Frenda McCall is spending a few days with her aunt, Mrs. Tillman Phillips, and family this week.

Mr. and Mrs. Gene Siler and children, of Brevard, visited Mrs. Siler's parents, Mr. and Mrs. Sene Sisk Sunday.

Mr. and Mrs. W. S. McCall visited Mr. and Mrs. R. V. Owen and family Saturday afternoon.

We certainly think the men of the Woods Memorial Baptist church have done a wonderful job landscaping around the church. We also appreciate Dr. E. Gaine Cannon sending his bulldozer over to do the work. The State highway men did a good part in re-graveling the road in front of the church where it was necessary to make a fill. We say thanks to everyone who had a part in this work.

this best be done? More on this later.

It may be possible that some people are a bit confused between the two terms, Bill of Rights and Civil Rights. What is commonly called the Bill of Rights is composed of the ten original amendments to the Constitution declared in force December 15, 1791. Some of the colonies would not join the union until these personal rights were expressly stated in the Constitution even though they were all contained in the English Common Law, which was transferred across the Atlantic to British citizens in the colonies here in America. The makers of The Constitution simply assumed that the new states would continue to use them and enforce these rights as they had done as colonies. In the main, that is what happened. There is little doubt that every state has passed laws with reference to each right contained in these amendments. However, many people are not satisfied with the way the states are handling the situation because they think that the rights of certain minority groups are being denied or greatly abridged. For this reason there was introduced into the United States congress a bill known as the Civil Rights Bill designed to allow the various departments of the Federal government to take over the enforcement of those rights named in the Constitution when they deem that the states are failing to obey the terms of the Constitution.

Not all rights could be named in these ten amendments, so others have been added from time to time. So when a state fails to enforce a right expressly stated in the Constitution, it becomes not only the right, but the duty of the federal government to prosecute the offender in a federal court. When this is a criminal offense, a jury trial is provided. In case a right is one not recognized by the several states, it becomes necessary for the Congress to enact appropriate legislation, which can be enforced in the federal courts.

In the second installment, we shall go more into detail on the question of voting rights and the preservation of the federal nature of our government and the identity of the states.



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