

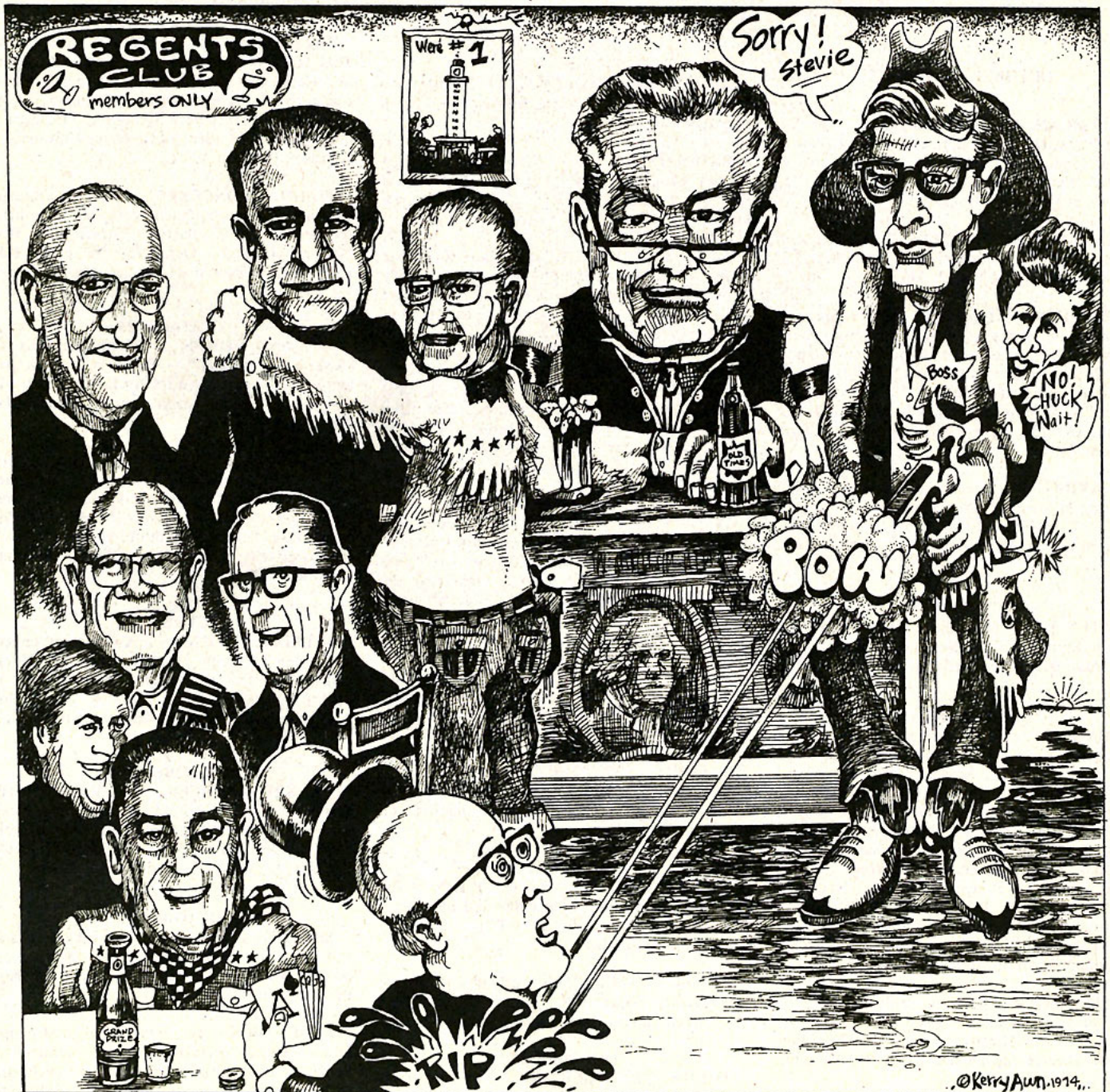
THE TEXAS OBSERVER

A Journal of Free Voices

A Window to the South

Oct. 20, 1974

50¢



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SPURS LAST RUN: ★ The ★ 40 Acres ★ Massacre ★

The coming fortnight

By Suzanne Shelton

OCTOBER GRAB BAG

AMERICAN ABSTRACTIONIST – The art world has lately taken notice of Friedel Dzubas and it's long overdue; first major retrospective of Dzubas' abstract paintings; through Nov. 24, Museum of Fine Arts, Houston.

CANVASES BY MOELLER – Paintings by Nancy Hodgson Moeller; through Nov. 2, Unicorn Gallery, Dobie Mall, Austin.

ART FILMS – Laguna Gloria Art Museum continues its series of films: "Spanish Art," featuring films on Goya, Velasquez, and Gaudi, Oct. 24; "Expressionist Painters," with Klee, Kandinsky, others featured in "The Expressionist Revolt," plus films on Francis Bacon and Edvard Munch, Oct. 31; 7:30 p.m., Laguna Gloria Art Museum, Austin.

WEAVING – Memorial exhibition of weaving honoring late patron Loriane Gonzalez; through Nov. 17, Michener Galleries, Humanities Research Center, University of Texas, Austin.

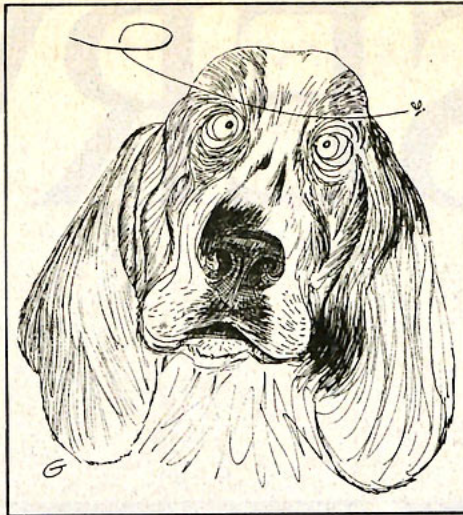
OCTOBER 16

LISTEN UP – As authors Willie Morris and William Styron read from their works; 8 p.m., Hogg Auditorium, University of Texas at Austin.

OCTOBER 18

BRING ON THE ELEPHANTS – No live pachyderms, but a few semblances thereof, as UT's Opera Theater, Symphony, Dance Dept., Longhorn Band and choral organizations present "Aida" on homecoming weekend, all at the original request of that illustrious impresario Frank Erwin; Verdi's opera will include human pyramids, gymnasts, hordes crammed onstage, and a Moorish ballet staged by Igor Youskevitch, with music sung in English under general direction of Walter Ducloux and Morris Beachy; kickoff for annual Fine Arts Festival; also Oct. 20, Municipal Auditorium, Austin.

AND ACROSS TOWN – "Salome" may be more to your taste, with production staged by Austin Woman's Theatre; through Oct. 26, Zilker Hillside Theatre and Laguna Gloria Art Museum, Austin.



ROCKY MOUNTAIN SMARM – John Denver goes and guitars; 8 p.m., Convention Center Arena, San Antonio.

CAMELOT LIVES – Though it's getting fainter, with King Arthur and the boys and a road show cast; through Oct. 20, Downtown Music Hall, Houston.

FAST & FRENZIED – Rajko Hungarian Gypsy Orchestra and Dancers, who unfortunately were booked in the wake of Soviet Georgian Dancers – go if your blood pressure can stand it; 8:30 p.m., Jones Hall, Houston.

ALL THAT GLITTERS – "Golden Boy," Clifford Odets' drama about boxing racket continues, with former Golden Gloves champ Jim Brewer himself in title role; through Oct. 20, Mary Moody Northern Theater, St. Edward's University, Austin.

OCTOBER 19

IVES IS IN – After decades of obscurity, American composer Charles Ives is hot stuff, and UT celebrates "A Tribute to Charles Ives" with Orville White, baritone, Delmer Rogers at the piano; 8 p.m., Music Bldg. Recital Hall, University of Texas, Austin.

OCTOBER 20

POMMIER ON PIANO – Jean-Bernard Pommier, piano soloist, guests with Houston Symphony Orchestra, conducted by Lawrence Foster; through Oct. 22, Jones Hall, Houston.

OCTOBER 21

CZECH STRINGS Chamber Music Society hosts Prague String Quartet; Caruth Auditorium, Dallas.

OCTOBER 22

DRAMATURGY – Royall Tyler's "The Contrast," with student cast directed by Gaylan Collier; through Oct. 27, TCU University Theatre, Fort Worth.

KEYBOARDING – James Williams, pianist, in free faculty concert; 8:15 p.m., Roxy Grove Recital Hall, Baylor University, Waco.

OCTOBER 23

OSBORNE'S 'ANGER' – Robert Britton directs student and professional cast in John Osborne's "Look Back in Anger;" through Nov. 2, Ruth Taylor Theatre, Trinity University, San Antonio.

FINE ARTS FESTIVAL – UT's big doings continue with lecture on "Schöenberg and Expressionism," Music Bldg. Recital Hall; film "The Damned," Batts Auditorium; and University Wind Ensemble concert, LBJ Auditorium, all dealing with festival theme "Expressionism"; University of Texas, Austin.

OCTOBER 24

VILLELLA & VERDY – Two of ballet's big names, Edward Villella and Violette Verdy of New York City Ballet, join Houston Ballet in season-opening concert featuring James Clouser's marvelous new ballet, "Con Spirito"; through Oct. 26, Jones Hall, Houston.

FROM BROADWAY – The musical that won Broadway's Tony Award for best musical, Stephen Sondheim's "A Little Night Music," presented by Dallas Repertory Theatre; through Nov. 24, NorthPark, Dallas.

JAZZ SYMPOSIUM – "Serious Music and All That Jazz," with lectures, seminars, and concerts by Gary Burton Quintet, 8 p.m., Cullen Auditorium; also Gunther Schuller, guest conductor of University Symphony Orchestra, 8 p.m., Oct. 25, Cullen Auditorium; University of Houston, Houston.

PIANO CONCERT – Marie-Francoise Bucquet, French exponent of avant-garde piano repertoire, plays Bartok, Stravinsky, Berg, Boulez; through Oct. 25, 8 p.m. Hogg Auditorium, University of Texas, Austin.

OCTOBER 25

UPS AND DOWNS – Walter Kerr calls it a "love of a musical" – "Seesaw," which won Outer Critics Circle Award for best musical, with road show cast; through Oct. 27, Music Hall, Houston.

FLATONIA FLATULENCE – Tiny town of Flatonia, boasting world's largest biergarten, hosts "Czhillspiel," with chili cookoff, street dance, music by the Velvets, pearls of wisdom from Miss Texas, and more; through Oct. 27 (appropriately Veteran's Day Weekend), Flatonia.

OCTOBER 26

JULLIARD'S FINEST – A rare treat, concert by Julliard String Quartet playing Mozart "Quartet in D," Schoenberg "Quartet No. 3." Bartok "Quartet No. 6;" 4 p.m. Hogg Auditorium, University of Texas, Austin.

OCTOBER 27

YANKEE VOICES – Robert Hale, bass-baritone with New York City Opera, blends voices with Dean Wilder, tenor and head of Voice Dept. at Westminster Choir College of Princeton, N.J.; 8 p.m., Municipal Auditorium, Austin.

OCTOBER 28

SINATRA – That model of Christian charity and decorum, Frank Sinatra, in concert – and people will pay to go; 8:30 p.m., Hofheinz Pavilion, Houston.

JAMES DICK – Texas' perennial guest pianist, James Dick, performs world premiere of Benjamin Lees "Etudes for Piano and Orchestra" with Houston Symphony Orchestra; 8:30 p.m., Jones Hall, Houston.

(Continued on Page 24)

The 40 Acres massacre

Austin

The chancellor of the University of Texas System, Charles LeMaistre, was appointed by the board of regents without faculty or student participation. In late September, he fired the president of UT at Austin, Stephen Spurr, and refused to give the academic community or the public specific reasons.

Spurr, choosing to fight, made surprising charges, but put off revealing what LeMaistre told him privately until a faculty-student committee convenes to hear him and uncover the truth.

The general faculty, affronted by their president being fired without their having a voice in it and by the administration's cold refusal to give them any real reasons, took a step that was historic for higher education in Texas: by an overwhelming vote, they condemned LeMaistre for his "complete contempt for the academic community and the people of Texas," declared their "lack of confidence" in him, and asked him to resign immediately. This was the first time that the general faculty of the state university has called for the resignation of a reigning administrative officer. The student senate, the elected legislature of the student body, endorsed the faculty's demand that the chancellor resign by a vote of 20 to 6.

SPURR SAID he had questioned regents' priorities in spending money for construction, implemented a program to increase ethnic representation in the university despite the regents' bitter opposition, fought hard behind the scenes for the editorial freedom of the student newspaper (winning only 5-4), and turned back regent Frank Erwin's attempts to get students into the law school whom the school's admissions committee did not regard as sufficiently qualified.

He said his first trouble with the regents came when they put him in charge of the big pre-game football receptions that are attended by many state-level politicians. He said the regents called him in and told him he had cut back the food and drink too much and was politically insensitive in cutting down the invitation list too much. Spurr kind of laughed and said if the regents had not pulled him off this responsibility, he would have cut back the refreshments to beer and pretzels.

LeMaistre gave only words for reasons: he told nothing. On Sept. 24, having tried

to get Spurr to resign without success, LeMaistre fired him. Spurr was able to remember 15 items of dissatisfaction LeMaistre had told him about, but publicly the chancellor said his confidence in Spurr had been "severely eroded over the past few months," Spurr had "a generally uncooperative attitude," he had tried "to discredit the chancellor and system administration through direct contact" with regents, he had shown "utter disregard for the duties and responsibilities of the chancellor." Spurr's lawyer said even these statements might be the basis for a lawsuit. By the time LeMaistre made his public explanation to the regents, he was even more opaque, and he threw in a statement that Spurr was "a distinguished academician." (Spurr will stay on at UT as a professor at \$38,000 a year. He is an ecologist.)

All the regents except Lady Bird Johnson voted to ratify the firing. Mrs. Johnson abstained, but made a sharp statement of displeasure. "No great educational institution," she said, "can sustain its greatness with frequent and sudden firing of its presidents and deans." She has been a quiet ally of Spurr's on the board, and the late President Johnson was also an admirer of Spurr's.

LeMaistre's refusal to give his reasons and a statement that they are not the public's business by A. G. McNeese, chairman of the regents and head of the large Bank of the Southwest in Houston, stimulated calls for a full public explanation. These demands came most significantly from Gov. Dolph Briscoe and Lt. Gov. Bill Hobby. The chancellor and regents had to decide whether to try to satisfy the governor and lieutenant governor with private explanations or go public.

THE IMPASSE into which these events plunged the university is a structural one. The students and faculty are on one side of an institutional chasm; the administration and regents are on the other. The students and faculty have overwhelmingly asked the chancellor to resign; the chancellor has thumbed his nose at them. "First," he said, "I have no intention of resigning. Second, on Wednesday, Sept. 25, I gave my reasons for my removal of Dr. Spurr to the board of regents." Thus the state university is now dominated by a chancellor in whom its

professors and students have no confidence, and he means to go right ahead telling them what to do.

McNeese said, "I don't think the public has the right to know [the reasons for Spurr's dismissal] because they're in no position to evaluate" those reasons. "... Who in the taxpaying public would appreciate the particular incidents that led to that firing? ... I have no intention of giving further details."

"There's not a particle of difference," McNeese said, between the regents and the board of a private corporation. In his view, the regents "are not answerable to anyone for policy decisions. The format is the same as a corporation - the board makes policy - and does not mix into administrative decisions." McNeese said he had heard "no comment that because citizens pay their taxes, they have to know why every decision was made."

Regent James Bauerle of San Antonio agreed: "I think we have to work this the same as a corporation ... There have to be closed sessions on matters such as personnel to avoid undue gossip and hearsay." Regent Jenkins Garrett of Fort Worth thought along the same lines: "The university, in spite of being an educational institution, has to be run on a businesslike basis."

(Five of the nine regents earlier this year said in financial statements required by a new law that they are officers, directors, or have interests exceeding \$25,000 in banks or bank holding companies that are used by the UT System as depositories for university funds.)

Explaining to the regents, for public consumption, why he had fired Spurr, LeMaistre said, "I took the only appropriate management action ..." Rebuking Spurr for having appointed a faculty committee to evaluate his presidency, LeMaistre made his theory of university governance explicit with a signal adverb: "this evaluation is the direct responsibility of the chancellor subject only to review by the board of regents."

The general faculty gave its answer in the resignation resolution adopted about six or eight to one:

"The chancellor's failure to consult with the faculty and students in dismissing President Spurr, and his refusal subsequently to provide reasons for his



Regents Chairman McNeese

summary and unilateral action, have again shown the chancellor's complete contempt for the academic community and the people of Texas.

"The general faculty of the University of Texas at Austin therefore expresses its lack of confidence in Chancellor Charles A. LeMaistre and calls for his immediate resignation."

Evidently LeMaistre had been telling the regents about his dissatisfactions with Spurr before the blow-up, but he did not ask them as a body in advance about firing the president. He said that no regent "recommended" to him that he fire Spurr, and Spurr said "I disbelieve" that. Garrett said regents were "aware for some time of the deteriorating relationship," but did not know LeMaistre was going to fire Spurr. Bauerle said it was more a personality conflict between the two administrators than anything else and described the firing as a "power play." LeMaistre had told the regents he had a problem with Spurr over the university library, and from other sources it appears that this had to do in some still unknown way with former

Chancellor Harry Ransom's expensive special university collections of rare books, manuscripts, and other literary stuff.

SPURR leveled down on Frank Erwin as a major factor in the firing. Erwin denied he had anything to do with it except voting with LeMaistre to fire Spurr. Sources inside the UT System caution that Erwin was not the prime mover. One says Erwin was actually after LeMaistre and, in somewhat surprising fellow regents by going along with Spurr's firing, is surely smart enough to have known that the uproar on campus could bring down LeMaistre, too.

Despite all the talk after the firing, its causes are not clear. When Spurr makes the 15 reasons he was given public, LeMaistre — faced also with Briscoe's statement, "There has to be a complete and full explanation" — may lay down heavy charges. They may entail Spurr's crusade for higher faculty pay and benefits and for more spending for the main library. The context could be allegations that Spurr was intractable when told he had to confine his proposed budget to budgetary guidelines established by the state coordinating board for higher education.

The day after he was fired Spurr went before a meeting of the faculty senate (a kind of executive committee of the general faculty) and laid down a barrage of charges against the administration. The scene suggested the day three decades before when UT President Homer Rainey went before the faculty and charged the regents with improper interference — an act that they then fired him for.

In their private confrontation, LeMaistre told Spurr he had lost the regents'

confidence and gave him 15 or 16 grounds for dissatisfaction. Spurr declined to resign until he had thought about it. "Well," LeMaistre told him, "if you don't resign by 5 o'clock, I'll fire you." Spurr went home and took down, by phone, a letter of resignation dictated to him by LeMaistre, but as he mulled it over that evening, he decided he would not quit. LeMaistre's allegations, he told the faculty senate, "are either false, inadequate, patently trumped up to create a non-existent case, and, in some cases, ludicrous on their face." The next morning he gave LeMaistre a letter asking for the charges in writing and for "the due process to which I am entitled." LeMaistre, giving him no written bill of particulars, fired him out of hand.

"The real issue is the academic governance of the University of Texas at Austin," Spurr said. It is vital, he said, that academicians, such as himself, be judged by their peers and that "the academic decisions be made by the academicians." (In his written statement he had added, "so that evil men will not distort them [academic decisions] to their own ends"; but he did not say this.) As president, he said, such decisions were made for the Austin campus at levels no higher than his own office. He had "refused to let the board of regents be involved in any way" in the choice of law and LBJ School deans.

"I have fought consistently for the freedom of the editorial page of *The Daily Texan*," he said. Only with great difficulty had he been able to obtain, with the late, former regent John Peace's help, a 5-4 decision of the regents "to maintain the editorial freedom of *The Daily Texan*." (The next day he explained that this division concerned the issue of turning the

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Ronnie Dugger, Publisher

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student paper into an auxiliary enterprise of the university. He said Erwin was on the side of crippling the *Texan*, but that when the die was cast voted the other way.)

In more than 90 percent of the cases in which the faculty had sent formal recommendations to him, Spurr said, he had approved them and forwarded them upward. He had sided, again in 90 percent of the cases, with faculty priorities on construction, and he had opposed "several building and landscaping projects."

ON THE charge he had gone around LeMaistre to deal directly with regents, Spurr's defense was that as a member of committees with regents he had to deal with them directly. He also said a powerful regent (he probably meant Erwin) and the student president, Frank Fleming, made decisions together that he found out about the next morning in the newspaper. (This slam at Fleming hurt him as a student leader and projected the vice-president, Bill Parrish, into prominence at once.) "The way this university had been traditionally run," said its just-fired president, "has been with constant meddling by some of the board of regents and constant taking advantage of this by faculty and students."

In response to a question from Dr. Ira Iscoe, Spurr said, "When I came here, I tried very hard to get an ethnic recruitment policy started. It was bitterly opposed by the regents, and I went ahead and started it anyway." (The state university now has 406 blacks and 1,700 chicanos among its 40,000 students.)

Improvising, Spurr said he was a teacher, and he would go back to teaching. "My philosophy," he said, "was that I wasn't going to, if I may say so, kiss anybody's ass as a university administrator."

It was a remarkable performance. The quiet president who had been written off as a milquetoast was on his way to becoming an instant hero. The faculty senate and others in the room gave him a standing ovation.

Charles Alan Wright, the professor of law who received notoriety during his period as former President Nixon's lawyer, rose to call attention to LeMaistre's reference to his firing of Spurr as "a management decision."

"I thought the adjective was significant," Wright said. "Perhaps in a corporation it is appropriate to dispose of managers. But a university is not a factory or a corporation. It is a delicate and fragile organism with its own traditions. . . . What is good for General Motors is not necessarily good for The University of Texas."

The regents' meeting to ratify the firing was open and shut. Erwin sat at the table reading a copy of the *Houston Chronicle* with the headline, "Spurr Firing UT's 'Darkest Day'" (which Wright had called it). LeMaistre read his *pro forma* statement. Student President Fleming asked for "further explanation"; Parrish

warned of damage to the university. After two more speakers were heard, Parrish, noticing that none of the regents was saying a word, asked, "Will our remarks be responded to?" "Does anyone care to respond?" McNeese asked. "I'd hoped," Parrish persisted, "you would be responsive to the students and not continue. . ." The regents said nothing at all.

But then Mrs. Lyndon Johnson, speaking in a voice so soft and low reporters had to go over to her end of the table to hear her, said she would abstain. She had agonized over it, she said. She was concerned about the "severe and traumatic effect on the administration, the faculty, and the students." She said she did not have enough facts to ratify the firing, but she did not want to handicap the chancellor's work, either.

The other regents voted 8-0 and adjourned. LeMaistre walked over to Mrs. Johnson, touched her arm, and said "Let me assure you I understand." She gripped his arm and said something like, "Oh, yes," or "Oh, Dr. LeMaistre." LeMaistre filibustered reporters' questions, refusing to specify reasons and saying that whether he would do so in the future would depend on circumstances. Parrish, physicist Alfred Schild and botanist Irwin Spear, and others debated at length with banker-regent Ed Clark of Austin. From Clark it was first learned then that the regents believed that reasons should not be given for the firing because if they were, Spurr might be given grounds to sue.

"I don't know of a single faculty member who has respect for LeMaistre since he was appointed," Spear told Clark. The regent said he had never heard any such complaint from any faculty member. "What you did is a dreadful mistake," Schild told Clark. "I have agonized over it," Clark said. "Not enough," the professor replied.

THE NEXT morning, in a press conference, Spurr answered questions for an hour or two. Relaxed, in a light gray suit, bespectacled, slightly balding, seated with his feet crossed easily above his ankles and his hands interlocked above his lap, he smiled when he was asked if he thought he was fired because he had refused to kiss anybody's ass. He used that phrase only rarely in private, he said, and he had never used it before in public. Nevertheless, "May I say that I do not relish being behind anybody's behind."

Spurr said at this conference, in import, that he had been a better president than people had any way to find out about. "I have tried to work within the system," he said. "I have been well aware that by working within the system, there would be an erosion of confidence" among some of the students, faculty, and people on the outside watching. "I have now come to the point in my life and career, involuntarily, I guess, that this is no longer the way to work."

In this conference he acted on what may have been an inner decision to let Erwin have it. "Mr. Erwin was a major factor in this." "There's been a long line of regental interference in the affairs of this university, not by the majority of the board of regents, but by individual regents." Erwin and one other regent from time to time convened members of Spurr's staff and issued instructions "that had not gone through the academic process" or any other process. Regents had called Spurr at home and given him orders. LeMaistre had told him, when asking him to resign, that "he had given considerable thought to the fact that if I had to be fired, he ought to be fired at the same time" for taking many of the positions for which Spurr was getting it. Asked whether Governor Briscoe should reappoint Erwin, Spurr said "I think it would be an utter disaster."

Asked if Erwin had tried to get him to get certain students admitted to the law school, Spurr replied, "Yes, he did." Spurr also said, "A number of individuals have felt strongly that I should use the so-called dictatorial powers of the presidency to overrule the decisions of the admissions



Regent Erwin

committee of the law school," but he had never done it.

Erwin was quoted in the *Houston Chronicle*, "If he [Spurr] says I instructed him to admit somebody, he is a goddamned liar. I have asked him to see what he could do about many people."

LeMaistre brought in Dr. Lorene Rogers, formerly the vice president at UT-Austin, to replace Spurr. She took care to announce she had nothing to do with and

Erwin's future

Under the custom of "senatorial courtesy" in the Texas Senate, a senator can block a gubernatorial nominee from his home district. When Frank Erwin of Austin was reconfirmed as a regent in 1969, it was decisively helpful that the state senator from Austin, Charles Herring, would not invoke senatorial courtesy against him. Now Herring's successor, Lloyd Doggett, has decided that he will do this if necessary. Erwin's term on the board expires this year.

Alfred Schild, Ashbel Smith professor of physics at UT-Austin, wrote Doggett directly, saying that "Mr. Erwin, in my considered opinion, is the worst thing that ever happened to the University of Texas. I hope that Governor Briscoe will not choose to reappoint Mr. Erwin. If he does, I hope that you will block his confirmation in the Senate . . ."

If Erwin was renominated, Schild told Doggett, "I shall be very happy to testify before you and your fellow senators against Mr. Erwin's confirmation. I am certain that a large number of my colleagues on the faculty will be glad to join me in this."

(In 1969 faculty opponents to Erwin's renomination flaked out.)

Senator Doggett wrote Schild that he had visited with Briscoe on the need for "new academically oriented regents."

"Hopefully," Doggett wrote, "Mr. Erwin will not be reappointed by the governor. If such action is taken I will oppose the appointment vigorously and publicly and with every resource that the institution of senatorial courtesy implies."

Doggett also told a group of Young Democrats in Austin that, without meaning it in a personal sense, he will, if necessary, declare, in the terms of the tradition of senatorial courtesy, that Erwin is "personally obnoxious" to him.

The governor's stated position is that he will not be making any decisions about UT System regents (three are up) until the end of the year — that is, until after the November elections. Briscoe's GOP opponent, Jim Granberry, told UT-Austin students last week that if elected he would not reappoint Erwin.

Erwin was quoted as having said last January that there was "no chance" Briscoe would reappoint him. George Kuempel reported in the *Houston Chronicle* Sept. 27 that members of Briscoe's staff said Briscoe knew, during the 1972 gubernatorial campaign when Erwin was supporting Ben Barnes, that Erwin was attempting to discredit Briscoe and that Briscoe was angry about it at the time.

"Rumors of Briscoe's alleged psychiatric treatment flourished in the closing days of the primary campaign," Kuempel reported. "But it was of little help to Erwin's candidate, Barnes, who ran third in the race . . . Erwin detailed his efforts to establish that Briscoe had mental problems to a reporter and some local politicians at the Quorum Club here last Jan. 5."

Last week a rumor swept some circles in Austin that Chancellor Charles LeMaistre, faced with the demand of the faculty that he resign, will do so, and the regents will appoint Erwin to replace him. There was no known substance to support the rumor, and it probably was just another proof of the large part Erwin plays in the imagination of the Austin left. R.D.

did not know about Spurr's firing. UT is under serious pressure from the federal government about equal treatment for women, and this may have been a factor in Dr. Rogers' appointment. She has degrees in English literature and biochemistry and has taught chemistry and nutrition.

She opened the general faculty meeting by reading a letter from LeMaistre to her in which he made the concession to her (obviously under the gathering threats of the no-confidence vote) that "there will be student and faculty representation, with vote," on the committee to select the new president. In 1972 the faculty asked that the selection committee be composed of and chosen by faculty and students; in context it appears LeMaistre meant he would appoint the faculty and students he preferred for the committee, which theretofore was to have been almost altogether administrators.

There were 488 voting members of the faculty present, out of a potential 1,600 (a quorum is 234). It was clear at once that these were an angry bunch of professors. Rapid fire, with little debate, they passed, with no more than five nos on any of them, resolutions commending Spurr, Mrs. Johnson, and the public officials who had called for a full explanation.

Neil McGaw, professor of English and a spokesperson of the American Association of University Professors on campus, presented the resignation resolution. He stressed the AAUP's expressed disapproval

of the way LeMaistre and the regents slipped a president over on UT at El Paso and of the seven-year contract program at UT at the Permian Basin which abolishes the academic tenure system there.

Lanier Cox of the BBA school, saying Charles Alan Wright agreed with him, opposed slamming down LeMaistre. Cox said the censure was premature, precipitate, and emotional and would cost the faculty public support. Parker Fielder of the law faculty said that a remark that censuring LeMaistre was an urgent cause "is the call of a lynch mob." James Sledd of English rebuked Fielder for characterizing a faculty member as "a lyncher" and warned that not censuring LeMaistre would be kin to submission in the secrecy that has recently demeaned the national life.

A PROFESSOR proposed to strike the charge that LeMaistre had shown "complete contempt" for the faculty and the people and to say instead he had "disregard" for them. Another professor wanted to change "disregard" to "apparent disregard." But the faculty voted overwhelmingly for the term, "complete contempt."

As submitted, the resolution had not asked the chancellor to resign, but now Brian Cooney, an assistant professor of philosophy, proposed to add the demand that he do so. "When we are faced with this kind of violent action," Cooney said, "we can't say — 'Come — let us reason together.' This is an educational institution — we are the educators — surely we are in a

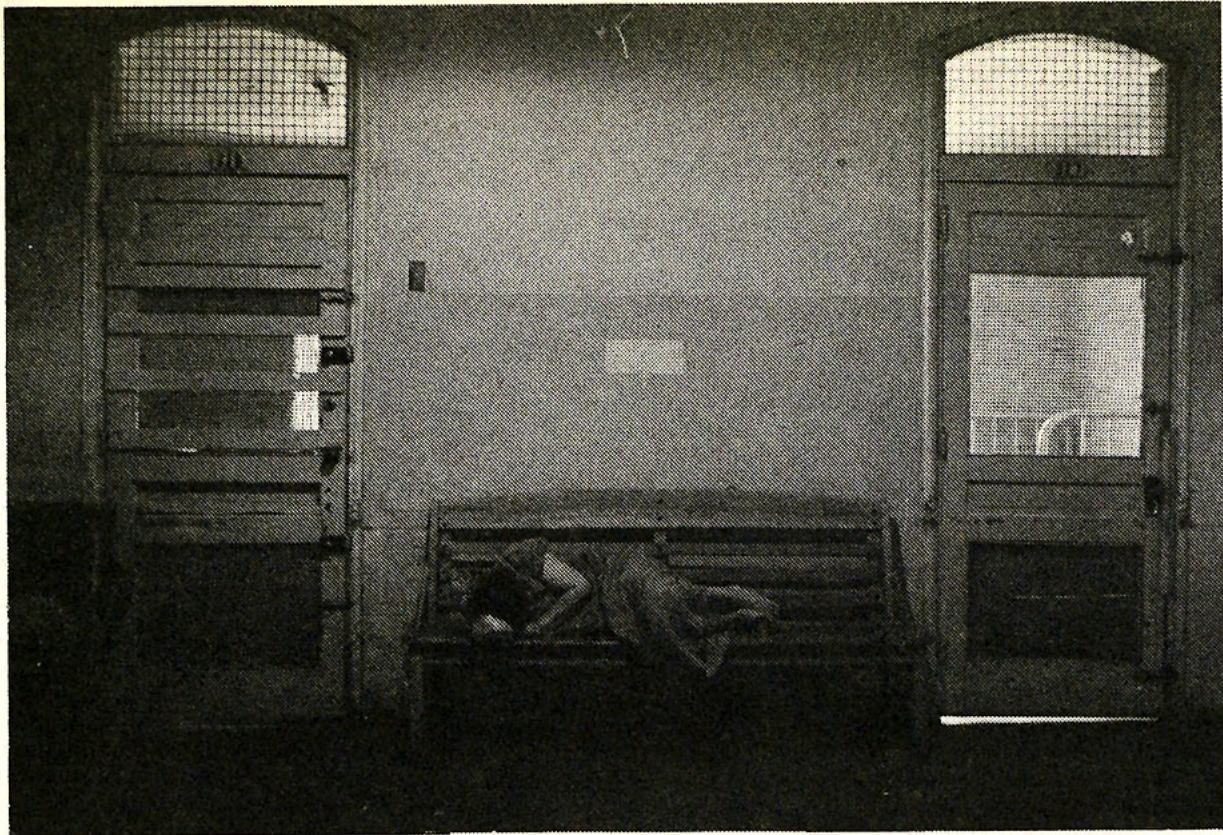
position to evaluate the incidents of the last week."

Cox tried one last time. How could they hope to deal with LeMaistre fruitfully in the future if they told him to resign? Professor Schild closed for the prosecution. He did not know, except for one professor, "a single academic person who has any respect for LeMaistre. Now is the time to hit and hit hard."

At about 5:45 p.m. on October the first, with about 50 or 60 nos in a voting assembly of 488, the general faculty of the state university said their chancellor should resign. For good measure they asked Briscoe for "three new regents" committed "to the principle of campus autonomy on matters of academic program."

The problem facing the faculty is what to do next, if anything. There were tentative discussions, during various faculty meetings, of going to the Legislature for an investigation or for some legislative correction of the UT System that rests so heavy on the constituent campuses, but the professors are nervous about going to politicians they do not know and from whom they tend to expect the worst.

An official of the national AAUP sharply criticized the UT System's firing of Spurr with no accountability to the academic community, raising the specter of another AAUP blacklisting of UT like the one that followed the firing of Homer Rainey in the 1940's. Charles Loughton, associate dean of the graduate school of social work, wrote LeMaistre that faculty morale is at "rock bottom." Still ahead lay the faculty-student committee inquiry into the firing and nobody knew what else. R.D.



Russell Lee photo of state institution circa 1960. Things haven't changed much.

Will it really change?

By Richard Halpin

Austin

Administrators of the Texas Department of Mental Health and Mental Retardation profess to be ready to make some real changes, but are they really?

In the last year, the department has been under unprecedented pressure from the Legislature, the press, the courts, and citizen groups to drastically improve the institutional care in this state. The department has been charged with gross negligence resulting in patients' deaths, of using patients as "human guinea pigs," of requiring patients to do peonage service, and of doing no more than "warehousing" citizens that no one else wants to cope with. The department's budget is small, the buildings are old, and the direct care staff is about half what it should be, critics have charged.

NOW MHMR has a new commissioner, Dr. Kenneth Gaver, recently imported from Ohio. He is facing a class action suit concerning patients' right to

education, treatment, and rehabilitation. The suit also charges the department with cruel and unusual punishment. There is another suit filed by employees accusing certain administrators of falsifying records concerning rehabilitative treatment. There are almost daily challenges to the department's commitment procedures, there's an escalated employee turnover rate, and growing horror and dissatisfaction among attendants at the state schools and hospitals.

Dr. Gaver has the reputation of a liberal administrator. The mere fact that he was hired was interpreted by some observers to mean that MHMR was about to take a new approach to treating the mentally disturbed and retarded, an approach that would return patients to their communities for treatment rather than stashing them in large, centralized institutions.

An important but long ignored report commissioned by the Austin Urban Renewal Agency studies the effects of placing people in institutions.* It details how elderly people taken out of their personally constructed and supportive environments and placed in nursing homes simply die. They just get lonely and die.

**The Blackshear Diagnostic Survey; A Description and Problem Analysis*, by J. Allen Williams, Jr., assistant professor of sociology, UT Austin, June, 1968.

Critics of MHMR maintain that the same thing happens in state institutions. That's why such groups as Free the Slow want to move MHMR services back to the community.

Dr. Gaver talks a good "community" line. In a recent interview, he agreed that there are probably people locked up in Texas institutions who shouldn't be there. And he agreed that some MHMR residents who work at the institutions could just as well work in the community. Still, he insists, Texas must expect "an increase in children who need to be institutionalized for psychiatric problems."

Some people believe that the answer to MHMR's problems is a lot more money. Others, like the leaders of Free the Slow, maintain that the department is adequately funded but that the money isn't used properly. At any rate, the agency's priorities are established in the budget, and so I attended a budget hearing a few weeks ago to see what kind of shifts in priorities are being made. But it seemed to me that Dr. Gaver was riding the same old priorities established by the deposed Dr. David Wade.

The Legislative Budget Board and the Governor's Budget Office began holding meetings concerning the budgets for

Halpin is an organizer for Free the Slow, Inc.



This 1974 photo shows a resident who has gone blind in a state institution. He has received massive doses of psychoactive drugs. Each day he searches out the sunlight and sits there, completely withdrawn.

MHMR institutions in August. They've met in Dallas, San Antonio, Midland, Houston and twice in Austin. The meetings are billed as "public hearings," and indeed notice of the events was duly posted on the bulletin board in front of the secretary of state's offices and other locales. But the scheduled meetings did not get any publicity and so there has been little, if any, public input at the sessions.

The most recent Austin meeting was held in the multimillion dollar MHMR Central Office complex. The CO is a clearly divided turfdom. Part of the second floor is a dark panelled pavilion with thick carpets, the expensive antiques acquired during Dr. Wade's tenure, and lots of house plants. The chief administrators are tucked into quarters of simple elegance. In contrast, the south side of the building where the lower echelon employees work is spartan. The floors are linoleum and the walls are drab green.

To get to the board room where the budget hearing was held, you walk through a beehive of sequestered workers, memo machines, and a snack bar. The meeting room was packed. I bumped into two people as I opened the doors. And as if that didn't beat all, more people wanted to get in behind me. Well, sure enough, the people were packed in there as thick as residents on one of state school wards — at least in half of the room. The other half was taken up by a grand board table with 15 matching \$650 leather rocking chairs.

It wasn't so much that I minded standing for a couple of hours, but every time I wanted to take notes I bumped into someone. And you had to listen real hard, 'cause them boys up at the board table just

seemed to be talking to each other. They would sort of sink into their big leather rocking chairs and disappear behind the head in front of me. But then, they didn't seem to be hearing too good either. The budget folks had to keep repeating their questions. Then somebody from MHMR would restate the question and hand it right back as an answer.

There were a few interesting moments, though, like the discussion of the \$500,000 item in the central office budget for a Wilderness Camp Program. Now, a wilderness program is a good idea. There is one out of Houston that seems to be helping emotionally disturbed kids by taking them camping in New Mexico and Arkansas and making them depend on each other and themselves. But this wilderness discussion was kinda embarrassing because nobody could explain what it was. Somebody stumbled a response and cast a few pleading glances at the backup crew, which was lounging in the first three rows of comfortable leather chairs. E. M. Scott, chief council for MHMR, came to the rescue. "It would be safe to say we have no concrete plans for the money," he explained. "It was something Dr. Wade wanted done." In fact, most of the budget was something Dr. Wade wanted done.

"Why," asked Van Champaign-Veselka of the governor's office, "budgetarily is the Vernon Drug Center financed for 60 hard core drug addicts when only six inmates are claimed to be users of these drugs?" (It seems the other 54 inmates are grass blowers and runaways.) The ball, loose and tumbling, was picked up by Dr. Clito Elequin, acting deputy commissioner, who did a backstep by ignoring the statistics and restating the program criteria. He

finished off with something unclear about good treatment.

THE NEXT subject for discussion was the total budget. The department is asking, in round totals, for \$900 million during the next two years. That's almost three times the budget for the current biennium. The funds would include a nursing home package, revamping present institutions, salary increases, 22,000 new employees, funds for regional MHMR centers, and money for new community programs. But the discussion never got very far. The new commissioner and Mr. Scott had gotten together at a private breakfast meeting with the LBB staff members and agreed that the \$900 million budget would have to be reduced. They were only half-heartedly going through the motions at the "public hearing." Still, the budget men got off some good questions.

There appeared to be some contradiction in the nursing home package — a \$6 a head discrepancy between the Department of Public Welfare's estimated cost per nursing home patient and MHMR's cost. This came as a surprise to the MHMR people and they allowed as how they could take care of the matter. (The department is going to have to take care of a lot. There are rumors that MHMR has been subsidizing some private nursing homes with state funds and even with laundry services. And then there's the matter of \$5,117,098 in Title XIX money the federal government wants back. MHMR used the funds at state facilities not certified for federal funding.)

The department is asking that Dr. Gaver's salary be hiked to \$56,000 a year in fiscal 1976 and \$59,000 in 1977. He now receives \$33,500 from the state and an additional \$9,000 a year from the pharmaceutical companies' Texas Foundation for MHMR. Some other top administrators also get money from the drug companies, and it has become a matter of extreme embarrassment to the agency, especially in light of the controversial drug research that is done using MHMR patients. If the new budget is approved, MHMR would turn down the stipends from the pharmaceutical foundation in the future, Bill Collier recently reported in the *Houston Chronicle*.

On the other end of the salary scale, MHMR attendants recently got a raise from \$380 to \$410 a month, but that's still less than the \$550 Austin dog catchers pull down monthly. Nurses, teachers, technicians and other professionals also are woefully underpaid. The department estimates it needs 22,000 additional employees, but Dr. Gaver confesses that even if they were funded for this massive infusion of staffers, they couldn't possibly train them all.

The administration staff couldn't be pinned down as to what small percentage of the budget would go to the new

community programs. But at this point it ain't much to get excited about. It looks like something between 8.5 and 12.5 percent of the total.

There seems to be some duplication of services among the central institutions, the regional centers, and the proposed new community programs. This overlap of services is one area where MHMR might be able to pare down the total budget.

LATER IN the week, Dr. Gaver and his attorneys met with representatives of the Free the Slow legal advocacy program, the Texas Association for Retarded Citizens, and the Dallas Association for Retarded Citizens. The meeting was to discuss ways to settle the MHMR suits now in litigation. Not a whole lot was accomplished, but MHMR administrators did give a few additional clues as to future directions for policy. Gaver warned the group that the state must move cautiously when it comes to the interests of the people in its care. He said that normal citizens are sometimes less than charitable when it comes to helping institutionalized people.

On the subject of using experimental drugs on patients, Gaver said that Dr. Joseph C. Schooler, director of the Texas Research Institute of Mental Science in Houston, is going to work up a set of guidelines on the use of drugs. He said it would require that people used in drug experiments be informed of what was happening to them.

Dr. Bill Doggett, deputy commissioner of mental retardation, was asked when institutionalized people would be paid a fair wage for working at the state schools.

"By Dec. 1 or Jan. 1, we will have taken all residents off institutional work programs," he promised.

"How do you plan to protect the rights of institutionalized people once they return to the community?" Burns Vic, a Dallas attorney, asked.

"This is a very difficult question," Doggett said, "but we realize that there are people in institutions who are not retarded and who never should have been there. We have no plan or resources to protect these people."

Dr. Gaver was asked by Bill Allison of Travis County Legal Aid if he is going to continue to use racially biased testing models to decide who should be institutionalized. Allison pointed out that an MHMR printout showed that Mexican Americans have been tested in English for I.Q. since 1932.

Gaver answered, "With the technology we have available, I don't think we can depend on these standards. You have to look at the individual."

"Yes, but do you have a plan?"

"No, I have no definite plan. We do not have the testing capability or the staff to adequately test *chicano* people in these institutions," admitted the new administrator of the state's mental health and mental retardation facilities. □

Texas forests spared

• Poison news. Texas is one of the 23 states whose national forests have been approved for use of 2,4,5-T, but Mack Little of the Forest Service's administration office in Lufkin says there are no plans to use the powerful defoliant here. Little says they'll be using Silvex, a less controversial substance.

U.S. Sen. Gaylord Nelson of Wisconsin tried in August to ban the use of 2,4,5-T in all national forests, but his amendment failed. He explained to his fellow senators that the chemical contains small amounts of TCDD dioxin, which is one of the most lethal substances known to man. There is no way to manufacture 2,4,5-T without producing dioxin.

Dr. Jacqueline Verrett of the Food and Drug Administration reports that in chick and mammalian studies, dioxin is "some 100,000 to a million times more potent" than the tranquilizer thalidomide which caused so many birth defects in Europe.

A recent report by the National Academy of Sciences' Advisory Committee concludes that dioxin is "definitely teratogenic, embryotoxic, and fetogenic, may well be mutagenic and carcinogenic, and exposure to TCDD induces lethal and sublethal chronic health effects." Evidence indicates that the substance moves up the food chain much like DDT. 2,4,5-T is exclusively manufactured by Dow Chemical.

• Dr. Diane Courtney, chief of the Toxic Effects Branch of the Environmental Protection Agency, says dioxin causes birth defects in laboratory animals even in concentrations "so low we cannot measure them." Despite this fact, the EPA cancelled a scheduled hearing on the chemical in June simply because it couldn't figure out a way to detect the presence of dioxin in foods. The EPA's non-action has been interpreted as a green light by the Air Force, which recently announced it will sell 2.3 million gallons of Agent Orange, the potent form of 2,4,5-T that was used to defoliate five million acres in South Vietnam. The Air Force's supply is worth about \$80 million on the market.

• A Federal Power Commission advisory panel warns that dirty air in the eastern United States could kill 25,000 persons between 1970 and 1980 if federal Clean Air Act standards are abandoned. The deaths would mainly be due to lower respiratory illnesses in children and chronic respiratory disorders among adults.

• U.S. Sen. Lloyd Bentsen voted in favor of Sen. Ted Kennedy's amendment to cut off military aid to Chile. Sen. John Tower voted against it. The resolution to which the amendment was added by the Senate is now in conference committee.



Political Intelligence

• Margaret Mayer, Washington correspondent for *The Dallas Times Herald*, reports that ten oil-producing states are pooling their resources in Washington "to combat Northeast oil-consuming states which have long worked in concert to keep a tight federal regulatory grip on oil and gas." According to Mayer, Louisiana is kicking in \$500,000 for an office, while Texas contributes the advice of Railroad Commissioner Jim Langdon and Atty. Gen. John Hill.

• This is really it. Maybe. If President Gerald Ford will sign it, a law creating an 84,550-acre Big Thicket national preserve will go on the books. It could still take up to six years to survey and purchase the land for the park, but the long struggle to get the thing authorized will be over. As former U.S. Sen. Ralph Yarborough told *The Austin American-Statesman*, "It should have been done a long time ago, and the park's not as big as it should be, but it's finally passed and that's the important thing."

The 84,550-acre site is the one proposed by the original House bill, sponsored by U.S. Reps. Bob Eckhardt and Charles Wilson. Conservationists had hoped for more land, but the opposition of Wilson and his constituents to the 100,000-acre Senate bill made that impossible. Now conservationists are concerned that parts of the Thicket will be logged by spiteful individual owners (major timber companies are still observing a two-year-old cutting moratorium), since the final version of the bill did not contain a provision for immediate "legislative taking" of the land involved. Eckhardt is urging Interior Secretary Rogers Morton to do all he can to prevent harm to the Thicket.

According to a source in the Bob Bullock campaign for state comptroller, John Connally addressed a group of about 50 people gathered in the posh Ramada Club in Houston on behalf of Nick Rowe, Bullock's GOP opponent, but only \$5,000 was raised in the meeting for Rowe's campaign. The club is located in the First City National Bank Bldg., in which Connally's law firm is also located. The meeting was reportedly held on the afternoon of the recent state Republican convention. Apparently there was also a second campaign meeting for Rowe the night after that convention at the River Oaks Country Club.

Ed Wendt of Houston tells the *Observer* that as a delegate to the state Democratic convention he collected the signatures of 750 delegates on a resolution concerning students' rights at Prairie View A&M, but when he tried to present it to the convention's resolutions committee, "they told me they couldn't hear it because it wasn't certified by Calvin Guest."

Dimick explains

Sen. Oscar Mauzy's Select Subcommittee of the Senate Jurisprudence Committee held a one-day hearing on the subject of the Department of Public Safety's investigation of airline pilot Robert Pomeroy in late September. Among those testifying was DPS agent David Dimick, who told the obviously incredulous Mauzy that he looked into Pomeroy's background because of the "possibility" that Pomeroy might crash an airplane into the nuclear power plant he opposed. Dimick further said he felt justified in releasing his report to Pomeroy's employer, Continental Airlines, because airline security people are involved in "anti-terrorist" activities. After all, Dimick said, he had confidential information that other opponents of nuclear power had plotted to destroy power plants, and he was "aware" that "dissident groups across the country" allegedly bomb public facilities.

Mauzy took the subject up with Pomeroy when the pilot testified. "Did the thought ever occur to you to crash an airplane into a power plant?" Mauzy asked.

Pomeroy deadpanned back, "No ... I think [other members of the crew] would take a dim view of it."

Pomeroy and Carl Brannin, long-time Dallas political activist, are suing Dimick and DPS Director Wilson Speir for damages resulting from their defamation "by reason of the unlawful publication of defendants' illegal report." Brannin was mentioned in the report because he allegedly spoke to Pomeroy at a Dallas City Council meeting.

The Socialist Workers Party will have candidates on the ballot in November. Secretary of State Mark White

had originally refused to certify SWP petitions to win a place on the ballot because a check on a random sample of names on the petitions indicated that only about a quarter of the signatures were those of registered voters who did not participate in other parties' primaries. But the state Supreme Court ordered White to certify the party or check every name on the petitions, and White says lack of time and personnel makes it impossible to run a complete verification.

The SWP is involved in another suit over election laws, this one challenging the requirement that contributors be reported by name and address. The party contends such reporting invades their supporters' privacy and makes them subject to harassment.

We can't decide whether to give a dart or a laurel, but some kind of award for creative lay-out should go to *The Dallas Morning News* for this one. The *News* ran a three-column story on a visit to the Dallas County Jail by U.S. Dist. Judge Sarah Hughes, who has ordered the county to make extensive improvements at the jail and who is not the *News*' favorite federal judge. Under the second and third columns was a two-column photo; under that was a two-column crime story. The headline on the jail-tour story was "Judge Hughes Tours Jail"; the caption under the photo was "Detective Reese Bullard, left, and Dale Eckman flank Hughes." The photo showed a husky black man in handcuffs being sternly escorted down a hallway by two officers. The subject of the crime story was a black man named Hughes.

Wine, wine, wine

Our favorite press release of this fortnight, provided by the University of Texas News and Information Service, begins thusly:

"A research project designed to study the suitability of University Lands in West Texas for establishing vineyards was approved here Friday (Sept. 20) by the University of Texas System Board of Regents.

"The interdisciplinary study, for which the regents authorized \$28,750, will be undertaken under the auspices of UT-Austin's Balcones Institute for Research and Development (BIRD).

"The study will look at such factors as soil types, availability of water for irrigation, and temperature ranges during the year, and BIRD researchers will use remote sensing technology to obtain climatological data for use in determining the suitability of certain areas for growing various species of grapes."

The release goes on to explain that the University of California at Davis has already had a lot of luck with this technique, and that Texas A&M and Texas Tech are pursuing the subject with different research methods. Just as we were starting to wonder about that "remote sensing technology to obtain climatological

data," we got to the part where it says BIRD anticipates assistance from NASA. After Apollo, a Bacchus weather-satellite program?

AMPI settles

The state attorney general's office and the Associated Milk Producers settled their anti-trust suit out of court, with AMPI agreeing to cough up \$230,000 in civil penalties to the state.

Lawyers for the 40,000-member milk cooperative signed an 11-page judgment pledging in the future not to coerce milk haulers into exclusively transporting AMPI milk; not to offer rebates to any milk processor; not to make exclusive arrangements with processors; and not to "load the pool" in order to control milk prices in a federal milk order area.

Bob Holt, the GOP state treasurer candidate, got curious about the origin of Treasurer Jesse James' name, and so he went to the state archives to check James' birth certificate. It turns out that James was given the name John when he was born Oct. 10, 1904. He apparently decided that Jesse would be a good vote getter, but he didn't get around to legally changing his name to Jesse until June 26, 1964.

The challenge to seating of Texas' at-large delegation to the Kansas City mini-convention has been prepared and forwarded to the national party's Compliance Review Commission by representatives of the Open Party and Progressive caucuses. If the commission feels the challenge is sufficiently serious, it will initiate the investigation-and-hearing process that could lead to a decision not to seat 14 of the 15 at-large delegates chosen at the state convention (the fifteenth, SDEC Chairman Calvin Guest, is an *ex officio* delegate).

As expected, the challenge deals largely with the chaotic proceedings of the convention's nominations committee and the rapid-fire approval of the committee's report, followed immediately by adjournment of the convention. But the challengers also raise the larger issue of the state party's failure to implement its own Affirmative Action Program (as evidenced by the make-up of the at-large delegation, which is largely white and male) and its failure to comply with the principles of proportional representation of political preference. The challengers point out that a valid petition calling for balancing the delegation by political preference was rejected — a clear violation of party rules, they say.

One source close to the challenge was not optimistic about the chances for success. "Oh, I think the allegations are true, they're true all right, but proving it is going to be tough," said the source. The difficulty, our friend said, comes from "having to prove a negative — that the party did not do this, did not do that."

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LOBSTERS... THIS RECYCLING CEN-
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MOCK and MORE.

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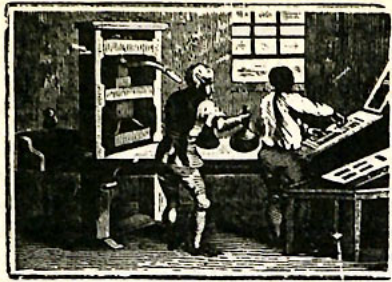
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Hill Country journalism review

Austin

Greg Olds has resigned as editor of *The Highlander*, a weekly newspaper published in Marble Falls. Olds, who edited the *Observer* from 1967 to 1970, had been with the hill country paper for four years, and had been editor since February.

The Highlander has become one of the state's best weeklies in recent years. Under Olds' predecessor as editor, Bill Anderson (who left the paper this spring, first to handle the press for Sissy Farenthold's campaign and subsequently to teach at the University of Texas at Austin), the paper did what everyone except the Navy considered a bang-up job of covering Project Sanguine. Publisher Bill Bray sounds more like a fire-breathing journalist than the attorney-accountant he is when he talks about the paper: "I've seen this paper develop some pretty sensitive issues in this area . . . I don't know of another weekly that's had to go through what we've gone through, but people are learning that we're going to treat all people and all institutions alike. When problems come up I think everybody in the community should know about them, whether they like the stories or not."

IT IS ironic, then, that Olds' departure from the paper was precipitated by a disagreement with Bray over treatment of a controversial story. In late August, David Crowder reported on the *Highlander's* front page that Burnet County Sheriff Wallace Riddell was holding in the county jail a man who had already been sentenced to two years at Huntsville. The sentence had been handed down in May, but Riddell had never arranged the prisoner's transfer to the Texas

Department of Corrections. The prisoner, Crowder said, was serving as "cook, errand boy, and chauffeur" for the sheriff. Crowder closed his story by relating that Riddell had threatened to "put [his] ass in jail" while Crowder was working on the story.

The following week, Bray had Olds print a "Publisher's Statement" in the space usually used for editorials. Bray began by saying that the story had "stirred possibly more controversy, bitterness, divisiveness and bred more misconceptions" than any other in the paper's history, and that it was therefore "deserving of comment." He called the story "very thoroughly researched" in its description of the jail situation, but took exception to its failure to explain the "reason these circumstances existed, the WHY of the news story." And he concluded that "to the extent these relevant circumstances were not fully developed in last week's news story, *The Highlander* failed to meet its news reporting responsibilities."

Bray devoted about half of his statement to explaining the "relevant circumstances" — namely, the illness of the sheriff's wife, who had been accustomed to "buying and preparing all the food, serving three meals a day to all inmates, taking care of the laundry, and cleaning and maintaining the jail facilities." The sheriff, Bray said, was simply using the prisoner to perform necessary tasks that — given the jail's budget and Riddell's reluctance to ask the county commissioners for help — would not have gotten performed otherwise. And Bray pointed out that Crowder had used only one sentence to explain Riddell's reasons.

BRAY ALSO took Crowder and Olds to task for publishing the account of Riddell's hostility toward the reporter, both because it had "no relevance or bearing on the subject matter" and because "many people . . . often say things in anger they really do not mean or believe in." The publisher closed by pledging that "anything of general significance or relevance to part or all of the Highland Lakes community will receive news treatment," and that no consideration would be given to the popularity of news items. But that was after he had said it was unfortunate that Riddell's threat had been published, since the quote had "clouded" the paper in "an unreasonable emotional reaction fraught with resentment."

That satisfied neither Olds nor Crowder: each took issue with Bray in columns on the facing page. Olds said, "Bray's apology erodes the confidence that our readers can have that this newspaper will continue in the future to call them as it sees them," as well as undercutting reporters' ability to write without "looking over their shoulders." Crowder called the apology "an insult to the intelligence and perceptiveness of our readers," and

"subversive of the principles of journalism and destructive of the reputations and morale" of reporters. And the reporter specifically questioned Bray's news judgment in the matters of Riddell's threat and the "why" of the story.

Olds referred pointedly to a story he had done in 1971 on the belief of area poor folks that they could not receive hospital treatment because they were poor. At the time, Olds said, he was called down on the front page of the *Highlander* by Bray's father, the former publisher who still writes for the paper. But this summer, he said, he was vindicated when "Bill Bray . . . reported that a woman almost literally had a baby on the steps of the Burnet [County] Courthouse 'because she mistakenly believed she would not be admitted to Sheppard Memorial Hospital.'" Now he was being challenged again, Olds said: "My publisher has made it difficult, and perhaps impossible, for me to remain any longer on the staff of this newspaper that I love."

Two weeks later, Olds resigned. He told the *Observer* that his tenure as editor had been a "continual tug-of-war" with Bray for control of the news columns. "I think it was a personality conflict," he said, "but at the bottom is a principle." To Olds, the principle — an editor's control over the paper, free from the fear of public chastizing by the publisher — was worth resigning over.

Bray says the only pressure he put on Olds was to keep the paper moving during a reorganization early this year. "There were more meetings between myself and the news staff in that period of time than in the history of the paper," the publisher said. His involvement in the news columns, he says, consists of the advice he has given — three times since he bought the paper in 1969 — to reporters who have come to him asking for it. Asked about his willingness to back up reporters on controversial stories, Bray responded, "I'll stand behind them as long as they meet minimum *Highlander* news reporting standards." But he also volunteered the opinion that Olds did not exercise sufficient control over material: "We had stories going straight on back [to be set in type]." In particular, Bray said, Olds failed to "help out new staff members" like Crowder, who is the "most energetic" reporter he's ever seen but has a "lack of experience in the area."

No one knows exactly where the *Highlander* will go from here. Crowder is still on the staff, as is Pauline Edwards, the associate editor and reporter who wrote a fond farewell to Olds. John Moore, the third "new" staffer who came aboard with Olds, is now editor. In his first column, editor Moore told readers, "Before taking this position, I asked and received from Bray assurances of independence for this newspaper's editorial functions and a guarantee of final authority on questions concerning the practice of journalism. I intend to exercise these prerogatives." J.F.

Service or servitude?

By Richard Vogel

Houston

The labor pool industry is a part of the economic underworld of American life, the invisible sector of society that Michael Harrington calls "the other America." Like the rest of that underworld, labor pools need to be brought out into the light. Yet they are so far removed from the mainstream of economic life that, for most of us, imagination must replace direct experience as a means of access to them.

Imagine, for example, that you are really down and out, flat broke in some city at 6 a.m. You pick up a newspaper and look through the help-wanted section of the classifieds. You spot this ad:

**500 MEN NEEDED
PAID DAILY**

Free Transportation to and from the Job. Report 5:30 Ready for Work. An Equal Opportunity Employer.

Your pockets are empty so you head for the address listed. A group of men stand around on the sidewalk near the door.

YOU SQUEEZE inside and are immediately struck by the smell of unwashed bodies, cheap wine and stale cigarette smoke. There aren't 500 men there. (Most of the labor pool offices are located in old buildings with small rooms that couldn't hold more than 30 people.) There are black men, brown men, white men — all poor. A few long-hairs. Young and old, with a noticeable gap between the two extremes.

At one end of the room, behind a raised counter, a man is calling out jobs: three men needed. You glance around and raise your hand along with the others. What's the job? somebody asks. XXX Demolishing Company. Some of the hands go back down. Any of you guys got a car? (Possession of personal transportation virtually guarantees you work. It cuts down on the pool's overhead.) A man with a car, the guy standing next to him and you are picked. Fill out one of these cards if you haven't worked here before.

Names are written down and the completed job order is given to the driver. Any of you want a draw? (\$2 against your salary to get you through the day.) You take it. Sign here. Oh yeah, you need gloves for this job. Sign here. (49¢ cotton gloves but a 75¢ deduction.) Report at 8 o'clock.

Outside, the driver tells you that you



blew it. You should have claimed more income tax exemptions on your form — at least six. It's more money in your pocket and they don't care. He asks you for gas money. The job's not far away — you chip in a quarter. Almost two hours to kill. The three of you stop in a small cafe and stretch two cups of coffee (32¢) and smoke the rest of your cigarettes. You're on the job site at eight sharp.

Eight hours later, filthy and exhausted, you return to the office, turn in the work order and wait 30 minutes or an hour to get your check. Eight hours at \$1.75 per hour is \$14. With the standard deduction (\$2.80), the draw and gloves subtracted, your check comes to \$8.45. You can cash it at the bar next door, the cafe across the street or the liquor store around the corner. That's free of charge if you eat or drink in the place, but a 25¢ charge if you're going to take the money out of the neighborhood.

At 6 p.m. you have \$8.20 left. A decent supper might cost you \$2.50; a room, \$2.50 to \$5.00. If you don't drink up the remainder, or spend it on other recreation, you might come out a little ahead. And, if you feel up to it, you can do it again tomorrow.

THE NARRATION above offers a glimpse into the economic underworld of Houston, the largest and fastest-growing city in the Southwest. Poverty in the city, in Harrington's words, is becoming increasingly invisible. But it doesn't take much effort to find it — all the observations for this story were made within seven blocks of Main Street in downtown Houston. Within this area there are 14 temporary labor contractors, three paying blood banks, three missions, the Harris County welfare office and the Texas Employment Commission Farm and Service Office.

The economic underworld is not confined to this area. Just 12 blocks to the west there is another large mission served

regularly by the labor contractors, and three more labor pools are located near the TEC offices ten blocks to the south. This southern cluster of offices is adjacent to a low-income white area and one of Houston's largest black ghettos.

Every morning, men emerge from these neighborhoods and others, from the hotels and missions downtown, from under bridges and freeways, from out of abandoned buildings and hobo camps. The labor pools offer these men a chance to work. According to neo-classical economic theory, the labor pool industry is responding to a demand for manpower in a free market. Its income is earned by management and administrative services. Most of the pools are small businesses, but the entrance of national chains into the industry indicates that the profit margin is attractive.

The going wage paid by the pools is \$1.75 per hour. A few handle skilled and semi-skilled jobs; they offer a sliding wage scale, with \$2.50 as a top hourly rate. (Pools which employ women pay considerably less.)

Pools' customers pay from \$2.85 to \$3.60 per man-hour for the services they receive. The cost covers all insurance, federal and state taxes, payroll tax reporting to both federal and state agencies, payroll handling and record-keeping. The pools deliver and pick up the men they provide. The customer receives a single invoice.

This theoretically simple transaction, the sale of day labor, has complex effects on employment. It does provide an employable poor person with some money, but it has serious negative social consequences. First, the wages it provides are minimal. More important, the jobs available are marginal at best. The work is physically demanding and undesirable. Many companies, like the XXX Demolishing Company mentioned above, rely on the labor pools as a primary source of manpower because no other workers are interested. Consequently, the pool system effectively holds down wages in the marginal job market. On more than one occasion, men obtained through the pools have been employed as scab labor.

FINALLY, THE pool system militates against steady employment, a necessary (though not sufficient) condition for the economic betterment of the disadvantaged. In the case of transients this may not be a critical factor, but persons

forced into the system by sheer necessity have a hard time breaking out. There are five reasons for this entrapment.

• Manpower demand is unstable. Marginal jobs are extremely sensitive to variations in economic conditions. The sporadic demand for day labor in the city is not unlike the seasonal demand that plagues migrant farm laborers. And, like farm work, the many out-of-doors jobs are affected by seasonal and weather conditions. Even when the demand is relatively heavy there is no guarantee that anyone will get work regularly, because the labor pools encourage over-subscription in order to get the best pick of men to send out on the jobs.

• The labor pools compete directly with employment-finding agencies like the TEC. Most of the men who work for the pools are not eligible for unemployment compensation and thus cannot afford the waiting involved in the job-placement process. They may enter the pool system to build up the necessary resources and simply never get out of it. The prospect of daily pay and transportation may be enough to woo them away from the TEC.

The transportation problem alone is often insurmountable. In Houston, for example, the distance of referrals from the TEC office and the poor quality of the mass transit system may leave a man only the choice between the expense of automobile ownership and the convenience of the labor pools' vans parked outside the TEC's door. In the downtown TEC office, labor pool representatives actually recruit on the premises.

• The pools work against bringing the worker and employer together on a permanent basis. If an employer offers a worker from one of the pools a permanent job, the labor contractor is entitled by law to the standard employment agency fee — payable from the worker's wages. If, for example, the employer offered a permanent \$2-an-hour job, gross annual wages would total about \$4,000. The pool would receive 4 percent, or \$160. Because of the risk involved (the high turnover in such "permanent" employment), labor contractors push for immediate payment. In most cases the maximum payment time that can be negotiated is 90 days — in our example, that's three payments of \$54


each. With finance charges added, the worker could find himself paying out some 20 percent of his first three months' take-home pay. The burden of this expense at poverty-level wages is obvious.

• The chances of establishing eligibility for unemployment compensation through day work — thereby providing resources for job-hunting — are clearly remote.

• Because of the nature of the work involved, the man who works for the labor pools has little opportunity to learn a salable skill, and the time he spends doing day labor does not enhance his work record.

These conclusions were drawn from observing the pool system in Houston, but the system operates in the same way wherever it occurs. And it occurs — as an integral part of the urban labor market — all over Texas and the United States. There is no suggestion of conspiracy, but the industry works to exploit and enlarge the disadvantages of the poor. It maintains and exacerbates the economic inequality of American society by narrowing the range of opportunities for those at the bottom. It is another link in their chains. □

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Hubbard's explanation

Leonel Castillo, Houston's city controller who got 42 percent of the vote for state chairperson of the Democratic Party at the September state convention against Calvin Guest, Governor Briscoe's chairman, wrote Harry Hubbard, president, Texas AFL-CIO, that he, Castillo, held no animosity toward Hubbard for opposing him and favoring Guest. On Oct. 1 Hubbard wrote him back returning the assurance and adding his statement, as top man in state labor, on his policy of alliance with Briscoe.

"... We visited with all factions," Hubbard wrote Castillo. "Some only wanted to talk about resolutions or personalities to divide the forces for their personal gratitude. We said from the beginning that we were not interested in dividing the party, just for the sake of division for any person to get out in front of a faction and declare themselves their leader. We did say if a reasonable program came forth which would work toward party unity for 1976, labor would gladly join.

"If you recall, when you called me from the airport on your way back to Houston from a meeting you had here in Austin, you said [Bob] Bullock or [Ralph] Yarborough would not run for party chairman, so you were considering the race. I did not lie to you or play games. I told you the same thing I told Mr. Bullock: That we were going to continue to work with the present leadership because I felt we had accomplished some change and could realize further change toward having unity in the party for 1976 . . .

"As to the position in SDEC races: again, I could not control what happened to any given individual case in a district caucus any more than you could have . . . Let me remind you again, we set out to increase minority representation on that body and that was accomplished. The SDEC today has five blacks instead of two, five Mexican Americans instead of two, and seven union members instead of three.

"... I fully realized that the position we took to accomplish some semblance of party unity in 1976 was not a popular one. However, labor has never been known to always take the popular stand," Hubbard wrote.

"We appreciate you asking for supporters to remain loyal to the labor movement. However, I must repeat what I said to [State Rep.] Craig Washington at the convention: 'No matter what you say or do now or in the future, I am committed to work with and assist minorities, workers, and poor people wherever and whenever I can, and this is what you will find me doing in the days ahead,'" he concluded.

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The big bird book

Austin

Publication of *The Bird Life of Texas* is probably the biggest event in Texas ornithology since Cabeza de Vaca first recorded the existence of quail in Texas in 1535. Editor Edgar Kincaid, Jr., now lists "the number of bird species in good standing" in this state at 545. It takes two encyclopedia-sized volumes totaling 1069 pages to describe them all.

The two volumes are housed together in a green slip case with a fine watercolor print by Fuertes on the back. Inside are 36 watercolors and 36 black and white Fuertes drawings of Texas birds, 38 photographs of major bird habitats, plus seasonal distribution maps that are current through the winter of 1972-73.

Needless to say, *Bird Life* cost a bundle to print — \$80,000 for the first 5,000 copies, to be exact. Only hard-core bird watchers and Texana-loving rich folks are going to be strongly motivated to buy this book at \$60 a set, not counting tax. But it also should be available at community libraries throughout the state, and it's worth a trip to the library just to see how much there is to know about Texas birds.

Bird Life was 73 years from conception

THE BIRD LIFE OF TEXAS

By Harry C. Oberholser; paintings by Louis Agassiz Fuertes; edited, with distribution maps and additional material, by Edgar B. Kincaid, Jr.
University of Texas Press \$60.00

to publication. Back in 1901, the U.S. Bureau of Biological Survey, the forerunner of the U.S. Fish and Wildlife Service, sent Harry Oberholser to the Big Bend to study the birds there. He was accompanied by Louis Agassiz Fuertes, who was commissioned to paint the wildlife they sighted for future government publications.

Texas, it turns out, is a big candy store for ornithologists. Approximately two-thirds of all bird species known to live on this continent north of Mexico have been reported in Texas. Oberholser got hooked on Texas birds in 1901 and he continued studying them until his death in 1963. He was constantly updating his material, and that's the reason he kept turning down opportunities to publish this mammoth study. By the time Oberholser

retired from the Fish and Wildlife Service in 1941, his manuscript had swelled to three million words, on 11,754 pages. The introduction alone was 961 pages long.

In retirement, Oberholser kept plugging away at his project. Bird watchers from all over the state sent him information from their observations. In the early Fifties, Roy Bedichek, the naturalist, wrote to Frank H. Wardlaw in South Carolina about the work. Wardlaw, who was about to come to Texas to head the UT Press, was interested, and so Oberholser sent him the manuscript. It weighed more than 100 pounds.

As director of the UT Press, Wardlaw was interested in publishing the bird book, but it took him ten years to find the money to do so. In 1962, Mrs. Marris McLean of San Antonio established a fund in honor of her mother, Corrie Herring Hooks, to print the book. Mrs. Hooks, a birder from Beaumont, once heard Oberholser give a lecture and, after that, she supplied Oberholser with data from her own observations.

Wardlaw proceeded to set up a committee of ornithologists to lay out principles of taxonomy to be used in editing the massive study. And the committee chose an editor, Dr. Kincaid, who was considered to be the most knowledgeable contemporary authority on Texas bird life. Kincaid got some financing from the National Science Foundation, but the rest came from the Hooks Fund. Oberholser helped with the editing until shortly before his death on Christmas Day, 1963. He was 93 years old.

Kincaid's biggest job was to convert Oberholser's records to symbols on maps. He also had to update the information and fill in regional gaps in Oberholser's recorded sightings. During the last five years of the project, Kincaid was assisted by two junior editors, Suzanne Winckler and John L. Rowlett.

Finally, early this year, the Fuertes paintings were taken from a safe, where they had rested for more than 60 years, and the book went to press. To the uninitiated, of course, the Fuertes watercolors are the highlight of the book. One only wishes there were more of them. The *Observer* will have to take the word of ornithologists who say that Oberholser's descriptions of plumage, nests, eggs, sequence of molts, and measurements of avian parts are exceptional.

If there's somebody out there who wants even more information about Texas bird life, he can go to the UT Archives in Austin or the Library of the Smithsonian Institution in Washington, D.C., where the original 100-pound, 11,574-page manuscript is preserved on microfilm. K.N.



Harry C. Oberholser & friends

Random Thoughts From Tristram

Editor, WASHINGTON WATCH

The opinions are solely those of the writer. American Income subscribes to the advise of John Dewey, when he said: "We need a Ministry of Disturbance, a regulated source of annoyance; a destroyer of routine; an underminer of complacency."

The heiress to the Wanamaker fortune jumped or fell from her New York apartment and was killed. She was an alcoholic. She had found no solace in money and social position, and tried to reach it through alcohol. A Harlem hustler writes from prison he was driven to crime and a "dog eat dog" philosophy by the incessant pressure of advertising to buy the "good things of life." A grey and shaken ex-President, disgraced and in poor health, enters a California hospital.

All three sought happiness in false gods — money, fame, alcohol — and were destroyed. They defied a basic law of nature, live in harmony with your environment. Any man who struggles incessantly against his environment, his surroundings and those who live in it, is doomed. Those who live the richest lives are those able to find joy and beauty and friendship in a blade of grass, a passing face, a helping hand.

This is a hard and indisputable fact of life. It is neither possible to beat out a victory over the environment, nor to escape from it by alcohol, drugs or mysticism. Harmony is the only true answer.

If man is to endure as a species, harmony must become the universal cult. Otherwise, men and nations fighting over the depleting store of resources, armed with terrifying weapons of mass destruction, will turn this Earth into a barren moon.

The concept of "the enemy" must be banished. Man has assumed that whoever disagrees with him, whoever covets what is his is "the enemy" and must be destroyed. This has bred the "dog eat dog" way of life, in which the individual finds himself surrounded by enemies and forced to fight for survival. Yet many have discovered that "the enemy" is an illusion, that with patience and tolerance differences will fall away.

Suppose, for example, after World War II, the United States had showered Soviet Russia with attention and consideration. Would we have had to endure the huge outlays for weapons and foreign aid, and two disastrous wars in Asia?

The Sleazy Chair

By Steve Barthelme

Austin

For the earnest young fellow beginning his career in crypto-fascism, the book review was once the most suitable form. The field was open. It was better than driving a cab. If you drive a cab in a place like Austin, you spend many hours taking money from people who can't afford cars, you spend a lot of time waiting in parking lots and by the side of the road, you spend the rest of the time listening to people tell you that cab driving is such good "experience" for a writer. Reviewing books was better.

Like anything else, reviewing books is all right the second and third times you do it, but drops off quickly thereafter. You start getting tired. Maybe even a little bored. You might even get so bored you start thinking about it and by God, that's what's happened to me. Now where your bad luck comes in.

Where your bad luck comes in is where the viciously desirable helpmate given me by God comes into the room and says, Look here BillyBob there's this swatch of Quiana nylon at the fabric store which is sort of double green and white and I want it. Three yards at 5.50 the yard comes to 16.50 which is where your bad luck comes in.

Having already sold the copy of *Gravity's Rainbow* and the transistor radio and the Polariod, you go to the soul barrel in the closet and rummage around and come out with this here soul with the On Book Reviewing thoughts in it. Then you roll it on down to the nearest stable market for soul and turn it in. It's that easy.

NOW, THE FIRST thought you have about book reviewing is that it's being done all wrong. It's an obligation. It's serious business. For instance, given the fact that the only people who read reviews are other writers and the reviewer's and author's friends and acquaintances, it should be permissible to put "Hi Tom!" in where the reviewer feels like it. It's not. The *New York Review* allows it, but "Hi Tom!" usually takes four pages and is disguised as a rave review full of insights. Think what happens to your illusions when you discover that the four pages of epistemological trapclap you just forced your way through was no more than one writer waving at another. It's dishonest, that's what it is.

Quickly other things occur to you about book reviewing. For example, it occurs to you how ridiculous it is to review books on publication and before paperback. The way

things are now formulated, reviews appearing later are a) a higher form and b) published in obscure quarterlies. This is "criticism." This is also one way of keeping your teaching job. This is no help to the author (of the book). Send the author a check.

Take, for instance, Walker Percy. Walker Percy is real good. For the purpose of spreading interest in his work, right now is a good time to review his books. They're all terrific. They have wit and charm and the human condition. Maybe you were on your way to buy the *Gulag Archipelago* in hard cover. Buy 15 copies of *The Last Gentleman* (Walker Percy, 1966) instead. My advice. You are set for the rest of your life; you have a gift for each of the 14 acceptable people you are going to meet. Walker Percy lives outside New Orleans. The other two books were *The Moviegoer* (1961) and *Love in the Ruins* (1971). More books are forthcoming.

The only books that would suffer from delayed reviewing are ones that spoil — rotten to start with. Books that shouldn't have been reviewed anyway. Which brings up the relation between reviews and sales. It is generally agreed that there's almost none. To a large extent, that's true. The farther away from the *New York Times*, the truer it gets.

The judgment passed in a book review rarely sells or prevents sale of a book, but there is an additional factor which we will call "attention." Attention sells books. The negative factor — that which prevents sales — is not hostile attention but no attention. You can hardly buy anything you've never heard of.

My suggestion in this area is the wholesale elimination of hostile attention which would mean that if a book is bad, like _____, it would never be mentioned. This is an unworkable solution, for several reasons. Hostile reviews are easier to write and more interesting to read. Additionally, reviewers cannot distinguish between good and bad books. They get them backward with a certain deadly regularity. I suggest massive salaries and sexual bribes to attract capable people.

THERE ARE (further) a lot of people who wish to review books but are prevented by a lack of mediatorial openings. The mediatorial opening shortage. It's undemocratic. The solution is of course a new publication which publishes their reviews. All of their reviews. Similar publications could be created for film and music reviewers. These publications would be supported by subscriptions and by a publication fee exacted from each reviewer. It would cost say \$1.00 a word to praise a book and

\$3.00/word to trash one. A stimulus to economy of expression. And if nothing else, such a publication would certainly create an impassioned critical dialogue; anyone willing to spend \$100 for 30 words is either impassioned or out of his head.

Another proposal so simple and so basic that it's surprising it has yet to be implemented. Authors should be given some prominent space not currently in use in which to review their own books. The Book Review section of the *Times* would do fine. Writers, having written them, usually think a lot about their books. Secondly, they tend to despise reviews of their books whatever is said. And in the third place, skill and charm exhibited in this more or less obscene exercise could tell you whether or not you wanted to read his book.

All of these proposals are open to modification. The first modification which suggests itself is broadening inattention to cover other phenomena. This could be arranged through subsidies to writers who agreed not to write, similar to those offered to farmers not to grow particular crops. A thousand dollars to the first author who agreed not to write an article about bisexuality, and diminishing scale thereafter. Seven-fifty to the author of the first lack of article about LBJ. Five hundred to the first ignorer of a Japanese terrorist. Two thousand to the first adolescent self-discovery novel (must be complete) turned in. Fifteen hundred for a bitter-sweet romance. Ten dollars apiece for deleted references to P.S. 109.

And so on. □

Oct. 20, 1974

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ALAN POGUE Photographer of

- political events & pseudo events, of
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A backhand compliment

Austin

Newspaper editorials are widely held to rank right up there with journals of chiropractic as edifiers and scintillators of the reading public. There are two schools of thought as to the reason for this lack of quality. One holds that becoming a writer of editorials automatically makes a person a scoundrel, a fool, and a shameless panderer to whatever Established Interests control the news in his bailiwick. The other prefers to think that writers of editorials are human beings eligible for salvation, but that even the most enlightened and forthright of them find it impossible to be clear-headed and foursquare every single day.

Now, many progressive persons of my acquaintance think the situation is even worse in Texas than in other locales. They maintain strenuously that the state's entire spectrum of daily newspaper editorializing can be fit into the range between listless and vigorously wrong-headed. They have even been heard to get statistical about it, claiming that 99 out of 100 Texas editorials contain either the sentence, "The idea certainly deserves further study" or some expression of the sentiment, "This wouldn't have happened if the death penalty were [choose one] extended to cover such crimes/more often handed down." In their despair, they prefer *The Dallas Morning News'* pronouncements over all others, since they can at least giggle at the *News*. (These are the same perverse folks, of course, who consider Robert Baskin the greatest journalistic advance since movable type.)

THERE'S NO disputing taste, but I tend to prefer less unrelievedly disagreeable editorial columns. Pleasant surprises and the possibility of redemption add spice to the print diet. For this reason I am happy to recommend to my cynical friends that they try reading the editorials in the *San Antonio Express*. Many of them will be astounded at my sudden kindness toward the *Express*, since they have heard the billingsgate I have previously reserved for the paper. I can only say that time has made me more temperate, that I have (contrary to what I may have said) actually read several pieces of real journalism in the paper, that foolish consistency is the hobgoblin etc., that I wouldn't miss the Sunday political tidbits page, and that we're talking about editorials here. (I reserve the right to hold to my opinion that the *Express* is the ugliest paper west of Mt. Pisgah.)

I first noticed the editorials, I guess, when the paper weighed in for the

Notions

resignation of Richard Nixon. That was last December, which put the *Express* somewhere behind Father Drinan, but considerably in front of Tom Railsback, in the mandate-withdrawal sweepstakes. It also gave the paper a seven-month lead on the rest of the state's dailies. And it built up momentum for a Sept. 10 editorial headed "Nixon pardon concedes he's guilty of crime," which called the pardon Nixon's "plea-bargaining deal with President Ford," "Ford's King's X," and proof that "the rich, the powerful, and the prominent get one standard of justice; the rest get another." The editorial concluded this way: "The *Express* rejects this concept of double standards as being demeaning of President Ford and repugnant to this democracy."

Here are some other highlights of September columns:

- On Sept. 7, an item titled "State surplus looks terrific until viewed beside unmet needs": "There is ecstatic talk of a state government surplus totaling very nearly \$1 billion . . . Our view is that with critical state responsibilities only partially fulfilled, the ecstasy is misplaced." The editorial went on to recommend increased government expenditures for "locally controlled programs" for delinquent juveniles, prison reform, school finance reform, and state employee pay raises, and closed by rejecting false notions of economy as "cutting essential corners so that smug officials can claim they have met their responsibilities without raising taxes."

- On Sept. 25, a short piece blasting the DPS investigation of Robert Pomeroy, calling the confidential tips that led to the snooping "scanty tidbits" and ironically complimenting DPS agent David Dimick for his imagination.

- On Sept. 28, a headline calling UT Board of Regents Chairman A. G. McNeese "dead wrong" for his statements on the public's need to know the details of the firing of Stephen Spurr. The *Express* said the background is "very much the people's business and, given the details, they can evaluate it quite well."

ALL RIGHT, so Brann and Mencken are not rising from their graves to subscribe. I didn't say the paper was a hardened trench-fighter for the Good, the True, and the Beautiful. But did your paper come out against CIA involvement in Chile, in favor of requiring Billy Clayton to

pledge his support of last session's rules, or in favor of letting freeways "become unattractive" to encourage patronage of mass transit — even in the moderate terms used by the *Express*?

There have been editorials that don't fit this mold, of course. There have also been unfortunate slips of accuracy (referring to the House Judiciary Committee report as if it were still to be completed when in fact it had already been presented to the House, for example). But the editorial column has been so much more aggressive than other Texas papers' that I was beginning to suspect that Rupert Murdoch, the Australian king of kitsch-journalism who owns the *Express*, was planning to turn the page into an extension of the *National Star*, his peach-colored answer to the *National Enquirer*. After all, the *Star* is about as retiring as Gorgeous George, and it could be just a matter of arithmetic progression. What if writing editorials that didn't make me titter, fume, vomit, or yawn were only a way-station along a curve toward hard-hitting pieces like "*Express* endorses charity for man who ate own finger!!!!" and the like?

I was reassured by a conversation with Bill Reddell, the *Express*'s editorial page editor and one of three people who write editorials for both the *Express* and the *News*, its afternoon sister. Mr. Reddell has not a trace of the scandal-sheet outback in his voice or his manner. In fact, he is of the opinion that the *Express* has not changed its editorial outlook that much. Hasn't changed the personnel involved at all, he said. "I think it's just that the news breaks of the past several months have been more interesting than usual," he said modestly.

Maybe so, I said, but didn't the *Express* make its own news with that shot at Nixon in December? "Well, we did come out pretty tough early in the game that — well, that the guy was a crook, though we didn't put it that way, of course. You know, before the '72 election we suggested that Watergate was not an ordinary third-rate burglary. Oh, we endorsed the guy, but it wasn't an enthusiastic endorsement. McGovern's campaign sort of came apart, you know. It wasn't an enthusiastic endorsement."

"And we raised a lot of hob with the Board of Regents recently, but there was a big dust-up over the firing of the UT-San Antonio med school dean, and that was in the Harte-Hanks days [in 1972, under the paper's previous ownership]. I think a straightforward, aggressive editorial page fits the pattern of the Murdoch people, but . . . I really don't think there's been a change in the basics."

Depends on which basics you're talking about. Redell and his colleagues aren't turning out Peking duck, but after a sizeable dose of your basic Texas-daily grael, even a raw pork chop would look good.

J.F.

The fruits of her labors

Austin

Those who so sharply criticized Sissy Farenthold after she lost badly for governor this year may wish on reconsideration to take a longer-run view. She had it very much in her mind, when she announced against Dolph Briscoe, that if she did not there would be no challenge to any of the top statewide officeholders and that this failure to challenge big business conservatism at the top of state politics would stand as a miserable reproach for the next four years.

The key statement in her announcement was, "I choose to challenge." When she did, she brought out reform-minded Democrats to the polls, and that evening more of them went on to their precinct conventions than would have if she had not run. On Sept. 17-18, Leonel Castillo mounted, on the foundation of strong liberal and progressive representation in those precinct conventions, a telling challenge to Briscoe's party chairman, winning 42 percent of the vote. Along with that, reform-oriented representation on the State Democratic Executive Committee and on the Texas delegation to the Democrats' national conference in Kansas City Dec. 6-8 is stronger than it would have been had she not chosen to challenge in February.

People simply should not be cowed by the contemptuous pragmatists who forever argue that only short-run victory should be considered. It is a sounder pragmatism to realize that the political process takes time and that to fight for a good cause is a long-run gain in itself, even if you do not win in the short run.

A beginning

Billie Carr, the principal organizer for the liberal-progressive forces at the state Democratic convention last month and probably to be the organizer of the same forces on the national level for the Democrats' miniconvention in Kansas City in December, tells, over a cup of coffee, the story of how she got into politics in the first place.

She was about 23 or 24. The Texas Legislature was in session; it was about mid-spring, 1952, Allan Shivers was governor. The year before he had led the official Texas Democratic Party into all-out endorsement of the Republican Eisenhower for President; he was riding high. Billie and her husband came over to Austin on some steelworker business (he was a union official) and called, in company with several others, on Governor Shivers.

She spoke her mind. "Well," she told the governor, "I tell you one thing, I'm going to go back home and tell people what a horrible man you really are. I'm going to

Observations

do everything I can to see you are defeated."

She said Shivers responded by putting his open palm forward and patting it with his other hand as he told her, "Young lady, I hold Texas in the palm of my hand."

"Well," she said, "by God, you shouldn't."

Mrs. R. D. Randolph, the wealthy Houstonian later to become Democratic national committeewoman from Texas, was hard at work in Houston starting her drive to organize the liberals in the precincts. "I went back to Houston and called Mrs. Randolph. 'I'm mad. What can I do?'" Mrs. Randolph put her to work in the precincts.

"That's how I got into all this — when Allan Shivers told me he held Texas in the palm of his hand."

George Lambert

From the time I became involved with reform journalism in Texas late in 1954 until George Lambert died recently, he and Latane Lambert, his wife, were always there. He was an apparently hesitant man, hesitant in speech, hesitant in manner, so that one had to know about his life. He was born in 1913 in a coal mining family; fired from his first job with a shirt company for trying to organize a union; kicked out of college because, being a pacifist, he wouldn't take ROTC; jailed in North Carolina for showing movies against poverty and disease.

He got blacks in Ola, Ark., to meet and join the Southern Tenant Farmers Union. After running a socialist woman's campaign for governor of Tennessee in 1936, he helped initiate the first sit-down strike at the General Motors Plant in Atlanta. Involved in the Southern interracial movement, he joined the NAACP, and right at the beginning of the CIO in 1937 he joined the textile workers' organizing committee in Nashville. Later that year he came to Texas, and there is a movie showing him getting slugged in the stomach while trying to help organize the Ford plant. Carl Brannin, the tough old Dallas progressive who is still as active as ever, was hurt coming to his help, and one of their associates was tarred and feathered in the same scene.

During the historic pecan shellers' strike in San Antonio George was arrested 17 times. For 17 years he was the Texas director for the Amalgamated Clothing Workers; then, until his death, he was an

international representative for the International Ladies Garment Workers' Union.

He and Latane had a long good life together. They loved to talk to each other. "I'm still talking to him," she says. Rationalist and humanist, George gave his body to science. After a little time passed, his and Latane's family and friends came together for a memorial service, in the way of a celebration. Otto Mullinax, the Dallas labor lawyer, said what little you can say about a person, gone, whose whole life was work for good. "He seemed never to tire of the march," Otto said. "Where there worked the hungry, the underprivileged, the ignorant, and the misused — there was George. His religion held that there can not be free people if they be hungry, diseased, or ignorant . . . He did not oppose wealth. He opposed poverty, ignorance, and disease, and to him wealth may not exist so long as poverty, disease, and ignorance exist . . . And so he moved, and moved others, to act that there be less and less poverty. He was at the place of need." R.D.

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Braceros 'legal slaves'

Some issues back, an article by Ronnie Dugger entitled "Our Peculiar Migration," appeared in the Observations section of your magazine (See *Obs.*, July 26). The article dealt with the problem of the massive importation of illegal workers for use as farmworkers across the Southwest. Mr. Dugger made a number of what we regard as drastic mistakes, and events now make it imperative that we comment.

The most astounding mistake that he made, both from a moral and an historical point of view, was his unqualified endorsement of the old *bracero* system as a program "designed to let some Mexicans improve their lot by coming to work on U.S. farms legally at regulated wages and with other benefits that also protected American workers from dirt cheap and victimized competition..."

THE *BRACERO* program, or Public Law 78, was not designed for any such humanitarian purposes. Public Law 78, which was in effect from 1944-64, was passed and defended first, foremost and solely for the purpose of providing the giant corporate growers of the Southwest with a prime source of cheap labor in the form of hundreds of thousands of Mexican nationals. Long after the supposed "labor shortage" in agriculture caused by World War II was over, the number of *braceros* imported by the growers grew annually.

As Peter Matthiessen, author of *Sal Si Puedes*, writes, "The lobbyists for the growers argued successfully that Americans would not do the hard stoop labor required in harvesting cotton, sugar beets, and other crops; hence the need for the extension of the *bracero* program. Everyone conveniently forgot that the white fruit tramps of the Thirties had done plenty of stoop labor, and that domestic workers of all colors would be available to the farms if working conditions were improved. But the Mexicans, whose poverty was desperate, worked long days for pay as low as 60 cents an hour and were used to undermine all efforts of domestic workers to hold out for better treatment; by 1959, an estimated four hundred thousand foreign workers were obtaining work in an America where millions were unemployed."

From my own experience, I can remember instance after instance of being told, "We're not hiring," only to find that the same ranch I had gone to was petitioning the Labor Department for *braceros* because of a "labor shortage." Where, Mr. Dugger, is your memory of this oppression? And where is your memory of the struggle waged in the Fifties and Sixties by the church, labor, and liberals to stop the *bracero* program? Perhaps you need to

Communication

be reminded that the most enthusiastic defender of the program during the 1964 Senate battle to kill it was Republican Presidential nominee Barry Goldwater. (The Goldwater family owns an Arizona ranch where farmworkers are currently on strike.) This was not so long ago. It was not before your time.

Unionization of farmworkers is impossible while such a program exists. A better life for farmworkers is impossible without unionization and the right to self-determination. These points need to be made, because now from Washington and from Mexico City comes the word that Presidents Ford and Echeverría are planning to reinstate the *bracero* program by joint executive order. Rumors are that the orders will be issued after a meeting of the two Presidents in Brownsville, Tex., in mid-November. For the giant corporate growers like Tenneco, Dow Chemical, the Southern Pacific Railroad, and others, this will signal a glorious return to the good old days of a totally controlled work force in the fields. For President Echeverría, the emigration of hundreds of thousands of young, hungry males will provide a welcome safety valve in a society where demands for social change are becoming stronger and stronger.

The same coalition that fought the old Public Law 78, the church, labor, and liberals, must be reunited, stronger this time, to prevent this "executive action." We would like to count on the help of the *Observer* and its readers in this struggle. A good first step would be if Dugger would have some public second thoughts about the humane nature of the *bracero* system. Another good step would be if the *Observer* and Dugger would reexamine the Rodino Bill, which was uncritically endorsed in the article.

THERE ARE some things to be said in favor of the Rodino Bill. The main one, praised by both Dugger and the Texas Good Neighbor Commission, is that it establishes the legal precedent of making the employer of illegal workers liable in court instead of the employee, which is presently the case. The Rodino Bill has two major failings, however, and these failings make it invalid as a piece of social legislation. One failing is that it is racist and discriminatory. The other is that it is impractical and unenforceable.

The bill is racist because it leaves intact the existing structure of immigration

quotas, which discriminate against immigrants from the Western Hemisphere (Latin Americans) in favor of immigrants from the Eastern Hemisphere (Europeans). Under the Rodino Bill, persons from the Western Hemisphere residing in the U.S. without necessary documents would be required to return to their country of origin for one and a half to two years before being eligible to enter legally. They then would be subject to the limited quotas and required to swear they have not had "unauthorized employment" while in the U.S.

These restrictions will not cut off illegal immigration and will only serve to make it harder for those who wish to immigrate legally. What must be done instead is the relaxation of the strict immigration quotas. The immigration of entire families must be encouraged, instead of the current illegal smuggling of largely young, single males with no stake in the community to which they are coming, and no reason to struggle for its improvement.

The Rodino Bill is impractical in several respects. The penalties it provides to punish guilty employers are mere wrist-slaps; an insignificant fine of \$500 for the second offense within two years of the first, and, later on, the possibility of prosecution of the employer for a misdemeanor, if the attorney general sees fit to push it. No punishments or restrictions are outlined for employers who

hire illegals as strikebreakers. And worst, the bill provides the employer with a giant loophole to save him from any prosecution at all.

The bill states that the employer has fulfilled his duty under law once he has obtained a signed statement from the worker in question attesting to his lawful presence in the U.S. The burden of proof is shifted from the employer to the alien with the stroke of a pen. Once the alien worker is persuaded, coerced or tricked into signing such a statement, the employer is home free. This provision alone makes the bill a joke.

The UFW currently has a very, very serious problem with the massive importation of strikebreakers into the fields of California and Arizona. We would like to see passed an immigration law which provided for real penalties for the hiring of illegals as strikebreakers, including jail sentences for the employers and contractors guilty. Until then, existing laws which prohibit the use of foreign workers, legal or illegal, as a strike-breaking force should be rigorously enforced.

DUGGER SEEMS to have decided that a legal system of slavery such as the *bracero* program is better than the current illegal system of slavery for alien workers. He does not take into account the disastrous consequences of the new *bracero* program on domestic workers. And he does

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GILES, BASCOM
 The 'Shivers'. Jan. 3, 1955, p. 2.
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not seem to be able to comprehend a third alternative; that farmworkers will organize themselves, fight the theft of their jobs, stop the importation of a foreign slave labor force, and enlist the help of people of good will in winning their rights to collective bargaining and union representation.

This is what has been going on. While Dugger has decided on a course of intellectual despair, the farmworkers' movement has spread from the grape vineyards and lettuce fields of California and Arizona into crops of melons, lemons, tomatoes, mushrooms and strawberries, into Florida, into Michigan, into every major city in the U.S. through the boycott of non-UFW grapes, head lettuce, and Gallo wines. We have not given up, even in the face of unconstitutional injunctions, illegal arrests, intimidation, harassment, beatings, jailings, and shootings on the part of sheriff's deputies and Teamster goons. We are suffering. We have always suffered. But now we are suffering for the purpose of ending our poverty and our misery, with the hope that our children will not be exploited as we have been.

I hope that these thoughts will help bring about a change in attitude on the part of the *Observer* and a reexamination

of Dugger's article by its readers. We believe that the best course of action for the *Observer* and its readers is not despair about farmworkers, but an immediate campaign of pressure on the Congress to prevent the imposition of a new *bracero* program, and support for the UFW boycott and organizing effort. With your help, we will surely succeed.

Viva la causa!

Bill Chandler, director, UFW Texas Boycott, P.O. Box 15415, Houston, Tex. 77020.

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PRESS ALERT

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BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS

MARY I. IVINS TOURING SOVIET UNION

Mary T. Ivins, co-editor and political reporter for the *Texas Observer*, arrived in Moscow September 20 to begin a 15 day study tour of the Soviet Union.

Ms. Ivins is one of a dozen political journalists participating in an exchange visit to the USSR organized by the American Council of Young Political Leaders (ACYPL) and the USSR Committee for Youth Organizations (KOM SOMOL) and funded by the US Department of State.

It is the eighth such exchange by young political leaders and the first official exchange by journalists to take place under the US-USSR General Agreement on Exchanges and Cooperation.

A delegation of Soviet journalists is scheduled to tour the United States in December.

The visits are intended to acquaint American and Soviet journalists with political, economic, social and cultural life in the United States and the Soviet Union.

During their visit, the American journalists will meet with municipal and political leaders and with representatives of youth organizations and trade unions and will confer with Soviet journalists, editors, publishers and with foreign correspondents resident in the Soviet Union.

They will also tour factories, collective farms, secondary schools, and artistic, scientific and technical institutes in Moscow, Leningrad, Novosibirsk (Siberia) and Yerevan (Armenia).

This trip is funded by the Department of State's Bureau of Educational and Cultural Affairs which seeks to promote understanding and strengthened ties between the peoples of the United States and other nations through international exchange programs.

Clayton candid

Re your Sept. 20 story on the speaker's race: thanks for noting that some of us "didn't even ask for anything but fair play" during the speakership discussions with Rep. Bill Clayton.

I would like to stress that my hour-plus conversation with Clayton covered a number of issues and the priority item - education - was only the first on the list.

Clayton's promise of fairness on all the issues both on the podium and in committees cannot be judged until he is on that podium. But, for the record, he never claimed to be anything more or less than he has been - and the Legislature could use a good dose of candor!

Rep. Chris Miller, P.O. Box 9063, Fort Worth, Tex. 76107.

Bad hand

Your lead *TO* article, "The Little Prince" (Sept. 20) by Ms. Molly Ivins was excellent. Rep. Billy Clayton is indeed pornographic, or so it seems to a country boy in Fort Worth.

Have you yet had the edifying experience of comparing the tickets which our two major parties are serving up to us on the State level in November?

Perhaps, as in bridge, if we all pass, we can get a redeal.

G. Thomas Rowland, 2719 Cockrell Ave., Fort Worth, Tex. 76109.

Dialogue

Small print

The *Observer* could render service if it could induce the insurance lobby to enact a law that permits misrepresentation or fraud BEFORE the incident but denies it after.

All doctors' offices are swamped with letters and forms from insurance companies AFTER the incident that we are expected to fill out without remuneration so that our clients can get their money. There is no complaint about legitimate forms that ask legitimate questions pertinent to the insurance. A typical question is, "When did you first attend this patient for heart disease?" This requires a search for records. The point is that these shoddy insurance companies are fishing for a cause for fraud AFTER the incident.

Old folks particularly grasping for security fall for the salesmen, who do not emphasize the small print but elaborate on what the "company" will pay if the premium is paid and the application signed. It is not uncommon for a patient to have five such policies.

W. E. Lockhart, M.D., 401 N. Fourth Street, Alpine, Tex. 79830.

Humanism

Aline House should realize that were it not for the ACLU, TCLU, and joint committee, the execution at Huntsville would have occurred a few days earlier and she might have been one of the victims.

To her and others like her, I have one question: "Do you honestly expect an inmate who is treated like an animal to behave like a human?"

Hopefully, with the continued efforts of the above-named organizations, we shall someday see inmates treated like humans and a resulting drop in the rate of recidivism.

Mark H. White, 800 Boyd, Midland, Tex. 79701

fortnight...

(Continued from Page 2)

OCTOBER 29

A LITTLE QUIET MUSIC - Jan De Gaetani, internationally famous mezzo-soprano, performs with University Chamber Ensemble; through Oct. 30, 8 p.m., Hogg Auditorium, University of Texas, Austin.

HILLS ARE STILL ALIVE - Can you believe anyone is still cranking out "The Sound of

Music?" Try Crystal Palace Dinner Theatre; all the way through Dec. 8, Dallas.

OCTOBER 31

LONDON VIRTUOSI - Seven musicians performing chamber music from Bach to Telemann; 8 p.m., Hogg Auditorium, University of Texas, Austin.

TAYLOR TROUPE - Paul Taylor, a native Texan, with his fine company of dancers perform in rare Texas visit; Southwest Texas State University, San Marcos.

A DOLL'S HOUSE - That's where "Coppelia" lives in traditional ballet to music by Delibes, restaged for Houston Ballet by the renowned Frederic Franklin, who'll make a guest appearance; through Nov. 2, Jones Hall, Houston.

HOT ROMANCE - "Don Juan in Hell," with Ricardo Montalban and Myrna Loy heading road company cast; 8:30 p.m., Theatre for the Performing Arts, San Antonio.

CORRECTION

In its coverage of the State Republican Convention, the *Observer* improperly identified Polly Sowell as national Republican committeewoman. Rita Bass is national committeewoman, Ms. Sowell is vice-chairman of the State Republican Party.

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