

OBSERVER

A Journal of Free Voices

A Window to the South

September 4, 1970

25¢



Lee
Otis
Johnson
in
prison

(Please see page 2)

Drawing by Bill Ames

Lee Otis . . .

*Blackbird singing in the dead of night
Take these broken wings and learn to fly
All your life
You were only waiting for this moment to arise.*
—Lennon/McCartney

By Michael V. Adams

Tennessee Colony

East Texas has the feel of Mississippi. The land is flat and red in places. The small towns are rusting to death. Ramshackle dwellings stand at half-collapse, and black farm workers bend over the soil. The air is not fetid or musky. But when a waft finds its way up one's unanticipating left nostril, the experience is like breathing a breath that must have been breathed on that same spot a hundred years ago. It is air that hangs in space. The traveler cannot take it with him. And when he has been gone too long from the area, he forgets the air, the red land, the rusty towns, and the weathered shacks. It is not so easy to forget the black field hands, for East Texas has a racist reputation as old and permanent as its air. And a reputation is portable by its very nature. So is racism. So is a black man.

In a roundabout way, that was how I found myself driving toward Palestine — Texas's parody of a New Jerusalem in the East. An extremely portable black man had been transferred near there from a Houston-area prison. I was on my way to see him.

Two hours of uneventful driving had passed when suddenly, in a field to the right, I saw several birds swooping in lazy circles over some poor animal carcass. They were black birds, vulture-like in their patience. It was as if they knew the bone-picking would come in due time. Three more times before reaching the prison I saw black birds dipping and diving slowly from similar circles. A coincidence? A welcoming committee?

IT HAD TAKEN three weeks to set the interview. And even as my car neared the prison gate, I was half-expecting some unforeseen development to force a new delay. Already my request to see the black prisoner had been denied, granted, denied, granted, postponed and reset by various wardens and officials.

Mr. Adams is a graduate student in American Civilization at UT-Austin. He did his undergraduate work at Texas Christian University, where he was editor of the student newspaper.

As if on cue, a 50-year-old man in gray uniform with blue lapels and cuffs halted me at the prison entrance. His squinting gray eyes looked over the car's backseat. Any guns or liquor? he asked. No, only an interview, I said. He motioned me forward. A hundred yards down the road a second guard — this one perched in a tower — asked more questions, via a loud speaker device like those used at some hamburger drive-ins. He added cameras and narcotics to the other guard's list of prohibitions. Then he pointed to the warden's office, inside the high wire fence.

L. G. Bounds looked not a bit like the Cool-Hand-Luke kind of warden. He wore a modest suit with a modest tie. He could have passed for a country preacher. Actually, he said, he was a former teacher, coach and soldier who got "conned" into becoming a warden. The pun was unintentional and it went unacknowledged. He spoke carefully about his job:

"My only concern is to get the inmates out and back into society. Getting them to work and behave is no problem. I don't worry about that. I just worry that they'll leave and come back.

"A prisoner can come in here unskilled, and if he takes advantage of what we provide, he can learn how to work in construction, sheet metal, electronics, sewer treatment, food service, janitorial work, or farming. Why, he can even become a doctor, a lawyer, a chaplain or a teacher if he takes advantage of our educational services. He can get a high school equivalency diploma — even take college courses from professors who visit.

"We let the prisoners attend our school here one day a week for six hours. Some inmates who came in illiterate just took 90 days to progress to the third or fourth grade level. They can write letters and read newspapers now. We have every kind of vocational education and job that you can find on the main street of Houston. We do everything ourselves. And if the inmates just get motivated they can get a skill and go back into society. It's motivation that's our problem, because so many of them are

so bitter when they come here. They don't take advantage of their opportunities on the outside, and in this restricted atmosphere they don't see any reason to take advantage of them here."

BOUNDS SIPPED thoughtfully at the edge of his coffee cup and then pointed to a picture on the wall.

He said, "That's an artist's impression of the new prison we're building now. It'll hold 2,000 inmates instead of the 500 we have now. It'll be the best prison in the world — open courtyards, no heavy saw-proof bars, lots of glass and individual cells for the prisoners. It would cost \$90 million to build on the outside, but it'll only cost us about \$9 million, I think — now, I wouldn't want to be quoted on that because I'm not sure on the figures, but it's something like that. It'll be the finest prison in the world."

He smiled now, more at ease than at first. He smiled especially when he looked at the architect's watercolor prison. Then he spoke again:

"I want to apologize if I sounded a little harsh when I said I wouldn't let you have the interview. I've never had anyone phone and ask to interview an inmate before. We've had writers out here to do stories on the prison. And we have an open policy about the press — you know, this is a public institution and all that. So when Dr. Beto [the head of Texas' Department of Corrections] told me he was granting the interview over my objection, I naturally had to agree." [Dr. George Beto was none to happy to grant the interview. He told an *Observer* editor that the press is "using" Lee Otis and that Lee Otis is "beginning to resent it." Beto said that personally he could see no reason why a reporter would want to interview Johnson.]

"Of course," Bounds went on to say, "if it was my decision I still wouldn't let you see the inmate. I don't believe in subjecting the prisoners to any influences that might keep them from fitting back into society. I just don't want these social misfits — and that's what they are, or else they wouldn't be here — to end up here again after they're released. You know, they have to learn to follow the rules of the ball game, and I don't want them influenced any way that might make them break the law again."

He smiled across the desktop. "You know what I mean," he said confidentially. "Now I suppose you're ready to see the prisoner?" I confessed that was true, so he lifted the black telephone receiver, punched a button, and spoke — quickly, with a minimum of words, as if used to giving orders: "Send that boy in now. Johnson. Yes, Lee Otis."

Nineteen fifty-four, when I was eighteen years old, is held to be a crucial turning point in the history of the Afro-American — for the U.S.A. as a whole — the year segregation was outlawed by the U.S. Supreme Court. It was also a crucial year for me because on June 18, 1954, I began serving a sentence in state prison for possession of marijuana.

—Eldridge Cleaver

Besides the obvious black skin, Lee Otis Johnson has shared many experiences with the Black Panther minister and famous soul-on-ice. Johnson is in state prison at this very moment. The court record shows that he ended up there for "selling" (Texas law defines "sale" as a transfer, even without monetary payment) a single marijuana cigaret to a police undercover agent. What the record does not show is that Johnson quite possibly ended up behind bars because he took the 1954 *Brown v. Board of Education* decision as a serious mandate for racial equality and dignity.

During the past two years, as his appeal has made its way through the judicial inertia of five courts, Johnson has contended he is a political prisoner. According to him, he was framed for militant activities, which included severe verbal attacks on Houston's establishment officialdom. The Lee Otis Johnson Defense Fund in Houston charges in a mimeographed fact sheet that he was the subject of official harassment from the 1967 SNCC protests at Texas Southern University until his conviction, Aug. 26, 1968. It lists a \$25,000 peace bond set to keep Johnson from demonstrating on

campus. It mentions court prohibitions on public speech-making. It notes six cases of police annoyance. And it gives the details of Johnson's marijuana trial.

HOUSTON DIST. Atty. Carol Vance, who spends most of his court time trying murderers and like criminals, temporarily descended from his normal practice to prosecute Johnson's marijuana charge. Johnson says the switch indicated the political nature of the charges. Vance has been quoted as saying: "In view of the overall facts and the defendant's background [Johnson has served prison time as a juvenile offender and car thief], I felt the case deserved my personal attention, and if in the future, we have another white, yellow, red, green or black person who has promoted violence and destruction in this city and he gets caught selling marijuana, I may well choose to try that case."¹ — Strange perhaps that any apolitical person should include the words "who has promoted violence and destruction in this city." Did the phrase in translation mean "who has led civil rights and peace rallies?" Or did it mean what Lt. M. L. Singleton, head of Houston's police intelligence unit, said: He [Johnson] doesn't tell you that he and his friends were . . . stealing food, that they were trying to get dynamite to blow up major overpasses, power stations, telephone facilities and public buildings."² — Strange perhaps that the police had to rely on a marijuana charge if they had enough evidence to make such sweeping allegations.

At the trial, the lone prosecution witness, a rookie black secret policeman, testified that Johnson gave him the

marijuana on March 8. Not until six weeks after that date was Johnson indicted. Why the delay? Houston authorities said the charge was postponed to protect the undercover agent. Johnson thinks otherwise; he points out that he was indicted only two days after he vociferously criticized Houston's mayor and police chief at a Martin Luther King memorial rally.

Besides the brief testimony, the trial consisted mainly of denied defense motions. Johnson's lawyers showed that Houston-area news media had mentioned the defendant's name more than 100 times in the preceding 18 months. He had been labeled a black militant, radical, revolutionary, and even more inflammatory names. Yet the judge refused a change of venue. During jury selection, Johnson's lawyers used nine of their 10 preemptory challenges to eliminate prospective jurors who admitted having heard of the militant's activities. When this normal quota was exhausted, his attorneys petitioned the judge for extra challenges. Their motion was denied. As a result, four persons they wanted to eliminate became jurors. One became foreman of the all-white jury.

Only 20 minutes after the jury retired for deliberation, the foreman announced a guilty verdict. The next day, after 10 minutes of discussion, the same jury sentenced Lee Otis Johnson to 30 years in prison. Not only was the militant put away, he was put away for good, or at least for a good while. By Texas law, bail is mandatorily denied in any sentence over 15 years. With a term twice that long, Johnson has been waiting over two years, waiting for his appeal to hit federal court, waiting in prison, waiting . . .

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EDITOR Kaye Northcott
CO-EDITOR Molly Ivins
EDITORS AT LARGE Elroy Bode, Ronnie Dugger,
Bill Hamilton, Bill Porterfield

Contributing Editors: Winston Bode, Bill Brammer, Gary Cartwright, Lee Clark, Joe Frantz, Larry Goodwyn, Harris Green, Bill Helmer, Dave Hickey, Franklin Jones, Lyman Jones, Larry L. King, Georgia Earnest Klipple, Larry Lee, Dave McNeely, Al Melinger, Robert L. Montgomery, Willie Morris, James Presley, Charles Ramsdell, Buck Ramsey, John Rogers, Mary Beth Rogers, Roger Shattuck, Robert Sherrill, Edwin Shrake, Dan Strawn, John P. Sullivan, Tom Sutherland, Charles Alan Wright.

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*Blackbird singing in the dead of night
Take these sunken eyes and learn to see
All your life
You were only waiting for this moment to be free.*
—Lennon/McCartney

When Lee Otis Johnson walked quietly into the warden's office, he was black, all right. And in the stupid slang of prisons, he was a bird of sorts. He even had sunken eyes. And he definitely was waiting — waiting to be free and waiting for who-knows-what-else. Yet he looked anything but militantly revolutionary. He was medium height, with a slight build. He shook hands without the hard grip of a man trying to prove something. The warden said, "Sit down over there, Lee Otis, in that chair. I don't know what this man's purpose is — he says he wants to talk to you. I don't know why he's here, but I guess he'll tell you." The warden remained in his seat. He listened.

LEE OTIS spoke of origins: "I was raised in Houston's Third Ward, where Fred Hampton just got shot. We lived there from 1944 to 1960. Then my dad got on with Sheffield Steel, doing a dangerous job that had killed a couple of previous workers. He worked his way up, even developed a safety device for the plant. Finally, he had about nine dollars in the bank — it couldn't have been more than fifteen. But that was enough for a downpayment on a house. So we left Third Ward. That change in location opened my eyes, made me see the real harm of living in the ghetto. I cried for almost two years.

"Hustling was the only life I had known. I had been gambling, breaking in and burglarizing, shooting high-stakes pool, and engaging in every other sort of con-game. In those days I thought it was smart to drive big cars and wear silk clothes. Prostitution was a big racket, and we were all mistreating our own women — without even realizing it. Looking back, that move was my awakening. I knew I had to do something to help all those brothers still trapped in Third Ward."

At first, Johnson thought money was the answer. That sort of thinking only got him another prison term, for the authorities said his new dollars came the quick-and-easy route. While in prison, Johnson passed a high school equivalency test. Instant education replaced instant money as his goal. As soon as he became a free man again, he enrolled at Texas Southern University. Almost immediately, the pattern repeated itself: disappointment followed hope, and trouble followed disappointment.

"The dean of the school announced he was going to give the draft board the names

of all male students not in the academic upper fifth. Well, a lot of us thought it was unfair for a man's grades to determine whether he ended up getting shot at in Vietnam. So we protested and shut the school down. As a result I was suspended. I was restricted from everything but classes and the library. I continued going to class because I was there for knowledge, not for grades. And despite the restrictions, I continued going to the student union and playing tennis on the university courts. I had paid building fees, so I was entitled to that."

Johnson, then a field secretary for the Student Non-Violent Coordinating Committee (SNCC), widened the protest scene to off-campus confrontations. One rally in Houston's Hermann Park ended when a unit of Marine Reserves went on a berserk search-and-destroy mission. Mayor Louie Welch praised the combatants for a "good job." Johnson — noting the bleeding heads around him — said the weekend-soldiers ought to go to Vietnam if they wanted to fight, instead of using their reserve status to get draft deferments. He called Welch "Hitler's illegitimate baby, a sadist, a robot with no emotion."

Then he participated in another protest — a peace vigil at Lyndon Johnson's ranch. Nothing violent happened there, but back in Houston shortly afterwards, an incident occurred which forced a break in protesting. A young boy wandering around some of the city's railroad tracks got his leg sliced off. Movement members rushed him to the hospital, where a vain attempt to restore the limb was made. In the ensuing days, the protesters donated blood and time to save the boy. Even after the emergency was over, the lull in protesting continued. It took the arrest of Johnson and two others and the setting of the aforementioned \$25,000 peace bond to spark new rallies.

LAST WEEK Johnson leaned back in the straight metal chair, against the east wall of the warden's office. He sat calmly, his hands contrasting with the white uniformed lap in which they lay. He spoke of the pressure that forced his release from jail: "Everybody got stirred up and marched to protest the bond. Under the peace bond — if we had paid it to go free any infraction of state law or a city ordinance would have resulted in our losing the \$25,000. So we couldn't leave the jail. We were just sitting inside, waiting for something to happen.

"Finally, Rep. Curtis Graves talked to an assistant district attorney, and he got the bail reduced to \$1,000. It was all ridiculous. In the first place, we had been arrested for driving down the street. We were stopped for no reason, and before we knew what had happened, we were charged with disturbing the peace, with threatening a police officer, with obstructing traffic and with unlawful assembly. I told Graves that I guessed we were technically obstructing traffic as soon as the cop stopped our car, that we were unlawfully assembled as soon as we got out of the car to talk, that we were disturbing the peace as soon as we found out we had been stopped for nothing and that we threatened the police officer after all that. Anyway, we got out and went back to work at TSU."

We came to the textbook section on Negro history. It was exactly one paragraph long. Mr. Williams laughed through it practically in a single breath, reading aloud how the Negroes had been slaves and then were freed, and how they were usually dumb and shiftless. He added, I remember, an anthropological footnote on his own, telling us between laughs how Negroes' feet were "so big that when they walk, they don't leave tracks, they leave a hole in the ground."
—Malcolm X

Texas Southern University to Lee Otis Johnson was a recapitulation of all his former school experiences. Like Malcolm X, he came to believe at an early age that the white man's education was a lie, and if not a lie then a distortion, and if not a distortion then an omission. These childhood suspicions were confirmed at TSU. Consequently, Lee Otis Johnson set out to develop his own history, social science, and psychology of the Houston black situation. The result was his final radicalization. In prison, in the warden's office, he recalled those times:

"When I was a kid just starting the first grade, it didn't take me long to learn to despise education. We were taught that the black man is ugly, evil, apathetic, stupid — just a Sunday afternoon watermelon-eater. You know, when we were learning to read, we read about Dick and Jane and Sally. The only black boy we ever read about was Little Black Sambo. And there he was — on the last page of the book — running around a tree with a tiger to make butter for his mother's pancakes.

"But I had one advantage. My grandfather had a lot of old books lying around his place. At first he read them to me; then later I read them myself. There was one old Americana Encyclopedia — 1904 or 1906, I believe. I learned from it that Lincoln had been in love with the whites, not with the blacks. I read his letter to Horace Greeley, in which he said his object was to save the union, not to

destroy slavery. Almost everything I learned around my grandfather's was contradictory to what I was learning in school at the time. So it was natural that I didn't get too interested in my subjects — like history and English. What did I care about grammar? I had been speaking the white man's language all my life. It wasn't my native language, and I had made C's and D's all the way. Just look at some of the words in the English language and you can see the entire white ideology toward blacks. You've got blackjack, a criminal or police weapon. You've got blackmail, a criminal practice. You've got black sheep, the outlaw of the family. You've got black plague, a deadly European disease. You've got the myth of the hyper-sexed black. And you've got the story of the ugly duckling, who just happens to be black.³

"I DID FIND out one thing in school. I discovered I excelled in anything I put my mind to. There was just one problem: The education was so irrelevant it wasn't worth thinking about, much less concentrating on. I thought college might be different. But it wasn't. The education at Texas Southern was just as useless.

"Nobody who graduated from TSU could go back into the black community to help. In fact, the students were taught to reject the black community. Freshmen were told not to go there — to stay out of the ghetto. The university scared them away with stories of thugs and prostitutes.

It was education within the borders of the university. The blacks just came to TSU, got their diploma, and zoomed out to some integrated community. Nobody thought to look at the ghetto as the source of a different, more relevant education. So I opposed several subjects. The black man didn't need fancy lies and flowery words in history books. A licensed electrician — or a black man who would have to be one even though he had a college diploma — didn't need a lot of malarky about world history. He needed some education that would help him get ahead, help him get control of something."

Even though Johnson spoke of control, he shook his head at the idea whites are going to relinquish their overbearing economic power.

"I like to hear the talk about guaranteeing self-determination for the people of Korea, Pakistan, and Vietnam. Now what we need is some self-determination for America, or at least the black people here. Of course, that may be impossible. The whites are self-appointed gods; they can play with our freedom at will. Take courts, education, industry — anything and everything — they control it all, every facet. Take Houston, for example. It's the petroleum capital of the United States. Do you think for a minute that those corporations are going to give up any of that resource control?"

"We blacks have built America. We're the hardest working people in the world.

From King Cotton through every war to the present we've been the backbone of America. But in return, we've just had a bite to eat and a cup of coffee. And we've had to live in racist towns and work in racist businesses, or buy from white merchants in the black community. Whites have used the income tax, the installment plan, overhead, excise taxes, slum lords, and everything else to keep us down.

The Negro, in a word, is faced with a brute fact: minority status in a situation maintained by the naked force of an overwhelming majority.

—Lerone Bennett, Jr.

"It's all part of the capitalistic system. To keep wages and prices and production and consumption based on a concept of scarcity, the system demands a certain amount of unemployment. So we have welfare and subsistence wages. The black man is just a scapegoat for the corporate powers. We also have crime because the system demands it. 'Law and order' is just a subterfuge for maintaining a strong police power — you know, the National Guard and the Texas Rangers and your local cops. The system takes guys fresh out of the service or the war — men they've already trained to kill — and puts them into law enforcement. They're usually the rejects of society, guys who can't do any other job or guys who get their kicks doing the job.

"Very few people have the guts to face the man. And when a black does, and gets himself killed — say unjustly — even then the most that will happen is that the cop will get fired from the police department. Then they'll put him on the payroll of a sheriff's department or a penitentiary staff. And after that, they'll hire another cop just as bad to replace him. Those people who think I advocate shooting the police are crazy. I know that wouldn't solve anything. Every white cop we eliminated would be replaced by another white cop. Where would that get us?"

"AND THESE white radicals. All they're doing is romanticizing revolution. They talk about a *coup d'etat* — well, that's no way to get around. They forget that even if they did take control of Washington that's not the only White House. We've got spare ones in Denver, in Texas — and now one even in California. All the white radicals are going to accomplish is to get more blacks killed. They can always return to white society and be satisfied with their false glories — just more glories for superior white protestants. The white radicals just create more fear in the white community and make it harder on the blacks. You can see the evidence all around you. It's just like pre-facist

Germany — law and order campaigns, confusion among the major political parties. All they've changed is that they've substituted "niggers" for Jews. To help, the white radicals are going to have to realize that revolution is practical, not romantic. It's putting an end to crime and prostitution and vice and the ghetto, not indulging in fantasy.

According to Johnson, "all the fear about niggers burning down the country" is just that and nothing more. It is scare talk. He said last week that he has never advocated riots as a way to improvement. He explained his current political thinking, an admittedly ambiguous, fluid program of possibilities:

"In Houston we tried the system. We went to Mayor Welch and tried to talk sense. He was so busy telling us we were communist-inspired and irresponsible that we never did get to talk about real Third Ward problems. Then they put the police department's intelligence squad on me. They said all kinds of things, like our agitation was a front for a dope center — that I was going to blow up Houston, with my bare hands, I guess. It was just a lot of talk to inflame the police department against us. They called me a 'hard core incendiary, a wino, the leader of a hate gang.' You can't work within that kind of system.

"So we had to agitate from outside, and we had to try to defend ourselves. Some blacks think maybe our best defense is a good offense — not a mass of blacks armed in the streets but a few guerilla fighters in the community. I'm too intelligent to be a racist. That only justifies what they're doing to me. But maybe fighting fire with fire is the way to end racism. You know, like in science. Unlike poles attract and like poles repel. Non-violence attracts violence, so maybe violence will check, if not stop, the original violence. If I were out of prison, I don't know what I would do. But I would do something. I've seen over 20 of my personal friends murdered in Third Ward.

SOMETIMES I even think about a separatist movement. In Marcus Garvey's time it wasn't politically feasible. But maybe it is now. If we can't get *some* controlling power, as a last resort I think we might move toward an independent nation. And of course we would demand full reparation for the 400 years of persecution we've suffered. But usually I think in terms of Third Ward problems and try to find solutions to them, instead of talking about separation.

"What we really need to do is bring the ghetto home to middle class white America. If the whites had as high an infant mortality rate as ours — which is one-half theirs now — they might not be

ready to re-elect their mayor or the other politicians. If the whites could live in the middle of Third Ward's rat and roach infestation, if they had to worry with impetigo, pneumonia, and diphtheria - conditions my own family had to endure - they might vote differently. If their children had to attend ill-equipped schools - and if when those children graduated after 12 years, the only jobs they could get were ditch-digger kinds, the majority of whites might change things. If the whites could see their own children dying like our children die daily, they might demand a new kind of society. We blacks are going to have to enlighten the white community. Until we have peace in our community, we are going to have to make sure the whites don't have any peace in theirs."

Johnson leaned forward then, more intense than at first. He stressed his every word:

"I'm going to get out of here eventually, even if it takes the full 30 years. I've kept up with events pretty well, and I'll be ready to go back to work. I'm encouraged. Quite a few people have been concerned with my case - people who wouldn't speak out before. We got over 11,000 names on my petition for a pardon. That's an encouraging sign, I think. Of course, if it were Roy Hofheinz's son instead of me in prison, the parole board would have granted the pardon. But since I don't own the Astrodome, I've got to stay here a little longer. My appeal is supposed to get to federal court this next month - finally. I believe there's a good chance we'll win. First of all, we're going to appeal the judge's denial of a venue change. We'll introduce all those names the newspapers called in, and we'll bring up the eight hours of pre-trial TV coverage. If that doesn't work, we'll show the inconsistency in the conviction itself. You know, I was charged on a multiple choice indictment. That means the first count was a marijuana possession charge, and the second was a sale charge. The jury found me guilty of sale, but they didn't rule on the possession charge. There

can't have been any delivery of marijuana without possession, obviously, so that will be the main part of our appeal."

THE WARDEN interrupted. He said Johnson could talk another five minutes - then it would be lunch time at the prison. I asked Lee Otis one more question; I had heard that mail from persons on his approved correspondence list was not reaching him. Had he heard from his wife? He grimaced. No, he said. He had not received any letters from her. Then he told the story - how he had been married, with three children, how he had got divorced, how he had established a common law bond with another woman, how he had announced publicly the second union via the news media. He had thought that would be enough. But it was not. State prison rules, he said, deny visitation of common law spouses unless the marriage has produced offspring. Consequently, he had lost track of his wife - had not heard from her in two years. "This hurts me more than anything," he said.

"Lee Otis, I told you if you can locate her we'll put her on the mailing list," the warden said. "It's not our fault you haven't heard from her. If you'll..."

"No, you don't understand..."

"I told you to say, 'No, sir,' to me,

didn't I? Remember, I'm the warden, and you're the prisoner. Hear me?"

"Yes, sir. But I'm not complaining about the mail, don't you see? I know you've been pretty fair with me - fairer than they were at the other prison near Houston. I'm not complaining about the way you've treated me."

"Well, if you'll just get her address, we'll put her on the mailing list," the warden said. "Are you two about through?"

Lee Otis stood up. We shook hands. "Just tell them my opinions on political issues haven't changed a bit," he said. Then he walked out the open doorway, into the hall. He half-turned and smiled. By his side, furtive, the extended black arm tensed. Just for a moment the fingers curled into a clench. He smiled, then was gone.

The black birds were still circling as I drove along the country road away from the prison. They floated, hanging in space as the East Texas air itself does - just waiting.

Notes

¹Houston Chronicle, May 18, 1969.

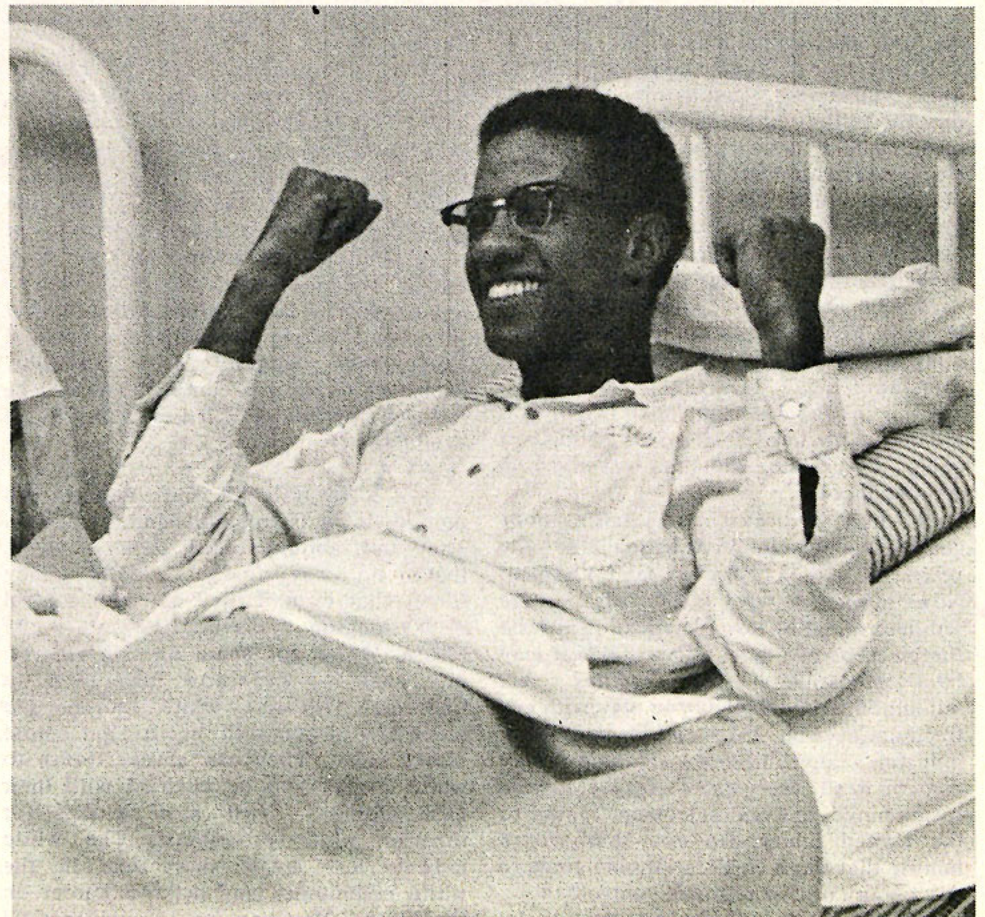
²Ibid.

³For elaboration on Johnson's comments, see Winthrop D. Jordan's 1969 National Book Award winner, *White over Black* (Baltimore: Penguin Books, Inc., 1969), pp. 7-11, 28-40 and 150-163. □

STUDENT POWER ADVOCATES

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(adv.)



Lee Otis Johnson

Space City! Photo

The bureaucracy of mercy

Corpus Christi

On Aug. 3 Hurricane Celia bashed the hell out of the coastal area around Corpus Christi. In its wake came the bureaucrats of mercy, the professional dispensers of succor with all their forms and charts and procedures and hierarchies.

It is difficult to convey what disaster is beyond a three-syllable word. Former Gov. John Connolly suggested during his visit to the area Aug. 18 that one had to see it in order to appreciate it — see people living in the open, people with huge sunburn blisters from waiting for hours in food lines, people with terrible fear and confusion in their faces at suddenly having nothing, nothing at all. Another way to fully comprehend it, of course, is to live it.

Disaster relief efforts are coordinated by a federal agency, the Office of Emergency Preparedness (OEP), which is under the executive office of the president. The Disaster Relief Act of 1966 and various executive orders assign the OEP exclusive power to plan and coordinate all federal programs for disaster relief.

The OEP brings with it a train of tri-initialled federal agencies, to wit, SBA, FHA, OEO, REA, HUD, HEW and FDA. None of these alphabet agencies are primarily set up to deal with disaster relief, not even the OEP.

THE OEP'S chief function — that for which its structure and programs are designed — is to prepare the nation for the consequences of military attack.

The OEP's primary responsibilities, outlined in the Civil Defense Act of 1950, include stockpiling strategic materials, planning the establishment of emergency governments, the coordination of civil defense, the reconstruction of public utilities, economic stabilization, wartime censorship and other non-military matters that would have to be dealt with if the country were attacked. The OEP is headed nationally by Brig. Gen. George A. Lincoln (ret.). Its efforts in the spoor of Celia were orchestrated by George Hastings of OEP's region 5 headquarters at Denton.

Because the OEP is geared to react to military catastrophe, its reaction to natural disasters leans heavily on physical reconstruction of public facilities, economic recovery and debris clearance. It does not deal with human misery. The OEP's "Federal Disaster Handbook for Government Officials" makes it clear

that the OEP is set up to deal with things, not people.

Hastings did show some evidence of concern for human misery — his own. According to a staff member of one of the alphabet agencies, Hastings had himself and most of his staff flown to Harlingen every night so they could sleep in air-conditioned rooms. After electricity was restored in Corpus, the OEP people moved into the Sheraton. At an early post-hurricane briefing, Hastings told some Washington, D.C. officials, "We've got a real problem here because there are so many colored and Mexican in this area."

The alphabet agencies were periodically convened by Hastings to report on their activities — an exercise in self-congratulation. Each agency honcho stood to recite his record of accomplishment since the last meeting and all heads would nod encouragingly. The Salvation Army detailed the number of sandwiches it had handed out, the Corps of Engineers totalled the bushes it had hauled away, and the Small Business Administration counted the loan applications processed and assured one and all that the actual money would be coming along soon.

At the Aug. 19 meeting Hastings offered the following bit of illumination: "Well, I tell you, I go by and I tell you, people are still coming in to those centers, I tell you." The agencies had by that time closed all but one commodity distribution center in Corpus Christi.

THE FUNCTIONING of relief agencies in the Coastal Bend showed all the inefficiency ordinarily attendant on bureaucratic operations. But in a disaster area inefficiency is not annoying — it is agonizing.

Manuel Ramirez and his family had been living in a Catholic school in Ingleside after losing their home to Celia. Ramirez had managed to thread the maze of paperwork and qualify for a house trailer from the department of Housing and Urban Development. However he was told he would have to get a \$100 electrical hookup for the trailer before he could move in. But electricity in Ingleside had still not been restored two weeks after the hurricane.

A woman with six children whose husband was in Houston undergoing an operation was also left homeless and also qualified for a trailer home. But no one remembered to give her the key. For five days she went to stand by the trailer, hoping someone would show up with the key.

Perhaps the greatest failure of the federal agencies is their failure to go out to the people who need help. The hundreds who stood in line at relief centers day after day seemed to indicate that the people would come to the help. But for the old and poor, bewildered by their circumstances, even a two-block walk to an agency center is too much, even if it is only two blocks away and even if they know it's only two blocks away. One private group was busy preparing a mailing describing all the relief services available — very handy for the people who had no homes to which mail could be delivered.

Only the Office of Economic Opportunity, using VISTA volunteers and community workers, had a decent outreach program.

The bulk of the responsibility for dealing with people after a disaster falls to the Red Cross. The Red Cross operates under a Congressional charter but is supported by private contributions. However, it is housed in a public building, has its books audited by the Department of Defense and is recognized by law as a conduit for releasing emergency supplies in disasters.

It does good work. Its volunteers work long hours and its employees act, almost always, in good faith. But many of its policies are conducive to neither swift nor equitable relief.

One of the continuing problems with the Red Cross is the unfairness of its apportionment of aid. The Red Cross bases its relief allotment as much on the financial status of a family before a given disaster as on actual need.

Those who had more before a disaster, get more; those who had less, get less. For example, in the area of furniture replacement, after Hurricane Camille a family with a \$39,000 income received a full bedroom suite while a family with a \$3,000 income got a mattress. The theory is that those with more property lose more in a natural disaster because they've more to lose. In terms of the dollar-value of property lost, that is true and no one expects the Red Cross to go into the business of redistributing the wealth. However, middle-class families are far more likely to have financial resources — savings, insurance and mortgageable assets — to tide them over than are poor families. Middle-class families can also qualify more easily for loans. Even with the especially lenient loan terms offered to

disaster victims by the Small Business Administration, there are poor families who cannot qualify.

Robert Pierpont, disaster chief of the National Red Cross, said after Camille, "We're not dealing with the poor, we're dealing with Mr. and Mrs. Average America."

Dan Bachman, director of Nueces County relief services after Celia, said the Red Cross's policies have not changed since Camille.

"The policies are flexible," he said. "For replacement costs, it can be up to the discretion of the case worker to some degree. We get price lists from the merchants and try to give what the average family need. No, we don't have any figure we use as an average income. The average family income in some instances is high, in some instances it's low."

While Red Cross payments to homeowners can go up to cover replacement costs, no matter how great the worth of the home, for renters the Red Cross allows only one month's payment.

A report by the Southern Regional Council of the American Friends Service Committee on the role of the Red Cross after Hurricane Camille concluded that a disproportionate amount of the agency's disaster budget goes to those who are not poor. Many poor people are simply referred by the Red Cross to the public welfare agencies.

The Red Cross provides not only disaster relief to those in need, but copious amounts of information on the work it does. Outside Red Cross centers in towns like Aransas Pass, one sees continually updated charts of how many articles of clothing have been given out, persons fed, etc. There are stacks of

public relations material available including a handsome, illustrated booklet on the agency's role in aiding Celia's victims.

After Corpus Christi's municipal emergency facilities proved inadequate, the Red Cross moved its headquarters to the basement of the Corpus Christi cathedral. Long queues formed as hundreds waited in the blistering sun, afraid to leave the line for water or food or a trip to the bathroom for fear of losing their places. Rep. Carlos Truan asked a church official if the people might wait in the air-conditioned cathedral. The official said the people might get the church dirty. VISTA volunteers offered to clean it up, to no avail. When Truan complained publicly about the situation, Bishop Thomas Drury in turn criticized Truan, pointing to all the mighty good works done by the church. And so it went in the disaster area: every criticism was met with a mountain of statistics to show how much had been done.

On Aug. 11, when the Red Cross moved to the city's coliseum there were still hundreds in the waiting lines who were told to leave at midafternoon because the workers already had as many people inside as they could handle before 5.

The Red Cross decided to close its operations at the coliseum for the weekend of Aug. 22-23, despite protests that many working people had no other opportunity to go to the center except on the weekend. Red Cross officials said the city wanted to make repairs on the coliseum roof and insisted the Red Cross be out. City officials said the Red Cross could remain as long as it liked. Then Red Cross officials said the Shrine circus was using the coliseum. But the Red Cross had worked for two days before the weekend without being noticeably deranged by the circus, which started its stand in mid-week.

IN ANOTHER bureaucratic hassle at Taft, local officials who had been given food by the U.S. Department of Agriculture refused to give it out

because they hadn't the complete commodity list recommended by the U.S.D.A. — they were minus beans or something. The result was a "mini-riot" by about 65 homeless families, some of whom had had nothing to eat for three days.

In other areas local officials with food waited for word from higher ups on how to distribute it.

Visiting politicians enlivened the scene, appearing to survey the mess and pronouncing it a mess. Gov. Preston Smith was early on the scene, addressing a bevy of local mayors, some of whom were dramatically encased in parachute jump suits. Smith kept pronouncing the "s" in "debris" and the mayors loyally followed suit.

Ralph Yarborough came, saw and forthwith sent for four of his aides who actually stayed to help untangle red tape.

What one lady in Rockport calls "the buzzards" — profiteers and swindlers — always come after a disaster. Ice was sold for \$15 a chest in Corpus Christi and gas for \$1.50 a gallon. Fly-by-night home repairmen arrived in droves. The bureaucracy of mercy still has no coordinated way of dealing with the buzzards. After Celia they were handled by the Corpus Christi city council, warnings in the media and public indignation.

There are surprisingly few complaints about the insurance settlements being made in the wake of Celia, in contrast to the furor over insurance company weasling after Beulah.

But there are a few exceptions. Lehman Harris, an elderly resident of Rockport, insured his small shorefront home on July 31 for a little over twice the normal storm-damage premium and was assured by the local agent that he would be safe "just as soon as this check is postmarked." The check was forwarded to the insurance company the same day and when Celia developed the following day Harris said, "I was just as relieved as I could be that I had my insurance and that I was safe." The morning Celia hit, the local agent reappeared at Harris' home to tell him the insurance company had just called to say they were not accepting the check.

John McKenrick, consultant for the American Insurance Association, said, "Maybe not every one of the adjustors has been specifically instructed to be considerate, but it's been implied."

And it's also been inferred that the reason for this considerate attitude lies in a statement made Aug. 11 by Baxter Jackson, executive secretary of the Corpus Christi Association of Independent Insurance Agents. Baxter, addressing his troops, said, "I will guarantee you rates will be raised 25% next July 1."

—Molly Ivins

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It was indeed a love in

Austin

Lyndon Johnson handed the Democratic torch on to Ben Barnes at Barnes' appreciation dinner here recently. In a speech that expressed adoration for the youthful lieutenant governor, Johnson left no doubt as to his anointed successor to the Texas Democratic Party.

"I thought as I looked around the room and saw Mike McKool and Oscar Mauzy and Governor Smith and Governor Connally that we all owe Ben Barnes a debt of gratitude for bringing us together again — to borrow a phrase," Johnson said.

"A man born in rather modest circumstances up in the peanut gallery of De Leon, Ben Barnes has come a long way — to a \$100 a plate dinner in the midst of this Republican economy. That's not peanuts," the former president quipped.

JOHNSON WENT ON to say, "At most partisan gatherings, we tend to reminisce about the past, but tonight we come here to think about the future. Ben Barnes is the future. At 32 years of age, he's the youngest lieutenant governor Texas has ever produced." Johnson pointed out that Presidents Thomas Jefferson, Andrew Jackson, Theodore Roosevelt, Franklin Roosevelt, and John Kennedy all held important positions at the tender age of 32. "Each of them wound up leading this country," Johnson said. "You and I know that Ben Barnes is going to lead it too. I genuinely believe that Ben Barnes has what it takes to go as far as his ambition will carry him.

"Ben Barnes is a doer, a workhorse," Johnson said with an almost evangelical fervor. "He may look like a showhorse under the lights, but, let me tell you that his blue eyes are as tough as steel when necessary.

"Ben Barnes," Johnson continued, "you and the energetic young people who have come here tonight to associate themselves with you, you're the ones who will have to wrestle with the problems now. . . . Ben, you're already a leader in this state and fast becoming a leader in the nation. . . . We have come to tell you that you have our faith, you have our support. Where you lead us we will follow. We have enlisted for the duration!"

Ed Gerlach's dance band played "Happy Days Are Here Again," as Barnes ascended to the platform,

blushing like a girl who has just been picked queen of a beauty pageant. With proper deference, he said, "Mr. President, I'm overwhelmed and eternally grateful. I have a very tall order to live up to the



Photo by Peter Kellogg

Barnes and friend

very, very great confidence you have placed in me."

THE PASSING of the torch went smoothly enough, but very little else did at the dinner. A cocktail hour had been scheduled prior to the dinner. Peeved guests stood five-deep around the bar in the basement, waiting for one of seven sweating *chicano* bartenders to get around to them. The bar ran out of everything but scotch, including water, an hour before the dinner was served upstairs.

As cocktail-less men and women filed into the first floor of Austin's Municipal Auditorium, it quickly became evident that there were not going to be enough tables for everyone. "I paid \$100 to come to this dinner, and I don't even have a place to sit," one middle-aged lady muttered to no one in particular. While some people stood forlornly in the aisles, others took matters into their

own hands. As soon as caterer Walter Jettan's waiters set trays of barbecued steaks down on serving tables, guests would slip a couple of servings off the trays and head for the foyer or the kitchen area to find a niche steady enough to hold a place while they sawed the rather tough steaks into bite-sized pieces.

There was an abundance of packing crates in the area where Jettan's caterers were working, and reporters, secret service men and Rangers, as well as groupings of guests, aligned themselves atop the crates.

One reporter, scrounging for a place to sit, asked an elegantly dressed woman if the packing crate next to her were "taken."

"Yes," the woman answered icily, "it is."

Other \$100-a-plate diners got into the anarchic spirit of the evening. Men in dinner jackets made their way to the kitchen to get coffee and dessert for their tables. A bar was set up on the second floor to lure the tableless off the first floor. Soon many persons were drinking happily on the second floor, their earlier hunger forgotten.

State Rep. Ralph Wayne, who handled tickets for the dinner, said that organizers of the dinner had planned on an attendance of 2,200 persons and that they ended up feeding 2,426 persons, approximately 200 of whom came in on complimentary tickets. Wayne estimated that the dinner netted \$150,000 for Barnes' campaign coffer.

At least 500 persons had to sit in the balcony seats rather than at tables on the first floor during the program. Entertainers evidently were selected with Barnes' taste in mind (there were no country and western singers for Governor Smith, but rather the type of tepid pop one hears on the night club circuit).

A fresh faced group of (all white) youngsters called the Future Faces sang "in" songs from *Hair* (none of the nasty ones).

Comedian Buddy Hackett (who the night before on the Johnny Carson show had said he was on his way to a benefit for Atty. Gen. Bob Barnes) was the name attraction. "This is a big thrill for me," Hackett told the appreciative crowd: "I don't know Mr. Barnes, but I'm sure if the



Johnson and Lloyd Bentsen (above)
Johnson and Mrs. John Connally (bottom left)
Johnson and Preston Smith (bottom right)

Photos by Peter Kellogg



great State of Texas elected him, there was a lot of money behind him. And how can you beat that?" Hackett ended his monologue on an awkward note. He dropped his comic routine and recited a rhymed ode he wrote himself in honor of his deceased father.

Many of the dignitaries at the dinner were brought on stage for introductions. Warren Woodward, the emcee, told House Speaker Gus Mutscher and his wife, Donna, a former Miss America, that he wondered whether Mutscher, like Onassis, was up to the challenge he has assumed. Mrs. Mutscher appropriated the microphone and said, "I'd like to answer that comment. I really think he can, because we're going to be parents on March 28!"

And so the evening went. Few persons present at the dinner seemed to doubt that Barnes is Texas Democrats' best candidate for keeping the old coalition in power. *Observer* reporters, however, counted only three black faces in the crowd and only a handful of *chicanos* who appeared to be guests rather than servants.

Some cynics commented that Johnson's extravagant praise of Barnes might hurt him nationally, but, at least in Austin on Aug. 14, 1970, some 2,000 wealthy Texas Democrats seemed to agree with Lyndon that Ben Barnes is indeed the future. K.N.



The farm vote

Political intelligence

- The Senate voted a \$20,000-a-year subsidy limit for 1971 payments, and the House has set the ceiling at \$55,000. The measure now goes to a conference committee.

- Senatorial candidate Lloyd Bentsen, who at UT-Austin this spring avowed he supports a \$20,000-a-year limitation on crop subsidies to individual farmers (*Obs.*, April 3), wrote the following letter July 14 to Don Anderson of L. D. Anderson Farms in Crosbyton:

"Dear Don: Thank you for your letter and information on payment limitation.

"As a practical matter I think we all realize that Congress will not pass a farm bill this year without some sort of farm support limit. It appears that a compromise is in the making that would contain a support limit within the range of \$55,000. This will probably resolve the issue as fairly as it can be resolved at this time, so I would support this limit.

"I am asking Bill Jenkins of my staff to arrange a meeting with your group at the earliest possible time. Sincerely, Lloyd M. Bentsen, Jr."

- Lloyd M. Bentsen, Jr., of Houston is listed in the *Congressional Record* of

June 19, 1967, as receiving \$152,352 in crop subsidy payments for 1966. Bentsen has told the *Observer* he has never received a subsidy even approaching that size.

- Congressman Bush supported the House's \$55,000 limitation. "This is not a bill that has everyone completely satisfied. But, its passage will prevent a lot of people from becoming very unhappy," Bush said during debate on the farm program.

- Texas still reaps the richest financial harvest of any state for not growing crops. Last year, Texas received more than a third of the nation's \$367 million in farm payments.

- The U.S. Department of Agriculture says that all but nine of Texas' 254 counties now have free food programs, and the remaining nine are committed to starting programs in the near future. When a federal district judge last year set a deadline (now passed) for initiating food

programs in all Texas counties, some 90 counties had neither commodity nor food stamp programs. The USDA provided Texas a \$2 million grant to expand food programs for the poor.

Beautiful Benjamin

- Joyce Haber, the Hollywood columnist, lists Texas Lt. Gov. Benjamin Barnes as one of the men whom actress Jill St. John "has been close to." Of Miss St. John's friends, Miss Haber writes, "They are Beautiful People, of course, with Beautiful People names that range from Baby Pignatari (way back) to nobleman-dilettante Count Giovanni Volpi (current) of Venice, Rome, and the Jet Set." Barnes is cited as a "recent."

- Prostitution (the sexual kind) is posing a problem at the Texas State Capitol, according to the highway patrolmen who guard the building. They say teen-aged streetwalkers have moved inside the old granite building regularly after dark. With the legislature in recess, the Capitol is open to tourism but usually

is deserted at night, offering inexpensive intimacy for the flesh trade.

Chicano isolation

The isolation of *chicano* school children by school districts "is most marked in Texas," according to the U.S. Commission on Civil Rights. The commission also says that Mexican-Americans, for the most part, "are underrepresented on school and district professional staffs and on boards of education and that the majority of Mexican-American staff and school board members are found in predominantly Mexican-American schools and districts."

The findings are contained in "Ethnic Isolation of Mexican-Americans in the Public Schools of the Southwest," a 100-page document based on studies by the commission and the U.S. Department of Health, Education, and Welfare.

Chicano activists are chuckling over a recent front-page *New York Times* feature on the *La Raza Unida* Party in Texas. The *Times* relied on Henry Muñoz of the Texas AFL-CIO staff for much of its information. Middle-aged Muñoz has often been at odds with the *La Raza* party movement, however, and is suspect among younger *chicanos*.

Smith and UT

Governor Smith has opted to ride anti-student sentiment in his bid for re-election, in spite of earlier efforts to open minimal lines of communication to the state's campuses. Thus, he listened but did not respond when a group of clean-cut University of Texas students called on him this month to urge a state inquiry into UT Regents Chairman Frank Erwin's interference in UT administrative affairs. The governor said an investigation would be of no value.

Lt. Gov. Ben Barnes also met the students but told them he had "no opinion" on Erwin's activities, which have sparked the Austin school's biggest controversy in 25 years. Smith told the students that he would make his files available if they file a suit challenging the legality of former Governor John Connally's reappointment of Erwin, in the final hours of the Connally Administration. Smith himself contemplated such a suit early in 1969, but his lawyers said it was hopeless. Smith was not anxious to depose Erwin, who contributed generously to his 1968 primary campaign, but he was outraged by Connally's appointment of Jenkins Garrett of Fort Worth to the board.

At the National Governor's Conference in Missouri, before the

student meeting, Smith supported a hard-line resolution condemning student activism. That the same week he took a swipe at North Texas State University at Denton, warning that "loose" administrative practices by President John Kamerick and unrest on the campus could mean a cutback in appropriations for the school. Kamerick resigned from NTSU July 31 after several behind-the-scenes clashes with that school's regents. At summer commencement exercises August 15, Dr. Jack Scroggs, chairman of the NTSU history department, told 1,236 graduates that Kamerick's presidency had been enlightened and visionary.

Smith now says he probably won't replace his Mexican-American "specialist." After the firing of Humberto Aguirre of Austin from a \$15,000 staff post caused a furor among *chicanos*, Smith offered to consult "responsible" Mexican-American organizations to find a replacement, but that didn't seem to placate *La Raza*. Aguirre said Smith has hired an Anglo, Joseph A. Trentis of Boston, Mass., to do his job. One of the three *chicano* organizations which Smith said he considered worth consulting was PASO, but Bob Sanchez of McAllen, a leader of PASO, said the governor's offer was insulting because it excluded the Mexican-American Youth Organization (MAYO), the farm workers union and others. GOP gubernatorial hopeful Paul Eggers accused Smith of looking for "window-dressing" in replacing Aguirre, to prop up Smith's image in *chicano* precincts.

Bernal abstaining

Joe Bernal, the San Antonio senator, is telling friends he won't push Lloyd Bentsen's Senate candidacy. Bernal cancelled out on a get-together urged by Bentsen supporters and says he finds no enthusiasm in his West Side district for Bentsen.

Besides Bernal, Sens. Babe Schwartz of Galveston, Charles Wilson of Lufkin, Roy Harrington of Port Arthur, and Barbara Jordan of Houston thus far have declined to jump on the straight-ticket bandwagon. Wilson has confessed privately that he probably will cave in and endorse Bentsen, but he also is slipping advice to the Democratic Rebuilding Committee, which is opposing Bentsen and Preston Smith.

A Houston firm called Padre Island Sales Company, in a burst of public-spirited concern, no doubt, ran an ad in the August 20 *Houston Post* imploring Texans to "wake up . . . to the great seashore robbery." The ad reads: "The Texas shoreline is vanishing — that's a fact. In 1968 the Federal Government took

80.5 miles of Padre Island . . . irrevocably to remain in its natural state. Very little Texas shoreline remains for private pollution-free residential development." And what was that great 80.5-mile "robbery"? Padre Island National Seashore, opened in 1967 after years of congressional debate.

Cook Funeral Home of Austin has the same sort of PR braintrust. In a "Dear Friend" letter sent out all over Austin, Cook's subsidiary insurance agency is pushing a family burial insurance program. But lest the pitch offend, the letter carries this P.S.: "This is part of a general mailing. Its delivery to a home where illness exists is unintentional."

Fortas to speak

Abe Fortas, the LBJ-appointed Supreme Court Justice who resigned after disclosure of his off-the-bench activities in 1968, will speak at the University of Texas in September. Fortas and the ex-President are still close friends and are expected to get together during Fortas' visit.

The Federal Communications Commission has given its approval to former Gov. Allan Shivers and three others to buy control of ultra high frequency television stations in Austin and Lubbock.

The group will hold 54.4% of both station KSEL-TV in Lubbock and KVET-TV in Austin. They paid \$200,000 for control of the Lubbock property and \$44,137.82 for the Austin stock.

Shivers and Tolbert Foster will each own 15.7% of the stock; W. E. Dyche, Jr., and Edgar B. Younger, Sr., 11.5% each. Foster, Dyche, and Younger all have interests in radio stations in Palestine and Marshall. Foster also has interests in community antenna television companies in Center and San Augustine as well as interest in a Center radio station.

Really silent

In a report called "Our Really" Silent Majority," U.S. Rep. Morris K. Udall recently pointed out that only a small percentage of eligible voters bother to vote in local, state, or national elections. He used as examples Dallas where 9.1% of the electorate voted in a recent local election and El Paso where 17.7% turned out. Morris did not cite an authority for his statistics.

The Beaumont Municipal Police Officers Association has voted to help pay legal expenses for a patrolman suspended by Chief Willie Bauer for alleged brutality in connection with the arrest of a black man. The patrolman, Ronnie Quick, has vowed to appeal the suspension. □

A Tale Of Two Senators. . .

Texas has Ralph Yarborough. Tennessee has Albert Gore. Senator Gore has compiled a brilliant record during three terms in the United States Senate.

Like Senator Yarborough, Gore opposed the senseless slaughter in Vietnam early in the Johnson Administration.

Like Senator Yarborough, Gore fought for tax reform and helped turn back efforts by corporate lobbyists to tax the poor and exempt the rich.

Like Senator Yarborough, Gore dared oppose two Southern reactionaries nominated to the U.S. Supreme Court — Haynesworth and Carswell.

Unlike Senator Yarborough, Senator Gore was renominated by the Democratic Party in his state.

State	Democratic Primary	Republican Primary
Texas	Bentsen 816,000	Bush 96,604
May 2	RWY 724,000	Morris 13,637
TOTAL	1,540,000	110,241
% of total turnout	93%	7%
Tennessee	Gore 248,780	Brock 161,009
	Crockett 219,359	Ritter 48,635
	Others 18,760	Boles 4,515
TOTAL	486,899	214,159
% of total turnout	69.7%	30.3%

Bentsen Chalks New Win for Conservatives

Associated Press
Lloyd Bentsen Jr., a political unknown to most Texans four months ago, held a stunning victory over Sen. Ralph Yarborough, the old pro of state politics seeking renomination to the U. S. Senate.

It was a sharp, clear fight between philosophies of government spending, dissent and states rights, with Bentsen, carrying the conservative banner, winning Democratic nomination — almost easily.

Bentsen said all along he depended on the "silent majority" to nominate him.

Standing amid his supporters, many of them with tear-stained faces, Yarborough thanked the voters.

"So many of you have

HOUSTON CHRONICLE
Page 2, Section 1

Friday, August 7, 1970

Gore, Nixon Vietnam Foe, Wins Tennessee Primary

Nashville, Tenn. (UPI) — Sen. Albert Gore, a vigorous opponent of the Nixon administration's Vietnam policy, won renomination for a fourth term Thursday in the Democratic senatorial primary.

His victory set up a confrontation in November with a strong backer of the President, Rep. William Brock, who ran away in the three-man Republican primary.

Gore, 62, defeated Hudley Crockett, a former administrative aide to Gov. Buford Ellington, and two political unknowns — Herman Frey and Stafford Andress.

Brock, 39, a millionaire candymaker, who gave up an almost certain fifth term in Congress to seek Gore's seat, easily turned back former cowboy movie star Tex Ritter and J. D. Boles.

In the governor's contest, attorney John J. Hooker of Nashville won the Democratic nomination in a six-man race and Dr. Winfield Dunn of Memphis defeated



SEN. ALBERT GORE
Wins Renomination

his nearest opponent, and Dunn held a 75,367 to 65,193 edge over Jarman.

Gore, whose liberal viewpoints on many issues has made him a controversial figure in Tennessee — and the South — is a critic of U.S. policy in Vietnam.

He also raised many of his critics' ire by voting against Nixon on two South Vietnam issues.

Comment by Harold Duff paid his

WHAT MADE THE DIFFERENCE?

Tennessee is a border state which has cast off the one-party system. Many conservatives there now identify with the GOP, and the Republican Primary election attracted nearly one-third of the voters. Most Texas conservatives still vote in the Democratic Primary because they identify with men like Bentsen and Smith. They will continue to regard themselves as conservative Democrats as long as meatballs like Bentsen and Semith win elections.

You can hasten the arrival of the two-party system in Texas, and speed the departure of conservatives from the Democratic Party, by voting against the Bentsen-Smith team.

"SOMETIMES PARTY LOYALTY ASKS TOO MUCH" . . .

He spoke gloomily about the Massachusetts Democratic Party: "Nothing can be done until it is beaten . . . badly beaten. Then there will be a chance for **rebuilding.*"

JOHN F. KENNEDY

(from: A THOUSAND DAYS by Arthur M. Schlesinger, Jr.)

The Democratic **Rebuilding* Committee

STATE OFFICE: 2201 N. Lamar, Room 209, Austin, Texas — PHONE: 476-7565 — MAILING ADDRESS: P.O. Box 1782, Austin, Texas 78767
Co-Chairmen: Archer Fullingim, Editor, The Kountze News, Kountze, Texas; Curtis M. Graves, State Representative, Houston, Texas;
Bob Sanchez, Attorney at Law, McAllen, Texas; Executive Director: Tom Bones; Director of Organization: Dave Shapiro.

The Catalyst wins its suit

By Dale E. Pontius
and
Theodore J. Taylor

Lubbock.

Texas Tech University, nestled in the middle of a friendly, churchy, "Lucky Me I Live in Lubbock" atmosphere, for the most part has been spared from protest from the student body. The student population of 19,000 still comes primarily from West Texas, and an abundance of cowboy boots and hats is still seen on the campus.

In recent years, however, the various colleges in the university related to the social sciences and humanities have been

Mr. Pontius is past president of the Lubbock chapter of the ACLU and chairman of the chapter's legal committee. Mr. Taylor, also a past president of the Lubbock ACLU, is an assistant professor of economics at Tech.

growing, and Tech now boasts of graduate programs in all the humanities, and of new schools of law and medicine. With this diversification, Tech's student body is slowly being transformed, and with this transformation it seems as if there is no longer a "safe" campus in Texas to which one can send a youngster and feel reasonably certain he won't be exposed to the true educational process, including the movement and its assorted vices.

Students at Tech are becoming more aware of issues which vitally affect their lives but over which they have no control or influence. In this past year, with the installation of synthetic turf on the football field, completion of plans for a new athletes' dormitory, hiring of a new football coach, and the performance of the Coaches' All-American football game (Tech still harbors faint dreams of achieving football parity with the University of Texas at Austin), there also existed on the campus a bitter controversy over the proposed change in the name of the university, the activities of the October and November Moratoriums, voter registration efforts, and the publication of an underground student newspaper, *The Catalyst*. Even the usually placid *University*

Daily showed a marked change in emphasis and a spark of independent journalism.

THE CATALYST, however, aiming its persistent barbs at the Tech administration and the Lubbock establishment, has been the real thorn in the side of the "law and order" advocates. On Jan. 13, 1970, Volume 1 Issue 6 of *The Catalyst* was summarily banned from sale or distribution on the Tech campus. Prior to this issue, the paper's staff had received, through its campus sponsor, the Channing Club, permission to sell the paper in the Tech Student Union Building and in the campus bookstore. Vice President for Student Affairs Owen Caskey, in announcing the ban on the grounds that the paper was in "poor taste" and contained "objectionable words," threatened with severe disciplinary action any student apprehended in the act of selling or giving away the paper.

Supporters of the paper believed that the reason for the ban was not the general content of the paper nor the use of objectionable (i.e., four-letter) words, but rather was the persistent satire and criticism of Tech officialdom. In particular, the issue contained an article ("Meet Morality Fats") about the new football coach, Jim Carlen. Carlen had been widely quoted in the Lubbock press as being a strict disciplinarian of the athletes who would not tolerate drinking, smoking, class cutting, or long hair or sideburns, and who insisted on a trim physique and church attendance on Sunday for everyone, players and coaches alike. *The Catalyst* called attention to one aspect of the college athlete's life (at least for some athlete somewhere) which the coach had overlooked: screwing. The article was found to be objectionable by Tech administrators solely for the use of that word. (To illustrate the type of censorship employed, another objectionable article contained the sentence "Fighting for peace is like fucking for chastity." Tech officials maintained that the writer could have conveyed his message in a nicer way without using "fucking.")

IN AN EFFORT to restore the sale of the paper to the campus, *Catalyst* staffers John Fletcher and John Hughes met with Tech administrators, including President Grover E. Murray and others. When no relief was forthcoming, the writers of the paper asked the American Civil Liberties Union, through the local chapter, for assistance.

On behalf of the campus sponsor of the paper, a complaint was filed in U.S. District Court, seeking to enjoin the Tech Board of Regents and its administrative

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and policy, and political comments contrary to the prevailing views of the Board of Regents and certain officers of the university." Griffith also charged that the Code of Student Affairs was "vague and too general for constitutional enforcement," claiming in particular that the section on student publications contained within itself "the chilling grip of unconstitutional censorship."

Tech was represented in the case by its resident counsel, William R. Shaver, by the office of the Attorney General of Texas, and by the firm of Crenshaw, Dupre, and Milam, one of Lubbock's most prestigious law firms. In Tech's reply brief, it was emphasized that subsequent issues of the paper would have been banned but for the filing of the suit.

At an Aug. 4 hearing attorney Griffith called witnesses to show (a) that *The Catalyst* was a legitimate newspaper and journal of opinion, containing material of literary, social, and religious value; (b) that it was not obscene under any current judicial standard of obscenity; (c) that on the Tech campus, in the university library, the university bookstore, and the Student Union Building, were volumes of literature and periodicals of a more controversial nature which were available to students and faculty without restriction (including the works of Che Guevara, Leroi Jones, Eldridge Cleaver and other Black Panthers, the soundtracks of "Hair" and "Easy Rider," *Playboy* magazine, and the *Texas Observer*); (d) that the banned issue of the paper not only did not advocate violence and disrespect for the political system, but condemned violent tactics and urged students to seek social change through established channels; and (e) that Tech in banning the paper had denied the students even the most elementary procedural rights.

DEFENSE ATTORNEY Tom S. Milam stressed the issue of decency and community standards of morality. Hard pressed on the obscenity issue, Milam attempted to develop the argument that *The Catalyst* was responsible for a lowering of moral standards, for contributing to a disrespect for authority, and for contributing to the eventual breakdown of the essential functions of the university. The defense argument essentially was that by reading four-letter words in *The Catalyst*, but not by reading them in other materials, students would be encouraged to use the words in classes and in criticism of those in authority.

Tech President Murray and Executive Vice President Glenn Barnett testified that the language used in *The Catalyst* was unacceptable to the large majority of Tech students and faculty and was contributing to a loss of respect and to disorder. Dr. Barnett saw a clear pattern of events in which the first step leading to inevitable violence on campus is the presence on a

campus of an underground newspaper. Dr. Murray saw on the Tech campus all of the symptoms of a breakdown of the educational process: increased use of drugs, confrontation politics, and the publication of an underground newspaper. However, neither witness was able to give a single example of actual disruption on the campus which could be attributed to the publication of *The Catalyst*. Dr. Murray was forced to agree with attorney Griffith that a basic cause of campus unrest is the students' extreme dissatisfaction with national policies and priorities.

Tech's attorneys persisted in arguing that a "clear and present danger" of disruption was imminent or at least inevitable if the paper were allowed to publish. Attorney Milam argued that if the use of "vulgar" words (e.g., "shit," "fuck," and "screw," which he could not bring himself to utter in the courtroom — he did utter the phrase "chastity belt," but only after an extended apology to the court) were allowed to continue, if disrespect and abrasive criticism of authority were allowed to continue, the end result would necessarily be a complete destruction of the educational process.

Throughout the two day hearing, a paper bag with the label of Dunlap's department store was conspicuously resting on the table in front of the attorneys for the plaintiffs. Retha Martin, chairman of the board of the Dunlap's company and also chairman of the Board of Regents of Tech, was present, being listed as an adverse witness for the plaintiffs. While Griffith did not call Martin as a witness, he did introduce as evidence (of the reading matter found to be acceptable to the community of Lubbock) the books in the paper bag, which Martin could have but did not prohibit from sale at Dunlap's. These books included *Portnoy's Complaint*, *Proposition 31*, and *Sex and the Overweight Woman*, and other works containing numerous four letter words.

Attorney Daniel H. Benson assisted Griffith, and gave the concluding argument to the court. He indicated that Tech had violated the constitutional rights of the plaintiffs by imposing a prior restraint on freedom of expression, by a denial of equal protection of the laws, and by a denial of procedural due process of law.

In a final summary Griffith pointed out that the U.S. Constitution does not permit "nitpicking censorship" and that *The Catalyst*, "while it does not have the same quality as Cervantes, deserves the same protections."

JUDGE WOODWARD agreed, and granted the relief being sought. He found no instance of disruption of the educational process, and he found discrimination in Tech's actions against *The Catalyst* as compared with other publications on the Tech campus. Judge Woodward held that actual punishment

had been inflicted against the publishers of the paper without adequate due process. He concluded his comments by thanking both sides: Tech for allowing the sale of subsequent issues pending the disposition of the suit, and the plaintiffs for seeking relief through the court system.

What does it all mean? Immediately, it means that the First Amendment has marched, albeit over considerable opposition, triumphantly onto the Tech campus, and that Tech students can believe that "the system" will respond at least occasionally to critical problems. Yet, it is disheartening to find college administrators still clinging to simplistic black-and-white views of the causes of disorder on the campuses. To view such deeply held and growing dissatisfaction with the state of the world as a simple conspiracy to halt the educational process in a tragic commentary of the abilities of the present administrators to deal meaningfully with campus problems.

To illustrate this last point it is useful to mention attorney Milam's attempt to connect John Fletcher's attendance at a meeting of the Students for a Democratic Society in Austin, in the summer of 1968, and his editorship of *The Catalyst* in 1969, to the validity of the Tech claim that violence on the campus is inevitable.

Moreover, to John Fletcher, a humane person and opponent of reaction, the cost is the exercise of his First Amendment rights was considerable: he was arrested twice within 24 hours (the second arrest coming a few hours after the first charge was dropped) for possession of dangerous drugs, spent a night in the Lubbock County jail in lieu of \$7,500 bond, missed a final exam, and lost additional time in preparation for other exams. The "dangerous drugs" he possessed were in fact nonprescription medicines dispensed to him by the Texas Tech Infirmary.

We are distressed that the philosophy of the late Mr. Justice Felix Frankfurter is all too relevant in the atmosphere of West Texas: to rely too much on judges to protect our freedoms saps the strength of democracy by distracting attention from the political arena where unwise policies should be corrected. □

September 4, 1970

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Spanish Surnamed American Employment in the Southwest

One of a series of excerpts from SPANISH SURNAMED AMERICAN EMPLOYMENT IN THE SOUTHWEST by Fred H. Schmidt, Institute of Industrial Relations, University of California at Los Angeles. Prepared for the Colorado Civil Rights Commission under the auspices of the Equal Employment Opportunity Commission. Printed by U.S. Government Printing Office, Washington, D.C. 20402. \$2.00.

Spanish Surnameds must be considered both as native group and an immigrant group. Some have speculated that much of the reason for their lack of assimilation within the general population is their dual identity of being both native and foreign. Even the native part of the group had its own well-defined institutions and folk values when first thrust into contact with Anglo society, a society which placed heavy emphasis on industrial achievement, activity, and efficiency. It is argued that the different institutions and values of the Spanish Surnameds "have since been continually reinforced by a seemingly endless stream of immigrant and alien laborers from Mexico."

If this summary observation is valid (though it seems too undifferentiating of a very diverse people), it is probable that the incompleting processes of assimilation are in part a consequence of the employment opportunities that the region has had for members of this group. . . .

In the Southwest, as will be shown, the Spanish Surnameds have largely stood by to provide the unskilled labor for the region. And Mexico has always been the ever present, ever available reservoir from which that pool of unskilled workers has been kept brimming. So it has been since there has been a Southwest. . . .

There is a difference in these kinds of work activities and those available to the great waves of immigrants who entered the country on the eastern seaboard. The industrial jobs that once were open to the immigrants from Europe by and large were of a different type and definitely in a more promising work environment. The immigrants to the Eastern United States entered a more industrialized and urbanized area, which could offer them a wider range of job opportunities than could the once largely agricultural and rurally situated industries of the Southwest.

Mainly, it offered them more than the pick and shovel which they once used for digging the subways and storm sewers, laying the water mains, or cleaning the snow off city streets. Although many immigrants in the East entered the mines or miserable factory jobs, they at least soon found it possible to form unions and to improve their status in their jobs through collective actions.

This possibility is still largely unavailable to those Spanish Surnameds who even today . . . must compete with foreign nationals for their jobs. (In 1965, union membership as a percent of employees in nonagricultural establishments was below the 29.5 percent U.S. average in all states of the Southwest, except in California, where it was 33.8. Percentages for the other states were: Texas — 13.3; New Mexico — 13.4; Arizona — 20.8;

Colorado — 21.6. These percentages contrast sharply with New York's 39.5; Pennsylvania's 38.4; New Jersey's 37.7; or West Virginia's 42.0.)

Whereas the great body of American workers have long been relieved of a direct competition with foreign workers whose entry once hindered their efforts to structure labor markets in their own interest and to enhance the premiums paid for their work, this has yet to occur for the Spanish Surnamed workers. Government intervention to protect domestic workers has not extended to these workers of the Southwest. This is an historical anachronism, a governmental indifference more typical of the last century than the present one.

Spanish Surnameds have long been regarded as casual, incidental workers. Never until now has there been a governmental concern that they should be much more than that. In the past, after the big waves of immigrations from Mexico from 1910 to 1930, even the job opportunities that had existed for Spanish Surnameds diminished, and the tide of entering workers was stemmed, and in some instances flowed back to Mexico while the depression punished the land.

During the 1930's when new industries arose, such as the petroleum industry, the Spanish Surnameds gained only insignificant positions in it. And their representation there today has not been much improved. In the instance of this industry, little can be said about minorities being unaccepted because of their lack of training, for the Anglo Texas farm boys who entered the new oil fields as "boll weevils and roughnecks" were not trained either. They acquired their training on the job, relatively good jobs, jobs which later sustained them in the oil production fields, refineries, and pipeline operations throughout all the booms that accelerated the growth of that industry.

What happened in petroleum happened in the new metal fabricating, transportation, and other manufacturing industries that burgeoned in the region during and after World War II. The Spanish Surnameds and other minorities had only inconsequential roles in the building of these new industries. By and large, they were left with the laborer jobs in mining, smelting, or the low-paid operative jobs in the garment trades, textiles, and similar industries.

This study is concerned primarily with how the labor market in the Southwest functions for over a million Spanish Surnameds who have a job there, or say that they wish for one. In 1960 there were 1,003,423 persons in this group who were over 14 years old and had succeeded in getting employment. Of that number, 736,768 were males, and 266,655 were females.

The labor force participation figures, the unemployment rates, the subemployment rates, and the relatively low incomes that prevail for Spanish Surnameds suggest that there is an undetermined number of others who might wish to join this employed labor force.

Next: The Employment Patterns

The case of the poorly cropped photo

By Anne Pashkoff

San Antonio

George Orwell couldn't have found a better situation for 1984 than the recent picture cropping incident at Lackland Air Force Base near San Antonio.

In Orwell's 1984, Winston Smith rewrote newspaper stories of the past to fit with present governmental policies, thus "altering history." At Lackland, some 15 servicemen took razor blades to the Aug. 7 issue of the unofficial base newspaper, *The Talespinner*, and excised what information officers considered an "inappropriately cropped" picture from the 10,000 copies of the paper. The incident culminated in a call for an explanation by Wisconsin Sen. William Proxmire and the reprimand of the base information officer, Lt. Col. John Hartig.

The editor of the *Talespinner*, Sgt. John E. Polich, said the incident started when M/Sgt. Michael A. Kenny, the non-commissioned officer in charge of internal information at the base, showed up at the print shop with a photo of the new base commander, Maj. Gen. John S. Samuel, checking into Lackland. Polich said that when he arrived, Kenny was "reading proof and generally directing the operation — a role he'd never assumed before." Kenny suggested that the picture he brought down be placed on page 1. Polich pointed out that another picture of Samuel had already been placed there. This front page picture, which later became the disputed one, showed the new commander receiving the Legion of Merit in Washington.

POLICH SAID it was decided to discard the original picture and put in its place the one of Samuel checking in. Later, however, Kenny decided the disputed picture should be placed inside. "Most of the paper was pretty well wrapped up and I said there was no space in the paper for it," Palmer said. First proof had already been read on "virtually" all the pages.

But Kenny again suggested that it run and did it in such a way that "I considered it an order," Palmer said. So Palmer placed the picture in a three column wide hole on page 5, a hole which would have been filled by something like a house ad, he said. To fit it in the hole, Palmer cropped the picture tightly — so that only the heads of Samuel, his wife, and Lt. Gen. Arthur W. Oberbeck showed. The picture and cutline were two and a half inches deep. When originally on page 1, the photo was four or five inches deep, Polich said.

When Hartig saw the photo in the

Talespinner the next day, he ordered Kenny to instigate "operation razorblade" and he ordered the dismissal of Palmer as assistant editor and his reassignment to another job.

Polich, who said he had tried to stop the incident "through administrative channels," then complained to the inspector general.

Later, he wrote letters to two congressmen, one of whom was Proxmire. After Proxmire's call for an explanation, Samuel stepped into the picture and conducted an investigation.

After the investigation, a printed release stated: "Although the placements of the photograph and caption may have been poor journalistic style, it did not warrant the action taken. General Samuel said the information officer who made the decision to remove the photograph has been reprimanded."

Col. John Keeler, chief of information for Air Training Command (ATC), Randolph AFB, which oversees the operation of 16 bases in the country, said of the order to remove the picture, "It was deplorable. I'm just saying what General Samuel said. He was abhorred by it, too." Polich and Palmer originally were denied permission to speak with the press but later were allowed to as long as they said nothing to prejudice the investigation underway.

THE INCIDENT raised interesting questions about the military's editorial prerogatives. The *Talespinner*, like many base newspapers, is privately-owned, in this case by Stanley Campbell Publications. Campbell, when contacted about operation razorblade, said the military had full editorial control of the paper and that he "didn't know about it until after the fact." Yet, the statement of policy which appears on page 1 of the paper states:

"The *Lackland Talespinner* is an unofficial newspaper published weekly in the interest of personnel at Lackland Air Force Base, Texas, of Air Training Command. It is published by Stanley Campbell Publications, a private firm in no way connected with the Department of the Air Force."

Air Force regulations concerning unofficial base newspapers states: "The content of a commercial enterprise newspaper is not subject to military control."

Two days after completion of the Air Force investigation, Hartig and Kenny both made last-minute cancellations of interviews with this reporter concerning the regulations. But information officers at ATC supplied answers to the seeming paradoxes. Keeler said that "content" in

the regulations means "everything in the newspaper" — from advertisements to copy.

By letter of agreement, the Air Force has control over editorial content only and not over advertising, except for the stipulation that no ad may be adverse to the interests of the military and the Air Force base it serves. Thus, Keeler said, the total content of the paper "is not subject

September 4, 1970

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to military control. When they say we do not have control of an unofficial newspaper, they mean we don't own it so we have no say. The only thing we control is the copy," he said.

By definition, an unofficial newspaper operates at no cost to the government. Regulations state that "costs involved in the preparation and delivery of copy to a commercial enterprise newspaper are those incurred in the normal functions of an information office, and not costs connected with the publishing of a newspaper." Yet, *Talespinner* workers do much more than write releases. They make-up the pages, edit the copy, write the headlines, and read proof. Military personnel even distribute the paper on base.

Keeler said that all of these functions are incorporated in the phrase "preparation of copy." When it was pointed out that Lackland personnel pick up the papers at the printers and return with them to the base where they are distributed, Keeler said this appeared to be against regulations since it could not be considered preparation of copy. Distribution should be the responsibility of the publisher, he said.

The regulations say further that "all news made available to a commercial enterprise newspaper will be made available on an equal basis to any other publisher who requests it." Asked if "on an equal basis" meant providing releases to all publications that requested them on the same day the *Talespinner* gets them, Keeler replied affirmatively. Any publisher could ask that all articles originating in the office of information, including those written by persons assigned to the newspaper staff, be supplied and the articles would have to be delivered to that publication on the same day, Keeler said.

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THE EDITOR of a San Antonio daily says that in practice this is not done. Requests from his office for all releases have been made often over the years to area military bases. Yet, he said, it was common practice for them to wait to deliver some releases until the day after the base paper came out or even possibly two or three days afterward.

Still another section of the regulations provides that people on active duty are not allowed "to be members of the editorial or administrative staffs of a commercial enterprise newspaper and will not authorize their name to be carried in the masthead." Nevertheless, the military does assign persons to positions on the newspaper. For example, ATC does consider Polich the editor of the *Lackland Talespinner*. Keeler explained that to the Air Force, Polich is the editor of the paper, but he is not Stanley Campbell's editor. The word "editor" is being used according to its dictionary definition rather than as a title, he said. "He cannot use his title," Keeler said. "It is his title as far as the Air Force is concerned only."

Turning from this to whether base newspapers, official or unofficial, reflect military life, Keeler said: "I think they do and I would qualify it by saying that we must remember, too, that they are house organs and tools of management." The terms "house organ" and "tools of management" cropped up in discussions with all the military men interviewed.

According to Polich, base papers may never have been designed to reflect military life. "It reflects very little of me other than the work I put into it, but it may not have been designed to, at least originally," he said. "Successful corporate public relations executives discovered long ago that you can't compete with a bold union newsletter unless you deal with the real issues in your company publication. You've got to display your information with the most appeal possible and you've got to say it with words and pictures that excite rather than bore."

Keeler said papers were getting more and more into areas of interest applicable to enlisted men. He pointed out that 52% of all the men in the Air Force are 26 years old or under. "In many cases," he said, "they [the papers] had become too much a tool of management and therefore lost their readers. And they're not too good a tool of management if they have no readers."

The purpose, therefore, of recent innovations to military newspapers, such as letters to the editor columns, is to encourage the enlisted man to read the paper so the commander can have a means of reaching him and can "instill his policies to provide for a smooth running installation," Keeler said. The bases newspaper, he said, is "the best way a commander has of reaching his people." □

On moving

DALLAS (AP) — A new anti-loitering law, ... passed by the City Council Monday, defines loitering as "walking about aimlessly without apparent purpose, lingering, hanging around, lagging behind, idle spending of time, delaying, sauntering and moving slowly about, where such conduct is not due to physical defect or conditions." (24 July 1970)

Yes, but
Officer I,
I was just
Wandering,
Wondering about
Demography.

(Did you know that in 1848 Dallas reported a population of 39?)

I was looking up
At your city's bar graphs
Plotted on Main and Commerce,
Calculating
The rate of interest
Hanging around Dallas paid.

(If children were compounded at maturity, it would take two a lot of idle time to explode into a population.)

I was speculating,
Did an adamant Eve
Tire of schooling the prairie
And beget these immobile chests
That reassure each other
Against Texas's vastness?

(The capacity of the Cotton Bowl is 75,504 guts of beer.)

But you raise hell
Every October,
And you don't boot fall fans
Out of their gutters
That Saturday afternoon—
You give them their salad days.

("A jury in Dallas recommended that [nineteen-year-old] Gary Allan Deeds be sentenced to four years in prison for burning an American flag.")

Dallas, Texas:
"Sad, all taxes
Finance sex at six and
Help the universe city
Harbor commie nests
And liberal artists."

("A Dallas grand jury refused to return an indictment against officers of a bank who used pictures of the U.S. flag in advertisements.")

Dallas, Texas:
Mercantilism may
Display a star and double standard
Cut from thirteen stripes, and
Ten gallons of gasoline
Name and mark us loyal.

(In 1858 followers of the French social philosopher Charles Fourier abandoned their nearby socialist community, La Reunion, and moved to Dallas.)

History, herstory —
Once upon a time
Santa Rita came.
And Richardson gave forth
Great auscultators
With an ear for oil.

(The salary of the mayor of Dallas is \$50.00 per council meeting.)

Sometimes it pays to sit
Without apparent purpose,
Lagging behind schedule,
Idly spending time,
On laws the council isn't
Moving on.

—TOM MOT

Austin

September 4, 1970

19

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Leftists need a fourth party

Houston, Corpus Christi, Austin

A right-wing Republican, Congressman John Hunt of New Jersey, has placed in the *Congressional Record* an article from *Human Events*, the right-wing journal, rejoicing in and summarizing the article in a recent *Texas Observer* on Lloyd Bentsen's cynicism that was written by Bill Hamilton, the *Observer* editor-at-large who is presently working with the Democratic Rebuilding Committee to elect Republicans to the governor's mansion and the U.S. Senate from Texas this year. As Jake Sorrells used to say when passing in the street a pretty girl in a short skirt on a windy day, "What do you think about that?"

All very amusing. "Politics make strange bedfellows," but that, I am told, can be interesting. Adding insult to injury, but after injury, why not? Leopards changing spots, but who but a fool gets close enough to leopards to care?

But not really funny. As Sen. William Fulbright says, Spiro Agnew is infinitely more dangerous than Joe McCarthy because Agnew is in a direct line to the presidency. It is far more serious that this fact has occurred to nut right-wingers than it is that it has occurred to Senator Fulbright.

There was, in the letter in the last *Observer* from the mother whose son has been killed in Vietnam, the mother who said, "I am *not* playing the politicians' games any more," an eloquence the only proper response to which is to listen.

BRASS-COLLAR Democratic ladies may, as they wish, attend the 18-county campaign workshop for Lloyd Bentsen, Preston Smith, and Ben Barnes in Victoria. There will be, as the press release says, "an arts and crafts display of handmade items boosting the Democratic Party (decorated purses, aprons, bracelets,

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The Texas Observer

Observations

ceramic pins, etc.,") and, to be sure, as the news release also says, "Participants will bring box lunches. A prize will be awarded to the lady with the cleverest lunch box decoration (Democratically decorated)." But those of us who are really serious about politics have other work to do.

Plans appear now to have aborted among some Houston liberals to challenge the Texas Legislature's law that requires prospective independent candidates, (as, for example, for the U.S. Senate) to file an intention to run with the Texas Secretary of State by Feb. 1 of the election year, before the primaries have even started. In lieu of this challenge, we are now solicited to muster or at least feign enthusiasm for the essentially negative, depressing, and distasteful program of the Democratic Rebuilding Committee — a program that is not any the less negative, depressing, and distasteful because it is also theoretically sound and the only intelligent option left for liberals and radicals in Texas politics this year. To avoid, by plans laid well in advance, another such trap in 1972, two lines of thought, aimed at the radical restructuring of Texas politics, will be the themes of small preliminary meetings in Texas this fall.

One theory is that in 1972, a "skeleton crew" should preserve a fourth party option (assuming the American Party will be around again as the third one) by conducting required conventions. Then, if the Democratic nominees are not acceptable to liberals, as in Texas they usually are not, the fourth party will run all-out in November, 1972, elections, in which, accordingly, conservatives will have to divide their votes between the

Republicans and the conservative Democrats and the liberals could win with something over a third of the vote. For the politicians' two-party politics, we should just say to hell with them and opt for four-party politics.

The other line of thought would concentrate on electing people in the Democratic primary from liberal local areas (officials such as state senators and county commissioners) and let the state-wide races in the primary go hang.

These two strategies are not incompatible. In fact, they might complement each other very neatly.

IAM OR WAS a member of the temporary steering committee of the New Democratic Coalition formed out of the shards of the McCarthy, Kennedy, McGovern movement after the Chicago convention in 1968, and am an advisor to *The New Democrat*, a publication-for-the-nonce put out by Stephen Schlesinger and Grier Raggio to seek openings to the left for the business-barnacled Democratic Party. Schlesinger recently invited a group of us to comment in a symposium on the question, Should we have a fourth party, or can the Democratic Party be reformed by 1972? What follows is the letter I have sent to the *New Democrat* in response.

Gentlemen:

To your symposium question, Can the Democratic Party reform itself by 1972 or must we have a fourth party, my answer is that the Democratic Party may vitalize itself sufficiently in time, but it is not likely to do so unless we have a fourth party or an independent movement stimulating a new kind of national dialogue and available, in a way threatening to the Democrats, as a standby alternative at the ballot box.

The Democrats will be predictably liberal on the customary issues at the national convention in 1972, but their test then will be whether they show they have the integrity to break the corporations' hammerlock on American democracy.

I believe in free enterprise competition where it still works, but it has stopped working in large sectors of our economic life, and government regulation of these sectors has also failed. Anti-trust has lost out to a privately-administered technological socialism. The regulatory agencies have been suborned by the industries they are supposed to regulate.

In the areas where competition, anti-trust, and regulation no longer work, I believe we should turn now to cooperatives

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of various kinds, to government control of management, or to offsetting and thus competing government ownership. We must democratize our economic system or lose our democracy to a corporate-bureaucratic overstructure essentially fascist in operation.

MOST OF THE radically humanist liberal Democrats probably instinctively tend to agree with John Kenneth Galbraith — I do — that all corporations with 75% or more of their business in U.S. military contracts should be nationalized. They are already in effect public corporations, except that they are milking the public for all the private rake-off they can get. Nationalizing them would at least take some of the profit out of war. But what chance has Galbraith's idea to be evaluated, refined, and adopted in the resonant silence with which leading Democratic politicians have responded to it?

Or again, what convincing difficulties in democratic or libertarian doctrine are posed by my idea, which I advanced recently in another context, that we should have a national oil company, TVA-like, to produce oil and gas from our own reserves under public lands and offshore? Such a proposal suggests many objections, but it is worth discussing, and the Democrats are not discussing it.

In a free and relevant political dialogue, we would be discussing and debating, not only the nowadays quite safe subjects of race, inflation, the environment, and Vietnam, but also the social management of AT&T, nationalization of the passenger-hating railroads, a national life insurance program, a continental water system that could make possible the revival of small farms and farming-family cooperatives, a federal credit pool to provide money at 2% or 3% for home loans. All such subjects are now "off limits" to leading politicians, and this is exactly what is wrong with the country and most particularly with the Democratic Party.

THE LEADING Democratic politicians are struck dumb by such notions, as if by terror, and they oppress those loyal to their careers into a complicitous silence. They are caught in the vicious cycle of careers that depend on campaign money, the sources of which therefore control the careers. And being liberal, these Democrats are vulnerable to being Joe McCarthyized and are thus the most afraid of anything that, being in some sense socialist, can be called communist. No trivial irony, this may turn out to be the mortal flaw of the Democratic Party.

I would like to see the formation of a fourth party or independent movement now in the United States dedicated to opening up substantial arguments about our economic power structure and to the internationalization of abundance and the termination of U.S. military intervention

against popular revolutions abroad. Like the Populists and the Progressives, such a new movement could stimulate the debate we need and frighten the Democrats leftward.

Because of its particular recent political history, Texas may need a similar innovation with a different purpose. Some of the liberal Democrats in Texas are beginning to plan a fourth party "standby" program, maintained by "a skeleton crew," so that if, as usual, Establishment types dominate the 1972 Democratic primary, the standby group can make a run in November, quite possibly splitting the conservatives between the regular party nominees and winning.

We must have a serious challenge from a new political party or an independent movement, or both, because nothing else has the catalytic power to push the national Democrats into serious consideration of our basic economic system. If the national convention in 1972 responded to such a challenge sufficiently, good, we could stay with the Democrats. If they gave us another Humphrey convention or a stockily liberal platform, we would have a real alternative, ready to go. We need a real alternative.

Ronnie Dugger

September 4, 1970

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STUDENTS FOR RESPONSIBLE UNIVERSITY ADMINISTRATION

... in the interest of preserving liberal arts education at the University of Texas, are initiating an investigation into:

- I. The recently adopted "LeMaistre-Jordan" reorganization plan of the College of Arts and Sciences which divided the college in apparent disregard of all previous recommendations by the Watt, Rudd, and Sutherland reports and in complete disregard of both the majority and minority reports of the Special Commission to Examine the Organization of the College of Arts and Sciences.
- II. The recent personnel changes at the University with special attention to the dismissal of Dean John Silber.
- III. The legal responsibilities, duties, and authority of the Board of Regents to make it more responsive to the entire academic community including faculty, students, and citizens.
- IV. Faculty autonomy and authority in the making of policy decisions at all administrative levels with special concentration on the extent to which faculty autonomy and authority at the University have been respected.

The success of this investigation will depend in large degree on the amount of public support it receives. Due to the costs of research, eventual publication of results, and such litigation as may prove necessary, contributions will be greatly appreciated. All correspondence should be addressed to:

STUDENTS FOR RESPONSIBLE UNIVERSITY ADMINISTRATION

2200 RIO GRANDE

AUSTIN, TEXAS

AUSTIN, TEXAS

Freedom Of Inquiry Is For Hopeful People

One of a series of messages quoting from the book THIS AMERICAN PEOPLE. Copyright 1951 by Gerald W. Johnson. Reprinted by permission of Harper & Row.

Life is too short for a man to undertake to acquire a sound opinion on everything. In a thousand details he must act on supposition, because if he did not he would be dead of old age before he could make up his mind how to act at all. The great peril of democracy is that a majority of us may carry this habit over into things of the utmost importance, and so become no longer a self-governing people, but a people manipulated by a few shrewd men who know how to play on our prejudices.

We cannot flatter ourselves that we have never fallen into this error. A very slight and superficial examination of the history of the United States will show that the people have made error after error by acting on prejudice instead of on facts perfectly well known to a majority.

The wisest men in the Constitutional Convention of 1787 wished to include in the document a provision for the gradual elimination of slavery, but prejudice blocked it. Even in 1860 the wisest men in the South realized that slavery was a social, political, and most emphatically an economic evil, and Abraham Lincoln stood ready to assist them in eliminating it by any means that did not involve disruption of the Union; but prejudice blocked it. In 1865 the wisest men in the North realized that a policy of reconciliation and rehabilitation was indicated, but prejudice blocked that, too. . . . To say that this was a departure from the essential American idea is not quite exact. It was rather a case of ignoring the idea.

The Founding Fathers did not hold with compelling the people to do anything, not even compelling them to subordinate prejudice to informed opinion. They held

only that it is absolutely essential to prevent the prejudiced from stopping or silencing any man who is attempting to get at the facts so that he may form a sound opinion. They believed that if the facts are made available, eventually the people will accept and act upon them, even though waves of hysteria may delay that acceptance for some time. . . .

No man is great enough to avoid error altogether, and the greater the mind the greater its need of constant correction and stimulation by other first-rate minds. For the error of a great man is much more serious than that of a small one. . . . This is the risk that the people who fear the search for truth overlook, but it was seen plainly by the men who wrote the Constitution, and they regarded it as far greater than the risk of permitting error to be proclaimed in the market.

Their attitude has been until recently the American attitude, the essence of American tradition regarding freedom of the mind. Perhaps it is still the essential American tradition, but there is at present a vigorous effort being made to change it. . . . The science of nuclear physics has already been cut off, because nuclear physics can devise the highest of all high explosives. The fact that its methods of releasing atomic energy might theoretically be turned to the uses of peaceful industry is ignored in the general fear that some enemy might use atomic bombs against us. That is to say, our fear has grown greater than our hope. . . .

In 1776 and 1787 American hope of the future overrode fear of the future and to fit that condition the American system was devised. . . . The confidence of the fathers made it work then, and only a similar confidence in the sons can make it work now.

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A discouraged Democrat

Every even-numbered year about this time, Texas liberals get urged to vote for some Republican or other. Usually the theory is that this will build a two-party system in Texas, the assumption being that one party will be liberal and the other conservative. Maybe so, but so far I am not encouraged.

Everybody tells me that when those conservative-type Texans see how liberal the Democratic Party is getting, they'll all dump it for the Republican Party. But they haven't so far, and I can see no reason for Texas Republicans to leave the Democratic Party. They all voted for Bentsen so Texas liberals would back Bush. After all, can't they practically count on liberals "rebuilding" the Democratic Party?

If these Republicans had known that Texas liberals would vote Democratic in November, they would have voted for Yarborough in the spring. That's the problem with the marriage of liberals and Republicans — liberals always end up voting for Republicans, and Republicans never vote for liberals.

I suppose it's too late for this campaign, but so far liberal efforts in Texas have caused two parties all right — both conservative-dominated and both enemies of what liberals stand for. I wonder when we will stop building enemies and start rebuilding something for our friends. If the "Rebuilding Committee" were really that, it would have been thinking of phase II — it would have been out in April and May telling so-called Democrats that liberals would support Bentsen in November.

Colin K. Kaufman, 308 Mann St., Apt. 42, Corpus Christi, Tex. 78401.

Who's the worst?

Throughout all the confusion which has developed concerning whom to vote for in the United States Senate race, it seems that the crux of the problem is: How important is it for the voters of Texas to elect a Democratic or Republican senator?

In the area of state affairs, I think the better choice between the two candidates is George Bush. As it is structured now, the Democratic Party in Texas is not responsive to the state's needs. The party needs a reworking of its basic structure. A victory by Mr. Bentsen would only strengthen and continue the present set-up. A victory by Mr. Bush would, I hope, convince the Democratic Party that changes need to be made.

The area of national affairs shows a different picture. It stands to reason that a member of the president's own party would vote with the presidential programs and policies. It seems to me that while Mr.

Dialogue

Bush may hold many liberal points of view, it would be difficult and highly unlikely that he would vote against his own party's policy when it conflicted with his own liberal points of view. It would also be very difficult for Mr. Bush to voice any opposition to the president's programs. Mr. Bentsen, while not being the opposite of Mr. Bush, could vote more easily against the administration since he would be a member of the opposite political party. . . .

The problem boils down to whom the voters in Texas hate the most: Richard Nixon or Lloyd Bentsen. Not an easy decision, is it?

Thomas Edward Wall, 6448 Drury Lane, Fort Worth, Tex. 76116.

Partisan poem

The Connallys and Bentsens
And the one-party curse
Remind me of 'Tommy'
In an old Kipling verse.

Borrow troops from the enemy,
Kick and beat 'em in May.
Then cry Party Loyalty
And demand that they play.

Well, our party in Texas
Should be given a push.
Vote like a Democrat
—Beat Bentsen with Bush.
Chuck Caldwell, 220 S. Broad St.,
Philadelphia, Penn. 19102.

Meaty issue

I have just received my Aug. 21 *Observer* and believe that it is the best issue I have read since Dan Strawn wrote "The Election in Kennedy." The coverage of the Houston shooting is superb, Whitbread's piece is a beautiful statement by an exceptionally sensitive writer, and Molly Ivins' essay is delightful and, may I say, reassuring to one who sometimes despairs for Texas. This

THE TEXAS OBSERVER IN THE CLASS ROOM

Every semester scores of teachers and students numbering a thousand and more use *The Texas Observer* as source material in political science, sociology, and history courses. (In some classes the *Dallas Morning News* is also suggested, for a study in contrasting presentations of the news.)

The fall election campaigns promise to provide plenty of material suitable for the traditional type of classroom analysis (e.g. compare and *try* to contrast) and the *Observer* can be counted on to be right there with the candidates on the campaign trail. Equally important, the *Observer* will not overlook the significance of the growing number of students and others who scorn electoral politics. Either way, it promises to be an exciting season.

Semester subscriptions begin with the current September 4th issue. In addition we will send your choice of any of the following issues for each student subscribing:

Chairman Erwin's Great Leap Backward (Aug. 7th)

The Death of Carl Hampton: Murder or Self Defense (Aug. 21st)

The Texas That Was (July 10th)

Reform in Texas (Feb. 14th & March 7th 1969)

For orders of ten or more copies of each issue sent to a single address the cost for the semester is \$1.75 per student (including sales tax). Send your order now, specifying your bonus selection, to *The Texas Observer*, 504 West 24th, Austin, 78705. You may revise your order as the class rolls settle, at which time we will bill you.

(adv.)

issue has a lot of meat in it — something I have missed in the *Observer* for a long time.

Whatever happened to Hickey?
Lonn Taylor, 303 Moore, Austin, Tex.

Observer 'immature'

I have been waiting patiently for *The Texas Observer* to grow up, and your latest piece on the sacking of John Silber proves to me that you have not done so as yet. Clearly, it is difficult to exercise reason in an atmosphere of hysteria, but polarizing opinion is not the job of an intelligent reporter. That is rather the job of the students and dissenting faculty at the University of Texas. The proper job of a growing publishing concern should be, in my judgment, an objective and informed reporting of both sides of view . . .

I consider myself a loyal American and a concerned Texan who despises the cut-throat measures employed by Mr. Erwin and his benefactors. Those measures smack of cynicism, which smacks of a zero sum game. On the other hand, according to reports of some of his friends with whom I am slightly acquainted, Mr. Silber was clearly playing a power game, and, as Maury Maverick is reported to have uttered once, "You don't fight a cannon with a pea-shooter."

I hope, for the sake of my belief in a better Texas, that your journal will someday mature to the point of reporting the paradoxes of the deadly pursuit of power from either right or left.

James P. Campbell, Editor, Harper & Row, 49 East 33rd, New York, N.Y. 10016.

Death of a friend

Mention should be made in the *Observer* of the recent death of Margaret Reading and of her valuable participation in the Texas liberal movement. I learned about her death from Lillian Collier at the dinner in Houston for Ralph Yarborough.

Margaret Carter, 2816 Sixth Avenue, Fort Worth, Tex. 76110.

AAUP update

In the Political Intelligence section of your Aug. 7 issue, you reported that Bishop College avoided being blacklisted at the recent annual meeting of the American Association of University Professors. As one of the few publications in Texas covering such news, you might also be interested in reporting that at the same meeting, Sam Houston State University was removed from the list of censored administrations. The Summer *AAUP Bulletin* states that an association representative this spring "found a favorable climate of academic freedom and tenure prevailing on the campus" and reports further that a settlement of financial redress and a letter of apology was accepted by Dr. Rupert Koeninger, the dismissed professor in the 1962 case.

Three Texas colleges remain on the AAUP blacklist (Texas A&M University, Amarillo College, and Frank Phillips College), but we can take some comfort, perhaps, from the fact that for the first annual meeting in three years no college in Texas was added to the list.

John W. Holcombe, 1917 20th St., Huntsville, Tex. 77340.

'There's a connection'

Over the years, two kinds of articles have appeared with regularity in the *Observer*. In one sort, a liberal intellectual bemoans the inability of the left to create a solid base of support in Texas. In the other, a liberal intellectual counts the ways in which he is superior to the shitkickers back in Bowie, Jacksboro, Marlin, Katy. . . . There's a connection.

Brian Cameron.

Don't write off anyone

I want to express my appreciation for your special issue of July 10 but also to express my dismay at your accent on "The Texas That Was," "It's All Over Now," and the general theme of death.

I wonder by what enormously insensitive license it is that some of our population write off others — especially those who live outside the half-dozen big

cities — as *dead*? If one were to stop by the East Texas lady doing her washing on the front porch, would one not find her heart beating? The German people around Bellville going to their Saturday evening dances at those eight-sided community centers, do they not breathe? The people of the little South Texas towns struggling to get all their streets paved, do they not respond to heat and cold, rubber hammers and pin pricks?

It is time to call a halt to the defining of who is alive, at least among those who still move, breathe, and respond. It makes me sick to sense the feeling in the small towns of this state and in the plain-folk population (those vast numbers other than the few self-worshiping "now people") that somewhere, by some unidentifiable source, they have been defined out of the "real" human race. This state still has room for many styles of life — all *present tense*.

Ruth A. Haak, PhD, Austin, Texas.

Observer in transition

Something has been bothering me for some time about the *Observer*. Although I'm uncertain of all of it, it relates in part to the ringing credo you carry on your masthead. I was raised on catechisms like that, but in Texas Methodist churches. Yours uses democracy and a quixotic humanism instead of God and the Holy Ghost.

I applaud your recent lament that no writers of the contemporary temper of Southern, Pynchon, and Barthelme have been moved to contribute to the *Observer*. The *Observer* is certainly in transition, and that remark gives me hope. I interpret it as a wish to see more hard-eyed and existential views of the screwed-up world we share.

The *Observer* prints a lot of fatuous and self-indulgent reminiscences romanticizing the post-frontier past and breathing mouth-to-mouth crap into the corpses of the old myths. One takes nothing away from the stature or the memory of Frank Dobie in saying the weight of his hand should be shucked off now. His kind of moral sense still serves well in the *Observer's* excellent political and partisan writing but tends to straightjacket freer expression.

I hope you meant it and will solicit and print more relevant fiction and incidental pieces. "We are dedicated to the whole truth" obligates you to expand your editorial sensibilities as well as your political wavelength.

Finally, some further editorial soulsearching is in order. The editorial credo is indefensible in any sense when given rigorous examination, except as a moralistic ideal, and a simplistic, priggish, and righteous one at that. Is this the guide on which you want to keep your gaze fixed? I hope to hell not.

Henry Vermillion, 133½ S. Salisbury St., Raleigh, N.C. 27601.