

Defiant Councilmen

Justices Reject Desegregation Plan

WASHINGTON, D.C. (AP)—Two members of the U.S. Supreme Court did not agree that the four defiant city councilmen in the Yonkers, N.Y. desegregation case should have had their fines stayed, but they were outvoted by their colleagues on the bench.

Justices Thurgood Marshall and William Brennan, in a 12-page dissent written by Marshall, rejected the argument that the councilmen—Henry Spallone, Nicholas Longo, Edward Fagan and Peter Chema—were protected by "legislative immunity" when they voted against a court-ordered desegregation plan. Marshall and Brennan agreed with the rest of the court that fines should be reinstated against the city.

"The councilmembers' primary

argument is that a federal court lacks authority to order an individual local legislator, as opposed to the body in which he serves, to enact specific legislation," Marshall wrote in the dissent, issued last Thursday night. "In the councilmembers' view, a federal court, by entering such an order, runs roughshod over what they see as the local legislator's right to be absolutely free from such restraints. While this issue arguably is of substantial interest, this case is not a proper vehicle for addressing it."

Marshall and Brennan said this was not a situation where the federal court was trying to force local legislators to vote in favor of a particular bill in order to remedy a constitutional violation. Rather, they said, "This case is about a district court's ability to enforce its consent

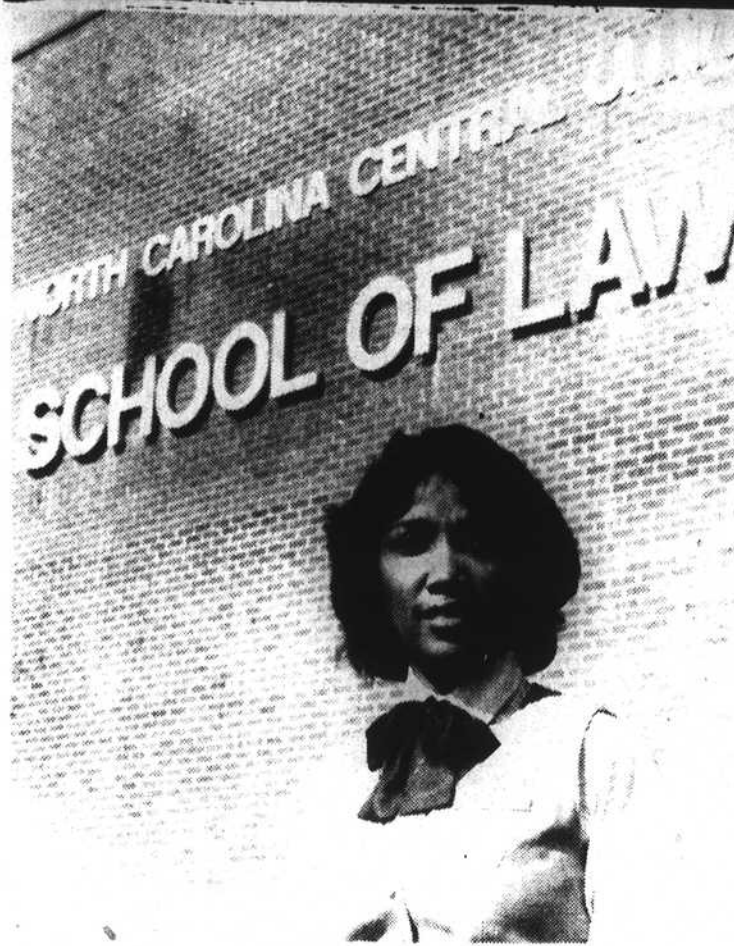
decrees." Even if this case had warranted the court's decision on the legislative immunity question, they wrote, Yonkers presents a peculiarity: "The city stresses its 'extraordinary' system of governance, in which the council exercises both legislative and executive powers."

So, the two justices said, it may be that the City Council was exercising its executive prerogatives, rather than legislative, when it did not comply with the consent decree.

Marshall and Brennan were outvoted by their seven judicial colleagues. No written opinion was issued, however, leaving Yonkers leaders to speculate over why the city's fines were not stayed and the councilmembers' were.

Yonkers Mayor Nicholas Wasicsko said the Supreme Court's action denied "political martyrdom" to the four defiant councilmen.

Had their penalties not been stayed, the four would have had to report to jail on Sunday.



MS. CATHRYN GARNER

Student-Stewardess Accomplishes Goals

Dean Louis Westerfield of the North Carolina Central University School of Law has been quoted as saying full-time work and full-time law school attendance don't mix well.

Cathryn Garner agrees with the dean. She says, "It isn't a good idea for most students."

Ms. Garner, however, worked full-time as a flight attendant for Piedmont Airlines during her three years as a law student. She received her juris doctor degree from NCCU in May, and was notified this month that she had passed the North Carolina Bar Examination.

Motivation was important, she says, and so was time management. "I am very good at managing my time."

She had to be good at managing her time. She was living and attending

law school in Durham, while flying out of Washington and then Baltimore on a weekend schedule with Piedmont. It was the weekend schedule that made her accomplishment possible, but she had no difficulty getting those assignments.

"We bid for our schedules on the basis of seniority, but nobody else wants to work weekends."

Typically, she attended classes from 9 a.m. to 4 p.m., Monday through Thursday, with her Friday classes ending around 1 p.m. The absence of afternoon classes on Friday made it possible for her to fly to Washington or Baltimore to begin her weekend of work.

During the week, she said, she started classes at 9, remaining at the law school until 4 p.m., in class or stu-

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NCSU Library Launches Series For New Authors

Award-winning young writer Kaye B. Gibbons of Raleigh has been named the first resident author under the recently created North Carolina State University Friends of the Library Author of the Year Program.

The program, thought to be unique among academic libraries, was announced by NCSU Director of Libraries Susan K. Nutter as part of the NCSU Libraries' celebration of their centennial year in 1989.

The Author of the Year Program is intended to assist a series of promising new authors, especially those associated with NCSU, in fostering their literary careers.

Gibbons, 27, is a native of Nash County. She attended NCSU and the University of North Carolina at Chapel Hill. While at NCSU, Gibbons worked at the NCSU Libraries' Technical Information Center.

She received international acclaim with her first novel, "Ellen Foster," published in 1987 by Algonquin Books of Chapel Hill.

In May the novel was awarded both the Sue Kaufman Prize for First Fiction by the American Academy and Institute of Arts and Letters and a

PEN/Hemingway First Novel Citation.

Earlier in the year, "Ellen Foster" reached No. 5 on the bestseller list in France. Recently, Paramount Pictures purchased the motion picture option for "Ellen Foster."

During their tenure as authors of the year, Gibbons and her successors will be able to use the Friends of the Library study carrel at D.H. Hill Library as well as other library resources. The resident author also will be included in the libraries' social functions.

In other events to celebrate the libraries' centennial year, NCSU Friends of the Library will sponsor its first program of evening talks by North Carolina authors, including Gibbons. Also, the Friends of the Library will hold its first book sale.

The NCSU Libraries plan to install an automated circulation system developed with the libraries of UNC-Chapel Hill and Duke University. Later in the centennial year, NCSU will dedicate both an 11-story addition to D.H. Hill Library and a new Natural Resources Library.

"Rameses The Great" Exhibition On Tour

BY TRITIA MCLAUGHLIN  
Special To THE CAROLINIAN  
Many of the artifacts from the "Rameses The Great: The Pharaoh and His Time" exhibition will arrive in Charlotte not as strangers to the city but as kindred spirits. Charlotte and Rameses' Egypt, 3,300 years and 4,200 miles apart, both grew to enjoy a high standard of living because of an element in their geological makeup—gold.

Legislators Set Hearing For Citizens

Legislators studying the state's rest homes would like to hear from citizens interested in patient care and the quality of life for residents of nursing and rest homes.

The Legislative Committee on Nursing Homes, Rest Homes and Ombudsman will hold a public hearing in Raleigh on Wednesday, Sept. 14, from 10 a.m. to 3 p.m. in Room 1228 of the State Legislative Building on Jones Street.

Any person wishing to address the committee is asked to contact John Young at 733-2578 or David Moser at 1-549-4551. Audience members may address the committee. All comments will be held to five minutes or less. Written

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It is most appropriate that Rameses the Great—the pharaoh who oversaw the greatest volume of gold ever extracted from Egyptian lands—should visit another gold capital on his North American tour.

Gold has long been a source of wealth and power. The use of gold in jewelry dates back 5,000 years, long before the pharaohs reigned. Organized, systematic panning of gold came under royal jurisdiction during Egypt's Old Kingdom period, more than 4,000 years ago.

Gold and royalty became synonymous. If an Egyptian found gold in the Nile or elsewhere, 10 percent of it by law belonged to the pharaoh. The amount of gold in the pharaoh's treasury determined the ruler's military strength, national security, religious fervor and social standing.

Rameses II's aggressive pursuit of gold and precious stones produced a nation whose wealth surpassed all others of that period. Rameses stressed gold production. He more fully exploited Nubian and Upper Egyptian gold deposits by implementing shaft mining. Systematic panning and shaft mining produced hundreds of pounds of gold annually. But resources at home were not enough for Rameses II. He and his armies went beyond Egypt's traditional

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Poverty Level Climbing For Blacks In U. S.

WASHINGTON, D.C. (AP)—Increasing poverty among blacks, but not whites, shows that the nation's economic recovery is not being evenly shared, the head of a private anti-poverty group said last week.

But an official of a conservative group challenged Census Bureau figures on the extent of black poverty. "It seems that this is a very uneven economic recovery. The gains are not being evenly shared... the gap between rich families and poor families is now wider in this country than at any point in the past 40 years," Robert Greenstein said on NBC's "Today" show.

Greenstein, head of the Center on Budget and Policy Priorities, commented in the wake of a new Census Bureau report showing that nearly one-third of all black Americans live in poverty.

Poverty among blacks climbed two percentage points to 33.1 percent last year, according to the Census Bureau's annual study of income and poverty released last Wednesday. That means that there were an estimated 9.86 million poor blacks in 1987, which was 700,000 more than a year earlier.

NAACP Moves To Block Segregated Classrooms

The U.S. Department of Justice, once the civil rights movement's staunch ally, is currently planning to eliminate 200 school desegregation orders in six Southern and Western states, according to an article in Black Enterprise.

The NAACP and the Legal Defense Fund have moved to block the effort, contending that the "closing out" of these orders could lead again to segregated classrooms.

Under the Reagan administration, the department that once served as the plaintiff in more than 500 school desegregation cases has reversed its position, and has not supported such mandatory school desegregation

remedies as rezoning, pairing, clustering, grade reorganization and busing.

Legal Defense Fund attorney Norman L. Chachkin helped prepare the case against lifting permanent injunctions against school districts. According to Chachkin, the Justice Department has argued that once a school system "implements an acceptable plan in good faith, all effects of the previous constitutional violation have been eliminated and the system becomes integrated."

But civil rights organizations believe lifting the injunctions will have a devastating effect on the ability

(See NAACP, P. 14)



REMEMBER VIETNAM—Vietnam veterans held a ceremony to remember the missing in action and prisoners of war at the Vietnam Memorial at the Capital Building. The ceremony was accompanied by a full Marine Honor Guard, and is held the first Saturday of each month to call attention to the MIAs and POWs from the State of North Carolina. (Photo by Talib Sabir-Calloway)



UNMET DUKAKIS PROMISES TO JESSE RACKING CAMPAIGN DRIVE?

WASHINGTON, D.C.—Democratic presidential nominee Michael Dukakis was on Capitol Hill last week challenging a reluctant GOP presidential candidate George Bush to debate campaign issues.

Fine. But some critical observers feel that the Massachusetts governor might better spend his time first shoring up his disjointed campaign team that seems uncertain about what issues he should tackle, how and where. And finally, what he intends to do about coming to grips with alleged promises he made to Jesse Jackson on that Monday morning at the start of the Democratic Convention.

This latter issue is sundering the effective operation of his campaign machinery, insiders say, and if Dukakis doesn't grab control and set the operation quickly back on course, his chances of winning the presidency in the November elections might be dim, indeed. Bush is maintaining a troubling lead in the polls.

Jesse Jackson himself signaled the serious disarray when he appeared on the David Brinkley show and told acting host Sam Donaldson that none of the promises elicited at his conven-

tion meeting with Dukakis had been kept, including the important one of placing a senior official of Jackson's choosing in a policy-making position on the Democratic National Committee.

With the November elections only weeks away, the most effective Democratic campaigner, Jackson, is not even being utilized! NNPA has learned confidentially that the Dukakis inner (white) circle doesn't want Jesse to campaign for the ticket, except in limited areas. They have restricted him from campaigning in Detroit, for example, capital of the state he won in a primary landslide. Lindy Boggs, in Louisiana, is fighting to return to Congress, and needs Jackson's support, but the Dukakis inner (white) circle doesn't want him in that state for fear of alienating the conservative white Democrats that have avidly supported Ronald Reagan for the past 7½ years! These are a few examples. There are more.

Some reports have reached NNPA that "Jesse has agreed to abide by these restrictions and everything, come a few weeks from now, is going to be okay." But some sources have told NNPA that Jesse Jackson "con-

(See ON THE HILL, P. 14)



STILL MARCHING—Members of the Ku Klux Klan marched through the streets of Raleigh Saturday and held a rally in front of the statue honoring the Confederate dead at the capital. (Photo by Talib Sabir-Calloway)

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