

US Constitution Protects Confederate Monuments, Confederate Battle Flag and Street Names!!! –Racism Too!!! –Report, evaluation and arguendo by Robert A. Williams

There are lots of people running around Cleveland County and the United States that are claiming the killing of career criminal George Floyd in Minneapolis and the drunk and disorderly, arrest resister Police assaulter in Atlanta, Rayshard Brooks. They are offended. It makes them angry and violent and therefore rioting, looting, arson, assaulting and resisting is fine and dandy. And the rioting, looting, arson, assaulting and resisting by out of towners are likely to be funded by China using counterfeit \$20 bills-like the one the many times convicted and imprisoned criminal George Floyd was trying to pass that led to his arrest in the first place. It is also fine and dandy to revise history to fit such a narrative. I say the killings of those two black men (and others) by white policemen are a shame and maybe a disgrace from the optics of what we first saw in the videos.

But the rule of law should prevail in the investigation and prosecution and let the wheels of justice in Minneapolis and Atlanta run its course. Criminal trials and Civil lawsuits. To date such jury trial prosecutions of police officers have most often resulted in Not-Guilty verdicts. That should tell us

something. Are there problems? Yes! But the rioting, looting, arson, and other sorts of violence are not the answer, but a big part of the problems. And those involved in such should themselves be prosecuted. It is a fact. And it is the law. Any discussion about this is welcome. But this is not the main topic of this article.

Now, let's consider the Confederate Monuments and the Confederate Flag and those of us whose legacy includes ancestors who fought for the Confederacy in the War Between the States. The Civil War. The Rebellion or whatever you want to call it. And Slavery too.

No one alive today actually fought in the Civil War. No person alive in the USA today was ever a slave. But many of our ancestors did fight in that war and many of our ancestors were slaves. That is also a fact that, to my knowledge, is NOT in dispute. Also, a fact that is not much in dispute is slavery was a legal practice at that time and only ended legally with the ratification of the 13th Amendment on December 6, 1865. Months after the end of the Civil war and the freeing of the slaves.

Therefore, any punishment for fighting in the Civil War and ownership of slaves that is levied on anybody is an ex post facto punishment, which is unconstitutional. Ex Post Facto Law means a law that is passed today to punish somebody for something they did yesterday when what they did was legal. Increasing punishment today for an offense committed yesterday is also an ex post facto law. The US Supreme court has thrown out many ex post facto laws over the years.

So, any attempt to remove statues, monuments and Flags of any sort that were legally installed at the time installed, but are deemed to be offensive and criminal today to those that assert such an argument for removal are also ex post facto and therefore unconstitutional. And, anybody that defaces and tears down statues, flags (Like the Boiling Springs Baptist Church Cemetery did have committed criminal acts and should be prosecuted to the fullest extent of the law.

OK Williams, show me this ex post facto prohibition in the Constitutions.

Folks, that is easy. Article 1 Section 9, among other things says "No Bills of Attainder or **ex post facto** Law shall be passed." Look it up for yourself if you don't believe me.

All this being said, you County Commissioners and Shelby City Council better leave the monuments on the Court Square exactly where they are. All of them. Same with the Dixon Boulevard street name in Shelby.

Thomas Dixon, Jr. a Shelby native, may have been a racist and he did write three books that glorified the deeds of the Ku Klux Klan. I have read all three of those books myself. My reason, even though I don't owe anybody a reason for the books I choose to read, is that Dixon was raised in Shelby during Reconstruction. Most authors when they write such accounts as Dixon did is to base the writings on real events and change the names and places around. From my research into the historical facts about Cleveland County is that Cleveland and Gaston counties in North Carolina and York and Cherokee

Counties in South Carolina were:” hot-beds” of Klan activity when Dixon was growing up. I wanted to see if I could decipher from Dixon’s writings just who the Klan leaderships identities were. My research indicated that much of those that I believe to be involved with the KKK leadership in Cleveland County and their families went on to become political leaders in the County, State and even National political leadership.

Thomas Dixon Jr. was also very influential and respected as a Baptist Minister, a writer of many more books and articles and a major businessman on a county, state and National level. There are no laws against racism as it is impossible to prosecute a person for what they think and the beliefs that they have. Only acts that are legislated to be illegal can be prosecuted. Same with Hate Crimes. Would you also want a DA to prosecute for Love Crimes? Only thoughts and beliefs that result in already defined as criminal acts or civil torts can be prosecuted through the judicial system. And it is better that way, otherwise we may all end up in jail or under a strict dictatorship.

I would also remind all readers that Cleveland County was one of the forty counties in North Carolina declared by the US Justice Department to be systemic violators of voting rights as noted in the Civil Rights laws of 1964 and 1965 and the County was required to pre-clear everything they did related to voting through the US Justice Department. Only recently did Cleveland County get removed from the Justice Department “watch list.” Probably too soon.

I would also state that hypocrisy is generally not a crime either. Otherwise all the Black Lives Matter and local leaders of the black communities who have finally come out as

protestors would find themselves in jail for condemning systemic racism in Minnesota and Atlanta while remaining silent about the treatment of Mr. Willie Green by the City of Shelby and the Cleveland County Commissioners and the School Board that has resulted in numerous lawsuits with more to come. The old time Black Leadership has ignored this situation and are finding themselves being replaced as leaders by a younger and more black female presences. So now, for publicity, they want the statues and flags to come down. Just "symbols" that have no regards for economic equality or any other kind of real equality for the black community. Plantation Politics survives because of the surrender of the oppressed. Massa Eddie and his Massa pals just sit back and reap the huge rewards for their very small payoffs to the "Coons" and "Uncle Toms." Serves them right that they are losing control of their flocks.

On the other hand, if the Commissioners were smart, a big if, they would put the removal of the Confederate and other monuments on the ballot as a resolution in the 2020 Elections just a few months away. "Let all the people have the opportunity to vote" as they all said in lockstep, directed by Dennis Bailey, when they were trying to pass a sales tax increase in the Primary Elections.