

THE TEXAS OBSERVER

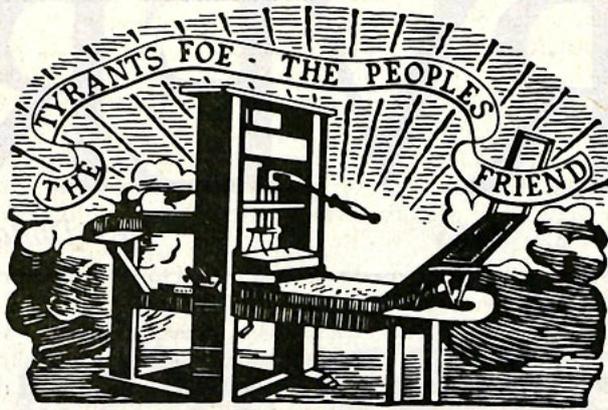
A Journal of Free Voices

October 25, 1985

One Dollar



The Resurrection of Louie Welch



THE TEXAS OBSERVER

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EDITOR Geoffrey Rips
ASSOCIATE EDITOR Dave Denison
CALENDAR EDITOR Chula Sims

EDITORIAL ASSISTANT: Kathleen Fitzgerald

EDITORIAL INTERNS: Hanno T. Beck, Richard Kallus, Jeff Ruoff

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CONTRIBUTING WRITERS: Warren Burnett, Nina Butts, Jo Clifton, Craig Clifford, Louis Dubose, John Henry Faulk, Ed Garcia, Bill Helmer, James Harrington, Jack Hopper, Amy Johnson, Rick Piltz, Susan Raleigh, John Schwartz, Michael Ventura, Lawrence Walsh.

CONTRIBUTING PHOTOGRAPHERS: Alan Pogue, Russell Lee, Scott Van Osdol, Alicia Daniel.

CONTRIBUTING ARTISTS: Mark Antonuccio, Eric Avery, Tom Ballenger, Jeff Danziger, Beth Epstein, Dan Hubig, Pat Johnson, Kevin Kreneck, Carlos Lowry, Miles Mathis, Joe McDermott, Ben Sargent, Dan Thibodeau.

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Managing Publisher Cliff Olofson
Advertising & Development Director Dana Loy
Subscription Manager Stefan Wanstrom
Consultant Frances Barton

Editorial and Business Office

600 West 28th Street, #105, Austin, Texas 78705
(512) 477-0746

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• EDITORIAL •

Born Under A Bad Sign

IT WAS A BAD SIGN when the first draft of legislation attempting to come to grips with the state's water problems defined conservation as "the development of water resources" first, and saving water second. This double meaning of conservation has long been a part of the state's water policy, and most often it has been the former — and illegitimate — use of the term that has been most favored. When water planners use the term "conservation storage capacity," they are talking about dams and reservoirs that "conserve" river water. Thus, the Texas Water Conservation Association is the state's water lobby; they come to Austin each session pushing for ever more water projects to be built.

And sure enough, by the time the water bill passed the legislature last spring, it paid far more attention to water development than to water conservation. The bill barely took into consideration what is surely the single most important aspect of the water problem in the state: nearly three-fourths of the water used in Texas is used to irrigate farmland. And of the water that is rapidly being drained from the underground aquifers, 82 percent goes for irrigation.

If there is a water crisis on the horizon, as the newspaper editorialists, the politicians, and the water bureaucrats are fond of suggesting, then it would seem most logical to address the irrigation practices of the agribusiness industry, and to begin thinking about drastic conservation measures and an eventual changeover to crops that require less water. In a small way, voters have a chance to speak on this issue by approving a constitutional amendment, Proposition 2, on November 5. Proposition 2 would allow the legislature to set up a \$200 million bond program to fund agricultural water conservation programs. This doesn't mean the legislature would actually take such a step — it might or it might not. This is not the traditional approach to our water policy, and it would no doubt be a major effort to get the legislators to set the programs up. But it is worth a try.

But the centerpiece of the water plan is Proposition 1, and it is a trickier thing. Here voters are being asked to approve almost a billion dollars in bonds, much of it for water development. It is the sort of scheme we have seen before, but it has sprung from the sediment of three major political defeats over the last decade, and so it has gained a little in wisdom along the way. It is not the vague proposal — rejected by the voters in 1976 — to dump \$400 million into a water development fund. Nor is it the dreamy resolution to dedicate half of all future state budget surpluses (what surpluses?) to water funding that was rejected in 1981. And it is not even as bad as the bill that died of acrimony in the 1983 session of the legislature.

But to say it is "not as bad" is as strong a recommendation as we can make. The proposition calls for \$980 million in bonds to be raised. Of this, \$200 million would go for flood control projects; this could benefit those in the flood-prone Houston area. Small cities also stand to benefit because \$190

million is earmarked for sewage-treatment plants in areas that could not otherwise finance them, and another \$190 million would go to water supply projects in such areas.

The bulk of the money (\$400 million), however, would be available for bigger projects: wastewater treatment plants, water pipelines, and, most important, state participation in new reservoir projects.

***What citizens are voting on here
is the first tentative step
of the 50-year water plan drawn up
by the state water bureaucracy in 1984.***

And, beyond that, legislators have the option to create even more funds for water development, without having to go first to the voters for approval. A section in the resolution that is up for voter approval in November says, "The legislature by law may create one or more special funds in the state treasury for use for or in aid of water conservation, water development, water quality enhancement, flood control . . . [and] may make money in a special fund available to cities, counties, special governmental districts and authorities. . . ."

Senator John Montford, D-Lubbock, who was one of the main architects behind the bill, says the legislature wanted to make it clear that "if we determined a project were necessary, in an emergency, for instance, [then money could be appropriated]. But there is no intent to appropriate grand amounts of money," he says. "We don't have the money."

A Dallas group led by environmentalist Ned Fritz is opposing the water propositions because of the open-ended funding clause and out of the belief that the plan calls for more new reservoir capacity than the state will need. The National Audubon Society is also opposed to the water plan on environmental grounds as is state Sen. Carlos Truan, D-Corpus Christi. The Sierra Club has remained neutral, saying that the sins of the water plan are sins of omission rather than commission.

One thing omitted from the water bill as it was pushed and pulled through the legislative process was strict language safeguarding environmental conditions in the bays and estuaries along the Gulf Coast. The shrimp and other wildlife in the estuaries depend on the flow from the rivers. Sen. Truan and others made a strong effort to put language in the bill that would specifically protect the amount of shrimp production along the coast, but in the end weaker language requiring "beneficial inflows" was all that was included. What constitutes a "beneficial inflow" will have to be decided by the three-member Texas Water Commission, a board not overrun with environmentalists.

At bottom, what citizens are voting on here is the first

tentative step of the 50-year water plan drawn up by the state water bureaucracy in 1984. The defining attitude of the plan, as written in the document "Water for Texas," is: "Although water conservation is a viable method of extending water supplies, the development of additional sources . . . will be required to ensure adequate future water supplies." The water department sees a need for 44 new reservoirs over the next five decades in addition to the 184 major reservoirs now in operation in Texas.

Some of those proposed reservoirs stand to be helped along by the approval of Proposition 1. The Eastex reservoir on Mud Creek near Nacogdoches and the Little Cypress reservoir north of Longview are two likely candidates for state money. East Texas residents are already organizing against the Little Cypress project, saying it is unnecessary and will submerge valuable natural habitats.

Downstate near Cuero, residents are also alarmed about two potential major reservoirs on the Guadalupe River. The Lindenau reservoir is suggested for construction in 1990 by the water board; Gene Finney of the DeWitt Gonzales River Association fears that start-up money for the project could come out of the \$400 million in the currently proposed water bonds.

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And so the future of water policy in the state promises more battles over how much to dam up the rivers. There are currently only four federal projects under construction, and the U.S. government seems to be planning less and less construction as part of the "new federalism." It will be up to state planners and Texas citizens to decide how far to go in the effort to manipulate the natural environment to satisfy our water needs. The problem with state policy as it has now taken shape is that it requires no change in the way we use water — it only tries to discover what is necessary to keep up with projected demand. As is the way with our economy, we let private interests chart the course — developers decide they need a new subdivision, or agribusiness decides to massively irrigate a thirsty crop — and then we leave it up to government to try to meet the demands.

D.D.

Gov. White's Algebra

GOVERNOR Mark White's handling of appointments to the state Industrial Accident Board and to the Water Commission, and of his pending appointment to the Public Utilities Commission, should be read as an indication of White's strategy for his re-election campaign in 1986 and, if successful, of White's mindset for at least the first two years of his second gubernatorial term. With these appointments, White has let it be known that he has decided to take the labor, consumer, and environmentalist vote for granted in next year's election. Instead, he has decided to go for the big bucks, having apparently determined that the battle will be won or lost not in the hearts and minds of middle and lower-middle income voters but in the corporate boardrooms of the state and in the campaign contributions pouring therefrom.

The algebra of any election involves an equation pitting the organized voter variable against the campaign money variable. For progressives, campaigns have always meant how many voters can be registered and organized and mobilized to exceed the number of voters brought to the polls by big money and all the propaganda it can buy (not to mention those voters urged to the polls by most newspaper publishers and radio and television station owners in the state). Mark White apparently believes that the key to his victory in 1986 lies in a combination of the traditional Democratic vote and some portion of the corporate money that would otherwise be expected to fill Republican coffers. He is out to convince big business that he can make the state as safe for its interests as any Republican in office. It's not an absurd plan on paper, but can it work, and if it works, at what price?

When Mark White refused to re-appoint Margaret Maisel to the Industrial Accident Board and, instead, appointed someone three years out of law school from his [White's] old law firm, it was a clear signal that, in this important case, labor's interests were secondary. (Maisel told reporters that there is also a white male bias in appointments to the board.) In appointing John Houchins to the Water Commission — citing inexperience and no ties to developers or environmentalists as his chief attributes — White was telling environmentalists that their interests were not important enough to get him to cross Walter Mischer, *et. al.* If Houchins is the neophyte White claims, then he could be eaten alive by the developers. Then there's the Public Utility Commission. In appointing Peggy Rosson in 1983, White apparently feels he has fulfilled his campaign pledge to appoint not only a "housewife" but

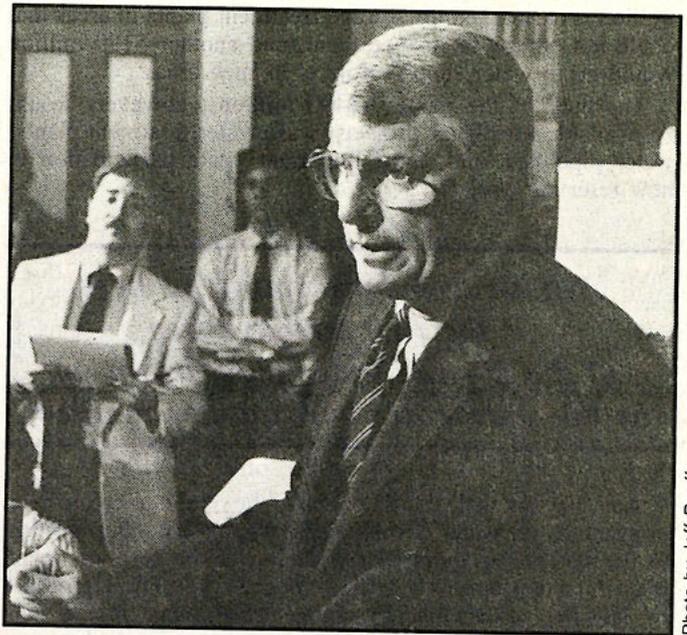


Photo by Jeff Ruoff

Governor Mark White

a consumer advocate to the commission. When White was asked about rumors that he was going to appoint an industry advocate to replace departing commission chair Phil Ricketts, he replied that "good intentions and good talents have to be balanced against those more experienced hopefully with good intentions." The Texas Consumers Union has attacked White's pending nomination (at this writing) of David Young, citing Young's lack of familiarity with consumer concerns. Young's PUC orientation will be based upon his experience as an industry consultant on utility matters.

Since Reconstruction, the chief power of the Texas governor has lain in the ability to veto legislation and the power to fill executive and judicial positions by appointment. So the matter of White's appointments should not be taken lightly. In assessing White's governorship, a chief consideration has to be the character of his appointments.

Not only have his recent appointments been direct affronts to labor, consumers, and environmentalists, but as Virginia Ellis and Arnold Hamilton reported in the October 6 *Dallas Times Herald*, White's appointments during this first term have been heavily weighted in favor of those who have contributed to his campaign coffers. According to Ellis and Hamilton, "67.7 percent of the 90 [White] appointees to 17 top boards and commissions were financial supporters," and all but three of these gave at least \$1,000. Aside from the ethics involved here, these appointments also indicate a preponderance of well-heeled Texans on boards and commissions, certainly in proportions far beyond their representation in the general population. This, of course, is standard operational procedure for governors of Texas, as well as for presidents of the United States. It should be noted, however, that while White has appointed more women and minorities to state boards and commissions than his predecessors, a small sector of the state's population has a disproportionately large influence in the running of the state, and this influence is based on economic class, manifest in part by sizeable campaign contributions.

Besides attracting more campaign contributors by awarding past contributors so well, the campaign strategy revealed by White's appointments is motivated in part by the election of 1984. Corporate money and the Reagan landslide swept Phil Gramm into the Senate and other Republicans into dozens of lesser offices, from state representative to county sheriff. White's reading of that victory has to be that he no longer

has to make promises to consumers or minorities but will, instead, rely on campaign money to create and manipulate campaign issues. For, as White knows only too well, it is not so much a question of whether the Public Utility Commission, for instance, is subjecting utilities to closer scrutiny as it is the public perception of those activities. And to mold that public perception, it is extremely helpful to have the resources.

None of this, of course, can be called foreign to Mark White. He is a conservative Democrat, molded in the Dolph Briscoe era — a time when good ol' boys were always good ol' Democrats and oil and gas barons still called the shots. White's natural habitat is in corporate boardrooms and law offices, but with a challenge on the left from Bob Armstrong and Buddy Temple in the 1982 Democratic gubernatorial primary and with the growing importance of the Mexican American vote, White found it necessary to champion the consumers' cause in utility fights and educational equalization pushed by several community organizations of the Texas Interfaith Network.

This year, without a primary opponent on the left, White still talks a consumerist game, but his actions speak otherwise. Instead, he is gearing up for a challenge from the likes of Hance, Clements, and Loeffler by trying to match their war chests. The trouble is that, by trying to appease interests such as the utilities, White stands a chance of losing the consumer issues to someone like Kent Hance, who is already attacking White for taking credit for energy rate decreases that are, in part, the result of the drop in oil prices. White will find little room to maneuver on consumer issues if, at the same time, he is trying to keep the utilities happy. Through the years, they have exhibited little tolerance even for mere cosmetic changes in policy. When you are used to having your every whim satisfied, as under a Bill Clements, it is difficult to accept a governor who throws a bone every now and then to consumers. What this may mean, then, is that White will not be able to gain the absolute fealty of industry and, at the same time, will lose any edge he might have had with consumers, particularly if predicted rate hikes caused by nuclear power plants occur before the election. He will leave himself wide open to attacks by someone like Kent Hance, who seems perfectly capable of assuming whatever position is most opportune. While a Hance governorship would be of little benefit to consumers, that does not mean Hance won't make promises to voters.

Then there's the matter of taxes and fees. Forget education equalization and the loss of petroleum revenue. Already the

Republican candidates are going after White on the issues of increased fees this last legislative session and an increased sales tax for highways and public education reform. These were, of course, the only means of raising state revenues acceptable to big business at the time they worked their way through the legislature. But now, with corporate backing, candidates Hance, Clements, and Loeffler are plying consumers (*i.e.*, the middle class) with complaints about tax increases under Mark White. (And here comes Clements snarling about "no pass, no play.")

ALL OF which is to say that, if you rely only on big money and forget about the voters, you're liable to lose the voters you had and the big money boys are just as likely to cut deals going the other way to rob you of the voters you thought you were going to get.

What we need is a Democratic candidate coming at Mark White from the left. It's for his own good and the common good. It's necessary to prevent this rightward drift. We need a jackrabbit in there to force White to court the consumer, minority, labor, and environmentalist vote. As long as Mark White talks only about economic development and the death penalty, he'll be out-talked by the Republicans, and he'll also be wearing the albatross of incumbency around his neck, making a perfect target for their pot-shots.

There is nothing to recommend Hance, Loeffler, or Clements for governor. Hance has changed positions as often as he's changed planes. Clements has proven himself to be an incorrigible bully to those without wealth and power. Loeffler has busied himself courting the far right, peopled by World Anti-Communist League members and gay-baiters.

The first-term Mark White — even with his trip to Honduras, his failure to re-appoint Harry Whittington to the Texas Department of Corrections Board, his unfaltering support for the death penalty — was far better than we thought he would be and than any of the Republican three could ever be. Note the creation of the Public Utility Counsel, the support for education equalization and indigent health care. But these are largely results of his promises to the Democratic constituencies that brought him to office. If he continues to ignore these constituencies throughout the upcoming campaign and somehow wins, then a second-term Mark White may feel no compulsion to be more than a front for corporate interests. In that case, there might be no more than two-cents' worth, certainly not a dime's worth, of difference between White and his opponents. **G.R.**

• OBSERVATIONS •

Ferociously-Denied Likelihood

Cassis, France

DESPITE our sadness for our country, even despite unspeakable fears of being accused of being pro-Soviet, it is time for us Americans to face the likelihood that far from wanting real reductions in the weapons of mass killing, our President is hell-bent on forcing another upward spiral in the nuclear arms race — maybe the deadliest, maybe the final spiral.

This is ferociously denied, by the President, by all his men, by many of

the leading newspapers, and by our own hearts wherein we wish to believe the best about the leaders of our country. But alas! this is one of those terrible possibilities that is ferociously denied precisely because it is so plausible.

Consider the bare facts.

President Reagan has driven Congress into unprecedented spending on nuclear weapons and has plunged us toward the deployment of D-5 missiles on Trident submarines that will be so accurate, they can be the main weapons in an American first-strike capability.

He has failed to renew negotiations with the Soviets on a comprehensive

nuclear test-ban treaty, which could and should be the very centerpiece of arms control and reductions in nuclear-weapon stockpiles.

In 1969 President Nixon stopped U.S. production of poison gas and pledged the U.S. to abide by the 1929 Geneva Protocol against its first use in war. After four years of trying, Reagan is finally persuading Congress to pay for the manufacture of new chemical weapons for the first time in 16 years. Soviet leader Gorbachev endorsed a proposal by members of the Social Democratic Party of West Germany and East German officials for a zone in Central

Europe free of chemical weapons, provided the U.S. agreed. The Reagan administration rejected the proposal out of hand.

Last summer Gorbachev announced a Soviet moratorium on underground nuclear tests and asked the U.S. to do likewise. Reagan refused. Gorbachev announced a six-month moratorium, expiring in November, on the deployment of new medium-range nuclear missiles. Reagan has not reciprocated.

In 1983 the Soviet leader then, Yuri Andropov, declared "a unilateral moratorium" on deploying anti-satellite weapons in space as long as other nations, including the U.S., did not deploy them. Rather than making this moratorium bilateral, Reagan pushed the Pentagon to test a new U.S. anti-satellite weapon in space. Last month, ignoring a Soviet threat to end its moratorium if the U.S. went ahead with its test, the U.S. did just that.

Reagan is set on his "Strategic Defense Initiative," his radical and seductive proposal to have an all-out race with the Soviets to see which side can devise an effective defense against incoming nuclear bombs. The Soviets say this is a plan to lay them open to a first strike that they could no longer deter with the threat of effective retaliation.

The Reagan administration simultaneously advocates deep mutual cuts in nuclear missiles. The Soviets say they, too, are ready for mutual cuts of 50 percent of both sides, but they also declare that if we go ahead with Star Wars they will build more and more offensive missiles to overcome our prospective defenses.

Obviously it's true, no matter how many times the President denies it, that an effective defensive shield, combined with MX and D-5 missiles, could subject the Soviet Union to total destruction or at the minimum place them at our mercy. The Soviets' fear of an American first strike would place us in the earlier danger: when they concluded that we were about to obtain the ability to destroy them without risk to ourselves, they would be powerfully tempted to strike us first. The first-strike meaning of an effective defensive shield is just too plain to deny. As President Nixon said, if you have the shield, you can use the sword.

There is a theoretical possibility of a "defense-protected build-down" in which both sides share the developing defensive technology while mutually phasing down their missile stockpiles. At first Reagan said he clearly recognized that defensive systems, if paired

with offensive ones, "can be viewed as fostering an aggressive policy," and he offered to share the defensive technology with the Soviets. But earlier this year he reversed himself: he is no longer willing to do this.

Gorbachev has indicated to American senators that the Soviets would accept research for Star Wars by both sides, but not development. But last Sept. 18, Reagan dropped the other shoe: he said he will not negotiate with Gorbachev at the summit meeting in Geneva in November on the development of the testing of Star Wars weapons. "I would rule that out," he said.

Unless Reagan compromises some of Star Wars at Geneva, his plan for the future is a double dare to doomsday.

It is little wonder that Max Kampelman, the senior U.S. negotiator, is said to be frustrated by the Soviets' ability to create the impression that they are more flexible on arms control than the Americans. They *have been* more flexible than the one American who now counts the most, Ronald Reagan. An American working in France this fall in the midst of European gloom about the November summit, perhaps I have been able more readily here to accept this painful truth.

President Reagan has changed his basic policies a number of times, but unless he changes now on this and compromises some of Star Wars at Geneva, his plan for the future is a double dare to doomsday. The Soviets will accept the dare on the space race, and both sides will race on forward in quest of a first-strike capability. The arms race will lift off for heaven and the human race will dig in for hell on earth.

Creating Money

Now that Carl Brannin is gone, perhaps the state's most original writer of letters to the editor is a physician in Alpine, W.E. Lockhart, Jr.

Lockhart began general practice in that West Texas town in 1938. After three years as a medic in World War II, he built and operated a 16-bed private hospital, the Lockhart Clinic-Hospital, which he says never denied hospitalization to anyone. "I have practiced medicine in Alpine, Texas, for 48 years without discriminating between rich or

poor or race," he says. He served on the Alpine school board the year the high school was desegregated. Four times he has been mayor of his town.

Lockhart has been writing to the *Observer* recently concerning the power to create money, which he, like the late Wright Patman of Texarkana, believes has been improperly delegated to private interests. It would be interesting if *Observer* readers, including, if they are so moved, bankers, would consider Dr. Lockhart's message on this theme and share with the rest of us their own ideas about it.

With no further ado, here is the letter from W.E. Lockhart, Jr., M.D., fellow of the American Academy of Family Physicians, whose address is 401 N. 4th St., Alpine, Texas 79830:

The biggest scandal of the Twentieth Century involves the Federal Reserve Act of Congress on December 23, 1913.

This act was never submitted to the courts for verification of constitutionality. One attempt was made in the House of Representatives to have an audit of the Federal Reserve, but this was squashed. The act was slipped through Congress at a time when most congressmen were home for Christmas. It was eloquently opposed by William Jennings Bryan, but when he saw that he did not have a prayer, he threw in with President Wilson to support it. Shortly before his death President Wilson is said to have said that he was deceived by the big banks and that he had betrayed the American People. More convincing evidence that Wilson had second thoughts on the Federal Reserve Act was in his appointment in 1916 of Louis Brandeis to the Supreme Court despite opposition of the big banks and wealthy conservatives. Brandeis was opposed to the Federal Reserve Act.

Many years before, Thomas Jefferson had said, "If American people ever allow private banks to control the issue of their money, first by inflation and then by deflation, the banks and the corporations that will grow up around them will deprive the people of their property until their children will wake up homeless on the continent their fathers conquered." Sir Josiah Stamp, president of the Bank of England, is quoted as saying: "If you wish to remain the slaves of the bankers and pay the cost of your own slavery, let them continue to create money and control the nation's credit."

The Founding Fathers provided in

Article 1 Section 8(5) of the Constitution that Congress shall have the power "to coin money [and] regulate the value thereof."

There is nothing in the Constitution which says Congress shall have authority to delegate the power to create new money or to control interest rates. But the Federal Reserve Act was interpreted as giving the Federal Reserve System — which is not a Federal Agency and is not controlled by the President or the Congress, but is indeed a private banking corporation with twelve districts — the power to create new money and to regulate interest rates. James Madison probably wrote the exact words and had in mind that this awesome responsibility should be placed in the Congress, which is nearest to the people by reason of frequent elections. Certainly this authority should not be placed in a private banking corporation without any control by the government, but that is what has happened.

If this thesis is correct, the national debt, now approaching two trillion dollars, is unconstitutional, and so are payments of interest on it, which now annually are approaching two hundred billion dollars. It is not recognized that the "budget deficit" is actually this interest which must be paid by the federal government. This problem is approaching a crisis now that the two hundred billion dollars of interest this year must be borrowed from the Federal Reserve, adding to the national debt and the annual interest thereon.

Since the beginning of the country two hundred years ago, it has been necessary to create new money to provide for the needs of the people each year. What is the procedure when Congress borrows money from the Federal Reserve? First, the debt limit is raised. The Treasury Department is instructed to print Federal Reserve Notes in the amount of the loan. The Federal Reserve then "rubs that golden ring given it by Congress" and creates the money, with which the Notes are purchased and which become the property of the Federal Reserve, adding this amount to the national debt and increasing the annual interest that must be paid on it. This is simply fantastic! The Federal Reserve uses the power given it by the Congress to create money, buys the notes and adds this to the national debt and the interest to be paid thereon!

What would be the procedure if

the power to create money were restored to Congress where the Constitution put it? When Congress found that it had to spend more money than revenues brought in, Congress (not the Federal Reserve) would "rub that golden ring" and create the money desired. There would be no increase in the national debt and no interest to pay. Likely the Office of Management and Budget (OMB) would be expanded to advise Congress on the awesome responsibility of creating new money and of setting interest rates.

How can the powers be restored to Congress? There are two ways: (1) The Supreme Court could rule that the Federal Reserve Act is unconstitutional. This is not likely. (2) Congress has the power to rescind its action taken on December 23, 1913. This would be impossible during the Reagan administration, but it could give the Democrats something to shoot for after 1988.

An Objection

I was astonished, having lunch in San Antonio recently with a dear woman friend and others, by the intensity of my friend's indignation against the mandatory seat-belt law that has gone into effect in Texas. She is not a political person; only rarely does she express opinions about politicians or laws. But she is a woman of ample breasts, and she finds the mandatory seat-belt law unfair and uncomfortable. Indeed, she said, it's unconstitutional! "It is just as if the legislature required every citizen to do 60 push-ups every morning because that's undeniably good for you."

I think my friend has a very good point.

Krueger and Apartheid

Bob Krueger, the former Congressman, writes a column now in the *San Antonio Express-News*. As *Observer* readers were exhaustively informed when the facts were pertinent to Krueger's ambition to be a U.S. senator, his voting record in Congress was decidedly mixed. His attitude toward South Africa, however, is not. Let him speak (write) for himself:

"After 36 hours in South Africa, I told my parents as we traveled there 14 years ago, 'If I were black, and living here, I'd probably be a revolutionary. I've never been behind the Iron Curtain, but this is the most repressive country I've ever been in. . . ."

"After a black porter carried some

of my bags to the room, I tipped him and he backed out of the room, eyes fixed not on me but on the floor, and said, 'Thank you, master.' It was chilling. I had never before been called 'master' and never again wanted to be."

R.D.

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By Louis Dubose

Houston, Austin

HE'S BACK. Standing on a platform that evokes Houston's once-and-future prosperity and morality, Louie Welch is out to reclaim his old third-floor office from two-term incumbent Kathryn Whitmire.

Welch claims that friends persuaded him to run. One friend has suggested that it didn't take too much persuasion. And others speculate that Welch just recognized his constituents among the voters who turned thumbs down on a gay-rights referendum last January.

Following the referendum, when Welch began to grouse about a return to city hall, his candidacy just didn't seem all that likely. He was ten years removed from elected office, and if anyone had won the right to the morality hook as a campaign issue in a race against Whitmire, it was City Councilman John Goodner, who had led the opposition to the gay rights ordinance. Now with voting less than two weeks away (pending a court order that may delay the election in order to examine the merits of a lawsuit challenging the drawing of city council districts) and Whitmire leading in the polls, Welch is counting on the anti-gay vote to help him pull off an upset.

Louie Welch? The political memory is short, but it doesn't require a Proustian effort to recapture what this fellow was all about.

THE LAST TIME I saw Louie Welch was on a Saturday afternoon in November of 1969. Standing at the Bagby Street entrance to Houston's 1930s, international-style city hall building, Welch was holding forth. Four or five men, all in business suits, leaned forward to listen. The autumn sunlight was warm and clear and Louie Welch seemed very much in control.

On that very Saturday, the progressive Citizens for Good Schools were grinding out a bellweather victory in Houston's school board race. The city's electoral landscape was changing.

Observer contributor Louis Dubose is a freelance writer living in Austin.

(There is prophetic perspicacity in hindsight.) The day portended the autumn of the civic patriarch.

Two years later, the message was brought home to Welch. Fred Hofheinz (J.D., Ph.D., and scion of a mayoring Houston family) forced the incumbent into a runoff, carrying 95 percent of the city's black vote.

Welch hung on for one more term, then, in 1973, prudently bowed out to accept a promotion to lead Houston's chamber of commerce.

What applies in the bedroom somehow must apply in the boardroom. Here Louie Welch doesn't just stumble; he flat out falls.

Hofheinz inherited a city undertaxed and short of services. His police force was inadequate for a city of one million, public housing was nonexistent, public transit had only recently gone public, and 43 of the city's 44 sewage treatment plants were out of compliance with minimum standards set by the Texas Water Quality Board.

Before he was sworn in, Hofheinz was out selling Houstonians a major (about 500 percent) tax increase. It did not seem that it would be long before voters would be clamoring for Welch, a low-tax man, to return to 901 Bagby and put Fred's (and Fred's daddy's) fiscal house in order.

He has been a long time returning. What brings him back, we are told, are not the workaday issues by which city administrations are made and unmade: not taxes, late buses, conflicts of interest, not annexation. What happens this fall may make Houstonians nostalgic for a straightforward pothole campaign. The issue in this year's mayor and council races is sexuality. Consider the *Straight Slate* committed to rid the city of "pro-homosexuals Whitmire and her eight council supporters. . . ."

Straight Slaters have endorsed Welch, proposed candidates for each of the eight council seats up for election this year,

and asked for an electoral mandate to make Houston the "number one family city in the nation." They've linked Houston's economic decline to its moral decline and come out four-square against taxation in general. By way of paid-political ads on the radio, Welch has reminded voters that, as a grandfather of twelve young Houstonians, he is concerned about the city's moral climate. During his first televised debate, he accused Whitmire's public health director, Dr. James Haughton, of being soft on AIDS. This might be the first big city mayor's race, we read in the *Houston Chronicle*, in which Rock Hudson's death makes a difference. In a sense, this contest has become a measure of the length of the coattails of Ronald Reagan and Jerry Falwell.

BUT TO RUN a really good moral crusade, the candidate should, like Caesar's wife, be above reproach. All eight Straight Slaters may lay legitimate claim to exemplar Christian pasts. And there is a Calvinist look about the former mayor that is convincing — not to mention Church of Christ connections. But morality, unlike ethics, is not situational. What applies in the bedroom somehow must apply in the boardroom. Here Louie Welch doesn't just stumble; he flat out falls.

Perhaps Welch's greatest transgression was the purchase of 10,000 shares of National Bankers Life stock from Houston Banker Frank Sharp. Welch acquired the stock at \$16.50 a share at a time when the public was paying \$28 a share. To pay for his stock, Welch used a \$235,000 loan from Dallas Bank & Trust, an institution with Sharp connections. The note somehow ended up at Houston's Sharpstown State Bank, secured by some \$60,000 in National Bankers Life stock in the name of Sharpstown Realty Co.

Welch also received \$94,397.50 in loans from Sharpstown State Bank between 1967 and 1971.

For his part in the Sharpstown dealings, Welch's apology to his public was something of a *defenso in pauperis*. He argued that a \$367,000 loss, in dealings with Sharp, suggested innocence, that financial failure was proof of purity: "It should dispel for all time the rumor that all people in public life become wealthy." [TO, 10/22/71].

More fortunate deals for Welch include:

- One-fourth interest in a 145-acre tract on Westheimer in Southwest Houston. As broker for R.E. Bob Smith, Robert C. Lanier, and Frank Rizak, Welch accepted interest in the property

in lieu of a broker's fee. Welch later supported city expenditures of \$500,000 to improve streets and sewers in the area of the Westheimer tract. Lanier was a partner in Welch's real estate firm, and Rizak was an apartment owner and developer. Both were appointed by the mayor to serve on the Houston Housing Authority.

- Joint ownership with brother-in-law Jay Cure, in a 492-acre tract four miles north of a Coastal Industrial Water Authority (CIWA) canal. The property was acquired four months before engineers agreed on the route of the canal. The mayor and his brother-in-law bought low and sold high; part of the property went to Houston Lighting and Power at \$750 an acre, twice the purchase price, for a profit of \$27,000.

- Interest in a 330-acre tract on Cedar Bayou, an area to be served by CIWA. As mayor, Welch appointed five of seven CIWA directors.

Nothing new here, yet not quite the story of a Northside auto parts salesman elected to council in 1952 on a shoeshine and a smile. By 1968, Welch told the *Chronicle*, he had some \$900,000 in holdings.

IN TERMS of public policy, Welch suffers his highest name recognition in Houston's black community. It is there that many of the chickens of Louie Welch's past come home to roost. In Houston's Third, Fourth, and Fifth Wards, the name of Louie Welch is associated with that of his police chief, Herman Short. In May of 1967, Short ordered some 300 armed officers onto the campus of Houston's predominately black Texas Southern University, in response to campus disturbances. In a furious assault on the dormitories, a police officer was killed by what was believed to be a ricocheting bullet. Eighteen years later, black residents remember news photos of Texas Southern students, dressed in nothing more than their underwear, sprawled on campus greens as armed Houston police officers stood guard.

When, in July 1970, police snipers on the roof of St. John's Baptist Church shot and killed black radical Carl Hampton, leader of a militant political sect, leaders in the black community cried police assassination. While Hampton and white collaborator Bartee Haile were not exactly garden clubbers, police deportment after the shooting and the failure to evacuate residents angered even conservative black leadership. Police graffiti sprayed on the walls of the People's Party headquarters after the shooting included: "Fuck Huey," "Pig



Photo by Richard Pipes

Johannesburg? The Texas Southern University campus under the reign of Welch's police chief, Herman Short.

Knuckles for You," and "Wallace in 1972."

Police Chief Short himself was an unabashed Wallace man at a time when the present governor of Alabama's racial policy was unequivocal and public. The presence of the police chief at the head table of a Wallace political banquet on the day after the 1971 city election only further alienated the black community. Adding insult to real injury was the disclosure that Short's Criminal Intelligence Division files included a non-criminal dossier on then-U.S. Rep. Barbara Jordan. In Houston's black community Welch is remembered best as Herman Short's mayor.

The presence of the Houston police chief at the head table of a George Wallace political banquet only further alienated the black community.

WHITMIRE, all the while, has waged a cavalier fight. Some advisors have urged her to focus on Welch's past and move the percentages away from center. She has steadfastly refused.

According to University of Houston political science professor Dr. Richard Murray, who has followed Houston elections since 1966 and conducted a series of polls on this race, the black

community will now determine the percentage by which Whitmire will win on Nov. 5: "A large black turnout will give the mayor about 57 percent of the vote. A light or moderate turnout will mean about 54 percent."

Welch is counting on an anti-gay wild card to provide him with an upset. According to Murray, Welch has a substantial base of about 40 percent on which he cannot seem to expand. But at least one source in the Whitmire campaign admits that the anti-gay vote is a concern. Many of those voting against the gay-rights ordinance in last January's election were first-time voters. No one is sure how many of them will come back. Welch and Straight Slaters had hoped to turn the election into Gay-Rights Referendum II. So far, the tactic hasn't worked. And, according to Murray, the anti-gay faction just isn't big enough.

"They're identifiable, and Welch will work on them. But they just don't defeat her [Whitmire]. Twenty percent of the people we questioned mention the gay issue. But 20 percent is just 20 percent.

"People perceive that the mayor is smart and that she works hard. There's no corruption issue. It has just been difficult for Welch. He loses the black vote and just doesn't do well enough among white voters; they're too heterogeneous, and there are too many issue agendas. Welch would probably do better if he were running in the county . . . where he would pick up a lot of the suburbs."

What then is an issue? Houston's

recession. But Welch can't seem to pin all of the blame for the declining price of oil on the mayor. And, as president of the chamber, he shares in the hometown responsibility for Houston's sluggish economy. Nor was he helped by early speculation in *Houston Magazine* that he is being muscled out at the chamber, that he just doesn't fit in with plans that include a new economic development council.

Another issue is Whitmire herself.

She is perceived as being cold and aloof. One community organizer, who says that he will vote for Whitmire, voiced similar sentiments. "Dealing with her is such a grind. We meet with her and her people, and get much of what we ask for. It's so unpleasant. But, with McConnell [former mayor Jim McConnell], we always left feeling good, he was agreeable, promised everything, and you got nothing." It is a common complaint about Whitmire.

So there it is. With Welch, affairs political will be enjoyable. The firm handshake, the arm draped over the shoulder, that old biting and acerbic wit at press conferences. Much of what this race is about is nostalgia. A charming Rotarian prince returning to resurrect prosperity. Will this soufflé rise twice? I doubt it.

Adieu, sweet prince. Say goodnight, Louie. □

A New Strategy Against The Death Penalty

By Gara LaMarche

MANY OF US working against capital punishment have come to recognize that the death penalty will be with us for some time to come. Public opinion in favor of the death penalty is at its highest point in many years. The pace of executions has increased almost geometrically, and killings by the state are on the verge of becoming routine. Virtually all the novel legal issues that might have affected significant numbers of those on death row have been eliminated, and the Supreme Court expresses annoyance at legal maneuvers to stem the tide of executions.

A shift in the Supreme Court's attitude would require the addition of several new members who believe the death penalty violates the Eighth Amendment prohibition against cruel and unusual punishment. The earliest that could happen is the end of this decade, and even then it might take years for the right case to work its way up to the Court's attention.

Changes in public and legislative opinion will also be long in coming. It will probably take the execution of several innocent people, combined with enough years of experience with executions to demonstrate to the public what death penalty opponents have always known — that no one is any safer when the state kills one of its citizens.

Over the long term, our goal remains the complete abolition of the death penalty. We oppose the death penalty because it is barbaric — a form of

punishment that places us in the undesirable company of Iran, South Africa, and the Soviet Union. We oppose it because it is racist — over half the inmates on death row in Texas are black or Hispanic, but the more telling statistic involves the race of the murder victim. A black who kills a white in Texas is twelve times more likely to get the death sentence than a white who kills a black. We oppose it because it is arbitrary — a kind of lottery system in which Texas can execute Doyle Skillern, a murder accomplice, while his partner, the triggerman, approaches eligibility for parole.

These arguments are by now familiar, but we must keep making them, and they gain new force with every execution. To keep these concerns before the public, we must revive and broaden anti-death penalty coalitions. With the help of two Mennonite volunteers from Wisconsin, the Dallas Coalition Against the Death Penalty organized a meeting last month of a dozen civic, church and legal groups to take steps toward reconstituting a statewide coalition. Its Houston counterpart has been able in recent months to increase attendance at Huntsville execution vigils — an important effort to insure that public officials are not spared the reality and the agony of their acts.

But what do we do in the long years until capital punishment ends? I think the time has come for activists to shift course. This requires no diminution of our passionate opposition to state-sanctioned murder, or any lessening of efforts to abolish the death penalty. But it does require a frank recognition that abolition is a long-term goal. While we continue seeking to change hearts and

minds — and ultimately, the law — through public education, litigation, and lobbying, we must develop a short-term strategy, too.

For the short term, we may be able to enlist the support of some of the pro-death penalty majority in pushing for a series of steps to mitigate the most egregious aspects of capital punishment as it has come to be practiced. Too many people — even those who committed crimes as juveniles — are now being included in the group of potential death-row victims. That is one immediate focus for our protests. Too many convicts on death row are now going to the chamber without having had adequate legal representation. That is another crisis that calls for immediate and energetic action.

Executions Without Counsel

U.S. Supreme Court Justice Thurgood Marshall raised an issue at a Pennsylvania judicial conference in August that ought to give everyone pause — especially those who support the death penalty. He brought into public view a problem that has been recognized for some time by anti-death penalty litigation groups like the ACLU and the NAACP Legal Defense Fund: the representation crisis.

Marshall told of "stories of counsel who presented no evidence in mitigation of their client's [death] sentences because they did not know what to offer or how to offer it, or had not read the state's sentencing statute." Because most criminal defendants are poor, those facing the prospect of the death penalty "frequently suffer the consequences of having trial counsel who are ill-equipped to handle capital cases." Some defense lawyers, Marshall asserted, "are unaware that certain death penalty issues are pending before the appellate courts . . . that certain findings by a jury might preclude imposition of the death penalty; or that a separate sentencing phase will follow a conviction."

Certainly incompetent lawyers are nothing new, but won't trial errors lead to a reversal on appeal? Not necessarily, according to Marshall. Because the

Gara LaMarche is Executive Director of the Texas Civil Liberties Union.

Supreme Court has so restricted the remedies available on appeal in federal courts, many serious trial errors are never overturned. And appellate attorneys are not required to show any experience in handling capital cases. Furthermore, the time allowed for appeals is so brief, Marshall stated, a just-appointed appellate lawyer "often has no knowledge of the record, has not met the client, and has only a few days to read hundreds of pages of transcripts and prepare a petition."

In Texas, inmates facing death are lucky to have a lawyer at all. In March, Steven Morin was executed, without a lawyer, because he had not found a suitable "Christian" attorney to bring his appeals forward. In July, John Michael Lamb got a last-minute stay, to which he was clearly entitled, only after a volunteer lawyer was found a few days before Lamb's scheduled execution. I know of at least eight death-row inmates who have no lawyers, and I know of those only because they've asked the ACLU to help get them one. How many more will come to light as the pace of executions picks up?

With more than 200 people on death row, Texas has the worst representation crisis of any state. Initial counsel for capital murder defendants are usually court-appointed lawyers, poorly paid, who drop the case in the early stages of appeal. Texas provides no funding for federal habeas corpus proceedings once a sentence has been affirmed by the state's Court of Criminal Appeals, and finding a lawyer to volunteer to take a death case at this critical stage is

growing more difficult every day.

So how do death-row inmates get lawyers for post-conviction appeals? The NAACP Legal Defense Fund in New York tries to track cases nationwide, but it is dependent upon local sources to find attorneys and provide back-up legal assistance. In most parts of the country, this role is played by the ACLU. In Texas, which will probably have more executions this year — there have been six so far — than there has been in any one year since the resumption of capital punishment in 1976, there has been only the ACLU. The volume alone makes it nearly impossible for the ACLU to continue this function.

But it is more than volume. In the first few years after the resumption of capital punishment, it was not as difficult to find lawyers. Fewer inmates were nearing execution dates. Cases were heavily publicized, and a lawyer who agreed to take one without fee could at least expect a boost in business from the exposure. It was a time in which there was optimism that issues in one defendant's case might provide a vehicle for dramatic reversal of sentences for many similarly-situated inmates.

All of this has changed. The death-row population will continue to grow, and with it the representation crisis. Marshall admonished his audience of lawyers and judges that the Bar and responsible public officials have an obligation to "assure that people who face the ultimate sentence receive the same opportunity to present their best case to the court that non-capital

defendants receive."

That is a challenge that must be taken up by the legal and political power structure of the State of Texas. Otherwise, we will execute people in Texas without due process and without lawyers.

RECENT DEVELOPMENTS in Florida may point the way out of this crisis. There the State Bar, embarrassed by the number of out-of-state attorneys brought in to work on post-conviction proceedings in capital cases, provided funds to set up a resource center, with two attorneys and support staff, to recruit lawyers and provide expert advice. The Bar has convinced Governor Bob Graham and the Attorney General to seek funds from the legislature to establish a special statewide public defender office with sufficient staffing to handle all Florida cases in state and federal court. If this plan works, it will have an enormous impact on the representation crisis for nearly 250 Florida prisoners on death row.

Florida is a state at least as gung-ho for the death penalty as Texas — and their governor is at least as ardent in support of the death penalty as our own governor — yet Graham and other key political leaders found the political courage to recognize the state's minimal

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obligation to assure adequate representation for those it seeks to put to death. Creating a structure in Texas through which the Bar, the government, or both meet this critical obligation must be a high priority in the coming months for all those concerned about basic decency and fairness.

Who Deserves To Die?

Until recently, proponents of the death penalty seemed to hang their case on its value as a deterrent to criminal behavior. Because it is hard to make that argument in good faith when ten of the U.S. cities with the highest 1984 homicide rates — five of them in Texas — are also the most frequent users of the death penalty, the deterrence argument is beginning to lose credibility. Attorney General Jim Mattox recently

The deterrence argument is beginning to lose credibility.

expressed some doubts about the deterrent value of executions, and Governor White, reacting the next day to Mattox's remarks, agreed. "I don't know if that's the reason [deterrence] that we have a death penalty so much as it is to punish people appropriately for the crimes that they've committed," the Governor said. "The death penalty is an appropriate punishment for someone who commits a capital crime in Texas. I support it in and of itself."

People who make such assertions generally believe that the death penalty is, and should be, reserved for the most heinous kinds of crimes, the most irredeemable offenders. But what about the case of Charles Milton, executed in Texas last June? Milton tried to rob a liquor store at gunpoint. The owner broke two bottles of wine over Milton's head, and during the struggle, the gun went off, killing the owner's wife. At the time of his crime Milton had no prior convictions for violent crime, though he was later convicted of three armed robberies committed a few days before the shooting.

A few days before Milton's execution, the State of Virginia electrocuted a 32-year-old retarded black man, named Morris Mason. Rev. Joe Ingle of the Southern Coalition Against the Death Penalty was with Mason until 25 minutes before his death, and states: "There is no doubt by anyone who spent a significant time with Morris Mason that the three psychiatric evaluations over an 8-year period that determined he was a paranoid schizophrenic person-

ality with an I.Q. of 66 were accurate. He was no more responsible for his actions in the terrible murder of his victim than a third-grade child would have been . . . how can the state kill its citizens when they are demonstrably mentally incompetent?"

The execution last month in Texas of Charles Rumbaugh, who committed his crime when he was 17 years old, raises the question of whether the state should have the power to kill people who committed their crimes when they were juveniles. Traditionally the law views young people as less responsible for their acts than adults, and as better prospects for rehabilitation. In addition, there may be questions of international law involved: Amnesty International opposed the Rumbaugh execution as contrary to two treaties signed by the United States — the International Covenant on Civil and Political Rights and the American Convention on Human Rights. At least 33 prisoners in the United States, including nine in Texas alone, face death for offenses committed when they were minors. Indiana law permits the execution of children as young as ten years old.

Is there any chance of chipping away at the edges of the death penalty by restricting its application to minors or the mentally retarded? Here again, there is encouraging news from Florida. An Amnesty International survey conducted there showed that 86 percent of the population supports capital punishment — no surprise, and right in line with Texas and national figures. But most death penalty polls don't go further to probe opinion about the application of the death penalty in specific situations. Amnesty International did and found that the majority opposes the execution of minors and the execution of offenders with mental infirmities. Those numbers suggest the basis for a legislative reform package in Texas.

YOU CAN SEE the slightest beginnings of change in Texas, which is giving Florida a tough fight for the title of capital of the death belt. The Texas legislature passed a bill last session to change the site of executions from Huntsville, where students from nearby Sam Houston State University gather on execution nights for the grotesque spectacle of cheering the process on. So our leaders are not beyond shame, or to put it most charitably, some sense of decency, even where the politics of death are concerned. While we wage the long-term fight to abolish the death penalty, we must rely on shame and decency to save lives in the coming period. □

✓ According to a recently released final report by the Government Accounting Office (GAO), the Omnibus Budget Reconciliation Act (OBRA) of 1981, co-authored by then-Congressman Phil Gramm, caused serious hardship for many working recipients of Aid to Families with Dependent Children (AFDC). According to the report, the act decreased the national monthly caseload by 442,000. The GAO found "no strong evidence that the OBRA changes made welfare more attractive than employed self-sufficiency. However, one-and-one-half to two year later, those who had lost AFDC . . . experienced substantial losses in real income, and many were without health insurance after their loss of Medicaid." Following a preliminary version of this report in 1984, medicaid coverage was extended to those who lose AFDC, but only temporarily. The GAO concluded that adequate wage level and employment opportunities were "as important as program incentives for enabling recipients to gain independence from welfare." In other words, contrary to the contentions of sponsors of the Reconciliation Act, those receiving welfare are all too happy to leave those rolls when offered employment at decent wages.

Drugs to Avoid

✓ Researchers this month estimated that women using the anti-acne drug Accutane during the first weeks of pregnancy are 25 times more likely than normal to bear a malformed infant.

The *Wall Street Journal* reported that scientists from the government's Centers for Disease Control, from the drug's manufacturer, Hoffmann-La Roche, Inc., and from several university medical centers studied the outcome of pregnancy in all 159 cases of prenatal Accutane exposure reported to the company and the Food and Drug Administration up to July 5, 1984.

The findings, published in the *New England Journal of Medicine*, reveal that of the 159 women who had taken the drug during pregnancy, 95 had elected to have abortions and the effect on the fetus wasn't known.

Of the remaining 59 women, only 26 bore normal infants. There were 12 miscarriages and the birth of 21 malformed infants. Three of the malformed

infants were stillborn and nine died in early infancy. Malformation of the head, face and ears was a common defect. Heart and central nervous system defects also were common.

Swamp Rock for Kathy

✓ Check these lyrics from Houston Mayor Kathy Whitmire's new campaign song:

"Standin' by the bayou waitin' for the evenin' rain, with the Houston skyline in our eyes. The Gulf Coast is the best coast, you know it ain't hard to figure out; there's a world class city happenin' here, that the world can't help but talk about."

Then the chorus kicks in: "Houston was the first word heard from the surface of the moon, and Kathy, we've come too far to turn back now."

The new commercial, according to the *Houston Post*, sounds a lot like one of those stirring Springsteen anthems — replete with wailing saxophone, expansive piano work, and bad grammar. Richard Ross, Whitmire's ad man, said "That's the idea. I told Gary [Tigerman, the song's author] I wanted a song that would make you drive fast."

Not on the Houston freeways, we presume.

✓ Immigration alarmists get a lot of mileage out of the widespread assumption that economic chaos is bound to break loose when undocumented workers spill into a community.

But it isn't necessarily so, according to a recent study by the Urban Institute, a Washington, D.C., research group. As reported in the *Wall Street Journal*, the study focused on the recent influx of Mexicans into Southern California and found "few of the problems that are supposed to dog the trail of immigration en masse."

Thomas Espenshade, an author of two Urban Institute research papers on Southern California, said: "The bottom-line consensus on the impact of Mexican immigrants on Los Angeles and the surrounding region is that, on balance, they are an economic benefit."

Loeffler's Orientation

✓ Fresh from his dinner with the World Anti-Communist League, U.S. Rep. Tom Loeffler continued his courtship with the extreme right, announcing that Houston City Council member John

Goodner was supporting him in his bid for the Republican nomination for governor. Goodner led the fight in Houston (*TO*, 8/17/84) that succeeded in overturning a City Council resolution banning discrimination based on sexual orientation.

✓ Shortly after President Reagan promoted Margaret Heckler from her post as Secretary of Health and Human Services to a position as ambassador to Ireland, Hispanic leader Raul Yzaguirre wrote to the President suggesting that he promote Secretary of Education William Bennett to a position as ambassador to Antarctica.

Yzaguirre, president of the National Council of La Raza in Washington, D.C., was steamed over Bennett's recent remarks that bilingual education programs were a failure and that he did not intend to implement the terms of the 1984 Bilingual Education Act.

✓ The Committee for a Sane Nuclear Policy is running a "citizens' appeal" campaign to urge Reagan and Gorbachev to agree on a comprehensive nuclear testing ban at their November summit. The Washington-based peace group is soliciting signatures on cards asking the superpower leaders to make the summit a "historic turning point for world peace."

✓ The National Roster of Hispanic Elected Officials reveals that Texas has seen more growth in Hispanic officeholders than any other state — up from 1427 elected officials in 1980 to 1475 in 1985. The Roster also shows that Hispanic women are more likely to run for office than women of other groups, according to NALEO (National Association of Latino Elected and Appointed Officials), the group that publishes the sourcebook.

Texas Senators

✓ The U.S. Senate voted 86 to 13 in September to reauthorize the superfund program to clean up toxic waste dumps. \$7.5 billion in funding will be provided to continue the program through 1990. Senator Lloyd Bentsen voted for the proposal, while Senator Phil Gramm voted against it. Both senators voted against an experimental project to compensate victims of exposure to hazardous waste; that \$30 million-a-year project was defeated 49 to 45.

✓ Columbia University plans to divest itself of almost all of its approximately \$39 million of common stock in compa-

nies doing business with South Africa. The school's board of trustees approved the sale with "appropriate exceptions," and set a deadline of October 1987.

✓ Houston continues to lead the way toward new dimensions in gay-baiting politics. Eight incumbent city council members who supported measures aimed at protecting homosexuals from discrimination in city employment have been targeted by the Campaign for Houston-Straight Slate. The Campaign for Houston group was instrumental in defeating the measures in a Jan. 19 referendum for gay rights, which voters rejected by a 4-1 margin. The group has put up challengers to oppose council members solely on the issue of homosexual rights.

White Oil Mess

✓ Railroad Commission candidate John Thomas Henderson says the current commissioners are responsible for the "white oil mess." Henderson, the Republican who refuses contributions and pays for his campaigns out of his

own pocket came within a hair's breadth of defeating incumbent Commissioner Mack Wallace in the 1984 election while spending only a fraction of the money spent by Wallace and receiving little support from the Republican party hierarchy.

Regarding the white oil controversy, Henderson says: "Political officeholders cannot accept political contributions from the people they regulate and still retain their independence or make unbiased judgments." It is Henderson's contention that the commissioners let the white oil problem "slide" rather than alienating Panhandle voters or contributors they regulate. "No matter what the outcome," says Henderson, "a lot of people are going to be hurt economically. I think the Railroad Commission erred eight years ago when the matter first surfaced and they didn't nip it in the bud and again four years ago when they didn't act on Phillip's Petroleum's lawsuit. Now, they are compounding their errors by condoning their Oil & Gas Division general counsel's statements to the effect that Judge Clark's ruling will not stop the Railroad

Commission's enforcement of its opinion on white oil matters. Evidently the Railroad Commission believes that it is above the courts and the law."

✓ Wisconsin Sen. William Proxmire's amendment to the Labor Department's fiscal 1986 appropriations bill bars use of the funds to build new departmental toilets and hand-washing facilities until the department promulgates a field-sanitation rule for farmworkers, reported the *Wall Street Journal* this month.

✓ Attorney General Edwin Meese says the landmark 1966 Supreme Court decision that gave suspects the right to speak with an attorney before police questioning only benefited the guilty.

In an interview published in *U.S. News and World Report*, Meese said: "The Miranda decision was wrong. Its practical effect is to prevent the police from talking to the person who knows the most about the crime, namely the perpetrator."

Meese went on to say, "Miranda only helps guilty defendants. Most innocent people are glad to talk to police." □

Searching for the Disappeared in Guatemala

The following article was received from a writer whose identification would jeopardize his safety in Guatemala. -Ed.

Guatemala

"**T**HERE WERE twenty-three of us all together back then," explains the seventeen-year-old Guatemalan woman in a steady voice. "We would all go running together in the mornings at 5 a.m. My cousins would sing for us, and we all had silly names for each other. It was my uncle that was the real leader of the family. After the earthquake in 1976, he would take clothes and food to the countryside. In our neighborhood, if people were sick or needy, they would come to him and he would always help. My favorite person was my six-year-old cousin Dolores. She had long dark curls and tilted eyes, and I would play with her almost every day."

"In 1980," she continued, "my uncle was kidnapped and tortured to death. We found him with burn marks all over his body and a crushed skull. His teeth, the bones in his arms. . . . I can't tell you

about it. I was put in jail when I was thirteen years old. While I was there, someone came to tell me that heavily armed men had come and machine-gunned my Aunt's house, and that she and Dolores were gone."

The young woman's voice remained firm and quiet as she explained that, of the original twenty-three people, some thirteen are either dead or have disappeared. Since 1980, her father and all of her brothers have disappeared, lost in the wave of human rights violations that have plagued her homeland for the last five years. Despite the odds, she has no intention of forgetting them or of giving up hope. She is a member of the Grupo de Apoyo Mutuo, or Mutual Support Group, an organization founded last year by citizens determined to find their disappeared relatives.

The group's first year has proved to be both difficult and tragic for its many members. Although they have worked tirelessly at taking personal testimony, speaking with witnesses, petitioning the government, and organizing quiet

marches and Church masses, not one member has yet succeeded in locating a loved one. "If I only knew for certain that my son is dead, I could heal," said one woman. "Not to know is so terrible."

Although hopes rose last fall when the government formed a tri-partite commission to look into the disappearances, some thousands of which have been reported since 1980, the commission's response in June 1985 was both vague and disappointing. None of the victims were presented or accounted for. Worse yet, in the eyes of many members, it was insinuated that such persons had either secretly joined the leftist forces in the mountains or, perhaps, had simply abandoned their families and moved north. As one woman noted angrily, "My son had recently returned from a training session in the United States, and he still had a valid visa. Also he had his family here. Why would he simply abandon us and go to the mountains or to the north and never even write to us?"

THE EFFORTS of the group, moreover, have placed many of its members in outright peril. In April 1985, two prominent members were brutally murdered. Hector Gomez, a 31-year-old carpenter and father of three, was seeking his missing brother. He was abducted, tortured, and killed

on March 30, 1985. A small cross stands where his body, missing the tongue, was found. "His face," said one friend, "was like a blackberry pie." Rosario Godoy de Cuevas, wife of a disappeared university student leader, was buried shortly after Gomez, along with her younger brother and her three-year-old son. These murders have never been resolved.

Despite this, the members of the group continue to meet in a small private house in the capital city. It is a well-integrated gathering of people; those affiliated with the university crowding close with laborers, young mothers, elderly parents, and Highland Indians speaking their native Mayan languages. Together they discuss the most recent events and map out plans for future efforts. For many, attendance may require up to two days of travel time through difficult terrain and numerous checkpoints. Nevertheless, the rooms of the small house continue to fill on each appointed meeting day with members determined to find their loved ones.

At first glance, this determination may prove difficult for outsiders to comprehend. The vast majority of disappeared persons who have been found have been found dead, their bodies revealing signs of torture, from machete and burn wounds to multiple amputations. Despite these grim prospects, and the personal risks involved, the members of the group are unanimous in their determination to continue the search for their relatives. Many are haunted by stories of clandestine prisons; the chance, no matter how slim, that their relatives are alive, in need of help, and perhaps suffering, makes it impossible to abandon their efforts. Others insist that their disappeared relatives were the most valuable members of their clans. To simply presume them dead without pursuing the facts is to many an act of impermissible disloyalty. "I believe my son is alive," said one mother firmly, "and I will keep my faith until I know he is dead. And then I will ask another question: Why?"

"Why?" is perhaps the most difficult question of all. No charges have ever been brought against the victims. They were simply abducted, most of them by large groups of heavily armed men; and they have never re-appeared. Doña María pulls out an enormous file jammed with clippings about her missing son. A brilliant young scientist's assistant, he was sent twice to Houston to study on company scholarships with letters of recommendation describing him as "intelligent, dedicated, capable, trustworthy and honest" and the "best in years." María describes him as a

sensitive man who would return from the rural areas deeply disturbed by the plight of the poor. He would take clothing and toys with him to give away



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and liked to bring his guitar and sing for the workers in the evening. In the spring of 1983, he was watching the television news at home with his family when heavily armed men forced their way into the house and dragged him away. María and her husband frantically searched for him everywhere, petitioned the courts, and sought the help of numerous human rights organizations, all to no avail. Eleven months passed without a word about her son. When she heard about the formation of the group, she promptly joined and has been a staunch member ever since.

"They took him away because he saw the injustice being done," she said firmly. In a small room she keeps his folded clothes, his mountain climbing equipment, his many books, and his neatly labeled rock collection, all awaiting his return.

Doña Ana tells a similar story. Her son, a professor of medicine at the University of San Carlos, was also a supervisor of the rural clinics. He traveled widely, to the Petén area, to the western provinces, and to the *altiplano*. Although he loved his work, he too would return to the city, frustrated with his inability to meet the needs of the rural poor and haunted by what he had seen. In the winter of 1982, he and his closest friend, a fellow physician, disappeared. Doña Ana's face reflects years of pain as she describes combing the mountains, seeking help from the authorities, and, finally, searching the morgues. After a month, the badly battered corpse of the friend was found. No news of her son has ever been received.

Doña Gina, a young Indian woman from a distant town, lost her brother, uncle, and cousin all in one night early

in 1983. She described her uncle as a real leader in the community. A father of six children, he was the town health educator and played a major role in the building of the local school. Her cousin was also devoted to community affairs. She blinked as she told of her brother, who was 19 years old and only days away from receiving his diploma when he was taken away. "They were looking for me," said Gina, who is also a health educator. "I wasn't there, so they took my brother in my place."

Gina also expressed pride in the number of Indian members who regularly attend the meetings of the group. Guatemala is one of the few remaining countries with a flourishing Mayan society; approximately 60 percent of its population is of Indian ethnicity. Yet these people have traditionally been the subject of extreme social and economic repression and discrimination. During the height of the political terror in 1982, the *altiplano* was the hardest hit, the Guatemalan army massacring entire villages with extraordinary brutality. A recent survey estimated that in three northwestern highland provinces alone,



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there are 100,000 children missing at least one parent. These people continue to be targeted for the most severe repression. Nevertheless, large numbers continue to make the difficult and potentially dangerous trip to the capital to attend the meetings of the group. During one recent presentation by the group to a visiting human rights organization, the guests at the luxurious Camino Real hotel were startled to see a ragged young Indian woman rush, sobbing, past the poolside. She had come to report the violent abduction of her last surviving brother the night before.

IF THE question as to why these victims were singled out for abduction and disappearance remains baffling, the question of the identity of the responsible parties is less so. While the witnesses and surviving family members are often too intimidated by threats to tell their stories, there would seem to be little doubt that the vast majority of the disappearances are

perpetrated by members of right-wing death squads and by the government security forces themselves. Reports by such human rights organizations as the Americas Watch Committee and the British Parliamentary Human Rights Commission cite numerous examples of such evidence gathered in the course of their investigations. In some cases, the abductors are actually known. In others, they carry sophisticated weaponry possessed only by the military or wear boots or other equipment issued to soldiers. On occasion, the abductors identify themselves. In one remarkable case, a union worker was abducted and taken to a secluded house, where he was hung by his feet and tortured for two days before he was able to escape. He later testified that his abductors had identified themselves as Kaibiles, or members of an elite Guatemalan military corps. There were a number of other persons being tortured in the house at the same time.

To date, the killings and kidnappings continue at an alarming and usually under-reported rate. The university staff and student body, religious leaders, union and cooperative workers, and the Indians of the *altiplano* are the most frequent victims. As a result of the repression, most of the voices of dissent and criticism in Guatemala have been silenced. Unlike El Salvador, there are no internal human rights organizations. The Guatemala Human Rights Commission operates out of Mexico City. Nor does the International Red Cross operate within Guatemala. (There is a Guatemalan Red Cross.) Thus the members of the Mutual Support Group stand virtu-

ally alone in their efforts to obtain the release of their loved ones. In stark contrast, the heavily armed military forces strode through the streets of the capital on Army Day, June 30, their faces streaked with soot and with fierce dogs accompanying one attachment.

Disturbed by the government's faint reply to their many efforts, the group placed a notice in the local newspapers on June 30, 1985, requesting that a more complete response be made by the government within fifteen days. After receiving no government reply, the members of the group began meeting on Friday afternoons in front of a church, then walking around the corner to the Palacio Nacional, where they stand for an hour. On at least one occasion, they held a large sign bearing the names of hundreds of disappeared persons.

Despite the danger this vigil poses to the lives of the group's members, they want it known that their loved ones will not be forgotten. Their feelings are perhaps best reflected in the words of a small newspaper notice published by Nineth Montenegro de Garcia, one of the surviving leaders of the group. Nineth, a small, intense woman of remarkable strength, lost her husband Fernando Garcia over a year ago. She was also a close friend of the murdered Rosario Godoy de Cuevas. Her words, to her missing husband, as published, are:

"Fernando my love, today it has been one year and five months since your abduction and I have struggled without rest to rescue you from the hands of the killers who are holding you. I know

that the suffering you have endured has been great and inhuman. More than once I have thought that there was nothing more that I could do to save you. But when I am tired I come home to take refuge in our little girl Alejandrita, look into her eyes and see you. I see the same turn to her hair as you have. Then I hold her close and understand her sad look. She wants the home that was snatched away from us all. And so, . . . I come to the conclusion that I have a moral debt to both her and to you. I will fight, yes, I will fight with everything I have left until the moment when I can say 'My child, we have a home again. Here is your father.'

"I make myself strong by looking at your picture, your clothes, and even by seeing the profound pain reflected in the looks of the other members of the Grupo de Apoyo. It is necessary that the hope, and our stolen happiness, be reborn in our hearts.

"In these moments we are a family filled with pain, a suffering so great that I sometimes feel that my chest will burst. So listen well my love. I will never abandon you. The day will come that we both desire so much. I promise you.

"I have many letters to you and I hope that some day we can read them together, and remember that last night, when, between laughs, jokes, and happiness we greeted life and blessed it for having put us together. Yes, my love, our feelings run so deep that nothing can take that from us. With hopes for a better future for us both.

Your Wife,
Nineth Montenegro de Garcia." □

• BOOKS AND THE CULTURE •

Ajoblanco's Last Reflections

By Arturo Arias

"Ajoblanco's last reflections" is a fragment of a long novel by Guatemalan novelist Arturo Arias entitled *JAGUAR EN LLAMAS* (*JAGUAR IN FLAMES*).

Arias is a novelist and essayist living in exile in Mexico whose works have won

"Ajoblanco's Last Reflections" was translated by Tani Adams, who lives in Austin.

Casa de las Americas awards. He is best known in this country as co-author of the screenplay for the film *El Norte*.

The novel excerpted here is a history in the form of parody of Guatemala from its Spanish conquest in 1524 to the present. The four main characters are Ajoblanco and his first cousin, Amabilis, both Sephardic Jews, Trotaprisiones, a Moorish woman with whom Ajoblanco has fallen in love, and their gypsy

companion Cide H. Montrosat. This "gang of four," as they are dubbed by Inquisitorial authorities, has been forced to leave Spain in the 16th century by the Inquisition and has turned to the New World for refuge. But, alas, the Spanish standard-bearers preceding them arrived at paradise and started decimating their Indian benefactors. As a result, the gang of four joins the ranks of the Indians in their liberation struggle against Castilian oppression. They will spend their next 450 years fighting the Castilian and Yankee expansionism and discovering a great deal about themselves, the meaning of the struggle for liberation, and the peculiar twists of the history of their adopted country.

At some point in their middle age, all three men will write either a diary or a memoir while, in the capital city of

Guatemala, an army historian, aided by a conspicuous C.I.A. agent, will try to put down in words the "true and notable history of subversion in Guatemala," the following thesis: everything that has gone wrong in that country for the last 450 years is to be blamed on the "gang of four."

There are, then, four different manuscripts within the novel: Ajoblanco's memoirs, Amabilis's biography of Ajoblanco, Cide's personal view of things, and the official history of Fernandez Avellaneda, the army historian who bases his own version on the captured papers of Cide. All four are braided together to such an extent that no one but the reader can decide, rightly or wrongly, which one is, in fact, a true version of Guatemalan history, if any of them can be considered actually truthful.

As for the names: Ajoblanco is a peculiar mixture of hebrew, arabic and mayan. Amabilis is the traditional name of medieval singers of love and heroic chivalric deeds. This time around, this particular Amabilis will get to sing about the heroic doings of a struggle for freedom that encompasses different centuries and different oppressors. Trotaprisiones is a parody of Trotaconventos, a classical heroine. This particular Trotaprisiones, instead of walking around convents finding maidens ripe for love, will walk around prisons finding men ripe for freedom. As for Cide, he takes the same title as the fabled author of Don Quijote, Cide Hamete Benengeli.

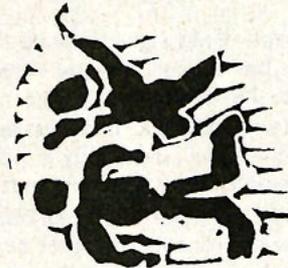
The following fragment is part of Ajoblanco's last reflections in his own manuscript version of his memoirs, before old age and possibly one last adventure will prevent him from writing any more. These are, then, the last thoughts of a man of action who finds himself for a feeble moment amazed at the long road taken and at the idea itself of translating past actions into a meditation, a final summing up of the meaning of life and death under oppressive regimes, colonialism, and a supposedly enlightened civilization that has lost its direction.

I REMEMBER it as if it were yesterday, no, just hours ago, the battle of Guad-al-dialeqqtica, the raw material of my knowledge of the art of war — my true vocation and art.

I was gripping my sword, the *ceremoniosa*, for the first time. To my right rode Mesul-lam ben Selomó, the friend of Nahmanides. To my left, the

valiant Amabilis. We galloped ahead, into an advancing yellow cloud of dust, our spears pointed ahead, looking to defeat the invisible rival in the first encounter, letting loose a triumphant burst of laughter, rushing along at full speed, testing the strength of my mount, clenching the long battle spear of combat. The horse lowered its head and gained full speed, its body exuding vigor and tension and shaking with the powerful pounding of its heart as the wind whistled by. Crouching on top, my spear primed for attack, a fullness, a delight as incomprehensible as it was seductive, grew inside me. I felt a laugh well up in my chest as I galloped along with the wind blowing around me, ready for anything.

The art of war, like so many other important things, is the product of an uninterrupted struggle between opposing concepts. It is defined negatively by that which it opposes. Its laws, principles, and categories are only articulated after the fact, and are simply the intellectualization of what happens on the field —



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used later to rationalize future maneuvers. In our struggle, we affirm our purpose and objectives, our values and goals. We continually transform our tactics and strategies, discovering new arms, re-evaluating others that have fallen into disuse.

As times change, so do situations. Now, the enemy lacks a human presence. Located in fixed posts from which they try to exercise control over a zone without having links to the local power base, they try to make us submit. We wear them down in the jungle with our fondness for the night, continually harassing them and disappearing like shadows, tiring them, discouraging them. With firearms and automatic weapons, we bleed them little by little, erase their sensuality, their nostalgia, their sounds. Each time I fire, I can't help but remember the acrid smell of the horse's sweat.

Mesul-lam ben Selomó let out a penetrating howl, in falsetto, before hitting one of our enemies right in the chest. At the clash of the first ranks, warriors welded to spears flew through the air amidst furious, terrifying cries. The spear of Mesul-lam ben Selomó

burst into pieces on impact, and the body of the enemy described a slow, incomplete arc over the rump of his horse, ending in a cloud of yellow dust. I began battling hand to hand, attempting a sword thrust at the spear of my opponent who used his weapon in threatening thrusts and parries, striking shield to shield with constant innovation. But since the ground was already littered with horses, fallen bodies and corpses, all from the first line, we moved very laboriously.

I felt something pierce my leg. I started and looked up to try to make out the individual archers, as if I could discern through all the distance and the dust which one of them had struck me. My movement spooked the excited horse. With a sharp jerk of the reins, the animal arched its back, and for the first time since I began to ride I was unnerved by the leaps and turns it made despite the heavy armor it bore. I could see very little through the slits in my helmet, but I could make out that the sky was darkening with vultures, beating their vast wings like black archangels, giving us a supernatural embrace. I felt I could recognize the secrets of the Aleph in their alien inexpressive eyes. They were so black and their wings so wide that they seemed to portend something that would accompany me throughout my life.

These days, we no longer teach the art of the sword. How to develop agility in the wrist, how to grip it so that the guard effectively protects the hand, how to injure with the least effort. In the

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basic manual distributed to the population of Chajul, we now see things like the following:

PROTECTION AGAINST NUCLEAR WEAPONS

—Close your eyes and do not look toward the site of the explosion in order to protect your eyes from the luminous radiation.

—If there is a fortified location nearby (a refuge, a shelter, a trench, etc.), get to it quickly, and throw yourself on the ground. You can also use ditches, the sides of hills opposite from the site of the explosion, structures (solid buildings and others), and other local objects, like large boulders, tree trunks, or battle or transport vehicles. If you are in a flat area lacking any of these barriers, you should throw yourself to the ground face down with your head in the opposite direction from the nuclear explosion. Cover your eyes with your hands, placing your palms on the ground, and press your insteps to the ground.

PROTECTION AGAINST CHEMICAL WEAPONS

The following signs may indicate that the enemy has begun to employ toxic substances or that these exist on the ground or in the air:

—A cloud issuing from the rear of an enemy plane, or a dark strip which disperses little by little and descends towards the earth.

—The weak sound of an explosion or projectiles, mines, aerial bombs,

and the appearance of white smoke or droplets of some kind of liquid in the area of the explosion.

—Greasy patches on plants and on the leaves of trees, on the ground, and on material objects.

—Reduced vision caused by the contraction of the pupils and other symptoms, indicating the effect of the chemical substances on yourself or on your companions.

—Movement of smoke or clouds made of other substances from posi-



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tions occupied by the enemy towards your own.

PROTECTION AGAINST BIOLOGICAL WEAPONS

The following signs indicate that the enemy has begun to use biological weapons in the area:

—The appearance of illness among your comrades, especially if it is not a common illness in the country.

—The presence of a great quantity of insects, rodents, or other pests in unusual areas.

—The existence of many dead or sick animals.

—The launching of containers or other objects (packages) from planes or from weapons transports.

And for our defense, we now speak of the measurement of angles, internal ballistics, external ballistics, the alignment of aiming instruments, the dispersion of projectiles during firing, of triangulation. Not to speak of other aspects, like the launching of hand grenades, the sharpshooters' lairs, front-line attacks, combat far beyond the defensive line, camouflage, maps and estimating distances, trenches and communication ditches, etc.

NOW I only have, like the deep shadow of the distant past, the memory of the lances (whose use was never my forte) and of horse lances, of how we explored new territory with cavalry soldiers grouped in threes, how the infantry, archers, and musketeers advanced behind us in closed ranks, and how we introduced the smaller cannons with bronze shot, the culverins, falconets, Moorish guns, pasavolantes, arquebuses, muskets,

shotguns, pistols. I was young when I learned to use all of those. I am amazed by all the things that happened over these many centuries, and at the fact that I can still handle those weapons today. The skill of something learned in one's youth always returns like the echo of songs of lost loves.

NEVERTHELESS, my forte was always the sword, my destiny that of a swordsman, my sword — the *ceremoniosa*. With her in my hand, I had no reason to envy either Tizona nor Colada, neither Durandan nor Frambergé, neither la Ar'ondight nor Balmung, not even the Excalibur, possessor of a kingdom as hazy as it was enchanting. The *ceremoniosa* was in a different category. With her in one hand and in the other a resinous torch flaming like a comet with a black tail, I engaged in my first night battle in full daylight, so many were the vultures that assailed us, oppressing our best instincts. I attacked with the sword unsheathed, striking at the shields with all my might — cutting swaths so large that if a head got in the way it would be lopped off, helmet and all, demolishing and killing the enemy as if they were helpless animals.

Then I marched off quickly so I would not see them anymore, filled with anguish by all the dead, in mourning for all that killing and more killing, and still not winning that interminable battle in spite of so much killing, to the point of thinking that I had nothing left, that to kill anymore just wasn't possible. My muscles resenting the weight of the armor, weak and dizzy, my eyes clouded and irritated by the dust, not hearing anything anymore except that deafening roar between my helmet and my brain. And to have to continue killing because if I didn't kill, the dead one would be me. The *ceremoniosa* protected me only as long as I was moving, as long as it continued striking with its two silvery blades. And while I continued to slash away, I barely noticed at the peak of midday how the vultures began to pick away at the guts of the fallen who covered the entire valley so densely that it was no longer possible to keep watch out for the approaching enemy because you had to keep your eyes on the ground in order not to trip over a corpse. The vultures lowered their heads and then stretched their necks toward the sky, one pulling out a thread of intestines with its beak, while a colleague perforated an eye socket with a well-aimed jab. I could no longer lift my arm for the fatigue, but since the *ceremoniosa* required perpetual movement, I continued to slash away at the dead, over and

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over again, my mouth dry, observing how not even blood poured from the spent bodies, only whitish skin, like that of young pigeons, remained.

But despite all the killing, this was only my first battle and there was still plenty of killing left for me in this life. What I felt then was only the weariness of the beginning of a long life of killing. Despite the changing times, despite the changing technologies and all the deaths that would follow, killing always remained associated for me with a gallop across a plain with an unsheathed sword, eyes on the standard of the Caliph, which disappeared and reappeared amidst the smoke, and with the horrible stench of thousands of intestines picked over by vultures until they were nothing. And every morning when I awake, five centuries later, the vultures are still there.

Nevertheless, rereading what I have written, I fear that I express but half of my feelings as I ramble through certain memories which dissolve or withdraw elusively. I, who am not a writer, ask myself at the end of these memoirs if what really counts is what I have tried to say in these pages of what I have been doing with my left hand during all these centuries.

The one thing I do hope is that no one converts what I am narrating into an official history, because my own particular vision is subjective, is but the echo of outrageous words accumulated over time which today return to howl reproaches. Today, I want no more validity for these deeds than their translation into rhythm and beautiful movements, symbols of a life, talk of something which only perhaps took place. Without any fear of feeling passionately, I indulge myself in my old age with a brief rest. Laboring through an inconvenient cough, I permit myself for once to be amazed at my own doings, and allow myself to construct some memories that aren't alternatives to anything, which are constructions built with small pieces of universal ideas, with sentences heard in the sound of a certain echo, imprisoned in my hands like small wild birds whose natural flight I have curtailed. I took something from everyone and from every place to the point of drowning myself in this flood of enunciations fused together with jubilant noise onto the same pages.

When I was young, intoxicated with power, I believed I could be anything. I grasped the *ceremoniosa*, and it wasn't the foul odor of the greenish intestines stained with blood and shit that was going to diminish my momentum, my ardent desire for affirmation which I saw

then as a magic source of light. But with the passage of the centuries, as my wisdom expanded and my real power increased, I began to discover that my actions were more and more limited. The movement of the sword permitted me to wrest new solutions at an arithmetic rate, but the terror in the world grew geometrically. And I took a long time to understand why.



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Now that I no longer possess the *ceremoniosa*, I feel free to celebrate and affirm life. I sit on top of my big round rock, I touch it to verify its solidity, I stroke my white beard, put my tongue into the holes left by disintegrated molars, and try to imagine all the possibilities in the world, insatiably magnificent, all the crazy alternatives, with no particular order, no coherence, which we without a doubt will never live. In any case, even if the holocaust were restricted to Central America, one single wave of fire, Central America is the center of the earth, its navel, the umbilical cord to life, and without its human humus, the rest of the organism will inevitably rot.

I am now endowed with compassion, which is a form of imagination different from that which I had before. In reality, I always had it, but only now do I recognize its profound dimension. I have separated myself from the *ceremoniosa*. I cease to be a guide, now I myself need to be led, and I realize that this is what sustains the world in its place. The ability to know when one needs to be led, the sadness of having to pursue war with all of the compassion of the universe to win peace, to exercise the real possibility of dying to learn what exactly is liberty, real liberty, the one dreamt about, the one which even penetrates closed eyelids to cleanse one's eyes with sweetness.

Blinded by a hate as explosive as the blade of my sword, I could have fallen into what they call "terrorism." Much time, much blood, and much solitude later, I appreciate the distancing of that temptation, and admitting my own boiling and increasing weakness, I see myself now only like a gloomy volcanic light surrounded by noise. But I continue

to believe that the evil called "terrorism" is essential for our own survival as a human species, a necessity nostalgically desired, full of boisterous consolation. It permits us to achieve that fervently needed revenge with the surprising enthusiasm which never disappears through all those indignities that destroyed our tender hope, which we endured like thick murky odors throughout our childhood. It destroys that conventional morality, indolently built up, which engenders — with all of its everyday gluttony and thirst — what exploits us, oppresses us with its furious roar, tears us apart with its bigotry, what today at this very instant madly wishes to exterminate us, lacking all compassion, babbling with deaf and inexcrutable ferocity.

I dream of the raging incineration of the empires, and I sleep with the satisfaction that every drop of energy that I possessed over the course of time — over a period of five centuries — in the suspended moments of this immutable circle we call life, was invested in the inextinguishable burning of those worlds. But I never lost sight that I am an aching old man who has received his quota of terror in the contortions of my long road, the tunnels passed through, where I learned to use liberty to negate death, and to be a child and an old man at the same time.

The day that I saw my excesses clearly, and I could admit that in some things I had erred (not in the essential things, not in the need to make war for the oppressed), that day I broke the silence and pronounced my name out loud, my real name, because my name was never *Ajoblanco*. That word is nothing but a Castilian vulgarization of the name by which the Jewish, Arab, and Mayan people have always known me, the secret name which from the beginning I promised never to divulge, but which begins *Aj Ox Balam* . . . not very far from the name of my first period, with which I taught the Spaniards to abhor me, and which I'll never divulge either, *Al Aj* . . . The symbols serve the order of things, and the order the symbols, recurrent images which simultaneously place us in and remove us from context and tradition.

That was when I rid myself of the ceremoniosa.

Like a twisted and disheveled lunatic, with my eyes shining maliciously, I flung it from my calloused fingers, thinking of the clamoring sea of my infancy, of the seas, the golden sands of the Iberian coast, the murmur of the waves on the north coast of Africa. I let it go, knowing that the security of

my life was attached to its secret. Burning with the fires of Hell, it flashed brilliantly as it entered the water.

The enemy formed a myth around my person, robbing me of my being. I took advantage of that illusion; I exploited it to the maximum, to the point that it came to occupy all that was, transforming me into a phantom. Everyone projected onto me their fantasies without every really knowing me. And today, since we are once again an occupied country, everywhere they place the blame on the phantom. "A phantom travels through Central America, the phantom of Ajoblanco. . . ."

Who is the real Ajoblanco? Perhaps he doesn't exist. Perhaps real persons don't exist, perhaps people are much more fluid and amorphous than we thought. Nevertheless, I was never free of worries or sadnesses, and the absence of *Trotaprisiones*, my old fertile witch, hurts me very much, and I feel alone with *Amabilis*, who never showed his real feelings to anyone. And the intimate sadness, so different from the mechanically optimistic slogans which we use today to train our militants, eats away at me. And it has to be that way, and I will continue doing it that way. But artifice is the basis of imagination, and only imagination can transform life and rectify the direction of man. The imagination of the popular war.

When I dismounted in the dunes no longer visible for all the corpses, all the vultures, I saw that an arrow had entered my left calf. While I covered my nose from the stench and defended myself from the vultures with my sword, *Amabilis* came and dressed the wound. I felt benevolent and powerful, and I celebrated the skills of *Mesul-lam ben Selomó*, the author of *Séfer ha-Iqqarim*, remembered how his lance flew in the wind until it reached its mark, so I could forget more quickly about his death.

Today I think that we organize the facts about ourselves to satisfy our needs, until a new and unexpected situation alters the pre-established

rhythms and changes our sense of ourselves. It is because of these alterations that we can transcend the limited imagination which we endure in the sleep-inducing rhythms of daily life. Because of this, the Indian people are today a people awake in their imagination, creative in war, inventing triumphs in their dreams to better resist an enemy technologically and numerically superior, but whose imagination is cloudy. Day in and day out for five centuries, we have created new identities in our daily acts of will, everyday conventions we never helped to create pushing us to the limits of immortality.



Eric Avery

The sea was rising in swollen waves beneath a heavy drizzle, and I was looking to the south, across the mist that hid the enigmatic earth. The warm rain trickled down my neck; the air was white and opaque. The water that knocked impetuously against the gunwales of the brig was turbulent and intensely blue. That was my first memory of arrival in the New World. That, and the memory that while I lived that marvelous adventure, executing a crazy dance so as not to fall into the wild sea warm like blood, I remembered myself lost in the grey sand, in the pools of Istanbul, unable to decide to leave,

to cross the ocean I had to cross, struggling against a thousand premonitions which I could still not decipher. The sound and the look of the sea made my heart heavy. I didn't know then where I would go, but I knew that my pores needed a new land, a new people, a new language, a new cause, which unlike Al-Andalus, wasn't already lost.

Today, the New World is my world and the center of the world. And we are here, applauding joyfully, making faces at the absurdities of the monsteramericans, covering our toothless mouths with our hands in order not to divulge our ironic smiles, which are like an addiction we can't control. Watching their legions advance — directed by remote control from Washandwearington, a sense of clownish desperation comes over us, a total indifference about everything except the madness of those beings who emerge from the enlightened Western world. With a fresh memory of a forgotten land and with a little smile playing on our lips, we fall on them. Poor souls. Despite their laser guns, they are helpless to defend themselves, victims of the warring tendencies of their Caesar. For better or for worse, their invasion has helped us to forge our destiny. We help to bury them, along with their cowards' dreams, intruders always, even down to their bones that we pound to dust with chile on a grindstone.

It is night. All things melt into one, vaguely lit. It is cool, I should continue. Do I still have a little time? Ah Itzam, the sorceror of water would laugh.

Enough. Bothered by my visions, my chest aching, irritated by nightmares that constantly awaken me, I stop writing — despite the fact that against the impetuous enemy, the word with its significance and meaning is almost the best weapon *and* the most impotent one, astonishing in its simplicity. But, fortunately, it hasn't been only with this seductive echo that I have fought over these long centuries. One can see the words, play with them, caress them like the most supple skin, sense their texture, touch them with the tip of the tongue while we inhale their fragrance of musk. But this sense of play should not become an escapist vice, should not become a crazy, dazzling passion that blinds us, loses, drowns us in the deadly spider's web of forgetfulness. We must know how to say good-bye, as if to a tender lover, to initiate without innocence nor triumphalism the new struggle of liberation which we never wanted, but in whose front lines we have to be today and forever. □

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SOCIAL CAUSE CALENDAR

WINEDALE SEMINAR

The Winedale Museum Seminar, with speakers such as Rayna Green, Smithsonian Institution; Tom Livesay, Dallas Museum of Art; and Jerry George, American Association of State and Local History, will be **November 10-22**, Wagner Conference Center, Winedale. All regional museum professionals are invited. Contact Winedale Seminar, Box 11, Round Top 78954, (409) 278-3530, for details and to register.

WAR AND PEACE

PBS viewers be on the alert for the series, "The History of the Institution of War," prepared by the University of Washington in Seattle to examine the training of soldiers, war technology, questions regarding deterrence, nationalism and the politics of war, every Tuesday **through November**; check local listings.

The Fellowship of Reconciliation, a national peace by non-violent means organization, will have its Southern Regional Conference and Retreat, **November 14-17**, Castroville. The "Power of NonViolence Conference" will feature resource people such as Don Mosley, national FOR chair; sanctuary activist, Jack Elder; Moby Ho, Buddhist Peace Fellowship; and Glen Smiley, who worked with MLK to organize freedom riders. Contact FOR, 2215 W. Mistletoe, San Antonio 78201, for details on workshops and registration.

GOLD WORK

Austin performance artist Heloise Gold will premiere her new work, "Watching from the She-Palace," incorporating words, dance, and live music, **November 15-16**, Capitol City Playhouse, Austin, 8 p.m., \$5 admission. For a schedule of original performances by other Austin women artists contact Austin Women and Their Work, 2330 Guadalupe St., Austin 78705, (512) 477-1064; ask to receive their quarterly newsletter.

EL SALVADOR EDUCATION SEMINAR

The Latin American Assistance group, San Antonio, will have a Christian Education Seminar in El Salvador **November 23-30**. For content and travel information, contact Suzy Prengor, (512) 433-6185.



Photo by Pio Pulido

Dia de los Muertos

PEACE IN TIME AND SPACE

The Brazos Valley Peace Action, College Station, recommends two offerings from national organizations: The War Resisters League Peace Calendar and Appointment Book, with a collection of quotations on war, peace, and social justice, available from the War Resisters league, 339 Lafayette St., New York 10012, \$6.75, and an article which first appeared in the April *New York Review of Books*, "The War for Star Wars," by George Ball, a strong analysis of the President's space weapons proposal, available from Council for a Livable World, 20 Park Plaza, Boston, MA 02116.

PEACE IN JUNGLELAND

The Peaceable Kingdom School has announced its fall schedule of classes to enrich, relax, and expand the mind. **November** offerings include "Medicinal and Edible Native Plants: Know the Natives," and "Whittle Your Cares Away," featuring instruction on how to whittle esoterica such as the caged ball, chains and swivels, and flowers. Ask about the Bed and Biscuit pet

vacation program, too. Contact Peaceable Kingdom School, Washington-On-The-Brazos 77880, for details.

NUTS TO YOU

Tom Toper's highly acclaimed play, "Nuts," a drama which takes place in the psychiatric wing of Bellevue Hospital, will continue through **November 30**, Hyde Park Showplace, Austin. Call Ken Johnson, (512) 448-3242, for details.

PUTTING DOWN ROOTS

Live Oak Productions, Austin's newest theater group, is permanently planted in the Arts Warehouse, Republic Square Park. This season's offerings will include original works, such as the comedy "Lilith" by Austin playwright Lawrence Broch; classics; and off-Broadway hits. Call Live Oak, (512) 472-5143, for a performance schedule and ticket information.

DAY OF THE DEAD

The Mexic-Arte, "Día de los Muertos," exhibit of art works in all media, including traditional and contemporary altars, Judas (paper mache), and pan de muerto, dealing with death in the context of the Mexican version of Halloween (All Souls Day), will continue at the Arts Warehouse, 300 San Antonio, Austin, through **November 30**. Call (512) 480-9373 for details.

UN-SCHOOL DAYS

The San Antonio Museum continues to offer inexpensive classes for adults, children, and families through its Museum Un-School program. Contact Connections: The Museum Un-School, Box 2601, San Antonio 78299, (512) 226-5544 ext. 149, for a schedule and to register for Cemetery Journey, City Adventures-Firefighting, the Living in Texas series, Halley's Comet watching, Chinese cooking, Christmas Chemistry, and other imaginative offerings.

NICARAGUA HARVEST

Nicaragua Exchange, a group which promotes understanding between the peoples of Nicaragua and the U.S., is organizing work brigades to help harvest the Nicaraguan coffee and cotton crops. For more information contact Nicaragua Exchange, 239 Centre St., NY, NY 10013, or in Central Texas call Judith Abernathy, (512) 344-2535.

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(See page 24)

Goodbye, Old Place

By Dave Denison

Austin

ONE NIGHT in September I remember especially clearly. There was a bright half-moon and it lit up the puffy gray clouds against the sky. There was a planet shining brilliantly — it was Venus, I suppose — and even when the clouds passed in front of it I could see a pinpoint of light. I was walking through the unlit Austin sidestreets to the office, trying to decide if I should take my shirt off and let the night breeze blow across my back. Looking up at the exotic Texas sky, I thought what I think every once in a while here: What a fine place this is . . . what a fine place to be.

The pecans had started dropping a while ago; now acorns were falling to earth, their urge to be oak trees frustrated all around by too much concrete. The cricket plague came and went quickly, but it was a natural wonder while it lasted. For a week the streets and sidewalks were covered with so many crickets that it took an extra five minutes to walk home, if one took care, as I did, to gingerly step around them. When cars drove by there was a pop-pop-popping sound, like plastic packing having its bubbles trampled, and a good many crickets were flattened on the asphalt.

There aren't too many offices you would care to meet up with at all hours of the day or night, through cricket plagues and through the hundreds of other plagues that are more specific to the business of putting out an underfunded, understaffed magazine of political aches and pains but our office has been such an office.

For fifteen years the *Observer* has been perched on the second floor of a grand old house at 7th and Nueces, not far from downtown, not far from the politicians' hatchery of bad plots under the big pink dome. The house is made of mustard-colored bricks, with green window shutters, and sits on a mound that raises it high above the street. Both floors have open front porches, with simple columns and banisters, but it is

the second floor porch that knows the most history. On this porch many writers have brooded, many interviews have been conducted, many beers have been drunk. I know of at least one meeting there that led to marriage, probably a lot more led to even better things.

*For fifteen years the
Observer has been perched
on the second floor of a
grand old house at
7th and Nueces.*

From the second floor porch we can watch the changing face of the city. Seven construction cranes are visible now, but we are in a bit of a lull. We watched the Alamo Hotel — flophouse extraordinaire, and the occasional site of a down-to-earth musical act — get demolished last winter. We saw a good side to this, though, because the new skyscraper that is planned would most likely block our view of the gold shiny bank tower — a true corporate eyesore. Around the corner from our porch we can see the top of the dome, and Miss Hatchet-Face is pointing our way.

As she has for nearly a hundred years. This part of town makes you think of history. A block up the hill from here by some of the old stone mansions there are still places to hitch your horse. The grandest of the mansions is a French chateau built in 1892. It sits on the side of a bluff that had been carved out when one Jeremiah Sheehan operated a limestone quarry there in the 1860s. Sheehan bought the property at 600 W. 7th, across from his quarry, in 1868 for a thousand dollars. By the turn of the century there was a rock house and some outbuildings on the lot, and in 1901 Joseph Martin bought the property for \$2,625. By 1903 he had built the brick house that stands today.

In the year of the Great Crash, the French chateau became the home of the

Austin Women's Club and it has been occupied by society ladies ever since. Joseph Martin, the original owner of the Austin White Lime Co. and an owner of two cotton farms, lived in his house until his death in 1946; he willed the house to his niece. In the 1960s the house was occupied by a dignified former U.S. ambassador to Russia, and later by a university professor. Two liberal labor lawyers bought the property in 1971, moved in, and rented the upstairs to the *Texas Observer* and the Texas Civil Liberties Union.

Those on the Right who are interested in mapping out the liberal conspiracy will note that the *Observer* and the Civil Liberties Union have been within whispering distance for the last 15 years. Let them also ponder the strange twists that life with the ACLU can take—such as the period when the watermelon-bellied he-men of the Ku Klux Klan took to hanging around the ACLU stairs, waiting for counsel.

The Martin House has seen the *Observer* through many changes in leadership. The only all-woman editorial team in Texas history, Ivins and Northcott, lasted the longest, with their half-decade stint. 'Long about 1978, the big windy influence of Hightower swept through the office, before he got blown into public office. For a while, Dugger moved in with a cot and stayed here day and night. And through it all has been Cliff, running the business, open 24 hours.

Now it's goodbye to all that. The lawyers are moving back in. The place is being upscaled, I think, and our downscale operation is moving out.

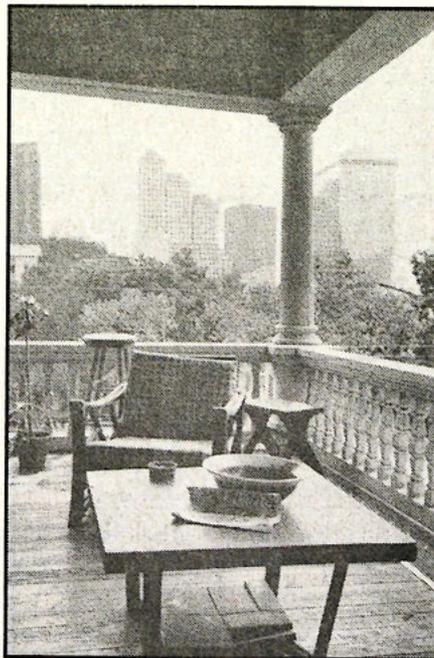
Cliff was the first one to make preparations. A few weeks before moving day he took down the old photographs and found the cat a new home. He said he wasn't sentimental about losing the old place. "The atmosphere walked out last week," he said. That was when the Civil Liberties Union packed it in.

Anyone who has sat around in the neighborhood bar when the usual crowd was away knows that it's not really the place that makes the magic but the people. And so, for the weeks when we were the last ones left in the old brick house, things were, it's true, not at all the same. But even so, I believe in the attachment to the physical place.

For some time now, I have suspected that I will not soon find such an ideal place to write. I have visions of

fluorescent lights and computer terminals filling up my future. I sit now with my 1958 IBM typewriter in front of a window nearly twice my height. The window looks out onto the porch, and into the gnarled and fascinating live oak tree coming up from the front yard. Beyond that is the Colorado River, and South Austin, and South Texas, and the Great Beyond. (Sometimes we get accused of paying too much attention to Mexico and Central America in the pages of the *Observer*, and it occurs to me that maybe this is because both editors have windows to the South and sit at their typewriters looking out toward the Rio Grande.)

The novelist Louise Erdrich, writing in the *New York Times Book Review*, recently quoted Isak Dinesen's remembrance of her days in Africa: "... you are struck by a feeling of having lived for a time up in the air. . . . In the highlands you woke up in the morning



East view from the porch.

Photo by Dave Denison

and thought: Here I am, where I ought to be." We are fortunate to have lived for a time up in the air here and to have felt we were where we ought to have been. As Erdrich put it, "A writer must have a place where he or she feels this, a place to love and be irritated with."

But it is a natural law of life in the city that those who rent lead nomadic lives. Years ago, E.B. White lamented moving out of a cherished New York apartment. With every move, he wrote, something vital is left behind and the tenant "starts his new life somewhat less encrusted, like a lobster that has shed its skin and is for a time soft and vulnerable."

So we move on. Somewhat less encrusted, we hope; a little bit vulnerable, as always. A big old house stands for nothing if not longevity, and for a small magazine, nothing is quite so rare. It has been good for us to be here. □

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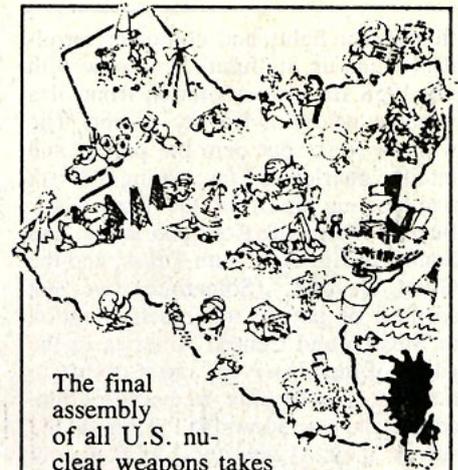
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