In Our Churches

By Pam Widgeon

Churches are invited to send news of special church activites and a copy of their church programs.

Laity Sunday will be observed at Mt. Olivet Christian Church, 320 N. Fulton Ave., on Jan. 30.

Participating in the morning service will be Doyle Solomon, Milton Bullock and Mrs. Linda Fassett. "I Have A Neighbor," is the theme. Rev. Donald A. Gibbs is pastor.

Rev. Nathaniel Washington of Fawn AME Zion Church, Fawn Grove, Pa., will speak Sunday, 4 p.m. at St. James AME Church, 615 Green St., Havre De Grace, Md. Mrs. Geraldine C. Cox is reporter. Rev. Marie M. Brooks is pastor.

The Federation of Methodist Women of Maryland will have a meeting Jan. 22 at 1223 Argyle Ave., Rev. Marshall H. Strickland III is pastor.

Classes are scheduled to start 7 p.m. Jan. 31 at the Harrison Mason Bible College, 684 Pitcher St. Registration will be Jan. 22 and 29 at 5 p.m.

Choral singing skills will be taught in one of the courses offered Jan. 26, 7:30 p.m. as part of the First Unitarian Church program at 1 West Hamilton St.

The youth of New Friendship Baptist Church will sponsor a banquet today (Friday) 7 p.m. at the Sherator Inn on Broadway and Orleans St. Member who have served 25 years or more will be honored. Mrs. Sheila Cop is chairman; Rev. Joseph Cuin is pastor.

Churches of several faiths worshiped together recently at Augsburg Lutheran Church, 2810 Garrison Blvd. Speaker for the services was Rev. Maurice Blackwell, of St. Bernadine's Catholic Church and music was provided by the Choirs of Augsburg Lutheran Church and St. Ambrose Catholic Church.

Rev. Michael Battle, pastor of Christ Church in Hampton, Va., will be the guest speaker 11 a.m. Sunday at Madison Avenue Presbyterian Church, 2102 Madison Ave., where Rev. Reginald J. Daniels is pastor.

The Trustee Board of Mt. Pisgah CME Church will present the senior choir of St. Luke United Methodist Church in a concert on Sunday, 3 p.m. Richard White is president.

The women of Trinity AME Church will have their annual Friendship Tea and and fashion show on Sunday, 4 to 7 p.m. Mrs. Nellie Jewett is chairman, Mrs. Lucille Course, co-chairman, Rev. W. K. Woods, pastor.

Groundbreaking ceremony Jan. 30

The Fire Renovation Expansion Drive F.R.E.D. Committee, and the trustees of the Maryland Baptist Home for the Aged of 2801 Rayner Ave. are planning a groundbreaking ceremony, Sunday, Jan. 30 at 2:30 P.M.

Community leaders and friends of the Maryland Baptist Family will participate in the historic program to be held at the Rayner Avenue site.

Rev. Arthur E. Jones is president of the home. Rev. Lorenzo Graves is chairman of the F.R.E.D. committee.

This committee will also sponsor a fund raising celebration banquet at Martin's West, Thursday, March 17. Dr. T. J. Jemison, secretary National Baptist Convention, U.S.A., Inc., will be the speaker.

The public is invited to attend both programs.

Rev. C. A. Alexander is president of the United Missionary Baptist Convention of Maryland.

SUNDAY, JANUARY 23, 1977
AT 6 P.M.
DR. W. J. PAYNE
and his
CONGREGATION
of
THE CITY TEMPLE
BAPTIST CHURCH
Dolphin Street and Eutaw Place
will worship with
ELDER C. GREEN
and his congregation
of
THE CHRISTIAN
COMMUNITY CHURCH
OF GOD
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ELDER GREEN

9 A.M. to 10 A.M.—Sunday School
10:30 A.M. to 11 A.M.—WSID Broadcast
11 A.M.—Morning Worship and Holy Communion
8 P.M.—Women's Day Program

Elder C. Green can be heard each Sunday morning from 10:30 A.M. to 11 A.M. over station WSID

PENNSYLVANIA AVE. AME ZION CHURCH
"The Church of the Burning Heart"
Corner Pennsylvania Ave. and Dolphin St.
SUNDAY, JANUARY 23, 1977
11:00 A.M.—Church Worship Service Sermon Theme: "The Message In The Wind"
Music: Sanctuary Choir and Gospel Chorus
A FRIENDLY WELCOME TO ALL
REV. MARSHALL H. STRICKLAND, Minister

Douglas Memorial Community Church
"The People of the Way"
LAFAYETTE and MADISON AVES.
MARION CURTIS BASCOM, D.D. Minister
JAMES S. HAMMOND Minister of Music
JUANITA HALL DAVIS, Organist

SUNDAY
JANUARY 23, 1977
Dr. Marion Bascom
Preaching

MUSIC
8:30 A.M.
"REJOICE THE LORD IS KING" —arr Pfohl
"STAY IN THE FIELD" —arr Dett
11:00 A.M.
"EVERY WHERE I GO" —by Sleeth (Childrens Choir)
"OH COME LET US SING UNTO THE LORD" —by Swann

Western High School student had lukemia

Miss June Victoria Mitchell, 17-year-old Western High School senior, died Jan. 15 of lukemia at Sinai Hospital.

The family will receive friends today (Tuesday) from 7 to 8 p.m. at St. Cecelia Catholic Church, Windsor Ave. and Hilton St. Funeral services will be held at the church 10 a.m. Wednesday morning. Relatives state Miss Mitchell, of the 2700 block Garrison Blvd., was an excellent swimmer and loved to ski. She was president of the Jack and Jill of America Inc. for youth age 15 to 17.

Miss Mitchell is survived by her parents, Dr. and Mrs. Joshua (Frances) Mitchell; one brother, Joshua Mitchell IV; grandmother, Mrs. Bernice Mitchel.

MORE THAN 1,000 people are expected to attend the family hour for Mrs. Irene Woods Paige at Faith Baptist Church, 833 N. Bond St. Mrs Paige died Jan. 19 at Provident Hospital. The family will receive friends from 7 to 9 p.m. Sunday and funeral services will be held 11 a.m. Monday at the church. Mrs. Paige was an inspiration to the members of Faith and community urging the continuous concern and care of the youth, the aged and the ill.

Mrs. Irene Paige receives a degree

The degree on Humane Letters was conferred upon Mrs. Irene W. Paige recently at Virginia College in Lynchburg, Va., at the annual Hayes Day Observance.

Mrs. Paige is the wife of Rev. Dr. Walter Paige who is the pastor of Faith Baptist Church. She is known both locally and nationally for her civic, religious education and missionary work.

She is a member of the United Baptist Women of Maryland, Young Women's Christian Association, past vice president of Big Sisters, Little Sisters and several other organizations.

Mrs. Paige has received honors as Mayor Schaefer, Baptist Ministers Conference School and Baptist Training Union land, National Baptist Convention, U.S.A., Inc. and has traveled throughout the United States.

Funeral rites held for Mrs. Miller

A sung mass for Mrs. Hazel F. Miller, a lifetime recreation leader, early environmentalist and community worker, who was known for her ability as a musician, was held 10 a.m., Thursday at St. Mary's Church, 3121 W. Walbrook Ave. She was 72.

Mrs. Miller died at the Lincoln Convalescent Center, Jan. 14 where she was the director of recreational therapy for the past 4 years.

She was also recreational therapist for the Granada Nursing Home until an illness in July, 1976 restricted her activities.

Mrs. Miller, daughter of the late John W. and Mary E. Farrar Miller, and widow of Robert Miller, was born in Holyoke, Mass., Aug. 1904.

She was a graduate of Central High School, Springfield, Mass., and attended Springfield Conservatory of Music where she obtained a teacher's degree in 1927.

She had been a resident of Baltimore since 1934. She was an employe of the Bureau of Recreation from 1936 until her retirement in 1969. After retirement, she attended Maryland Institute of Art and pursued a course in teacher training for the elderly.

She received numerous citations from the Department of Recreation for community service. In July, 1973, she was awarded a plaque as a Recreation Pioneer. In October, 1975, she was cited for dedicated public service by the city.

Mrs. Miller was a member of St. Mary's Church for 36 years and was organist for 22 years.

She was a member of the Dorcas Society, past president of the choir and founder of Camp Friendship, a two-week summer day care for children, between six and 14, in 1969 at the church.

Mrs. Miller was a devout and loyal person in all activities in which she engaged. She is survived by a sister, Mrs. Zelda James of Atlantic City, N.J., a nephew, Elmer B. Moore of Florence, S.C., four grandnephews and one grandniece.

Interment was in Arbutus Memorial Park.

FAITH BAPTIST CHURCH
"The Praying Church"
Ashland Avenue and Bond Street
Baltimore, Maryland
OBSERVES
ANNUAL YOUTH DAY
SUNDAY, JANUARY 23, 1977
Theme: "Youth Seeking Christ in an Age of Permissiveness"
9:15 A.M.—CHURCH SCHOOL
Member Orientation Class
10:45 A.M.—YOUTH DAY MESSAGE
Rev. Jerome McNeil, Associate Minister Mt. Ararat Baptist Church
2:45 P.M.—GUESTS ARTISTS IN RECITAL
Mr. Lloyd W. Johnson
Mr. Joseph E. Twyne
Mr. Harlon O. Scott, Accompanist
SUNDAY JANUARY 30 1977
ANNUAL FAMILY & FRIENDS DAY
4:00 P.M.—Special Feature:
SWINSON'S JUBILEE SINGERS
Dr. L. L. Swinson, Director
"A Friendly Welcome To All"
DR. WALTER E. PAIGE, Minister

St. James' Episcopal Church
LAFAYETTE SQUARE
The Rev. Donald O. Wilson, Rector
Dr. Robert Ford, Deacon
A. Maurice Murphy, Choir Master Organist
SUNDAY, JANUARY 23, 1977
8:00 A.M.—Holy Eucharist
9:00 A.M.—Sung Eucharist
Family Worship
Lower Church School
10:30 A.M.—Upper Church School
11:00 A.M.—Choral Eucharist & Sermon
The Public is Cordially Invited To Attend

Perkins Square Baptist Church
2500 EDMONDSON AVE. CORNER OF WARWICK
SUNDAY, JANUARY 23, 1977
LADIES GUILD DAY
8:00 A.M.—Early Morning Worship, Sermon by the Pastor
9:15 A.M.—Church School
10:30 A.M.—Open Heart Service
11:00 A.M.—Morning Worship, Sermon by the Pastor
6:00 P.M.—Baptist Training Union
WE WELCOME YOU
REV. RICHARD H. OGLE IV, Pastor

ALBANY, Ga. — The Albany State College department of history and political science is presenting the third in a series of Collegiate Forum, JVAN, 20 at 7:30 p.m. in the Simmons Hall on the campus.

The topic for the January forum will be "What's Wrong With Higher Education?"

The Collegiate Forum is a non-partisan discussion area in which faculty, students and community meet each year other in an informal atmosphere to share views on the "burning issues" of public concern. Once a month, several participants are invited to serve as provokers for the forum.

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Parren, Clarence Mitchell point to the cloud over Griffin Bell's head

Cong. Mitchell: he's not ready

CONG. PARREN J. MITCHELL tells the whole story

Testimony of the Honorable Parren J. Mitchell Chairman, Congressional Black Caucus, Before The Senate Judiciary Committee on the Nomination of Griffin B. Bell as United States Attorney General Mr. Chairman and Member of the Committee,

I am Parren J. Mitchell, a Member of the House of representatives and Chairman of the Congressional Black Caucus. I am here today to testify on behalf of the members of the Caucus on the nomination of Griffin B. Bell to serve as United States Attorney General.

I would like to say at the outset that the members of the Caucus have reacted with some disappointment to some of the cabinet nominees.

We believed that the opportunity was at hand to bring into high office individuals whose record indicated the commitment and aggressiveness to bring about fundamental social change in this country.

Instead we find some cabinet nominees who appear to have an economic orientation more responsive to the more affluent than to those of lesser means. Many of the nominees are members of corporate boards of directors, 4 in fact are on the board of IBM. Few of the nominees to our knowledge have had extensive involvement with local anti-poverty and civil rights efforts.

BLACK UNDER REPRESENTED

The business community has been reassured, but what of those who elected the new President?

As representatives of many of the nation's poorest citizens, we are acutely aware that despite progress, Black income remains at 60 per cent that of whites, that Blacks remain vastly underrepresented in the most influential positions in government and the private sector, that there have been continuing attacks on efforts to bring about equal opportunity in all segments of our society.

We do not doubt that the nominees are people of good will. We do hope that the cabinet members who take office will recognize this opportunity for fundamental change and move us forward from the despair many of us have felt during the past eight years.

Yet, against the back grounds of those nominated to serve in the cabinet, we feel it essential that mechanisms stressing full citizen participation be instituted to ensure accountability and that appointments to important subcabinet posts bring in those with both high qualifications and the experience of working with the least advantaged in the society.

CARTER PROMISES

Masses of black people supported the candidancy of our President-elect in the belief that his appointments and policies would be in consonance with the needs and desire of Black people.

Many of us in the Caucus traveled the country to ensure a strong vote for his candidacy. We believe that the performance must meet the promises.

And we hold to our hope that this Administration will be responsive to the needs.

Nonetheless, we feel it our obligation to appear before this committee today to oppose the nomination of Griffin Bell to serve as Attorney General.

Perhaps the President-elect knows Mr. Bell well enough to feel assured that he will meet the high standards necessary for such an important office.

We have nothing but the record to go on, and on that record as we have seen it, we must oppose confirmation of Mr. Bell.

BELL'S RECORD

There are four chief areas of concern with respect to Mr. Bell's records: (1) His service from 1959-1961 as Chief of Staff and top legal advisor to former Georgia Governor Ernest Vandiver, a period when Governor Vandiver was carrying out a policy of massive resistance to racial integration in Georgia. THE PERIOD OF MASSIVE RESISTANCE, 1959-1961:

Let me speak first to the period of 1959 to 1961 when Griffin Bell was Chief of Staff to Governor Ernest Vandiver and served as his chief legal counsel.

The campaign and governorship of Ernest Vandiver were openly and avowedly segregationist.

The record of statements and action by Vandiver in an effort to stop racial integration in the State of Georgia is overwhelming.

For instance, during the campaign, candidate Vandiver is quoted as saying "There is not enough money in the federal treasury to force us to mix the races in the classrooms." (Southern School News, June 1958, p.3).

On Sept. 8, 1958 he said "I make this solemn pledge to the mothers and fathers and to the people — when Ernest Vandiver is your governor, neither my three children, nor any of yours, will ever attend a racially mixed school or college in this state."

(Atlanta Constitution, September 9, 1958, 13:4). When Griffin Bell took the position of Chief of Staff to Governor Vandiver, he did it with a full and acute understanding of the policies he would be required to advocate.

Griffin Bell's role in the campaign and in many of the actions taken by Governor Vandiver remain to be spelled out in detail.

Yet there is a strong presumption that the chief staff aide and chief legal counsel to the Governor was deeply involved in the actions and policies which evolved.

We believe it is essential to question Mr. Bell in detail on his role in these matters and futher to bring before the committee other who worked closely with Mr. Bell during this period of time.

One of the clearest efforts in which Mr. Bell was involved was an one of four lawyers sent to Virginia by Governor — elect Vandiver during the week of November 11, 1958 to gather information on massive resistance tactics being used there.

In December 1958 these same four lawyers visited other southern states for the same purpose (See Atlanta Constitution November 18, 1958, 1:8; Southern School News, December 1959, p.5).

Immediately following his inauguration, Governor Vandiver proposed a series of school segregation laws which he described as based on a study by the "best legal minds in the state." (Southern School News, February 1959, p.10).

ROLE HIDDEN

During 1959 there was continuing debate as to whether schools should close rather than integrate. Governor Vandiver was an outspoken advocate for closing the schools.

In June 1959, the federal District Court ruled that the Atlanta schools would have to desegregate; Governor Vandiver said he would close them down to prevent it. (Southern School News, July 1959, p. 1-2).

In July 1959, a five-man group of lawyers, including Griffin Bell, met at the governor's mansion "to plan a segregation strategy." (Southern School News, August 1959, p.4).

I will not here detail the extensive record of efforts by Governor Vandiver and his Administration to maintain segregation in Georgia.

I am certain that none of these facts will be presented to this committee.

The question I would like to raise is what role did Griffin Bell play in these matters and what is the meaning of his involvement for his nomination as United States Attorney General?

ASK HIM

I believe that the answers as to Mr. Bell's role in the Vandiver Administration will have "to come from the nominee himself and from others who served and worked with him at that time.

On the face of it, Mr. Bell, with full knowledge of the racist, segregationist campaign run by Mr. Vandiver became the Governor's chief of staff.

On the face of it, as the closest adviser to the Governor and with specific assignment of determining how to maintain segregated schools in Georgia, Mr. Bell would be assumed to be a willing participant, if not as some have charged, the architect of massive resistance. We need a clear and thorough answer to these disturbing questions.

What is the meaning of that involvement?

Assuming a role of support for and advocacy of segregationist policies and practices as the record on its face would indicate, does this disqualify Mr. Bell from holding the post of Attorney General?

DISQUALIFY— Unless

The members of the Congressional Black Caucus do believe that deep involvement in implementing and supporting a policy of segregation should disqualify a man from holding the position of United States Attorney General unless there has been a clear and convincing reversal of that policy and viewpoint.

We do not believe that in this case there has been that reversal.

The Attorney General of the United States must be above reproach. Unless refuted, the record firmly indicates that Griffin Bell was deeply involved in activities offensive not only to millions of Black Americans, but to all who believe in equality and justice for all.

CLOUD

His important involvement in the Vandiver administration seriously tarnishes Mr. Bell's credentials to hold the nation's highest legal office.

Why, when the nation cries out for simple justice, must our top law enforcement official take office under a cloud?

(2) Mr. Bell's strong support in 1970 of the nomination of G. Harrold Carswell to serve as a United States Supreme Court Justice, and Mr. Bell's recent misstatement of the record of that support:

SUPPORTED CARSWELL

Mr. Bell's actions and statements with respect to the nomination of G. Harrold Carswell as a Supreme Court Justice are strong indication that he has not, since 1961, come to the position of forceful advocacy of and support for minority rights.

On Jan. 26, 1970, Griffin Bell wrote to the Senate Judiciary Committee expressing unqualified support for Judge Carswell. By the time of the Bell letter, it was abundantly clear to the public that Carswell's record on race relations was abominable.

Worse still, when this story broke soon after Mr. Bell's letter, Carswell was named as the nominee for Attorney General, he denied that he knew of Carswell's prosegregation speech as a candidate for the Florida state legislature, a position he has since revised.

Yet that speech had been reported in the press several days prior to Bell's January 26 letter, as Mr. Bell has subsequently acknowledge.

ABOMINABLE

This represents strong endorsement as recently as 1970 of a man whose record on race relations was abominably unacceptable. Such conduct would be troubling in a person nominated to even a minor federal office.

For a man nominated to serve as the nation's highest legal officer, it is alarming. (3) A record during 15 years as a sitting judge on the Federal Court of Appeals which can best be characterized as barely meeting the requirements of the Constitution with respect to the 14th Amendment.

And a record replete with opinions which display attitudes and policies which simply should not be those of the United States Attorney General.

BELL NOT READY

With a nominee who served 15 years on the United States Court of Appeals covering most of the South in a period of major progress toward equal opportunity, one must look at the record of the nominee's decisions and votes on the major cases before that court.

Judge Bell's record on the court shows continuing efforts to limit remedies in civil rights actions, accompanied by several positive opinions.

Most disturbing, a number of his opinions in education and employment cases indicates a position in contravention of those seeking swift chance to fulfill rights still limited despite legislation and Supreme Court decisions reaffirming those rights.

The next four years will be a critical time for full attainment of those rights.

BAD ALL THROUGH

Judge Bell's opinions in school desegregation cases are particularly troubling.

In United States v. Jefferson County Board of Education, 380 F. 2nd 385 (5th Cir. 1967) (en banc), the court held that school districts have an affirmative duty to bring about integrated, unitary school systems, and the court upheld HEW guidelines setting numerical requirements for school desegregation.

Judge Bell dissented, joining in an opinion by Judge Gewin referring to "enforced integration," and writing his own dissent in which he referred to "compelled integration" and "compulsory integration" and denounced the HEW Guidelines as an interference with personal liberty.

In United States v. Austin Independent School District, 467, F. 2d 848 (5th Circuit 1972) (en banc), the Fifth Circuit reversed a District Court decision rejecting the HEW proposals for school desegregation, and ordered effective relief to convert to a unitary school system.

The court particularly denounced the closing of all-Black schools which put the burden of desegregation on Black students, and approved busing to achieve desegregation.

OUTRAGEOUS

Judge Bell (joined by seven other judges) wrote a special concurring opinion stating that the District Court did not have an obligation to eliminate all one-race schools and that busing should be minimized.

Judge Bell's opinion in this case so outraged the liberal, pro-civil rights wing of the court that those judges took the unusual step of writing a separate opinion to denounce Judge Bell's special concurring opinion, saying that it was written "as if there were no record before the Court" and that it "consists of abstract admonitions most of them old-hat to this Court, so general as to be irrelevant to the facts that the issues in this case."

The liberal judges called Judge Bell's view that there was no obligation to eliminate system-wide segregation "obstructive" and his language "Blatant euphemisms to avoid desegregating the system, preserving the whiteness of certain schools."

Referring to Judge Bell's opinion they wrote:

"It is said that it marks a turning point for this Court. It is the first backward step for a Court that has labored mightily to follow faithfully the mandates of the Supreme Court and of Congress in the fields of civil rights."

In employment discrimination cases, Judge Bell took narrow positions which can best be described as disastrous. He is clearly opposed to affirmative action to remedy the effects of past discrimination and he has failed to follow remedies of other courts against tests which are unrelated to job performance and which have the effect of discriminating against minorities.

For example, in Allen v. City of Mobile, 331 F. Supp. 1134 (S.D. Ala. 1971, aff'd, 466 F. 2d 122 (5th Cir. 1972), the District Court upheld a sergeants examination used by the Mobile Police Department which 60.6 per cent of the white applicants passed and on the basis of which only one Black had been promoted to sergeant, without requiring (because a validation study would cost $30,000) any local study to show that high test scores actually had any correlation with successful job performance.

The Fifth Circuit, in a per curiam opinion in which Judge Bell joined, simply affirmed the decision of the Distric Court.

A strong dissent by Judge Goldberg said that "the Constitution cannot stand immobile while a generation working police officers suffer from the continuing operations and effects of racially discriminatory procedures, however subtle."

DISTURBING

Judge Bell also joined in a particularly disturbing opinion which limited jurisdiction under 42 U.S.C. 1983, a key civil rights statue.

In Muzquiz v. City of San Antonio, 528 F. 2d 499 (5th Circuit 1976) (en banc), the court held that former police officers and fire fighters could not, under 42 U.S.C. 1983, sue the trustees of a pension fund to challenge the constitutionality of a state statute barring them from receiving refunds of amounts contributed because the suit was in reality one against the fund, and since the fund could not be sued under Section 1983 (which is limited to suits against "persons), no jurisdiction existed.

The decision runs counter to a long line of cases with hold that the constitutionality of a state statue can be challenged by suing the officers charged with administering it.

Several judges of the Fifth Circuit dissented, and a strong dissenting opinion by Judge Tuttle warned that "the court seems to me to have whittled down the clear statutory grant of civil rights litigation under color of state law to little more than an empty promise."

HIS CLUB

(4) Membership in private clubs which prohibit membership by Blacks and by other minorities, failure to oppose those policies and recent statements indicating a total insensitivity to the meaning of that association.

Finally, there is the matter of Mr. Bell's membership in private clubs in Georgia which discriminate against Blacks, Jews, and other minorities in their membership policies.

Clarence Mitchell: we can't use him

CLARENCE M. MITCHELL JR.
Carter could have done better

Satement of Clarence Mitchell, director, Washington Bureau of the National Association for the Advancement of Colored People, before the Senate Committee on the Judiciary on the nomination of Mr. Griffin Bell to the post of United States attorney general Tuesday, January 11, 1977 — Room 2228 Dirksen Senate Office Building).

Mr. Chairman and members of the Committee, I am Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People.

Thank you for this opportunity to appear and present testimony.

We are deeply troubled by President-elect Carter's nomination of Griffin Bell for attorney general of the United States.

In his personal conduct, in his religious life, in his day-to-day expressions on public questions, Mr. Carter has set a fine example for those who want to serve all of the people of our country.

His election to the highest office in the land should enable the nation to end geographic, racial, religious, sex and other extraneous considerations when we appoint or elect persons to public office in the future.

WHY BELL?

As we look at the distinguished records of such southern federal judges as the Honorable John Minor Wisdom and Elbert Parr Tuttle of the Fifth Circuit, the Honorable Frank M. Johnson Jr., of Alabama and others who have displayed great courage in protecting the civil rights of our citizens, it is incredible that Mr. Carter would name Mr. Bell as his choice for the highest law officer in the executive branch of government.

It is true that persons who have erred in the past are capable of reform. The record is filled with the names of outstanding public officials who once thought of their fellow humans as divided into superior and inferior groups based on race, religion, national origin or sex.

Later, however, they became champions of the same groups that they had sought to downgrade.

It is also true that many outstanding citizens in the legal profession, north and south, in addition to being brilliant members of their profession have placed their careers, the security of their families and, indeed, their own personal safety in jeopardy by declaring that the Constitution of the United States is color blind and all persons are entitled to equal justice under law.

TURNS BACK CLOCK

It is encouraging to see that new champions of human dignity are emerging in many states where resistance to desegregation was an essential element in campaigns to get elected to public office.

On the other hand, there are some who profess to be reformed but who, in fact, still seek ways of turning back the clock or slowing down progress.

From the record, it appears that Mr. Bell is in this latter category.

The record shows that after the 1954 school desegregation decision Georgia's Gov. Vandiver embarked on a program of massive resistance to that decision.

Mr. Bell was one of the persons who advised Gov. Vandiver on how desegregation could be halted.

He had the title of chief of staff.

Although Mr. Bell now seems to minimize the importance of this title and any of his duties under it, in the most recent edition of WHO'S WHO at page 224, which we offer for the record, it is listed as an important part of his biography.

WHAT BELL SAID

The question arises, if Mr. Bell has indeed changed from views on segregation that he may have held in the past, why does he continue to proclaim his identification with a former governor of the state of Georgia who, during the campaign for the office said, "There is not enough money in the federal treasury to force us to mix the races in the classroom."

And who also said at another point, "I make this solemn pledge to the mothers and fathers of the people — when Ernest Vandiver is your governor, neither my three children, not any of yours will ever attend a racially mixed school or college in this state."

After the election Gov. Vandiver sent four lawyers to the state of Virginia for the purpose of studying the massive resistance laws of that state.

Mr. Bell was one of these lawyers.

The governor then proposed a package of six segregation bills which he said were based on a study by the best legal minds of the state. The following is a listing of these laws:

"(1) An act giving the governor the power to close public schools to prevent integration (4RRLR 181)

(2) An act giving the governor the power to close any unit of the University of Georgia to preserve "good order." (4 RRLR 180)

(3) An act providing tax credits for contributions to private schools. (4 RRLR 182)

(4) An act setting an age limit of 21 for entering state colleges and 25 for state graduate and professional schools. (4RRLR 180)

This was adopted because in the past most black applicants to white colleges, etc., in Georgia and elsewhere in the South had been over these limits.

(5) An act establishing a Commission on Constitutional Government. (4 RRLR 193). This was what was known at the time as a "state sovereignty commission," whose purpose was to foster segregation through proposing legislation, constitutional changes and litigation tactics, and by circulating segregationist propaganda, this commission replaced the commission on education, which had had a similar function. (2 RRLR 1949)

(6) An act barring the use of taxes to pay for integrated schools. (SSN, February 1959, P. 10)

BELL BRUSHES OFF

There were many instances in which the governor conferred with his "best legal minds in the state" on how to block the effects of court decision opening schools and colleges to the attendance of blacks.

In a recent TV interview Mr. Bell seemed to be brushing off his role in these plans and discussions and tried to give the impression that he was working "behind the scenes" to keep the schools open.

Of course, there were many who said they were trying to keep the schools open, but on a segregated basis.

INVESTIGATIONS

In our investigation of Mr. Bell's record, we have obtained information which, on its face, indicates that he may have had a more sophisticated approach to maintaining racial segregation than the governor but he was in favor of maintaining separation of the races.

In that connection, we offer information which we believe the committee should explore and question Mr. Bell on just what took place in the meeting that this material describes.

Mr. Bell's recent pronouncements on his support of Judge G. Harrold Carswell and his claim of writing a court decision, signed by another judge, which would restrict pupil transportation shows that there must be some extensive questioning of him to determine whether he is a new Mr. Bell, ready to uphold equal justice under law, or whether he is the old Mr. Bell, who was chief of staff for a segregationist governor, attempting to give the false impression that he now can be trusted to be fair to all persons.

WORST FEARS

We, in the NAACP, have been before this committee at other times in opposition to various nominees.

The record shows the performance of nominees after they took office or after they were rejected by the Senate proved that our worst fears were confirmed.

We opposed the nomination of Mr. Robert H. Bork to be solicitor general of the United States. We were unsuccessful in defeating that nomination and he became the chief architect of the outgoing administration's programs that were designed to undermine the guarantees of the Fourteenth Amendment in school desegregation cases.

We also were unsuccessful in opposing the nomination of Mr. Justice Rehnquist to the United States Supreme Court.

So far, our concern appears to be justified because his opinions seem to support slowing down progress in civil rights.

We are aware of the fact that hearings on nominations are in progress on other persons who will serve as members of President-elect Carter's Cabinet.

This is a courtesy that has grown up through the years.

However, in a case such as that of Mr. Bell, where there are serious questions about his record on civil rights, the courtesy should not be applied.

Consideration of the Bell nomination should not be given until after the president-elect has been sworn in and sends it to the Senate.

Then, it will be possible to make a full and careful investigation of his record.

It will also be possible for those who may wish to clarify his role in the massive resistance strategy of Georgia to come forward and tell the people of the United States the facts.

BELL RECORD DISTURBING

It should be noted that Mr. Bell is quoted as saying that nominations to other posts in the department of justice should await his confirmation.

Apparently this means that he would have other appointees, some of whom may be black, held as hostages until his nomination clears the Senate.

If the President-elect accepts that idea and does not submit other nominations until Mr. Bell's case is disposed of, it will be clear evidence that he, too, favors this kind of implied threat to those who are disturbed by the Bell record and want a thorough airing of it before the Senate votes.

There are many forces within the justice department already dedicated to turning back the clock. They have surfaced in efforts to destroy school desegregation decisions.

They have made efforts to undermine the clear meaning of parts of Title VII of the 1964 Civil Rights Act as amended.

These forces will still be there after the new attorney general, whoever he may be, takes office.

Unless the chief of that department has a firm commitment to uphold the civil rights laws in the department's area of responsibility, we will see retrest instead of progress towards our goal of equality under law.

In conclusion, we urge that the Judiciary Committee hold this nomination until such time as proper hearings can be held and all of the pertinent information carefuly considered.

Unfortunately, we seem to have become so inured to the practice by leading citizens of joining clubs which practice what can only be described as racist policies that I doubt anyone would be rejected for high office on that basis alone.

NO BLACKS, JEWS

Several other cabinet nominees are members of private clubs excluding Blacks and Jews from membership. Yet that membership without protest is the more shocking for a high federal judge charged with enforcing the civil rights laws.

In fact when a case challenging such discriminatory practices by a private club came before Judge Bell, he failed to excuse himself despite the clear conflict of interest. (Golden v Biscayne Bay Yacht Club, 530 F 2d). (1976).

Further Judge Bell's response to revelations of this membership since he was named as Attorney General-designate displays a continuing insensitivity to the fundamental meaning of racial justice.

In response to calls for his resignation from the club, Mr. Bell at first said he would be inactive only while in Washington, but that he "won't be in Washington forever." New York Times, Dec. 22, 1976).

Mr. Bell does not appear ready to accept the principle that a person should not join clubs which discriminate, whether or not they hold high office.

One is struck by the parallel to putting actions which practice what can only be described as racist policies that I doubt anyone would be rejected for high office on that basis alone.

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ALL U.S. INVOLVED

Mr. Chairman, it is a difficult decision to oppose the nomination to high office made by the President-elect or our party for whom we made strenuous efforts to ensure his election.

In addition, we recognize that there are many appointments made by the Justice Department which are crucial for Blacks which many persons feel we may jeopardize by our opposition to Judge Griffin Bell, including U.S. Attorneys and federal judges, particularly in the South.

Yet the facts are so compelling that we feel we must take the principled stand at this time because of the implications not only for Blacks, but for the entire nation.

During this campaign, Governor Carter said that when his cabinet selections were completed, we would be proud of the choices he made. The record of Mr. Bell is not one which makes us proud.

MUCH AT STAKE

The Justice Department's actions daily have profound impact on all segments of American society. It is the protector of our rights and the enforcer of our laws.

Its policies and decisions affect matters from civil rights to antitrust policy, from the FBI to criminal prosecution, from the millions of dollars distributed by the Law Enforcement Assistance Administration to drug enforcement.

And it plays a central role in the appointment of judges at all levels of the federal judiciary. Too much is at stake for us to remain silent. Too many serious questions have been raised for this nominee to be confirmed.

DISTRESSING

This nomination is particularly distressing in the wake of the Watergate experience. Who can forget the central role of the Attorney General in the national tragedy? Who can forget the broad and deep feeling that the nation's trust in itself had to be restored through making the office of Attorney General and its occupant above reproach? It is absolutely essential that the Attorney General be a person of unchallengable integrity, commitment and credentials. Unfortunately, Mr. Bell is not that person.

On behalf of the Congressional Black Caucus, I urge that this committee reject the nomination of Griffin Bell to serve as United States Attorney General.