

# BENIGN NEGLECT BY THE SUPREME COURT

By Bayard Rustin

A recent Supreme Court decision may have temporarily marked an end to that institution's role as an instrument of civil rights progress and activism. In itself, the ruling is relatively unimportant, particularly when laid aside the momentous cases in which the court justifiably earned the reputation as a staunch and persistent defender of racial justice. It is significant, rather, as a symbol of the court's new conservative orientation on all social issues. And it is telling Black Americans that, for the foreseeable future, they must look elsewhere if the social and economic inequities of society are to be rectified.

The particular ruling to which I refer upheld the right of a private club to bar Negroes from its dining and drinking facilities. By implication, the court also said that such private organizations could legally discriminate on the basis of race in the selection of members.

It is not my intention to discuss at length the merits of this decision, although I disagree with it on both legal and moral grounds. But I am compelled to comment, however briefly on how such a ruling affects the whole concept of racial integration.

We are living in a time when many of the philosophies and ideals of the civil rights movement are being re-examined and when far too often both Black and White are willing to capitulate on the most essential ideal of full integration

Given this atmosphere, it is profoundly disturbing that the nation's highest court would legitimate discrimination with its stamp of approval.

Such a decision can only encourage young Blacks who have demanded separate dormitories, separate courses, and separate social facilities at many campuses.

On the other hand there are many Whites, including, I am certain, those who so self-righteously proclaim the right of their club to exclude Blacks, who are all too willing to advise us to put our house in order, moderate our extremists and enter the mainstream. I find such an attitude not only repugnant, but eminently hypocritical, particularly when held by the business and political elite of a community who so often comprise the membership of fraternal organizations.

This decision also, I fear, augurs what could well be an era of racial "benign neglect" on the part of the courts which could extend well into the future.

This is no cause for rejoicing, for the court has for the past three decades been the Black man's most reliable governmental ally. It was the court which responded to our specific needs when Congress and the President lacked the commitment to deal with the injustices which had become so deeply imbedded a part of our daily lives.

It was the court which, in a sense, inaugurated the civil rights era with the historic Brown decision. More recently, the court outlawed discrimination in the sale or rental of housing and provided an effective counter to the Nixon Administration's efforts to delay the integration of southern schools.

I do not wish to imply that the court has suddenly become an implement of racial reaction. Its members, including three of the four justices appointed by Richard Nixon, range from moderate to liberal on racial cases. The lone exception is Justice William Rehnquist, who once wrote that "we are no more committed to an integrated society than to a segregated society." It was, symbolically, Rehnquist who wrote the decision upholding discrimination on the part of private clubs.

There are many important cases pending before the court which could bear heavily on the future of Blacks and on the economic condition of all society's impoverished.

Given the new bent of the court, we must prepare ourselves for decisions on many of these cases which are contrary to the best interest of the economically deprived, of those who continue to suffer racial discrimination, and of humanity in general.

This does not mean that we need passively accept what might appear to be a slackening of our movement's progress. If, in truth, we

# FAIR WEATHER FRIENDS .. ?

"THE TAXPAYERS ARE IN REVOLT. MINORITY UPLIFT WILL JUST HAVE TO WAIT," STATED A NEW YORK LIBERAL POLITICIAN.



no longer can rely on the Supreme Court to redress the wrongs of our social environment, we must turn elsewhere for solutions. We must redouble our efforts at building political strength, both in and of itself and in alliance with other progressives, so that what we cannot accomplish in the courts we can win in Congress.

## St. James Summer Program

(Continued From Last Week)

The Madison School Program is being recommended to the child who has experienced difficulties in reading. The child will attend sessions of 1-1/2 hours in length, beginning Monday, June 19, and ending Friday, July 28. Two sessions are being offered: Session 1 will be from 8:00-9:30 a.m.; Session 2 from 9:45-11:15 a.m. The students will attend one session only. These students will then be offered the option of attending the summer recreation and Arts & Crafts program throughout the city, together with the directed and supervised City Recreation sites, including St. James Mini-Park.

### PHASE II.

### FREE SCHOOL IN READING AND CULTURAL ENRICHMENT

The Madison Summer School Reading Program will only take care of elementary students. Our Junior High and High School students are still finding difficulties in making good grades in the secondary school year. It is therefore planned that a special reading improvement program will be conducted at St. James Church in addition to the program at Madison School. This will be a completely free school, dealing with reading and cultural enrichment. This pilot program may be helpful to our Westside community in proving that a free school for reading and cultural enrichment can improve the chances of our youngsters doing well in the regular school year.

The beginning date and scheduled times for enrollment and classes will be announced within a week. For additional information, phone Father Franzinelli at 648-6606 or Mr. Donald Kirkland at 649-2108.

### WEEKEND FAMILY ENRICHMENT

Under the direction of Father Tom James, S.V.D., Father Mike Manning, S.V.D., Father John Oubre, S. V. V., and Father Joe Francis, S.V.D., in the months of June, July, and August, adult programs and conferences will be conducted covering the topics of marriage, quality education, and economics. Special conferences and activities for, and with, teenagers will be programmed for better understanding of the adolescent in the world they face.

### LITURGICAL PRAYER AND MUSIC

The ten-week program will emphasize liturgical music and prayer forms, as well as Country Western, Black Spiritual Songs, Classical, All-Time Favorite Religious Hymns of All Faiths, Current Show Hits, Modern Rock, and Patriotic. Grades will be given and special honors awarded to students based on their punctuality, regular attendance, effort and co-operation.

Parents will be asked to share in the expense of the program. Tapes and special booklets, together with various miscellaneous items, can be purchased if each family pays \$10.00 for enrollment. A secondary feature of such a minimal cost is the incentive to be more careful with the materials and the fact that parents tend to back up a program better when it is costing them money.

Guitar lessons will be available, also organ and piano lessons.

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