

Point of View

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United Church of Christ • Commission for Racial Justice

CIVIL RIGHTS JOURNAL

"JUDICIAL RACISM"

By Benjamin F. Chavis, Jr.

A million dollar study has now been released that documents the existence of racial injustice in the judicial system of the state of New York. It took three years to complete the research. This is another example of how pervasive the problem of "institutionalized racism" has become in America.

The New York study only exposes greater light on a problem that is real in every state. There is a double standard of justice, one based on race and the other based on income.

17 prominent legal authorities comprised the New York State Judicial system is "infested with racism." We take note of this confession and we know that all of the other states need to be just as candid and forthright as the New York Judicial Commission.

The report declared, "there are two justice systems at work in the courts of New York State, one for whites and a very different one for minorities and the poor."

Former U.S. Secretary of State, Cyrus R. Vance, who

served as a member of the N.Y. Judicial Commission lamented, "That's a terrible condemnation of our society."

Some of the findings of the report on the New York judiciary are the following:

(1) "Court officers are likelier to be openly hostile and socially biased than other court employees."

(2) "Minority lawyers encounter racial bias, including jokes and racial stereotyping by opposing counsel."

(3) "Members of minority groups are less likely than whites

to serve on juries and to receive favorable action from the courts and are less often represented by lawyers in housing and family courts."

Earlier this year the Washington, D.C. based Sentencing Project substantiated that the incarceration rate for African American males in the United States is higher than the incarceration rate of African males in racist South Africa. The findings of the New York study helps to provide clues as to why nearly a half million African Americans are behind bars today in the

United States.

Of course, the New York Court Officers Association was the first group to denounce the findings of the Commission. This group has profited from the racism of the court system. It has been another "good old boy" network which engenders and maintains white supremacist

values and views. But now the "sheets have been pulled off" of the court system. There is now an opportunity to redress this grievous situation.

The courts, like this society, are not color blind. But our demands for equal justice must persist.

No Justice! No Peace!

TO BE EQUAL

RACE AND THE JUSTICE SYSTEM

By John E. Jacob

A blue-ribbon commission appointed by the Chief Judge of New York's state courts just concluded a three-year study of the court system, publishing a massive five volume, 2,000 page report.

Its conclusion: "there are two justice systems at work in the courts of New York State, one of whites and a very different one for minorities and the poor."

That's a disturbing finding, but not one that should surprise anyone.

After all, the report was released on the heels of a Supreme Court decision that barred race-based challenges to jurors in civil cases, something long banned as unconstitutional in criminal cases.

That widespread practice



JOHN E. JACOB

deprived many blacks of their rights to jury service and equal justice.

And the New York finding should not be read as narrowly referring just to one state's criminal justice system, because similar commissions in the other 49 states and the District of Columbia would come to the same conclusion.

In fact, at least eleven other states have such commissions at work studying their own states'

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POLITICAL POINTS

By Assemblyman Wendell P. Williams



Political Philosophy Should Be Deciding Factor In Thurgood Marshall Replacement

Thurgood Marshall's political philosophy was one to dedicate his life to the defense of the "little man." This was based on his relentless belief that the United States Constitution was designed for the least as well as the greatest Americans.

Marshall developed this philosophy after graduating from Howard University in 1933, with honors. Returning now to his hometown, Baltimore, Maryland, Marshall worked as a lawyer representing basically poor unemployed and low wage earners. His clients were in almost all occasions victims of legally discriminatory tactics, and police brutality. Soon around the Baltimore communities, Marshall became honorably known as the "little man's lawyer."

The important thing to note about the political philosophy of Thurgood Marshall is that it was developed and activated before his appointment to the

Supreme Court of the United States on October 2, 1967. President Lyden B. Johnson made the appointment of Marshall making him the first African American appointed to the country's highest court. It is for that very reason that President George Bush should now translate the "Marshall Political Philosophy" through his next appointment. The court must not for the sake of the constitution abandon the presence of viewpoint that is the conscience of the least of these. If he does not, we as a nation can throw the constitution out the window. Because only through the inclusion of all views that we successfully build for the good of all of America, and not just the select few.

Another unescapable political factor in this issue is ethnicity. The political reality is that George Bush will be running for re-election in a few months, his nomination on last Monday was

not surprising in the aspect that he gave the nod to an African American. He clearly does not want to risk detouring the respectable number of votes he received in his last run for the White House.

Now is the time to remind ourselves that just because an official of government is a man or woman of color, it does not always guarantee a conscience that dedicates itself to the "Marshall Philosophy." Therefore we must be alert to the fact that there is a longer picture than just the fact that someone is of color. It is the color and the flavor of the inside that is crucial. Don't fall for George Bush's political posturing on this nomination to replace Marshall.

This is in no way to suggest on my part, that Bush nominee, Judge Clarence Thomas is not a good choice. But if he demonstrates upon serving on the court that he disregards the need to battle to make America what it



Assemblyman Wendell P. Williams

ought to be, then his acceptance to replace Thurgood Marshall should be a felony.

We should make a concerted effort to view and discuss the upcoming nomination hearings that will be telecasted on various TV stations. It will not only be American as well as African-American history in the making, but it will also serve as an outstanding course in politics.

Finally, when President Johnson announced the nomination of Marshall on June 13, 1967, Johnson said of Marshall, "I believe he has already earned his place in history. But I think it will be greatly enhanced by his service on the court; it is the right thing to do, the right time to do it, the right man, and the right place."

By the way, Happy Birthday Thurgood. His birthday was July 2nd, born 1908.

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