

Lighting The Road To Freedom

New Orleans

Data

News Weekly

"The People's Paper"

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January 14, 2005

40th Year

Volume 35

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Celebrating The King Holiday



“We must work unceasingly to uplift this nation that we love to a higher destiny, to a higher plateau of compassion, to a more noble expression of humanness”

-Dr Martin Luther King

Each year on the third Monday of January, schools, federal offices, post office and banks across America close as we celebrate *the birth, the life and the dream* of Dr. Martin Luther King, Jr. It is a time for the nation to remember the injustices that Dr. King fought. A time to remember his fight for the freedom, equality, and dignity of all races and peoples. A time to remember the message of change through nonviolence.

Just as the theme of this page states: “Remember, Celebrate, Act! A Day On, Not A Day Off!” Although many people see this, and other holidays as “a day without home work,” or “a day to hang out with friends,” it is much more than that; it is the celebration of equality, the celebration of freedom, and the celebration of a wonderful, wonderful man!

There is no more fitting description for this day, than on The King Center in Atlanta, a wonderful organization that was established in



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1968 by Mrs. Coretta Scott King as a living memorial dedicated to preserving the legacy of her husband, Dr. Martin Luther King, Jr. and promoting the elimination of poverty, racism and war through research, education and training in King's principle of nonviolence. It goes as follows:

The national holiday honoring Dr. King is an occasion for joy and celebration for his life and his work toward nonviolent social change in America and the world. Traditionally, we celebrate holidays with parties, family picnics, fireworks, a trip back home or to the seashore. However, we must also be mindful that this is a special holiday - one

of the House assigned the bill to a committee where the bill was discussed in detail. Meetings were held where supporters and those in opposition could discuss their positions. The committee then agreed that bill should be sent to a vote. The Rules Committee scheduled a debate on the issue. The House of Representatives then voted on the bill. It passed the House with a vote of 338 to 90. Then it was sent to the Senate

Again the issue of the King Holiday had to pass through committees and public hearings before a final vote was taken

There were many who opposed the idea of holiday for Dr. King. America had only honored two



which symbolizes our nation's commitment to peace through justice; to universal brother- and sisterhood; and to the noblest ideal of all: a democratic society based on the principles of freedom, justice and equality for all people. Whether you celebrate Dr. King's birthday on January 15th or during Black History Month, the holiday is an occasion for thanksgiving, unselfishness, and rededicating ourselves to the causes for which he stood and for which he died.

We encourage you to use this occasion as an opportunity to enlist your community in helping us to establish a lasting, living monument for honoring Martin Luther King, Jr. The King Center, the official national and international memorial dedicated to Dr. King, invites you to join us and thousands of people all over the world in creating a permanent endowment for carrying on his unfinished work. Your "birthday gift" to assist The King Center in this endeavor will assure that Dr. King's memory lives on from generation to generation.

The History of Martin Luther King Day

15 years after Dr. King's death President Ronald Reagan signed a bill into law making the third Monday of January a national holiday celebrating the birth and life of Dr. Martin Luther King, Jr. But it was a tough time getting the bill passed.

First a bill had to be introduced by a member of the House of Representatives. The Speaker

of the House assigned the bill to a committee where the bill was discussed in detail. Meetings were held where supporters and those in opposition could discuss their positions. The committee then agreed that bill should be sent to a vote. The Rules Committee scheduled a debate on the issue. The House of Representatives then voted on the bill. It passed the House with a vote of 338 to 90. Then it was sent to the Senate

Again the issue of the King Holiday had to pass through committees and public hearings before a final vote was taken

There were many who opposed the idea of holiday for Dr. King. America had only honored two individuals with national holidays - George Washington and Christopher Columbus. Many felt that there were other Americans that deserved a national holiday, such as Abraham Lincoln and John F. Kennedy

One barrier to the confirmation was the Senator from Georgia who had denounced Dr. King as a communist. Others feared the King Holiday was meant as a way to make up to African-Americans for slavery. Some feared the cost of the holiday, with the extra overtime paid to federal workers who had to work on the holiday as well as millions to those federal employees who were paid for the day off.

Senator Bob Dole pointed out to those critics "I suggest they hurry back to their pocket calculators and estimate the cost of 300 years of slavery, followed by a century or more of economic, political and social exclusion and discrimination"

It took many years for Congress to decide to celebrate the holiday. In the years leading up to the official decree many African-Americans celebrated the birthday themselves with a few states declaring King's birthday a state holiday. The bill was finally passed by both the House of Representatives and the Senate and was signed into law on November 2, 1983.

The first national celebration of the Dr. Martin Luther King, Jr. holiday took place January 20, 1986. This year the King Holiday will be celebrated on Monday, January 16, 2006.

When we ask Negroes to abide by the law, let us also declare that the white man does not abide by law in the ghettos. Day in and day out he violates welfare laws to deprive the poor of their meager allotments; he flagrantly violates building codes and regulations; his police make a mockery of law; he violates laws on equal employment and education and the provisions of civil services. The slums are the handiwork of a vicious system of the white society; Negroes live in them, but they do not make them, any more than a prisoner makes a prison.

Martin Luther King, Jr., *The Trumpet of Conscience*, 1967.

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STATE & LOCAL NEWS

Members of the New Orleans City Council rejects Recovery Plan

NEW ORLEANS, LA , Keith Brannon, The Biz Network — A committee of the mayor's Bring New Orleans Back Commission this afternoon released a sweeping roadmap for rebuilding and redeveloping the city in the wake of Hurricane Katrina.

The Urban Planning Committee's report calls for individual neighborhoods in heavily flooded areas to come up with a recovery plan within six months or risk being consolidated or bought out by a separate entity in charge of overseeing federal and regional reconstruction efforts.

The report — which drew condemnation from four city council members just prior to its release — is a political hot potato because it is based on the assumption that the city must shrink its footprint as it redevelops.

"This report is controversial. It pushes the envelope," said Mayor Ray Nagin. "This is a process, this is a journey. None of us want us to be in this particular place, but

Katrina has forced us to take a good hard look at what we need to do to rebuild our city. The realities are that we will have limited resources to redevelop our city."

The report envisions a city protected by stronger levees, built to Category Five-storm protection, with pumping systems placed at the lake and floodgates that prevent storm surge from entering the city. It also calls for a light rail system throughout the city that connects to feeder lines extending all the way to Baton Rouge and the north shore. The report assumes the federal government would pay for the bulk of these initiatives. Planners estimate infrastructure projects, which would include the light rail system, would cost \$4.8 billion.

The committee supports the Urban Land Institute's idea to create a Crescent City Redevelopment Corporation that would have the authority to buy out homeowners in flooded areas using federal money. The CCRC would pay homeowners 100 percent of pre-Katrina

market value, less mortgage and insurance, using funds allocated through legislation similar to the Baker Bill, which is pending a vote in Congress. The program would cost as much as \$12 billion, according to the plan.

It also calls for a quasi-governmental agency called the Crescent City Rebuilding Authority that would manage redevelopment and implement the full redevelopment plan.

But the most controversial aspect of the plan is the idea that some neighborhoods will return and others won't.

The plan divides areas that flooded into districts where neighborhoods must organize to decide whether there are enough people committed to returning to rebuild. This citizen-planning process would begin Jan. 20, with neighborhoods expected to submit their redevelopment strategies by May 20. The report recommends future investment only in neighborhoods deemed sustainable. Sustainability would be defined as an area with

between 5,000 and 10,000 previous residents, where greater than 50 percent of the residents commit to returning. All the individual neighborhood plans would be consolidated into a citywide rebuilding strategy that would be finalized by June 20.

Members of the New Orleans City Council rejected the idea that some areas would not be allowed to come back.

"This is very wrong. It is wrong because we as a city or state or federal government have not given the people all the answers they need before they can make the decision if they are coming home. Now we are going to put them on a time schedule?" said Councilwoman Jacqueline Clarkson, whose district received the least amount of flooding.

"We as a united City Council will not accept a strategy or a vision of limitation, but we will work for full restoration for inclusion and respect of all of our citizens and their right to return and rebuild," said Cynthia Willard Lewis.

The plan estimates that roughly 144,000 people have returned to the city of New Orleans since Katrina; about 181,000 are expected to live in the city by September. However, the city will still be half its pre-Katrina size by September 2008, according to planner projections.

"Our community has changed forever," said Bring New Orleans Back Commission Co-Chairman Mel Lagarde.

The plan calls for several short-term steps in the rebuilding process. The first is for Federal Emergency management Agency officials to release new flood maps within 30 days so residents know how high to rebuild. The committee also asked the city of New Orleans to immediately stop issuing building permits in flooded areas of the city until neighborhood redevelopment plans are in place. It also calls for the closing of the MR-GO channel and the creation of both the CCRC and CCRA.

Governor Blanco Faces Recall Effort

A Republican who says she has never worked on a political campaign filed documents Tuesday launching a drive to oust Gov. Kathleen Blanco, who was harshly criticized for her response to hurricanes Katrina and Rita.

Kat Landry, who filed a recall petition with state elections officials, said Louisiana needs new leadership to recover from the storms' back-to-back blows.

"What we have seen in the past few months is a lack of leadership, a lack of communication, a lack of understanding of how to get things done," Landry said.

In Louisiana, getting a recall on the ballot requires petition signatures from at least one-third of the state's registered voters, or about 900,000 people, in 180 days,

according to Jennifer Marusak of the secretary of state's office.

The 180-day period for gathering signatures began Tuesday, when the petition was filed, Marusak said.

If the proper signatures are gathered, a majority of voters in a recall election would have to vote to get rid of Blanco, a Democrat, before she would be forced out of office.

Landry said she's received a tremendous amount of traffic on a recall Web site she set up, and noted 676,000 people voted against Blanco for governor in the first place. Blanco was elected in 2003 with 52 percent of the vote; the number cited by Landry was the total who voted for her opponent, Bobby Jindal.

ACORN Blasts Four-Month Deadline and Building Moratorium for New Orleans Neighborhoods

New Orleans, LA — Representatives of Louisiana ACORN and the ACORN Katrina Survivors Association today strongly condemned the four-month deadline for residents of low and moderate income communities to prove the "viability" of their New Orleans neighborhoods included in Mayor Ray Nagin's rebuilding commission report. In particular, recommendations for both a short deadline for the residents and a moratorium on building permits in their neighborhoods angered New Orleans residents in and out of the city, who have been organizing for months for "the right to return."

"So to save our neighborhoods, we have to come back in four

months; but in that time we can't rebuild—what sense does that make?" said Dorothy Stukes, spokesperson for the Survivors Association, speaking from Houston. "With the way insurance is treating people, and all the ways that people are still trying to recover from losing everything, four months is too little anyway. They are just changing the rules around to justify a land grab."

While the commission's plan recognizes the need for substantial federal funds for rebuilding, the emphasis on funds—including CDGB money—for transferring property from homeowners to developers, raises questions for community members who still see a lack of action on clean-up and basic services.

"Of course people want to return and rebuild—and they need some basic help to do that. ACORN's own Home Clean-out Program is out there everyday cleaning and stabilizing homes—helping the community take the first steps toward rebuilding," said Louisiana ACORN member Tanya Harris. "We need a government plan that assures people there is a commitment to rebuild, not a set-up for our communities to fail."

"Why does the plan put all the responsibility for making a neighborhood 'viable' on the people who have most gravely affected by the hurricane?" Harris added. "Where is the guarantee of the basics that enable rebuilding, like a safe levee system, utilities, schools, and help to rebuild?"

NEWSMAKER

King Center Sold to the Federal Government?

By. David Stokes
Special to the NNPA from the
Atlanta Inquirer

ATLANTA (NNPA) – As the nation prepares to celebrate the birthday of Dr. Martin Luther King, Jr. next week, new leadership and a more prominent role by a federal agency has taken place toward “the living institution and memorial to promote (King’s) ideals of nonviolence.” In late September, King’s nephew, Isaac N. Farris, assumed leadership of The King Center as president and chief executive officer following a board of directors election. Farris succeeded Martin Luther King 3rd, the eldest son of the civil rights leader and Coretta Scott King. Additionally, according to sources familiar with the scenario, King Center directors moved to choose the federal government to take over the property and general maintenance and upkeep of the 449 Auburn Avenue location, to take effect early next year, after revelations were discovered last year of ongoing financial struggles endured to sustain the 30-year-old edifice with regular city and state code regulations. “We’ve been talking about it for a long time,” indicated former U.N. Ambassador Andrew Young, a King Center director who labored with Dr. King during the 1960s civil rights movement. “While the National Park Service will take care of maintenance costs and the property, the board and the family will continue to control the center’s programs and missions.” He said the deal



is comparable to the government maintaining Atlanta’s Carter Center and the John F. Kennedy Presidential Library in Boston. Young, now 73 and chairman of Goodworks International, was an executive director of the Southern Christian Leadership Conference (SCLC) during King’s reign as founding president. SCLC was founded by King, Rev. Ralph David Abernathy, Rev. Joseph E. Lowery and other clergy in 1957. Local National Park Service (NPS) or Department of Interior officials were not immediately available for comment. The agreement, nevertheless, will have The King Center’s property deeded to the U.S. government, yet, allow the King family to maintain control of center initiatives. In a December press statement announcing the new center official, Farris said that at a board meeting last month, “the Center has authorized the exploration

of options surrounding the transfer of property of The King Center, including Dr. King’s birth home. The transfer would relieve The King Center of the economic burdens ...and enable the Center to focus on enhanced program(s) development.” Other King Center board members include Christine King Farris, mother of Farris and eldest sibling of King, Jr.; Edythe S. Bagley, sister of Mrs. King, and Dexter Scott King, chairman of the board of directors. Pertaining to Farris as King 3rd’s successor, “the Center’s board election of Isaac Newton Farris as president and chief executive officer will strengthen our capacity to act more effectively. Isaac brings an insightful understanding of my father’s teachings, combined with knowledge of The King Center’s history and a vision for its unique potential. We expect significant progress in the

Center’s development under his leadership,” the board chairman said in the press statement. Also in the press release, chairman King stated, “(King 3rd) remains an active member of the Center’s board, and has elected to reduce his workload to devote more time and energy to assist in the rehabilitation of our founder, Coretta Scott King.” Mrs. King, after a stroke that left her temporarily incapacitated last August, continues to progress

with daily physical therapy. Two months ago, the 78-year-old mother of four attended a local birthday celebration for eldest daughter, Yolanda, now 50. Farris was unreachable at late press time to expound on “exploration of options.” However, he said earlier: “I’m grateful for the confidence our chairman and board have placed in me. I look forward to working with the Center’s staff in making the 2006 observance of my uncle’s birthday a great success, and a wonderful celebration of the 20th anniversary of the federal holiday in his honor.” King’s national birthday celebration was signed into law by President Ronald Reagan in 1986. Scheduled King Holiday celebration activities include a Youth Teach-In, Gospel Concert, a Human Rights Forum and the annual March and Rally in downtown Atlanta, on Monday, Jan. 17th – all sponsored by the Martin Luther King, Jr. March Committee. Further information can be received by calling (404) 584-0303. Dr. King, a native of Atlanta was born on Jan. 15th, and would have been 76 years old.

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Lou Rawls Passes Away At 72

Lou Rawls, whose mellifluous baritone was featured on hits ranging from his own "You'll Never Find Another Love Like Mine" to Sam Cooke's "Bring It on Home to Me," has died. He was 72.

Rawls died Friday morning at Cedars-Sinai Medical Center in Los Angeles, California, where he was hospitalized last month for treatment of lung and brain cancer. Rawls was diagnosed with lung cancer in December 2004 and brain cancer in May 2005.

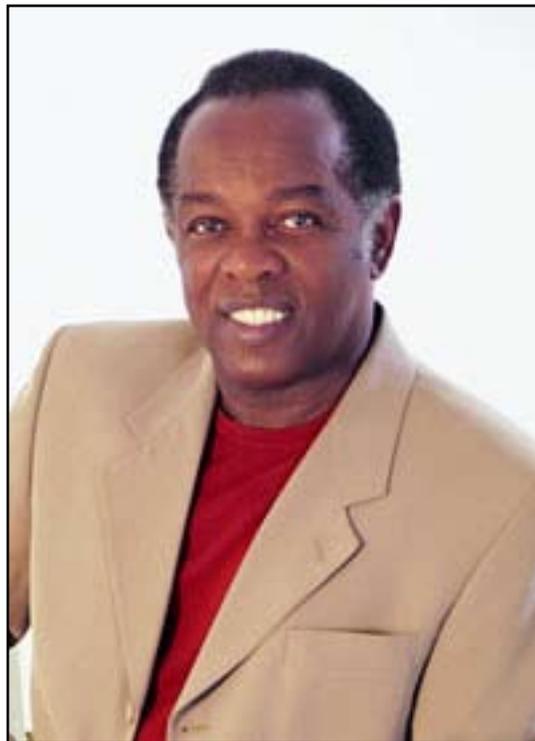
His voice is as distinctive and instantly recognizable as any in music. From his early days in gospel to his collaborations with Sam Cooke; from the Dick

Clark Show at the Hollywood Bowl in 1959 to the opening for The Beatles in 1962 at Crosley Field in Cincinnati; from his monologues in the Seventies that presaged rap music to becoming a "crossover" artist before the term was invented, there has been one constant in Lou Rawls' career—a voice that one critic has called "sweet as sugar, soft as velvet, strong as steel, smooth as butter."

In his 40-some years as a recording artist, spanning an astonishing 60-plus albums, three Grammy wins, 13 Grammy nominations, one platinum album, five gold albums and a gold single, Rawls has epitomized the ultimate

song stylist. "I've gone the full spectrum—from gospel to blues to jazz to soul to pop—and the public has accepted what I've done through it all. I think it means I've been doing something right at the right time." Not surprisingly, he began singing gospel. Raised on the South Side of Chicago by his grandmother, he was a member of his Baptist church choir when he was seven. As a teenager, his horizons expanded with trips to the Regal Theatre to see Billy Eckstine, Arthur Prysock and Joe Williams. "I loved the way they could lift the spirit of the audience," he remembers. Influenced too by doo-wop, he'd harmonize with high school classmate Cooke, and they joined groups such as the Teenage Kings Of Harmony.

In the Fifties, Rawls ventured to Los Angeles and was recruited for the Chosen Gospel Singers, with whom he was first heard on record. He then moved on the The Pilgrim Travelers before enlisting in 1955 as a paratrooper in the Army's 82nd Airborne Division, the All Americans. Three years later, Sergeant Rawls left the service and rejoined the Travelers. It was during a tour of the South with Cooke and the Travelers that a serious car accident nearly ended his career and his life. One passenger was killed, Cooke was slightly injured and Rawls was pronounced dead on the way to the hospital. Though he slipped into a coma for five-and-a-half days, suffered memory loss, and wasn't completely recovered for a year, he survived. "I really got a new life out of that," he says. "I saw a lot of reasons to live. I began to learn acceptance, direction, understanding and perception—all elements that had been sadly lacking in my life. I might have lived long enough to learn all this in the long haul, but I would have been just another soul taking up time and space for a long spell before I learned." Playing small R&B, pop and soul clubs in LA, Rawls was performing at Pandora's Box Coffee Shop for \$10 a night plus pizza in late 1959 when Nick Venet, a producer at Capitol, was so impressed with his four-octave range that he invited him to make



relevance that transcended trendiness, balked. "A lyric has to mean something to me, something that has happened to me. I try to look for songs people can relate to because I know the man on the corner waiting for the bus has to hear it and say, 'Yeah that's right.'"

So, in 1975, while other artists succumbed to the beat, Rawls moved to Philadelphia International, the mecca of producers/songwriters Kenny Gamble and Leon Huff, and their renowned Philly sound. His integrity was rewarded the next year when You'll Never Find (Another Love Like Mine) became his biggest hit. The next year he took home his third Grammy,

an audition tape. He did, and Rawls was signed to Capitol. I'd Rather Drink Muddy Water, his 1962 solo debut album, became the first of more than 20 albums on that label in only a decade. It was Love Is A Hurtin' Thing in 1966 which shot Rawls to the top. It was also twice Grammy-nominated, for both Best R&B Recording and Best R&B Solo Vocal Performance. During this period, he began his hip monologues about life and love on World of Trouble and Tobacco Road, each more than seven minutes long. Called "pre-rap" by some, for Rawls they grew out of necessity. "I was working in little joints where the stage would be behind the bar. So you were standing right over the cash register and the crushed ice machine. You'd be swinging and the waitress would yell, 'I want 12 beers and four martinis!' And then the dude would put the ice in the crusher. There had to be a way to get the attention of the people. So instead of just starting in singing, I would just start in talking the song." His "raps" were so popular that 1967's Dead End Street won him his first Grammy for Best R&B Vocal Performance.

In 1971 Rawls' popularity could be measured by the fact that he won the Downbeat magazine poll for favorite male vocalist, besting perennial champ Frank Sinatra, who has praised Rawls for having "the classiest singing and silkiest chops in the singing game." The Seventies began with a second Grammy win for Natural Man. But then came disco and Rawls, a symbol of quality and a

Best R&B Vocal Performance, for Unmistakably Lou. In 1976, Rawls became the corporate spokesman for Anheuser Busch, the world's largest brewery, which led in 1980 to that company's sponsorship of two events which have continued to this day. One was a series of concerts for American military personnel on bases around the world. The other was a telethon whose proceeds, now more than \$200 million, are donated to the United Negro College Fund.

Epitomizing cool, class and soul, his humanitarian efforts have won him more than honors, more even than a street named after him in Chicago, where South Wentworth Avenue is now Lou Rawls Drive. His work for the UNCF has been the joy of a man who never went to college but has since been awarded numerous honorary doctorates. "I remember a woman came up to me once and said, 'Thank you. You made my grandson the first college grad in our family.' That makes it all worth it." Recently the accolades for Rawls have continued to mount up. In August of 2004, Wilberforce University presented Lou with an honorary doctorate for his "life-long service to the education of historically disadvantaged populations." The University is the nation's oldest historically black college or university. A month later, he was honored with an Outstanding Career Achievement Award at the tenth annual *continued next page.*

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MLK 'Realizing the Dream' Concert at Univ. of Alabama Presents Marlon Jordan Quintet and Stephanie Jordan

TUSCALOOSA, Ala. – The Marlon Jordan Quintet with soloist Stephanie Jordan will highlight the 17th annual Martin Luther King Jr. "Realizing the Dream" concert at The University of Alabama's Moody Music Concert Hall, Saturday, Jan. 14 at 7:30 p.m.

Tickets for the performance are \$15 and will go on sale Monday, Jan. 9 at the Moody Music Concert Hall box office. For ticket information or a credit card purchase, call the box office at 205/348-7111.

An accomplished classical musician, Marlon Jordan has performed solo with the New Orleans Symphony Orchestra. His latest CD, "You Don't Know What Love Is," has been described as classic jazz. He and his quintet have shared the stage with Wynton Marsalis, Miles Davis and George Benson. They also played in some of the country's top jazz clubs, including the Blue Note and the Ritz, as well as in concerts ranging from New York's Avery Fisher Hall to Binghamton University.

Stephanie Jordan is the fifth performer to emerge from a family of New Orleans-bred musicians. She appeared at the opening of the Schomburg Center of the New York Public Library, Langston Hughes Auditorium in New York City, performed at the New

Continued page 8.

Low Rawls, from page 6.

Temecula Valley International Film & Music Festival acknowledging his "talent, body of work and contributions to the entertainment industry." Then, that Fall, Lou received a highly prestigious honor, not often accorded to a living performer, of having a building erected in his name when, on October 29, 2004, Florida Memorial College in Miami dedicated and opened The Lou Rawls Center For The Performing Arts. Sinatra once said about the two of them that they were saloon singers-voices that's all, reaching into hearts and souls. Throughout the years, Rawls has stayed true to his voice. "People may not know what I'm doing," he says of his changing styles, "but they know it's me." In the end, that's the only way to truly describe that voice-Lou Rawls.



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Continued from page 7.

Orleans Jazz and Heritage Festival and the Marciac Jazz Festival in France. She has shared a billing with the Count Basie Orchestra at Jazz Aspen in Colorado and has appeared with the New Orleans

Ladies of Jazz and at Adagio's Jazz Club in Savannah, Ga.

Both Stephanie and Marlon Jordan are featured on the CD, "Higher Ground," a fund-raising tool to benefit the musicians and musicindustry-related enterprises

impacted by Hurricane Katrina and to provide other general hurricane relief.

Local participants in the program will include students from Stillman College, Shelton State Community College,

UA and the Tuscaloosa area schools. About 50 students from the Tuscaloosa City Schools' middle school honors choirs will perform two selections during the concert.

"Hurricane Katrina impacted all of our lives and raised issues of race and class struggles," said Dr Samory T. Pruitt, UA vice president for community affairs. "As a committee, we selected New Orleans jazz musicians and social commentary of Dr. King that would reflect and reiterate the relevance of King's work and his philosophies. His messages and ideas are still living today. We will invite the New Orleans natives who are now residing in the Tuscaloosa area due to the effects of Hurricane Katrina to attend this New Orleans-inspired concert."

The annual "Realizing the Dream" event, sponsored by UA,



Stillman and Shelton State, serves as a lasting tribute to the life and memory of Martin Luther King Jr. by presenting some of America's best-known performers from the stage, screen and recording studio. Past performers have included Yolanda Adams, Al Green, Ossie Davis, Sidney Poitier, Roberta Flack, Harry Belafonte, Cicely Tyson, Take 6 and Tonea Stewart.

Contact: Deidre Stalnaker, UA Media Relations, 205/348-3782 dstalnaker@ur.ua.edu

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Sweet Lorraine's Jazz Club has re-opened

Paul Sylvester, owner of Sweet Lorraine's Jazz Club in New Orleans invites you to join them in celebrating the birthday of Julius Kimbrough's, this Saturday, January 14, 2006 at 8:00 pm.

Sweet Lorraine's Jazz Club is located in New Orleans just on the edge of the French Quarters.

Sweet Lorraine's Jazz Club has been featured in both ESSENCE and Travel & Leisure Magazine. USA Today noted Sweet Lorraine's Jazz Club as one of the Top 10 Jazz Clubs in the country.

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OPINION

Judge Alito's Civil Wrongs Record



George E. Curry
NNPA Columnist

As the Senate Judiciary Committee examines the fitness of U.S. Appeals Court Judge Samuel A. Alito Jr. to replace Sandra Day O'Connor on the Supreme Court, it would be easy to presume that civil rights groups are opposing Alito's nomination simply because he is a conservative. However, a careful reading of special reports compiled by the NAACP Legal Defense and Educational Fund (LDF), the Leadership Conference on Civil Rights (LCCR) and the Alliance for Justice shows that they have legitimate concerns about Alito's staunch opposition to civil rights and his eagerness to limit the power Congress has to remedy racial discrimination. "Judge Alito's 1985 application to be the Reagan administration's Deputy Assistant Attorney General in the Office of Legal Counsel reveals the beginnings of his ideology and subsequent judicial philosophy," the LCCR report observes. "In that

application, he strongly embraces the conservative ideology of the Reagan administration, singling out his work to restrict affirmative action and limit the remedies available to victims of discrimination as areas that he was 'particularly proud.'" The LDF report quotes Alito's comments in more detail: "Most recently, it has been an honor and source of personal satisfaction for me to serve in the office of the Solicitor General during President Reagan's administration and to help advance legal positions in which I personally believe very strongly. I am particularly proud of my contributions in recent cases in which the government has argued in the Supreme Court that racial and ethnic quotas should not be allowed." His opponents were not seeking quotas, which had been forbidden by the executive order creating affirmative action. LDF discovered that, "As a lawyer in the Solicitor General's office, Alito participated in three major affirmative action cases before the Supreme Court....he argued against court-ordered affirmative action as a remedy for violations of Title VII of the Civil Rights Act of 1964...against voluntary affirmative action under Title VII... and against voluntary affirmative action under the Constitution..." In his 1985 application, LCCR noted, Alito wrote: "In college, I developed a deep interest in

constitutional law, motivated in large part by disagreement with Warren Court decisions, particularly in the areas of criminal procedure, the Establishment Clause and reapportionment." LCCR observes, "At the time of his statement, nearly everyone accepted the legitimacy of the Warren Court's 20-year old rulings on reapportionment - Baker v. Carr, which said for the first time, that the federal courts had a role to play in making sure that all Americans have a right to equal representation; Wesberry v. Sanders, in which the Court ruled that Congressional districts have to be roughly equal in population; and Reynolds v. Sims, in which the Court held that state legislative districts had to be equal in population, according to the principle of 'one person, one vote.'" On the bench, Alito dissented from the majority's decision that a Black employee had supplied enough information for her racial discrimination case to be heard by a jury. In Bray v. Marriott Hotels, Alito favored a very narrow reading of Title VII of the Civil Rights Act of 1964, the section barring employment discrimination. The majority said that if Alito's interpretation of the law had been accepted, "Title VII would be eviscerated" and that his view would "immunize an employers from the reach of Title VII" in certain circumstances. The majority also took Alito to task

for his dissent in Riley v. Taylor, a case about whether the prosecutor had used racially-motivated peremptory strikes to exclude African-Americans from a jury. LDF said Alito equated that action to the statistical oddity of five of the last six U.S. presidents being left-handed. The judges in the majority rebuked Alito, accusing him of minimizing "the history of discrimination against potential black jurors and black defendants." The Alliance for Justice Report noted, "University of Chicago law professor Cas Sunstein examined Judge Alito's approximately 65 dissents on the theory that 'when a judge bothers to dissent from a majority is a good clue to what the judge cares most about.' What Sunstein found was 'stunning. Nine-one percent of Alito's dissents take positions more conservative than his colleagues on the appeals court, including colleagues appointed by Presidents Bush and Reagan..."

Clearly, Alito is to the right of right-wingers. "Based on his history, philosophy, and performance on the bench, LCCR, along with many in the civil rights community, has concluded that Judge Samuel Alito will not bring a balanced conservatism in the mold of Sandra Day O'Connor to the Supreme Court. Instead he would bring a more hardened ideology that is outside of the judicial mainstream on a number of critical civil rights issues and that is well to the right of where most Americans stand."

George E. Curry is editor-in-chief of the NNPA News Service and BlackPressUSA.com. He appears on National Public Radio (NPR) three times a week as part of "News and Notes with Ed Gordon." To contact Curry or to book him for a speaking engagement, go to his Web site, www.georgecurry.com.

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SPECIAL SECTION

Dr King Remembered



Charles Moore/Black Star



Somehow this madness must cease. We must stop now. I speak as a child of God and brother to the suffering poor of Vietnam. I speak for those whose land is being laid waste, whose homes are being destroyed, whose culture is being subverted. I speak for the poor in America who are paying the double price of smashed hopes at home and death and corruption in Vietnam. I speak as a citizen of the world, for the world as it stands aghast at the path we have taken. I speak as an American to the leaders of my own nation. The great initiative in this war is ours. The initiative to stop it must be ours.

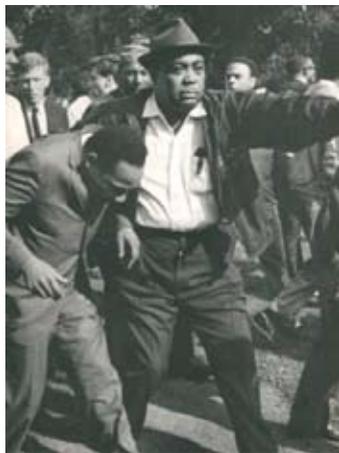
Martin Luther King, Jr., *The Trumpet of Conscience*, 1967.



SPECIAL SECTION

A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.

Martin Luther King, Jr., *Where Do We Go from Here: Chaos or Community?*, 1967.



The curse of poverty has no justification in our age. It is socially as cruel and blind as the practice of cannibalism at the dawn of civilization, when men ate each other because they had not yet learned to take food from the soil or to consume the abundant animal life around them. The time has come for us to civilize ourselves by the total, direct and immediate abolition of poverty.

Martin Luther King, Jr., *Where Do We Go from Here: Chaos or Community?*, 1967

Nonviolence is the answer to the crucial political and moral questions of our time: the need for man to overcome oppression and violence without resorting to oppression and violence. Man must evolve for all human conflict a method which rejects revenge, aggression and retaliation. The foundation of such a method is love.

Martin Luther King, Jr., Nobel Prize acceptance speech, Stockholm, Sweden, December 11, 1964.



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Cox has already given a \$10 million gift to help our citizens recover from this tragedy. The American Red Cross, United Way, Habitat For Humanity and Boys & Girls Clubs have received these donations to help begin to rebuild our community.

This city is our home too and we are looking forward to the next twenty five years... and beyond.



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