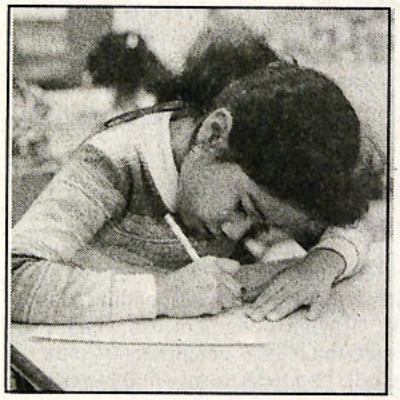
THE TEXAS Observer

FALL BOOKS ISSUE

A JOURNAL OF FREE VOICES

SEPTEMBER 28, 1990 • $1.50

A Parable for Legislators



Consider the following story to illustrate the point. A father has two sons — John and Javier. He says to each that he will divide his wealth between them equally so that he may spend the same on each. For John he provides food, clothing, shelter, a car, tennis lessons, and pocket money. For Javier he provides food, clothing, and shelter. Javier says to his father, how is this equal? His father answers: This is exactly equal. I have done an accountable cost study and learned that a boy does not need a car, tennis lessons, or pocket money to grow into a fine man. So those costs do not count. I have provided for you and John equally.

This simple story has even more force if the facts are altered slightly. Imagine that the food, clothing, and shelter provided Javier are inadequate, while John's are ample. Or imagine that Javier has special needs John does not have, for example, poor health or learning disabilities. Or imagine that the accountable costs studies of the father are wrong, and that certain special advantages do help boys grow into better men. All of these variations on the story fit the evidence.

Thus, *Edgewood* continues to be a debate about adequacy and equity. The Legislature continues to try and define adequate as something less than the elected school boards charged with responsibility to educate our children say they need to do the job.

— From the September 25 *Edgewood* Opinion of Judge Scott McCown

THE TEXAS Observer

A JOURNAL OF FREE VOICES

We will serve no group or party but will hew hard to the truth as we find it and the right as we see it. We are dedicated to the whole truth, to human values above all interests, to the rights of human-kind as the foundation of democracy: we will take orders from none but our own conscience, and never will we overlook or misrepresent the truth to serve the interests of the powerful or cater to the ignoble in the human spirit.

Writers are responsible for their own work, but not for anything they have not themselves written, and in publishing them we do not necessarily imply that we agree with them because this is a journal of free voices.

SINCE 1954

Publisher: Ronnie Dugger
Editor: Louis Dubose
Associate Editor: Brett Campbell
Copy Editor: Roxanne Bogucka
Editorial Interns: Vince Lozano, Richard Arellano, Sean Farrell, Jennifer Wong
Mexico City Correspondent: Barbara Belejack
Contributing Writers: Bill Adler, Betty Brink, Warren Burnett, Jo Clifton, Terry FitzPatrick, Gregg Franzwa, James Harrington, Bill Helmer, Ellen Hosmer, Steven Kellman, Michael King, Mary Lenz, Tom McClellan, Bryce Milligan, Greg Moses, Debbie Nathan, Gary Pomerantz, Lawrence Walsh.
Editorial Advisory Board: Frances Barton, Austin; Elroy Bode, Kerrville; Chandler Davidson, Houston; Dave Denison, Cambridge, Mass; Bob Eckhardt, Washington, D.C.; Sissy Farenthold, Houston; Ruperto Garcia, Austin; John Kenneth Galbraith, Cambridge, Mass.; Lawrence Goodwyn, Durham, N.C.; George Hendrick, Urbana, Ill.; Molly Ivins, Austin; Larry L. King, Washington, D.C.; Maury Maverick, Jr., San Antonio; Willie Morris, Oxford, Miss.; Kaye Northcott, Austin; James Presley, Texarkana; Susan Reid, Austin; Geoffrey Rips, Austin; A.R. (Babe) Schwartz, Galveston; Fred Schmidt, Fredericksburg.

Layout and Design: Lana Kaupp
Contributing Photographers: Bill Albrecht, Vic Hinterlang, Alan Pogue.
Contributing Artists: Eric Avery, Tom Ballenger, Richard Bartholomew, Jeff Danziger, Beth Epstein, Dan Hubig, Pat Johnson, Kevin Kreneck, Michael Krone, Carlos Lowry, Ben Sargent, Dan Thibodeau, Gail Woods.

Managing Publisher: Cliff Olofson
Subscription Manager: Stefan Wanstrom
Special Projects Director: Bill Simmons
Development Consultant: Frances Barton

SUBSCRIPTIONS: One year $27, two years $48, three years $69. Full-time students $15 per year. Back issues $3 prepaid. Airmail, foreign, group, and bulk rates on request. Microfilm editions available from University Microfilms Intl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Any current subscriber who finds the price a burden should say so at renewal time; no one need forgo reading the *Observer* simply because of the cost.

THE TEXAS OBSERVER (ISSN 0040-4519/UPS 541300), © 1990, is published biweekly except for a three-week interval between issues in January and July (25 issues per year) by the Texas Observer Publishing Co., 307 West 7th Street, Austin, Texas 78701. Telephone: (512) 477-0746. Second class postage paid at Austin, Texas.

POSTMASTER: Send address changes to THE TEXAS OBSERVER, P.O. Box 49019, Austin, Texas 78765.

DIALOGUE

A Senator's Criticism

Dear Mr. Dow,
Thank you for your "FAX" letter of June 26, 1990, in which you include a copy of your article "Rush to Judgment." [*TO*, 6/15/90] Because I have been extensively involved in the reform both of federal capital punishment provisions and federal habeas corpus in recent months, I was interested to learn your views.

Although you could not be expected to monitor the last-minute changes in the crime bill, I would observe that the crime bill has now passed the Senate. On habeas reform, it is significant to note that the bill does not simply provide a fixed period of time — one year — in which to file "appeals." Instead, S. 1970, as passed by the Senate, provides a fixed period — slightly longer than one year — in which federal habeas proceedings must be filed *and decided*, including Supreme Court review, if any. That's the truly newsworthy feature of the new habeas proposal.

Since I was a principal drafter of this habeas compromise, it will probably not surprise you that I do not agree with your view that the bill reflects a "flawed understanding of the root of the [habeas] problem." To the contrary, after nearly two years of hearings on this important subject, and lengthy floor debates, most members of the Senate were, I believe, persuaded, as I am, that the vast majority of federal habeas corpus proceedings in capital cases are repetitious, stale, or unnecessary, if not in fact frivolous.

Nor was the Senate persuaded by the witnesses who claimed, as many do, that the capital punishment review system is characterized by widespread incompetency of counsel. Instead, the more persuasive evidence was that "incompetency of counsel" had become a code-phrase whereby waived, ignored, or otherwise insubstantial assertions of error can be brought before federal courts in circumstances that would have otherwise barred their consideration. Moreover, the multiplicity of reviews provided in capital cases, and the strictness of the proof that the Supreme Court requires before a capital sentence may be entered, convince me that there are few questions determined in public affairs on which the accuracy of determination can be more assuredly relied that the jury's determination of guilt or innocence in a capital case.

In short, I find no support in the record developed by the Judiciary Committee for the assertions in your article that death counsel was "scandalously incompetent." Instead, it was clear that courts invariably reverse death sentences where there is any proof of incompetence of counsel. The important thing to remember is that none of the proposals for habeas reform now being considered would in any way restrict the current rights of a habeas petitioner who raises any colorable question of guilt or innocence. Nor would it hasten the execution of any inmate whose lawyer was inept. It would only allow states to carry out what they consider just sentences where no one has been able to establish any ineptitude on the part of defense counsel even though the case has been reviewed on five to nine, or more, occasions. Even at this minimal level of protection — most capital defendants receive far more — it is fair to note that no other country provides anything close to our post-conviction review safeguards.

Orrin G. Hatch
United States Senator
Washington, D.C.

An Author's Response

Dear Senator Hatch,
I write to thank you for responding to my article, "Rush to Judgment," in which I criticized the habeas amendments to the crime bill. Needless to say, in the space of twelve hundred words, it was impossible to discuss the issues as fully as they merit.

Your letter does raise two points, however, that I would like to comment on. I am pleased that you acknowledge that many witnesses before the Senate noted the widespread incompetency of counsel. In my view, the only way accurately to assess the veracity of the competing claims is to read (perhaps I should say scrutinize) the transcripts from capital cases. The free enterprise system, which I know we both support steadfastly, simply ensures that the best lawyers will go to those with the greatest resources; and conversely, the worst will go to those with the least resources. Capital defendants usually fall into the category of those with fairly thin resources.

Finally, I wholeheartedly agree with your observation that no other country provides the degree of post-conviction protection for capital defendants that the United States does. Of course, it is also true that no other western democracy executes its citizens.

Thank you again for your taking the time to respond to my article.

David R. Dow
Assistant Professor of Law
University of Houston

It's About Time

THE POOR have waited too long,'' District Judge F. Scott McCown said of the painfully slow process of litigation and legislation that has characterized school finance equity reform in Texas. "I think it's kind of poignant to note that a child who was in first grade when this case was filed is now finishing the seventh grade. Everybody has talked about a five-year phase-in of any plan that's ultimately adopted, which will mean that a child in the first grade when the case started will be graduating high school when the reforms are completed."

McCown said that in May, so that child is in the eighth grade now, and will have completed her public education before the reforms — if implemented at the pace described by Judge McCown — are in place. Even more poignant are the circumstances of Demetrio Rodriguez, the retired sheet-metal worker whose name graces the school finance lawsuit that was filed in 1968 and ruled on by the U.S. Supreme Court in 1973 — when it was determined that school finance is a matter for the state courts. When the federal lawsuit was filed, Rodriguez, who is not poor but resides in one of the state's poorest districts, was suing on behalf of his four children — the oldest of whom was then in the second grade at Edgewood Elementary School in West San Antonio. This year Demetrio Rodriguez's youngest daughter, who was not yet born when the original lawsuit was filed, will graduate from John F. Kennedy High School in the Edgewood district.

For six months Judge McCown has deferred to the Legislature and the Governor. McCown, who inherited the *Edgewood v. Kirby* case from now-retired District Judge Harley Clark, has argued that a courtroom is not place to fashion a public-school-finance plan and urged the Legislature to comply with the unanimous decision issued by the state Supreme Court. But the judgement and opinion McCown handed down on September 25 suggest that he is no longer so patient. Though he again defers to the Legislature and Governor — "the court has more hope for the leadership and ability of the next Governor and the 72nd Legislature" — McCown does not equivocate in declaring the current plan unconstitutional and inadequate.

The flaws in Senate Bill 1, as McCown explains in his opinion, are egregious. "The problems of our poor school districts remain as disturbing today as when this case began." The wealthiest school districts, according to McCown, are still able to generate far more revenue from their local tax base than are poor districts. For each one-cent increase in the tax rate above $1.18 per hundred dollars, the state's richest district can raise and spend $31.00 per student, while at the same tax effort the state's poorest district can only raise $1.00 per student. This is not equity.

And it is not only with individual districts at the opposite ends of the local-wealth spectrum that these disparities are evident: "The districts at the 75th to 95th percentile in wealth, containing 600,000 students, will be able to raise $22.00 per weighted student per penny of tax rate above $1.18, compared to the poorest district (bottom 20 percent) containing 600,000 students, which will be able to raise and spend only $5.00 per weighted student per penny of tax rate."

MCCOWN'S WRITTEN opinion demonstrates that he has grasped fully the dreadfully technical subject of education finance and penetrated the reality of a piece of fraudulent legislation. (And the legislation is fraudulent because it was so utterly compromised in order to win over the Governor.) McCown's 52 pages are considerably more than a judicial opinion; the judge has written for history and delivered a policy paper that is remarkable because of the force and clarity of the language it uses. The judgment and opinion handed down on September 25 should serve as a briefing book for 181 legislators who will be called upon to devise an equitable system. (The opinion is quoted at length on the following pages.)

In the end, Scott McCown's opinion is not about equity: it's about time. The length of time that a third of the state's school children have waited for the fundamental economic justice that their constitution guarantees. Time spent in crowded classrooms 20 years ago, and what that time — if it had been spent in circumstances even remotely similar to what existed in other classrooms — might be worth today. The sort of time that Demetrio Rodriguez and others similarly situated understand too well. So it is nothing less than just that the 72nd Legislature and the next Governor are forewarned. If they do not act, then the court will:

"Having stated the case for continued deference to the legislative and executive departments, the court wants to say loudly and clearly that it can not and will not forbear drastic action after September 1, 1991. As the Supreme Court said in October 1989: 'A remedy is long overdue.'"

— L.D.

THE TEXAS Observer

SEPTEMBER 28, 1990
VOLUME 82, NO. 19

FEATURES

Equity v. Adequacy
By Scott McCown 4

On the Governor's Race
By Ronnie Dugger 7

Children's Issues
By Jennifer Wong 11

Counted Out
By Dan Carney 12

Populism in Action
By Brett Campbell 13

The Country is Lonely
By Larry Goodwyn 14

DEPARTMENTS

Dialogue 2

Editorial 3

Political Intelligence 9

Social Cause Calendar 29

Books and the Culture
Literary Barrios
By Dagoberto Gilb 17
A Golondrina Heritage
By Pat Littledog 18
In Search of Rivera
By Dave Oliphant 19
Betraying the Middle Class
By Geoffrey Rips 21
Decade of Dishonesty
By Michael King 22
Plugging Away at Truth
By Bryce Milligan 24
Buscando Americo
By Ruperto Garcia 25
Movies About Movies
By Steven Kellman 26

Afterword
A Justice for All
By Brett Campbell 31

Cover Design: Jennifer Wong

Equity v. Adequacy

Excerpts from District Judge F. Scott McCown's Edgewood v. Kirby *Opinion on School Finance*

SENATE BILL 1, an act relating to public education, passed by the Legislature on June 5, 1990, and signed into law by the Governor on June 7, 1990, effective September 1, 1990, does not "establish and make suitable provision for the support and maintenance of an efficient system of free public schools," as required by Article VII, Section 1, of the Constitution of Texas, as interpreted by the Supreme Court of Texas in *Edgewood I.S.D. v. Kirby*. The Texas school system remains unconstitutional because it continues to deny school "districts ... substantially equal access to similar revenues per pupil at similar levels of tax effort."

...

If the 72nd Legislature does not "establish and make suitable provision for the support and maintenance of an efficient system of free public schools" by September 1, 1991, then ... the court will consider enjoining the expenditure of all state and local funds or ordering defendants to disburse available funds in the most efficient manner until such time as the Legislature does establish an efficient system.

...

The question presented by the motions before the court is whether the Texas School financing system as modified by Senate Bill 1 is efficient. The test for determining whether the financing system is efficient is whether it gives each school district "substantially equal access to similar revenues per pupil at similar levels of tax effort ."

...

In applying this test, the court presumed the financing system as modified by Senate Bill 1 to be constitutional until the plaintiffs established otherwise. In other words, the court placed a heavy burden of persuasion on the plaintiffs. In addition, the court attempted at each juncture to construe Senate Bill 1 so as to make the financing system constitutional. In the end, however, the court reluctantly came to the conclusion that the system remains unconstitutional.

Senate Bill 1

The state argues that Senate Bill 1 should be given a chance to work. The state further argues that it is too soon to predict how much equity will be achieved by Senate Bill 1 because of variables that have as yet to happen, for example the adoption of local tax rates, the results of accountable cost studies, the appropriations of future legislatures....

A plea for time to show a plan will work is always decided by looking at the particular plan. A particular plan might appear to have merit, but need time to prove itself. Or a particular plan might be so vague as to be no plan at all, in which case time is not needed, a plan is needed. Or a particular plan might be readily identifiable as one that will probably fail. Senate Bill 1 falls into these latter two categories. Parts of Senate Bill 1 are so vague as to be no plan at all. Parts of Senate Bill 1 are destined to fail.

The court finds no purpose in waiting to assess Senate Bill 1. From what is known today, even assuming the best, the court confidently finds that Senate Bill 1 will not provide equity. Waiting one to five years for the obvious to prove true only postpones desperately needed reform.

...

Flaws

Senate Bill 1 does nothing to eliminate the disparities in local wealth. These disparities remain s great as when the court first considered this problem in 1987. Instead, Senate Bill 1 is yet another attempt to ameliorate the disparities in local wealth through an equalization plan with a little more money in the tradition of House Bill 72 in 1984 and Senate Bill 1019 in 1989. Senate Bill 1 is not the dramatic structural reform that the Supreme Court foresaw would be required.

...

Exclusion of Districts

In bold terms, Section 16.001 (a) adopts adequacy and equity in funding as the policy of this state. Subdivision (b) adopts fiscal neutrality as the test of equity. This subdivision sets out the test of *Edgewood*: "substantially equal access to similar revenue per student at similar tax effort."

The fine print begins with subdivision (c) (1), which provides (emphasis added) ... :

> ...(1) the yield of state and local educational program revenue per pupil per cent of effective tax effort *shall not be statistically significantly related* to local taxable wealth per student *for at least those districts in which 95 percent of students attend school*;

What is not obvious ... is which districts have 95 percent of the students. The districts can be arrayed in many ways, for example, largest to smallest or smallest to largest or alphabetically. The plan of Senate Bill 1 is to array the districts from richest to poorest and exclude from the test the number of districts from the richest down that have 5 percent of the students. Thus, Senate Bill 1 begins by excluding 174,182 children in districts with total taxable value of about $90 billion, or 15 percent of the state's total taxable property wealth.

...

The Test of Statistical Significance

The fine print gets even finer ... Senate Bill 1 appears to adopt a test of statistical significance. The court says "appears" because in fact Senate Bill 1 does not adopt any test at all ... (emphasis added):

> ...the yield of state and local educational program revenue per pupil per cent of effective tax effort *shall not be statistically significantly related* to local taxable wealth per student for at least those districts in which 95 percent of the students attend school. ...

In plain terms, the section says that the difference between districts in state plus local revenue per pupil shall not be "statistically significantly" related to local taxable wealth.

The state refers to this provision as the self-correcting or self-adjusting feature of Senate Bill 1. As the state describes Senate Bill 1, it works like central air conditioning. When the house gets so hot as to reach the point of statistical significance, the air conditioner automatically goes on to cool the house down.

Their term "statistically significant" does sound like it means something precise, but in fact it does not. When a statistician is asked to determine whether two factors such as revenue and local taxable wealth are related, there are several different statistical tests he can employ to do so. ... Dr. Robert Berne, an expert statistician in the area of public school finance, was called by the state to explain more sophisticated statistical tests.

What was disturbing about Dr. Berne's testimony was his candid admission that the term "statistically significant" has no meaning. How large is large? How small is small? These are questions that the science of statistics does not answer. They are also questions

that Senate Bill 1 does not answer.

So what is meant by "statistically significant"? ... Ultimately the Legislature will look at the numbers generated by various statistical tests and decide whether any relationship between revenue and wealth is in its judgment "significant." Presumably its determination of "significance" will be made after the members see the dollar cost attached to their decision.

Instead of working like central air conditioning, Senate Bill 1 works like a thermometer. The state will keep an eye on the temperature. When the room gets too hot, the state will act. How hot is too hot? Senate Bill 1 does not say.

"Significance" then is a policy question, not a statistical question. Determining from biennium to biennium how much equity will be provided is what was done before Senate Bill 1. Such budget-to-budget decision making has not produced equity in the past and will not produce equity in the future.

The standard [established] ... is that revenue and wealth "shall not be statistically significantly related." Under this test, the Legislature has given itself plenty of room to do nothing.

...

By using the term "statistically significant," if the Legislature meant to invoke conventional standards of social science, Section 16.1001 (c) (1) ensures next to nothing. Anything greater than a 5 percent possibility of chance, for example, only a 6 percent possibility of chance (which is a 94 percent possibility of a causal relationship between revenue and wealth), would pass the test of 16.001 (c) (1) because it would "not be statistically significantly related."

Exclusion of Revenue

The fine print grows finer still. Subdivision (c) (1) is followed by (c) (2) (emphasis added):

> (2) the level of state and local revenue *for which equalization is established* shall include funds necessary for the efficient operation and administration of *appropriate* educational programs and the provision of financing for *adequate* facilities and equipment.

If [this subdivision] were a floor, meaning that equity will be guaranteed at an adequate level, it would be a reassuring promise. Subdivision (c) (2), however, operates not as a floor, but as a ceiling, meaning that equity will be guaranteed only to an adequate level. The difference is immense.

[This section] must be read in conjunction with [Sections] 16.008 and 16.256 (d). Under Section 16.008 (a), the Legislative Education Board adopts rules for calculation of "qualified funding efforts *necessary* to achieve the state funding policy under section 16.001." By its own terms, not all funds are included, only "qualified" funds "necessary," to implement Section 16.001 (c) (2), which guarantees "necessary," "appropriate," and "adequate" funding. Notice that Section 16.008 is captioned "EQUALIZED FUNDING ELEMENT." Plainly, Senate Bill 1 "equalizes" only for "qualified" funds.

Subdivision (b) sets forth what shall be included in these qualified funds ... These funds are limited to "regular" program that meets "basic criteria" for accreditation. ... These funds are limited to the costs per student of "exemplary programs" as determined by accountable costs studies.

...

Section 16.201 plainly says that the "accountable costs of education studies are designed to support the development of the equalized funding elements..." In developing these costs, Section 16.202 automatically excludes co-curricular and extra- curricular programs. Then ... various state bureaucrats do studies to determine the costs per student for districts they deem "exemplary." Then the Legislative Education Board and the Legislative Budget Board develop recommended amounts of money for each year of the next biennium. Even here the Legislature takes no chances. ... these boards are told that they "shall" consider those costs "necessary" and shall "exclude all other costs."

[A]fter the Legislative Education Board adopts its rules for the calculation of the qualified funding elements, nothing happens except a report to the Foundation School Fund Budget Committee, the Commissioner of Education, and the Legislature. Then ... the Foundation School Fund Budget Committee does exactly the same thing as was done by the Legislative Education Board, with a report to the Commissioner of Education and the Legislature. Then ... the specific dollar numbers adopted by the Foundation School Fund Budget Committee are put in the general appropriations bill "for purposes of information." Duly informed by this cumbersome process, the Legislature then determines appropriations.

...

The critical point is that the board is *authorized* and *commanded* by Senate Bill 1 to exclude certain revenue from its calculations, thus equalization is provided up to some supposed level of "adequacy" rather than up to what the property-rich districts actually spend.

The state grows self-righteous at any criticism of this process. The state asks: Why should equalization be provided for unnecessary costs? Why should the state provide astroturf, swimming pools, and planetariums for all? Why is it not sufficient to equalize to an adequate level? These questions show that the state still does not understand the evil that the court insists must be remedied.

Consider the following story to illustrate the point. A father has two sons — John and Javier. He says to each that he will divide his wealth between them equally so that he may spend the same on each. For John he provides food, clothing, shelter, a car, tennis lessons, and pocket money. For Javier he provides food, clothing, and shelter. Javier says to his father, how is this equal. His father answers: This is exactly equal. I have done an accountable cost study and learned that a boy does not need a car, tennis lessons, or pocket money to grow into a fine man. So those costs do not count. I have provided for you and John equally.

This simple story has even more force if the facts are altered slightly. Imagine that the food, clothing, and shelter provided Javier [are] inadequate, while John's [are] ample. Or imagine that Javier has special needs John does not have, for example, poor health or learning disabilities. Or imagine that the accountable costs studies of the father are wrong, and that certain special advantages do help boys grow into better men. All of these variations on the story fit the evidence.

Thus, *Edgewood* continues to be a debate about adequacy and equity. The Legislature continues to try and define adequate as something less than the elected school boards charged with responsibility to educate our children say they need to do the job. Of course, the Legislature does not give a thought to prohibiting rich districts form spending money on what the Legislature refers to "astroturf." Instead it refuses to fund what it calls "astroturf" for the poor districts.

The truth is that "astroturf" does not account for much of the difference between the rich and the poor. The state introduced *no* evidence that the Foundation School Program even yet provided an adequate minimum....

In short, what the rich districts spend creates educational opportunities for their children that are denied the children of the poor districts. Under Senate Bill 1, the rich districts are left rich, the poor districts poor. The rich can still raise revenue through local property taxes that the poor cannot. The poor will receive state funds to equalize the difference, but only up to a level of bureaucratically and legislatively determined "adequacy," not to the level of the real difference in educational opportunity.

...

A fiscally neutral system will have disparities in revenue spent per pupil. Local districts will spend different amounts based upon community priorities. The point of *Edgewood*, however, is that the differences should not be the result of disparate wealth .... To accept the state's argument is to adopt a standard of adequacy rather than equity....

Cycles of Funding

At best, Senate Bill 1 chases equity. As the rich draw from tier 3 [local tax funds used for enrichment], the relationship between revenue and wealth at some point becomes "statistically significant" in the judgment of the

Legislative Education Board and the Legislative Budget Board. Based upon data from the last biennium, they recommend adjustments in the present biennium, to be effective in the next biennium. The Legislature makes the adjustment. The poor catch up to where the rich were four years ago. In the meantime, the rich have moved forward again. Such cycles of funding do not begin to provide equity.

Before Senate Bill 1, the history of the Texas school finance system could fairly be described as one in which substantial disparity in educational resources existed because of disparities in local taxable wealth. Periodically the state would recognize the disparities and attempt to correct them by the infusion of additional state dollars, which would temporarily close the gap between resources available to rich and poor. Over time, because of the superior tax base available to the wealthier districts, the gap would widen again. Senate Bill 1 does nothing to prevent this same pattern from recurring and, in fact contemplates the continuation of the pattern. Senate Bill 1 writes history into law.

The False Hope of Reaching Adequacy

[T]he state has so many unmet educational needs and spends so little on education that one can safely predict that those districts with access to tier 3 [local tax funds for enrichment] will continue to use it to supplement the state's inadequate program. While care must be taken in comparing national averages, it is startling to learn that the Texas district at the 95th percentile of revenue per student spends less than the national average per student. The district at the 95th percentile spends $4600 per student. The national average is $4800 per student.

Any perception that Senate Bill 1 flooded the school districts with so much money that unequal enrichment from tier 3 is no longer a concern would be seriously mistaken. The taxable property wealth of Texas is about $631 billion. The state and school districts combined spent approximately $12 billion in 1989-90, excluding debt service. Senate Bill 1 added about $518 million for 1990-91, an addition of only 4 percent. Of this, $65 million is to make up for shortfalls in funding due to unplanned increases in enrollment, and $159 million goes to districts above median property wealth. Only about $300 million new state dollars will be sent to districts below median property wealth.

Senate Bill 1 is projected to add about $1.2 billion in 1994- 95, an addition of 10 percent. During the five school years between 1989-90 and 1994-95, however, inflation is projected to drive the cost of education up significantly higher than 10 percent. Thus, as noted, Senate Bill 1 will not even keep pace with inflation.

Facilities

One of the big advantages that property-rich districts have is the ability to fund facilities. As facilities are needed or desired, the property-rich districts merely draw on tier 3 to pay for the facility or service debt. The property poor are left in difficult circumstances. Senate Bill 1 addresses this problem by providing for modest equalization ... for debt service and some modest grant funds for facilities.

The Progreso I.S.D., one of the plaintiff-intervenors... dramatizes the problem. Progreso, located in Hidalgo County, is one of the state's fastest growing districts, having increased its enrollment by 64 percent in the last five years. The school district, like all others, is mandated by Texas law to maintain a 22-1 pupil teacher ratio through grade four. Thus, the district is under constant pressure to expand its facilities. Its true tax rate for 1990-91 was 94.9 cents per $100 of valuation, in excess of the targeted equalization rate of 91 cents under Senate Bill 1. Of its total tax rate, 80 percent is allocated to debt service, almost 60 cents above the state average.

With regard to facilities, the court's criticisms of Senate Bill 1 is two-fold. First, there is no plan. Instead there is merely a study. The state's defense to this criticism is that it does not know what to fund until it determines what is "necessary." Thus the second criticism of Senate Bill 1. The state does not plan to make structural changes so that each district has substantially equal access to funds for facilities, instead the state only intends to provide funds for "adequate" facilities. This approach is no more acceptable for facilities than for operations. The test is equity, not so-called adequacy.

Comparisons with Alternatives

All of the alternatives [to SB1], the state reasons, are either more undesirable, politically unacceptable, or themselves unconstitutional. Thus, the state concludes, the court must accept Senate Bill 1.

...

The court has more hope for the leadership and ability of the next Governor and the 72nd Legislature. Perhaps they can develop a plan of full state funding that provides adequate dollars and retains an appropriate measure of local control. Perhaps they can develop popular support for significant consolidation. Perhaps they can solve the technical legal issues regarding tax base consolidation or secure a constitutional amendment to allow tax base consolidation. Perhaps they can develop an altogether new plan. It is not yet time to say we can do no better for the children of Texas.

Beyond that, if an equalization plan without caps is the only solution, Senate Bill 1 is not an acceptable version. A much more equitable plan can be developed. For example, the Equity Center proposes a "floating cork" plan that provides substantially equal access. Such a plan would 1) equalize to some point such as the 95th percentile of wealth for 95 percent percentile of wealth for 95 percent of the students; 2) do so within a reasonable number of years; 3) require biennium-to-biennium adjustments based upon where collective local decisions have placed the 95th percentile of wealth during the preceding biennium.

The state argues that such an equalization plan gives school districts "a draw on the treasury." To the extent that the state means that under such a plan the state's share is determined by what the collective decisions of 1056 school boards show is needed to fund education, the state is correct. Any equalization plan that ensures equity does just exactly that. In simple terms: the rich spend local tax dollars from their property-rich tax base; the state sends the poor the same amount from state taxes. Thus, the draw on the treasury. The only reason that Senate Bill 1 is not a draw on the treasury is because it does not ensure equity. Under Senate Bill 1, the poor are not sent what the rich spend.

...

The critical point to understand is that a true equalization plan does not create any inefficiencies, it merely exposes them. The inefficiencies are a result of 1065 districts with great variations in student size and property wealth. For decades the inefficiencies have been subsidized by the property-poor school districts and their children who have gone without so that others could have more. Forcing the poor to subsidize these inefficiencies is not a choice available to the Legislature.

...

Having stated the case for continued deference to the legislative and executive departments, the court wants to say loudly and clearly that it can not and will not [forbear] drastic action after September 1, 1991 .... Senate Bill 1 provides too little equity to justify much delay. The problems of our poor school districts remain as disturbing today as when this case began.

...

If the Legislature continues to abdicate its responsibility, or if the Governor impedes legislative action, then upon appropriate motion and proof the court will act. Pursuant to its constitutional authority, and in discharge of its own constitutional responsibilities, the court has interpreted and applied the constitution ... Having done so, the court must and will make its judgment effective.

...

Conclusion

Our need for education is too great and our wealth too modest for inequitable funding of our schools to be tolerated. Our founders wisely required our Legislature to equitably distribute our resources for a general diffusion of knowledge to ensure our liberties and rights. That task awaits the 72d Legislature. □

On the Governor's Race

EVEN THOUGH 30-second TV attack ads and the negative atmospherics they create are destroying analysis in American politics, let's take an analytical look at the governor's race as the campaign rounds into its closing weeks. That done, I shall have a few suggestions about what Ann Richards might do to come from behind and win.

As of last fall, according to the Texas Poll, 32 percent of Texans said they are Democrats and 31 percent said they are Republicans; a third said they are independents. However, last March about 1,450,000 people voted in the Democratic primary, while about 850,000 voted in the Republican one. The GOP primary turnout was 300,000 higher than the previous record total, but two out of three Texans who voted last spring preferred to choose among the Democratic candidates. Texas is a two-party state in which the Democratic candidates still should have some advantage from the residual preference for them among the voters.

Despite a Democratic primary that was aptly described as a demolition derby, Richards prevailed in the runoff over Attorney General Jim Mattox seven to two in Travis County, eleven to five in Tarrant County, two to one in Harris County, five to three in Bexar County, and three to two in Dallas County. Among the six top urban counties, Richards lost only El Paso to Mattox, three to two. These figures tell us that, as of the primary half a year ago, Richards had strong residual support in the major cities among the two-thirds of the voters who participated in the Democratic primary.

In the Texas Poll taken between August 4 and August 19, Clayton Williams led Richards 47 percent to 37 percent with 16 percent undecided, the margin of error 4 percent. Those figures described a contest in which one candidate was ahead but plausibly either could win. About a month later, in the poll taken between September 5 and 12, Williams had gained only one point, to 48 percent, but Richards, at 33 percent had lost four voters out of a hundred, who had mainly shifted to undecided, a category which rose three points to 19 percent; here the margin of error was 3 percent.

Williams led among men 58 to 28 percent, but Richards was much stronger with women, 40 percent for her to 42 percent for him. This astounding gender gap might signify a situation in which some women, when asked how they will vote, are lying to avoid antagonizing the men they are close to. With about two months to go as of the September poll, Richards still could win, but had lost ground in the late summer, probably by putting on Michael Dukakis's helmet and shooting doves from a tank.

Many progressives have been saying from the start that Richards does not stand for enough specific policies and programs of the progressive kind. Williams has been saying lately that he will be a compassionate governor. We have reached the point in the campaign when, against these backdrops, we can fairly compare what each candidate has said on those substantive issues which he or she has chosen to discuss.

ON ABORTION, Richards favors "a woman's right to choose and keeping government out of people's private lives." The state Democratic platform, which she of course controlled on this issue, says: "The Democratic Party trusts the women of Texas to make their own decisions about such personal matters as whether or not to have an abortion. No government, no politician, no bureaucrat should interfere in such private decisions. We support full reproductive rights and full access to choice and family planning services and information for all citizens."

Williams opposes abortion except in cases of rape, incest, or saving the life of the mother. The state Republican party platform says: "Pro-life. The Republican Party of Texas believes that the unborn child has a fundamental individual right to life which cannot be infringed upon except when the mother's physical life is in danger ... We affirm our support for a human life amendment to the Constitution and we endorse legislation to make clear that the 14th Amendment's protection applies to unborn children." The Texas Republicans officially oppose any public funding for any abortion activities.

Richards proposes to establish an environmental clearinghouse in the governor's office, which might lead to the creation of a central environmental agency. If oil companies refuse to contribute voluntarily to emergency clean-ups of oil spills, she says, the state should tax the oil industry to pay for such cleanups. She wants a statewide coastal management resource plan and a rapid response team to fight oil spills, with the governor made the official responsible for the state's response. As governor, she says, she would bring into being a team of lawyers, scientists, and technical experts to investigate illegal dumping, toxic discharges, and pollution threats to water resources. Businesses should be granted tax credits, she says, in exchange for buying recycled materials and for recycling their own wastes. Williams following along after Richards on oil spills, advocates spending $25 million in general revenues to equip nine Texas ports with oil-spill-fighting equipment and fining polluters twice the cost of clean-ups. Richards' commitment to the environment when there is a conflicting claim from business is questioned because of her business and political associations with Austin developer Gary Bradley, one of whose projects, environmentalists charge, could jeopardize the Edwards aquifer. Williams dried up Comanche Springs to water his own land, and his businesses have been accused of polluting.

Richards wants to raise teachers' salaries to "a professional wage" and to improve provisions for their health care, and she speaks of a secure teachers' retirement system that "is not treated as a source of available funds when the state runs low." Williams' position is implicit: opposing any new taxes, he opposes any fundamental upward hike in teachers' pay. *Pro forma* he has an education program — giving students and parents the freedom to choose any state-accredited school they want — but it is not real.

On the scandal of the corrupted state legislature, which the candidates were all but required to face because of a questionnaire sent to them by the *Dallas Morning News*, Richards is tough on corruption and Williams is soft on corruption. Richards favors, and Williams opposes, the creation of an ethics commission with subpoena powers; Richards favors, and Williams opposes, requiring lobbyists to detail all expenditures of more than $100 on lawmakers and requiring legislators to report receiving any such entertainment, meals, or refreshments; both candidates favor limits on contributions from political action committees, but Richards favors, and Williams opposes (except on lawyers in judicial races), putting limits on campaign contributions by individuals; Richards favors, and Williams opposes (as well he might, having loaned his own campaign at least $6 million already) restricting how much candidates can lend their own campaigns, to be repaid by later campaign contributions.

Richards also proposes that all statewide candidates and officeholders be required to releases their tax returns and the "extremely wealthy" candidates be required to put their holdings in blind trusts. She has released her tax returns back to 1982; he has refused to release any of his, and he says that if he is elected he will not put his holdings in a blind

trust. As Jan Jarboe says in her excellent *Texas Monthly* profile of Williams: "This is a formula for scandal."

According to the president of the Texas Consumer Association, Annette LoVoi, Richards has promised to work to repeal the insurance industry's exemption from price-fixing laws. The exemption of insurance companies from the antitrust laws, in conjunction with the consequences of their immunity from federal regulation, has set up the country and insurance policyholders for a collapse as momentous as the savings and loan scandal. The real question is: which will be next, banks or insurance.

Borrowing only one (alas) of the ideas of Jim Hightower, Richards proposes establishing a computerized data bank to match Texas manufacturers with suppliers and international buyers. She also wants to offer tax cuts to companies that provide day-care programs for their workers.

WILLIAMS SAYS that he would have the state waive the cost of tuition and books for low-income students during their first two years of college, and he favors state financial aid to help parents keep children in drug-rehabilitation programs. For the compassionate Williams, that's about it. He would eliminate the prevailing wage rate in state-funded construction, which means the workers bustin' rocks on the highways would get paid substantially less. Williams also would change — just how, he doesn't say — workers' compensation laws to improve the state's business — climate, that is, to benefit business and hurt already-injured workers.

Last year Williams was quoted as saying "he would not rule out the possibility of the necessity of a state income tax." The chairman of the House Ways and Means Committee, Representative James Hury, says we'll need at least $3 billion more just to keep state services and programs at present levels in the next biennium. Now, with his apparently unqualified will to commit hypocritical demagoguery, Williams promises to "veto any further tax increases ... I'll veto any tax increases." Any tax increases of any kind; he will also veto, he says any laws that force local taxing authorities to raise taxes. He proposed to cut state government operating funds 7 percent (after eight out of the last 12 years under skinflint Bill Clements) and a hiring freeze except for education, law enforcement, and health, to fund his drug and prison programs. Williams even says Clements should have vetoed the tax increase for education! Williams berates Richards for her 1986 statement that Texas would need an income tax in four to six years and for her more recent remark that, despite her now-stated opposition to a personal income tax, she would not second-guess the Legislature, implying she would not veto one. Slowly it is drawing on more and more citizens that the Reagan-era politicians' read-my-lips, no-new-taxes hypocrisies are infinitely more pernicious in their effects in the lives of people and on the community as a whole, than some nitwit burning a flag.

Williams says he enforces random drug testing of employees in his company and would consider randomly testing state employees for drugs. If teenagers do drugs, Williams says. "I'll put them in a boot camp. Military discipline, drug counseling, and I'll introduce them to the joys of busting rocks." (This, apparently, is his real education program.) He plans to send 20,000 "kids" a year to these boot camps in waves of 5,000. He will use the Texas National Guard to keep drugs out of the state.

"Clayton Williams wants to double the prisons," the candidate also says. He goes along with Richards on tougher laws against rape. Richards favors ending parole for people convicted and sentenced for aggravated rape, capital murder, aggravated robbery, aggravated kidnapping and aggravated drug offenses. Williams has leapt on the statement by one of Richards' aides that she has moral problems with the death penalty. She has pledged to carry out the death penalty law on the books. Williams proposes to expand the death penalty to murderers of children; she says she will study the proposal when the Legislature meets next year.

While upholding the right of hunters to own sporting rifles, Richards supports federal legislation to halt for three years "the sale of a few cop killing guns" and a brief waiting period before buying guns to allow authorities time to check criminal and mental-illness records. Williams opposes any waiting period for the purchase of either handguns or semiautomatic rifles. He opposes banning the sales of semiautomatic weapons. In Gilmer in July, Williams said: "We may have to march on the government one day if it doesn't straighten out. We need to keep our guns ... I'm against any further gun control ... She wants a waiting period for assault rifles, and she wants to ban more assault rifles, and I favor no further control whatsoever."

WHO HAS STRUCK the most and the lowest low blows? Williams by far. There was the thoroughly dishonest 30-second spot which falsely stated that Richards had lobbied the Legislature to let put state funds in savings and loans institutions, falsely stated that Richards had destroyed relevant records on state deposits she put into in S&Ls when in fact the State Library had destroyed them in routine accordance with state law, and drew, from these lies, implications that likewise could only be false. Williams spokesman Bill Kenyon went so far as to say that Richards had used a truck "to send our financial records out of state" (a falsehood that could be passed off as a joke). Lower than this is hard to get, but Williams has.

In a round of statewide radio commercials running mainly on country and western stations, the Texas Republican Party accused Richards of drawing support from the gay and lesbian caucus death-row inmates whose paper reportedly endorsed her, and actress Jane Fonda because of her association with a campaign contribution to Richards. At the state Republican convention, delegates called Richards an "honorary lesbian." As Carolyn Barta wrote in the *Dallas Morning News*: "Mr. Williams says he's not encouraging it, but some Republicans have labeled his opponent an honorary lesbian. He hastens to add, however, that he is against 'that lifestyle.'" Williams also says, in a press release: "Ann Richards looks like she's running for mayor of San Francisco, not governor of Texas." In an equally sly and low-minded appeal to yahoo prejudice, Williams has berated Richards for favoring the repeal of the state's law against sodomy. "I'm against sodomy, and I want to keep that law on the books," Williams said, "because it is a statement of the true values of the people of Texas." On this "issue" such as it is, Richards has obviously taken the moral and logical position, based in respect for people's personal autonomy and privacy; the response from Williams is demagoguery of the kind that makes citizens turn with nausea away from electoral politics.

Williams has flag-baited Richards, too, and to lamentable effect. Fending him off, she endorsed a constitutional amendment to prohibit flag desecration; no doubt she had in her mind Bush's successful strangling of Dukakis with the flag. Williams has continued flag-baiting her anyway.

The one low blow struck so far by or for Richards came from the national Democratic chairman, Ron Brown, who, in a morally rotten fundraising letter, linked Williams with former neo-Nazi and Klan leader David Duke (and with Sen. Jesse Helms) by denouncing them together as "hate-filled candidates" and asking for money to defeat politicians such as them to prove that "racism, anti-Semitism, and sexism aren't winning strategies." This was a contemptible slur against Williams; he is probably a sexist but there is no evidence against him in the campaign concerning racism or anti-Semitism. Richards said she had not known about the letter in advance, and when asked if she believed Williams is a racist, said no; she should have rebuked Brown for sending the letter. On the other hand, state Democratic Party official Ed Martin was fully justified in accusing pro-Williams Republicans of "hate campaigns, like gay-bashing."

IT IS CLEAR to me on this record that any reasonably well-informed moderate or liberal Texan, whether a Democrat, a Republican, or an independent, cannot logically vote for Williams on the issues and should vote for Richards. Williams's posturing as compassionate is belied by his alliances and his policies, especially his promise to veto any new taxes. Richards's program leaves much to be desired by programmatic progressives, but nevertheless is recognizably progressive. She has positive and specific programs for the environment, the public schools, and ethical standards in the Legislature. Her

decent values can be seen as well in the positions Williams attacks her for. In her stump speech, she says, "I've never made a political promise I haven't kept." The fact that she has not promised to veto a state income tax is one of the many rather well-hidden proofs of her underlying quality as a public official.

The worst thing about Richards as governor, in my opinion, would be her predictable support from the governor's mansion of Lloyd Bentsen's next campaign for President, which his "close advisers" says he is considering (he has already been to Iowa). Bentsen's nomination would be a calamity for the Democratic Party — I believe it might and should lead to one of those rare historical realignments of the parties, with a third one replacing the Democrats. For me, however, this consideration was overridden in the primary by problems I had about the more progressive alternative candidate. It is a question how much likelier Bentsen would be to be nominated because his state's governor would be leading the delegation for him. If the Republican or an independent candidate for governor had offered voters at least a reasonably moderate alternative to Richards in November, I would have been motivated to favor that alternative chiefly because of this Bentsen factor. Williams is no such alternative.

What might Richards honorably do, these last weeks, to win? I would make these few suggestions.

The latest poll shows that among those voters for whom abortion is the most important issue, Williams lead 54-27 percent. This may suggest a failure of the Richards campaign to take sufficient advantage of the underlying two-to-one majority in public opinion for abortion rights. Perhaps she should go to the side of the Catholic physician and the Catholic director of an abortion clinic, who have been excommunicated in Corpus Christi.

Our new colleague at the *Observer*, Brett Campbell, believes that Richards is trailing because her campaign so far has failed to make the issues visual (that is, visualizable, as on TV). Williams's stubborn refusal to make his income tax records public is an outrage which the Richards campaign made very visual, taking him up on his claim that it would require a Mack truck to deliver the records by driving a Mack truck up to his headquarters to get them. That same truck should be driven to his campaign headquarters every third day or so with a new sign plastered on its side. To start: "Williams, what are you hiding from us in your tax returns?"

As a businessman, Williams has often been sued, with serious charges made against his enterprises. The cases have always been settled under agreements that locked away the terms of the settlements, keeping them secret from the public he is now asking to elect him governor. On different days, the Richards campaign should demand that Williams tell the people the exact and complete terms of each settlement of each different lawsuit against his companies. If he complies, the public has more information; if he refuses, he is kept on the defensive.

On September 3, after Williams had gone all the way against any additional gun regulation "whatsoever," the Texas Poll showed that 82 percent of Texans — more than eight out of ten — favor a waiting period of seven days before a handgun can be bought. Almost 70 percent favor a ban on the sale of fast-firing assault rifles and failing that, *nine out of ten Texans* want a waiting period before assault rifles can be bought. Using the awful statistics on murders and robberies with firearms, Richards should accuse Williams of preferring his fake macho posturing for campaign advantage to these moderate gun-controlling steps which would increase the security of Texans against violence with guns.

In Ann Richards's "New Texas," where are the homeless going to sleep? I would not try, again, and this late, to convince her that she should be running a visionary progressive campaign. But her candidacy badly needs something that is not more of the negative — a positive boost, a hoisting up to a new level. I suggest she propose, when she is elected governor, to organize, through the governor's office, community house-raising groups, and promise to invite former President Carter into Texas to show us how it's done. Maybe, in the New Texas, we can find again the sense of community, of building not only for ourselves but also for each other together, that we had in the Old. **— R.D.**

POLITICAL INTELLIGENCE

✓ **HARRIS COUNTY** Commissioner's Court must be betting on Clayton Williams to win in November. Not much else explains their flirting with the idea of hiring lame-duck Governor Bill Clements's former chief of staff, Mike Toomey, as their lobbyist in Austin. As a Harris County state representative, Toomey fought against the last major tax bill, which was passed and then signed by Clements during the 70th Legislature. A 40-year-old lawyer, who graduated from South Texas Law School in Houston, Toomey also deserves much of the credit for the Governor's refusal to negotiate with legislators on education finance, even after four special sessions failed to produce a bill acceptable to both branches. Negotiations did not begin to move until Toomey was muscled aside by Secretary of State George Bayoud. Toomey's replacement on the Governor's staff is Rider Scott, formerly Clements's general counsel. Toomey, who capital gossip has had signing on with several big law firms, will earn $79,300 a year if the court votes to hire him, according to the *Houston Chronicle*.

✓ **AS THE ELECTION** grows closer and job hunting becomes more intense, it's hard to tell which appointed official holds what position. Assistant Attorney General Kevin O'Hanlon, who ably and abrasively represented the state in the *Edgewood v. Kirby* lawsuit, has officially become a staff attorney with the Texas Education Agency. O'Hanlon, a favorite of the press because he was so available and forthright during the school-finance litigation and special sessions, is replaced on the case by Assistant Attorney General Toni Hunter, who represented the state in the Opal Petty case. Petty, a mildly retarded woman, was held in a state institution for 51 years without being properly reevaluated, according to the decision of former Travis County District Judge Harley Clark.

✓ **BOB BULLOCK** is lying again, according to a radio spot aired by Republican lieutenant governor candidate Rob Mosbacher Jr. The ad takes a swipe at Bullock, the Democratic candidate for lieutenant governor, for his claim that Mosbacher Jr. owns a barge company that is polluting the Gulf of Mexico. "What Bullock doesn't tell you," the announcer intones, "is that Rob Mosbacher only owns two-and-one half percent of the company." The rest of the company, they contend (as the listener begins to wonder who paid for the ad) is owned by men like Secretary of State James Baker and President George Bush. Finally, late in the ad, they get to their point: "George Bush is no polluter." Yet all but the careful listener will assume that Mosbacher is dragging the President and Secretary of State into the oil slick.

✓ **THE HUGH** Parmer campaign released portions of the transcript of a radio interview conducted by Austin radio station KLBJ with Mary Fricker, co-author of *Inside Job: the Looting of America's Savings and Loans*. During the interview, a Gramm radio commercial aired. Afterward, according to Parmer's release, Fricker said, on the air: "I wouldn't vote for Phil Gramm. Absolutely not. [H]e was responsible for what the Senate finally published in that regard, which ... prolonged this problem for us and increased the cost [of the bailout] a great deal, and I would definitely not re-elect Mr. Gramm." As the Parmer campaign moves into its final month, more attempts can be expected to associate Gramm with the S&L disaster.

✓ **GRAMM SPOKESMAN** Larry Neal, meanwhile, was taken to task in the

pages of the *Austin American-Statesman* by columnist Dave McNeely for what McNeely describes as Neal's "venom" in response to a Parmer allegation that Gramm is taking in far more money than he reports receiving. "Neal suggested to the media—including the *Austin American-Statesman*, which did not use the quotes in its story — that Parmer was a drunk." NcNeely seemed thouroughly disgusted with a quote in *The Dallas Morning News*, in which Neal referred to Parmer's allegations by saying they were the product of "a real boozy dream ... like the product of too much hard whiskey."

McNeely observed that the media have bought into a system by which press aides, rather than candidates, are quoted — "the latest of what seems to be an escalating tendency for campaigns and office holders to use press aides as attack dogs." Neal later called Parmer a schnook and a dummy.

✓ **A DIFFERENT SORT** of environmental sensitivity from that of deposed pesticide board nominee Othal Brand characterizes Bill Clements's latest appointment to that board. Clements chose a less-controversial candidate, Inez Suderman, who is also from the Valley — a Mission real estate agent. While Brand was sharply criticized for his offhand remarks about the deadly pesticide Chlordane, Suderman is evidently a more compassionate — if no more qualified — appointee. "I feel I'm a concerned person," she told the *McAllen Monitor* last month. "One of my children has asthma."

✓ **TOM PHILPOTT AND** Scott Henson, two University of Texas journalists who publish *The Polemicist*, an alternative campus newspaper ("published monthly, or whenever we can afford it"), continue to prove themselves two of the best investigative/documental reporters in the state. Their Open Records Act requests continue to create problems around the UT system, most recently (and again) for UT President William Cunningham. A request for his personal calendar revealed Cunningham ties to two big businessmen with whom Henson and Philpott have connected Cunningham in the past: Jim Bob Moffett and Robert Dedman. Both have been involved in a PUD (planned unit development) project along Barton Creek, in Travis County. The story got some coverage beyond the campus community when it was picked up by the *Austin Chronicle*, an alternative weekly. According to the *Chronicle:*

The calendar reveals even more of Cunningham's connections to Barton Creek PUD developer Freeport-McMoRan. Cunningham serves on Freeport's board as well as the Barton Creek Country Club policy committee [*TO*, 8/17/90]. His wife Isabella serves on the board of Franklin Federal Bancorp, which is chaired by PUD partner Robert Dedman.

According to his calendar, Cunningham spent a week of vacation in early July at a Freeport McMoRan-owned house in Avon, Colorado. He got back to Austin on Tuesday, July 10, and at 7:15 the next morning was scheduled for a breakfast with Bobby Ray Inman, the former CIA agent turned Austin booster. On Thursday the prez was at the airport before 8 a.m. to "Depart Austin via Jim Bob Moffett's airplane" for Dallas. (Moffett is CEO of Freeport McMoRan). Cunningham was back in Austin by that evening and spent a few uneventful days. But he was back into social circulation by Monday, July 16, when he attended "a buffet honoring Ian Smith, former prime minister of [white-majority-ruled] Rhodesia."

There was more fun on Saturday, July 21, with a "Special VIP Cocktail Party," with Dallas Cowboys owner Jerry Jones, coach Jimmy Johnson, and [Austin] Mayor Lee Cooke. The VIP party was followed by a "Dallas Cowboys Gala Event" at the Capitol Marriott. The next day it was off to Los Angeles for some meetings at UCLA, then the next day a hop over to New York City to be a member of the Greater Austin Chamber of Commerce delegation to the national media. ...

After two days in New York, it was back to Austin on Wednesday, July 25, then off to Madisonville the next afternoon, Midland the next day, and later that day Alpine and the McDonald Observatory. After a weekend in the mountains it was back to Austin on Monday, but by 3:00 that afternoon, the president was on a Freeport McMoRan airplane, bound for the company's board meeting in New Orleans. ...

✓ **ANOTHER TEXAN** out to save more benighted regions of the country is evangelist Larry Lea, who is organizing 10,000 "prayer warriors" to go to San Francisco and fight that city's annual "Halloween Orgy." The Dallas evangelist, who founded the Church of the Rock in Rockwall and hosts a television show called "Change Your Life," plans a three-day Prayer Breakthrough rally beginning October 31. Phil Gramm calls Washington the Devil's city, but Lea says the real one is on the other coast. "We believe these people are bound by evil impulses and the territorial demon that prevails over San Francisco," Lea said, "and that's where the prayers are aimed."

✓ **FORMER S&L** mogul Charles Keating, whose shenanigans and campaign irregularities became a focus for public outrage over the continuing scandal, was recently arrested and jailed in lieu of $5 million bond on criminal fraud charges. In the "We Hate To Say We Told You So ... category, we reprint this excerpt from an interview with former U.S. Senator William Proxmire (D-Wisconsin) that appeared in our January 23, 1987 issue:

Proxmire: "Take Lincoln Savings, for example. Charles Keating's operation. That's a savings and loan that has practically no multiples, puts all its assets into risky operations, and if you permit that to go on you're going to have some failures .... Charles Keating is a very prominent and very successful speculator, which is fine. That kind of speculation is good. I have no objection to that. That's what built the country. But I have objection to it with the Home Loan Bank Board's backing and with the full faith and credit of the United Sates behind it."

✓ **A MORE RECENT** *Observer* article has one Glen Rose area resident taking a closer look at his neighbor. The *Dallas Observer* (no relation to this publication) reports in a front page story that a farmer named Kendall McCook read Gayle Hudgens's review of Jay Gould and Benjamin Goldman's book, *Deadly Deceit* in our June 15 issue and experienced that sinking feeling that comes from living four miles away from a nuclear plant — in this case the TU Electric facility, which has experienced several mechanical breakdowns and emergencies since it came on line last spring. The review worried McCook, whose farm provides both vegetables and milk for his two young children. The book claims that low-level nuclear radiation, produced by the nuclear plants and considered harmless by the Nuclear Regulatory Commission, might actually be dangerous. The Tolar farmer and writer asked the state Department of Health to test a gallon of milk from one of his cows. The department pronounced the milk safe, but McCook has sent the results to Dr. Gould, one of the book's authors, for further testing. McCook says he's also concerned that several dairies in the area might be affected; their milk isn't tested separately from milk produced elsewhere.

✓ **THE BOMBS** haven't started dropping — yet — but there's already been some fallout from the Gulf crisis. The *Dallas Observer* reports that anti-Arab-American sentiment is sweeping that notoriously tolerant metroplex. The alternative weekly quoted a Catholic immigration services counselor who said that many "wacko-sounding people" were calling her office and insisting that Arab-Americans be deported. The church office is listed directly under the Immigration and Naturalization Service in the Dallas phone book. According to the president of the local chapter of the American-Arab Anti-Discrimination Committee, Dallas radio DJs are contributing to the intolerant atmosphere by ridiculing Arab dress and playing songs advocating a military attack on Iraq.

✓ **THE TEXAS DEPARTMENT** of Corrections has granted the Waco chapter of the Ku Klux Klan permission to mail some of its heartwarming publications to inmates. Officials said that court rulings protecting prisoners' right to freedom of information prevent denying inmates' access to Negro Watch, Jew Watch, and other journals. The story, which ran in several Texas dailies, was picked up by *Newsweek*. □

The Texas Vote On Children's Issues

BY JENNIFER WONG

WHILE BABY kissing and kindergarten visits seem to be standard campaign fare, the image can be deceptive. Take Senator Phil Gramm, for instance. The Children's Defense Fund recently graded members of Congress on their commitment to children's issues during the 1990 fiscal year. Gramm flunked.

On seven bills affecting children, the Republican Senator voted contrary to the Children's Defense Fund position in all but two instances — one abstention and one vote to appropriate funds to children's programs. In comparison, Senator Lloyd Bentsen had a flawless report card.

Despite much rhetoric about family values, Republicans across the board look like grinches. In the House, where members' votes were tallied on eight bills affecting children, half of the Republicans scored perfect zeros: Representatives Jack Fields of Humble, Larry Combest of Lubbock, Tom DeLay of Sugar Land, and Dick Armey of Copper Canyon. The others were just a vote away from zero. Representative Joe Barton of Ennis, with 25 percentage points out of 100, was the leader in his party's delegation.

In *Children 1990: A Report Card, Briefing Book, and Action Primer,* the Children's Defense Fund used voting records to analyze the problems confronted by children in the United States. For the report card, it monitored votes on bills such as:

• Raising the minimum wage from $3.35 to $4.55 over three years, with a limited training wage for inexperienced workers. The Children's Defense Fund supported this bill because the current minimum wage keeps many families below the poverty level.

• Adopting a budget resolution with priority funding for child care, Head Start, Medicaid, and other child health and welfare programs.

• Transferring any excess funds from the Strategic Defense Initiative "Star Wars" program to programs under the Anti- Drug Abuse Act of 1988 — a bill the Children's Defense Fund supported.

While none of the Texas Democrats received a score of zero, some conservative Democratic House Members were rated as low as the Republicans — most notably Representative Ralph Hall of Rockwall, who voted contrary to the Children's Defense Fund position in all but one instance. Representatives Charles Stenholm of Avoca and J. Marvin Leath of Waco both scored 38.

On the other end of the voting spectrum, the Children's Defense Fund lauded Representatives Henry Gonzalez of San Antonio, Eligio (Kika) de la Garza of Mission, J.J. (Jake) Pickle of Austin, John Bryant of Dallas, and Jack Brooks of Beaumont for impeccable records. Newcomer Pete Geren of Fort Worth, who was not yet a member of Congress while most of the monitored votes were under consideration, received a score of 100 based on three votes. Representatives Albert Bustamante of San Antonio and Jim Chapman of Sulphur Springs were both just a vote away from perfect scores.

Despite the pro-children voting records of a few members, Congress, according to the Children's Defense Fund, fails to meet the needs of the country's youth. The United States is the wealthiest country in the world, yet that is not evident in child health care, welfare, and education — particularly among minority groups. According to Children's Defense Fund statistics:

• The United States, with an infant mortality rate of 10 per 1,000 children in 1988, ranked behind 18 other nations, including Singapore, Spain, and Ireland.

• In a 1979-1982 study on childhood poverty in eight industrialized countries, the United States was last, behind Switzerland, Sweden, Norway, West Germany, Canada, the United Kingdom, and Australia. The U.S. child poverty rate of 17.1 percent was two to three times higher than those of most of the countries studied.

• The United States student-to-teacher ratio in 1986 (23-to-1) lagged behind 18 countries, including Libya, East Germany, Lebanon, and Cuba.

The Children's Defense Fund argues that in a country that has already provided more than $164 billion to bail out the savings and loan industry, such shortcomings are not only unnecessary, but offensive. It estimated that, based on 1988 figures, eliminating poverty in the United States would cost $53.8 billion — one percent of the gross national product. Yet the government failed to scrape together even $1.2 billion that had been requested for child care for fiscal year 1990. In a *Washington Post* article published last year, former Federal Reserve Board Chairman Paul Volcker noted that the United States can afford to meet its pressing domestic needs: "It's a question of attitude, not of economics. You can afford what you think you really need — within limits. And I don't think we've reached those limits."

Even in economic terms, neglecting children's issues is shortsighted. The Defense Fund listed 12 programs in which an investment now would reduce future expenses. For instance, the Chapter 1 Compensatory Education program provides remedial education in reading and mathematics for disadvantaged students — a boost that can keep a child from falling behind in school. Therefore, investing $600 to provide a child with a year of remedial education can save $4,000 in the cost of a single repeated grade. Also, the Children's Defense Fund contends that every dollar spent on childhood immunization programs saves $10 in later medical costs.

While the United States ranks below many other industrialized countries on issues of children's health and welfare, Texas falls below even the low national standard, with a few exceptions. According to Children's Defense Fund findings, Texas is adequately lowering its rates in infant mortality, teen pregnancy, and high school dropouts. In 1978, for instance, the Texas infant mortality rate was 14.3 per 1,000 live births in 1978. In 1987, it was 9.1.

But Texas fails in more areas than it excels, including prenatal care, child poverty, housing affordability, and youth employment. Between 1979 and 1985, the percentage of children living in poverty actually increased by 25 percent, from 18.7 to 23.3. The Children's Defense Fund judged that most of the Texas state programs aiding children are inadequate, from Medicaid and AFDC (Aid to Families with Dependent Children) benefits, to child-support collection efforts.

Leslie Lanham, associate director of the Texas office of the Children's Defense Fund, says the state has made improvements during the past few years. But Texas, like the rest of the United States, still has a long way to go. "We know the programs that would make a difference, and do make a difference, but we're not putting our resources into them," she says. "In the long run, it's going to hurt us." □

Jennifer Wong is an Observer *editorial intern.*

Counted Out

BY DAN CARNEY

Washington, D.C.

IT IS ALMOST certain that armies of political number crunchers are holed up in front of computers these days, trying to digest the preliminary figures from the 1990 census. The good ones — the technocrats who will still have their jobs next year — will devise congressional districts that will maximize the political leverage of the parties and politicians that employ them. There are many unknowns to be considered before those lines are drawn. Cities had until mid-September to contest the count through a standard review process; and a pending lawsuit filed by Texas, Houston, and other jurisdictions seeks to force an across-the-board upward adjustment in the statistics.

But if the final count comes out anything like the preliminary numbers, one thing is clear: The big losers in Texas are Mexican-Americans. Either their numbers were grossly overestimated in yearly estimates conducted by the Census Bureau and the Texas A&M University Population Research Center, or they were grossly undercounted in this year's census. This becomes evident when we look at predominantly Hispanic counties in Texas. Throwing out the counties with fewer than 10,000 people, there are seven that are more than 80 percent Hispanic, eight between 60 and 80 percent, 11 between 40 and 60 percent, and 23 between 20 and 40 percent. With the exception of one slightly anomalous percentile group, the numbers show that the greater the Hispanic population, the farther the census fell short of 1988 Census Bureau population estimates. The [over-80-percent] Hispanic counties fell 3.5 percent short; the 60-to-80-percent Hispanic counties fell 2.5 percent short, and the 40-to-60 percent Hispanic counties fell 2.8 percent short. In contrast, the 20-to-40-percent and the below-20-percent Hispanic counties exceeded the 1988 estimates.

This isn't to say that the census didn't register any growth in the Mexican-American population. Cameron County grew by more than 20 percent in the last decade, and Bexar County grew by 19 percent. But officials in these areas say the overcrowded schools, the swelling shantytowns known as colonias, the large numbers of the unemployed, and other social problems cities and counties are facing are the result of a greater-than-20-percent population growth over the last decade.

Similar discrepancies between estimates and the preliminary figures might show up with black Texans, but since there are no counties with majority black populations, it is harder to make the case until the Census Bureau provides figures broken down by race. But if Texas follows other parts of the country, the evidence of minority undercounting is overwhelming.

There is a belt of rural African-American counties, starting with the Sea Islands of South Carolina and Georgia — islands first settled during the Civil War as a haven for freed slaves — then spreading west along the south side of Atlanta through Central Alabama to the Mississippi Delta. The preliminary 1990 figures for minority populations in these counties also fall far below the 1988 estimates, according to Election Data Services, a consulting firm that analyzes demographic trends.

So far, Hispanic groups are going out of their way to give the Bureau the benefit of the doubt. Neither the Southwest Voter Registration Project nor the Mexican American Legal Defense and Educational Fund is rushing to a conclusion that the Census Bureau is intentionally undercounting Mexican Americans. "I can't be sure which group to criticize," said Allen Moy of the Southwest Voter Registration Project, referring to the estimates and the preliminary census data. "I know there is a problem. But I'm not willing to say in which department the problem lies."

The number crunchers have more than an academic interest in population statistics. The numbers will affect the federal aid states and cities receive as well as the representation in the U.S. Congress and legislatures. Not surprisingly, Democratic politicians have been the quickest to respond. Many argue that Republican political appointees in the Census Bureau and the Commerce Department cannot be depended on for an accurate count in Democratic areas because they don't want to create new congressional and legislative districts for their opponents. El Paso Democratic Congressman Ron Coleman, who has long been suspicious of the Census Bureau's motives, says the low numbers in El Paso County and elsewhere bear out his suspicions. "We've been predicting that undercount all along — the Democrats did, the minorities did — and we knew this is the way the Bush Administration wanted it to come out all along," Coleman said. "Naturally, we are going to be pressing for an adjustment." Other Texas politicians, including Comptroller and lieutenant governor candidate Bob Bullock, Dallas Congressman Martin Frost, and a number of elected officials from the Valley have also called for some kind of relief.

Some cities have been slower to react. While El Paso and Houston immediately started gearing up to contest the count, San Antonio had to wait until the Census Bureau sent it the correct set of block-by-block data. Instead of getting its own figures, it was provided those of San Diego, Texas — population 4,887.

While it may be too early to conclude there was an undercount, it is certain that areas where the preliminary census count fell below earlier estimates have high minority polutations and areas that complained loudly while the count was being taken earlier this year. Many, such as El Paso and San Antonio, complained about the lack of bilingual staff and Spanish-language forms. Others, such as Houston, found whole neighborhoods that did not receive mailed census forms.

It is also clear that the count is affected by how well the census is run in a given area. More complaints have been leveled at the Dallas Regional Census Center than at the corresponding center in Los Angeles. The California count is a lot closer to [the estimates] than is the Texas count. "One of my criticisms of the Bureau is that there are too many voices out there," said Kimball Brace of Election Data Services. "It really depends on the individual (regional census administrator). It has clearly caused hindrances in some parts of the country." And such hindrances, if not removed, could unfairly handicap the legitimate rights of minority Texans. □

Dan Carney is a reporter for States News Service in Washington, D.C..



"Best Lodging Location for Fishermen & Beachgoers"

Group Discounts

(512) 749-5555
P.O. Box 8
Port Aransas, TX 78373

Send for Free Gulf & Bay Fishing Information

Populism in Action

BY BRETT CAMPBELL

FOUR HUNDRED Texas progressives gathered in Austin September 8 and 9 to try to bring one out of many, as the Texas Populist Alliance held its first meeting. The group was founded by Jim Hightower with the stated aim of uniting Texas progressive groups in an "organized, focused, and lasting grassroots movement for economic opportunity and social justice." Despite a shaky start, the Alliance appears to be on track — and to have arrived there by means of the very principles it proposes to inject into politics.

The initiators of the project (including, among others, Hightower, veteran consumer lobbyist Rebecca Lightsey, Houston National Democratic Committeewoman Billie Carr, Travis County Attorney Ken Oden, Lubbock County Commissioner Eliseo Solis) had for months been soliciting the participation of various progressive and grass-roots groups; Lightsey had traveled across the state making personal contacts for weeks before this organizing meeting. The attendance — over 400 people, instead of the 250 anticipated — demonstrated that people around the state felt the need existed for such an umbrella group, according to Lightsey.

The meeting included presentations and panel discussions by a number of progressive leaders, including Congressmen John Bryant and Craig Washington. While most of the remarks were inspiring, much of this was preaching to the choir. The most urgent question was: How to instigate the changes everyone there recognized needed to be made? The first day's afternoon panel provided a few answers. Instead of politicians and public interest group leaders, Hightower (making his only appearance of the conference) introduced a number of grassroots activists who are making a difference in people's daily lives. Deloyd Parker of Houston's SHAPE has been successful at organizing his inner-city community to accomplish social change; Sandy Mayeaux, president of People Organized to Win Environmental Rights (POWER), has compelled recalcitrant state agencies to attend to her Highlands neighborhood's concern about toxic wastes; Janet Miller recounted how Tyler textile workers refused to accept the closing of a Levi Strauss clothing plant; they bought the plant and are now running it successfully themselves as Colt Enterprises. (The afternoon panel featured a speech by Duke University populist scholar Larry Goodwyn, reprinted on the following pages.)All the speakers explained how their local groups had taken their destinies in their own hands, instead of leaving things up to the politicians. Most important, they started at the bottom, at the grassroots level, and worked up. As Parker put it, "People's victories aren't going to happen unless they're rooted in the people."

IT WAS AT THE "Town Meeting," planned to begin shaping the TPA, that the foundling group was almost betrayed by its owns ideals. The original organizers were determined not to dominate the proceedings, to make this initial meeting an exemplar of the populist principles of democracy and openness. But while it sounds good to "let the group decide" its goals and methods, diverse groups of strong-willed people seldom produce coherence out of anarchy. It usually requires a core group with an agenda in mind to get anything done, as James Madison understood when he introduced the Virginia Plan in the Constitutional Convention. And, almost predictably, the second speaker to rise when the meeting was thrown open was a LaRouchite. After an hour or so of wheel-spinning, order began to emerge from the chaos. Don Gardner of the Texas Campaign for Global Security called for the election of an organizing committee and the participants agreed to scrap the next day's scheduled issue forums and get on with organizing.

The following afternoon, more than 100 people showed up for the organizing session, which got off to a muddled start. Group leaders failed to clarify the purpose and focus of the floor discussion, and to establish procedural rules. No one could agree on what to do first: develop a mission statement? An organizing structure? Concrete proposals? The meeting briefly teetered on the verge of collapse and it seemed a case of populism inaction.

But democracy somehow worked in spite of itself. The Rev. Jew Don Boney of Houston rose to make a motion, then began orchestrating the discussion of it so smoothly that Solis turned over the chairmanship to him. Boney (who chairs the Houston chapter of the National Black United Front) deftly navigated the narrow strait between allowing everyone his or her say, and keeping the meeting going efficiently. Other participants displayed admirable patience, respect, and initiative, and the group settled on some broad principles, such as working for economic and social justice, voter participation, equal rights, and protecting the environment.

Finally, the group sought nominations to the steering committee, and allowed all 16 people nominated to serve. About ten slots were left open to be filled with members who could redress the imbalances in racial, gender, and geographic makeup. (There were too few black and brown faces, and Lightsey conceded that until money is available to pay for travel expenses, poor and non-urban elements will be underrepresented.) The committee is charged with devising a mission statement and goals for the group. Their first meeting is scheduled for late October.

A few members (those who wanted a true third party, for example, and members of the San Antonio Progressive Democrats who objected to the organizers' reversal of a previous decision to organize local Alliance chapters) were disappointed — but they were offered, and some accepted, nomination to the steering committee. According to Lightsey, who tallied the 125 or so evaluation sheets filled out by the participants, "Only five thought it was boring, and only one said it left them cold." Lightsey said the higher-than-expected attendance, the spontaneous decision to change the agenda, and the fact that over a hundred people (many from out of town) chose on short notice to give up their Sunday afternoon in order to get things moving reflected a real desire for an entity like the TPA.

Having overcome its labor pains, whither the Alliance? That will be determined in meetings over the next year. Despite the noble-sounding ideal of uniting all progressive groups, the advantages of forming a coalition of many groups, each with its own agenda and overworked staff, aren't immediately obvious. However, if the various component organizations can find a common ground, then by sharing resources (such as mailing lists), the Alliance could make a difference in Texas politics. In the end, the first meeting of the Populist Alliance revealed all the perils and promise of populism itself. A movement that represents the heterogeneous faces of the people (especially in a state as diverse as this one) is going to have trouble achieving a coherent set of goals. On the other hand, a group willing to tolerate — even embrace — such diversity might be able to draw on as broad a base of resources as exists in this state. The fact that the Alliance was able to make some progress despite an almost anarchistic setting is promising. The Texas Populist Alliance has surmounted its first high hurdle: setting the stage, getting its act together. As one decidedly anti-populist, alleged Texan is fond of saying ... stay tuned. □

The Country is Lonely

Excerpts from a Speech to the Populist Alliance

BY LARRY GOODWYN

I SPENT THE EARLY years of my adult life here in Texas trying to create a social movement with many people — many aging people in the audience. Having failed to change the world, I have spent the last two decades studying social movements. And I thought I'd talk about two things, they being the only two things I know.

In the world as I understand it, and maybe it washes through the events of today, we have "normal" politics. And I'm doing it right now — I'm talking and you're listening and it's in an artificial and sterile environment, and it has a lot of hierarchy built in, and it's normal. And there are certain constraints that are present, in terms of dreams of people ... who are called "those in power," "conservatives," [who] control our agenda. And we carry this limitation in our minds and it's a function of all our years on the planet.

We have been taught by our society, by our culture, to have very small hopes. When we learn all these lessons we're called "sophisticated," and we're called "old pros." Politicians who are sophisticated and old pros do not change anything. They merely administer normal politics. Most people, most of the time, in most countries, in most centuries, live all of their lives within the context of normal politics. Not much changes, and what we have essentially is what I call received culture.

Every now and then, very rarely in human history, we get "abnormal" politics. Abnormal politics is a social movement. There are very few large-scale social movements in world history. We've had about three in all the 200 years of American history. The reason we don't have them very often is that they're very hard to put together. It's not because people aren't in need. It's not because times aren't hard, because times are hard. It's not because people don't know they're oppressed, because people know they're oppressed. It's that they don't know what to do about it.

And it's not part of our heritage. It's not part of the received culture to teach the victims of hierarchy how to change hierarchy. So there is not a populist heritage that's alive and well in American society. That, one can see on ABC or CBS or see its rhythms in the *New York Times*, or flowing from lectures by college professors in our nation's universities. No, we lost that cultural battle. So the democratic idea lives in the West in Western society, and lives in the United States, as a dissenting tradition. And you are it, insofar as it exists in Texas at this moment.

Here's what I distill from 25 years of studying social movements. Social movements create internal mechanisms of communication — so that the people a movement is able to recruit can keep knowing who they are. Because as soon as a movement appears, the received culture begins to define the movement in very harsh ways. And it calls them bad names — "hayseeds" or "reds" or "niggers," or whatever will sell at a given moment. And if the movement's people — who, after all, do listen to the received culture because they have no option but to live it — cannot redefine themselves as to what they are, the movement will be killed.

The only thing that keeps movements going is internal communications. That's the first thing I've learned in 25 years of studying social movements.

The second thing I've learned is that movements talk to each other, the people of movements talked to each other. And here we hit a brick wall, here we hit something that not only involves a talent that the received culture doesn't give us; it's not a talent that the dissenting tradition gives us either. It's something that, if it's created in the world, some generation is going to have to come along and create it. And that is: a way to have a democratic argument. We do not know how to talk to each other, be candid with each other, without putting each other down.

Democracy is a sanctioned argument. It's an argument conducted by people who've decided they need each other and respect each other, but disagree about what to do tomorrow morning at eight o'clock. And that's unfortunate but predictable. We have so many sectarian ways of dividing ourselves. Is this a room full of good people, or are they progressives or are they liberals or are they social democrats or are they — and this goes back in time — are they Trotskyists, are they populists? Those are not our words. Those are the words of the other side. Those are words that are created to divide people.

If we can find a way to talk to each other and be candid and not have hidden agendas, not try to manipulate ourselves, they'll have a name for us after a while. We'll recruit the country! Because the country's terribly lonely. The country is profoundly distrustful of power. It doesn't know what to do about it. So the things I have to say today are very simple. Number one, the primary category of political life is the word "recruitment." Now I can't recruit anybody today because everybody in this room has already been recruited. The people we need to recruit are out there, somewhere. Now we can elect to condescend to those people, the ones who are not in this room. We can say that they don't know enough, that they vote wrong, that they do not realize how oppressed they are. We can find a hundred ways to condescend to them, and justify thereby the fact that we can't recruit them. ... Scholars will say, "The trouble with the people of Texas — or Arkansas, or New Mexico or anyplace — is that they have inadequate consciousness." And that is the way elite people condescend to people they can't recruit.

We have to get the message, we have to be clear. This is where Hightower is so helpful. This is where elite liberalism is not helpful. We have to be clear. The American people are suspicious of politicians now, because they're not clear. We have to learn to be clear. Part of our heritage is that if you're clear, you sound radical. That's so: if you're clear, you're clear.

And if we take people where they are, we discover that we can't say everything right away, because they won't understand it. We can't be too clear too quick because we just opened the conversation. So the first thing we have to do is evolve a way to touch this loneliness, to capitalize on it, to say to people that we're all victims.

Since 1980 we've gone from the world's largest creditor nation to the world's largest debtor nation. In that time period the lowest 20 percent of the American people now make in real income 11 percent less money than they did ten years ago. This is called "progress." The top 20 percent make 19 percent more than they did then, in real dollars. The top ten percent of that 20 percent make 29 percent more. The top two percent of that twenty percent make 41 percent more than they did ten years ago.

The sanctioned term of description in the United States, right now, on ABC, CBS, *The New York Times*, what have you, to describe this ten-year period in which we've gone from the world's largest creditor to the world's

---

Former Observer *editor Larry Goodwyn is a professor of history at Duke University.*



ALAN POGUE

Populist fare

largest debtor nation, in which we've had the most massive transfer of income from the poorest citizens to the richest citizens in American history, the descriptive term for this decade is "a time of prosperity."

Now, if we can't find language to talk sense to the American people it might be our fault. Certainly we have an armory of linguistic weapons, more than we want, they have handed us. But we have to find a way to say clearly to people what the facts are. What I've just said isn't moderate, or radical, or conservative, it's merely economically what happened. It's just clear — I just put it more clearly than it normally is.

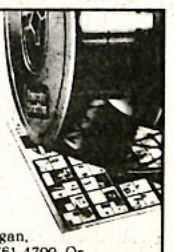
But our main problem is, we're not in touch with the people to give that message to. We're not in touch with our own constituency. And we don't know how to get in touch. And we'll have to create structures, organized structures, that have internal mechanisms of communication. So that the bottom can talk to the top, and the top can talk to the bottom, and the bottom can replace the top frequently. And those who speak must speak quickly and get off the podium.

I have one last thing to offer. In 1964 I began to study the populist movement, which, to my surprise, began in Lampasas, Texas, in 1877, in a room with seven people. They were in need. And they knew the two parties were not responsive to their needs. By 1887 there were 250,000 Texans in the institution those people created, which was called the Farmer's Alliance .... That year, in the spring of 1887, they ponied up their money and they sent a hundred organizers out across the South and West. They were so confident that these organizers would organize successfully that their newspaper — the equivalent of the *Texas Observer* — confidently predicted in February that by the harvest time they would recruit 500,000 people. And so unimportant was this that it wasn't in a headline, it was a one-liner in a column. I mean, it's something that you toss off because you know it's going to happen. Because by that time, after ten years of work they knew what would work and what wouldn't. They knew what to say that resonated with people. Because all the things hadn't resonated they'd learned, and the things that had resonated had recruited 250,000 people in Texas. By that fall they had their 500,000 new members. And by 1892 they were in 43 states and they had two-and-a-half million people. And they were just like us. The difference was, first of all that as farmers the idea of condescending to their constituents never occurred to them. They never had to gear back, they never had to be "nice."

The nearest modern equivalent I can think of to describe this situation — this will unnerve half the room and say something to the other half they already know — it has to do with the way a man acts when he wants to recruit a woman. Involved in it are gestures, assumptions, modes of being. There are varieties — it isn't just swaggering, there's a little of that in the frontier. But it can be a hundred variations. There's an urbane, Wall Street way to recruit women. There's a Duke professor way to recruit women. There are thousands of variations. All are grounded in the same thing. The relationship is not democratic. You're not "respecting" the person you're talking to, you're "handling" them.

A great movement can not be made by people who are handling the people they are trying to talk to. You have to talk to people to create a movement. □

This publication is available in microform from University Microfilms International.



Call toll-free 800-521-3044. In Michigan, Alaska and Hawaii call collect 313-761-4700. Or mail inquiry to: University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

(Advertisement)

A Public Service Message from the American Income Life Insurance Co. — Waco, Texas — Bernard Rapoport, Chairman of the Board and Chief Executive Officer

Let's Seek Solutions, Not Scapegoats

BY JIM WRIGHT

The glee with which some of my fellow Democrats have seized upon the involvement of the President's son, Neil Bush, in a failed Colorado savings and loan company is symptomatic of a sickness in our political society. That malady is contagious. It has invaded both of our political parties. It is every bit as pervasive and destructive as the human weaknesses which underlie the virtual collapse of the nation's thrift industry.

The most prominent symptom of the illness is the incessant search for scapegoats — not for causes and solutions but for villains on whom to personalize blame. A year ago I called this tendency "mindless cannibalism." We see it in the growing eagerness of party flakes to scandalize leaders in the opposition party by attacking not their philosophy but their personal character.

We see it also in the prevalence of negative campaign advertisements which pollute the airwaves and degrade the political process. Slander begets slander, and this begets public disgust. One obvious result is a marked decline in voting. The Texas gubernatorial primaries last spring drew an all-time low turnout.

Of Neil Bush's problems I know very little. From all I have read I infer that his sins if any were mainly of omission rather than commission. Gullibility rather than culpability. Inattentiveness rather than fraud. If his name were Neil Jones, there would be no public outcry. Surely no call for a special prosecutor.

Perhaps I can sympathize with Mr. Bush better than most. While Speaker, my name became a target for various charges in the finger-pointing frenzy involving the S&L industry. While most of those charges were either untrue or grossly exaggerated, I do hold myself to account that I — like many others — failed to see the scope of the looming crisis in time to head it off.

The obsession with scapegoating is worse than childish. In this case, it is dangerously distractionary. It diverts attention from the economic failures and policy misjudgments which caused the savings and loan industry's downfall.

People understandably resent the gargantuan price tag of bailing out millions of innocent depositors. Much of that cost, now estimated at $500 billion, will have to come from the pockets of taxpayers. No wonder people are angry. But it is escapist folly to suppose that any major part of this tragic cost is due to "crooks" and political charlatans in either party. For all our human greed, Americans did not set out to steal a half trillion dollars from fellow Americans.

In truth, the causes of the monumental collapse were more economic than moral. There were plenty of human errors and mistakes of the head on all sides. Lenders and borrowers made flawed business judgments. Public officials in both political parties erred in policy judgments.

The most obvious error was the headlong rush in both Administration and Congress to deregulate an industry whose deposits are insured by the public and to cut it loose from its fundamental public purpose. The thrifts were created to perform a very basic and necessary service — to make home loans available to average American families at interest rates they can afford.

In 1982 when interest rates rose to an unhealthy level and S&L's were stuck with a lot of old mortgages paying traditional rates, both White House and Congress took the easy way out. At the enthusiastic urging of President Reagan, and by vote of big majorities in both parties, Congress deregulated the thrifts. The new law openly encouraged them to abandon their historic mission to family homeowners and look instead for speculative borrowers who would pay them higher rates of interest.

The result should have been predictable. Spurred by 40 years of steadily rising land values, speculators borrowed and thrifts scrambled to loan at high interest rates on every sort of land and real estate venture — office buildings, shopping centers, apartment high rises, commercial subdivision. Then came the fall.

My state, Texas, was the first to feel the pinch. For the first time in 50 years, land prices dropped. Office buildings stood vacant. Rentals fell. Entrepreneurs who put the deals together could not meet their payments. Bankruptcies rose to the highest level since the Great Depression. Lending institutions held paper based on old, inflated values. Foreclosures would no longer pay off the debts. Most of this was not the result of fraud but of greed and over-reaching by businessmen and bad judgment by public officialdom. We should not have deregulated the thrifts.

Another major factor was the skyrocketing increase in home foreclosures which began in the mid-1980s. An epidemic in foreclosed homes was precipitated by the adjustable rate mortgage and its pernicious handmaiden, negative amortization. The Home Loan Bank Board should never have authorized that. Congress should never have permitted it! For sitting by and letting this happen, people in both parties are guilty.

There was some outright fraud, to be sure. The guilty must pay the price of their misdeeds. But most of the loss was not due to theft or fraud or criminal activity, and it is a great disservice to the public to pretend that it was. Most of the bailout cost for which the public will have to cough up money is the result of bad policy judgments. The taxpayers will be served not by a strident political finger-pointing contest but by a rectification of those policy errors.

Government can start by putting a premium on solvency and setting the example. It should show the courage to raise taxes and pay as we go. With a balanced budget, government can and should insist on steadily declining rates of interest. The goal must be to make it possible for people to get out of debt. The thrift industry should return to the historic role in which it and the taxpayers suffered no losses for 50 years — helping America's families to own homes.

And surely we must put brakes on the mania to deregulate. If government is to guarantee deposits, it owes it to the citizens to make sure that publicly-insured institutions are serving the public weal.

Former Speaker of the House Jim Wright of Fort Worth represented the 12th District of Texas for 34 years. His remarks, written for the op-ed page of the Fort Worth Star-Telegram *of August 2, 1990, are reprinted with permission.*

Literary Barrios

BY DAGOBERTO GILB

SINCE THE MID-1970S, fiction and poetry in this country have become polite occupations of the academe. The desire for comfort can't be criticized. But as MFAs (and even Ph.D.s) have proliferated — the "creative writing" degree program being the chosen means by which the writer/poet of this age is initiated and then deemed mature — the tenure-track job at the mini-Iowa writers' workshops, popping up like highrises in Houston and Dallas, has become a credentialing system of its own. A writer or poet not affiliated with one university or another does not exist — as today's literary bios affirm.

Writers are, of course, paper oriented, but these days much of that paper is used for résumés and vitas. Writers, as teachers of writing, have obsessed themselves as much with positions in a bureaucracy where their work is valued like impressive stationery, and where their art is reduced to being evaluated by hiring and promotion committees. Most who are reading this are educated and remember how not to influence one's professor. Such is the plight of literature these days.

Well, don't look now, but not everyone's being nice. Ricardo Sanchez, Chuco's (El Paso's) native son, has had another book published, *Eagle-Visioned/Feathered Adobes*, and it seems he doesn't care who gets pissed off. I'm no poet or critic, so don't ask me if, as poetry, the book is important. Nor do I offer ad hominem defense of or offense at Sanchez's generous use of the ad hominem in the book, except to say that I don't believe in it and couldn't do it — and somehow I doubt that Rudy Anaya is one of the bad guys. Neither am I convinced that the work Sanchez criticizes sells La Raza out as though to rich buyers of cultural trinkets in Santa Fe plaza.

This is what I do say: As a literary-political rabblerouser, Sanchez has few peers. Long before I met him, I had heard of him. Mostly from people who shook their heads, offended, faulting Sanchez's literary manners and upbringing. He has been, in my lifetime, the most unlovable, feared, provoking artist I've known of. His reputation as a newspaper columnist in San Antonio (and earlier, in El Paso) was considered, as I heard it, as much an affront to conventional syntax and civility as it was a testament to his unguarded hubris. Sanchez, known as a pachuco from *el Barrio del Diablo*, the Devil's Ward, was expected to leave this strut and neighborhood behind him when, in the early '70s, success arrived in the form of a book published by a New York company. Instead, he widened the boundaries of his barrio.

Sanchez's scowl in *Eagle-Visioned* falls on what he'd call the inheritors of a Chicano protest movement who have turned activism into the academic and bureaucratic pursuit of middle-class acceptance, and by so doing, have made the Chicano a de-nativized businessperson, as spiritually and culturally rooted as a Taco Bell stand. The media usually perceive politically active ethnic "minorities" as one, a unit whose self-interest is progressive; Mexican-Americans, the Hispanic Southwest, vote the Democratic Party. But right here listen to some divisive groans. Hispanic? Mexican-American? Ricardo Sanchez claims neither of those conservative terms. He is, he will insist, a Chicano, and he takes offense at those too willing to accommodate the Spanish word or the hyphen. In Sanchez's view, the barrio is too far away from the suburbs of the nouveau Chicano mainstream, transforming what was a cause into — like Santa Fe — a costume dress-up for tourists. Whether or not his is an accurate or a too-embittered description of the Chicano literary scene, it does coincide with the dominant trend in literature these days. I recently read an article in *Texas Monthly* about a protest party by a group University of Texas minority English department faculty and students, angered that more minority faculty weren't being hired (which, I can say, they are right about). And my first thought was, how ironic, from the outside, the argument seemed, since minority and non-minority alike are fighting within the same circle of confirmation: that institution (its suit-and-tie and paperwork titles) is power, that power is the institutional life.

Sanchez's barrio, to me, can be seen as a useful metaphor for the force of the non-institutionalized, the not-acceptable, difficult, non-conformist, untrendy, for the not-so-neat, without wholesome backgrounds — with attitude. As a place for beer and tostadas, not wine and cheese; whiskey, not scotch; tequila straight and not whipped with sugar; where poverty is about rent and not tenure; for those without connections, influence, without much if any family money or support to carry them through the good, let alone bad, times. It is, undeniably, a volatile, wild, often unpleasant neighborhood.

It's not, in my opinion, that everyone has to live in this barrio to be "real" or honest. Teachers who are writers, and writers who are teachers are all writers, some of whom, are very good, and some of whom are very boring. Yet all are supported, financed, given unquestioned credibility and recognition. But the time has come for some of the attention to be paid to those who can't, won't, or don't live in the wealth and comfort of a place like Santa Fe (or any of ones). Books like this one by Sanchez have to be encouraged, if, for no other reason, as evidence that there are still some hard and unrefinable chunks in the melting pot. □

Dagoberto Gilb, an El Paso writer who is a journeyman carpenter, has been a visiting writer at the University of Texas at Austin.

FREE DOWNLOAD TYPESETTING WITH PRINTING

FUTURA COMMUNICATIONS, INC.

- Data Processing
- Typesetting
- Printing
- Mailing

512-389-1500
FAX 512-389-0867
3019 Alvin DeVane, Suite 500 Austin, Texas 78741

The Language of a Golondrina Heritage

BY PAT LITTLEDOG

EAGLE-VISIONED/ FEATHERED ADOBES
By Ricardo Sanchez
Cinco Puntos Press;

THIS IS THE way I imagine Ricardo Sanchez as he wrote this particular collection of poems: He is sitting at his writing desk one day at Barrioquarters fingering his turquoise and gazing into desert honeysuckle at the window, thinking weird thoughts while Teresa and kids hustle in the background, when the telephone rings at his elbow and he answers it — a poet needed in New Mexico to find Art.

He leaps into action. "Teresa!" he calls. "My ballpoint!" She buckles it on him. "My notepad. My sunglasses. My *mota*." He heads out West, penetrates the mountain ranges, eyes-a-glint for Art wherever he may find it.

But first to Belen, town of his old family before the father came to the city and set up Ricardo in this poor but honest border business of word-making, his disinheritance. He only makes a brief appearance with the relatives, however, feeling somewhat out of it with his city swagger, merged as he is "with other ways of seeing/hearing..."

— "sentiments *hacia Belen*"

Hits Albuquerque, Taos, finally Santa Fe, heads for La Fonda, stops in the lobby, demands of the walls, "Where is Art Here?" Whips out the notepad. Sits down at the bar and throws a few words out. For several days he will wander this town, searching with shaded hand upon his brow, wandering from cafe to restaurant to cafe to bar to bar to bar, watching the sidewalk show of vendors and the parade of touristy buttocks,

beyond the surface
of zoot-suiting
and onward into
native-garbing,
adoberos, jacaleros,
and little old raza people
cleaning acequias for your cameras,
we spic-n-spanishize
reality for you...

— "came to revisit"

But as he walks the streets, visions of old trails come upon him, and the beauty of the *mestizas* shimmers before his eyes with the truth of the interracial love and violence that raged through the land to make them

adornada
por lo encantable
y paradojico
de esta tierra manita

— "en lo in"

The past shades and films the faces of these people around him like a mirage, so that he gets too dizzy from watching them in the October play of desert heat and chill, and runs back to La Fonda for refreshment. Then when his wrist gets steady again he gets out the pen, writes across the tablecloth

chili-con-kayosh
and pop corn
snackeroo-bontanitas,
country-western balladeer
wails out
in new englander nasality
(imported singer!)
& zee waitress wears
put-on nativeness facade
upon
her
worchester, massachusetts,
demeanor

— "assemblages"

He sits back in the booth. Maybe he has a thought or two about old Prufrock listening to the Michaelangelo talk while he listens to women chatter of Spanish character and a poor version of Freddie Fender. He looks down at the little note he wrote about art and something snaps. He can't remember, under the weight of the recent sun and now the adobe brassknockers before him on the night-club stage, the questions he was supposed to ask of all this Art. He proceeds to get happily drunk and insults everyone:

they pretend as well here
as we do in Texas, Alabama, Alaska, Europe,
or in Tenochtitlan,
the spics here are just
as greasy as anywhere else,
the injuns just as drunken,
the honkies just as materialistic
and dehumanized,
and the niggers just as coon ass happy
and jigga-booed,
and the japs & slants & chinks
are too few to caricature

— "assemblages"

But the morning comes too soon, and he still has a job. So the streets pull him out again, where he discovers a sidewalk cafe and soon finds himself trying to explain to his companero, Orlando Romero, the difference between Orlandito children of New Mexico, who are given eagle-visioned/feathered adobes when they are born, and Ricardito children of Pachucoville, who get the switch-blades, hot rods, and hustling mentality. From the cafe they go to the rooms of partying academia folk, then drop suddenly into the contrasting hell-hole of a penitentiary stained with blood and fire. But without losing composure, he walks through the steel walls of his own past, visits the life-sentencer, watches the women prisoners cry, then back, revelatory, sipping trash-whiskey-madness once more at the La Fonda lounge. The search for Art has become a search for himself. His head is swimming from too much comparison of soul-plight, and so when he can, he lies back in the sun

a la vez
que los deseos brotan
hacia canderas ondulantes,
y las quejas
toman vacacion
mientras
el poeta
disfruta
otro momento vital

— "el sol"

He begins to name all the body parts of women like a litany, and enters a world created by mingling the dreams of lonely men. Whatever happened to his search for his aunt with the Truth written in her face and his ole daddy, the Indian who doesn't want to search for stories where no one lives anymore, a past riddled with bulletholes, now

lo hispanico me estruja
lo mestizo me acomoda

Pat LittleDog is a peripatetic poet, novelist, and journalist, now living in Austin. Her book of short stories, At Play in a Field of Men, *was published by Atlantic Monthly Press.*

— "el sol"

The sun pulls him deeper into his woman-
part dreams and

mi voz
se convierte
en golondrinas
que volan
hacia todas direcciones

— "el sol"

Flying into bird pieces, he begins to sing his song in all the streets and alleys of the North American continent, like Daddy-Whitman as much as Daddy-Mestizo, giving jive-names to special places — "sanjo," "juaritos," "la feniquera," "el valle," "en las junglas nuevayorquinas," singing through the "borracheras y putismes of amsterdam to alabama. ..." When the sunny afternoon cools off, his swallows fly back into his head while he sips a lukewarm beer and lets his thoughts flow off the tip of his pen.

Finally it is the day of his leaving. Art-funding for his mota and whiskey has run out. He has lunch with the Director of the Santa Fe Council on the Arts, Suzanne Jamison, and promises to write a line or two

about
the arts i saw,
the suicidal tree print
was riotous,
the hollywood indian
at the indian art fest,
and the quasi indio things

— "nos sentamos"

Then he begins the long mind-float downstream and back home to El Paso, scrawls his last words of the Sanchez Report on the dashboard and across the windshield, throwing thumbs down to a couple of popular artists and big names of Southwest Art & Literature, but blessing the sufferers — the retired activist Raza Unida man, Juan Jose Pena, and the habitual felon Nonie Tenorio who had declared that he would fast and die to Ricardo, who understands the wish for a fasting "death of hope filled hallucinations" in the face of life imprisonment. Permission to live, permission to die. He also salutes his oldest brother Manolo, recollects becoming closer through drinking and singing together.

He pulls into the city limits of his border birthplace, the two-faced El Paso, "southern-most city of New Mexico, westernmost city of Tejas"

you are loved
for being a landing pad
for many a people
seeking quivara,
and you are hated
for being
an illusion
to those
who seek
meaning in
the sunsets
o'er your mountains

where he waits for funding again to go exploring.

The editor said I could be subjective in this review, because I knew Ricardo from some of those towns beyond Horizon City and once shared a home of bookstore basement reality, working families together to make the bucks and to survive between phone calls from Arts Councils with hot Art questions that only poets can answer.

But I didn't trust my Spanish or my own good instinct for rare treasure, so I turned to another part-time instructor who shared community college office space with me this summer. I knew she was teaching Spanish even though her accent was decidedly South-to-Midwest, and I also wanted to hear what she might say about this amazing ability I find in Ricardo, to invent a language covering a golondrina heritage — international bird talk of alleys and countries and high- flying spaces, a language improvised from multi-fabrications, how very nize, bro, and spenditudinous. The Spanish teacher took the book home but wouldn't give into it. "Oh yez," she said, "he's arrogant, and has his moments, but this you see should be a 'vee' and not a 'bee', a spelling sin we teachers see most commonly in these border people." She spoke to me wit de beeg blue ays from underneath a blonde fedorish wig. I asked her where she learned her Spanish to get this job at the college. "Oh, I took it," she sez, "for many years but couldn't speak it until I finally gave myself over to Mexico and lived there."

"How long?"

"Six weeks."

Now hadn't Ricardo already warned us of graduates from the D.H. Lawrence School of Manito Thought? I took the book from the pseudo-educated *gavacha*, insulting her now in my newly expanded vocabulary, expanded as always from exposure to Sanchez word play. So forget the attempt to throw objectivity into the *atole* pot. My head is now rattling and over-stimulated with odd art dialogue and weird new words and visions of the complex territory called Mestizoland, where Ricardo rules. □

In Search of Rivera

BY DAVE OLIPHANT

THE SEARCHERS: COLLECTED POETRY
By Tomas Rivera
Edited by Julian Olivares
Houston: Arte Publico Press, 1990
112 pages, $7.00

FROM THE BEGINNING of the Chicano movement, poetry played prominent role in motivating *la raza* and in publicizing its need for political muscle to effect social and economic change. As recently as the September 16 issue of the *Observer*, a poem by Tino Villanueva (in Spanish with a facing-page translation by James Hoggard) recalls the year 1959 and the situation then existing when Chicanos suffered silently in the face of biased textbooks that branded their people as "more treacherous than Indians." Ten years later, in 1969, Ricardo Sanchez looked forward to leaving prison and to forming part of the Chicano movement, ready to "pick up a gun" for *la raza* chicana, "to fight our common enemy." The poem by Sanchez, which dates from the last year of a violent decade, is included in his *Selected Poems* from Arte Publico Press, which has now brought out *The Searchers: Collected Poetry by Tomas Rivera*, author of the now-classic *"... y no se lo trago la tierra/ ... and the earth did not devour him,"* winner of an award for the best Chicano novel of 1969-70.

While Tomas Rivera (1934-1985) shared with Villanueva and Sanchez a vision of a better day for *la raza*, all three having experienced the evils of prejudice and exploitation in their native Texas, Rivera did not express his anger so directly or vehemently as his fellow Texans. Instead, Rivera, in both his prose and poetry, employed a subtler art in his struggle against those who denied the Chicano's cultural values, abilities, and human dignity. Not that Rivera did not at times resort to an open attack on those who made him "eat shit / in a taco — laughing, all laughing." Certainly one of the most disturbing sections of the title poem of *The Searchers* levels a searing indictment against misguided public school regulations and the treatment of migrant workers:

We are not alone
when we were whipped
in school for losing

Poet and literary critic Dave Oliphant lives in Austin.

the place in the book
or for speaking Spanish
on the school grounds
or
when Chona,
dear Chona,
a mythic Chicana,
died in the sugar beet fields
with her eight-month
child
buried deep within her
still

Yet these are the exceptions, for Rivera's poetry is more often given to an internal quest for meaning, to a concern for an understanding of abstractions associated with traditional Spanish poetry: solitude, the self, memory, poverty itself or the power of the written word, love, hope, death. These and related themes predominate throughout the book and testify to editor Julian Olivares's claim that "Poetry was for Rivera a very intimate experience . ... [he] writes ... for and to himself."

Among the finest pieces in *The Searchers* are several that were frequently reprinted during Rivera's lifetime: "The Overalls," a moving tribute to his father that ends "the overalls, hanging / in the garage / never to be filled again"; "The Rooster Crows en Iowa y en Texas," a poem on his experience as a migrant worker with its memorable lines describing Crystal City, his birthplace — "to walk the holes / full of street / of my town"; and "M'ijo no mira nada," one of the most successful bilingual poems by a Chicano writer. This last piece is especially instructive, for in it Rivera does not merely show that he knows both Spanish and English but uses the two languages for significant dramatic purpose. The differences between father and son are made evident through a dialogue in which the boy uses English instead of Spanish, a sign of the younger generation's rejection of the older generation's cultural sense, brought about by societal pressures and the natural need for the son to find his own way. The vision of the father is questioned by the son, whose concerns go beyond the actual scenes pointed out by the parent, who ultimately loses patience with the boy's reactions. This is a conflict that relates to ethnic difference but goes deeper, and it was this kind of insight that Rivera often brought to bear on a time of change. Furthermore, Rivera does not take sides, but simply presents the dialogue as an indication of the complexity of the issues involved.

RIVERA'S WRITING OFTEN moves away from the basic concerns of the Chicano movement to consider the nature of poetry as a means of comprehending the continuity and connectedness of life. In a previously unpublished poem entitled "Eternity," the poet observes that, "The living will always be dead / as the dead will / always be living." In another unpublished piece — this one in Spanish and entitled "Palabras" — Rivera claims he has deciphered the eternal secret of immortality, which he says was so easy to uncover: Behind his words he will remain forever to follow with his eyes those who read his poems. He exhorts others to do the same: "¿Por que no me siguen? / Métanse conmígo entre las palabras." Rivera concludes the poem by referring to his words left on the white sheet of paper as being pieces of his bloodstained brains that smell of life and will know how to live. Despite the small number of poems collected in *The Searchers* (and there are quite a few that were written by Rivera in both Spanish and English and exhibit some curious variations), the reader cannot but feel the truth of the poet's assertion, for there is something timeless about the mind behind the words, as in the following passage from yet another previously unpublished poem, "Searching at Leal Middle School":

We talked of thinking
of inventing ourselves
of love for others
of love to be searching
for ourselves.

Introducing this welcome collection of Rivera's poems, editor Julian Olivares, and Frank Kersnowski, whose foreword recounts his publication of Rivera's first book of poems in 1973, together have provided valuable accounts of a man who remains an inspiration to those who knew him, to those who have read his prose fiction, and to those familiar with his various public appearances as a speaker. As Olivares and Kersnowski make clear, Rivera was a warm, sensitive, thoughtful, and sincere figure who by his own academic example — he served as vice president of administration at the University of Texas at San Antonio, executive vice president at the University of Texas El Paso at El Paso, and chancellor of the University of California at Riverside — led the way for those of his own generation and for generations to come. The group of previously unpublished poems included by Olivares in this collection, comprising about half the book, reveals the kind of man and writer Rivera was. In particular, it is enlightening to have a piece that describes something of the source of the poet's early awareness of history and literature. Entitled by the editor (after the first line of what is apparently an unfinished poem), "In the dump" reveals, as Olivares points out,

> an adolescent who discovers in the dump that which has been thrown away as refuse, objects of beauty. In the dump the subject endeavors to find the search but it appears to elude him. Yet the final line suggests a liminal state, the entrance into that creative solitude that augurs the process of discovery and rebirth. It is clear that the dump, that mountain of refuse into which la raza had been thrown, is a symbol of search, of discovery and self-discovery.

In "Searching at Leal Middle School" Rivera also refers to "the dump yards / where smoke curled and / with long sticks we turned and turned and / found half-rotten fruit / to be washed and eaten / and books." This image proves an important key to the reading of Rivera's entire oeuvre.

Just as the poet found nourishment for both body and intellect in the dump, so Olivares has performed a similar service for present and future readers by digging into what the editor refers to as the poet's wastebasket and rescuing work he might have wanted to discard. Fortunately, Olivares saw fit to include such "refuse" in his collection of Rivera's poetry. As perhaps the finest Chicano writer to appear on the scene from the beginning of the Chicano movement, and still the closest to the positive spirit of that effort to recognize and credit the qualities of the Mexican-American mind and culture, Tomas Rivera is and will be a figure of whom we need to know as much as possible. This collection of Rivera's poems aids in preserving the work of a man who deserves a readership not only for his creative expression, but for all he has meant and will continue to mean to those convinced of the rich potential of our multicultural heritage. □



"This is the language we need at the turn of the century ... a poet setting the wild, brave pace for our future history."
—Ray Gonzalez, *Bloomsbury Review*

M&A editions
RR5, Box 332
San Antonio, Tx
78221

Please add $1
post & handling.

Litany Sung at Hell's Gate. Bryce Milligan collages by Jim Harter $8, paperback.

From Inside the Tree. by Bryce Milligan $8, cassette.

This publication is available in microform from University Microfilms International.
Call toll-free 800-521-3044. Or mail inquiry to: University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

Betraying the Middle Class

BY GEOFFREY RIPS

THE POLITICS OF RICH AND POOR: Wealth and the American Electorate in the Reagan Aftermath
By Kevin Phillips
Random House, New York, 1990
262 pages, $19.95.

THERE HAS BEEN a great deal of speculation surrounding Kevin Phillips's latest works, concerning his apparent desertion from the ranks of the Reagan revolution he helped create. In fact, ever since the early years of the Reagan presidency, there has been a cacophony on the right concerning Phillips's apostasy, amounting to a restrained form of red-baiting, smearing Phillips as a traitor to his class. Even prior to the Reagan regnum, William F. Buckley labeled Phillips a "country and western Marxist," which was his quaint way of singing the old mine worker refrain, "Which side are you on?" (For his part, Phillips had attacked Buckley for "abandoning Middle America to load up his yacht with vintage wines and sail across the Atlantic.") Has there been a class war smoldering inside the Grand Olde Party unnoticed for all these years?

Would that it were so. The elements are there. In fact, Phillips is a principal architect of the union between the traditional Republican moneyed elite and the socially conservative middle class that was consummated in the election of Ronald Reagan in 1980. Phillips now seems intent on hastening the divorce. What is this all about?

In the late 1960s, a large portion of Middle America was on top of its game, one generation removed from the Depression and enjoying the highest standard of living any mass population had ever known. Democratic policies shaped in the New Deal and the Fair Deal had made it possible for them to live like Republicans. They wanted to keep it that way. Enter Kevin Phillips.

Phillips, you may remember, was credited with creating the Southern strategy at the heart of Nixon's election four short years after the Republican party had been reduced to ashes by LBJ and by Goldwater's defense of extremism. What Phillips claimed to have done was help the Republicans capitalize on a growing distaste for big government, the welfare state, and the liberal elites running government for the benefit of the upper and lower classes at the expense of those in between. What, in fact, the Republicans capitalized on was the racism of Southern whites and Northern ethnic minorities who felt threatened by expanded economic and social opportunity and by a world they'd known suddenly gone awry. And while the Southern strategy was able to pick up wagonloads of fourth-and-fifth generation Southern Democrats for Richard Nixon, following in George Wallace's wake, and tie them to a portion of the blue-collar rank-and-file, it was not just Republican rhetoric that created this electoral realignment. Let us not forget that it was the South and the ethnic minorities who were providing the cannon fodder for LBJ's war, that it was the ethnic minorities, black, brown and white, in the northern inner cities who were most physically threatened by urban unrest, that it was the sons and daughters of the elite who were turning upside down the universities and colleges that were the goal of many working families, and that it was rural America and the inner cities that were most adversely affected by the transfer of funds away from domestic programs to fuel the war.

There were, as one '60s anthem described it, a whole lot of changes going on. So an answer was crafted by people like Phillips, John Mitchell, and Richard Nixon to capture an electorate angered and bemused by the chaos of the times. The answer was law and order — particularly order (coupled half-heartedly with a secret plan to end the war). In eight short years,the Republican Party had replaced Henry Cabot Lodge as Nixon's running mate with Spiro Agnew. That, in a nutshell, was the Kevin Phillips paradigm. Meanwhile, the Democrats, writes Phillips, were enmeshed in "a fatal shift away from meat-and-potatoes economic issues toward a middle-class array of social, anti-war and environmentalist causes."

But where were the Republicans' meat-and-potatoes issues? Nixon squeaked by Hubert Humphrey by milking white middle-class fear and loathing for all it was worth. According to Phillips, Nixon was about "middle-class nationalism," a rather vague concoction meaning that the interests of the United States middle class, whatever they were determined to be, should be the focal point of national and international policy.

That Phillips fails to recognize, at least in print, is that Nixon played upon George Wallace-inspired white indignation and a wariness of the rich to create a "silent" majority constituency for an economic policy that was designed to serve American business elites at the expense of the poor and middle class. With Henry Kissinger's help, our international and domestic covert and overt military and intelligence apparatus was put at the service of the emerging multinational business structure. The steady advance of civil rights was stopped dead in its tracks. Government programs for expanding economic opportunity at home were drained as the friendly dictators of Iran, the Philippines, Nicaragua and the like were propped up with increasing U.S. aid. China and the Third World became the new frontiers for U.S. business operations and expanded bank lending. Nixon may have imposed wage-and-price controls, but his real legacy was beginning the unraveling of a decently regulated economy that had served to spread the wealth across a wide, even if not wide-enough, segment of our society.

In Phillips's view, what the Reagan era has brought to the Republican party "beyond its emphasis on the politics of national unity, [is] dynamic capitalism, market economics and the concentration of wealth...." But the rolling stone had begun gathering this moss back in the mid-'60s, when Phillips and friends first set it in motion. What they provided, by playing upon social issues, was a blue-collar constituency hoodwinked against its own best interests.

So now we have Phillips saying that the middle class has once again been betrayed, this time by the Reagan Republicans, in their "shift from broad middle-class 'nationalism' into 'capitalist overdrive.'" To support his argument, he presents a compendium of data on the damage done both to the American middle class and to the U.S. in the world economy. As a source of information on the redistribution of wealth in this country by Reaganomics, this book is the next best thing to following Jim Hightower around the state recording all his stump speeches.

For Phillips, the crux of the matter is that the Republicans have embraced market economics as their supreme authority, rather than the middle class, where Phillips believes the authority should lie. Phillips operates under the rather democratic notion that the market should be controlled to meet the needs of society, rather than the other way around. In this day and age, that is tantamount to

---

Geoff Rips is a former Observer *editor.*

populism.

And so Phillips is in the market for a populist revolt. Aside from saying that it will rectify some of the inequality brought on by the Reagan-Bush years, he is not very specific about what policies that populism would entail. In looking for a populist avatar, he does put both Jesse Jackson and Mario Cuomo in positive lights. He talks about current absurd financial and tax policies that have skewed our national wealth and placed our entire economy on a precipice. He even draws a number of parallels among the Gilded Age, the 1920s, and the Reagan era to bolster his intuition that we are on the cusp of a new populist era similar to those engendered by previous epochs of wealth concentration. In this sense, William Buckley is right: Phillips is a home-baked Marxist, to his own brand of historical determinism.

But it's going to take more than historical parallels. People are going to have to understand in their own lives how the concentration of wealth at one end of society is the direct result of the deprivation of the rest of society. In the 1890s and 1920s, the financiers and industrialists sucked their wealth out of the farms and labor of the heartland of this country. It took ten or fifteen years for a critical mass to understand what was happening to them. Perhaps we are building that same critical mass today. But in a high-technology, fractured and alienated society, these things are so much harder to understand as anything more than personal tragedy. We have to recreate a community before we can understand what is happening to us as a community.

And while Kevin Phillips yearns for a middle-class compass to guide America, he nowhere indicates to which pole that compass should point. Phillips fought the Democrats in the 1960s because he felt the elites controlling the party had deserted the middle class to help the poor and disenfranchised. He is now decrying the Republicans of the 1980s because they deserted the middle class to serve what he calls "Upper America." Does that mean he thinks the Democrats should reclaim the middle class by rallying around the rantings of John Silber? Or is he advocating real change — of the Jim Hightower variety? The message is unclear.

Recognizing the middle class as a victim of the Reagan era is a start toward understanding what is going on. But a real populist revolt cannot occur until the middle class begins to see itself as a community of interest and to understand where its long-term economic interests lie, until it is able to resist and oppose efforts to whip it into a frenzy by appeals to its baser instincts crafted by political architects who believe that populism is anointed from above rather than organized from below. □

Decade of Dishonesty

A Social History of the Age of Reagan

BY MICHAEL KING

THE WORST YEARS OF OUR LIVES
By Barbara Ehrenreich.
New York: Pantheon Books, 1990.
275 pp.

ALTHOUGH SHE works a territory not much respected in the academy, Barbara Ehrenreich is among our most acute social historians. She specializes in the history of popular ideas, or more precisely, popular ideology. In *For Her Own Good* (with Deirdre English, 1978), she chronicled "150 Years of Advice to Women," the always patronizing and often ludicrous admonitions to American women of the "experts," the mostly male "helping professions." In *The Hearts of Men* (1985), she recounted the post-war transformation of the popular ideal of the American man, from that of an emotionally austere breadwinner to that of a commitment-fleeing dilettante. Last year's *Fear of Falling: The Inner Life of the Middle Class*, traces the historical development of the American "professional middle class" as a political myth and battleground, and as a popular idea in transition. *The Worst Years of Our Lives* (subtitled "Irreverent Notes from a Decade of Greed"), her sardonic commentary on the Reagan era, is best read as a companion volume to *Fear of Falling*.

Falling is a fine piece of historical and political analysis, and it carries an unmistakable undertone of melancholy, a sense that the professional and managerial class it chronicles is engaged in a permanent war against its own best political instincts — its always tenuous historical commitment to intellectual freedom and social reform. In the universities, the press, and political institutions, the now-shrinking middle class has exhibited a growing identification with its economic masters, symptomatic of its incipient panic that as an economic class it is standing on ever-shakier ground. As the wealth of the nation is increasingly concentrated in fewer hands — as the rich grow ever richer and the poor get even poorer — the "middle" is split and shrinking. Those still riding the crest of post-war prosperity are increasingly beset by a "fear of falling" into the lower classes that their parents or grandparents had once, by slow degrees and great effort, managed to "rise above."

The result is an intellectual split as well. Many former "liberals" and free-thinkers have discovered which side their bread is buttered on, and have run to catch the prevailing political winds with a host of "neo" ideologies whose primary function is to justify and explain away the increasingly harsher policies of the capitalist state. Others have responded to the crisis with more intellectual independence, even rebellion: faced with the economic depredations and public hypocrisy of the Reagan-Bush regimes, they have attempted to keep alight the flame of opposition, to provide some kind of counterbalance to the prevailing winds of greed, apathy, and resignation.

Barbara Ehrenreich is very much among the latter, the voice of one sharpshooting in the wilderness. *The Worst Years of Our Lives* collects her essays and occasional pieces of the last decade, most often from left journals like *Mother Jones* or *The Nation*, or op-ed shorts from *The New York Times* and other dailies. These are short takes, often unlabeled reviews or quick hits on topical issues, united by a skeptical wit and a sense that in a time of social darkness, the unbowed spirit still dances to the light. To her low dishonest decade, Ehrenreich brings a light touch and a historical rapier. Here she is defining her chosen era, too much ours:

> Sometime in the eighties, Americans had a new set of "traditional values" installed. It was part of what may someday be known as the "Reagan renovation," that finely balanced mix of cosmetic refinement and moral coarseness which brought $200,000 china to the White House dinner table and mayhem to the beleaguered peasantry of Central America. All of the new traditions had venerable sources. In economics, we borrowed from the Bourbons; in foreign policy, we drew on themes fashioned by the nomad warriors of the Eurasian steppes. In spiritual matters, we emulated the braying intolerance of our archenemies and esteemed customers, the Shi'ite fundamentalists.

That's as good a capsule as I have read of the last 10 years, least of all in those egregious "end of the decade" retrospectives we had to endure in last year's papers. "Esteemed customers" is a nice flourish, which

---

Michael King is a writer living Houston.

has even more point as I write, and the Bush White House has begun arrogantly wading in to the center of its most ardent arms supermarket, the Middle East. Thanks to these merchants of death and empire politics, we are all of us the patient guinea pigs for an experiment in World War III.

Ehrenreich takes on the Reagan White House more personally in "The Bathtub Tapes," her acid review of Nancy Reagan's *My Turn*, "the distilled bathwater of Mrs. Reagan's life." She rakes Nancy for her vanity, her greed, and her inexcusable self-pity. Yet the essay also has an odd sympathetic turn; she has no reason to doubt Nancy's word that it was she amongst all his more bellicose advisers who pushed Ronnie into the historic meeting with Gorbachev. Nancy's logic remains inscrutable: "Maybe she divined, in her Bloomingdale-Lauren circle of friends, that Ronnie's flamboyant Armageddon talk was a little 'declasse'. Or maybe, in some bathtub session [Nancy reports brightly that she is fond of defeating her enemies in imaginary bathtub monologues], she settled on peace as the perfect retort to all those critics, including Patti, who thought of Ronnie as a 'warmonger.'"

It is of course the feminist in Ehrenreich who is attuned to this vibration in the otherwise-appalling Nancy Reagan, and many of her strongest essays are predictably on feminist subjects. There are several comic pieces on the so-called "new man," who was no sooner created by the media as a repository of sensitivity and openness, than he was quickly mocked by his creators, in the rhythm of such whimsical trends, as "the new wimp." Ehrenreich is something of an expert on "the new man" of the last generation, although she admits that the man she hopes for is not the one invented by the news magazines:

> My new man, if I could design one, would be capable of appreciation, sensitivity, intimacy — values that have been, for too long, feminine. But he would also be capable of commitment, to use that much-abused word, and I mean by that commitment not only to friends and family but to a broad and generous vision of how we might all live together. As a feminist, I would say that vision includes equality between men and women and also — to mention a social goal that seems almost to have been forgotten — equality among men.

The explicitly feminist pieces — and the whole book is informed throughout by a progressive feminist vision, whatever the immediate subject — form a strong group, mainly under the sardonic heading of "Strident Women." "Their Dilemma and Mine" is an unsentimental and fiercely direct defense of a woman's right to control her own body; "The Lesson of Mary Beth" is the best piece I have seen of the far too many on the Whitehead "surrogate" case; and "Why We Lost the ERA" is a frank and straightforward reconsideration of the original idea of feminism: "that nothing short of equality will do *and* that in a society marred by injustice and cruelty, equality will never be good enough." As these quotes suggest, Ehrenreich writes from a frankly socialist perspective, and that elusive "social goal" is one she returns to again, as a worthy political ideal *and* as a biting contrast to the social reality of the last 10 years. In "Is the Middle Class Doomed?" she takes up the theme that is central to *Fear of Falling*: the growing economic crisis which is polarizing American society, and in the process destroying dreams of equality and democracy. Much of the tale is in the simple and grim facts: since that much-maligned decade, the sixties, "in a sharp reversal of the equalizing trend that had been under way since shortly after World War II, the extremes of wealth have grown further apart and the middle has lost ground. In 1984 ... the share of the national income received by the wealthiest 40 percent of families in the United States rose to 67.3 percent, while the poorest 40 percent received 15.7 percent (the smallest share since 1947); the share of the middle 20 percent declined to 17 percent." Or, to put it another way, "As a result of the combination of reduced taxes for the better-off and reduced social spending for the poor, the richest one-fifth of American families gained $25 billion in disposable income between 1980 and 1984, while the poorest one-fifth lost $7 billion." No doubt the rich were putting their hard-earned money into industrial development and a thousand points of light, while the poor were all investing in junk bonds.

Ehrenreich does not recite these statistics simply to lament, but as a call to political action, which would be mild enough in comparison to most industrial societies, and yet in the present reactionary atmosphere has begun to sound more and more like left-wing fantasy:

> We could start, for example, by raising the minimum wage, which would not only help the working poor but would also have a buoyant effect on middle-level wages. We could enact long-overdue measures, such as national health insurance and a system of subsidized child care, to help struggling young families. We could institute tax reforms that would both generate income for federal spending *and* relieve those in the middle brackets. A truly progressive income tax, combined with more generous spending for education and social-welfare programs, would go a long way toward smoothing out the widening inequalities of opportunity.

This is hardly a radical program, and yet it has been made to seem outlandish and extreme amidst the current propagandistic atmosphere, in which a water-carrier for the rich like George Bush is considered a "moderate," and a bankrolled hireling like Phil Gramm buys the position and impersonates the role of a "public servant." These are not the successors of the men and women who founded this republic; these are hypocrites, usurpers, abusers of the public trust. I don't know if the title of Ehrenreich's book is entirely just — we have lived through the Nixon years, and would not do so again for any reason — but the last 10 years have offered few causes for progressives to celebrate.

But Barbara Ehrenreich and her work are reason enough. In the first and best piece in the book, she recounts her own family's "traditional values," a long heritage of independent thought, political action, and the determination to call a spade a spade. She recounts with pride the response of her father, disabled by Alzheimer's disease, to his doctor's question: "Who is the president?" "Reagan, that dumb son-of-a-bitch!" Barbara Ehrenreich reminds us that dissent and resistance are every bit as American as the phony "traditional values" shilled by the demagogues of the right. She knows a better lesson. "No matter that patriotism is too often the refuge of scoundrels. Dissent, rebellion, and all-around hell-raising remain the true duty of patriots." □

THE TEXAS Observer

Available at the following locations:

Old World Bakery
814 W. 12th Street
Austin

The Stoneleigh P
2926 Maple Avenue
Dallas

Brazos Bookstore
2314 Bissonett
Houston

Guy's News Stand
3700 Main Street
Houston

The Newstand
1101 University
Lubbock

Daily News & Tobacco
309-A Andrews Highway
Midland

Plugging Away At the Truth

BY BRYCE MILLIGAN

BECKY AND HER FRIENDS
By Rolando Hinojosa
University of Houston:
Arte Publico Press, 1990
160 pages, paper, $10

IN HIS DETECTIVE NOVEL, *Partners in Crime,* Rolando Hinojosa described an old character named Crossland, who had just had his World War I dishonorable discharge rescinded. A half-century late, Crossland says this bit of justice was accomplished by "some professor ... Someone who kept plugging away at the truth." There is no better description for what Hinojosa has been doing with his Klail City books. Recently, while reading Rolando Hinojosa's new non-novel novel, *Becky and Her Friends,* I was struck by the amount of time I had invested in Hinojosa's work, his "Klail City Death Trip Series," as he sometimes calls it. I was also struck by how much I had learned about reality in 20th century South Texas from this unique series of books. Besides plugging away at the truth, Hinojosa has taken a shot or two at just about every literary genre possible in his quest to describe the life and times of Belken County, a not-too-mythic place bordering the Rio Grande state of Tamaulipas, Mexico. Along the way, Hinojosa has employed the traditional novel, a novel of vignettes, an epistolary novel, poetry, a detective novel, and a work composed of conversations and depositions, *Rites and Witnesses,* which most resembles the volume in hand, *Becky and Her Friends.*

Hinojosa began the series in Spanish (*Estampas del Valle* and *Klail City y sus alrededores*), the latter of which was awarded the Casa de las Americas Prize, the most prestigious literary award in this hemisphere for Spanish-language literature. Hinojosa then moved into English with a volume of interconnected poems, *Korean Love Songs,* set in Korea during the Korean War. He returned to Texas and Spanish in *Mi querido Rafa.* But the effect of the war and other factors had created an inter-lingual society among Mexican Americans in South Texas, which Hinojosa reflected in *Rites and Witnesses,* where English, however, clearly has the upper hand. Hinojosa's next work was a detective novel, *Partners in Crime,* written in fluent and spicy border English.

A facing-page English and Spanish volume, *Claros varones de Belken/Fair Gentlemen of Belken County,* came next, and seemed to reflect the death of true Tex-Mex, as the languages once again drew apart. Hinojosa's latest book, *Becky and Her Friends,* employs the same border English as *Partners in Crime* and Hinojosa's recent translations of his Spanish-language books, *Klail City, The Valley,* and *Dear Rafe.*

There is not, to my knowledge, a term adequate to classify *Becky and Her Friends.* Here the author turns his Faulknerian gaze upon a particular family struggle, in this case a divorce. But the story is cast in the form of rambling conversational descriptions of the events and characters leading up to the divorce — from 26 different perspectives. An anonymous "listener" introduces each person, occasionally interrupting to add just enough descriptive detail to provide forward momentum to the narrative; a hurricane is approaching throughout, for example, though it never arrives. Unlike *Rites and Witnesses,* in *Becky* the reader never learns why the listener in collecting these statements.

If Hinojosa is shooting for ultra-realism here, he hit the mark. Unless one is familiar with the series, *Becky and Her Friends* will probably have all the appeal of spending a week strapped to a chaise longue in the lobby of a small-town nursing home. On the other hand, if the small town in question happens to be one you love (or despise, but at least know), such an overdose of oral history might prove entrancing. For readers intimate with Klail City and its environs, then, *Becky* is an opportunity to eavesdrop on two dozen private conversations about some of their most beloved characters; for scholars of literary style, it is an opportunity to observe a master of voice and characterization at work, to watch a web-spinner weave a narrative masterpiece using precious little narrative thread. For the uninitiated, it is a torrent, an absolute tidal wave of names, genealogical connections, and family histories.

The central event of the book is told simply. Becky Escobar, after 10 years of uninspired matrimonial existence, one day announces to her husband, Ira, that she has decided he will no longer live with her and their children. Eighteen months later, her world and her domestic life in particular reordered, she settles into a blissful existence. That's it. *Nada mas,* yet everything more. Given the traditional status of most women in the series, such a decision rumbles with radical undertones.

Becky was the daughter of Elvira Navarrete and Catarino Caldwell. In spite of her Mexican heritage, Elvira raised Becky like a *bolillita,* a little white girl. Elvira also promoted Becky's marriage to Ira — a banker who rapidly became the bank's token Mexicano politician. Becky's decision to divorce, we eventually learn, is fraught with Chicana consciousness — she quits all the social clubs, learns the Spanish her parents denied her, and takes a job that makes use of her intelligence, education, and wits.

We know from the manner in which Hinojosa created a literary reflection of the linguistic path followed by South Texas Mexican Americans between 1940 and the '80s that this author is intent on something more complex than just a contemporary historical fiction. We know from his use of different genres that he wants to present several sides — there are, of course, more than two — to every event. The net result is a literary hologram of sorts, a portrait of the evolution of a people.

The place *Becky and Her Friends* occupies within all this is clear. To remain accurate, Hinojosa had to address at some point the development of Chicana consciousness as distinct from the Chicano movement as a whole. But radical Chicana consciousness today remains very much an urban phenomenon, and Klail City reflects a much more rural sense of the world. Thus Becky's divorce and remarriage, her renunciation of her traditional social roles, and her entrance into the business world are, in the rural context, striking expressions of Becky's independence. As to Hinojosa's choice of this unusual format, I suspect he wanted to present an exterior view of an interior decision, to reflect the evolution of the community's sensibilities on such matters. Though it is almost exclusively Catholic, the community approves, and this departure from tradition may be as important to the series as the move from Spanish to English.

As old Viola Barragan puts it, Becky "stood on her two hind legs, straightened up her own panties, and told that Ira Escobar where to go. That's the door, *cabrón.*" But it is the other side of the decision that is important — not so much that Becky told Ira where to go, but that she told herself where she wanted to go.

And she got there. □

Bryce Milligan is a poet and literary critic living in San Antonio.

George Washington, South of the Brazos

BY RUPERTO GARCIA

GEORGE WASHINGTON GOMEZ
By Americo Paredes
University of Houston:
Arte Publico Press, 1990
302 pages, $8.50

IT IS A LITTLE bit surprising, for those of us who generally don't read prefaces not written by a book's author, to discover that Américo Paredes wrote *George Washington Gomez* when he was in his early 20s. He wrote it, on and off, from 1936 to 1940. Some 12 years later, in 1958, he wrote *With His Pistol in His Hand,* a scholarly work on the "Ballad of Gregorio Cortez," which became the basis for a PBS movie by the same name.

George Washington Gomez is set in a time of change. On the streets, Model Ts chug along beside pack wagons, and men moving a house to a new location can be heard, "lashing the curved backs of the mules," doing the strenuous hauling. And inside their homes, Mexican families try to figure out how they will treat the ever-present and the newly arriving Anglo, who has come into Texas and now controls much of the land, mostly through the backing of the *rinches* — the Texas Rangers. Many of the Mexican men have fought revolutions against leaders in Mexico and want to continue the fight against the encroachers in Texas. And when Mexican children are born, parents first waver about what to tell them, then watch to see what they will decide: whether to assimilate into the new culture or continue the fight. *George Washington Gomez* is one of the observed.

It is a blessing, or a curse, depending on how you consider it; that George Washington Gomez is born into a time of such uncertainty, an uncertainty that itself creates in him a type of dual citizenship. His family, gives him two names and two separate, though perhaps not mutually exclusive, goals. "I would like my son," says the mother, "... to have a great man's name. Because he's going to grow up to be a great man who will help his people." "My son," says the father, "... is going to be a great man among the Gringos. ... A gringo name he shall have." They settle, after discussing the "great North American ... general" who "fought the soldiers of the king — crossed a river while it was freezing," and "freed the slaves:" "Jorge Washington." The grandmother thinks she hears "Gualinto," and for many years the child is Gualinto. There, in a simple literary device, Américo Paredes expresses the cultural, social, and familial conflict at the core of the novel.



FILE PHOTO

Americo Paredes

There is some evidence that a beginning writer has written this novel. Occasionally, a paragraph is laden with similes and metaphors — the grass becomes a "carpet of little glass slivers," the papaya plant stands "incrusted in a coat" and is expected to become a "brown corpse," and the wind is "clear and keen like a shining blade" — all within five or six sentences of each other.

Just as quickly, though, Américo Paredes's literary skill becomes evident, as when he describes the future of a then-young woman: Years hence, "she would be like her mother, who sat beside her, toothless and wrinkled like a prophecy."

The venting of anger in some passages, as when Mexicans run into someone they believe is a *rinche* spy, is overpowering: "He ran and got his horse and tried to make it trample the corpse, but the horse would not do it." Adult anger is played out in the games of children, as when a child slashes with a wooden knife, face-high, toward a banana plant that serves as a make-believe *rinche:* He "pressed against him, driving the buried dagger deeper and deeper, working it around in the wound to make it more surely fatal." The act is followed by the child's realization of the damage he has done and the feeling that he has to hide his actions.

The difference in points of view: "Their country? ... Their filthy lies are all over you already. I was born here. My father was born here and so was my grandfather and his father before him. And then they come ... and call it their own." And George Washington Gomez, carried along by internal and external change and turmoil, is watched by everyone to see what he will do next. It is growth and change as a reflection of all that surrounds the protagonist that makes *George Washington Gomez* something to read.

Besides, the conflicts addressed in *George Washington Gomez* are still with us. We have made advances: no longer do curved-back mules pull houses down local streets, and no longer do wagons compete with automobiles.

But the primary issues addressed here remain with us. Hispanic children, like children of other minorities, are still observed by parents trying to determine just how much resistance they will give to the majority culture, and how much of the old ways — particularly language — they will maintain. But most of all, the Mexican still hasn't completely figured out what to do with the White Man.

And the White Man hasn't come to terms with the Mexican. Whether the conflict is resolved in the manner that George Washington Gomez resolves it remains a concern. □

Former Observer *reporter, Ruperto Garcia is a writer and attorney living in Austin.*

ANDERSON & COMPANY
COFFEE
TEA SPICES
TWO JEFFERSON SQUARE
AUSTIN, TEXAS 78731
512 453-1533
Send me your list.
Name _____
Street _____
City _____ Zip _____

Movies on Movies

A Double Dose of Cinema a Clef

BY STEVEN G. KELLMAN

WHITE HUNTER, BLACK HEART
Directed by Clint Eastwood
POSTCARDS FROM THE EDGE
Directed by Mike Nichols

THIS FILM IS a work of fiction," according to a statement during the closing credits of *White Hunter, Black Heart*. And yet it is impossible not to translate fictional director John Wilson back into John Huston and fictional writer Peter Verrill into Peter Viertel, whose 1953 novel —which drew on his experiences with Huston during the making of *The African Queen* — he helped adapt into this film. The characters played by Marisa Berenson, Richard Vanstone, and Jamie Koss look and behave remarkably like Katharine Hepburn, Humphrey Bogart, and Lauren Bacall in Africa four decades ago.

The titillation of veiled gossip about the making of a Hollywood classic pales pretty quickly. What is most notable, however, about *White Hunter, Black Heart* is its critique of the code of machismo, which Clint Eastwood has embodied more successfully than any other actor since John Wayne. In his latest film as producer, director, and star, Eastwood sends Dirty Harry to the showers and sends up the mystique of the silent, selfish, and brutish male.

"A violent man given to violent action" is the first thing we hear about Wilson, about anyone for that matter, in the voiceover of Peter Verrill (Jeff Fahey) that kicks off the film. "In a well-ordered society," exasperated producer Paul Landers (George Dzundza) states later, "he'd be in an insane asylum." *White Hunter, Black Heart* provides no evidence of a well-ordered society, either in the rural English estate on which Wilson is sponging at the beginning of the film or in the African bush brushed by British imperial boors. So Wilson, in debt for $300,000, is placed in charge of a movie production. He cajoles the younger Verrill, whom he patronizes as "kid," into helping him write a screenplay and coming with him on location to Africa.

Verrill complains that Wilson's version of the script is too downbeat for audiences — "People don't go to pictures to be lectured to," he declares. Wilson's indignant response is a majestic refusal to "let 80 million popcorn-eaters pull you one way and another." "To write a movie," says Wilson to Verrill, "you must forget that anyone's going to see it." This credo of the proud artiste might reflect Eastwood's own determination to prove that he is not just a Hollywood hack and hunk. It is also further evidence of Wilson's self-absorption, a narcissism masquerading as audacity. In fact, Wilson has only incidental interest in making a movie. He insists on moving the production to Africa, not particularly to be faithful to the script, which he and Verrill are vague about anyway, but in order to go on safari. Wilson is determined to kill an elephant. "You're either crazy or the most egocentric son-of-a-bitch I ever met," concludes Verrill, after Wilson keeps crew and cast fuming while he goes off to hunt an elephant. The viewer is under no obligation to choose between the two descriptions.

Much of the film is a matter of providing opportunities for Wilson to strut his stuff, often with an awestruck Verrill serving as foil. The dialogue is smart, though rarely wise, but Wilson often plays the man of high principle, sometimes because of the increased opportunity for bravado it affords. "You gotta fight when you think it's the right thing to do," Wilson insists to Verrill after being carried to his room, bloodied and battered by the racist manager of the Lake Victoria Hotel, whom Wilson rashly challenges to fisticuffs after he sees him bullying his native employees. Wilson is a foe of racism whose admirable actions seem motivated most powerfully by self-esteem.

The most effective scene in *White Hunter, Black Heart* occurs earlier at the Lake Victoria Hotel. Wilson, Verrill, and a haughty English lady named Margaret McGregor are having dinner *à trois*. Wilson is intent on seducing Mrs. McGregor, Verrill is present to admire the work of the master, and McGregor is inclined to dispel her boredom with the famous Hollywood director. However, she soon begins peppering her prandial conversation with vicious anti-Semitic comments. "I must warn you that I am a Jew," says Verrill. "I'm a kike." Yet she continues her rant. Wilson then proceeds to insult her so thoroughly that she is soon walking off in tears. Verrill thanks Wilson for sacrificing an evening's fornication to the cause of ethnic tolerance, but it is clear that self-righteousness is more seductive to Wilson than a mere woman.

Not a single frame of the film-within-a-film has yet been shot as *White Hunter, Black Heart* concludes. Wilson's obsession with bagging a behemoth causes unnecessary, expensive delays in the production and the pointless death of a native guide. In proud, satanic rebellion against the order of the cosmos, Wilson sets about desecrating a majestic tusker. "It's not a crime to kill an elephant," he barks. "It's a sin." In these more enlightened times, it is both.

LIKE *White Hunter, Black Heart*, and like *8 1/2*, *Singin' in the Rain*, *Day for Night*, and hundreds of lesser works, *Postcards from the Edge* is a movie about movies. It begins with one of the oldest tricks in the genre, a dramatic scene from which the camera pulls back to reveal it was the take for a movie all along. It concludes on the set of a different production, as Suzanne Vale, the actress character played by Meryl Streep, wows the crew with a rousing rendition of country-and-western song "I'm Checkin' Out." *Postcards from the Edge* is worth checking out for Streep's performance and the revelation that she can belt out a tune with the best of them. One of them, Shirley MacLaine, plays her mother, Doris Mann.

Based on a screenplay that Carrie Fisher adapted from her own first novel, *Postcards from the Edge* seems, like *White Hunter, Black Heart*, to offer fictionalized gossip, an example of *cinèma à clef*, with the added fillip that the clay that director Mike Nichols kneads is the true experience of movie stars. Just as obviously as John Wilson is an approximation of John Huston, Streep is a version of Fisher and MacLaine of her mother, Debbie Reynolds. It is like substituting garlic when the recipe calls for ginger. The result is pungent in a different way.

Early in *Postcards*, Suzanne is rushed to an emergency ward after a near-fatal overdose of drugs. After surviving the operating room and the earnest concerns of a rehabilitation officer ("Do you always talk in bumper stickers?" asks the patient), Suzanne discovers that her acting career is threatened. Producers, even of junky films, are unwilling to risk their investment on a certified junkie. To satisfy the insurance company, Suzanne must agree to swear off drugs and to live with a

(Continued on page 31)

Steven G. Kellman is a professor of comparative literature University of Texas at San Antonio.

547 Communities in Need!

Thanks, Observer readers, for your gratifying response to the library subscription campaign announced earlier this year. The Observer now can be found in more than 1,000 library reading rooms, including nearly 100 in colleges and universities in other states.

Yet there are 547 community and county libraries in Texas — located in the cities that are not crossed out — that do not receive the Observer

Examine the list on both sides of this page for a city or town that is a sentimental favorite of yours, or for which you have a special concern. You can provide that community with a valuable supplement to the views commonly expressed in the local press by making the *Observer* available in the public library reading room.

The special reduced price for library gifts during this campaign is $18 for a one-year subscription. By doing what you can now to help spread the word, you'll provide justification for librarians to include the *Observer* in their budget at renewal time.

Please try to make room in *your* budget for several libraries. Use the attached order envelope or send this page marked with your instructions to the *Observer* at 307 West 7th Street, Austin, Texas 78701.

Abernathy
Abilene Branch:
- Pickard

Alamo
Albany
Allen
~~Alpine~~
Alto
Alvarado
Alvin
Alvord
Alvord
Amarillo Branches:
- Main
- East
- North
- Southwest

Anahuac
Anson
Aransas Pass
Archer City
Arlington Branches:
- North
- Southeast
- Southwest
- Woodland

Aspermont
Athens
Atlanta
Aubrey
Austin Branches:
- ~~Manchaca~~
- North Loop
- North Village
- Oak Springs
- Pleasant Hill
- Riverside
- Spicewood Springs
- Terrazas
- University Hillls
- Westbank Community
- Windsor Village

Azle
Baird
Balch Springs
Ballinger
Barksdale
Barstow
Bartlett
Bastrop
~~Bay City~~
~~Baytown~~
Beaumont Branches:
- Tyrrell Historical
- Jefferson County

Bedford
~~Beeville~~
Bellaire
Bellville
Belton
Bertram
Big Lake
Big Sandy
Big Spring
Blanco
Blessing
~~Boerne~~
~~Boerne~~
Bonham
Booker
Borger
Bowie
Boyd
Brackettville
~~Brady~~
Brazoria
Breckenridge
Brookshire
Brownfield
Buchanan Dam
Buda
Buffalo
Bulverde
~~Buna~~
Burkburnett
~~Burnet~~
Caldwell
Cameron
Canadian
Canton
Canyon Lake
Carrizo Springs
Carrollton
Carthage
Castroville
Cedar Hill
Cedar Park
Center
Centerville
Chandler
Channelview
Charlotte
Chico
Childress
Cisco
Clarendon
Clarksville
Claude
Cleveland
Clifton
~~Clute~~
Clyde
Coldspring
Coleman
Colorado City
Columbus
Comanche
Comfort
~~Commerce~~
Comstock
Cooper
Coppell
Copperas Cove
Corpus Christi:
- Flour Bluff Branch
- Greenwood Branch
- Northwest Branch

Corrigan
Cotulla
Crane
Crockett
Crosby
Crosbyton
Cross Plains
Crowell
Crystal City
Cuero
Cushing
Daingerfield
Dalhart
Dallas Branches:
- Audelia Road
- Casa View
- Dallas West
- Forest Green
- Hampton-Illinois
- Lakewood
- M. L. King Jr.
- North Oak Cliff
- Park Forest
- Pleasant Grove
- Polk-Wisdom
- Renner Frankford
- Skyline

Dayton
Decatur

547 Communities in Need!

(See other side of this page for how you can help.)

Deer Park
DeLeon
Dell City
Denison
Denver City
DeSoto
Devine
Diboll
Dickinson
Dimmitt
Donna
Dripping Springs
Dublin
Dumas
Duncanville
Eagle Lake
Eagle Pass
East Bernard
Eastland
Eden
Edna
El Campo
El Paso Branches:
- Armijo
- Cielo Vista
- Clardy Fox
- Lower Valley
- Memorial Park
- Richard Burges
- Veterans Park
- Ysleta

Eldorado
Electra
Elgin
Elsa
Emory
Ennis
Everman
Fabens
Fairfield
Falfurrias
Falls City
Farmersville
Ferris
Flatonia
Florence
Floresville
Flower Mound
Floydada
Forest Hill
Fort Davis
Fort Stockton
Ft. Worth Branches:
- Northside
- River Oaks
- Seminary South
- Shamblee

Franklin
Frankston
Fredericksburg
Freeport
Friendswood
Friona
Fritch
Galena Park
Garland Branches:
- Ridgewood
- Walnut Creek

Gatesville
George West
Giddings
Gilmer
Gladewater
Glen Rose
Goldthwaite
Goliad
~~Gonzales~~
Gorman
Graham
Granbury
Grand Saline
Grandfalls
Groesbeck
Groom
Groves
Groveton
Gruver
Guthrie
Hale Center
Hallettsville
Haltom City
Hamilton
Harker Heights
Haskell
Hawkins
Hearne
Hebbronville
Hempstead
Hewitt
Higgins
Highland Park
Highlands
Hillsboro
Hitchcock
Hondo
Honey Grove
Houston Branches:
- Acres Homes
- ~~Alief~~
- Bear Creek
- Bracewell
- Clayton Center
- Dixon
- Fifth Ward
- Flores
- Freeman
- Heights
- High Meadows
- Hillendahl
- Jacinto City
- Johnson
- Kashmere Gardens
- Kendall
- Lakewood
- Looscan
- Mancuso
- Melcher
- Meyer
- Moody
- Oak Forest
- ~~Park Place~~
- Pleasnatville
- Ring
- Scenic Woods
- Smith
- Stanaker
- Tuttle
- Vinson
- Walter
- Woodforest
- Young

Howe
Humble Branch:
- Octavia Fields

Hurst
~~Hutchins~~
Idalou
Imperial
Industry
Ingleside
Iowa Park
Iraan
Irving Branches:
- Northwest
- Southwest

Jacksboro
Jasper
Jayton
Jefferson
Johnson City
Jourdanton
Junction
Justin
Karnes City
Katy
Kaufman
Keller
Kemp
Kendalia
Kenedy
Kermit
Kilgore
Kingsland
Kingwood
Kirbyville
Kountze
Krum
Kyle
La Feria
La Marque
La Vernia
Lago Vista
Laguna Vista
Lake Dallas
Lake Travis
Lake Worth
Lamesa
Lampasas
Lancaster
Laredo
League City
Leander
Leon Valley
Laonard
Levelland
Liberty
Littlefield
~~Livingston~~
Llano
Lockhart
Lockney
~~Lorenzo~~
Los Fresnos
Louise
Lubbock Branch:
- Godeke

Lufkin
Luling
Lytle
Madisonville
Magnolia
Mansfield
Manvel
Marathon
Marble Falls
Marfa
Marlin
Marshall
Mason
Matador
Mathis
McAllen Branch:
- Hidalgo County

McCamey
McGregor
McKinney
McLean
Memphis
Menard
~~Mercedes~~
Mertzon
Mexia
Miami
Midkiff
Midland Branch:
- Centennial

Midlothian
Mineola
Mineral Wells Branch:
- Mission

Monahans
Mont Belvieu
Montgomery
Morgan's Point
Morton
Mount Calm
Mt. Enterprise
Mt. Pleasant
Mt. Vernon
Muenster
Muleshoe
Munday
Nacogdoches
Navasota
Nederland
Needville
New Boston
New Braunfels
New Caney
New Waverly
Newark
Newton
Nocona
North Richland Hills
Odem
Olney
Olton
Orange Grove
Overton
Ozona
Paducah
Paint Rock
Palacios
Palestine
Pampa
Panhandle
Pasadena
Pearland
Pearsall
Perryton
Petersburg
Pflugerville
~~Pharr~~
Pilot Point
Pineland
Pittsburg
Plains
Pleasanton
Point Comfort
Port Aransas
Port Arthur Branch:
- Gates Memorial

Port Lavaca
Port Neches
Portland
Post
Poteet
Premont
Presidio
Quanah
Quemado
Quitman
Ralls
Ranger
Rankin
Refugio
Richland Hills
Richmond
Rio Hondo
Roanoke
Robert Lee
Robstown
Rockport
Rotan
Rowlett
Runge
Rusk
Sabinal
Sachse
Saginaw
Salado
San Angelo Branches:
- Angelo West
- North Angelo

San Antonio Branches:
- Brook Hollow
- Carver
- Cody
- Collins Garden
- Cortez
- Forest Hills
- Johnston
- Landa
- Las Palmas
- Main Annex
- McCreless
- Memorial
- Oakwell
- Pan American
- San Pedro
- Thousand Oaks
- Westfall

San Augustine
San Benito
San Saba
Sanderson
Sanger
Santa Anna
Santa Fe
Schertz
Schulenburg
Seabrook
Seadrift
Seagoville
Seagraves
Sealy
Seminole
Seymour
Shamrock
Shepherd
Sheridan
Silsbee
Silverton
Sinton
Skellytown
Slaton
Smiley
Sonora
Sour Lake
South Houston
Spearman
Splendora
Springtown
Stamford
Stanton
Stephenville
Sterling City
Stinnett
Stratford
Sundown
Sunnyvale
Sunray
Sweeny
Sweetwater
Taft
Tahoka
Tatum
Taylor
Teague
Terrell
Texarkana
Texline
The Colony
Three Rivers
Tivoli
Trinity
Tulia
Turkey
Universal City
Van Alstyne
Van Horn
Vega
Vernon
Vidor
Waco Branch:
- South Waco

Wallis
Watauga
Weatherford
Weimar
Wellington
Wells
West
West Columbia
West Tawakoni
Wharton
Wheeler
White Deer
White Settlement
Whitehouse
Whitesboro
Whitewright
Whitney
Willis
Wilmer
Wimberley
Wink
Winnie
Winnsboro
Winters
Wolfe City
Wolfforth
Woodville
Yoakum
Yorktown
Zapata

The Texas Observer • 307 West 7th • Austin, Texas 78701 • (512) 477-0746

Social Cause Calendar

HIGHTOWER AND NADER AT ENVIRONMENTAL FAIR

Consumer advocate Ralph Nader and Texas Agricultural Commissioner Jim Hightower will speak at ECO-FAIR '90, a conference and trade show sponsored by the Texas Department of Agriculture. Hightower will deliver the keynote address at 9:15 a.m. on Friday, **October 5**. Nader will speak at 1 p.m. on Saturday, **October 6**. Workshops, which take place on both days, will include first-hand advice from farmers and ranchers on how to use environmentally sensitive agricultural methods. ECO-FAIR'90 will be held at Palmer Auditorium in Austin and is free to the public. For more information, call (512) 463-7446 or 463-7664.

HIGHTOWER FAMILY OUTING

"A Family Outing for Hightower" will take place on Sunday, **September 30** from 3-6 p.m. at Garden-Ville (6266 Hwy. 290 West in Oak Hill). Featured performers include Jimmie Dale Gilmore, Bill Oliver's Otter Space Band, and Turk Pipkin. Bring kids and blankets. Tickets are $6 (children under 12 free) and sponsors can pay $25 or $50. For information, call (512) 892-0002.

ED ASNER LECTURE ON CENSORSHIP

Ed Asner, award-winning actor and political activist for peace and justice issues, will speak about censorship in America 8 p.m. on Friday, **October 5** at Brookhaven College in Farmers Branch. The lecture is part of Brookhaven's 1990-91 Performing Arts and Lectures Series, which will also feature nuclear-disarmament activist Helen Caldicott in February. For more information, call (214) 620-4115.

MULTICULTURAL LITERACY PANEL DISCUSSION

As a part of the Inter-American Book Fair, the University of Texas at San Antonio Institute of Texan Cultures and the Guadalupe Cultural Arts Center are sponsoring a panel discussion called "Multicultural Literacy: What Hirsch and Bloom Forgot." Panelists such as Ishmael Reed, Claribel Alegria, and Maxine Hong Kingston will discuss issues in children's literature. The discussion will be held on **October 6** at 3 p.m. in the Institute of Texan Cultures auditorium and is free and open to the public. For more information, call (512) 226-7651.

OBSERVANCES

September 30, 1964 • Civil-rights groups organize sit-in of 500 at the University of California-Berkeley campus.
October 1, 1962 • James Meredith becomes the first black to enroll at the University of Mississippi.
October 2, 1970 • Environmental Protection Agency established.
October 3, 1922 • Rebecca L. Felton is appointed the first woman U.S. senator.
October 6, 1966 • LSD made illegal.
October 7, 1879 • Joe Hill, IWW organizer and songwriter, born.
October 9, 1635 • Roger Williams banished from Massachusetts for religious heresy.
October 10, 1973 • Spiro Agnew resigns as Vice President.
October 11, 1884 • Eleanor Roosevelt born.

HISPANIC LEADERSHIP SYMPOSIUM

Political and economic empowerment, education, civil rights, and the Hispanic family will be addressed at the Second National Leadership Symposium, "Nuestra Comunidad, Nuestro Futuro." The conference, sponsored by the Mexican American Legal Defense and Educational Fund (MALDEF), takes place on **October 5 and 6** in San Antonio. For registration information, call (512) 224-5476.

WOMEN AND TEXAS HISTORY CONFERENCE

Women and Texas history will be the subject of a three-day conference **October 4-6** at the University of Texas at Austin. Topics range from Mexican-American women in the work **October 4** from 7 to 8:30 p.m., a panel discussion about Texas women and politics will feature Liz Carpenter, journalist; Sissy Farenthold, attorney; State Representative Lena Guerrero; Hazel Obey, presidential campaign adviser for Jesse Jackson in 1988; and Kathy Whitmire, mayor of Houston. Call (512) 471-1525 for registration information.

AIDS MEMORIAL QUILT IN HOUSTON

From **October 6-8**, the NAMES Project will hold regional displays of the AIDS Memorial Quilt in cities across the country. Houston is the host city of the southwestern region, which includes Texas, Oklahoma, Arizona, and New Mexico. For information about the display or fund raising to pay for it, call (713) 52-NAMES.

CANDLELIGHT VIGIL FOR BATTERED WOMEN

The Formerly Battered Women's Task Force is sponsoring a candlelight vigil on the steps of the state Capitol at 8 p.m. Monday, **October 1**. The vigil will commemorate the National Day of Unity for the battered women's movement. For more information, call (512) 385-5181.

ENVIRONMENTAL CONVENTION IN HOUSTON

A Grassroots Environmental Convention is scheduled for **October 19-21** in Houston. The gathering, sponsored by a number of environmental groups, begins with the idea that the average citizen must become involved in the fight to clean up the environment. The convention, organized by a number of individuals and organizations who through years of lobbying, litigation, and grassroots work, have made a difference in the quality of the environment in Texas, will be an opportunity for fellowship, learning, and planning for action. Registration on Friday night will be followed by skills and information workshops on Saturday and Sunday. A social event and even a dance are scheduled for Saturday night. All of which seems like more than one should ask for the $40 registration fee. There are not many better ways to dispose of your discretionary income. For information, call (713) 452-0408 or 426-4606.

CALENDAR SUBMISSIONS

Submit notices of events, at least three weeks before date, to:

Social Cause Calendar
Texas Observer
307 W. 7th St.
Austin, TX 78701

A Justice for All

BY BRETT CAMPBELL

ON MONDAY, October 1st, the United States Supreme Court begins its first term in over three decades without one of the most influential Justices in its history. William Brennan's resignation this past July triggered a brief burst of accolades in the national press, but it was quickly overshadowed, first by Oliver North's latest escape from justice (which happened the same day) and then by President Bush's snap nomination of David Souter and the debate over the future of abortion rights. As the Court's new term opens, it would be a dereliction of duty for a publication such as this one to let pass without comment the departure from the public stage of the most important progressive since Franklin Roosevelt. Let us take a last look at the standard of justice set by the man David Souter is to replace.

The senior Supreme Court Justice's exit marked the end of a career that changed America more than perhaps any other except the great John Marshall himself. Even the *National Review*, which opposed his judicial philosophy down the line, called Brennan the pre-eminent public figure in America during his tenure. "One of the most fearlessly principled guardians of the American Constitution that it has ever had, and ever will have," said — much to the nation's surprise — the man whom President Bush named to take Brennan's place (and, perhaps, reverse his course). Though perhaps not possessing the sheer brilliance of William Douglas, or the rhetorical gift of Oliver Wendell Holmes, William Brennan's legacy may overshadow them both.

In his 34 years on the high tribunal, Brennan left his mark on most of the great jurisprudential issues of his day: affirmative action, rights of criminal defendants, equal protection doctrine, protection of women's rights. Perhaps his greatest achievements were realized in advancing freedom of expression and opening the American justice system to groups which had been too long excluded from its reach. In the First Amendment area, Brennan's 1964 opinion in *New York Times v. Sullivan* is justifiably considered one of the most important Supreme Court cases in history. The case held that libel suits against public figures such as politicians would have to meet a higher, "actual malice" standard to win. The importance of that holding is enormous. Every time you pick up a newspaper or magazine (especially a publication like this one), you are feeling the effect of Brennan's opinion, for it permits journalists to do their jobs without unjustified fear of a libel judgment. And that, in turn, means that government must operate under the light of public scrutiny. (Brennan helped shield the broadcast industry from government interference in 1984's *FCC v. League of Women Voters*.) It's as if the *Sullivan* line of cases extended an invisible aura of Constitutional protection to the press, allowing it to fulfill its function of holding the government accountable. And they institutionalized Brennan's cherished principle that "debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic and sometimes unpleasantly sharp attacks on government and public officials." The effect on journalism, on government, on American life has been profoundly positive.



GAIL WOODS

Along with advancing the cause of liberty, Brennan did as much as any man to promote justice for all. In 1962's *Baker v. Carr* the court adopted the one-person, one-vote principle, a controversial move at the time, and one that has dramatically transformed state and local governing bodies — perhaps most of all, the one that meets in the pink granite building on Austin's Congress Avenue. Imagine what this country would look like if minorities had not there achieved the ability to gain election to Congress and the state legislatures. Even the admittedly inadequate efforts to make equality a reality for all Americans wouldn't have been achieved without the political clout that decision gave Hispanic and African Americans. If nothing else, it made it impossible for the white majority to ignore its brothers' cries for justice. Justice Brennan also helped extend greater protection to previously disempowered groups such as women (*Frontiero v. Richardson*) and aliens (*Plyler v. Doe*).

Brennan also helped ignite a due-process revolution that gave meaning to the noble sentiments of the Fourteenth Amendment, and played a major role in extending the rights that most of us consider essential to American life to state courts and governments. In 1964's *Baggett v. Bullitt* and 1967's *Keyishian v. Board of Regents*, and others, Brennan found in the Constitution a barrier against government bullying tactics such as loyalty oaths for public employees. He permitted lawsuits against cities that violate citizens' civil rights, established now-routine procedural protections for recipients of government entitlements, and fortified the wall of separation between church and state via opinions in important school-prayer and creation-pseudoscience cases. He helped restrain the state's awesome power over the individual.

More recently, the genial son of Irish immigrants took the opposite tack: using *state* constitutions to remedy the deficiencies of the federal document. Once he realized that the federal court system was being stacked with the conservative appointees of Republican presidents, Brennan wrote a seminal law review article encouraging public-spirited attorneys to employ the sometimes-greater-protections of individual liberties found in state constitutions. Texas's own *Edgewood v Kirby* school finance case is among the latest examples of lawyers and litigants following Brennan's advice.

Even during the 1980s, despite the death of his wife of 40 years and the ascendance on the bench of a conservative majority inhospitable to Brennan's philosophy, he managed a resurgence after a new marriage and, paradoxically, the elevation of arch-conservative William Rehnquist to Chief Justice. On the Court, if the chief is in the majority on a decision, he assigns the writing of the opinion to whomever he wishes. If he is not in the majority, however, the privilege of assignment falls to the senior justice in the majority — and in cases where there was a liberal majority, Brennan was usually the senior justice. To keep Brennan from writing sweeping, precedent-blazing opinions, the conservative former Chief Justice, Warren Burger, would often switch his vote to the liberal side, in order to assign the opinion to a justice, often himself, who could then write

an opinion much narrower in scope. After Burger's retirement in 1986, and the accession of the more ideological Rehnquist, however, Brennan often found himself able to control assignments again, because the new chief was much less willing to compromise his hard-line philosophy and join a liberal majority in order to assign the opinion. Brennan, on the other hand, was content to achieve a clumsy patchwork opinion that commanded a five-person majority — and thus, became the law of the land — than an elegant, ideologically pure dissent that impressed only true believers.

Quite often in the second half of the '80s, Brennan assigned such cases to himself. Thus, even his last term on the court showed some significant victories: in the eloquent flag-burning cases, in bolstering affirmative action programs, and, most surprisingly, in upholding the power of federal judges to order tax increases to remedy constitutional violations. Texas may yet feel the impact of that last decision; it has already given progressive forces leverage in negotiations with the state.

What made Brennan the pre-eminent jurist of the century? First, he is a superb writer, a vital skill in a position in which a single word can literally mean the difference between life and death. Brennan's draft in *Cooper v. Aaron*, the 1958 decision signed by every member of the Court ordering the desegregation of the Little Rock, Arkansas schools, contains some of the most puissantly eloquent prose in American history, and that powerful clarity contributed to its acceptance by the segregationist state governments in the South.

Brennan's influence on the Court extended far beyond the opinions he authored. Much has been attributed to his personal skills; always among the friendliest and most popular among the Court brethren, despite philosophical differences with many of them, Brennan's charm surely contributed to his effectiveness. But he resented the charge that he was a "playmaker"; his influence lay in his ability to find compromises and accommodate divergent opinions, not only by means of personal persuasion, but through intellectual agility: He was a master at using the draft opinions circulated among the Justices to develop compromise language that could command consensus support.

This recognition of the validity of others' opinions reflects Brennan's bedrock philosophy: that all opinions, and by extension all people, have inherent value. (It also allowed him to accept cheerfully the more conservative views of his father, his wife, and his eldest son and namesake.) He would never sacrifice tolerance for some airy intellectual purity, but he did believe in one fundamental purpose of the Constitution: "the protection of the dignity of the human being and the recognition that every individual has fundamental rights which government cannot deny him." This philosophy partakes of, perhaps is the ultimate expression of, the essence of Western civilization and its sacred embrace of individual rights and human dignity.

Brennan's tolerance even extends to those who attack him. As he told Nat Hentoff (in words that the Senators voting on his possible successor's confirmation should have remembered), "There's absolutely nothing in the Constitution which limits the advice-and-consent function of the Senate. Nothing. And, because each senator has to cast his own vote on the matter, he should be able to interrogate the nominee if he wants to. And any senator, furthermore, is entitled to ask any damn question he wants — about ideology or whatever the hell it may be." Admirable thoughts from a man who was grilled in his own nomination hearings by the master chef himself, Joe McCarthy — the only Senator to vote against Brennan's confirmation.

A second essential of Brennan's philosophy was his insistence that the language of the Constitution was meant to develop along with the nation. He wasn't wedded to the chimerical "original intent" doctrine, which has been a Trojan horse for conservatives intent on maintaining a repressive status quo. Instead, Brennan believed the true original intent of the Founders was that a Constitution should be a document adaptable to the changing needs of an evolving society. This is not to say that Brennan was always right; for example, in a 1973 dissent he candidly conceded his 16-year failure to come up with a standard separating obscenity from protected speech. And his discovery — not shared by a majority of his colleagues — of a constitutional prohibition of the death penalty arguably stretched the Bill of Rights too far; if conservatives did the same thing, this country could be in trouble. But it does mean that by dint of his idealism, personality, and intellectual ability, Justice Brennan was able to help embed a progressive philosophy based on human dignity and the capacity for change into the legal and social framework of American life. Their intellectual coherence is evidenced by the fact that, despite a generation of contrary prevailing winds in the courts, most of Brennan's precedents still sail proudly along the treacherous seas of American jurisprudence.

An essay of this length can't begin to express the greatness that was Justice William Brennan; for a closer look, see Nat Hentoff's fine profile in the March 12, 1990 *New Yorker*, to which this article is indebted. In this time when many Americans decry the absence of champions and role models, especially in politics, William Brennan was an authentic hero. Even though a recent poll showed that only 3 percent of Americans surveyed recognized his name before his resignation, he has had a more profound effect on their daily lives than that of almost any of his contemporaries in public life. And if we're lucky, his work will go on touching American lives. Perhaps as much as any single figure, Brennan helped make the ideals of American justice a reality for all of us. □

(Continued from page 26)

responsible party during the making of the movie. Suzanne moves in with her famous, ditzy mother, a party responsible for whatever drama finds its way into *Postcards From the Edge*. Doris Mann is a grand old star whose irrepressible vitality belies her age. "I'm middle-aged," insists Doris. "How many 120-year-old women do you know?" asks Suzanne. Doris is a domineering stage mother obsessively jealous of her daughter's success and an alcoholic intent on ending Suzanne's drug addiction. The plot is a slushy family farce in which mother and daughter are ultimately reconciled — "like war buddies," according to Doris's latest, tongue-tied husband. Think of *Terms of Endearment* moved from Houston to Beverly Hills.

Postcards affords movie fans the guilty pleasure of scanning other people's mail. The sense of peeping in on the lives of celebrities is heightened by casting several stars — Dennis Quaid as a slimy philanderer, Gene Hackman as a tough but tender director, Richard Dreyfuss as a solicitous surgeon, Rob Reiner as a neurotic producer — in what are essentially cameos, exquisite furniture for the rooms through which Suzanne and Doris battle their way. Though the dialogue bristles with wisecracks, the plot yawns with foolish faults. Much ado is made about Suzanne's reduction to a commodity, a movie prop whose cellulite is the proprietary concern of the studio. "I can't feel my life," complains Suzanne, and *Postcards* rehearses her predictable victory in claiming control of her existence. "You've had it too easy, and you don't even know it," insists her director, and the challenge facing director Nichols is to make us care about, rather than merely gawk at, the tribulations of a pampered Hollywood brat. Suzanne has grown up in a world that thrives on the manufacture of illusions, in which life imitates art imitating life. Fisher extended her fiction beyond that leaping frog. "I don't want life to imitate art," declares Suzanne. "I want life to *be* art." She wants too much. *Postcards* is written with a knowing hand, but it comes to us with postage due. □

Don't Miss
An Issue.

Call In
Your Subscription

512-477-0746

Postmaster: If undeliverable, send Form 3579 to The Texas Observer, P. O. Box 49019, Austin, Texas 78765

CLASSIFIED

CLASSIFIED RATES: Minimum ten words. One time, 50 cents per word; three times, 45 cents per word; six times, 40 cents per word; 12 times, 35 cents per word; 25 times, 30 cents per word. Telephone and box numbers count as two words; abbreviations and zip codes as one. ***Payment must accompany order for all classified ads.*** Deadline is three weeks before cover date. Address orders and inquiries to Advertising Director, *The Texas Observer*, 307 West 7th, Austin, TX 78701. (512) 477-0746.

SERVICES

LOW-COST MICROCOMPUTER ASSISTANCE. Tape to diskette conversion, statistical analysis, help with setting up special projects, custom programming, needs assessment. Gary Lundquest, (512) 474-6882, 1405 West 6th, Austin, TX 78703.

MARY NELL MATHIS, CPA, 17 years experience in tax, litigation support, and other analyses. 400 West 15th, #304, Austin, 78701, (512) 477-1040.

YELLOW DREAM MACHINE, computer-bulletin board system. Telephone (512) 473-2702. Disability-based subject matter.

KEITH & ASSOCIATES. Research & writing, project management, grant writing, desktop publishing. Gary Keith, P.O. Box 49225, Austin, TX 78765. (512) 454-1193.

MERCHANDISE

FREEWHEELING BICYCLES. 2404 San Gabriel, Austin. For whatever your bicycle needs.

WATCH REPAIRS & BATTERIES. Band repairs. 35th & Guadalupe, Austin, 452-6312.

"EMBELLISHED FLAG", Limited series, 18"x24"x2" flag, mixed, plexiglas, $300. Mark Muhich, 2808 Strand, Galveston, TX 77550, (409) 762-6042.

THE NEW TEXAS ENVIRONMENTAL DIRECTORY! A must for all Environmental Activists. Information and useful. Send $2.75 to 110 Faith, Highlands, TX 77562. (713) 426-4606.

"VOTE REPUBLICAN, It's Easier Than Thinking" bumpersticker. $1.00 ea. L. Ross P.O. Box 3594, Austin, TX 78764.

HIGHTOWER FOR PRESIDENT, T-Shirts! Support progressive PhD government student. $15 each. M. Galindo, P.O. Box 3193, Austin, TX 78764. Specify size, color. Great Presents!

TRAVEL

BACKPACKING — MOUNTAINEERING — RAFTING. Outback Expeditions, P.O. Box 44, Terlingua, TX 79852. (915) 371-2490.

Getaway to . . . A CABIN IN THE WOODS . . . your very own mountain hideaway! Enjoy fine country accommodations deep in the Ozark Mts. Our Cabin is fully furnished and includes a screened-in porch, deck, sauna, and tennis court. Take a breather — Come to the mountains! Call or write for free brochure: (501) 446-2293, HCR 72 Box 135B, Parthenon, AR 72666.

ORGANIZATIONS

LESBIAN/GAY DEMOCRATS of Texas — Our Voice in the Party. Membership $15, P.O. Box 190933, Dallas, 75219.

TEXAS TENANTS' UNION. Membership $18/year, $10/six months, $30 or more/sponsor. Receive handbook on tenants' rights, newsletter, and more. 5405 East Grand, Dallas, TX 75223.

BECOME A CARD-CARRYING MEMBER of the ACLU. Membership $20. Texas Civil Liberties Union, 1611 E. 1st, Austin, 78702.

CATHOLICS for a Free Choice — DFW Metroplex. Information: 3527 Oak Lawn Ave., Ste. 156, Dallas, TX 75219.

CASA MARIANELLA, A SHORT-TERM SHELTER IN AUSTIN for refugees from oppression in Central America, needs volunteers for clerical tasks, tutoring, stocking and storing food and clothing, and legal and medical help. Financial contributions and donations of food, clothing, and household items are welcome. Call (512) 385-5571.

FIGHT POLLUTION. Get paid for it. Clean Water Action. (512) 474-0605, Austin.

SICK OF KILLING? Join the Amnesty International Campaign Against the Death Penalty. Call: Austin (512) 443-7250, Houston (713) 852-7860, Dallas (214) 739-8239, San Antonio (512) 680-2694.

JOIN AN ACTIVIST, issues oriented Democratic women's group in the Houston-Ft. Band area - TEXAS DEMOCRATIC WOMEN -(713) 491-8783.

WORK FOR OPEN, responsible government in Texas. Join Common Cause/Texas, 316 West 12th #317, Austin, Texas 78701 (512) 474-2374.

HELP SHUT COMANCHE PEAK. Citizens for Fair Utility Regulation (CFUR) is appealing to the Supreme Court the decision to license the Comanche Peak Nuclear Plant located in Somervell County, 40 miles from Dallas. We need help and/or $. Send donations to CFUR, 3821 Burkette Drive, Ft. Worth, Texas 76116, or call Betty Brink (817) 478-6372. (For

PUBLICATIONS

HOME STUDY COURSE in economics. a 10-lesson study that will throw light on today's baffling problems. Tuition free — small charge for materials. Write: Henry George Institute, 121 E. 30th St., New York, NY 10016.

INSIDE INFORMATION. Subscribe to Texas Weekly, largest Texas political newsletter. Sam Kinch, Jr., editor. Straight, salty. $120 annually. P.O. Box 5306, Austin, TX 78763. (512) 322-9332.

EMPLOYMENT

POSTAL JOBS Start $11.41/hr. For exam and application information call (219) 769-6649, ext. TX-165 8 a.m. - 8 p.m. 7 days.

ATTORNEY WANTED for small progressive Austin firm. Three or more years experience, plaintiff's civil rights, labor and employment, some personal injury. Salary negotiable. Good benefits. Send resume and writing sample. Lisa Morrison, Van Os, Deats, Rubinett & Owen, P.C., 900 Congress Ave. Suite 400, Austin, TX 78701.

BOOKS

JOHN HENRY FAULK'S *Fear On Trial* recently reprinted by UT Press. Send $11.00 (book $9.95, tax .80, postage .25), to Mack Lee, 200 Palo Duro Rd., Austin, TX 78757.