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Bernette Johnson

A Question of Justice



Louisiana Supreme Court Justice Bernette Johnson is a juror with an impeccable record, is in line to be the first African-American to serve as Chief Justice of the state's highest court.

By Edwin Buggage

Louisiana has in its history the reputation of being state known for fanning the flames of racial division. The state where the controversial Plessy v. Ferguson decision was handed down in 1892 before going to the U.S. Supreme court in 1896; making separate but equal legal and Jim Crow segregation not only the law, but a way of life in the southern states of the United States. Today, Louisiana again is in the headlines with another racially polarizing issue. This time it concerns the appointment of Bernette Johnson; a woman with an impeccable record, who also happens to be the first African-American to serve as Chief Justice of the state's highest court.

There has been an ongoing power struggle amongst her and her colleagues on the court relating to her appointment. As the senior member on the court, a fact that is rooted in the text of the State Constitution, Johnson by law is in line to become the Chief Justice of the Louisiana Supreme Court after the upcoming retirement of present Chief Justice Catherine "Kitty" Kimball. One of the Justices Jeffrey Victory, who began serving on the court one year after Johnson and presumably would occupy the seat challenged, her seniority and was later joined by the

other justices who are all white, stating their lack of support for Johnson is because her first six years was in an appointed capacity when the court expanded created a seventh seat. It was under the cloud of race which brought Johnson to the bench in 1994. She was initially appointed to the Supreme Court, not elected, as part of a state settlement with the federal government over racial discrimination which expanded the court to seven justices from six.

In response to this recent decision, Louisiana's Republican Governor Bobby Jindal is challenging the ruling that would allow Johnson to become the next Chief Justice. The position taken by the Governor has the civil rights community in an uproar. "I am baffled by Governor Jindal's ongoing efforts to deny Justice Johnson her rightful position as Chief Justice," Marc Morial, President of the National Urban League and former New Orleans Mayor told Data News Weekly.

Matters concerning race have increasingly become wedge issues dividing Americans. Some of the harsh rhetoric and actions taken by many current elected leaders are all too familiar for veterans of the Civil Rights Movement. Rev. Samson "Skip" Alexander, a New Orleans Civil

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Cover Story, Continued from previous page.

Rights Historian who has known Bernette Johnson since her early days of being mentored by attorneys A.P. Tureaud and Ernest "Dutch" Morial, is outraged by what he sees a miscarriage of justice harkening back to the dark times in the city in the area of racial relations, "Here is a woman who is competent and qualified for the seat and you have a Governor who, if we were back in 1954, would have a lot in common with the staunch segregationists of that period."

The dispute over whether Johnson should be the first Black Chief Justice to head the Louisiana Supreme Court highlights the long-standing racial tensions within in the state government. Gov. Bobby Jindal, who worked with former Gov. Mike Foster, has a spotty and for many, a suspect record in the area of race. Gov. Jindal's mentor is the man who infamously paid \$150,000 for a mailing list to former KKK Leader and Louisiana State Representative David Duke. Foster's grandfather Murphy Foster, was the Governor from 1892-1900. He supported the 1898 Louisiana Constitution which upheld white supremacy, disenfranchised blacks and stripped away their newly gained freedom of full citizenship granted by the 13th, 14th, and 15th Amendments to the Constitution. But these rights would soon be null and void, and some in the Civil Rights community are seeing striking similarities to the days that ended Reconstruction and began the brutal racial oppression lasting through much of the twentieth century.

It is said that a people who do not know their history are bound to repeat it, and according to Rev. Alexander it is time for a community to take notice and fight against injustice; "It is my belief that Jindal got his playbook from Mike Foster and we cannot allow the rights we fought for to be taken away again, this is more than just about Judge Johnson it is about fighting against injustice," Continuing he says, "She is a sym-



By virtue of her seniority, Justice Bernette Johnson of the Louisiana Supreme Court (photo right) is entitled to succeed retiring Chief Justice Catherine "Kitty" Kimball (photo left) next year, a federal judge ruled over the weekend.

bol of the aspirations of young people and what we are able to do, and if her appointment does not happen than it will turn back the hands of time on our Civil Rights gains and have an impact on the next generation succeeding and having any reins of power in the city and state."

This issue has become a racial powder keg, as Johnson battles with other members on the court who challenge her seniority who are all white. They contend that Johnson should not be the next chief justice. And the question further becomes is this an issue that transcends race, or, is it the age old issue of "states' rights coming back into play? Is it fair that some are framing this only an issue of race, or is it a bit more complicated issue with many layers? Can it be possible that the counter argument against the federal government deciding a local/state issue has some validity?

Gov. Jindal is arguing for the latter. In a statement released by one of his lawyers, Jindal said the matter should be settled by the Louisiana Supreme Court and the federal government should not be involved. "The issue on appeal is not who should serve as the next Chief Justice, but whether the Louisiana Supreme Court should be prohibited by a federal court from interpreting the state's constitution," he said in the statement.



In published reports, a lawyer for Johnson called Jindal's position a throwback to the days when Southern states used the principle of "states' rights" as a smokescreen for racism. "That's what the proponents of slavery said during the Civil War. It's an age-old excuse," said attorney James Williams. This descent into race based politics is a growing trend that is troubles Marc Morial, speaking to Data News weekly he said, "The consent decree that placed Justice Johnson on the court was clear, and I am very concerned that the Governor would want to align himself with a campaign to defy federal law and the Voting Rights Act."

While this issue still remains unresolved, it shows that a country while making great leaps in the area of Civil Rights is at a crossroads. And what can be done to quell the issue where so that the nation can mature into in a land where all can share in power? The minority populations which now make up the majority population awaits the decision on the soul of America with a collective inhaled breath. In the balance, one of two paths; will we revert back to a time where liberty and justice was only in the hands of a few, or will this finally be a land where all are free and equal. After many long hard battles fought, with more seemingly on the horizon, the question still remains for a city, state and nation, what are we to do?



Louisiana Republican Governor Bobby Jindal has announced that he will appeal the federal ruling in favor of Justice Bernette Johnson.

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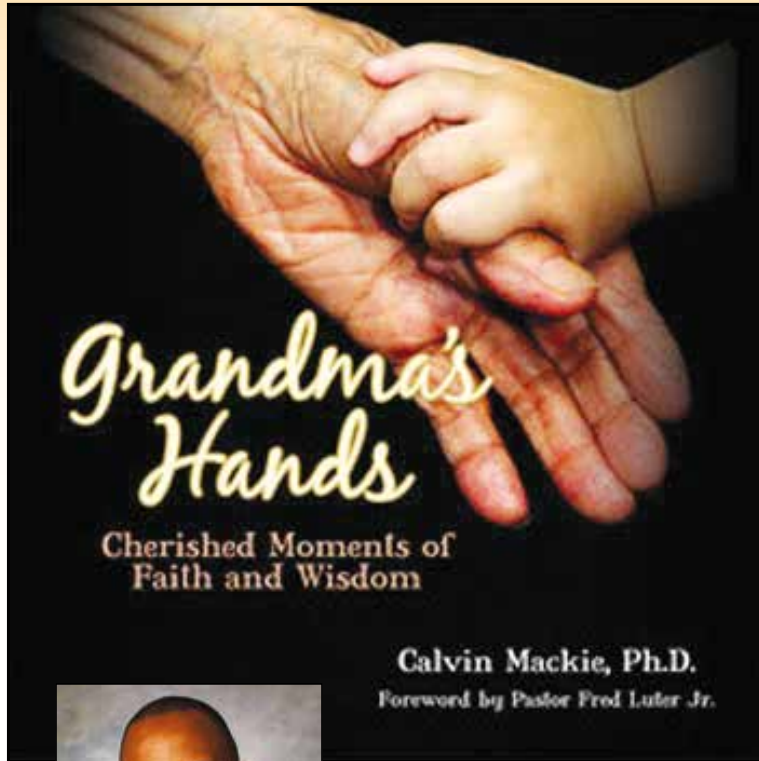
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Grandma's Hands'

Honored by Living Now Book Awards



Dr. Calvin Mackie, Ph.D

While most people quietly cherish time with their grandparents, their wisdom is rarely publicly honored to the extent it deserves. Dr. Calvin Mackie's new book *Grandma's Hands: Cherished Moments of Faith and Wisdom* (Acanthus Publishing, 2012) inspires readers to rediscover the wise words of past generations, offering respect and recognition for grandmothers around the world. Fittingly, just days before National Grandparents Day on September 9th, *Grandma's Hands* received a silver medal in the prestigious Living Now Book Awards.

With a foreword by Pastor Fred Luter Jr., the first African American elected president of the Southern Baptist Convention, *Grandma's Hands* couples thought-provoking and timeless proverbs with beautiful photographs of mothers and grandmothers expressing their unique cultural identity. Having lived through traumat-

ic events such as Hurricane Katrina, hardships in the racially-segregated South, as well as his own personal struggles, Dr. Calvin Mackie draws on his own experiences as well as the inspirational people in his life to create a collection of Biblical passages, proverbs, and life lessons that come together in a moving and emotional book.

"It's a tremendous tribute to all grandparents for this book to have earned a silver medal," says Dr. Mackie. "The passages in this book brought out the best in me and will give readers the power to live their lives to the fullest, no matter what struggles they face. Without pride in ourselves, lessons from our elders, and strength from God, we could never reach the full potential of the greatness impregnated within us all."

After months of careful consideration, the judges granted *Grandma's Hands* a silver medal in the Gift/Specialty/

Keepsake category of the Living Now Book Awards. The overall contest features a total of 29 categories and annually receives nearly 500 entries of books vying for the bronze, silver and gold medals. From recipes to relationships to personal growth, there is a wide variety of book topics, all of which focus on improving quality of life.

"Dr. Mackie has masterfully uncovered and conveyed so many timeless truths," says publisher Paige Stover Hague. "It will fill readers' hearts with joy and encouragement when they see that principles and virtues that worked centuries ago are even more relevant today. I am so delighted to publish this book; the wisdom it contains has the power to strengthen the world."

Grandma's Hands is available for purchase at www.GrandmasHands.net at the retail price of \$34.95. For more information please contact Luke Messecar at Luke@lctusInitiative.com.

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Spice's Grand Re-Opening

Photos by Terry Jones

A gathering of well wishers converged last week for the Grand Re-Opening of Spice Bar & Grill located at 2005 North Broad Street. "We will keep trying until we get it right. I think we might have it right this time." Says Troy, Spice's owner. Good food, drink and fun were available as the patrons enjoyed themselves during the party. Of course, where there's a celebration, Data will be there!



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And Much More....

15 Memorable Quotes from the Democratic National Convention



George C. Curry
NNPA Columnist

#15 – Rep. Emanuel Cleaver (Mo.):

“Congress is unable to do the work of the American people because too many politicians believe that compromise means capitulation. This must change, because just as bees cannot sting and make honey at the same time, members of Congress cannot simultaneously make passionate enemies and expect political progress.”

#14 – Rep. Barney Frank (Mass.):

“When it comes to Wall Street reform, you’d think Republicans have amnesia. Like they’ve forgot-

ten how we got into the Great Recession in the first place. Did they forget they were in power leading up to the crisis? That it was their plan that set Wall Street free and crashed the economy? Did they forget that this whole crisis started because banks gave out loans they knew people couldn’t pay? That those banks were gambling with our money? Using the kinds of financial tricks only Mitt Romney’s accountant would understand?”

#13 – Newark Mayor

Cory Booker:

“When your country is in a costly war with our soldiers sacrificing abroad and our nation is facing a debt crisis at home, being asked to pay your fair share isn’t class warfare. It’s patriotism.”

#12 – Massachusetts

Gov. Deval Patrick

“Mitt Romney talks a lot about all the things he’s fixed. I can tell you that Massachusetts wasn’t one of them. He’s a fine fellow and a great salesman, but as governor

he was more interested in having the job than doing it.”

#11 – Former Florida Republican Gov. Charlie Christ:

“Half a century ago, Ronald Reagan, the man whose relentless optimism inspired me to enter politics, famously said that he didn’t leave the Democratic Party; the party left him. I can certainly relate. I didn’t leave the Republican Party; it left me. Then again, as my friend Jeb Bush recently noted, Reagan himself would have been too moderate and too reasonable for today’s GOP.”

#10 – Massachusetts Senatorial Candidate Elizabeth Warren:

“After all, Mitt Romney’s the guy who said corporations are people. No, Governor Romney, corporations are not people. People have hearts, they have kids, they get jobs, they get sick, they cry, they dance. They live, they love, and they die. And that matters. That matters. That matters because we don’t run this country for corporations, we run it for people.”

#9 – First Lady Michelle Obama:

“Barack knows the American Dream because he’s lived it...and he wants everyone in this country to have that same opportunity, no matter who we are, or where we’re from, or what we look like, or who we love. And he believes that when you’ve worked hard, and done well, and walked through that doorway of opportunity...you do not slam it shut behind

you...you reach back, and you give other folks the same chances that helped you succeed.”

#8 – HHS Secretary

Kathleen Sebelius:

“What’s missing from the Romney-Ryan plan for Medicare is Medicare. Instead of the Medicare guarantee, Republicans would give seniors a voucher that limits what is covered....”

#7 – Rep. Luis Guterrez (Ill.):

“President Obama is protecting immigrants. Mitt Romney wants to send them back. This election will determine whether high school valedictorians, football team captains, and student council presidents will be treated with respect – or treated like suspects.”

#6 – Musician James Taylor:

“It’s an empty chair, it makes you nervous, don’t worry — I’m going to sit on it. I’m not going to talk to it.”

#5 – Former President Bill Clinton:

“In Tampa, the Republican argument against the president’s re-election was actually pretty simple – pretty snappy. It went something like this: ‘We left him a total mess. He hasn’t cleaned it up fast enough. So fire him and put us back in.’”

#4 – Maryland Gov.

Martin O’Malley:

“Mitt Romney and Paul Ryan now say they want to take America back. And so we ask: Back to

what? Back to the failed policies that drove us into a deep recession? Back to the days of record job losses? Back to the days when insurance companies called being a woman a ‘pre-existing condition’? No, thank you. I don’t want to go back.”

#3 – The late Senator Ted Kennedy (clip from 1994 debate with Mitt Romney):

“I have supported Roe v. Wade. I am pro-choice. My opponent is multiple-choice.”

#2 – Former Michigan Gov.

Jennifer Granholm:

“Mitt Romney loves our lakes and our trees. He loves our cars so much, they even have their own elevator. But the people who design and build and sell those cars? Well, in Romney’s world, the cars get the elevator, and the workers get the shaft!”

#1 – Ted Strickland, former Ohio governor:

“If Mitt was Santa Claus, he’d fire the reindeer and outsource the elves.”

George E. Curry, former editor-in-chief of Emerge magazine, is editor-in-chief of the National Newspaper Publishers Association News Service (NNPA) and editorial director of Heart & Soul magazine. He is a keynote speaker, moderator, and media coach. Curry can be reached through his Web site, www.georgecurry.com. You can also follow him at www.twitter.com/currygeorge.

Read more: <http://www.nnpa.org/news/commentary/15-memorable-quotes-from-the-democratic-convention-by-george-e-curry/#ixzz26AcKrchZ>

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Master Gardener's Corner

Gardening after the Storm

By MG Calla Victoria
Data News Columnist

Hurricane Isaac came and went, thank God for that. But Isaac was a very slow moving storm limping along at only 6 miles per hour at a width of over three-hundred miles, consequently we sustained much more damage than you would suspect from a Category 1 Hurricane. Isaac came in from the east and that was very evident in my garden and home. The carpet in my foyer was damaged because the high winds blew rain under the front door sill, as my home faces the east.

Immediately after the storm passed I went out to survey the damage and collect any debris, also to check on my neighbors. My huge Angel's Trumpet tree (*Brugmansia*), which sits on the right side of my home, was almost uprooted because it faces east and is in a low lying area. Puddling water from all of that rain loosened up the soil holding the roots of the Trumpet, and that coupled with those tremendous easterly winds left her with a serious gangsta lean. I don't ever want to hear winds like that again. A few of my rose bushes in that same corridor on the right side of my garden were uprooted as well. My drift of purple/black elephant ears (*Colocasia esculenta* 'Diamond Head') are all bending to the west as they were blown from the east. I just had to prop them up and discard the few broken stems and they are doing fine. As I raked up, picked up, and loaded trash cans all I could smell was bar-b-q, oh yes with no power or refrigeration and meat thawing brothers be bar-b-queing! I began to re-hang bird feeders and wind chimes that had been brought in, and as I started logging plants back outside and untying lawn furniture all I could hear was the loud hum of my neighbor's generator and I envied them, as it was Thursday evening and we lost power on Tuesday night.

We were so blessed in my block because it really just looked like we had been through a severe thunderstorm. But as I drove through the neighborhood the panorama became quite different. Huge uprooted oak trees, crepe myrtles, and palm trees blocked several streets, and there were several downed power lines. Lamar Childress, "The Easy Rider" as I call him because he rides a big Har-

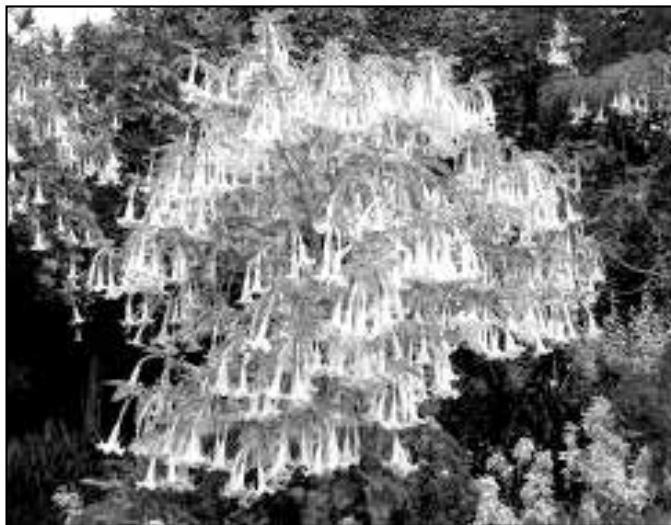
ley, was out with chainsaw in hand making his way through our Gently neighborhood helping neighbors who found themselves with trees in the wrong places. His wife, and fellow Master Gardener, Donna Childress called me on Monday before the storm to find out what I needed as she was already at the grocery store, a couple of hours later she dropped off some supplies. That's what I love about New Orleanians, we are eager to lend a helping hand. Everyone was out in full force cleaning up their lawns and yards, trying to get back some semblance of normalcy, buying ice and searching for a free outlet at the Clearview Mall where they could cool off while charging their cell phones and laptops.

Of course the obvious things to do after a storm is to clean up all of the debris in your garden, trim off tattered leaves and dangling branches from your plant material. It is also a good time to access the problem areas in your garden, low lying areas that allow water to collect should be filled in with top soil to correct the problem. Another layer of mulch is definitely a good idea because of the disturbance from the storm. Also check the area around all of your large shrubs and trees and put an additional layer of topsoil around them. They may not have been uprooted but perhaps dislodged a bit. Also I think they need a little treat to make them feel better, so spread a little plant food all around! The LSU AgCenter has pages of good information about salvaging your plant materials after the hurricane. Visit their website at <http://www.lsuagcenter.com>.

Yes your garden is under stress right now, but sometimes a little stress on plants is a good thing. A few of my rose bushes which had never bloomed in a year are now blooming, also my Angel's Trumpet that took such a beating is almost naked because most of the leaves were blown off, is full of blooms today.

Thank goodness we got power on Sunday or I would not have been able to write this article. Thank you Entergy and all of the power companies that came from across the country to help, and thank you President Obama for caring about New Orleans!

Remember, never be too busy to stop and enjoy the beautiful flowers!



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