

Point of View

To Be Equal

FOR A STRONG CIVIL RIGHTS COMMISSION

by John E. Jacob

The President's attempt to fire half the members of the U.S. Civil Rights Commission has led to a new appreciation of the need for the Commission's work and of the need to insulate it from political pressure.

The controversy also comes at a time when legislation is pending in

dependence of a body that was created to be the nation's civil rights watchdog. It can fulfill that role only if its status as an independent body is respected.

In the past, Presidents have respected that independence, even though they must have been stung by the Commission's steady stream of reports showing that

unqualified that the Senate refused to confirm them.

Now he has avoided that mistake and nominated people whose credentials appear to qualify them for posts on the Com-



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mission. This was a wise tactical move, for it has muddled the issue.

Instead of focusing on the principle of the Commission's independence, the debate has subtly shifted to the

qualifications of the new appointees. Unfortunately, their individual qualifications cannot be separated from the context of their appointments. Confirming them would establish the practice and principle that Commission members can be hired and fired at will by the President. That would subvert the Commission's independence and damage its ability to serve the purpose for which it was created.

An unfortunate by-product of this is that many civil rights advocates find themselves opposing the nominations of individuals whose service in the cause of civil rights has been long and honorable.

One such appointee, Morris Abram, is a

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Congress to extend the life of the Commission. It is likely that the Civil Rights Commission will continue, but there is a danger that Congress might weaken its authority.

The issue in both cases - the firings and the Commission's extension - is preservation of the institutional in-

the nation and government departments were not always complying with the civil rights laws.

But President Reagan appointed a new chairman and vice chairman of the Commission last year. He also tried to replace the rest of the body, but his appointees were so obviously

THE STAKES IN CHICAGO

by Norman Hill

When Representative Harold Washington, a second-term Congressman from Chicago, surprised the nation by winning the Democratic Mayoral primary, many felt that Chicago had elected its first black mayor. After all, it has been a political fact of life in Chicago that capturing the Democratic nomination is tantamount to election.

Yet, despite Rep. Washington's decisive primary victory, racial polarization threatened to sunder the coalition of working class ethnics, blacks, and liberals who have dominated the city's political life.

Indeed, the election campaign led to an unfortunate display of racial animosity with a number of white Chicagoans engaging in irresponsible incidents of heckling against Harold Washington. As a result of the growth of racial polarization many

experts asserted that the Mayoral race between Washington and liberal Republican Bernard Epton would be a toss-up.

The unfortunate situation in Chicago was not a national trend. In fact, it stood in

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sharp contrast to the mayoral race in Philadelphia, where Wilson Good, a black, sought the Democratic nomination against former Mayor Frank Rizzo. In Philadelphia, no racial polarization emerged and Goode enjoyed a comfortable 20 percent lead in the public opinion polls.

What, then, were the factors responsible for the disturbing phenomenon of racial polarization in Chicago? In part the answer stems from the conduct of the primary campaign. Rep. Washington made a

decision to seek the nomination by appealing first of all to his most solid base - the city's black voters. He recognized that if blacks were registered in larger numbers than ever before, they would be

motivated to come out and vote for a fellow black in the primaries.

To mobilize the black vote, Washington's campaign appealed to ethnic pride, as have many candidates in the past whether they be Poles, Jews, Irish or Italians. The Washington forces even adopted the slogan "Now it's our turn." The strategy proved a spectacular success in the primary. Blacks voted in record numbers and aided Rep. Washington in his defeat of incumbent Mayor Jane Byrne and challenger Richard

Daley, Jr. Yet a strategy which spelled success in the Democratic primary paved the way to possible defeat in the general election.

In part, this was because Chicago is the most segregated city in the North. It is a city of a large number of self-contained ethnic enclaves. Italians live in Italian neighborhoods; Poles in Polish neighborhoods; Ukrainians in Ukrainian neighborhoods; the Irish in Irish neighborhoods; Hispanics in Hispanic section; and blacks in black neighborhoods. There is a strong degree of ethnic pride in the city. Yet along with it comes a certain degree of mutual suspicion.

In such a setting, Rep. Washington's campaign slogan promising blacks their "turn" was improperly perceived by many white ethnics as a battle cry for political disenfranchisement of

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PEOPLE, PLACES and POLITICS

By Joe Neal



We often think of prisons as a place where the bad people are kept locked up. Prisons are much more than this. They are, in many ways, reflections of society at-large.

I recall some years ago Attorney Charles Keller filed a suit to desegregate the Nevada State Prison System. The segregation of the prison system was brought about solely on the basis of the prison administration and the state government's perceptions concerning the mixing of the races. To a large extent, these perceptions still exist in the Nevada Prison System today. It is being handled on a more sophisticated level where it becomes difficult to discern.

It is a fact that over sixty percent of the Nevada Desert Correctional Center inmates are Black. But the same percentage is not reflected in the upper level management of that facility, where you have only one Black officer. Those Black individuals who are in a position to exercise some control and authority in the above facility, are being sued by white inmates. The white inmates were able to get access to certain files within the facility to make a case based on explanations of incidents which were written up by staff. How was it that the prisoners were allowed access to files of the prison? This question also raises another question: Do the prisoners also have access to the keys to the prison? I hope not. In charges which the prisoners filed with the Federal Court, they claimed that a certain prisoner was beaten by Clyde Johnson, one of the guards located at the above facility.

It was interesting to note how these charges were treated by the Las Vegas SUN in its editorial about two weeks ago. The SUN editorial virtually convicted Lt. Lovelle Gaines and Sgt. Clyde Johnson of violating the prisoners' civil rights without stating Gaines' and Johnsons' side of the issue. It would seem to me that the Las Vegas SUN editorial was misplaced. It sought to warn and at the same time, made a judgement, wittingly or unwittingly, on the seriousness of the charges which, in essence, elevated the prisoners' charges to a status that it should not have had, and that is mistreatment of the prisoners by Gaines and Johnson.

It is a cardinal rule within the prison system, that a guard or any other person in authority can use force equal to the force used by the prisoner to subdue him. There are two incidents which lead to the charges against the two above-named individuals. One is that a prisoner who belongs to a white supremacist group threw some bread on the floor and when asked to pick it up, he refused. This fellow was chased out of the dining hall and he went over to Gaines' office, where he picked up a garbage can and threw it against the window. He was handcuffed and taken to lockup. When this individual did not walk, he was dragged.

The other incident involved a prisoner, who was locked up and kept banging on the walls. When Clyde Johnson went to request that he stop the noise, the prisoner, as Johnson opened the door, gave him a hard shove in the chest and Johnson slugged. This is in essence what happened.

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