

The Daily Tar Heel

71 Years of Editorial Freedom

Published daily except Mondays, examinations periods and vacations, throughout the academic year by the Publications Board of the University of North Carolina. Printed by the Chapel Hill Publishing Company, Inc., 501 West Franklin Street, Chapel Hill, N. C.

What The Civil Rights Bill Means

Charlotte Observer

Editor's note: This is the second of two parts on the actual meaning and effect of the pending civil rights bill...

Mortgages

Question: Will the bill forbid you to discriminate just because you have a FHA or VA-insured mortgage on your home...

Reply: No. The bill specifically eliminates this possibility.

Explanation: Millions of ordinary citizens receive federal "aid" in the form of government insurance for their life, house or savings.

Fear arose that the bill would cover them because of its ban on discrimination in federally assisted programs.

So the bill was amended by the House of Representatives to make it clear that "contracts of insurance or guaranty," such as FHA and VA home loans, were not covered.

Note: Those few veterans who borrowed money directly from the VA to finance their homes are covered, but not the vast majority whose mortgages are simply insured by the VA.

Trial By Jury

Question: Will the bill permit you to be sent to jail without a trial by jury?

Reply: Yes, if you disobey a federal court order directing you to comply with the law.

Explanation: With minor exceptions, the civil rights bill creates no new crimes for which you can be fined or jailed.

But it does set forth certain discriminatory acts which a federal judge — after a trial — can order you to cease.

Then, if you don't cease, the judge can slap you in jail without a trial by jury.

Your "crime" would not be violating the civil rights act. It would be contempt of court.

But the result is the same—you're in the jail.

The Justice Department points out that there never has been a right of trial by jury for criminal contempt of court. So the bill is not taking away any right you already have.

In fact, certain new safe-guards are added. If you defy a court order enforcing the voting rights or public accommodations sections of the bill, you can't be jailed for more than 45 days or fined more than \$300 without a jury trial.

For disobeying a court order involving the other parts of the bill, such as the fair employment section, you can be jailed indefinitely for contempt.

Star Chamber?

Question: Will the bill let you be questioned, in a secret "star chamber" proceeding, with a jail sentence hanging over you if you reveal what happened?

Reply: Yes, but it's not as bad as it sounds.

Explanation: The bill authorizes the Civil Rights Commission to hold hearings to investigate complaints on discrimination.

If the commission thinks the testi-

mony might embarrass or incriminate someone, it can hold the hearings behind closed doors. Unauthorized disclosure of the proceedings can be punished by a \$1,000 fine or a year in jail.

The Justice Department says this provision is not meant to hurt anybody — just to protect people from premature or unfair disclosure of unsubstantiated charges.

The secret hearings are only to gather information; the commission has no power to make anybody do anything.

Congressional investigating committees hold such closed-door hearings frequently.

Professions

Question: Will the bill force doctors, lawyers, barbers and small businessmen to serve Negroes even if they aren't engaged in "interstate commerce"?

Reply: It depends where your business is located. Sometimes the answer is yes; sometimes no.

Explanation: If you live in a community where there is a local law actually on the book requiring racial segregation, the new federal law will apply to every business and professional man. If you serve white people in such a town, you will have to serve Negroes too.

In other communities, the rules are different.

You will have to serve all races if your place of business is located "on the premises" of an establishment, such as a hotel or theater, covered by the bill.

You also will be covered if your place of business, such as a department store, contains a restaurant or lunch counter covered by the bill.

But you are not required to serve Negroes just because your store or office is located in the same building, or the same shopping center, with a covered establishment.

A doctor or a lawyer could have an office in a hotel, or upstairs over a restaurant, without coming under the law.

Religion

Question: Will the bill permit discrimination against you if you don't believe in God?

Reply: Yes.

Explanation: An amendment added by the House of Representatives permits an employer to refuse to hire an atheist — even if he is otherwise qualified.

This amendment was added over the objections of the bill's sponsors. A Justice Department spokesman called it "foolish."

Question: Will the bill control the selection of members and guests of private clubs?

Reply: In most cases, no.

Explanation: Bona fide private clubs do not come under the provisions of this bill. There are two exceptions:

If the club is not really "private" but allows anybody to join for payment of a small fee, such as the "Playboy Clubs," it cannot discriminate against Negroes.

If a private club is located on the premises of a covered business, such as a country club connected to a public hotel, and offers its facilities to white guests of the hotel, it also must serve Negro guests.

Blanchard Contempt Case

"Backtrack From Dilemma" (Raleigh News & Observer)

Fortunately at the last Judge Raymond Mallard took himself off a self-imposed hook in Orange Superior Court when he backtracked from a threat to find in contempt young Gary Blanchard, editor of the Chapel Hill student newspaper, the Daily Tar Heel.

That term was applied by Blanchard to some rules laid down by the judge, allegedly for the purpose of keeping order in his courtroom. Not even Judge Mallard would suggest that the editor did not have a

right to express his editorial opinion on the paper. But when Blanchard was called as a defense witness, the Solicitor asked Blanchard what he had said editorially. He repeated what he had said. Whereupon Judge Mallard said from the bench that Blanchard was guilty of "direct contempt expressed in testimony under oath" and "tending to discredit this court."

If the Judge had stuck to this view, it would have been an absurd abuse of judicial authority. The Judge had permitted the question which required the editor to say in court what he could say with impunity in his paper. And if the repetition there had constituted contempt, the circumstances around it would have come close to entrapment.

Indeed, if the Judge had deliberately let the witness be asked and required to answer a question which he knew in the courtroom would constitute contempt and then had held him guilty, that would have been a contemptible proceeding.

Fortunately for his own reputation on the bench, the Judge realized the corner into which he had painted himself. He agreed that the young editor was in a dilemma in that he would have been in contempt if he had refused to answer the question and also in contempt if he spoke of the court's "nonsense" in the courtroom. But it was the Judge who was in the fix of a "nonsense" charge outside the court or judicial "nonsense" in it. And despite his final wiggle word the Judge chiefly dramatized both.

"Pardon Me, Did You Knock?"



Humphrey Is VP Leader

By ROWLAND EVANS and ROBERT NOVAK

WASHINGTON — Nearly obscured by all the smoke and fury over Robert F. Kennedy is the fact that Sen. Hubert Humphrey of Minnesota is front-runner—right now, at least—for the Vice-Presidential nomination.

President Johnson has not and will not soon make up his mind. In fact, Presidential intimates now regard the contest for Vice-President as a three-way race between Humphrey, Attorney General Kennedy, and Sargent Shriver, Cabinet-level commander of the Johnson poverty war. But Humphrey is ahead.

The reasons are two-fold:

Whatever their personal inclinations, most Democratic politicians across the country believe Mr. Johnson should have wide freedom of choice. They don't feel that the President's refusal to pick the Attorney-General would be an affront to the memory of John F. Kennedy.

If the President really has that freedom of choice, Humphrey is in an exceedingly strong position. The reason: the President makes no bones that he regards him as best qualified to fill the office of the Presidency itself.

The Johnson-Humphrey friendship, formed in the Senate, became intimate during those turbulent days after the assassination when the new President relied heavily on his aid and advice. They communicate, usually daily, in blunt, earthy language. Humphrey is the No. 1 White House trouble-shooter in the Senate.

One sign of the President's interest came March 8 when the Senate appeared on "Meet the Press." As soon as the program finished, the President telephoned the studio to congratulate Humphrey on his performance. Moments later, Mrs. Johnson came on the phone too. (It should be noted, however, that on Dec. 15 Mr. Johnson telephoned the same compliment to Shriver after his appearance on "Meet the Press.")

The President likes to point out that the effervescent Humphrey wouldn't mind the ceremonial folderol that is the Vice-Presidency. Mr. Johnson detested it, and he has remarked that Robert Kennedy would feel the same way. This is scarcely a valid argument against Kennedy but the President is using it.

The President believes that Shriver, like Humphrey, would fit into the routine of corner-stone-laying and delegation-greeting. And unlike Humphrey, Shriver — youthful, handsome, and Catholic—provides contrast to Mr. Johnson.

But the Shriver trial balloon for the Vice-Presidency has failed to soar. Furthermore, friends of the tightly-knit Kennedy family believe Shriver almost certainly would defer to Robert Kennedy.

That brings on the central question: can Kennedy's loyal partisans pressure the President into putting him on the ticket?

The truth is that neither the Attorney-General nor his staunchest backers believe that anything approaching political black-

mail can or should be used against the President.

Accordingly, because there is no love lost between the two, a Johnson-Kennedy ticket is possible only if the President feels that the Kennedy name alongside his is vital to win. And being the proud man he is, even this possibility will diminish in proportion as Mr. Johnson feels he is being crowded by the Kennedys.

The Johnson-Kennedy relationship, though cool and strained, remains entirely civil. The talk about excessive pressures comes not from the two principals but from Kennedy-haters in the Johnson camp and Johnson-haters in the Kennedy camp. There are enough of both to go around.

The other Vice-Presidential possibilities, including Adlai E. Stevenson, can be written off—with the possible exception of Sen. Eugene McCarthy of Minnesota, who in some ways is closer to the President than Humphrey or Shriver. Some of Mr. Johnson's intimates count McCarthy an outside compromise choice if a Humphrey-vs. Kennedy struggle gets overheated.

But Kennedy men would be unhappy with McCarthy, mainly because of his chilly relationship with President Kennedy. They regard Humphrey, who buried the hatchet with John Kennedy in 1960, as more acceptable.

Indeed, Humphrey alone among the Vice-Presidential possibilities has no real enemies within the party or in Washington. This may prove his strongest asset.

'Pretty Poor Americans'

Abuses Of The Rights Of Others

Editors, The Tar Heel: Until recently I have opposed strongly the "Speaker Ban" bill. I still believe that it is an affront to rational students with even a rudimentary knowledge of the meaning of Democracy to deny them full opportunity to hear anyone they choose on any topic.

would have merit if it was applied to those few UNC students who lack even this intuitive acceptance of democratic practices.

I was driving down Rosemary Street when a car backed into my path and stopped in the middle of the street to shift gears. When I swung right to pass around him, he darted diagonally forward and stopped in my path again. He then signaled for me to swing wide to the left around him, so he could back into the parking space I was temporarily occupying. An-

gered by his repeated rudeness, I refused; indicating that he could get out of my way, then do as he pleased.

He got out of his car, came back, and made abusive suggestions. Then a companion repeatedly threatened me, if I did not "Get the — out of the way." Being in a hurry, I finally acceded to their demands. I gave up explaining that repeated disregard for the rights of others was no grounds for extra courtesy on my part, especially since the request was made as a demand.

It was found in the studies of those men who were "brainwashed" during the Korean War that most of them did not understand Democracy. They were, therefore, easy prey to the Communist Chinese propaganda. As I said, I think that most UNC students do not need the "protection" of the "Speaker Ban" law. However, these two frat men (Fiji) by their pins) are exceptions. There are probably others on campus, both fraternity and independents, who need a stronger basic grounding in the principles of Democracy. Anyone who believes that abuses of the rights of others can be justified by threats and foul language is a pretty poor American.

Heelprints

Looks as though a certain contempt charge was just too much water off a Mallard's back. Definition: Author—a man you can shut up by closing a book. That UNCR-N. C. State dispute has been little so far but a bunch of name-calling. Concerning discussion over the Public Accommodations section of the Civil Rights bill, we'd say the issue isn't "free enterprise" but "fair enterprise."

Chancellor Aycock says he opposes prois taking part in civil disobedience because they may confuse students into not knowing what laws to keep and which to break. Sounds like he's prejudiced against students' ability to discriminate. That junior high student who stole a horse to ride to school got trotted right into court. Then there's the Harrison Merrill doll—you wind it up and it breaks a record. Quentin Ludgin 102 Caldwell Hall

Kerrying On



BY KERRY SIPE

Talk with an average American woman for five minutes, that is, if you can stay awake that long. Nobody has asked me, but if they had, I would have something to say about the degeneracy of the American female mind.

I remember when they used to give us those verbal proficiency tests in the fifth or sixth grade. It was always the girls who could form the most words using the letters in the word "Christmas." It was always the girls who could tell the longest story about the stimulus picture of the witch riding the white horse. It was always the girls who could write the longest theme and get all the punctuation right.

But, when it came to mathematical imagination and philosophical desism the girls struck out every time. The female mind doesn't seem to have the abstract and analytic qualities of mind necessary to inventive originality.

Psychologists call it the ability to "break the set." Try this. Name the next logical number of this series—2, 4, 6, 8... Got it? Try this one—2, 4, 8, 16, 32... How about this? 41, 42, 55, 95, 96, 100...

With apologies to you all, the last series would continue, 112, 113, 114, 120 and so on. It's the numbers of the courses offered by the UNC Anthropology Department.

You weren't thinking of the Anthropology Department, were you? It's a little trick psychologists like to try on their subjects. They say that if you are a man, you probably came closer to getting the right answer than if you are a woman.

Just as a woman is more likely to continue thinking mathematically when set on a mathematical track, so she is more likely not to deviate from prescribed social and mental thought patterns.

The female of the species seems ever anxious to conform herself to the rigid standards that modern society demands. No one is more greatly influenced by the opinions of others than she.

It is probably the tendency towards conformity that helps a woman excel at the mechanical acts of spelling and punctuation. These are the kind of performances for which there is a strict set of rules, a single socially prescribed way of doing things.

But even more at fault is the guilfulness of the American female for falling for the stagnant Madison Avenue idea that women are much too naturally beautiful to confuse their pure and simple minds with the contents of a good book. "Sex is fun and having babies is a charming way of life."

And so their own daughters fall into the same perverted pattern and become unalterably molded by the time they have their first steady boyfriend—at thirteen.

The Quarterly's Place On Campus

Editors, The Tar Heel: Confusion seems to be the byword in the controversy regarding the continued publication of the Carolina Quarterly. Although most recent meetings between Quarterly staff and those in charge of student government funds are producing much more accord as to the actual goals of the Quarterly than was evident in the beginning, I feel that perhaps two entirely different points of view are at work in this situation and need clarification.

First of all, the choice of material for publication, as the editors have repeatedly explained, rests solely on the merits of the work submitted, not on its origin. Despite all encouragement, it seems that relatively little material has been submitted by Carolina students; the work actually submitted was often not able to compete with other writing sent in by writers from other parts. So, the matter of publishing Carolina's creative writers rests with the writers themselves, not with this magazine's editors. And what could be more advantageous for our local writers than to compete with other amateurs around the nation and receive all the more recognition for it when they do get into print, especially since the magazine has a select national readership. A strictly "campus magazine" would hardly receive the attention of the Yale University library or the People's Republic of Bulgaria.

Pete Range 117 Stinson Street