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More Bias Claims Dismissed By Judges U.S. Supreme Court Decision Sows Confusion

WASHINGTON, D.C. (AP)—Federal judges dismissed at least 96 discrimination claims since last June's Supreme Court decision narrowing the application of an 1866 civil rights law, according to a report released Sunday.

The NAACP Legal Defense and Educational Fund, Inc., surveyed lower federal court decisions since the Supreme Court held that employees could not sue under the Civil Rights Act of 1866 to press claims of racial harassment on the job.

The report concluded that the June 15 ruling has sown confusion among judges and lawyers, discouraging new litigation and hampering efforts to settle pending cases out of court.

The decision "has had very serious and regrettable consequences for the men and women who live with the intractable realities of racial

discrimination," the group said.

The 5-4 ruling by the Supreme Court said the 1866 law, known as Section 1981 of the federal code, was enacted by Congress to allow newly freed slaves to negotiate and enforce contracts.

The high court held that it prohibited discrimination in hiring but not racial harassment once a person was employed.

The Supreme Court upheld the dismissal of a suit filed under the law by Brenda Patterson, a credit-union teller who claimed she was subjected to racial slurs and denied wage in-

creases by her white employers because she is black.

Sen. Edward M. Kennedy, D-Mass., said the NAACP survey "demonstrates that serious loopholes exist in our civil rights laws. Legislation to repair the damage caused by (See BIAS CLAIMS, P. 2)

Known As "One-Eyed Joe"

Raleigh Police Identify Dead Man

Body Found In 400 Block Of E. Davie

Raleigh police have identified the body of a man found dead Thanksgiving Day in the 400 block of East Davie Street as Joseph C. Simms.

Simms, 58, was found lying on the ground near Bell's Grocery Store by a passerby. He had a head injury to the front of his face and head, according to police reports.

Police give Simms' address as 1130-B S. State St. and said it was not known whether the death was accidental or homicide, pending an autopsy.

Simms was known on the streets as "One-Eyed Joe" because of an injury that had left his left eye closed. It was also reported that Simms would sometimes spend the night at the Raleigh Rescue Mission.

Simms was born in Oxford, according to Mary E. Wilson, who lives at the address on State Street. His mother and sister live in Baltimore, Md. Simms had worked in Raleigh restaurants and had been a migrant worker.

In related events:
For many years, untold numbers of innocent people have become victims (See BODY, P. 2)



BOYCOTT—Students and residents continue to picket Crabtree Valley Mall for alleged unfair and unjust treatment by mall officials. Leaders and students organized the economic boycott after becoming incensed over statements from officials targeting African-American males as "unwanted" in the mall and requested elimination of bus service bringing blacks to the mall from Southeast Raleigh. (Photo by Talib Sabir-Calloway)

Luther, King Play Vital Role In Freedom Ringing In Eastern Bloc

BY DR. ALBERT JABS
An Analysis

The real story behind the changes in the Eastern Bloc countries of East Germany, Hungary, Poland, Bulgaria and the Baltic lands are tied into the church and the reforming messages of Martin Luther and Martin Luther King, Jr.

Syndicated writers Georgie Anne Beyer and Robert C. Maynard have already alluded to these factors, but they warrant additional commentary. History has proven that Marx, Lenin, and Stalin in their vision of what is to be done, and people do not count, have been superseded by the views of Luther and King who were convinced that people do make a difference, and that a moral and religious purpose is of vital significance in any reform movement.

The connection between Luther, King and the church is not

understood, underplayed, or simply dismissed out of hand. The simple truth of the matter is that all of these forces were factors behind the changes now occurring in Eastern Europe.

In 1519, Leipzig was the scene of some significant statements by the Great Reformer, Martin Luther. Not yet 40 years old, Luther was contending with the dominant, oppressive power of the church, and thus was a

principal agent in thinking about Christian liberty and the modern age.

King, not yet 40, was a modern reformer of society who knew the connection between where the church was and where it had to go. Both men could not have accomplished what they did without superlative tools of communication. The word would not have spread without the printing press in Luther's time, or television (See FREEDOM RING, P. 2)

Protecting Legal Rights

Robeson County: A Time For Justice

BY BOB MANGUM
Special To The CAROLINIAN
An Analysis

We're here today to draw attention to the assault on the constitutional rights of North Carolinians that is taking place in Robeson County.

There is a standardized procedure by which the courts in our state do business. Generally called "due process," it was formulated from constitutional mandates and put in place to ensure that every individual's rights would be protected and everyone would be treated fairly. Just as a manufacturing plant uses an established process to produce the finest products possible, so the court system uses an established process to produce its product—justice.

When the manufacturing plant, or the court system, takes shortcuts through the process or changes the process from day to day, the product suffers. Such is the case in Robeson County. Justice is suffering.

The business of the Rural Advancement Fund Justice Project is to look at "due process." We do not address the guilt or innocence of defendants, nor dispute the rights of victims. On the contrary, our efforts are aimed at ensuring that victims, taxpayers, and defendants receive the finest product the courts can produce—justice for all. Over the past five years we have spent hundreds of hours monitoring the courts, researching court records, and meeting with local and state court personnel and our legislators to help improve the substance and the image of criminal justice in Robeson County. We have helped effect such important additions as a public defender office, a Dispute Resolution Center, and a Human Relations Commission.

Our involvement in the courts has

helped some of our judges be more responsive to the real needs of the people and more open to modifying their methods to better address the problems of Robeson's court system. Our involvement in the organization of Concerned Citizens for Better Government helped clarify for the public the nature of the injustices in the court system and how the people could bring about change.

The renewed hope of the citizens in responsive government has resulted in more candidates running for office, more citizen participation in voting and speaking out on issues, and thus more racially balanced town coun-

cils, school boards, judicial bench and court system.

In recent months justice has taken a beating from Superior Court judges Robert Farmer and Beverly Lake as a result of their actions prohibiting properly qualified attorneys from participating with the public defender in the defense of an indigent defendant. The issues are of fundamental importance to the practice of law and the protection of basic legal rights. These issues, unfortunately, are masked by a case of considerable notoriety and are seen through the drama of past traumatic events rather than for their potential

impact on our basic rights. Eddie Hatcher is not the issue.

The issue is that Judge Farmer, ignoring a prior order of a judge of equal jurisdiction, said that attorneys willing to work pro bono (free) would not be permitted in any to associate with the public defender in the defense of a client. Since such association had already been approved by Judge Dexter Brooks, Judge Farmer's action was an insult to and a discount of Judge Brooks.

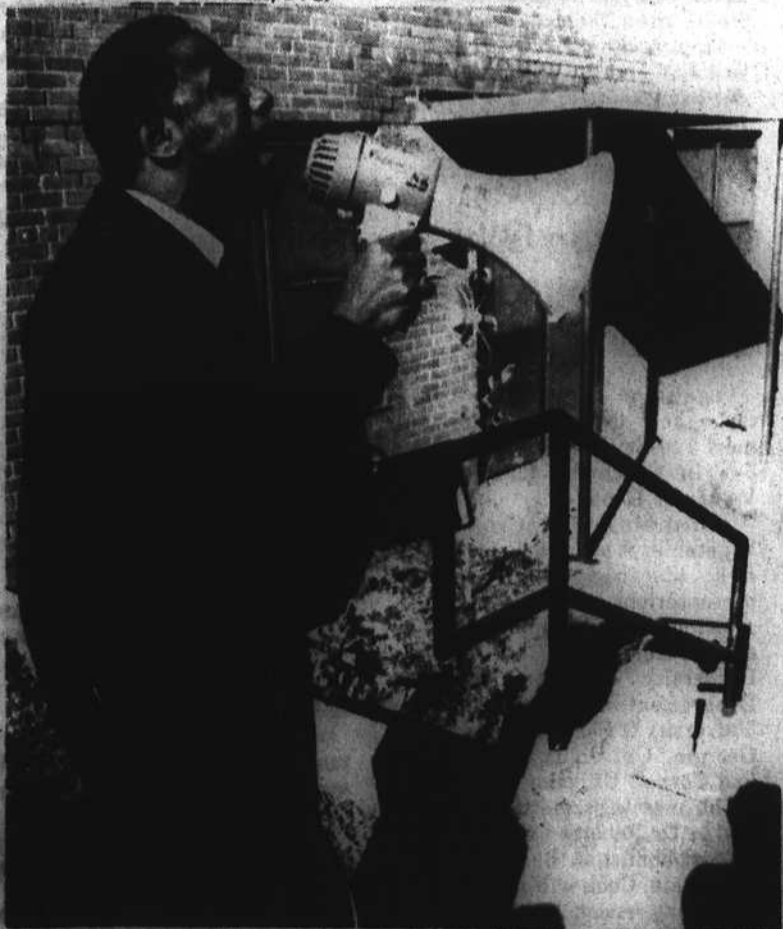
Accepted judicial practice dictates that one superior court judge may not overrule another. This practice is (See ROBESON JUSTICE, P. 2)

INSIDE AFRICA

WINDHOEK, Namibia—The streets of this capital city were transformed into a celebration ground. Cheers of victory, tears of joy and clinched-fist salutes to SWAPO were everywhere as Namibians declared an end to colonialism and the beginning of an independent nation.

At a news conference Nov. 16, SWAPO President Sam Nujoma affirmed that SWAPO would forge national reconciliation and coalition with other parties which will be part of the constituent assembly approved by 870,930 voters. SWAPO, comman-

(See INSIDE AFRICA, P. 2)



CRUSADING MUSTER—Dr. Frank Summerfield marched in Chavis Heights to call attention to the community drug problem and to present an alternative. Shouting "Jesus," Summerfield and his congregation walked throughout downtown Southeast Raleigh. (Photo by Talib Sabir-Calloway)

Former Football Opponent To Rally For Sheriff Baker

To mark his bid for a fourth term as Wake County sheriff, John H. Baker, Jr. has agreed to allow former football opponent Y.A. Tittle to speak at a dinner planned for Dec. 4.

Sheriff Baker ended Tittle's career 25 years ago in a sack so famous that it landed Tittle in *Life* magazine.

Tittle, who is now an insurance executive in San Francisco, has not been very active in local politics in his hometown, but knows enough about Sheriff Baker's background to understand that he has a reputation as sheriff of Wake County.

The fact that Tittle is a

Republican and Baker is a Democrat doesn't make much difference.

The dinner, titled "Kick off the '90s," will be held at the North Raleigh Hilton and will cost \$25 per person. Several Wake County business and political leaders are sponsoring the black-tie affair.

When Tittle was in the area recently, he commented to sports a sports columnist that he would be glad to help Baker run for reelection. Baker said that he was proud and happy that Tittle agreed to come and participate.

Baker was a defensive end for the Pittsburgh Steelers when he (See JOHN BAKER, P. 2)



JOHN H. BAKER, JR.