

THE TEXAS Observer



CARLOS HANK'S NAFTA BANK

The Fed Targets a Border Bank

by Louis Dubose

Michael King on Milk and Journalism ■ Robert Heard on Bear Bryant ■ Aram Saroyan on Rappin' Bush



T.O. ON TV

I saw one of your writers on MSNBC today (February 24, the day of Betty Lou Beets' Huntsville execution). I think his name was King. I am happy to see that not all Texans have a bloodlust that is often portrayed in these cases. I know you have an uphill battle, but you are not alone.

*Eric P. Slind
Colbert, Washington*

BELEJACK'S BACK

Thanks so much for Barbara Belejack's article on Alejandra Matus re *El Libro Negro* ("Letter from Guadalajara," February 4). Will be reading in it, as my Spanish is pretty good, unlike George Dubya's. Did not know about the Feria, the FIL in Guadalajara before this. As always, the *Observer* and its editors bring news I can't find anywhere else. Also enjoyed Michael King's report on the self-disinviting of Henry Kissinger ("Good Riddance," February 18). Bravo to the U.T. students, too.

*Kyla Bynum
Via e-mail*

STAY TUNED

It has been four years since I moved from Texas to Las Vegas. I was shocked to see the Governor of my former state crawl into bed with the racists at Bob Jones University. Okay, I was not shocked that he would stoop so low to do it, but I was shocked that no one gave a damn. I am furious that the president wannabe could so easily kiss ass at Bob Jones and suffer no consequences for his actions. Where was the outrage by both the left and right on his pandering to these unrepentant racists? This is

so sad. How dare he even think of reaching for the highest office in the land if he doesn't have the guts to look religious bigots in the eye and tell them to go to hell. Bush has shown what compassionate conservatism is — sympathy for racists and bigots.

*Mark Antonuccio
Las Vegas, Nevada*

SLEDD ON DUTCH

I would generally agree with James Sledd's commentary on *Dutch*, by Edmund Morris ("Informant T-10 and Christian Star Wars," February 18), without totally agreeing with his negative attitude toward the book as a whole. It seems that this official Reagan biography trashes Dutch about as effectively as, perhaps, even Dr. Sledd. Some of the things he says are downright frightening. Morris swings wildly from unbridled hero-worship of Dutch, to expressing the opinion that he was an airhead. It is mildly amusing to read of Dutch introducing himself to Michael, his son, at Michael's high school commencement, as, likewise, it is to note his mistaking his (African American) Secretary of H.U.D. for the mayor of Washington.

The biographer comes across as a bit of an airhead himself when he complains about Dutch wasting the last half of Morris's weekly one-hour conferences. Dutch, it seems, had a bad habit of ending with a lengthy tale of Hollywood days, instead of merely answering questions. Morris should have been listening instead of complaining. Hollywood was the greatest reality of all in the mind of Ronald Reagan. At another point he suggests that the thugs in the Kremlin would be enormously impressed by the ruthless thuggery of Reagan's

mass lockout of the air traffic controllers. If Dutch had gone to Moscow they might have given him a Hero of the Soviet Union medal for his firm hand. Ultimately (says Morris), the Soviet regime was destroyed by the courage of Dutch in calling it an Evil Empire. The Russians took this talk to heart and down came the Bolshevik walls. It is terrible that no one else ever thought of this. It might have saved a lot of money if one of the earlier presidents had voiced this simple description.

As Morris says, Dutch believed. He referred to the president's addled scholarship, accusing the New Dealers of both fascism and modified Communism. Morris goes on to describe more examples of what he calls Reagan's encyclopedic ignorance. He points out that Dutch was not dissuaded by fact corrections from his aides. Once he got something of that sort in his head (usually from reading in conservative publications) he just repeated it over and over again. On thing Dutch was sure of: he did not trade arms for hostages. He merely hired some fellows in Iran, who had to have the arms as part of their hire.

Generally, Morris states laudatory opinions about Dutch, but appears to relish factual data that relegates him to airheadedness. Reagan's denials of arms-for-hostages share a kinship with Bill Clinton's more sensational "did-not-have-sex-with-that-woman." Reagan was the nightmare we all expected when he was elected. If he turned out less vicious than we anticipated, it might be we were saved from the worst by the common sense of Nancy Reagan. But he was a stinker.

*Ed Cogburn
Houston*

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EDITORIAL ▶

The Mauro Effect

The primary season has become a wistful time for Texas Democrats. Back in the Yellow Dog era, before the Republicans got a foothold, only the Democratic primary mattered. That was before the dawn of the dynasty called Bush. The twenty-year rise of the Texas Republican Party — culminating in the sweep of every single statewide office and control of the state Senate for the first time since Reconstruction — has coincided with the ascendancy of the Bush clan, father and son.

Ever since Ronald Reagan selected Bush the Elder as his 1980 running mate, it's hard to recall a time when Democrats weren't dealing with the down-ballot effects of a popular Bush at the top of the ticket: from Bush senior on the presidential tickets from 1980-'92, to George W.'s gubernatorial candidacies in '94 and '98. It's no coincidence that the Democrats' best years during that span were years with rare Bush-free ballots: 1982, when Mark White, Jim Hightower, Ann Richards, and Garry Mauro first took office; and 1990, when Ann Richards became Governor and Dan Morales Attorney General. Asked to assess the future of the party this primary season, Democrats Garry Mauro and John Sharp agree that the best way — the only way — to bring the Democrats back is to end the Bush dynasty. Not surprisingly, the two men disagree on how to do that: Mauro is managing the

Texas campaign of Al Gore; Sharp has taken the helm for Bill Bradley.

Sharp, the former comptroller, and Mauro, former land commissioner, have a history of butting heads that goes back to their days as politically ambitious classmates at Texas A&M. Sharp blames Mauro for the circumstances that led to Sharp's narrow loss to Rick Perry in the 1998 lieutenant governor's race. Against the advice of many in his own party (who felt the governor's race should have been uncontested), Mauro took on a well-funded and well-liked Bush, producing what Sharp has come to call "The Mauro Effect": because voters focus on the top of the ticket, and because Mauro never got close to Bush in the polls, Democratic turnout was depressed and down-ballot candidates went down with Mauro. If the Dems had left the governor's line blank, Sharp's theory goes, then media and voter focus would have been on Sharp's closely fought contest with Rick Perry.

Also, without an opponent, Bush and his war chest wouldn't have been a factor in 1998. "You've got a man sittin' over there with \$20 million in the bank who's got to prove that he's stronger than horseradish ... Well, he couldn't have done that, if he was on the ballot by himself. But instead he just hammered us." It's a lesson Sharp said the Republicans learned in 1982, when the

Rs ran an underdog named Jim Collins for U.S. Senate against powerful Democratic incumbent Lloyd Bentsen. "Lloyd got mad; they gave him an excuse to spend a billion dollars. He uncorked, [then-Lieutenant Governor] Bill Hobby uncorked, and all of a sudden Mark White was elected, Ann Richards was elected, Jim Hightower was elected.... So they learned," Sharp concluded. "They don't run people against Democrats when they know they don't have a chance."

It was fear of the Mauro Effect that Sharp says kept him away from the Gore campaign. "At the time Bradley got in, there were a whole bunch of us who believed that Gore would have one hell of a time winning, and on top of that, his negatives were so high in Texas — 43 percent, last time I checked. And a lot of us were nervous about what that would do down the ballot. We had just been through it ... and we didn't want the party completely wiped out as it almost was before [in 1998]," he said. This year, down-ballot slots will be crucial for the Democrats, who have made their priority winning back the Senate (by taking Drew Nixon's former seat in East Texas, the single most crucial race of the season) and keeping Pete Laney in the House Speaker's chair by maintaining their six-seat majority in the House. Without Laney, the Democrats would lack a

champion in the all-important redistricting fight, which will be at the center of the next legislative session.

"I just think it shows how out of touch Sharp is with the majority of Texas Democrats," Mauro said of Sharp's support of Bradley. "If you listen to Sharp, and you listen to [Democratic consultant] Peck Young and all that crowd, the number one reason to be with Bill Bradley is you're repudiating Bill Clinton. And I don't think most Democrats are ready to repudiate Bill Clinton. Most Texas Democrats, and most Democrats nationally, think Bill Clinton did a very good job the last eight years. They like where the economy is. And considering we had a Republican Congress.... I mean he fought 'em to a standstill."

No matter who the Democratic nominee is, if Bush is the Republican candidate the national Democratic party is not likely to spend much in Texas this fall. That, more than anything else, is how the Bush family has killed the Texas Democratic Party, according to both Sharp and Mauro. No Democratic presidential candidate has seriously contested Texas since 1976, the last Bush-free ballot. "We may have done it for good reason," Mauro said, "but your state party can't survive if during national elections you don't run any TV [ads] to put forth your party's ideas." Sharp estimates that the Republicans have spent \$40 million on television advertising since 1980, to the Democrats' \$1 million. "Now if you give me forty to your one, I can convince you that breakfast isn't good for you," Sharp said. In 1996, when the Republicans finally ran another Bush-free ballot, Sharp, Mauro, Bob Bullock, and Dan Morales all went to D.C. together to plead with Clinton to run at least some TV in Texas. "We said, man, you can't just leave us out here ... even if y'all don't think you're gonna carry Texas," Sharp said. But to no avail. Mauro said Clinton was receptive but it just wasn't realistic. Sharp said promises were made but not fulfilled. Both agree that, barring a McCain miracle, it isn't likely to happen this year, either.

But the prospects for the party in Texas aren't as grim as they may seem. There was even a silver lining to the drubbing the party took in 1998, Sharp said. "Despite the fact that the top of the ticket got beat worse than any Democrat has ever got beat in the

history of the Democratic Party in the State of Texas (nineteen points), two candidates [Sharp and Paul Hobby for Comptroller] still came within one point — made up 18 points — which is unprecedented." Which strongly suggests that it was Bush and Bush alone that put Rick Perry and company in office. The question they may soon have to answer is: can they do it without him? Sharp likes to point out that among registered voters, there are 632,000 more "probable" (based on demographic profiles) Democrats than Republicans in the state. "I think the dynamics are just moving the wrong way for the Republicans right now and they know it," Sharp said. "There are Republican consultants running around telling people to get all you can right now because this state ain't gonna be Republican three or four years from now," Sharp said. On the other hand, it's hard to imagine that they (or their Democratic counterparts, for that matter) would be advising *anything* other than "Get what you can, right now" under any circumstances, immi-

nent Democratic resurgence or no.

Still, the demographics do look good for the Dems: roughly twenty years from now, two historically Democratic-voting ethnic groups, Hispanics and African Americans, will make up a majority of Texans. You still have to get them to vote, however. The last two off-year elections saw the lowest turnout in Texas history. As Mauro observed, "If Democrats want Democrats to vote — Hispanics, blacks, working people — they gotta be for things that Hispanics, blacks and working people care about. And they gotta talk about that when they run TV ads." In 1998, Mauro said, he was the only one running those ads; Sharp's focus was elsewhere.

"I liked the one where he was shaking Bush's hand," Mauro said. — N.B.

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THE BUSH BEAT

Where are the Queer Pioneers?

"I have gay supporters. I don't ask their sexual orientation though." — George W. Bush to Larry King, Presidential Primary Debate Special.

Coming just ten days before the primary in heavily Catholic New York, Bush's letter of apology for appearing at Bob Jones University (where Catholicism is considered a cult and the Pope sometimes called Satan) had all the sincerity of a deathbed confession. (The letter's recipient, New York Archbishop John O'Connor — who literally *is* on his deathbed — didn't bother to respond.) But that's more than a national organization for gay Republicans, the Log Cabin Republicans, got following their mistreatment by the Bush campaign. According to a phone interview with spokesman Kevin Ivers, they aren't holding their breath for anything better.

Ivers is still steamed about an exchange between Bush and McCain during a recent presidential debate, conducted on *Larry King Live* on the eve of the South Carolina primary. Some of the give-and-take got lost in the finger-pointing and recriminations of that freewheeling evening, but if you listened closely, you heard the sound of a subtle gaybaiting in progress. According to Ivers, it was just a hint of what has been going on behind the scenes for months. Addressing Bush, King brought up the Bob Jones appearance. The Governor declined to apologize, saying he would bring his message to anyone who would listen, regardless of whether or not he agreed with their views. King then pounced, asking the Governor why, then, he had declined a standing invitation to meet with the Log Cabin Republicans — while McCain had agreed to a meeting. Bush responded, "Well, they had made a

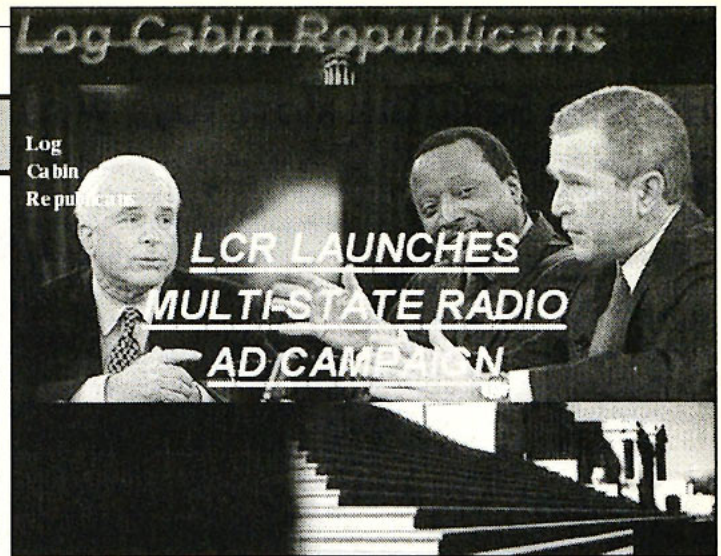
commitment to John McCain." There was the briefest pause, during which the camera focused on the Governor's face. Before his handlers broke him of the habit, the Governor used to smirk after delivering what he considered to be a good one-liner. Now he purses his lips, and gives a half-second look which says, "I'm not smirking." (Or perhaps: "I'm Chevy Chase, and you're not.")

King switched gears, but the moment was not lost on the audience for whom it was intended. One was John McCain, who quickly responded, "I have no knowledge that they have made a commitment to my campaign." A second was Kevin Ivers, watching in D.C., who hit the roof. "They are trying to rearrange the facts of what happened," Ivers told Left Field. In fact, Log Cabin has not endorsed McCain (they don't make endorsements) and did not raise money for him until *after* the Governor's campaign had publicly and privately snubbed them. The real chronology of events (much of which has been reported in *The New York Times* and

elsewhere), tells a different story, one that Ivers says is emblematic of the campaign's scorched earth tactics.

Last April, according to Ivers, the Bush campaign approached Log Cabin as part of their much-touted campaign of inclusiveness. "Karl

Rove and I were talking for months about [gay] issues. We were trying to give them advice. There was an understanding that we would not agree on all issues, but we were getting them very favorable press. We were getting them front page *New York*



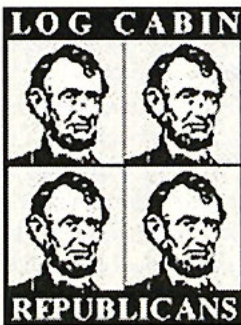
Times stories ... making them look like *good* Republicans," Ivers says. Most notably, Bush said that being gay should not disqualify someone from public service. Then, in October, an account of a meeting between Bush and a splinter group of Christian conservatives led by Michael Farris was leaked to the press, and Bush was quoted as saying he would not knowingly hire a gay person. Ivers says he went to Rove quietly to seek a clarification about the apparent contradiction in Bush's stance. "Karl Rove said to me: 'Do you want to elect the next president or not? That was his response, basically: 'Shut up and get on board. Stop asking questions.'" Then, in November, Bush appeared on *Meet the Press*, his first major national appearance, and told Tim Russert that he would "probably not" meet with Log Cabin, even though McCain had recently taken up their offer.

"We hit bottom internally after that," Ivers says. "People were so angry at Bush for the way he handled that and the way his people got more and more negative behind the scenes and in the press against us." About two weeks after Bush appeared on *Meet the Press*, Log Cabin held a conference call, during which angry members pledged \$40,000 for John McCain. But it was only *after* Bush refused to meet with them (and, as Ivers put it, "after Karl Rove and his campaign deliberately antagonized our organization") that the "commitment" was made to McCain, not be-

fore, as Bush implied on *Larry King*.

But first and foremost, Bush's nod and wink on *Larry King* was for the benefit of Christian conservatives in South Carolina, who turned out to vote in record numbers in the primary the following day. It was the culmination of what Ivers describes as a beneath-the-radar campaign of "sub rosa gaybaiting" that began almost immediately after Bush lost New Hampshire. "There were fliers saying that McCain was the 'fag candidate.' There were mailings of the press articles about our meeting [with McCain] to McCain supporters saying, this is the man you're supporting, the gay rights lover," Ivers says. "There was push-polling by the Christian Coalition using the Log Cabin issue."

Ivers thinks Rove (who did not respond to Left Field's request for comment) has steered Bush too far to the right. "Do they think they can sort of go back in time and sort of be the George W. Bush of last summer again, as if people won't remember what he said and what he did? There's a sort of moral blindness there," he says. Not that he doesn't understand *why* Bush went to the gutter in South Carolina. "After New Hampshire, there was open talk that ... if he didn't win South Carolina, his campaign was over. It would be the \$80 million boondoggle, and it would have been one of the most infuriating, crushing failures in American political history. So they were gonna do whatever they had to do to win." ♦



He Who Sells The Most Toys Wins

During the final debate before the New Hampshire primary, Steve Forbes testily announced, "No one can buy me." The test of this assertion is beyond Forbes' personal fortune (although if Forbes had stayed in the race, Donald Trump could at least have made a bid). Cybercitizens who ventured into the realm of campaign websites, you see, also discovered Forbes had been the only major-party candidate who wasn't "merchandising" in virtual reality. That his political ideas were in as much demand as his non-existent campaign *tchotchkes* led him to drop out of the race in the wake of the all-important Delaware primary (a winner last time, this go-round he wasn't on the radar). Yet even the also-ran who knocked him out — the so-far-from-contending and so-far-from-the-fray Alan Keyes — is giving bumper stickers and cassette tapes to contributors.

That's nothing compared to the stuff being hawked by the rest of the candidates.



The Bradley Store (www.billbradley.com) is easy to find, easy to use: no frills, just like the candidate. The only thing a dollar bill buys is your choice of four buttons. The webstore — although it promises "cool stuff" — is not terribly creative, selling the standard buttons, signs, bumper stickers, t-shirts and hats. The

merchandise succeeds only in further distancing Bradley from the shouting neighborhood of Cool. Balloons, mouse pads, coffee mugs, and — the very apex of hipness — the lavalier I.D. holder. The featured item, a navy sweatshirt with a small embroidered logo, concisely captures the campaign's low-key aloofness.

John McCain's (www.mccain2000.com) campaign has been boosted by millions in web contributions, and the team clearly views its website's top priority as *selling*. As the site loads, a smaller pop-up window appears



Demi Hang tag contains...

Demi's First of 10 Campaign Promises...

"I Promise to work my tail off!"

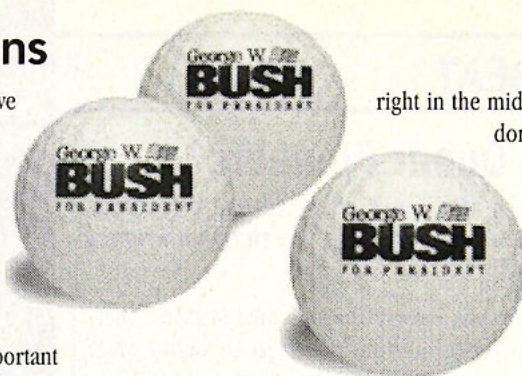


Demi is a 6" plush donkey



1" Demi 2000 Button on cheat

Collect it!



right in the middle of the screen asking for a donation. One of the eleven navigation choices on the site takes you to the "Campaign Store," where you can get t-shirts, bumper stickers, the McCain bio video and a poster of the young fly-boy McCain.

The pickings are nowhere near that thin on **George W. Bush's** site (www.georgewbush.com). Bush has more knick-knacks for sale than he can fit on his campaign plane. It's harder to find the GWB Store than it is to find McCain's merchandise, but the political collector might find it well worth his while. (Bush's campaign has long had an affinity for stuff: they gave away cowboy hats at an event in New Hampshire.) The store's front page advertises spring water — "Prepare to experience a watershed moment in American history..." — bottled (as *The American Prospect* reported last year) not in the Texas Hill Country, but in Kentucky. The scrolling menu at the top of the page advertises the GWB black windshirt ("the perfect gift!"), director's chair, totebags, sweatshirts, long sleeved t-shirts, rally signs, steel



coffee tumblers, plastic tumblers, travel mugs, navy twill caps, children's caps ... and that's just the tip of the cornucopia. There are golf balls, lapel pins, balloons, and great deals on bulk purchases. Throw in the *free calendar magnet* that comes with every purchase, and it's enough to knock any recovering packrat right off the wagon.

Just as Bush's decision to slap his name on any conceivable item seems perfectly in character, so to does **Al Gore's** (www.algore2000.com) unwillingness to choose a vendor for his campaign. Instead, three different "official" outfits are selling Gore paraphernalia (though there is no Gore bong advertised, despite the claims of his former Tennessee friends). The products offered by **gorealltheway** and **goregoods** are fairly conventional — basically competitive with the Bradley Store (all in earth tones, of course).

The discriminating collector should head straight to **goregear**, the only official store in this campaign to offer embossed Bic Clic Stic pens (as well as the \$29 genuine Cross Century pen for the ritzier set), cuff links, a tie slide, and the indispensable baseball cap with an embroidered back reading "Looking Gore-geous in 2000." If only he had water for sale, we could ban TV commercials and hold two blind taste-tests a week: the Presidential Challenge. ♦

Reefer Madness

A few weeks ago, the National Basketball Association congratulated itself on discovering that only 2.8 percent of its players — twelve of 430 — had tested positive this season for marijuana use. Since previous grapevine estimates had run to 60–70 percent, the revised totals (officially confidential, but leaked to *The New York Times*) seemed cause for celebration — at least until somebody pointed out that all the players had been warned of the scheduled tests in advance. That led to an obvious and embarrassing question: Did those twelve guys get the memo, or were they too high to read it?

But the high profile, sports drug headlines also obscure a more fundamental question — when did employers acquire some absolute authority to force their employees to piss in a bottle? Employers began by targeting “public safety” positions — airline pilots, long-distance truckers — but increasingly, the national anti-drug hysteria has conspired to make boss-controlled urine-testing seem normal: “You wanna job? Give us a sample.”

So there should be little surprise that in Texas, the reefer madness has taken another, more absurdly sinister step. The school board of Lockney, a small town forty miles northeast of Lubbock, strongly encouraged by Superintendent Raymond Lusk, has decreed that *every student from the sixth to twelfth grade* be regularly tested for the bodily presence of drugs. Lusk, speaking in the circular logic beloved of authoritarians, told the *Lubbock Avalanche-Journal*, “It’s a long story, but society has just brought us to this point. We do a lot of things [now] that at one time we would say was not the school’s job to do. Schools have kind of become all things and our job description has expanded.” Lusk apparently considers his current job titles to in-

clude cop, judge, jury, and executioner. He claims the new policy is primarily intended to help the students resist “peer pressure” to use drugs. Under the new policy, students who test positive will be suspended from extracurricular activities for twenty-one days, serve three days of in-school suspension, and be required to attend three sessions of drug counseling. Faculty members testing positive will be fired immediately.

And in a particularly bullying flourish, any child who refuses to be tested — even with the support of his or her parents — will be considered to have failed the test and be subject to the same sanctions. That became an issue when local rancher Larry Tannahill, father of twelve-year-old sixth-grader Brady, informed the district that he would not sign the waiver allowing Brady to be tested for drugs. “What scares me the most, if I do not sign it,” said Tannahill, “they are going to punish my child for what I do, and I definitely do not think that’s right.” Calling the new policy unconstitutional, Tannahill has threatened to sue the school district in federal court if the policy is not repealed.

In a conversation with Left Field, Tannahill said that while other townspeople have privately supported his family’s stand, thus far none have stepped forward publicly. “Of course my family has stuck with us,” he said. “I’ve got some support, but there’s not a whole lot that are really steppin’ out and saying much. But they’re having a hard time trying to, because they’re trying to hang on to their jobs, and the people that



come and do business with them. And of course they’re protecting their children.”

Tannahill added that on the other hand, no one in town has harassed him or his children (he also has an eleven-year-old child not yet subject to the new policy) for refusing to cooperate. “We have had teachers who have come up secretly to them,” he said, “and told them they admired what we’re doing. Kinda stuff like that, and I get people who come up around town and talk to me about it. Lot of them, either that or they call, but they don’t want to get completely involved in the situation yet — I think they’re all just waiting to see what will happen.”

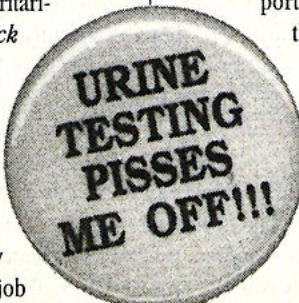
Asked if it was initially his son’s idea to refuse the test, Tannahill paused. “Well, sorta kinda. It was kind of a mutual understanding. He knew I wasn’t going to like it whenever he heard about it at school. I have talked to him about it, before we kinda carried on much further, and he thought that we were doing the right thing.”

Young Brady was even more West-Texas laconic than his father. “I don’t think it’s right,” he said, “because they said we *have* to do it.” Had any of his friends been supportive? “There was a kid on the bus that said, ‘That’s good that you’re standing up for your rights.’” Was anybody criticizing him? “Hunh-uh.”

Tannahill says there’s still a chance that the school board, some of whose members have expressed doubts, might reverse itself (another meeting on the policy is scheduled for March 23). But he is not optimistic. “We’ve got some that have kind of wavered, thinking now, ‘Wait a minute, what’d we do?’ But I really feel like it’s probably going to go to the federal court to start with. They may change their mind — but I’m gonna tell you, I won’t.”

Although the U.S. Supreme Court has allowed mandatory school drug-testing for hazardous sports like football, Dallas lawyer Michael Lenz (who is representing Tannahill on behalf of the Texas A.C.L.U.) calls the prospects on this case “excellent.” “The Supreme Court has carved out an exception for athletics as a ‘reasonable’ limitation on student rights,” Lenz said, “but the constitution clearly prohibits unreasonable [searches]. In Brady’s case, he and his family are refusing a blanket requirement for which there is no reasonable justification.”

Readers who wish to support the Tannahills can send contributions or write to the A.C.L.U. of Texas, P.O. Box 3629, Austin, Texas 78764. ♦



Carlos Hank's NAFTA Bank

BY LOUIS DUBOSE

It's owned by Incus?

— *That's correct?*

Who holds the majority of the stock?

— *Incus.*

Who owns Incus?

— *Carlos Hank Rhon*

Laredo

On the third floor of Laredo's palatial new court house, in a room appointed with rose-colored faux marble, extravagant drapery, and dark hardwood bar, bench, and tables, a plaintiff was telling a cattle rustling tale.

Though it was a tale of modern cattle rustling — involving show cattle, high-dollar auctions, the implantation of fertilized eggs, and a business partner doing the rustling — it was a case you would expect to be tried in one of the old architectural monuments Laura Bush is trying to preserve in rural Texas. And if the claim that “with embryo transfer there is no limit as to how many calves you can get from one cow” seemed as over the top as Laredo's four-story monument to justice and county government, the plaintiff was earnest, eloquent, and compelling. Judge Elma Salinas Ender ruled on a substantial default judgment that provided \$75,000 and attorneys' fees for the plaintiff and enjoined the defendant from selling any more cows owned in partnership. The quick resolution of the case provided one of those sweet moments in a courtroom, when equity is efficiently delivered and justice is served — even if the defendant was nowhere to be seen.

It also provided a stark contrast to the case that would follow: Laredo National Bank's claim that a New York investment banker had queered the deal when LNB set out to acquire Mercantile National Bank of Brownsville. Neither of the principals was present — only the attorneys. The defense counsel told the judge the plaintiff's counsel had been “childish and rude.” The plaintiff's counsel — who had walked out of a deposition in San Antonio after complaining “this is bullshit” — told the judge the defense counsel was an “obstructionist.” The judge was being asked to schedule the deposition in her courtroom, where she could mediate fights between lawyers. No attorney had yet mentioned the facts and the law. And Judge Salinas, no doubt looking forward to her next case (a sullen defendant in handcuffs and an orange jumpsuit, waiting to be escorted into the courtroom by a deputy sheriff), was only being asked to settle a question of jurisdiction.

This particular episode of *Laredo National Bancshares vs. Richard Christopher Whalen* — sandwiched between an animal husbandry tort and a pre-trial hearing of a felony prosecution — was all pre-trial posturing. It is also the smaller of two oddly related lawsuits. Part of LNB's complaint against Christopher Whalen alleges that he provided the Federal Reserve Board with information damaging to the bank. The Fed's legal staff, in a separate legal procedure, has taken aim at the bank's owners. And Whalen is being pressed by the bank's attorneys to tell them who

he talked to at the Fed, and when he talked.

It is evident that the real action is in Washington, where the Federal Reserve Board is attempting to take Laredo National Bank from its owner, Mexican industrialist and investor Carlos Hank Rhon. Attorneys in the Fed's enforcement division have built a detailed factual case against Hank Rhon, alleging that he played an elaborate shell game with bank shares and lied about who owns Laredo National Bank. If LNB wins in Laredo, the bank's lawyers might wring a few million dollars out of Christopher Whalen. If the Fed wins in Washington, it can collect \$41 million from Hank Rhon, order him to divest himself of his 71 percent ownership in LNB, and bar him from bank ownership in the U.S. “This is a really big deal,” said one former Fed employee in Washington.

It is a big deal that involves the Washington offices of two powerful Texas law firms: Fulbright & Jaworski, which bears the name of one-time Watergate Special Prosecutor Leon Jaworski; and Akin Gump, best known for one of its senior partners, former Democratic Party Chair Bob Strauss of Dallas. There is even a New York public relations firm hired to do the talking for the Hanks, the bank, and the attorneys.

It's a big deal because it involves “*los Hank*,” one of Mexico's richest and politically powerful families. The Federal Reserve Board is asking, “who owns the bank?” It is also quietly asking, “who are the Hanks?” The Fed's case is straightforward and built on charges of misrepresentation about the ownership of the Laredo bank. Yet its investigation involves the D.E.A., the National Drug Intelligence Center, and local police department drug task forces — agencies rarely involved in chartering federal banks.

WHO OWNS THE BANK?

Through an offshore holding company, which owns Laredo National Bancshares, which in turn owns Laredo National Bank, Hank Rhon “controls” 71 percent of the border bank. Bank ownership structure can be complex, so there is nothing out of the ordinary about shares moving through Switzerland, the U.S., Mexico, and the British Virgin Islands. It's a global economy, and if you think a friendly local holding company in North Carolina owns your hometown bank in Texas, you're wrong.

But the Bank Holding Company Act requires banks to provide a full accounting of who owns controlling interest, and the Fed retains the right to approve or reject buyers. For decades, Laredo National Bank had been locally owned. As a large border bank it appealed to wealthy Mexicans in the habit of keeping dollar-denominated accounts. It has branch offices as far away as Houston and is the third largest independently owned bank Texas. Until 1990 LNB had been owned by the Alexanders and Mandels of Laredo. When Gary Jacobs married into the Mandel family, he went to work at his father-in-law's bank and ultimately became president — a position he still holds today.

In 1990 major shareholders were bought out by what the Fed describes as “nominees” for clients from Mexico and several Euro-

pean countries. In 1991, Hank Rhon advised the Federal Reserve that he was buying 74,000 shares of Laredo National Bancshares Holding Company stock for \$7.4 million. What Federal Reserve board investigators have learned since, they allege in their "notice of enforcement," is that Rhon paid an extra \$1.2 million for the stock and threw in a luxury car to sweeten the deal for the seller.

It was the beginning of a bewildering series of moves that seem to make it impossible to determine who owns Laredo National Bank. Hank Rhon, the Fed's lawyers also allege, acquired another 93,250 shares of LNB stock, which he failed to disclose at the time of the transactions. He also used what in Mexico are known as *prestanombres* (borrowed names), acquiring LNB shares in the name of his daughter Graciela Hank González; his accountant, Agustín López Morales; and Arturo Martínez de la Mora, who managed other Hank Rhon businesses. In what appears to be a bit of wry humor in their complaint, Fed attorneys observe: "In arranging to have the shares purchased in the name of López Morales, Hank Rhon had forgotten that López Morales was a director of Kline, and therefore was also barred by the commitment from acquiring additional shares, even if López Morales had held them on his own behalf." Kline was a Hank Rhon holding company expressly prohibited, the Fed's lawyers observe, from buying additional stock at the time.

Money and shares, according to the Fed, moved in circles and those circles moved. Follow, for example, \$10 million, that seems to move from Laredo to New York to Switzerland and back to Laredo, all according to allegations in the Fed complaint, at the direction of Carlos Hank Rhon (who either was or wasn't bringing Mexico City newspaper publisher Gabriel Alarcón Velázquez into the LNB ownership scheme):

Alarcón agreed to participate in the acquisition of LNB's stock at or shortly after the time of Hank Rhon's invitation. To fund his purchase, Alarcón requested that Laredo National Bank grant him a \$10 million loan. Laredo National Bank's management agreed to make the loan, and it was funded on November 19, 1993. Hank Rhon told Alarcón to send the funds to Citibank, N.A., where upon Hank Rhon's instructions, the funds were placed in the escrow account established to hold in consideration for the shares that Incus had contracted to purchase from the Swiss shareholders. At the same time, Hank Rhon instructed Citibank to release back to him \$10 million worth of the peso-denominated mutual fund shares that he had represented to the Board would be the source of funds for the acquisition.

In 1994, David Peñaloza Sandoval, C.E.O. of one of the largest construction companies in Mexico, purchased a \$21 million interest in LNB and failed to report it for two years, according to court documents filed by Federal Reserve lawyers. Two years after the fact, Hank Rhon, Peñaloza, and a New York law firm drafted contracts documenting the sale. Hank Rhon and Peñaloza even established an escrow account, "which purported to hold the \$21,161,845 in escrow, with Hank Rhon as the escrow agent."

"In fact, the escrow account was a sham," the Federal Reserve complaint continues, "designed to make it appear that Peñaloza's acquisition of an equity interest in Incus was pending the Board's approval, rather than completed, as it actually had been in 1993 and 1994.... Hank Rhon treated the funds in this 'escrow' account

as his own, transferring balances to and from his personal accounts at Laredo National Bank and at Interacciones" [another Hank Rhon company].

Loans made by LNB also tended to move in circles. The Fed document describes a \$3.5 million loan made to Carlos Oilmon Meraz, Hank Rhon's brother-in-law. "Approximately \$3.5 million of this loan were transferred to Palenque, Ltd., a company of which Hank Rhon was the beneficial owner." Two years later, in 1993, Oilmon borrowed another \$1.5 million. In 1994 the loan balance was transferred to Oilmex, a corporation owned by Oilmon. "In 1995, that loan went into default, and Laredo National Bank wrote off at least \$2.8 million...." according to the Fed's court filings.

Listed in the Fed's long and detailed complaint are numerous incidents in which millions of dollars moved in mysterious ways, many alleged to be in violation of federal banking law. It was all in the family. If the extended Hank family of business associates, brothers-in-law, and close friends worried lawyers at the Fed's enforcement division, the alleged unauthorized participation of Hank Rhon's father, Carlos Hank González, could present a problem when Hank Rhon and his legal team stand before the Federal Reserve Board of Governors — a.k.a. Alan Greenspan and the Six Dwarves. Carlos Hank González, according to the Fed complaint, at one time bought \$20 million of LNB stock, without reporting it to federal regulators.

WHO ARE THE HANKS?

Hank patriarch Carlos Hank González was born into fairly modest circumstances. He owes his fortune, which Forbes estimates at \$1.3 billion, to the Institutional Revolutionary Party that has ruled Mexico for seven decades. He was a schoolteacher and party operative who went on to serve as a federal congressman from the state of Mexico, mayor of Mexico City, mayor of Toluca, secretary of tourism, secretary of agriculture, and director of Mexico's federal commodities distribution program. (Hank González' c.v. is not unusual in a country with a constitutional ban on holding any elected office twice. Because of term limits, politicians move from one office to another.)

It has been observed that Hank González was never president of Mexico only because his father was born in Germany. The Mexican constitution requires the president to be the child of Mexican-born citizens of Mexico.

Manuel Buendía, a nationally syndicated Mexico City columnist who was assassinated in the eighties, once wrote a wry humorous column about Hank González' frustration with the constitutional provision that denied him his six years in Los Pinos — Mexico's White House. A Mexican congressman, Buendía wrote, convened a panel of scholars and ordered them to look for proof that the word "Hank" had its origin in the language of the Mazahua, an indigenous Amerindian group from the region around the state of Mexico. When the report was delivered to Toluca (the state Hank González represented in Congress) the eager congressman opened the envelope and read that the word Hank was indeed Mazahua. In that language it meant: "He who came from Germany."

It has also been observed that "El Professor" González amassed a billion-dollar fortune while working as an elected or appointed government official. According to the Mexican newsweekly *Pro-*

ceso, Hank González made much of his fortune investing in companies who did business with the government. González and his son, Hank Rhon, were also two of the power brokers behind disgraced Mexican president Carlos Salinas de Gortari.

None of this would disqualify *los Hanks* from owning a “beneficial interest” in a U.S. bank. But if the Hanks were found to be engaged in illegal activities, there could be a problem with the “character test” in the law governing bank ownership. LNB attorneys have asked Christopher Whalen about conversations he has had with federal drug enforcement agencies concerning Laredo National Bank. And the Federal Reserve’s legal staff seems to be pursuing reports that first appeared in the Mexico City daily *El Financiero* and later in the *Washington Post*. Both papers reported on U.S. drug-enforcement investigations linking the Hank Clan to alleged drug dealing and money laundering.

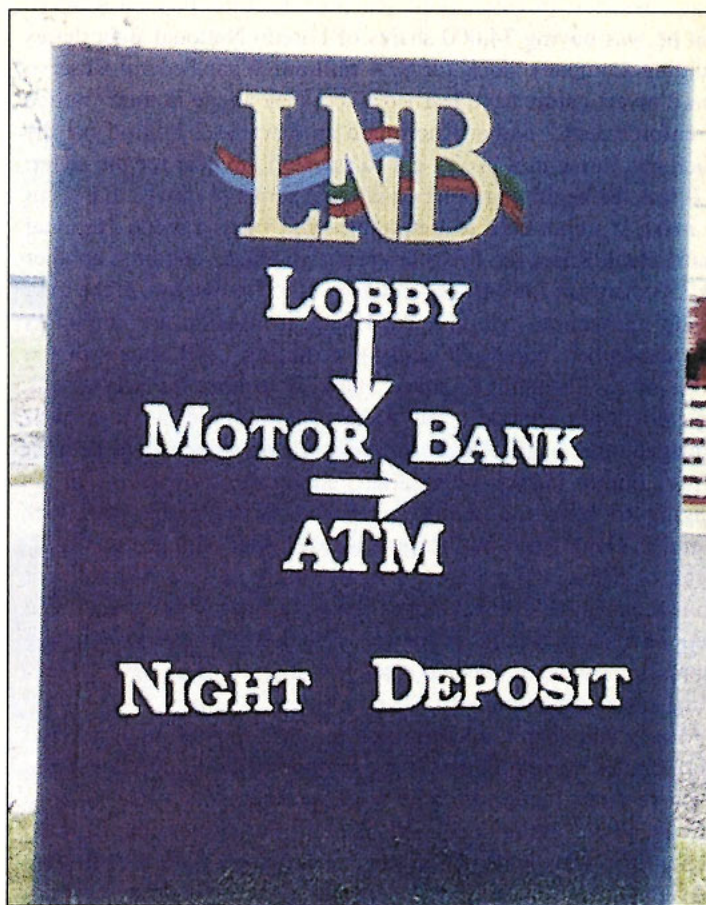
Dolia Estévez is the Washington correspondent for *El Financiero* and a particular favorite of American sources leaking information they decide needs to be reported in the Mexican press. Her stories often travel a circular route similar to the one the Fed alleges Hank’s money follows — from the U.S. to Mexico and back to the U.S. In 1995, she reported on a Senate Foreign Relations Committee internal memo that accused Hank Rhon of laundering money for Mexican *narcotraficantes*. The document Estévez cites makes the same claim about Hank González, describing him as “a principal intermediary between narcotraficantes and the political system.”

Estévez cited the date of the memo (August 3, 1995) as well as the pages that referred to the Hanks. And in fairness to the Hanks, she reminded her readers that the committee is chaired by Senator Jesse Helms, widely known to have a strong anti-Mexico disposition. Hank González, she wrote, was a close associate of President Salinas and leader of the *Dinosaurios* — the retrograde defenders of position, power, and the old politics of the P.R.I. Some of the huge fortune amassed by former president Carlos Salinas de Gortari, now in self-imposed exile in Ireland, was deposited at Laredo National Bank, according to the Foreign Relations Committee report Estévez cited.

Last June Estévez reported that the Hanks were the target of a drug task force investigation documented in a report leaked to her from a source at the National Drug Intelligence Center. The story was quickly picked up by the *Washington Post*, and although no one at the intelligence center will discuss the report, its existence was confirmed when the D.E.A. investigation extended to Costa Rica.

Kathleen Daly at the U.S. Embassy in San José told the press the report was “extremely confidential” and could not be released. “As a final point we were informed that the investigation of the Hank González organization in the United States is ongoing and therefore it is not appropriate to comment on any possible accusations of criminal activity,” she said in an interview quoted in *Proceso*.

In November, *Proceso* published the full text of a confidential U.S. Customs Service Report on Operation White Tiger, which referred to the white Siberian tiger customs officials confiscated from Jorge Hank Rhon in 1991, when he tried to smuggle the animal into Mexico through San Ysidro, California. Carlos Hank González’ younger son is the *enfant terrible* of the Hank family. Jorge Hank owns the Agua Caliente horse track in Tijuana and several off-track



betting parlors in Mexico. “My only vice is animals,” he told *Proceso*, referring to the horse track, the tiger, and a chimp and gorilla he was caught illegally shipping into Mexico — as well as a separate incident at the Mexico City airport where customs agents discovered his suitcase was packed full of skins of rare, protected animals.

Jorge Hank also owns the Tijuana daily, *El Herald*. Since 1988, he has been the indirect subject of a standing ad in the Tijuana weekly *Zeta*. Paid for by *Zeta* publisher Jesús Blancornelas, the ad has nothing to do with the fights over circulation and ad revenue that normally animate fights between rival publications. It demands that the government prosecute the “intellectual author” of the assassination of Héctor “el Gato” Félix, the *Zeta* co-editor and columnist murdered by Antonio Vera Palestina and Victoriano Medina. At the time of the murder, Vera Palestina, the former bodyguard of Carlos Hank González, was Jorge Hank Rhon’s bodyguard. Medina worked as a security agent at Jorge Hank Rhon’s Tijuana racetrack. Both men are serving prison terms for the murder. (Blancornelas himself was shot and critically wounded in a 1997 assassination attempt in which his bodyguard was killed while shooting at the assailants.)

The customs report reprinted in *Proceso* also focuses on *Transportación Marítima Mexicana*, a shipping company controlled by Carlos Hank; the Tijuana race track; and Laredo National Bank. It also provides details about alleged drug dealing and money laundering by the Hank enterprises. None of this has anything to do with federal banking law, but Federal Reserve lawyers would have

to be blind to miss it. "The enforcement and supe supervision] people at the Fed don't do criminal investigations," a former Fed employee said. "They license and supervise banks, it's all financial. But they do pay attention to this sort of stuff."

It appears that they are paying attention. A Fed legal staff memorandum subpoenaed in the Washington proceeding cites a September 11, 1996, news story in which Reuters reported that "Mexican officials have discovered additional U.S. bank accounts belonging to former President Carlos Salinas' brother Raúl Salinas that may have been used to launder illegal drug money. *Reforma*, a Mexico-City daily, reported that one of the accounts being investigated by Mexican and U.S. officials is at the LNB], which is located just over the border in Texas and owned by Mexican financier Carlos Hank Rhon.... The government documents show Salinas may have used the U.S. accounts to transfer money to and from large secret bank accounts in Switzerland that were discovered late last year."

Subpoenas issued by the Federal Reserve staff also request information dating from 1991 for eighteen companies, including Incus, Kline, and Grupo Financiero Interacciones (a Hank family holding company). The Hanks began acquiring LNB shares in 1991. Also subpoenaed are records of transactions believed to be related to money laundering involving Mr. Hank Rhon, Raúl Salinas, and Juan Gómez. Juan Gómez is the name on a Mexican passport Swiss authorities seized from a safety deposit box in a bank in Zurich. On the passport was a photo of Raúl Salinas, the brother of former Mexican President Carlos Salinas. Swiss authorities seized \$90 million from Raúl Salinas' accounts. Raúl Salinas is in prison in Mexico.

"After taking into account the size of Hank Rhon's financial resources, his good faith, the gravity of the violations, the history of previous violations, and such other matters as justice may require, the Board of Governors hereby assesses a civil money penalty of \$10,000,000 against Hank Rhon...." reads the complaint. In similar language, the Fed's legal staff recommends \$31,100,000 in fines for Incus, the Hank's holding company in the British Virgin Islands.

"We intend to have this matter taken off the table," said Richard Bickler, the Fulbright & Jaworski attorney representing Hank Rhon. In an abbreviated telephone interview, Bickler said the Fed's charges have no merit. (He has returned no calls since an initial conversation and is speaking through Robert Siegfried of New York.) Should they lose the first round, Hank Rhon and Incus can appeal before the Federal Reserve Board, and then in the Federal Court of Appeals in Washington, D.C.

IN COURT IN LAREDO?

What does all this have to do with Christopher Whalen? LNB alleges that Whalen cost the bank its opportunity to purchase Mercantile in Brownsville, which was ultimately acquired by Norwest Bank. Whalen, who once published a business newsletter called *The Mexico Report*, wrote about the Hanks, and was on one occasion called before a House Banking subcommittee, where he testified about their business interests. The bank's lawyers claim he later provided the Federal Reserve Board with information that damaged the bank — and that he did it for his own personal gain.

Yet one document in possession of the Federal Reserve's Washington legal staff and Hank Rhon's Washington lawyers suggests



that Citibank might have pointed the Fed toward Laredo. The Fed's summary describes a meeting the Fed's staff held with Citibank — at the request of Citibank. "At the meeting, the Citibank representative provided information concerning possible violations of banking laws and misrepresentations to the Board that had come to the attention of Citibank's attorneys."

Citibank — for years the only U.S. bank with a branch office in Mexico — has had problems of its own. It was through "Citi" that Raúl Salinas moved much of his money out of Mexico and on to Switzerland. *The New York Times* and the *Washington Post* have reported on Salinas' dealings with Amy Elliott, his personal banker in Citibank's New York office. It has also been reported in the Mexican and U.S. press that Carlos Hank Rhon provided Raúl Salinas suggestions on how to get his money out of Mexico.

LNB's suit against Whalen is still focused on jurisdiction — whether the case can be tried in state district court in Texas. In a court appearance on February 23, Laredo National Bank's attorney Richard Cedillo argued the merits of a long-arm provision of Texas law, which holds out-of-state defendants responsible for actions committed in another state if the effects of the action are felt in Texas. He also claimed that Whalen's ownership of a Texas corporation, Legal Research International, makes him subject to Texas tort law.

Whalen's local counsel, John Convery, argued that Whalen never owned a Texas business. He had once considered a joint business venture with a Houston resident. When the company was incorporated, Houston businessman Billy Flanigan listed Whalen as officer — admittedly (in Flanigan's deposition) without Whalen's consent. Flanigan, the elderly co-defendant from Houston, seemed bewildered and angry to have been dragged into court to provide Laredo National Bank with Texas jurisdiction.

His February 7 deposition is antagonistic, hostile, and filled with monosyllabic responses. One non-responsive response Flanigan offered summed up his frustration. "No," he said to a question about contacts with government officials. He added, "I believe that I have been wrongfully named. My company has been wrongfully named. And I am not a party to this case." He is. Unless the judge dismisses him. Or Laredo National Bank drops him, which would eliminate one of their jurisdictional claims to keep the case in a Texas court.

Christopher Whalen's deposition was ultimately held in Judge

Salinas' courtroom. It's more revealing than Flanigan's, in part because Whalen was too forthright. And it returns to the backstory of the Fed's investigation of LNB: drugs and federal drug enforcement officials.

In 1998, in a statement he now regrets, Whalen advised a Florida investor shopping for a bank that LNB's request to buy Mercantile National bank would not be approved by the Fed. "In terms of your negotiating strategy," Whalen wrote in a letter to the potential buyer, "you should be mindful of the fact that the Fed, through regulatory inaction, did not permit LNB to purchase Mercantile Bank in Brownsville (through my efforts and those of others)..." Whalen claims his comment "through my efforts" was hyperbole. "It was overblown and inflated. It was hyperbole on my part." Laredo National Bank isn't buying Whalen's hyperbole argument.

The "others" were federal drug enforcement agents, whose names Whalen tried to avoid revealing until Judge Salinas ordered him to provide them. In his deposition, Whalen states that because he knew Mexican finance, he was contacted by D.E.A. agents inquiring about Carlos Hank Rhon. (The officers named, according to D.E.A. agent Vincent Rice in San Diego, were local police officers assigned to D.E.A. task forces.) Whalen passed the contacts on to the Fed when their investigators called on him. Throughout his deposition, Whalen repeated that it was the Hank family and not Laredo National Bank that investigators from the D.E.A. and the Fed wanted talk about. "I indicated to him that I had been contacted in the past by a variety of law enforcement organizations, primarily the D.E.A., who had interest in or ongoing investigations of connections between the Hank family and drug trafficking and money laundering," Whalen said. Whalen also said he once asked former U.S. ambassador to Mexico Jim Jones about the Hanks and was told "I really don't think there's anything there." (An odd fact revealed in questions about the Fed is that Whalen's father is a longtime friend of Fed Chairman Alan Greenspan.)

Their bank's attorney also pressed Whalen for information about Citibank. Does he have any relationship with Citibank? Does he know a Citibank employee named Amy Elliott? "Any relationship with Philip Jordan? Do you know who Phil Jordan is?" Whalen answered no to each question, which suggests that he might not be the best source on current affairs in Mexico. As has been widely reported in the U.S. press, Amy Elliott is the bank officer in New York who handled the personal affairs of Raúl Salinas. Philip Jordan is a former D.E.A. agent living in El Paso, who has been openly critical of the agency's failure to aggressively pursue big players in Mexico and is frequently quoted in drug-related stories.

LNB's lawyers are also looking for information from federal drug agents. Richard Cedillo subpoenaed fourteen separate items from federal drug enforcement agencies. The Assistant U.S. Attorney in Laredo responded by promptly moving the subpoena to federal court in Laredo: "Laredo National Bank had a long laundry list, a long list," Hector Ramírez said. "And the agencies said we can agree to release documents listed in items one and two. And we released the documents in items one and two, and that's where we are." Ramírez said the U.S. attorney's office provided Laredo National Bank with some information from the National Drug Intelligence Center and implied that further requests for drug agency information will have to be litigated.

Whalen was also asked about his contacts with the press: Knute Royce of *Newsday*, Michael Allen of the *Wall Street Journal*, and finally Dolia Estévez of *Financiero*, who has written extensively on the Hanks. Estévez is the only Mexican reporter writing extensive stories about the Hank's fight with the Federal Reserve. She has even briefly covered the Laredo Bancshares suit against Whalen.

Attempts to speak to Gary Jacobs in Laredo, Richard Cedillo in San Antonio, and attorneys representing Hank Rhon and Incus in Washington, D.C., resulted in a response from a public relations firm in New York. Responding to calls and faxed questions sent to Akin Gump and Fulbright & Jaworski's Washington offices, and to Richard Cedillo's office in San Antonio, bank spokesperson Robert Siegfried responded for all three lawyers, by telephone and email:

Your questions appear to confuse two separate actions — Laredo National Bancshares litigation against Christopher Whalen and the Federal Reserve's inquiry conducted by its staff with respect to Carlos Hank Rhon of which Laredo National Bank is not a party. With respect to the Whalen litigation, Laredo National Bank clearly lays out its charge that Whalen specifically interfered with an executed contract of purchase between Laredo and Mercantile and that, as a result, Laredo has been harmed by this interference. Laredo National Bank has brought these proceedings to prove just that. Beyond this, we have no further comment, other than to say that the facts and information in this case speak for themselves. In terms of the Federal Reserve inquiry with respect to Mr. Hank, Mr. Hank and his representatives have made it quite clear that the inquiry is without merit and will be shown to be just that. In summary, neither litigation is determinative of the other.

Siegfried also called the Fed action inconsistent with of the "intent and spirit of NAFTA."

Whalen's attorneys point to a timeline they claim will establish that he could not have interfered with the case before the Fed, and argue that no one individual can move the Federal Reserve in the way the plaintiffs claim — unless that individual is Alan Greenspan. (Part of LNB's claim is that information provided by Whalen so slowed the Fed's consideration of the attempt to acquire Mercantile that the opportunity was lost.) In Judge Salinas' courtroom, Whalen's lawyers said their client was contacted by Fed investigators and asked for information. He put them in touch with the D.E.A. officers who had called him earlier to inquire about the Hanks, the lawyers insist. The Federal Reserve, they add, is responsible for LNB's problems.

The lawsuit in Texas is grinding forward and thus far has amounted to discovery, depositions, and two court hearings. After one hearing that included a loud, angry discussion at the judge's bench, John Convery stopped at the back of the courtroom and commented on the cattle custody suit heard earlier in the day. "What a great plaintiff," Convery said. "The kind of guy every lawyer wants on the stand. Honest, sincere, eloquent."

In Laredo, Judge Salinas is expected to rule on jurisdiction for the Whalen suit within a month. In Washington, the Hanks and Incus requested a private hearing, claiming that the "'airing of private and personal business affairs' could act as a disincentive for foreign investors with unidentified repercussions in Mexico." The Federal Reserve Board rejected the request and ordered a public hearing, scheduled for October. □

The Land of Milk and Money

BY MICHAEL KING

Those celebrity milk mustaches are not what they seem. That's one message from reporters Jane Akre and Steve Wilson, fired in 1997 from their jobs with Florida television station WTVT-Tampa, when their investigative series on the effects of hormone additives in dairy production ran afoul of station managers and the Monsanto Corporation.

Monsanto makes Posilac, the trade name of the most widely distributed form of artificially synthesized, "recombinant Bovine Growth Hormone" (rBGH), which is injected into cows to boost milk production. According to Monsanto and the U.S. Food and Drug Administration, there is "no significant difference" between milk produced with or without the use of rBGH; according to the series produced by Akre and Wilson but pulled from production by WTVT, the differences are significant enough to get rBGH (also known by its chemical name, rBST) banned in Canada, Western Europe, Japan, Australia, and New Zealand.

Akre and Wilson (who are married) traveled through Texas last month, telling their story and soliciting public support for their whistleblower lawsuit against WTVT, filed in April of 1998 and scheduled for trial this June. The reporters say they were fired because they refused the station's demands to edit their stories in such a way as to broadcast false or misleading information, which would be in violation of federal law as well as Federal Communication Commission regulations, both of which require broadcasters to operate in the public interest. Under Florida's whistleblower statute, employees have a right to sue their employers if they believe they were fired for refusing to break the law.

The station's managers insist that they made a good-faith effort to edit the milk stories, but that Akre and Wilson were uncooperative and their reports remained too "biased and one-sided" for broadcast (in the spring of 1998, a few months after their dismissal, an rBGH series produced by another reporter but partly based upon Akre and Wilson's previous work was broadcast by WTVT). In their response to the Akre and Wilson lawsuit, the station insists the reporters were fired for "unreasonable and intemperate behavior [which] did not advance [WTVT's] interests in providing quality news programming to its viewers." (It's worth noting, in the context of "quality news programming,"

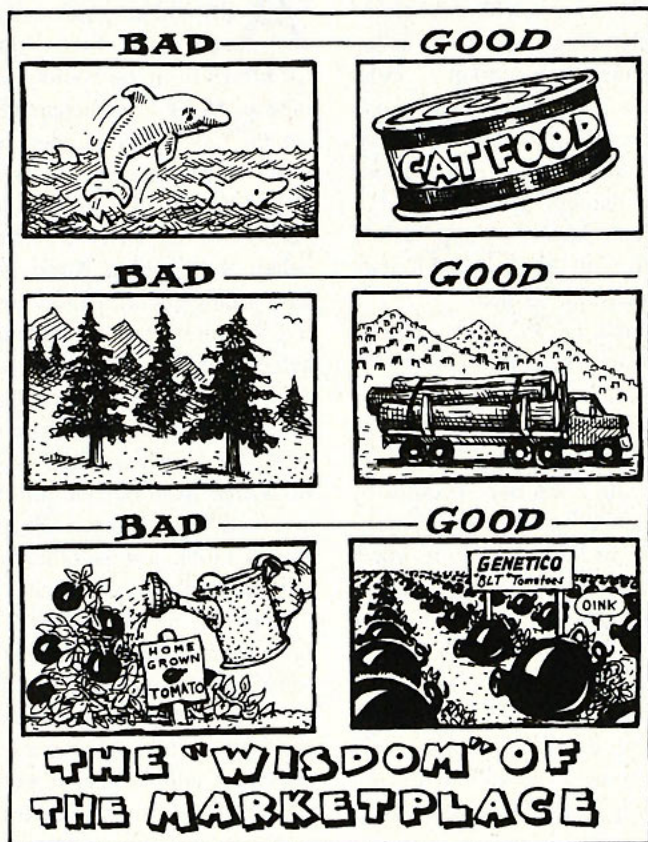
that WTVT is owned by the Fox Network — home to Rupert Murdoch, if-it-bleeds-it-leads local newscasts, and "When Animals Attack.") WTVT argues that the reporters' lawsuit is an unconstitutional assault on its editorial freedom, and the station's lawyers have recruited Don Heider, a former television reporter and currently a U.T.-Austin journalism professor, to testify as an expert witness on the station's behalf.

So what you get, in the lawsuit now pending before Florida's thirteenth judicial circuit court, are two stories for the price of one: the adulteration of the public food supply, and the adulteration of public information.

Jane Akre and Steve Wilson opened their recent Austin appearances by displaying a magazine ad photo of Donna Shalala, head of the U.S. Department of Health and Human Services — complete with milk mustache, courtesy of "America's Dairy Farmers and Milk Processors." "How is it," asked Wilson, "that the person charged with regulating a product — in this case with checking the safety of milk — should get involved with advertising that product?" To the reporters, the Shalala photo (subsequently discontinued after public criticism) exemplifies the all too common duplicity of government "regulation" of industry. It may not be precisely the fox who is guarding the henhouse, but the fox certainly has very good friends in high places.

That was one of the major thrusts of "The Mystery in Your Milk," the series that Tampa viewers never saw: that when it came to Monsanto and its chemical wonders, the F.D.A., rather than act as an impartial defender of the public health, effectively collaborated with the company's determination to get its product on the market before it was demonstrated to be free of negative human health consequences. The major allegations of the series included the following:

■ Despite serious scientific questions about the possible long-term



Matt Wuerker

effects of consuming rBGH-stimulated milk and milk products — including increased risk of breast and colon cancers — the F.D.A. had approved general use of the hormone supplement after superficial and inadequate testing;

■ Florida dairy producers had almost universally adopted Monsanto's Posilac program, despite evidence that it could cause significant side effects in cows, including health problems that might result in antibiotic and other residues in milk;

■ Major Florida grocers had failed to keep earlier promises to exclude rBGH from their dairy supplies, and because there is no state tracking system, it is essentially impossible for consumers to know if they are buying rBGH-treated milk or other dairy products;

■ Monsanto had used the F.D.A. "approval" and the agency's "recommended" labeling language as a means of bullying independent dairies across the country to refrain from even letting their customers know if they were *not* using rBGH in their milk production, and virtually all dairies fell in line.

This last item is particularly intriguing, because it puts the lie to a favorite argument of the corporate anti-regulation lobbyists: that informed consumers naturally regulate the free market by refusing to purchase products they don't want. Monsanto, with the help of the F.D.A., has done its best to ensure that consumers know as little as possible about the contents of the "free market's" most widely distributed dairy products. Not coincidentally, this was also the successful strategy of Monsanto's lawyers in its approach to the reports prepared by Akre and Wilson. Rather than defend its product clearly and succinctly on camera (as the reporters attempted to let the company do), on the eve of airdate Monsanto approached the station and its corporate parent, Fox, with thinly veiled threats of litigation if the network should broadcast the stories.

Actually, the threats weren't that veiled. On the Friday before the reports were scheduled for broadcast in February of 1997, Monsanto's New York law firm delivered a long, angry letter to Fox News Chairman Roger Ailes, denouncing Akre and Wilson as unqualified, biased, and engaging in "scaremongering" by associating rBGH in any way with human health risks, and specifically with cancer. "It is difficult to imagine a claim," wrote the corporate attorneys, "that could be more damaging to Monsanto, to its good name and reputation...." In response to the letter, station management temporarily held the story and re-reviewed it, deciding to go forward a week later, until a second letter from Monsanto's lawyer — warning of "serious damage to Monsanto and dire consequences for Fox News" — got the desired response. WTVT pulled the story, and then began a nine-month series of increasingly acrimonious "edits" (with the station undergoing a Fox-initiated management change in the meantime), ending in the December firing of Akre and Wilson.

As Akre and Wilson tell it, they cooperated with every attempt to revise the reports (even when they disliked the results) as long as they were not asked to misrepresent the facts as they knew them or to tell outright lies — most specifically, to make an uncontroverted statement that there is "no difference" between hormone-treated and untreated milk. Twice, they say, they were offered large severance packages (nearly \$200,000), but only on the condition they agree never to discuss in public the dispute *nor* the rBGH story, in any way. After they refused the offer a second

time, they were fired. Wilson says the station manager was astounded at their refusal of the money. "I don't get you people," he says their manager told them. "What is the problem? All I want, are people who just want to be on TV." (The station denies Wilson's version of the events.)

The reporters insist that it was always within the authority of the station to kill the story outright, but that managers apparently didn't want to appear as though they had surrendered to Monsanto's external pressure. The station points to its subsequent broadcast of a version of the rBGH story, and insists that the courts cannot interfere with broadcasters' First Amendment freedoms from outside interference. The reporters answer that their lawsuit is not about the First Amendment at all. "This lawsuit," said Wilson, "is about whether a person can be fired for being ordered to do something that's illegal. They asked us to lie on the air. That's against the law — the Communications Act and F.C.C. regulations. It comes down to whether it was an editorial dispute, or were they asking us to lie. The truth is, and the facts are, they were asking us to lie."

Akre and Wilson have received much public support, nationally and internationally, in their fight with the station, and in the wake of the dispute in 1998 received a special Award for Ethics from the Society of Professional Journalists (to the outrage of WTVT management). But at least one professional observer, U.T.'s Don Heider, remains unconvinced. Heider had ten years' experience in television news before moving to teaching. Asked by WTVT's lawyers to review the dispute and the various versions of the rBGH story, he agreed to act as an expert witness on behalf of the station. Although he's being paid for his work (a standard arrangement), Heider insists he accepted the case as a matter of principle: "I tell my students they have to stand up for what they believe, so I have to do the same."

Heider says he believes that the dispute is at bottom an editorial disagreement, and therefore news managers — who, he emphasizes, are also journalists — must be free to make editorial decisions free from outside interference. "There are other journalists involved in this story.... People with good reputations in the business. To look at it the other way — that these reporters are getting screwed by the big company, I couldn't jump on that bandwagon."

In Heider's view, Monsanto's last-minute attempts to quash the story were unsurprising, and the threatening tone of the company's letters was simply "grandstanding." He says such letters from corporations are common in the news business, and these only served to "focus the attention" of the news directors. Heider insists the editors made a good-faith effort to get the story on the air, but that "trust broke down" almost immediately between the managers and the reporters, making it impossible to establish a good working relationship necessary to get the story done. "I really felt like from Fox's perspective," Heider told the *Observer*, "this was a question of, 'Where are we opening ourselves up to libel, and where are we not? And can we negotiate a set of scripts that satisfy the reporters and still get on the air?' I don't think that's unreasonable, I think that's the balance that mainstream news organizations have to walk every day."

Heider considers the eventually broadcast version of the story, produced by reporter Nathan Lang, as evidence that the Tampa sta-

tion did not buckle to outside pressure. Akre and Wilson respond that the Lang version is a badly watered-down, incomplete, and fundamentally dishonest report that portrays Monsanto as a well-meaning corporate citizen and its opponents as scientifically unqualified extremists. Heider disagrees, insisting that while Lang "goes the extra mile to get Monsanto's viewpoint ... it's hard to say the viewer will feed good about BGH after seeing Lang's report." He calls the differences between the two versions largely

"stylistic: the Akre and Wilson pieces are more investigative, with a harder edge, and Lang's are more scientific, or what I call explanatory." Akre and Wilson describe Lang's report as "false and misleading," and believe it was broadcast at least in part to provide the station with a legal defense. (The first segment ends with an anchorperson's dismissive reference to the reporters as "disgruntled

See "Monsanto," page 18

FROM MONSANTO TO YOU

How much health risk is associated with dairy products from hormone-treated cows? It's difficult to tell — not only because the scientific studies are limited, but because it is currently almost impossible for a consumer to monitor the amount of hormone-treated dairy products he or she may be consuming.

The rBGH itself is apparently of no direct human health risk, but it generally results in milk containing elevated levels of "insulin-like growth factor" (IGF-1), which according to the scientific literature may be associated with an increased risk of cancer. Dr. Samuel Epstein, a professor at the School of Public Health of the University of Illinois at Chicago and Chairman of the Cancer Prevention Coalition, wrote in 1998, "I am increasingly convinced that the consumption of milk from rBGH-treated animals poses grave hazards, including risks of cancer, especially breast, colon, and prostate." (Epstein is one of the scientists relied upon by Akre and Wilson in their reporting; Monsanto dismisses his work as outside the mainstream and unreliable.) The increased risk is greatest for infants and small children, Epstein wrote, but he believes that "the entire nation is currently being subjected to an experiment involving large-scale adulteration of an age-old dietary staple by a poorly characterized and unlabeled biotechnology product. Disturbingly, this experiment benefits only a very small segment of the agrichemical industry while providing no matching benefits to consumers. Even more disturbingly, it poses major potential public health risks for the entire U.S. population."

The lack of reliable information about food additives is aggravated in the case of rBGH, because Monsanto and the F.D.A. have collaborated in making it difficult for

dairies, suppliers, and grocers even to mention the use of growth hormones on product labels. The industry (primarily Monsanto) and the F.D.A. have opposed explicit labeling, arguing that it would only "confuse" consumers (and threaten sales). The F.D.A. can not ban labeling outright, but its "recommended" labeling for dairy products insists there is "no significant difference" between hormone-treated and untreated milk. When dairies not using the hormones tried simply stating so on their labels, Monsanto used lawsuits and the threat of lawsuits to make them stop, insisting on the recommended language as the only legal labeling.

Even companies with otherwise good records of avoiding chemical additives have been caught in the Monsanto hormone wave. For example, Vermont-based Ben & Jerry's Ice Cream, which tries to keep its products rBGH-free and has battled Monsanto in court over the labeling issue, currently labels its products with an ambivalent reassurance that includes the F.D.A. mantra of "no significant difference":

We oppose recombinant Bovine Growth Hormone. The family farmers who supply our milk and cream pledge not to treat their cows with rBGH. The FDA has said no significant difference has been shown and no test can now distinguish between rBGH-treated and untreated cows. Not all the suppliers of our other ingredients can promise if the milk they use come from untreated cows.

Dairies are also in an economic bind, because the acknowledged ability of rBGH to boost milk production by 20 percent or more puts farmers who decline to use it at a strong competitive disadvantage. The now very widespread use of Monsanto's "Posilac Program" also means that

consumers will be hard pressed to find alternative sources. They can buy (generally at a premium) from "organic" sources, if they can find them (e.g., some Texas grocers offer dairy products from Promised Land of Texas, Horizon Dairy based in Colorado, or Organic Valley, a multi-farmer cooperative with members in ten states). Or they can rely on grocers' assurances that they try to avoid hormone-treated milk, which as Akre and Wilson found in Florida, are no more than loosely monitored and unverifiable promises.

During her recent visit to Austin, Akre did a little additional reporting. She contacted several major Texas grocers about the presence of rBGH-treated milk in their dairy products. At the store level, she found that customer service representatives either didn't know or didn't monitor the products; one insisted, "It's illegal to label so we don't label." But up the line, dairy products managers admitted they have no way of knowing for certain if the milk they buy comes from treated or non-treated cows. Of Texas-based dairies contacted by Akre, only Promised Land (owned by Christian conservative James Leininger of San Antonio) insisted that they tightly monitor their own and contracted dairy herds to make certain rBGH or other hormones are not used.

The story is much the same at the Texas Department of Agriculture. Asked by the *Observer* whether there is any system in place to track milk production for the use of hormones like rBGH, Allen Spelce, a spokesman for the T.D.A. said, "There's no way of testing for that, so we don't." Asked if that meant there is no monitoring of any kind, not even voluntary tracking, Spelce responded, "There isn't any difference, is there? So no, we don't track it." — M.K.

Is This the Year for Nader?

BY DAN HAMBURG

We've reached a point in the history of our species and our planet when the only practical solution may be the radical solution. That's why I'm going to work hard for and cast my votes for Ralph Nader, candidate of the Green Party in the 2000 presidential primaries and general election.

Barring a miracle, Nader won't win. In fact, there's something to the argument that a vote for Nader could help elect George W. Bush. However, the "lesser of two evils" conundrum is much less an issue in the presidential sweepstakes than in any other type of election held in the United States. That's because uniquely, presidential elections are won and lost based on electoral, not popular, votes. Such was the wisdom of the founders.

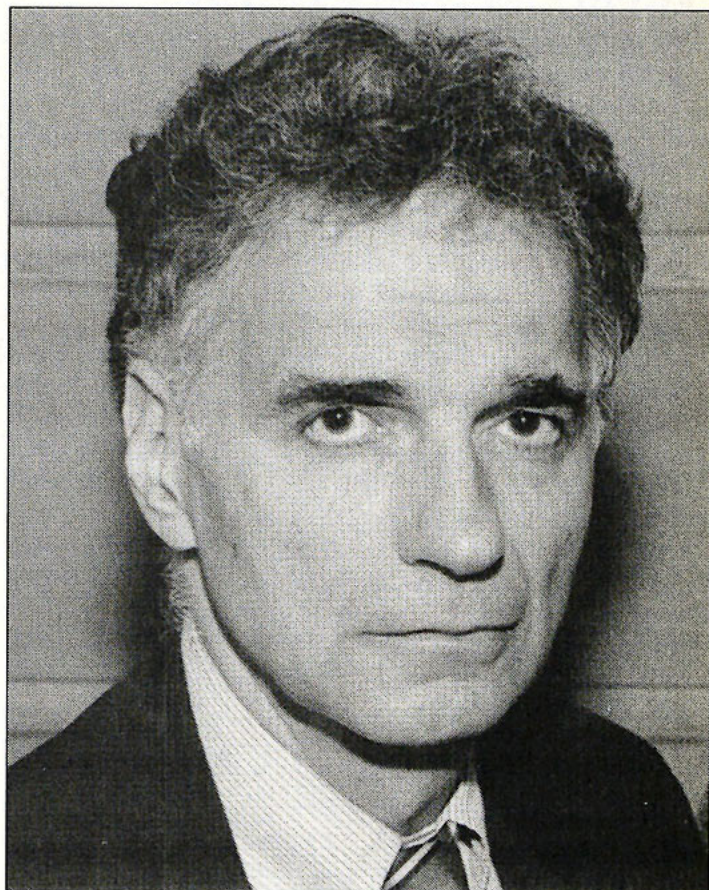
If by election day, it's pretty clear that the Democrat or the Republican has a decided lead in any given state, and therefore will take all the electoral votes from that state, there's really no need to "waste" your vote on a major party candidate. Instead, use the opportunity to vote your conscience. It won't make any difference in the outcome of the election — but it will demonstrate the size (and therefore the potential strength) of that part of the electorate that is truly disgusted with politics as usual and wants a progressive alternative. Recent polling indicates this group to be substantial, but a poll is not an election.

Perhaps the most tangible benefit to be gained from a Nader candidacy would be qualification of the Green Party for federal matching funds in 2004. The Reform Party has \$12 million to work with this year because Ross Perot exceeded the requisite 5 percent threshold in 1996. That's why Pat Buchanan is attempting to market his AmericaFirst! xenophobia under the Reform banner this year. It would be wonderful for the Green Party to actually have a campaign budget to start out with in 2004. Nader can get us there.

PHONY REFORMERS

A stint in the Congress at the beginning of the decade convinced me that throwing our lot in with the so-called reformers of the Democratic Party is nothing but a kind of complacency, or even delusion. What passes for reform Democrat-style is mostly just another way to reconfigure the status quo. For example, consider the vaunted Bill Bradley health plan, a centerpiece of the former senator's "insurgency." The plan, conceived originally by the ultraconservative Heritage Foundation, purports to insure the nearly 50 million Americans who lack coverage. But under closer scrutiny, it becomes clear that the Bradley plan would transfer \$200 billion of tax dollars to the private insurance industry while millions of uninsured would continue to fall through the cracks. Lower-income Americans, promised a choice, would be relegated to using their skimpy government handouts to purchase the same lower standard of care they receive today. The Chicago-based Physicians for a National Health Program has panned the Bradley plan, calling it "the wrong prescription."

Friends of the Earth stepped forward to endorse Bradley some



▲ Ralph Nader

Beverly A. Orr

months ago, citing his superior record on environmental issues. But considering Bradley's silence on the recent events in Seattle, it's hard to believe that F.O.E. had really thought things through. While Bradley's environmental numbers (based on League of Conservation Voters scorecards) are slightly higher than Gore's, New Jersey (the state Bradley represented in the Senate for eighteen years) regularly battles Louisiana and Texas for top spot on the E.P.A.'s annual compilation of toxic emissions. While Bradley often co-sponsored environmentally friendly bills, he rarely took a leadership role. He even backed President Bush's Clean Air Act revisions of 1990, which opened a market in pollution credits, a scheme which greens derisively call "cancer bonds."

When candidate Bill Clinton chose Al Gore as his running mate in 1992, he sealed the deal for many doubting progressives. I remember watching then-Senator Gore debate biotechnology issues,

and I knew of his strong statements on global warming, ozone depletion, and other environmental threats. His book *Earth in the Balance* was considered the most thoughtful book on the environment ever penned by an American politician. "I have come to believe that we must take bold and unequivocal action: we must make the rescue of the environment the central organizing principle for civilization," wrote Gore. A few years into his vice-presidency, the joke was that Gore not only had not written the book, he hadn't even read it. Now seven years later, the Gore environmental record is a sad joke. It seems doubtful that even the strongly Democrat-leaning Sierra Club will endorse him.

Gore has gone along with the administration's destructive policies on forests worldwide, including supporting the so-called global free trade agreement on timber, a recent major bone of contention in Seattle. Gore opposes efforts to end commercial logging on public forestland, despite the fact that these lands provide only a small fraction of national timber production. Gore has repeatedly favored sprawl at the expense of environmental protection, including development in the super-sensitive Everglades National Park in Florida. Gore also promised to keep offshore oil and gas drilling away from the Florida coastline, then failed to do so. Now, seven years later, Gore says he will oppose new offshore leases, a position that puts him in line with such ardent environmentalists as Governor Jeb Bush of Texas and our own Gray Davis of California.

As a candidate in 1992, Gore promised to stop the gigantic hazardous waste incinerator in East Liverpool, Ohio. Today, the project is completed and polluting the community. Despite strong statements in his book, the ozone hole has continued to grow under Clinton-Gore. Gore also broke his commitment to protect wetlands, failed to keep radioactive materials out of commercial products, and remained silent as the environmental protection budget has been slashed over the past seven years.

CHECK THEIR CREDENTIALS

Neither Gore nor Bradley has liberal credentials worth bragging about. Both favor the continuation of obscene military budgets. Bradley's recent comment to the *Des Moines Register* — "I don't want to battle the doctrine till we do the analysis" — is indicative of his reluctance to challenge conventional military thinking. Like Gore, he has avoided any comment on U.S./U.N. sanctions against Iraq, even though it is commonly acknowledged that these sanctions are condemning thousands of Iraqi children monthly to sickness and premature deaths. Nor did Bradley raise a peep about the recent war against Serbia. One might have thought that an eighteen-year veteran of the Senate would complain about the continuing dismemberment of the War Powers Act, under which Congress is supposed to have a say in committing the nation to extended conflict.

To his credit, Bradley was one of only twenty-four senators who opposed the 1996 overhaul of the federal welfare program. Bradley correctly predicted that the "end of welfare as we know it" would end up increasing poverty as we know it. Meanwhile, Gore has basked in the fanciful notion that moving people from welfare to marginal employment without benefits, often without housing, is a step forward for the growing legions of the marginalized in bloated America. Neither man has a plan to deal with the explosion of child

poverty, now afflicting nearly one American child in four. Bradley talks grandly about halving the number of poor children. Come on, Bill, why not go all the way?

THE REPUBLICRATS

Perhaps the less said about the choices on the Republican side the better. George W. Bush, known less than affectionately as "Shrub" in his home state, is living up to his early billing as a kind of "Dan Quayle without the experience." Molly Ivins, a much smarter Texan than the Guv, recently pointed out that a man who claims Jesus Christ as his personal mentor might want to rethink a few of his gubernatorial positions. Would Jesus really have fought to keep 200,000 poor Texas children from getting medical insurance? Vetted a bill that would have assured poor people being held in jail a chance to see a lawyer within twenty days? Discouraged people who qualify for Medicaid from applying for it? Signed more than 100 death warrants, including those of people who were clearly insane or profoundly retarded? You get the point.

And who are these doctors who have given John McCain a clean bill of health? Perhaps they need to be examined! After all, can a man who still expounds that the Vietnam War could have been won had the U.S. sent ground forces into North Vietnam and launched a strategic bombing campaign using B-52s be considered truly sane? As Daniel Ellsberg pointed out about the loquacious McCain, "The fact that he says what he thinks is in his favor. But what he thinks is cockeyed."

McCain supports Star Wars, complains unendingly about the underfunding of the Pentagon, and supports privatization of Social Security, the flat tax, and, of course, the current "lock-'em up" approach to crime. He opposes gun control, abortion, and increasing the minimum wage. He supported every single item in Newt Gingrich's 1994 Contract With America. He voted against protecting homosexuals from job discrimination, and (though he's since reversed his position) voted against making Martin Luther King Jr.'s birthday a national holiday.

McCain, and Bradley, are trying hard to create the illusion that they are "insurgents," running against the system. Both stump for campaign finance reform, particularly in opposition to the "soft money" contributions used by major donors, mostly large corporations, to get around the single contributor and PAC limits currently in effect. Interestingly, campaign finance reform is not polling very high among Americans' major concerns in this election year. Even if it were, neither McCain nor Bradley is a credible standard-bearer. Dollar Bill is a ferocious fund-raiser, having raked in more than \$20 million from a dazzling array of sources led by the financial sector (i.e., Wall Street), Washington lobbyists, e-commerce firms, and drug companies. McCain, who came to national prominence as one of the Keating Five, rakes in millions through his position as chairman of the powerful Senate Commerce Committee. McCain's intervention on behalf of interests with business before the Federal Communications Commission, interests who just happen to make large financial contributions to the senator, has become a national story during the past weeks. Meanwhile, McCain flies the corporate jets, railing against the corruption and corrosion of American politics caused by the "big money" that keep his campaign, at least for the moment, aloft.

WHAT ABOUT RALPH?

Ralph Nader is as different from the four major presidential contenders of 2000 as the above idea of leadership is from our current celebrity-obsessed perspective. While the vast majority of politicians are focus-group- and image-driven, Ralph Nader remains quintessentially, for better or worse, Nader. Ralph Nader believes in the power of people taking control of their lives. He invented the modern concepts of consumer advocacy, citizen activism, and public interest law because he truly believes that if we "do it ourselves" it will have much greater meaning, and longer lasting power, than if even the most benign and enlightened government does it for us. How can a man who has never been elected to any office, never held any position other than the unofficial title of "Public Citizen Number 1" become broadly acknowledged as one of the great Americans of the twentieth century? It is because he, unlike the vast collection of gasbags who ply us with platitudes, honors us with his belief in us.

Nader's stands on the issues of the day grow directly out of his belief in the dignity of the individual. He, alone among the major candidates, stands up unequivocally against child labor and the denial of worker rights, for universal health care, for an end to child poverty in America. He supports public funding of political campaigns, withdrawal from the World Trade Organization, vigorous protection of the environment, an end to the consolidation and monopolization of financial institutions, firm limits on biotechnology and genetic manipulation, slashing the military budget, and halting sanctions against Iraq.

For some, Nader remains a problematic candidate. Working for his campaign in 1996, I experienced a little of the anguish that

comes from working with a candidate who lacks a strong sense of self-promotion. Contemplating another time around, many of us worry about a repeat, a campaign without funds, and worse, without a sufficiently "driven" candidate.

But the Nader of 2000 has absorbed the lessons of '96 and believes the time is ripe for a much more complete effort. He rose to the occasion heroically in Seattle, debating ferociously against the minions of globalization with the same energy he employed to fight the automobile industry three decades ago. Nader has pledged to visit every state at least three times during this campaign. He has pledged to raise funds and to have a campaign structure with paid staff. Nader has promised that this will be a real campaign. What more can we ask? The rest is up to us.

Nader often quotes his father telling him that the United States didn't need a third party so much as it needed a real second party. In truth, we are well down the road of having only the choice between two wings of the business party. The Democrats and Republicans quibble over a range of issues, but the core injustices, inequalities, and stupidities continue or worsen as the years, and decades, roll by. Nader likens the major parties to Tweedledee and Tweedledum, the rival fiddlers who were incapable of stopping their musical feud despite the fact that their tunes were indistinguishable. It's high time to reject them both, and demand a politics that calls forth, in the immortal words of Lincoln, "our better angels." □

Dan Hamburg is a former U.S. congressman from northern California. He was the Green Party candidate for governor of California in 1998 and currently serves as executive director of Voice of the Environment, a San Francisco-based nonprofit.

"Monsanto," from page 15

former employees.") In legal documents, Akre and Wilson call the Lang report "a pretty clear picture of an attempt to make it appear the issue is being fairly and accurately covered while actually avoiding doing so."

Heider is clearly uncomfortable with being perceived as a defender of big corporate power, which he acknowledges has too big a commercial interest in mainstream news. "I think if you frame the story as Fox vs. Jane and Steve, that already puts a spin on the story. But if you think about it as a dispute between two reporters and station managers at a Fox-owned station, that's probably more accurate." Based primarily on his own experience in television news, he is convinced that neither Monsanto nor Fox forced the station to retreat on the story, and that a courtroom is no place to edit journalism. He admits to some sympathy for Akre and Wilson's position, but considers their lawsuit a poor tactic to attack corporate domination of the news. "I do worry about reporters and their ability to deal with tough stories. I don't think there's any doubt about that. But the F.C.C. has not been any great champion of reporters' rights. I question whether this is the way they're going to get those reporters' rights."

In Akre and Wilson's eyes, the lawsuit is not just about their rights as journalists, but about the future of journalism. "Television

is not what it was even ten years ago in this country," Wilson told his Austin audience. "At one time, news was a sacrosanct public service. Now those people are dead and gone.... Big corporations are doing to the news business what they do to every other business. They are in business to make money. Their primary goal is, 'How much money can we make, and how fast can we make it?'"

"News decisions are now based on money. When a story has the potential, as this one did, to prompt a lawsuit that might cost them two or three or four hundred thousand dollars to defend, or to upset the milk producers so they were going to pull all those nice moustache ads, or the grocers, because we were going to point out that they never kept their promises, and they might pull the grocery ads — suddenly, the decision about what we're going to tell you about what's in your milk, is made based on what it's going to cost the station.... 'How are we going to get the most people to watch, charge the advertisers the highest rates we possibly can, keep everybody happy and make money?' This kind of story won't do that. This kind of story will make people mad." □

For more information about the Jane Akre and Wilson lawsuit, consult their website at www.foxBGHsuit.com. Other useful sources include The Campaign to Label Genetically Engineered Foods (www.thecampaign.org), Rachel's Environmental Weekly (www.rachel.org), and the Center for Media & Democracy (www.prwatch.org).

TEXAS BULLETIN BOARD

AUSTIN

MEETINGS

Travis County Greens Campaign 2000 Election Meetings. Sat. 3/18 & 3/25, 10:30 a.m. Green Party Campaign Headquarters, 1817 East Sixth. Our Lady's Family Center. (512) 499-8776.

International Socialist Organization. Wed. 3/22 & 3/29, 7:00 p.m., Friends Meeting House, 31st and Washington Square. (512) 494-0667.

Amnesty International AI500. Wed. 3/22, 7 p.m. First Unitarian Universalist Church, 4700 Grover. (512) 444-2399.

EVENTS

A Question of Genocide: Ward Churchill. Sat. 3/25, 7 p.m. U.T. Campus, the LBJ Auditorium in Sid Richardson Hall (LBJ School). Churchill is a Cherokee, member of A.I.M., professor of American Indian Studies at the U. of Colorado, and a forceful spokesman for indigenous rights. Robert Jensen: (512) 471-1990 or rjensen@uts.cc.utexas.edu.

Stories of the Sanctions: Tragedy in Iraq. Sun. 3/19, 7:30 p.m. Our Lady of Guadalupe Parish Hall at 9th and Lydia and Mon. 3/20, 7-9 p.m. St. Austins Church, Hecker Hall, 20th and Guadalupe. Father Simon Harak, a Jesuit priest devoted to lifting the sanctions, is one of the most powerful voices speaking on behalf of the Iraqi people. Sponsored by Campaign for International Justice. (512) 448-1051.

WTO in Seattle: What Really Happened? Fri. 3/31, 11:30 a.m. Furrs Cafeteria Banquet room, Northcross Mall. Sponsored by A.C.L.U. Central Texas Chapter. Jere Locke will be speaking. (512) 459-5829 or ruthaclu@aol.com.

Texas Hemp Campaign Monthly Vigil. Mon. 3/27, 4:30-6:30p.m. Governor's Mansion, 1010 Lavaca. (512) 441-4099 or <http://www.eden.com/~the>

Bridging Borders. Thurs. 3/30-4/2. Keynote speakers are Nobel Laureate Oscar Arias, former president of Costa Rica; Ela Gandhi, granddaughter of Mahatma Gandhi, member of the post-apartheid South Africa Parliament, and Ms. Shabazz, daughter of Malcolm X and noted speaker and advocate of nonviolent struggle for racial justice and human rights (tentative). Sponsored by COPRED (The Consortium on Peace Research, Education and Development) and P.S.A. (Peace Studies Association). For registration visit www.la.utexas.edu/Austin2000/. (512) 232-6316 or austinpeace2000@hotmail.com.

DALLAS

MEETINGS

Green Party of Denton County. Wed. 3/29, 5 p.m. University of North Texas, GAB Rm. 317. Aaron Dolson: (940) 380-8192.

Green Party of Tarrant County. Sun. 3/19, 2 p.m. First Jefferson Unitarian Universalist Church, 1959 Sandy Lane, Fort Worth. Charlotte Bailey: (817) 595-7451.

Green Party of Dallas County. Sat. 4/1, Noon. Paperbacks Plus, 6115 La Vista. Oscar Gonzalez: (214) 651-8048 ext. 15; or oscar@eaze.net.

HEALTH CARE FOR ALL TEXANS

A conference sponsored by the Department of Family Practice, University of Texas H.S.C. at San Antonio in conjunction with the Texas Ad Hoc Committee to Defend Health Care.

Saturday, March 25 in San Antonio Room 309L, Medical School, University of Texas Health Science Center at San Antonio from 10:30 a.m. to 2:30 p.m.

Co-Chaired by Joshua Freeman, M.D. from U.T.H.S.C.

Remembrance of the Martyrs. Fri. 3/24, 6 p.m. John F. Kennedy Memorial (Commerce, opposite Federal Courts Bldg.). March 24, 1980, Archbishop Oscar Romero was assassinated by graduates of the U.S. Army School of the Americas. March 24, 1989, the Exxon Valdez spilled 14 million gallons of oil into Alaska's Prince William Sound. March 24 also marks the first anniversary of the start of NATO's 78-day bombing campaign of Yugoslavia. Vigil is in remembrance of these events. Sponsored by Dallas Peace Center. Cliff Pearson: (214) 823-7793.

HOUSTON

MEETINGS

Drug Policy Forum of Texas. Mon. 3/20, 7 p.m. First Unitarian Universalist Church, 5200 Fannin, Room 302. (713) 784-3196 or www.mapinc.org/DPFT.

Houstonians Against U.S. Military Involvement. Wed. 3/22, 7 p.m. Olive Branch Meeting Room, 2360 Rice Blvd. (281) 546-7173 or ken-free@hal-pc.org.

The Harris County Green Party. Mon. 3/20, 6:30 p.m. Heights Public Library, 1302 Heights Blvd. (713) 866-6285.

Humanists of Houston. Sat. 3/18, 2:30 p.m. Unitarian Universalist Church, 1504 Wirt Rd. Jimmy Dunne: (281) 584-9707.

SAN ANTONIO

MEETINGS

Fourth Annual César Chávez March Planning. Sat. 3/4, 3/18, 10 a.m. Estela's Restaurant, W. Martin and Trinity. Jaime: (210) 340-8636.

EVENTS

We Are Rapidly Forming Global Villages: What Will Be Women's Place? Mon. 3/20, 7:30 p.m. Marian Hall Ballroom, 4301 Broadway. Dr. Rosalie Bertell of Toronto, internationally known scientist, activist, and author, will be the Distinguished Speaker at the University of the Incarnate Word.

Scholarship Award Ceremony. Tues. 3/21, 7 p.m. Guadalupe Theater. With music, food and fun. Sponsored by the César Chávez March for Justice Scholarship Committee. (210) 340-8636.

Latinas: Contemporary Voices in Literature. Wed. 3/22, 7p.m. Barnes & Noble Bookstore, 12635 I-10 West (De Zavala Rd.). Three acclaimed Latina writers: María Amparo Escandón, author of *Esperanza's Book of Saints*; Carmelita Tropicana, performance artist and author of *I, Carmelita Tropicana*; and Sandra María Esteves, New York-based poet and recipient of the Edgar Allan Poe Literary Award, will be reading from their works. Sponsored by The Association of Hispanic Arts, *Latina* Magazine, Barnes & Noble, and the Guadalupe Cultural Arts Center: (210) 271-3151 or (210) 561-0205.

Fourth Annual César Chávez March. Sat. 3/25, 10 a.m. In front of Guadalupe Church, 1321 El Paso, behind the Guadalupe Cultural Arts Center. Jaime: (210) 340-8636.

TEXAS COALITION TO ABOLISH THE DEATH PENALTY

Dallas Chapter

First General Meeting

Wednesday, March 22, 7 p.m.

Paperback Plus Bookstore 6115 La Vista Dr. (Live Oak and La Vista) 2nd Floor (214) 827-4860.

Annette Spanhel: (214) 953-6223 or aspanhel@yahoo.com
Rick Halperin: (214) 768-3284 or rhalperi@post.cis.smu.edu

S.O.A. NO MORE? *Counterpunch* reports that the Army's current counterattack to the continuing public protests against Fort Benning's School of the Americas (a.k.a. "School of Assassins") is a classic one: change the name. Under draft federal legislation now being circulated in Congress by the U.S. Army lobbyists, "the butchers of tomorrow will learn their skills at the "United States Military Institute for Hemispheric Security Cooperation," or U.S.M.I.H.S.C. Try finding a nasty translation for that one.

According to the February 1-15 *Counterpunch*, the contemplated name change is part of a series of cosmetic measures including more training of law enforcement and civilian personnel, provision for "democratic enhancement training" with courses in "peace operations" and a human rights requirement, expansion of the "Board of Visitors" to include more high-profile supporters, and perhaps moving some of the more objectionable coursework abroad or to less well-known U.S. installations. At the same time, the newsletter reports, the S.O.A.'s Board is hoping to increase the School's funding while publicly discrediting longtime opponents, like Father Roy Bourgeois, as "un-American." For more detail, see the website at www.counterpunch.org.

WHO'S RIGHTER? Although the presidential campaign has stolen most of the headlines this primary season, state pollwatchers have been entertained by the Republican battle for Senate District 3, where three candidates are wrassling for the right to oppose Democrat David Fisher, who is unopposed in the primary. District 3 is the key battleground for control of the Senate, where Republicans hold only a one vote margin (16-15). Incumbent Republican Drew Nixon finally decided to abandon the seat in the wake of his embarrassing Austin arrest (during the 1997 session) for soliciting a prostitute who turned out to be a cop, and illegal gun possession. (Also in play is District 2, where incumbent Democrat David Cain currently remains favored to win in November.)

Of the three Republican candidates, Conroe building contractor Van Brookshire is running a self-funded, low-profile race, but Todd Staples, an incumbent

House member from Palestine, and Woodlands homebuilder Les Tarrance have been happily slinging money (estimated to reach nearly \$500,000 each by primary time) and mud at each other for several weeks. Tarrance (brother of national Republican pollster Lance Tarrance) has accused Staples of being a do-nothing and distant representative, while Staples calls Tarrance a "carpet-bagger" for moving into the district to run for Senate, and a "deadbeat" for failing to pay state franchise taxes for several years.

Both candidates recite predictable right-wing mantras — less government, abortion restrictions, lower taxes — differing only on school vouchers, which Staples supports and Tarrance says he opposes. But by their friends you will know them. Tarrance is backed by former Governor Bill Clements and big Dallas GOP donor Louis Beecherl, with endorsements from the Texas Medical Association, the Texas Association of Builders, and the Texas Municipal Police Officers Association. Staples counts among his supporters several dozen Republican legislators (including Senate colleagues John Carona and Florence Shapiro), the Texas Farm Bureau, and the Texas Association of Realtors. He also touts approval of his House voting record from the state Eagle Forum and the Christian Coalition.

With friends like those, Political Intelligence wonders, who needs principles? Staples still appears to have the inside track, although Tarrance hails from the heavily Republican Woodlands and may make it a race. The question remains whether the loser will bloody the winner badly enough to help Democrat Fisher (who can for the moment stand aside looking noble) in November.

CLOUDS OVER CLEAR LAKE. Seabrook citizens sent an open letter to Governor Bush March 2, asking him to take action against plans by an international joint venture of Elf Atochem and Nippon Shokubai to build an American Acryl acrylic acid plant in Seabrook. According to the letter, the plant, to be built within one to three miles of every home in Seabrook, will emit over 800,000 pounds of toxic and smog-forming chemicals, "roughly the equivalent of adding almost 8,000 cars to Seabrook and Clear Lake." The letter would also include a haz-

ardous waste incinerator, likely to emit PCBs and dioxins into the neighboring air.

The letter points to Elf Atochem's poor environmental record in the Houston area, and argues that the T.N.R.C.C. has allowed the company to evade proper pollution control scrutiny by using planning loopholes and declaring many of the potential hazardous emissions "confidential," despite citizen protests to the Attorney General. Partly because of a rushed permitting process, state administrative judge Mike Rogan was scheduled to make a decision March 3 on three air pollution permits for the plant.

"So time is of the essence," wrote the citizens, "we make a plea for you, Governor Bush, to stop the issuance of the air permits and not allow this foreign-owned plant to be built. We understand that your campaign accepted money from this company, but perhaps you did not know the complete facts that we have discovered, and if you did know how your citizens could be harmed by this foreign-owned chemical company you would of course do the right thing to protect us."

If the Governor or his aides received the letter, it apparently had little effect: Neil Carman of the Sierra Club told Political Intelligence that the administrative judge "slam-dunked" the approval for Elf Atochem, as expected. Perhaps Sam Wyly of Bush's "Republicans for Clean Air" can use the decision as another occasion to explain why the Governor is a true friend of the environment.

IT'S ABOUT THE MONEY. If the money doesn't flow, the wheels don't turn, the vote doesn't get turned out, and candidates go down in flames. John Sharp predicts a well-funded Democratic effort this year. "I've committed to raising my hundred to two hundred [thousand], and a bunch of other people are doing it," he said. Democrats are focusing their cash on a few key House races, plus the all-important Senate District 3 race which will determine who will have a sixteen-to-fifteen advantage in the Senate. According to a report in Ross Ramsey's *Texas Weekly*, Republican Lieutenant Governor Rick Perry is warning lobbyists that he is keeping track of who is siding with David Fisher, the Democratic candidate in this race, and who is supporting the Republican cause. Donors to Fisher

may find it difficult to ply their trade in the next legislative session.

Republicans in all state races will receive a boost from the Governor's presidential campaign, as the best-funded candidate in history floods the airwaves with TV and radio ads. The national Democratic party, meanwhile, is unlikely to spend any money challenging the Governor in Texas (assuming he gets the nomination). But they did get a boost in the form of an assurance from House Minority Leader Dick Gephardt, who has reportedly promised that all Democratic Congressional Campaign Committee money raised in Texas will be spent on Texas races. That means more TV and other advertising in districts where a Democratic Congressman has a contested race, which will boost turnout for all Democratic candidates. It also frees up other Democratic money to go to state-level candidates. As John Sharp observes, even in the disastrous 1998 elections, state-level Democrats candidates did well in districts which also hosted a Congressional contest.

PAINTER VS. WORLD, II. In the mind of Midland County Sheriff Gary Painter, Wyatt Earp still patrols the high plains, Ronald Reagan presides over the White House, the sheriff's word is still the law of the land, the Texas Attorney General is just another lawyer, and the drug war is the only war we've got. As Nate Blakeslee reported ("The Law West of the Pecos," December 10) the prodigious drug warrior's latest project is S.T.A.R. (Sheriffs of Texas Agreed Response), a weekend posse of sheriff's deputies from across the state. Ostensibly conceived as a statewide emergency response team, Painter and his chief deputy Clayton McKinney have been training the group in drug interdiction and tactical (i.e., S.W.A.T.) operations, complete with armored personnel carriers, automatic weapons, fatigues, etc.

S.T.A.R. has become an issue in Painter's campaign for his fifth term as sheriff. Republican primary opponent Mike Hall labeled the operation a waste of taxpayers' money and Midland County deputies' time. He says he will discontinue it if he wins the primary (there is no Democratic candidate). Now County Judge Bill Morrow has requested a ruling from John

Cornyn about the legality of S.T.A.R., asking specifically if (1) the sheriff has the authority to contract with other sheriffs without approval of the commissioners court, and (2) whether S.T.A.R. conflicts with the state's own Emergency Management System. The state's emergency plan, created by statute, "is a pretty complicated system," Morrow told Political Intelligence. Each governmental entity has its prescribed duties and obligations — none of which call for army tanks or armored personnel carriers, Morrow points out. At issue is the county's liability for damage to people or property during a S.T.A.R. operation or training session, several of which have taken place hundreds of miles from Midland. It's the same issue that fueled Painter's battle with an earlier commissioners court, when then-County Judge Bro Seltzer successfully reined in Painter's out-of-county drug operations. The judge has yet to hear from the Attorney General, but Painter and company apparently aren't holding their breath. "If they outlaw the agreement, hell, we don't care," Clayton McKinney told the *Midland Reporter-Telegram*. "It don't change anything." It appears the voters of Midland County will get their say before the A.G. does: the Republican primary is March 14.

GOD'S PROSECUTOR. Ever since he helped put together the Houston "Straight Slate" to punish a mayor and city council members who backed gay and lesbian employment rights, Dr. Steve Hotze has been doing God's work in the Devil's city. The Houston Republican M.D. promotes what he considers a Bible-based political philosophy, and in the March primary is supporting a candidate who defines the extreme right in Harris County politics. Chuck Rosenthal is one of five Republicans in the race to oppose Jim Dougherty, the lone Democrat hoping to replace retiring Harris County District Attorney Johnny Holmes.

Houston Chronicle political reporter Julie Mason described Republican D.A. candidate forums as pretty close to "howling at the moon." Mason took Rosenthal to task for describing the D.A.'s office as insensitive to minorities — then referring to Asians as "Orientals." And while it's hard to imagine anyone with stronger capital punishment convictions than Holmes —

his office leads the nation in capital murder prosecutions — Rosenthal promises to bring a novel twist to the application of the state's death penalty statute. He describes the death penalty as a "biblical proposition," and argues that "government is instituted by God and has the authority to carry out God's law." Rosenthal told the *Chronicle* he realizes that some people have concerns about God in politics. "I understand the squeamishness of it."

GOD'S LOBBYIST FINED. Hotze's Conservative Republicans of Harris County set a record at the Texas Ethics Commission, which levied a \$5,000 fine against the PAC that has a history of attacking moderate Republicans. Two other Hotze PACs, Citizens for Restoration (which advocates New Testament content in public school curriculum) and the Houston Republican Forum were also fined a combined total of \$1,900. Charges include failure to comply with state law requiring full disclosure of the source and use of political funds, and failure to properly label and identify political mailings. Hotze is a major player in Houston Republican politics and at one time his tactics were so divisive that there were two Harris County Republican parties.

One complaint was filed by Betsy Lake, the former Republican Party Chair driven from office by the Hotze Repubs. Hotze's pre-primary mailings make or break county Republican candidates, and one of the fines levied was for a pre-primary mailing that appeared to be a party mailout but listed only PAC endorsements. Hotze also recently went after an incumbent George W. Bush appointee to the bench in Houston, supporting the challenger.

According to *Houston Press* political columnist Tim Fleck, Hotze's snubbing of Judge Martha Hill Jamison, a Democrat-turned-Republican, started a foodfight at a prayer luncheon where Phil Gramm was the keynote speaker. Hotze stiffed another luncheon guest, Republican Judge Sharolyn Wood, who has served on the bench in Houston for eighteen years. Hotze endorsed a mediator, K. Allan Davis, who got the PAC's blessing because he is a devout Baptist. Several contributors called demanding that Conservative Republicans of Harris County return money contributed to sponsor the prayer luncheon. □

Stop the Sabotage by the Fed

The scene for November is nearly set. South Carolina did for George W. Bush what it did for Bob Dole: it sent him onwards, born again at Bob Jones University and wrapped in the Confederate flag. But the New Hampshire verdict, repeated at Michigan, will remain the authentic one. Like Dole, Bush is a weak candidate who will have to be rescued again and again from a popular insurgent by party leaders and the God Squad.

On the Democratic side, Vice President Gore has campaigned effectively since New Hampshire, helped by a press that lost interest in my man Bradley. Gore has emerged as a strong candidate, like him or not. He secured his base early, held on to it, and can now move toward the independent vote, rather than away from it as Bush has been obliged to do.

So supposing it will be Gore and Bush in November, what will the issue be? In the immortal Carvillism, "The Economy, Stupid." Gore will run on the long boom, full employment without inflation, the high stock market, e-commerce and e-wealth. It will be no contest. If the boom holds.

But what if it doesn't?

A sword hangs over Al Gore. It is the interest rate, the instrument of a relentless Federal Reserve campaign against full employment. Since productivity growth is high and inflation is nil, the Fed can barely pretend that it has real reasons for jacking interest rates to the sky. There is no crisis, not even a problem. The Fed has merely decided to end the long boom.

The first victim is the stock market. Rising interest rates have been killing off the blue-chips for months, while actually pumping up the tech sector as speculators doubled their bets. But a bubble squeezed in this way pops all the sooner. The end may be underway now. Crashing stock prices will deflate the "wealth effect" — cutting hard not only at speculators but also at the pensions of the newly retired and the pension funds of millions who hope to retire some day.

Next, high interest rates will hit small business, housing mortgages, and car loans. They will squeeze middle-income families with small portfolios and big debts. Only a few will actually have lost their jobs by November — but that doesn't

matter. With the crunch on and anxieties high, Al Gore will lose the number one pillar of his campaign.

Is the Fed doing this on purpose? Motives cannot be proven. But what matters are effects, not causes. The Fed's actions will not preserve — they will destroy — full employment without inflation. They will also eventually destroy the budget surplus, and the small wage gains and progress made since 1994 in reducing inequalities of pay. They could undo, and in a fairly short time, the entire reputation of the administration of Bill Clinton and Al Gore.

I do not blame Alan Greenspan personally. Like *him* or not, the long boom is his baby; full employment without inflation is his accomplishment. Since Greenspan's own reputation will be destroyed, along with Clinton's, if the economy goes sour, he may well have mixed emotions about what the Fed is doing now.

But Greenspan is only the chair of the Fed's Open Market Committee. And that peculiar decision-making body is heavily influenced by the twelve presidents of the regional Fed Banks, men who are not appointed by Clinton and not accountable to anyone beyond their local, banker-dominated boards. Two of these curious policymakers are veterans of Reagan's Council of Economic Advisers; many others are simple-minded reactionaries who seem to get most of their financial ideas from the country club set. On the Board of Governors, Clinton's three surviving Democrats are political lightweights. Greenspan must therefore manage an F.O.M.C. with an aggressive right-wing majority; he could hardly act otherwise even if he disagreed with them.

Can anything be done? Yes. The key to this situation — to the fate of the long

boom, to the reputation of his Presidency and also to the election — remains in President Clinton's hands. There are two gaping vacancies on the Board of Governors of the Federal Reserve System. Clinton could fill them now — if necessary by recess appointment since one nomination is already sitting under Phil Gramm who shows no sign of moving on it — with independent, pro-growth economists like Jane D'Arista of the Financial Markets Center or Thomas Palley of the AFL-CIO.

A couple of good new people could galvanize the Federal Reserve Board. They could keep the saboteurs in check — and save the country into the bargain. □

James K. Galbraith teaches at the LBJ School of Public Affairs, U.T.—Austin.

"When a nation's young men are conservative, its funeral bell is already rung."

— Henry Ward Beecher

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THE TOUCHSTONE
ALTERNATIVE VIEWS FOR THE BRAZOS RIVER VALLEY



Happy Days!

Zow-eee! Hip, hip hooray! Hot diggity-dog! Zip-a-dee-doo-dah! The "Consumer Confidence Index" was at 144.7 last month!!!!

But ... a hundred forty-four point seven what? And what the hell is this index?

Every month, practically every news outlet dutifully reports this little statistic without asking the six basic questions of journalism: who, what, where, when, why, and ... huh? All we're told is that something called the Conference Board issues the happy stat, that it's derived from a survey of 5,000 U.S. households, and that it measures the confidence we consumers have in the economy.

Despite the official-sounding name, however, the Conference Board is not a government agency or academic institution — it's a service company for brand-name corporations that buy its reports, including Aetna, BankAmerica, Exxon, GE, Merrill Lynch, Sears, Wal-Mart, and Xerox. No consumers, workers, or other broad public interests oversee its work. As one analyst says bluntly, "The purpose of the Conference Board is to promote business, and it is dedicated to good news for business."

Its "survey of 5,000 U.S. households" turns out to be nothing but a multiple-choice questionnaire asking sixteen questions, nine of which are marketing queries, like what brand of refrigerator do you plan to buy, or which airline will you fly on your vacation? The survey is mailed monthly to 5,000 households, but these are not randomly selected from all 100 million households in our country. Instead, names are drawn from a pre-selected, unrepresentative pool of less than one percent of us.

Yet the media unquestioningly uses this hokey index to tell us everything is rosy and consumers are not merely upbeat about the way things are going — they're at 144.7! If you're feeling only about a 120 or maybe a 72.3 — well, there must be something wrong with you, Bucko.

WEALTH MAINTENANCE ORGANIZATIONS

All across America, H.M.O.s have been yanking health-care services out from under the elderly, claiming that the government's Medicare program just isn't paying the companies enough to be profitable.

But hold on. These corporate medical providers actually are quite profitable, with Aetna boasting \$848 million in profits in its last report, and Cigna hauling in \$1.3 billion. Still, if these hot shot H.M.O. C.E.O.s feel they're not racking up enough in profits, why don't they take a look at their own corporate spending policies? I don't mean spending on health care for us patients, but spending on bloated salaries and perks for executives, lavish corporate headquarters, tassel-toed Washington lobbyists trying to stifle patient rights, and other excesses.

When your family feels an economic pinch, do you cut back on basics, or on luxuries? Well, if you're the head honcho of an H.M.O., you cut basic benefits for your customers, while continuing to splurge on yourself. Aetna's top boss, for example, hiked his pay 115 percent to more than \$8 million in 1998, at the same time he was scheming to raise rates and cut services to Medicare patients.

In addition, *USA Today* reports that H.M.O.s are spending a billion dollars a year on such items as luxury skyboxes at sports stadiums, wine for the executive suite, parties, flowers, theater tickets, gift baskets, and other goodies — all charged to us taxpayers under the Medicare program. Overall, these wasteful practitioners of corporatized medicine are spending a third of our health care dollars on their own executive and bureaucratic costs.

We don't have to be stuck with this system. Instead, we could have a single-payer health care system that stops this H.M.O. rip-off. To learn more, contact Physicians for a National Health Program at (312) 554-0382.

SPRINTING TOWARD 1984

The Sprint Corporation picked on the wrong guy when they messed with Burton Caine. He's a professor of Constitutional Law at Temple University, and he knows when his right to privacy is being stomped on. He went to Sprint to get cell-phone ser-

vice from the company. Okay, said the clerk, give me your social security number. Say what?! Why the hell does Sprint need my social security number? It's company policy to get customers' numbers as IDs, was the reply. No, said Caine.

He knows his rights. If you still have your actual social security card, you'll note that it plainly says: "Not to be used for Identification." But Congress never passed enforcing legislation. So, retailers, banks, employers, driver's license agencies, and all sorts of other corporate and governmental entities now routinely demand your personal number — it has become our de facto national ID, the Constitution be damned.

Professor Caine, however, just said no. Okay, said Sprint, but to get cell-phone service, you'll have to give us your passport number and pay a \$120 deposit. Then, something truly 1984ish happened. Sprint informed a credit agency that his credit was no good, and the agency put out a bad report on Caine's financial worthiness, despite him having a sterling credit rating up until the Sprint incident.

In letters to the credit agency, he demanded to see his record. Guess what the agency said? We can't give you a copy of your record unless you tell us your social security number! Kafka, George Orwell, and Joseph Heller combined couldn't have conjured up this twisted plot line. Professor Caine is still raising Constitutional hell with Sprint and the credit agency, but he's also urging us all to demand that Congress stop this promiscuous use of our private social security numbers.

To join this fight for privacy, contact www.aclu.org.

Jim Hightower's radio talk show broadcasts nationwide daily from Austin. His new book, If the Gods Had Meant Us to Vote, They Would Have Given Us Candidates, is now available from HarperCollins. Find him at <www.jimhightower.com>, or e-mail: <info@jimhightower.com>.

Hot Air About Dirty Air

Republicans for Clean Air, a group previously unknown to the Federal Elections Commission or anyone else in politics, is now running an ad in Tuesday's primary states claiming that Governor George W. Bush passed laws that will reduce air pollution in Texas by more than a quarter million tons a year!

The mystery of "Republicans for Clean Air" was solved Friday when The New York Times revealed that Dallas billionaire and Bush pioneer Sam Wyly was fronting the money for this singularly hilarious example of what is called the "sham issue ad." And just the other day I was noting that one loophole in Bush's campaign finance reform is that it doesn't address sham issue ads.

In the ad, Sen. John McCain's face is superimposed on a backdrop of smokestacks belching dark clouds, while a voice-over announces:

"Last year, John McCain voted against solar and renewable energy. That means more use of coal-burning plants that pollute our air. New York Republicans care about clear air. So does Governor Bush. He led one of the first states in America to clamp down on old coal-burning electric power plants. Bush clean-air laws will reduce air pollution more than a quarter million tons a year. That's like taking five million cars off the road. Governor Bush: Leading so each day dawns brighter."

Excuse me, I think I have a banana in my ear.

OK, let's look at the facts. Texas has very dirty air. According to the North American Commission on Environmental Cooperation set up by NAFTA, we pollute more than any other state or Canadian province. According to the Environmental Protection Agency, Texas is Number One in overall toxic releases, recognized carcinogens in the air, suspected carcinogens in the air, developmental toxins in the air, cancer risk and ten other equally depressing categories. This is not Bush's fault. The petrochemical complex on the Texas Gulf Coast, the dirty coal-fired electric plants, and many other happy contributors to our dirty air have been around since Bush was a pup. The question is: What, if anything,

has Bush as governor done about all this?

Our biggest single problem in air pollution is the "grandfathered polluters." When the Lege passed the Texas Clean Air Act in 1971, it exempted 850 heavily polluting plants that were already in existence — in other words, it "grandfathered" them so they didn't have to obey the new law. The exemption was intended to last only a few years, to give the old plants time to crank up to the new standards. But you know the Lege — here we are, twenty-nine years later with around 800 plants (a little attrition there) now producing nearly one-third of all the air pollution in the state. That's 905,669 tons a year out of the total 2.75 million tons from all sources of air pollution in Texas.

Over the years, environmental and public-interest groups worked to increase public awareness of the problem and gradually built enough political momentum to get something done, with help from many newspapers around the state. The Texas Natural Resource Conservation Commission (called "Trainwreck" because of its odd acronym — T.N.R.C.C.) is sort of the state's E.P.A., though no one has ever accused it of being a particularly alert watchdog. In 1997, Bush's three appointees to Trainwreck, none of whom can be described by any stretch of the imagination as an environmentalist, decided that something had to be done. Bush's environmental director warned him that the commissioners were "moving too fast" and might "rashly seek legislation this session."

So Bush asked two oil company executives to outline a voluntary program allowing the grandfathered polluters to decide for themselves how much to cut their pollution. The oil execs summoned a meeting of two dozen industry reps at Exxon offices in Houston and presented them with the program. In a now-famous

memo obtained under the Freedom of Information Act, one executive wrote that "clearly the insiders from oil and gas believe that the governor's office will 'persuade' the T.N.R.C.C. to accept what program is developed between the industry group and the governor's Office."

And they did. And two years later this joke of a program was enacted into law by a bill written by the general counsel for the Texas Chemical Council, who also lobbies for energy and utility companies. The bill was denounced by newspapers across the state. The happy result is that of the 760 grandfathered plants now subject to the Bush voluntary compliance program, seventy-three have signed up to write plans to cut emissions; three have actually cut emissions; and five have permits or enforcement orders. Another 299 are located in non-attainment areas and are therefore ultimately subject to the E.P.A.. That's according to an Environmental Defense Fund analysis of T.N.R.C.C. numbers.

In a separate bill in 1999, sixty-eight of the old grandfathered electric utility plants were cut out from the herd and are now covered separately — a shrewd move made by Democratic Rep. Steve Wolens of Dallas. He exacted pollution standards on the utilities by holding up the bill to deregulate the utilities in committee unless the companies agreed. When they agreed, so did Bush, who later signed Wolens' bill and is apparently claiming credit for it. □

Molly Ivins is a former Observer editor and a columnist for the Fort Worth Star-Telegram. Her new book from Random House, with Observer editor Louis Dubose, is Shrub: The Short and Happy Political Life of George W. Bush. You may write to her via e-mail at <mollyivins@star-telegram.com>.



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BERNARD RAPOPORT

Chairman Emeritus
and Founder

Celebrity Visits the Reform Party...and its Scholars

by Ronald B. Rapoport

One of the great joys of university teaching is the enormous freedom you have to study what you find interesting. Often our work is so driven by our own interests that it seems irrelevant to our family, friends, and even students. Although many professors pretend to be immune to being ignored, in truth we're all like the reluctant debutante — we really would like to be asked.

My dance card has been relatively full of late, though this has not always been the case. For the past twenty years, I have studied political participation, focusing on how parties and candidates mobilize activists and how these activists make decisions about both candidate support and continued political involvement. Having studied party activists for this long, I can count on the fingers of both hands the number of times I have been asked about my research by a journalist. Even when Walt Stone of the University of Colorado and I began studying Ross Perot volunteers in 1992, and continued through 1996, our research successfully escaped the interest of "people who mattered." After 1996, the Reform Party seemed on the decline, and even the little interest that was there during the campaign quickly dissipated.

1999 changed all that. Jesse Ventura, Donald Trump, Pat Buchanan, and Warren Beatty conspired unwittingly to rescue us and our project from irrelevance, the even got us in the *New York Times* and on National Public Radio. Sure, NPR is not the most popular network among the American public. It is followed closely by most academics, however, and getting a call from Elizabeth Arnold and Robert Siegel is an indication one has made it (if only for the proverbial fifteen minutes).

Although the unlikely cast of Reform Party characters has made people at least a little more interested in what I do, it has also made the party the object of significant misunderstanding. Studying the party and its supporters over the past seven years, I have come to see it somewhat differently from many others. (Here comes the commentary.)

First and foremost, to treat the party as a centrist movement is a serious error. Although supporters of the party in both 1992 and 1996 fell between the Democrats and Republicans on a range of traditional liberal-conservative issues (national health insurance, gun control, abortion), on other issues it was more extreme than either. And it was these other issues that defined the Reform Party, and it is these other issues that are most likely to determine its success in 2000.

There are really two sets of issues that distinguish Reform Party supporters: economic nationalism and political reform. Economic nationalism initiatives include limiting immigration, limiting U.S. military involvement abroad, and limiting imports to protect American jobs. NAFTA and the World Trade Organization fit into this category. The political reform issues include term limits, debt reduction (even if it means cutting programs and raising taxes when necessary), campaign finance reform and other reforms of the political process meant to bring it closer to the peo-

ple (such as national referenda and "electronic town halls"). On both sets of issues the Reform Party outflanks Democrats and Republicans alike, and both belie the centrist position of the party.

During the last few months two of the Reform Party's political figures have come to represent these divergent emphases and the tension they occasion within the movement. That Pat Buchanan, economic nationalist, and Jesse Ventura, reformer *par excellence*, are fighting for the soul of the party should not be surprising. Ventura is a free-trader, while Buchanan has only recently emphasized his commitment to the full reform agenda.

Such ideological contests are no strangers to the major parties. Republicans split between libertarians and the Christian right; Democrats between centrists and those on the left. When third parties lack a single agenda (unlike the Socialists or Libertarians) divisions are likely, as in the major parties. Not surprisingly, the one leader of the Reform Party who represents both strains equally well is the party's founder, Ross Perot. If the party has moved away from his leadership, the issue positions remain largely Perot's own.

But 2000 is another year, and a large mobilization of activists into a relatively small third party can change the dynamics and the ideological center of the party.

The main incentive for mobilizing large numbers of individuals into the party in 2000 in order to win the nomination is the money the nominee stands to receive. Since 1976, the two major parties have received money from the federal government to run their fall campaigns. Third parties receiving over 5 percent of the vote in the previous election are also eligible for smaller amounts. This year the Reform Party nomination carries with it about \$13.5 million in federal campaign funds (based on the 8.4 percent the party got in 1996). Although not enough money to run a competitive campaign against the major parties, it is certainly enough to get one's message heard.

Like any cash rich enterprise, the Reform Party is a prime target for a hostile takeover. Even if Pat Buchanan has more in common with the National Taxpayer's Party than the Reform Party, the value of the nominations differ by \$13.5 million. But, mobilizing numbers sufficient for the nomination will take either a loyal organization or a lot of money. Buchanan brings the organization, and Trump brings the money. Who will come out on top, or how much the party in November 2000 will resemble the Reform Party of 1992 and 1996, is anyone's guess. I suspect that at least one of the distinctive issue agendas — economic nationalism or political reform — will carry the day more or less intact, but then again, even if I am right this is probably the last you'll hear from me. I've already had my fifteen minutes of NPR (if not fame).

Ronald B. Rapoport is the John Marshall professor of government at the College of William and Mary. This article first appeared in the College's Alumni Gazette, December 1999.

Rage Against the Machine

BY JOHN ROSS

Tepatepec, Hidalgo

The startling front-page photos of sixty-eight Hidalgo state riot cops held captive in their underwear by enraged townspeople here, after the police had stormed a local Normal School and hauled off hundreds of rebellious teacher trainees, is hard evidence that despite the federal government's February 6 take-back of the national university (UNAM) to break a ten-month-long strike, Mexico's student rebellion is far from over. Instead, it is spreading into the most volatile corners of the land.

Trouble at the Luis Villareal Normal School — better known as “El Mexe” (“spider” in the language of local Nnanhu Indians) — erupted in early January, when the student government “expelled” the school's director for failing to account for state funds, and demanded that Governor Manuel Angel Nuñez provide 200 additional scholarships for poor farm youth who aspire to become teachers. The Governor responded by cutting off food, water, and gas to El Mexe, a boarding school (*internado*). On January 10, Nuñez compounded the crackdown, closing El Mexe and ordering students to enroll at the National Pedagogical University in the state capital of Pachuca. But those who did so (about a third of the student body of 450 young people, mostly women) are reportedly being held as virtual prisoners in a Pachuca dance hall, where authorities keep them isolated from their still-striking classmates and even their families.

Faced with the state's intransigence, the majority of El Mexe's enrollees emulated their contemporaries at the UNAM, hung out the red and black strike flags, and along with their parents, occupied the Normal School. Demonstrations and marches followed. In the past month, nearly a thousand students and teachers have been detained by police — including 700 *normalistas* from neighboring states who traveled to Hidalgo to stage solidarity rallies, and whose “deportation” [*sic*] Nuñez ordered after riot police dislodged them February 18 from the esplanade of the Pachuca government palace. The police were then dispatched to evict strikers from El Mexe.

Breaking down doors in a pre-dawn raid, the cops beat, gassed, and arrested 351

young people before neighbors in the adjoining farm community of Tepatepec could organize to repel the aggression. An angry throng soon marched on the school, taking sixty-eight police officers prisoner, forcing them to disrobe, and parading them two kilometers to the central plaza of the municipal seat of Francisco Madero, where they were submitted to a “public judgment.” (Such public judgments in Hidalgo towns like Huejutla have sometimes led to lynchings.) After many hours of angry accusations, townspeople finally agreed to exchange the nearly naked policemen for the students detained that morning. But eight student leaders remain incommunicado in maximum-security penitentiaries around Hidalgo.

The pattern of escalation at El Mexe bears striking similarities to the denouement at the UNAM. Like fired UNAM rector Francisco Barnes, Governor Nuñez, who took office last fall, promised “excellence in education” but trimmed subsidies destined for El Mexe, radicalizing already frustrated students who eventually called a strike and took over the school. At both the UNAM and the Normal School, state and federal governments controlled by the Institutional Revolutionary Party (PRI) sought to pin the blame for the student revolts on the left-center opposition Party of the Democratic Revolution (PRD) and in both cases, the government eventually resorted to police violence to subdue the strikers and recover the installations. Although authorities insisted that police were unarmed in both instances, parents at El Mexe displayed fifteen automatic weapons that red-faced state officials later conceded had been brought along as “back-up” in

case the confrontation got out of hand. One father of an arrested student who would only identify himself as “El Pueblo” hypothesized that the weapons had been planted at the Normal School to justify terrorism and sabotage charges against strikers (as has been done against arrested UNAM students).

Despite their parallel struggles, there are pronounced distinctions between the UNAM, a sophisticated urban university, the largest and oldest in all of Latin America and universally known as the nation's “maximum house of study,” and the lowly El Mexe, which is at the bottom of the country's educational barrel. Mexico's seventeen surviving rural Normal Schools are remnants of the nation's 1910–1919 revolution — indeed many were established on the grounds of confiscated haciendas. El Mexe was founded in 1926 to combat illiteracy among the landless *campesinos* in whose name the revolution had been fought. The Normalista Movement reached its apogee under President Lázaro Cárdenas (1934–40) when “red brigades” of trainee teachers were sent to rural communities to teach reading to farm families and to spread the gospel of socialist education. Normal School students formed the Mexican Federation of Socialist Campesinos and Students (F.E.C.S.M.) in 1935 — El Mexe's students are still required to be members. At school assemblies, El Mexe students still intone the old Communist hymn, “The Internationale.” The walls are adorned with giant heads of Che Guevara, Lenin, and Stalin. A banner at the entrance way to the campus reads: “Welcome, Comrades: The People Are Disgraced Wherever Young People Do Not

Make the World Tremble.”

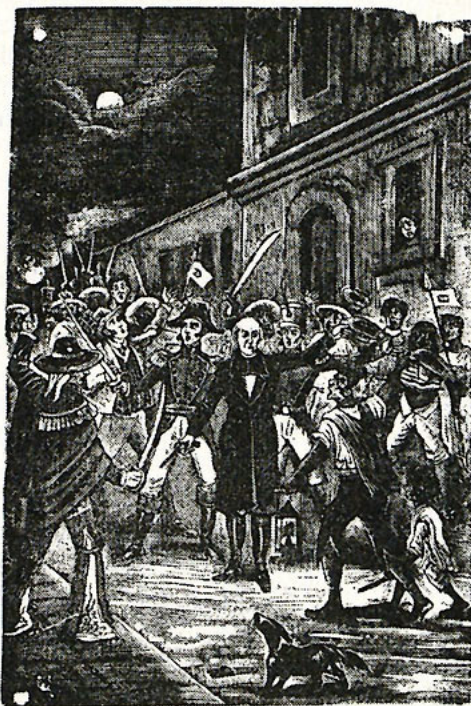
Once labeled “Bolshevik kindergartens” by a governor of Chihuahua, the *normales* remain hotbeds of revolutionary thought, sometimes breeding armed struggle. In 1965 Arturo Gámiz (a Normal School professor) and a band of young rebels attacked an army garrison in Chihuahua, an assault that initiated years of guerrilla struggle all over Mexico. Other prominent Normal School graduates include the Guerrero state *guerrillero* leaders Genaro Vazquez and Lucio Cabañas. Cabañas is a former F.E.C.S.M. director who graduated from El Mexe, and whose Party of the Poor fought a seven-year war against the Mexican government that ended in 1974 with Cabañas’ death. In the aftermath of the 1968 Tlatelolco massacre (over 300 killed) during another UNAM strike, half the nation’s then thirty-five Normales were shuttered, as alleged breeding grounds for subversion, by President Gustavo Díaz Ordaz.

The participation of the campesinos of Tepatepec in the El Mexe confrontation exemplifies the organic connection between farming families, their communities, and the Normal School system, says agrarian economist Luis Hernández Navarro. “The Normal Schools are one of the few ways for the children of poor farmers to advance socially,” Navarro affirms, adding that “the expectation of social mobility [that becoming a teacher implies] is not just an individual act but one which involves the whole family and the community.”

Many prominent politicians, including PRI honchos as well as radical social activists, are El Mexe graduates. Among them is Martiniano González, the P.R.D. municipal president of the town that includes Tepatepec. “The government has been trying to close down the school for years,” he says. Both González and Navarro view efforts to liquidate the Normal Schools as part of the continuing decapitalization of Mexican agriculture, a process that also includes slashes in the guaranteed crop prices, a moratorium on bank credits, and the privatization of the *ejidos* (towns organized as rural communal production units). Once a major corn producing state, Hidalgo now sends tens of thousands of undocumented workers into the U.S. migration stream every year. Indeed, González muses, his municipality is

largely populated by women these days, because so many husbands, fathers, and sons head for *El Norte*.

The diminishing farm population has made the Normal Schools expendable. “It is not cost-effective to train teachers to work in rural schools, where they may have only four or five pupils,” argues Hidalgo’s education secretary Jaime Costeira, himself a Mexe graduate. Similarly, in Oaxaca, a heavily Indian state with twelve Normal Schools in operation, teachers union spokesperson Alberto Guzmán reports edu-



Posada

cation officials are considering closing down the training schools because of a surfeit of primary and pre-school teachers. Despite government claims that Mexico has too many teachers, education at all levels is not flourishing. Only 49 percent of all primary school students go on to secondary schools (compared to 98 percent in the U.S.). Of those who do, most never graduate: according to the Mexican Atlas of Demographics, the dropout rate grew by 600,000 between 1992 and 1997. Despite their precarious situation, the students at El Mexe are part of the elite — only 14 percent of all high school enrollees enter higher education systems, and a minimal 0.46 percent are enrolled in post-graduate studies. Meanwhile, on the ground floor, illiteracy is increasing — the demographic

Atlas lists an increase of 126,000 *analfabéticos* in the five-year period covered. In Chiapas, 53 percent of the state’s 1.4 million *indigenas* cannot read or write.

The hundreds of out-of-state normalistas “deported” by Governor Nuñez are a sign of spreading solidarity, as the tightly-knit F.E.C.S.M. mobilizes to support the beleaguered students of El Mexe. In Oaxaca, 14,000 students and teachers held a 24-hour walkout to protest the crackdown, and Normales in Guerrero, Jalisco, Zacatecas, and Tamaulipas have staged similar protests. The Amilcingo Normal School, near revolutionary martyr Emiliano Zapata’s birthplace in Morelos, is another flashpoint, as state authorities seek to transfer the students and close up the troublesome school. Similarly, normalistas in San Marcos, Zacatecas who recently confronted President Ernesto Zedillo with their demands, had their school temporarily shuttered.

Meanwhile, the strike at the UNAM sputters fitfully around the fringes of the sprawling southern Mexico City campus, as all faculties begin to function at full capacity following the February 6 take-back by the Federal Preventative Police. Nearly 300 members of the General Strike Council (C.G.H.), classified by the courts as “dangers to society,” remain locked down in Mexico City federal penitentiaries. Daily demonstrations demanding the students’ release continue to snarl traffic, but none has come near the proportions of the massive 140,000-strong march three days after the police invaded the UNAM campus.

Out in the provinces, state universities in Guerrero, Michoacán, Sinaloa, and Yucatán have been momentarily shuttered by solidarity strikers. Educational strife is expected to accelerate during the coming months, as rebel primary and secondary school teachers strike for increased wages and benefits in a dozen states, in an annual campaign that culminates May 15, National Teachers’ Day. That will be just six weeks before a presidential election in which the nation’s growing teacher-student revolt is sure to be an issue. □

John Ross, a high school dropout and author of the forthcoming “The War Against Oblivion: Zapatista Chronicles (1994-2000),” reports regularly for the Observer from Mexico.

Sperm

Lately I've been thinking of our sperm
 in their little cases, waiting
 to be called, to bolster
 and bloom like mulberry limbs
 scraping bedroom windows
 in the spring. What would we say to them
 if we could, these harbingers of love,
 these urgent arguments of desire
 who wait inside us gloved
 like old women at garden parties?
The past, we might say,
 something about nostalgia,
 how it makes the present feel bereft,
 how as children we scoured the neighborhood
 for important things: bottle caps,
 tin whistles, charred pieces of wood.
 We built things that our fathers
 tore down, then we kissed
 our mothers on the cheeks.
 This was the way it was done,
 our father's sperm
 becoming our brothers
 and sisters, becoming us.
 One day, they told us, we would
 carry on the family name,
 ingratiating ourselves like the maple trees,
 dispersing our winged seeds
 across the lawn. We would stand
 like our fathers in greasy trousers,
 starting the engines of old Chevys.
 We'd slip off our sunglasses,
 unbutton our shirt collars,
 wink at pretty girls
 on the sides of the road.
 Pulling out of their
 father's driveways, we'd light
 our cigarettes, smile
 and never look back
 as if we weren't even sure
 where we'd come from
 or who might have come from us.

The Eagle Tattoo

Whenever my father hit me
 I could see it
 along his bicep,
 scraping a hooked beak
 down the spine
 of each feather.
 At night it circled our house,
 rapped the fogged windowpanes,
 perching on the red maples
 outside my bedroom
 as I clutched
 my blanket, hoping
 to soothe it
 with soda crackers, seeds
 or bits of tuna
 left along the window ledge. Soon,
 I would lead it inside,
 touch its face,
 stroke its twisted feet,
 the damp clumps
 of feathers separating
 under my fingers
 to expose loose
 veined skin, blue vessels
 glistening like wet roads
 along the ravine,
 winding past the creek
 and away from here.

—BRUCE SNIDER

Bruce Snider was a James A. Michener fellow at the Michener Center for Writers in Austin from 1993 to 1996, where he currently serves as the Graduate Coordinator. A former recipient of the T.S. Eliot Award, he has published poems in journals including *Prairie Schooner*, *Mid-American Review*, *Artful*

Dodge, and *Hayden's Ferry Review*. Snider teaches creative writing in U.T.-Austin's extension program. Both poems here are from a series called "Clarity."

—Naomi Shihab Nye

Theater of Cruelty

Sports and How Not to Play Them

BY ROBERT HEARD

THE JUNCTION BOYS:

How Ten Days in Hell With Bear Bryant Forged a Championship Team.

By Jim Dent.

St. Martin's Press

290 pages. \$24.95.

This is an important book. Not a good one. Important.

I am grateful for the opportunity to illustrate and then to answer the worship of a macho religion, whose messiah is John Wayne. I'll be quick. Many of you are busy and want the short answer. I will quote one paragraph, from page 61. That's all the summary you need. I'll go on and display my wisdom or ignorance — as you choose to view it — but you can stop after that paragraph.

A brief background for the paragraph. In the fall of 1954, A&M football coach Bear Bryant wanted to get away from College Station and do something special, and brutal, to gain the attention of his charges. So he chose for his first drills the small, western Hill Country town of Junction. Bryant picked Junction because he wanted isolation in which to focus his players' attention on football, specifically his brand of football. Supposedly he shunned the press, although young Mickey Herskowitz, then a new sportswriter for the *Houston Post*, was allowed not only to cover the practices but to live in the same Quonset-hut environment (and Herskowitz bent to the will of Bryant on at least one occasion, calling in the coach's "corrections" to a story). For sure, Bryant did not want any mommas or poppas hanging around who might be inclined to stick back on an arm or leg that had been torn off. Bryant's "Junction Bunch" became the foundation of a team that would win the Southwest Conference title in football two years later, in 1956, including in its run the first win over Texas in Austin's Memorial Stadium (34-21).

On the first day, September 1, 1954, a lineman named Henry Clark failed repeat-



▲ Coach Paul "Bear" Bryant, 1954

Cushing Library Archives

edly in a two-on-one blocking drill. Clark's legs wobbled from near exhaustion as he staggered back to his feet. Bryant grabbed Clark's shoulder pads and shouted, "What is your name, son?" Breathing heavily, Clark stuttered his name. Bryant blew his whistle to get the attention of the players. "I want all of you sonsabitches on this practice field to stop and listen up, because this boy tells me his name is H-Henry Clark. Now I want you to see how a fart blossom named H-Henry Clark handles himself." Dent tells us the players could see Clark's legs trembling as Clark dropped into his stance, and

one player, Charles Hall, even questioned the example Bryant prepared to make of Clark: "How can we all stand here while this man abuses our teammate like this?" Another player, Elwood Kettler, told Hall to shut up, "or you'll be next." Clark was again flattened by two blockers. Bryant grabbed Clark, pulled his face close and said, "You ain't worth tits on a boar hog. And you call yourself a Texas Aggie football player." Neither Hall nor Kettler nor any of the other players could have known the degree of barbarism that would follow.

The man with the leather exterior

[Bryant] had rehearsed in his mind this little theater that would teach all of the boys a lesson in toughness. He ripped Henry's helmet from his head and grabbed the back of the boy's head with two meaty hands. "Now I'm gonna show you how to do this goddamn drill." Bryant then butted Henry in the nose with his forehead. He yanked his head forward again and again, bashing his skull into Henry's nose, lips, and eyes. Blood poured down Henry's neck and began to soak his white jersey. Even from forty yards away, players could hear the sickening thud as Bryant's forehead slammed into the boy's face. Finally, Henry fell like a sack of potatoes onto the hard ground.

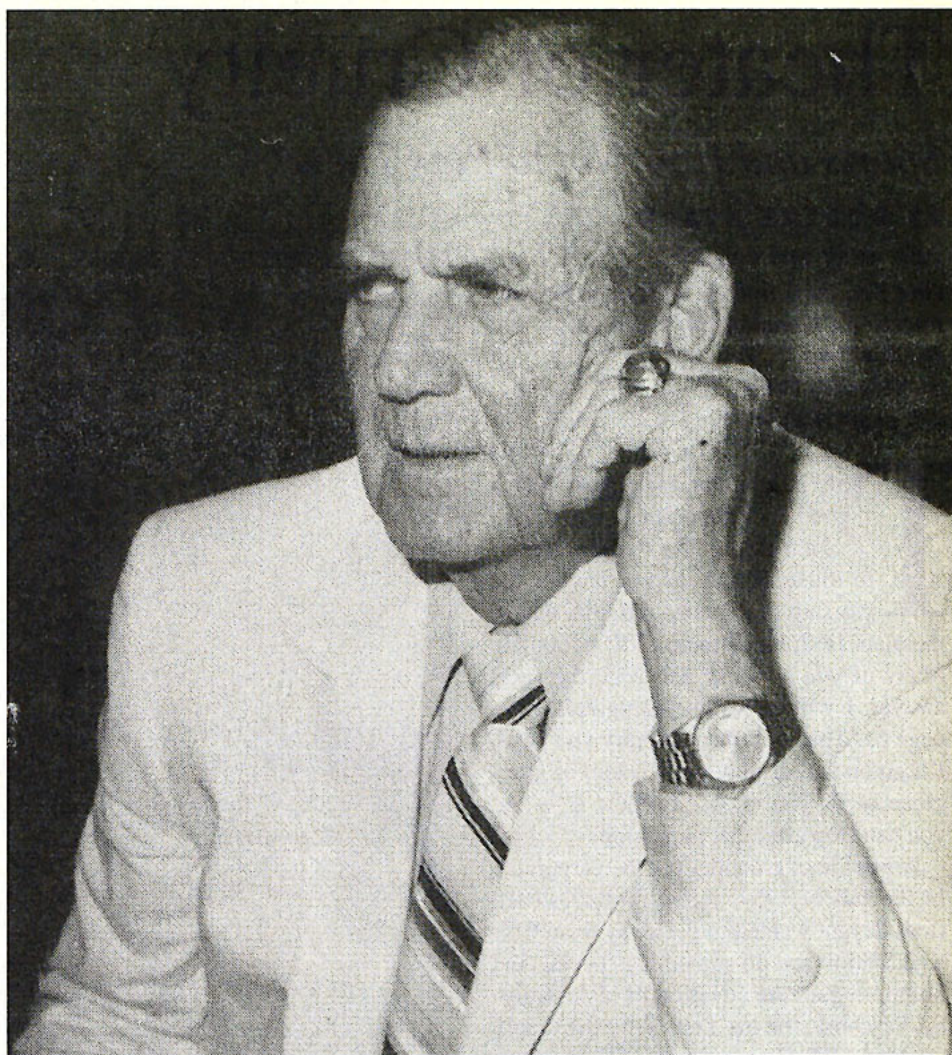
Bryant, with three cuts on his forehead, yelled for trainers to "Get your butts over here and fix this boy's broken nose." A trainer tried to revive Clark by snapping an ammonia capsule under his nose, now pushed an inch to the right. But the capsule couldn't work, because of coagulated blood massed on the player's face. The trainer cleared a breathing passage with a large swath of cotton, then snapped another capsule, which awakened the brutalized young man.

There has never been and will never be justification for Bryant's behavior.

Winning is important, of course. Otherwise why keep score? But to make winning the only thing, and losing the greatest sin, perverts sports. There has to be a loser. Usually it is the less-talented person or team. If you succeed, through Bryant-like brutality, in enabling a team inferior in talent to outscore a more-talented but less-traumatized team, what have you accomplished? Isn't this evolution in reverse?

You will find in this book numerous instances of the poor kids who survived Junction, including players with terrible injuries. Their families could not afford college tuition.

Rather than spend much more time on this book, I want to address issues related to its macho philosophy that I have thought about for many years. But I will say one thing more about how Bryant got some of the better players he recruited to A&M. In his 1974 book, *Bear: The Hard Life and Good Times of Alabama's Coach Bryant* ("co-authored" by John Under-



▲ Coach Bryant, 1979

Don Watson Collection

wood), Bryant admitted, "... that first year was brutal. We could hardly get anybody to come to A&M, and I know some of our alumni went out and paid a few boys." And later: "I'm not sure how many of our boys got something; I guess about four or five did. I didn't know what they got, and I didn't want to know, but they got something because they had other offers and I told my alumni to meet the competition." Ah, the old "Everybody's doing it" alibi.

It turns out, according to Dent's book, that when Bryant first met with five heavy-hitters (named in the book, pages 11–12) among the alumni, he *organized* the cheating. After he won the commitment of money to buy players, Bryant told them: "A couple of years ago, the N.C.A.A. got cute and started an enforcement division.... So I'm asking you boys to keep your mouths shut."

In 1954–57, or even within the decade following, this orchestrated cheating by Bryant himself would have made sensational news, the way it would today if we learned David Broder is a Communist. Time makes folk heroes of bad guys: Jesse and Frank James, Butch Cassidy and the Sundance Kid, John Dillinger, and Al Capone. We even have our most-popular movie stars play some of those guys: Tyrone Power and Henry Fonda, Paul Newman and Robert Redford, Robert DeNiro (and, as fictional Mafia dons: Marlon Brando and Al Pacino). Nearly half a century has passed, so the Aggies, who brag about believing more in morality, mother, country, and apple pie than others, especially those pot-smoking hippies at U.T., now yawn and say Bryant is ancient history.

At one place in *Bear*, Bryant says twenty-seven of 115 players survived Junction. At

another place he says twenty-nine. In the back of *The Junction Boys*, thirty-five are listed. Dent should instead have run a list of the nearly 100 kids with sense enough to walk away from a rattlesnake. Hey, guys, you Aggie "quitters" of 1954, you've waited all this time for someone with sense, humanity, historical perspective, and some knowledge of the game to come to your defense. I just did. You can begin to come out of the woodwork now, just as leather-lunged, side-walled robots do whenever the Aggies start winning big in football.

There are those who naively defend brutality in sports by reference to the awful demands of combat. William Manchester, distinguished author and a Marine veteran of the bloody fighting on Okinawa, wrote once about a visit by John Wayne to the paraplegic ward of a military hospital near the end of World War II. Those men had seen earlier Wayne movies like the later *Sands of Iwo Jima* (1950), as big a piece of bullshit bravado as ever wasted celluloid. Those terribly wounded men booed and catcalled and Bronx-cheered Wayne until he felt it necessary to leave without uttering a word. If Wayne had indeed wanted to bare the breast of his personal bravery, he could have enlisted in World War II (as did many other stars, like Jimmy Stewart, Clark Gable, Tyrone Power, and Jack Lemmon, to name four).

I know something about Iwo Jima. Just last November, I dedicated a Texas Historical Marker for Marine First Lieutenant Jack Lummus of Ennis. On March 8, 1945, Lummus singlehandedly wiped out three Japanese pillboxes on Iwo Jima before stepping on a land mine that inflicted fatal wounds. Lummus won the Congressional Medal of Honor posthumously. There is a huge difference between what the Junction Bunch endured and what combat soldiers go through. Combat soldiers seldom talk about their experiences, except occasionally to each other. Mainly that's because they know they cannot convey to people listening in a living room, who have not experienced combat, how scared shitless mentally healthy people are in combat. Nothing in sports compares with that.

(One additional aside on the fallibility of a smartass, control-freak football god. Bryant recruited Ken Hall of Sugarland, who still holds the all-time career rushing

record for high schools in this country, more than 11,000 yards. Because colleges returned to one-platoon football in the early fifties, Bryant insisted Hall play linebacker. Hall couldn't hack it at that position. Bryant should have lived with it, to gain the incredible offensive talent the boy possessed. He ruined Hall's career.)

Dent does not use footnotes or endnotes, nor even an index, and anyone who would write a nonfiction book without an index ought to be forced to drink a gallon of ink. He speaks in an "Author's Note" of "more than a hundred interviews with persons intimate with the subject." And he cites three biographies of Bryant and refers to five other works, but he stresses mainly "numerous conversations" with Gene Stallings in the eighties, when Stallings served as an assistant coach with the Dallas Cowboys and Dent covered the Cowboys for the *Dallas Times Herald*. But we don't know the source(s), for example, for the paragraph on page 61 that sums up for me the worst of the "win at all costs" coaching philosophy.

A&M, with the Junction Bunch as seniors, ranked Number 1 in the nation before playing Jess Neely's Rice Owls in late 1957. The quiet-spoken and gentlemanly Neely, sick of hearing all the talk about Bryant's "hard-nosed" football, coached a masterpiece and beat Bryant, 7-0. In the next game, the season-ender against the University of Texas and its new coach, Darrell Royal, the Aggies again fell 9-7. Bryant then left to coach at Alabama, where he had played in the thirties. He won four or five (depending on who's counting) national titles at Alabama.

None of those national titles nor anything Bryant accomplished at Texas A&M justified what he did at Junction. Not even close.

Why do we glorify guys like Bryant? What is it in us that wants to boast we can absorb more brutality than the next guy? It makes "men" of us, we say. We prove it by "winning" at sports, when, in reality, all we prove is that we can be more primitive than the next guy. So why don't we give the trophies to the real lions and tigers?

Make no mistake. We do honor those perceived as the toughest-minded. Bryant battled for years with the N.C.A.A., yet toward the end of his life, Bryant's longevity

earned him the respect of his decades-long adversary at the N.C.A.A., executive director Walter Byers. Longevity also is the key to publication of accounts, such as this book, of what really happened in 1954. It's like a brutal fraternity initiation. For years they talked about it among themselves and their closest friends. Henry Clark stayed, and played at A&M. For all I know, he bragged in later years about being the boy Bryant made an example of on that first day. Such pride I would liken to Battered-Wife Syndrome: look how tough my guy is, and how he won't put up with my failure. Now, enough time has passed that they think they can openly boast of being among the select who survived. We ought to identify and honor those who refused to be cowed and brutalized, whose humanity demanded treatment less savage.

It's probably true that George Patton saved more lives by pushing his men beyond what they thought they could endure — to deny the enemy time to concentrate his forces and present a more formidable defense. But who wants to volunteer to be in Patton's spearhead, where casualty rates will be high? And what do you do with a Patton in peacetime, after you've made him a hero and he wants only to keep fighting? We have conflicted emotions about this. Facing an implacable and deadly foe like the Wehrmacht, the Luftwaffe, and the panzer tank divisions of Heinz Guderian or Erwin Rommel of World War II, we want Patton on our side. But we also want him to be able to follow civilian orders and stack arms when the two sides agree to stop fighting.

Reading this book, with its references to visits to the Chicken Ranch in LaGrange and its macho talk of physical exploits, reminds me of a friendly argument I had nearly thirty years ago with Molly Ivins. We each claimed first selection of one line in the 1971 movie, *The Last Picture Show*, as our favorite (maybe we tied). As I recall, a gang of high school students urge a retarded boy to have sex with a local prostitute. Ben Johnson, as Sam the Lion, deplors their cruel antic with these words: "I've been around that trashy behavior all my life."

That's what this book celebrates. □

Robert Heard is the author of eight books, including four on sports. He also served as a Marine officer in Korea in 1952.

Double Dog Dare

The Barthelme Brothers on Losing

BY BETSY BERRY

DOUBLE DOWN:

Reflections on Gambling and Loss.

by Frederick and Steven Barthelme.

Houghton Mifflin.

198 pages. \$24.00.

I know a thing or two about addiction myself. Several years ago I walked through the door of an Austin pool hall to begin research for a screenplay and in a sense I've never walked out. So far I'm not a gambler, as in "action player ... money player ... hustler." So far. But because I've put in some hours, become a pretty fair player, the opportunity is there. I know the rhetoric of the shooter, and use it. The difference between me and the Barthelme brothers, the memoirists of *Double Down*, is a simple matter of money. That is, it takes money to win money, so you've got to have some to put down on the table. For the gambler — in actuality or imagination, no matter what the game — the obsession that becomes the addiction follows a predictable, time-honored pattern.

Recently, in the small world sweepstakes, I met a waitress in one of the billiards parlors I frequent who had come to Austin from a job as a dealer at the Grand Casino in Gulfport, Mississippi. The Grand is one of the gambling "boats" anchored just offshore so as to make gambling legal, suggesting a pirate's venture under a Puritan eye, conducted at sea, at a distance from good Godfearing people who claim their land in His name. On board *The Grand*, floating in brackish brown water you "wouldn't want to fall into," Rick and Steve Barthelme sailed, running up their tattered little flag and going nowhere.

"Sure I know those guys," the waitress said, appraising the picture of the brothers on the dust cover of *Double Down*, where they look about as much like brothers as any two random guys you'd snap on the street. "Professors, you say? Indicted? Didn't hear anything about *that*.... Yeah, yeah. *Those* guys." She jabbed her finger at the



▲ Donald Barthelme, Sr.

From *Double Down*

photograph. "Who'da known they were brothers?" she said, but in an offhand way that could mean she'd dealt them hundreds of blackjack hands or that she'd never seen them before in her life. I chose to believe she had faced the brothers across that semi-circle of bright green felt, watched the hypnotic gazes of these particular gamblers on their cards. Reading their story of loss and then meeting someone who might have played a role in it brought them into my world, as if we shared this dealer (even if now she was wearing a different hat) at our separate night haunts. I felt affectionate towards them, protective almost, as I suspect other readers will — surely a major attraction of this memoir. "What are those Barthelme brothers up to?" my husband would ask, as I was reading.

The draw for parents is free-floating chance, the roll of the dice or spin of the card that is the angel and devil of gambling. Here the brothers were lucky. The Barthelmes had grown up feeling like golden kids; theirs was almost the golden family. They recall often that they loved their Mother best, and throughout the narrative they distinguish her as Mother with a capital "M." (Otherwise curiously unnamed in the memoir, she was Helen, née Bechtold. Likewise Donald Sr., whose name we know only because the brothers refer to their eldest sibling as "Don Jr.," is represented only as "Father.") She was a strong, handsome woman — confirmed here by family photos — and the brothers describe her in loving terms. She was bright, witty, generous, sensitive, kind, the

mother one would order up. Their much older brother (of four boys and a girl) was Donald, famous in the literary world as a glittering stylist and post-modern innovator. The Father, Donald Sr., born in Galveston and educated at the University of Pennsylvania, was a brilliant modern architect who designed the Hall of State building for the 1940 Texas State Fair. But somehow his career never matched his conception of what it should have been. (He designed an avant-garde family home in Houston in 1939, where the boys grew up. Strikingly modern for decades to come, it was always undergoing major renovations and endless tinkering.)

The descriptions of their father, which crop up frequently and in circular fashion, are tightly packed, and the brothers credit both parents for the good and bad things they learned as boys about what they would later term the “sad vacancy of living” — long before that vacancy had been carved out. Their father had an “anarchic arrogance” which he passed on to Rick and Steve, and which probably rendered them helpless to choose a career outside the Academy. Above all he taught them to *feel* without the crass business of *display*:

He tried to allow for the disorder that emotions introduced into every situation, but his allegiance was to thinking, so frequently when Father started thinking, someone's feelings got flattened.

“In our father's view,” they observe, “the great seething life of feelings could be a damn nuisance.” That was *pater Barthelme's* style and unsurprisingly, say the brothers, it became “part of ours, a part that sometimes caused problems because the skepticism made it hard to talk to people who believed stuff.” These passages are intended to explain rather than to blame, as revealed in one of their memorably crafted summary descriptions of the whole family:

[Father] and Mother made of the family and our early lives a lovely old-fashioned movie with snappy dialogue and surprising developments, high drama and low comedy, heroes and villains, wit and beauty and regret. Pretty much everything since then has been anticlimax.

But *Double Down* is not meant as a vehicle for pop-psychology deconstruction, parent-child behavioral



▲ Helen Bechtold Barthelme

From *Double Down*

study, or theory-mongering. It is about gambling, about the brothers' blackjack obsession — “a common card” between them — and their guilt-laden loss of a quarter of a million dollars in a two-year span, much of it from their father's inheritance. The brothers, who teach creative writing at the University of Southern Mississippi in Hattiesburg, write brilliantly of their casino nights and less so of their academic days. There is something about *la vie academe* that brings them down, that makes those sections seem lifeless by comparison, a corduroy jacket with patches contrasted with the kitsch of casino chic. With stylistic verve, they switch seamlessly from third to first person, and everywhere in the gambling sequences is an urgency to the prose, a sense of immediate need. Here is a typical

rendition of the decision to head into the night seventy miles south to where the boats bob at anchor, waiting:

He picks up the phone and calls his friend Mary Robison, a gambling buddy and a colleague at the university.

“We're thinking of going to the coast,” he says.

“We shouldn't,” Mary says.

“Yeah, I know,” he says. “But we are. I'm calling Steve back. We're leaving right away. You want to go?”

“I'll take my car.”

At first, of course, they won. They learn that this is typical gambler-casino practice: “You win something sizeable, and thereafter gambling takes up residence in your imagination. You remember the visit. It's a key to the business — the first time you

walk away with the casino's money." Later the high becomes something else, something they describe as "thrall": "Something new had come into our otherwise quiet lives. Neither of us had any idea how much those first jackpots would eventually cost."

Following the deaths of their mother and father in fairly quick succession, they were left on their own and feeling hopelessly ill-prepared. They had spouses but no children to ease a cold-turkey withdrawal from blood family. They began to gamble with a kind of frenzy that knew no reason, their obsession with detail and nuance running apace:

You've made a big bet, you're holding an eighteen and the dealer is showing an eight, and you think you've pushed, you're safe. Then you think, Unless she has an ace. No sooner have you had the second thought than you know she has the ace. You wish she didn't, but you know she does. And when she flips her down card there it is, the ace. And you lose again. Then you think that you caused her to have the ace by thinking it.

If you look fairly and honestly, you can see the allure, the pull. For all their worth, the brothers' day jobs are flat and two-dimensional. Naturally they would stroll over to the dicier side of the street. There waited Lady Luck, the Mistress of the Bipolar, whom gamblers love and loathe a hundred times in the short flash of an hour. The whole idea of figuring out luck had a stranglehold on the brothers, and for them the way to beat the odds involved nothing detached and mathematical but sheer will: a low-level sense of entitlement they had internalized as children. They subscribed to two principles: the power of "words, adroitly deployed" and the fact that, like their father, they possessed an understanding of how things worked in the world and thus could "tame them."

Though the brothers insist the gambling was less about money than about the thrill of chance, the goal was still to wrestle the casino to the ground, and the way to do that was to take home some of its money. They believed they could win, believed it with a pure, dogged determination. By their candid admission, they were out of their minds — endearingly so. They found in the casino much beyond the action — that key word in the rhetoric of gambling. They found people they likened to a surreal substitute for

family, comrades without complications, pit bosses and dealers the brothers liken to fast-food workers, whom they believe to possess the same respect and loyalty for the casino's money as McDonald's employees might feel towards Ray Kroc. The difference here — with the dealers in particular — is that they are allowed to demonstrate an individual sense of style hard to find in the world of more prosaic jobs.

"It was not that we liked our fellow gamblers, the pit and floor people, the cocktail waitresses," they write. "It was more that we loved them, at a respectable distance, the same distance at which one loves characters in books or on television shows." It is an attraction at once far away and up close: "One forms brief but intense relationships with utter strangers while gambling together, which is as intoxicating and intimate as drinking together, although usually less messy."

Less messy, perhaps. Ultimately, their good-natured, brother-bonding gambling (Rick preferred cards; Steve, the slots), that easy-going camaraderie with casino workers, gets them into trouble of the federal kind. But that's a hand I'm not going to show. To read the book is to believe they are innocent. What Rick and Steve Barthelme are guilty of is naïveté, a Gatsby-like belief in the Shining American Lie that transcendence is for the taking. In a royal flush on a poker machine, Rick saw perfection, something none of his academic colleagues believed in. As gamblers the brothers fell for the promise and redemption of chance and change. "This was their fool's secret," they tell us, observing themselves with perspective, "one they shared with drunks, artists, and children, all of whom they resembled." For the brothers, perched at a blackjack table next to a guy from Boston with a nail bent through his earlobe who is telling jokes from a cheesy lounge act, "it's a battle to believe that life is a dreary chore."

Their guilt resided in the six figures of the loss column, money (their own and that inherited from their cherished mother and father) which they threw into the Grand's gullet first gradually and then suddenly. Besides their love of the night, of the neon and the noise, they embraced the idea of besting the beast of money. All his life their father applied himself to that principle,

thinking "anyone could make a rich and happy life" while "overlooking the fact that it hadn't worked so well for him." His sons, with the hard edge of realism, saw financial solvency, particularly gained the old-fashioned way, as "the tyrant that has been pushing you around your whole life."

In the end, though, perhaps it is just spilt money. "Double down," a gambling call that could equally apply to the fate of the brothers, is the phoenix rising, in equal parts about their own beautiful failure to be more than human, and a loving tribute to their parents, whom they have come to see as beautifully flawed as well. Gamblers like to talk, the brothers point out, and so the telling of their story seems a natural. They are writers whose research was conducted at a big cost, but the lessons learned are probably invaluable.

"Winning is better than losing," they tell us simply, "but neither one is the goal of gambling, which is *playing*. Losing never feels like the worst part of gambling. Quitting often does." Readers should be glad that the brothers didn't fold and that, instead, they turned loss into art. □

Austin writer Betsy Berry is at work on a novel set in France, a project which requires many hours of research in Texas pool halls.

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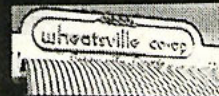
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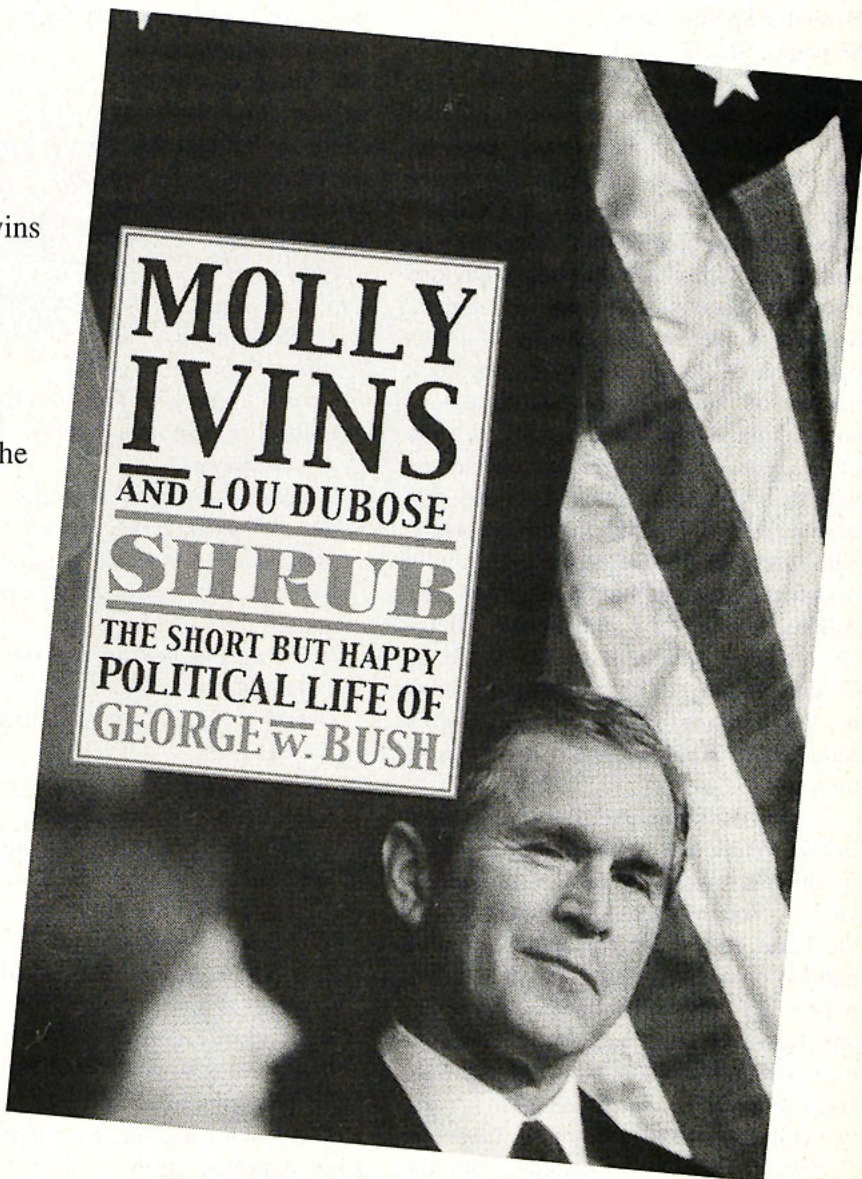
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The Ear Wakes to Listen

William Barney's Fort Worth Verité

BY DAVE OLIPHANT • ILLUSTRATIONS BY CAISSA DOUWES

A COWTOWN CHRONICLE.

By William D. Barney.
 Browder Springs Books.
 85 pages. \$12.95.

Last year, on the occasion of Fort Worth's 150th anniversary, Browder Springs Books of Dallas published William Barney's *A Cowtown Chronicle*, a thin, elongated volume filled with masterful poetry. Divided into three sections — The Arts and Ardors, Some of the People, and The Town — this collection of fifty-seven poems depicts a number of public features and figures of and visitors to Fort Worth, as well as some of the poet's more personal encounters with the sights and sounds of the city that have inspired his writing (as has his pianist wife Mary) for over six decades. Tastefully designed by the graphics studio of Margie Adkins, edited by poet-critic Betsy Colquitt, and with separate forewords by Colquitt and Joyce Gibson Roach, the book is a fitting tribute to Cowtown and a worthy sampling of Barney's poetry from across the years.

Born in Tulsa in 1916, Barney has lived in Fort Worth since 1928, employed there for thirty-five years by the U.S. Postal Service. Although active intermittently with the Texas Poetry Society, Barney in large part has practiced his art in private and has remained a rather self-effacing man of letters. However, his talents have been recognized within and without the state and were honored as early as the fifties when his first two collections, *Kneel From the Stone* and *Permitted Proof*, won awards from the Texas Institute of Letters. In 1962 Barney received the Robert Frost Award from the Poetry Society of America for his poem "The Killdeer Crying," with Frost himself making the presentation. In 1977 I had the privilege of publishing Barney's *Selected Poems* through my own Prickly Pear Press, with a second, expanded edition printed in 1983. In 1993 the University of North

Texas Press issued *Words from a Wide Land*, a compilation of entries from Barney's notebooks, one entry for each of 365 days taken from various years in each decade from the thirties through the eighties. Here is an entry from July 2, 1971:

*I like to sit
 watching
 Bermuda grass
 spring back into
 place where my foot has crushed it.
 Blade by blade, stem by stem, like
 clockwork,
 it regains its original condition.
 Being stepped on interlocks it
 into a three-dimensional jigsaw mix
 which it has to solve, piece by piece;
 a blade must give way here
 before the one beneath can click
 into place.
 Over the width of a shoe motions
 take turns,
 now at this side, now another yonder.
 It is a picture of resurgence,
 of life fighting back after taking a blow.
 Watched long enough, the grass
 will return
 to its fullest deployment.
 The cost of observing this heroic
 struggle
 is practically nothing.*

Other collections of Barney's poems, and a gathering of his observations on poetry and nature (*A Little Kiss of the Nettle*), have appeared from small presses like Counterpoint and Thorp Springs, and his work has been often anthologized, most notably in 1969 by Betsy Colquitt in her *A Part of Space: Ten Texas Writers*, from T.C.U. Press.

A Cowtown Chronicle is fully representative of Barney's keen eye for detail and his ability to make connections between the natural world and the activities of hu-

mankind. In "Mr. Watts and the Whirlwind," Barney wonders if a phenomenon like the tornado that touched down outside an auditorium might have been jealous of pianist André Watts as his "hands ... delicately touched Scarlatti" and later produced a "perfect storm" when he "cleanly and powerfully



... smote the stays / and timbers of the Steinway / until it moaned with joy." Similarly, "Rider and Sea" parallels the movement of longhorn steers and a lightning storm. The "lone rider" is "frozen in a sea of bronze," a sculptured "tempest of horns ... lashed into turbulence," twisting "lank flesh till it screams," "great heads" flashing "as if lightning / set fire to bone." Like Frederic Remington (whose work is on permanent display at Fort Worth's Amon Carter Museum), Barney also "works to paint crisis in the air," or like the birds in "The Cranes at Muleshoe" (from his *Selected Poems*), which "struggle to make order where they rise / in staggered thousands gabbling," trying "again a drift toward design, / scrawling their trail of loud calligraphy / on vacant sky. With no more skill than men / can they arrange a right society, / resolve their noisy dithering..."

A quieter, reflective side to Barney's art is found in a "A Few Leaves from Lindheimer," which derives from his visit to the nearby Botanic Research Institute of Texas. For Barney, the relationship between man and nature is one in which the former seeks to discover in the latter "a brooding knowledge waiting to unfold." Lindheimer, the German naturalist of the 1850s who named so many Hill Country plants, came to Texas originally as "a hot-head meaning to fight" in the revolution but "arrived too late," and subsequently became a "friend of Comanches, who in awe

/ watched as he gathered medicine. / A man with a cart and a trained eye, / wandering in hardship and in joy / for a work of love." It is clear that Barney identifies closely with Lindheimer as an observer of nature, especially of birds, their habits and habitats. Barney also has spent much time at the Fort Worth Nature Center and Refuge.

In "The First Cliff Swallow of April" the poet recalls a day in the thirties, when he and his father walked to a bridge under which returning swallows constructed their nests. The birds still return, and the poem once again makes a meaningful connection with the natural world, this time to himself: "I've lived most of my life in this place, / as much a sanctuary as any could ask, / a place to dream of fabulous voyage, / a port to come back to after flight." In "The Ginkgoes at the Water Garden," Barney imagines that the trees native to China must feel as "strangers in this land, / they not of this epoch; / always they hear the mountain streams, / the howling monkeys, the rustling bamboo / muffling the traffic's grind." Like Keats, Barney is a poet of "negative capability," able to enter imaginatively into everything he sees, becoming the plant, creature, or thing he observes so faithfully and so feelingly.

Barney's "chronicle" of Fort Worth includes myriad aspects of his home town: the stockyards and slaughterhouse, where "the deed was done / turning live beast into food"; airplane factories, whose "great gray planes" went "clambering the stair / upward to flight," mumbling "in the dark of a grim dread"; and the site of the Van Cliburn piano competitions, where the poet listens in awe of "the chemistry, whatever bond can be / that ties together

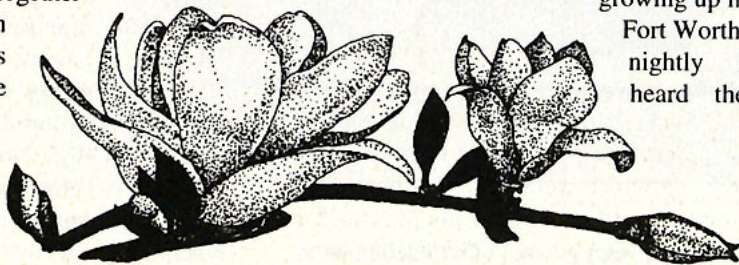
finger and brain / in instantaneous prodigy." And there is the state's principal livestock exhibition and rodeo, where "boys grooming the fat steers ...

fondling the hair / dread what is coming; / even in the moment of pride they tremble, / knowing that boys have to be men, that steers, inevitably, make meat," and where "the bull has no sense of humor; / he is not in

a mood to be messed with / by one more two-legged tormentor." Barney also portrays the city as once the destination of the trail drive, whose "herd moved and bawled ... a music dark, part rage, part fear; / body to lumbering body called"; as now the home of the renowned Kimbell Art Museum, where a wine vessel from "buried centuries" was "flawlessly wrought ... in the timeless metal of a mind / and hand ... an age / when out of nothingness came sudden design"; and as the land of the sawtooth daisy, whose leaves and "upright stance" the poet much admires, "standing golden in loose sheaves ... garish tops, giddy in the summer wind." Captured in this Fort Worth cross-section is the city's past of violence and death, and the ongoing remaking of its image into that of art collector and music promoter. Barney often brings these two facets together, as in "The Drovers," which combines the bawling of cows and the cries of the killdeer he "drives" before him like cattle in his walks across the fields, for he is "a listener with cool ear" who knows "a raw harmony in [his] head" and recreates it on the page from having leaned "close to hear / the resonance of [the killdeer's] quaverings."

There are many poems in *A Cowtown Chronicle* deserving of notice; my personal favorite is "Once the Ear Wakes to Listen," which contains some of the finest examples of the poet's sensitivity to his surroundings, and his care in rendering them vividly through his metered diction. As a boy

growing up in Fort Worth, nightly I heard the



trains passing or shunting on parallel sets of rails; Barney evokes this aural image, which I always associate with my native city. At the same time, this poem catalogs many other sounds typical of the place, and

then brings the piece to a subtle, touching close, uniting most intimately the world outside the poet's home with the human warmth and affection inside. This poem exemplifies the artistry of William Barney, whose work for much of the past century

has brought together the best of both worlds, that of nature and the environment, and that of humankind's senses and intellectual endowments.

Once the ear wakes to listen, night fills with a thousand sayings: the grumbling tom-tom of the diesel growling rail yards; the calculated crash of freight cars; whine and wheel of gears of semi's pushing through the city; three kinds of siren in their unique screaming moving from near to far and disappearing; a mockingbird ecstatically mad in the drench of moonlight; the bubbling flute of a screech owl in the midnight dark; somewhere a baby crying; unintelligible voices; a jet faint as a buzzing fly overhead; cars passing on the street, for unknown reasons; the creak of ties on a railroad bridge and the horn of the Amtrak; dogs, always dogs, practicing anger; cats in their agony of sex; stairs creaking, adjusting their wooden teeth; a wind chime like ice clinking; a fan exhaling, a radio thumping. Her soft breath on the pillow; this too a solemn cadence, almost undetectable, somewhere in the bedding, a heart beating. □

Austin poet Dave Oliphant is the publisher of Prickly Pear Press. His most recent book is *Figures of Speech*, a volume of translations of the poetry of Chilean poet Enrique Lihn.

“It’s Auction Time!”

BY BILL ADLER

Lajitas

Boy howdy, is it. We’re inside the Badlands Saloon in this no-horse town, here where the end of the earth meets the Rio Grande in a stormcloud of dust and a cavalcade of Suburbans. Outside, a stone’s throw from the shaded patio with the Tex-Mex buffet and mariachis (“Make this one upbeat boys — Upbeat”) is Lajitas International Airport, a bacon-sized strip of land so lousy with *execujets* and helicopters it could be an S&L repo lot, circa 1986.

But these high-fliers are different. They’re dot-commers and global gunslingers come to duel for the soul of a soulless town. Lajitas, a “full-service resort, complete with motels, hotels, condos and cabins, restaurants, golf course, retail stores,” is the creation of Houston developer Walter Mischer, now seventy-seven and in failing health. His weak ticker and recent bout with prostate cancer, along with a string of annual losses on the place, convinced him the time was right to sell.

So here we’re gathered: a rental car fleet of auction-house employees, perhaps a dozen in all, crisp, clean, white, identically clad: blue blazers, khaki pants, stars-and-stripes neckties. Then there’s a covey of reporters flocked near the open bar; an assortment of sunbaked locals; and seated around a small cocktail table in the middle of the barroom is Founding Father Mischer, in Stetson and starched pale blue shirt, surrounded by a phalanx of family members. Scattered around the barroom, too, are Mischer’s seven suitors. No riff-raff among them: each bidder has anted up \$100,000 earnest money.

“Sell, sell, sell! That’s what we do, folks.



Dimitri Gerasimou

That’s why we’re here!” Our auctioneer is T. Eddie Haynes, an agreeable Oklahoman with a televangelist’s silver pompadour and tongue. On the wall behind Eddie are a dozen or so Big Bend ranch brands; to his left, on the side wall closer to the bar, is an over-the-top oil portrait of a reclining nude. Once Eddie warms up his pipes with a few

stale after-dinner jokes, he describes the properties up for grabs. In addition to the town proper, there are two other lots: one parcel of 7,770 acres and the other of 12,823 acres. But it is the town itself that has attracted these would-be desert magnates, these Lawrences of Lajitas; the undeveloped acreage is for tax accountants and scorpions.

A preliminary round of separate bidding for each of the three lots serves mainly to I.D. the players, to offer Mischer, who’s retained the right to yank his fiefdom off the block if no serious bid emerges, a chance to see who’s hat and who’s cattle. All three lots go — for a total of \$2.82 million — to Bidder No. 124, a mystery man in black polo shirt, a portly, ruddy-faced stranger. No one in the room save his two flunkies seems to know him. He swooped in by helicopter at High Noon, just two hours before Eddie Haynes commenced the proceedings.

When the gavel comes down on the last of the first-round bids, reporters are intent on remedying the preliminary winner’s anonymity. We learn he is Stephen R. Smith, a 55-year-old Austin zillionaire who made his fortune when Excel Communications, the company he helped found, went public in 1996. We also learn he grew up in

El Paso, had seen Lajitas once years ago, but hadn't been back until deciding on a whim that what he really wanted to do today was buy a town.

But Steve Smith can not yet declare himself the Law West of Terlingua. Still to come, following a ten-minute mariachi interlude, was the "combinations" phase of the auction, which would allow any and all bidders the opportunity to make offers on all three parcels. One ne'er-do-well, Mr. 905, offered a paltry \$660,000 before retreating into silence. Then things got interesting, as the previously mute Mr. 151 tossed his hat in the ring from the back of the room. Egged on most efficaciously by Eddie Haynes and his Stepford Husband minions scattered around the room ("Tomorrow's too late," yells one; "It's only money," pipes up another) the two survivors quickly escalate the price to more than \$3.5 million. Back and forth it goes, Mr. 151 raising it by \$25,000 or \$50,000 and Mr. 124, a.k.a. Steve Smith, calling him.

When Mr. 151 bids \$3.8 million, it appears he might have it. Eddie Haynes pleads for another \$50,000 in the pot, but

Steve Smith seems to have had enough. Then Haynes reaches into his bag of tricks: he bangs his gavel once — twice. No peep from Smith. A beat passes. Another. Still no peep. Haynes: "Let's take a five-minute break and bring the boys back in for another number." During the cooling-off period, word surfaces that Mr. 151 is a San Francisco-based hotelier named Manou Mobedshahi. He is guzzling bottled water and attempting to wring his hands from his wrists, but otherwise appears poised to consummate the deal. When play resumes, however, Smith finds his nerve anew. Back and forth the bidding goes. Smith offers \$3.9 million. Mobedshahi tosses another \$25,000 in the pot; Smith matches him. Finally, at the thin-air price of \$3.95 million, Manou Mobedshahi folds. He stands up, walks across the crowded saloon to his opponent, and concedes the battle with a handshake. "It's yours. Do justice to it," he tells Smith. "It's a fantastic property." Mobedshahi returns to his table, where he accepts condolences. "All right," says Eddie Haynes, regaining the floor and sounding the end of era in the neo-Old

West. "We're going once, *three million nine hundred and fifty thousand dollars*. Do I hear any increase?" Hearing none, and none again on the second and third calls, Eddie Haynes brings down the gavel. "Ladies and gentlemen," he says, looking directly at a beaming Walter Mischer, "we have sold the property." □

Bill Adler, the Observer's Big Bend Bureau Chief, spends valuable reporting time contemplating desert sunsets, small reptiles, and minor league baseball.

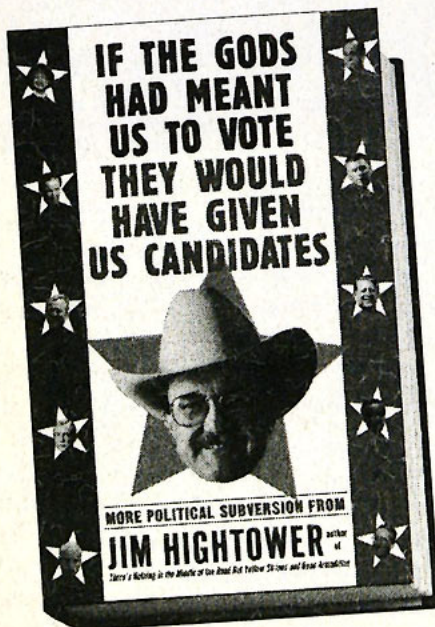
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**"Some say we need a third party.
 I wish we had a second one."**

More political subversion from

JIM HIGHTOWER

"No nominee should be allowed loose at a fundraiser until he has promised that when he takes the oath next January his hand will be on this book!"

—Bill Moyers

TAKE BACK YOUR VOTE

Urban Bushman

BY ARAM SAROYAN

I heard George W. Bush talking about children going hungry in Texas, a million children. He said, "If a million kids were going hungry in Texas, wouldn't I know about it?" So I wrote this rap song — because I know George is a party guy, and I thought maybe this was the way to get the word out to him.

Fresh Out — a rap song

I got home one day
And the house was dark
I looked in the garage
And my Mom's car
Wasn't parked
Where it usually is
I was ready to cruise
But there wasn't any food
I wanted to kick it
With Ricky and Jack
But where was my snack

Fresh out
Fresh out
Fresh out
Fresh out fresh out fresh out
Fresh out fresh out fresh out
My Mom was fresh out of tuna

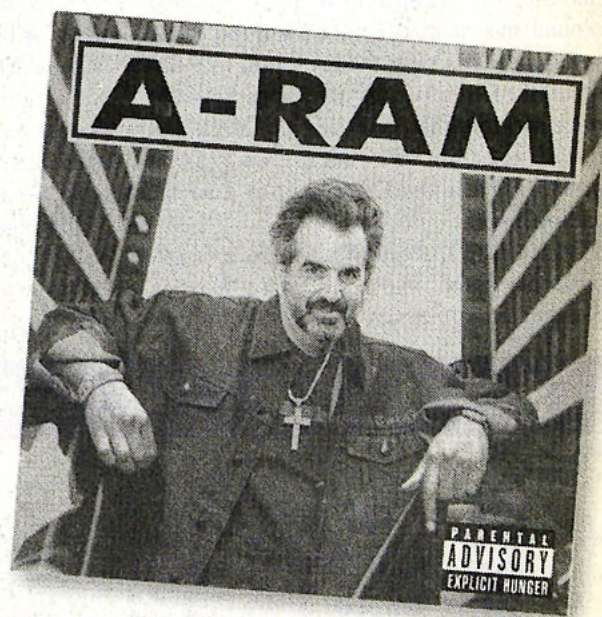
On the street where I live
I thought I knew who might know
Our neighbor Mr. Troy
Is about a thousand years old
I found him in his garage
Fixing another kid's bike
Did he know where my mom was
I told him she was gone
He stood up real slow
"No, I don't," he said,
"But no need to feel alone"

Fresh out
Fresh out
Fresh out
Fresh out fresh out fresh out
Fresh out fresh out fresh out
My Mom was fresh out of tuna

Algebra problems
And *Of Mice and Men*
How do I figure out which
College to send
An application to
If the market keeps rising
But nobody's got any dough
There aren't many places
I can actually go
But every night
I'm supposed to hit my books
Is it some kind of wonder
I'm a little bit shook

Fresh out
Fresh out
Fresh out
Fresh out fresh out fresh out
Fresh out fresh out fresh out
My Mom was fresh out of tuna

Well George W.
Wants to be Pres
But Dad says he throws
Moms and kids
Down the same old
Republican sieve



Calling entitlements
The problem
Not the Pentagon
I'd show him an Ollie
But this is serious shit
Moms gone at jobs
And kids eating grits

Fresh out
Fresh out
Fresh out
Fresh out fresh out fresh out
Fresh out fresh out fresh out
My Mom was fresh out of tuna

Aram Saroyan's most recent book is *Day and Night: Bolinas Poems* (Black Sparrow Press). "Starting Out in the Sixties," his selected essays, will be published by Talisman House in November. Saroyan performed "Fresh Out" at the San Antonio Inter-American Bookfair & Literary Festival in February.