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THE Texas Observer

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PASO



also

Steven G. Kellman on Taps

Rod Davis at the SHOT Show

by David Romo



THE Texas Observer

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DIALOGUE

WE TOLD YOU SO

Surprise! President George W. Bush no longer believes that CO2 emissions from power plants need to be curbed. This is in direct contrast to his campaign promises and to what his appointee to head the EPA had announced would be agency policy. Bush does not believe that global warming is a reality. When he was Governor of Texas he did not believe in mandatory air pollution reductions for polluting facilities that were grandfathered from the 1971 Clean Air Act. We've now had thirty years of non-compliance! His voluntary program for these polluters was a dismal failure and made Texas the laughing stock of the nation during the presidential election. What an accomplishment—Houston is the most polluted city in America. Bush thinks that government should work with polluters instead of fining them. That was his directive to the Texas Natural Resource Conservation Commission (TNRCC) and that that is why the rest of America calls the TNRCC “trainwreck.” Bush was the engineer of the derailed train.

President Bush's definition of “good science” must have been written by the polluting corporations that bought him the presidency. Perhaps he skilled his science classes at Yale. Must have been a conflict with frat party time. This is a warning to America—beware. We have a very unscientific president when it comes to the environment and public health protection. When industry wants to do whatever it wants to pollute our country, he never calls it “bad science.” Funny how he never breaks a promise to industry. I am ashamed to call him my President.

Christine Wilson

Lakeview

PASS BILL, SAVE SPACE

House Bill 1028, a bill to reduce the offense levels for marijuana possession in Texas, has received little attention from Texas citizens. While many individuals feel the bill does not apply to them, an official fiscal analysis has shown that it will. According to the Legislative Budget Bureau, decreased incarceration of marijuana offenders will save Texas over 40 million dollars in 5 years and more than 3,000 prison beds in 10 years. If H.B. 1028 passes, it will mean more money

and more prison space could be used to fight violent crime. Instead of punishing nonviolent marijuana users, the state could afford to keep rapists and murderers behind bars and not prematurely free them on parole. This bill will benefit all Texas citizens, and all Texas legislators should support it.

Kat DeBurgh

Marijuana Policy Project

Washington, DC

NO MORE NUKES

Thanks to Molly Ivins for bringing up the downside to nuclear power plants. Another downside is that they release at least 418,00 curies of radioactive gases annually. (Krypton and Tritium, according to tables published in the Code of Federal Regulations, Title 10, section 51.20, Jan. 1, 1978). This may be the reason that Ernest Sternglass's studies in the 1980s found an increase cancer rate around nuclear power plants.

Rick Potthoff

Houston

AND HOWDY TO YOU, TOO

Howdy and comradely greetings to you from the Huntsville KKKoncentration KKKamp system. Hope this letter finds you all well and in excellent spirits.

I wanted to write to say thank you for the most interesting issues of your magazine. Thanks! I share them with some fellow prisoners, so I'm not the only one who appreciates your effort. Would greatly like to keep receiving the magazine.

Kevin Glover

Huntsville

HATE NOT

The hate crimes bill (“Two Cheers for the Hate Crimes Bill,” March 16), which serves as the local liberal litmus test, is nothing short of criminalizing thought. As the editorial noted, Texas law already penalizes behavior. For those of us who work in the criminal system, it is silly to think that criminalizing anything changes behavior. The hate crimes bill is this year's analog to loyalty oaths. I am dismayed that the *Observer* jumped on the bandwagon of outlawing what someone thinks, even though the liberals are driving the wagon.

D'Ann Johnson

Austin

Adding Insult to Injury

Long after he published *The Jungle*, Upton Sinclair famously complained that he had aimed for America's heart and accidentally hit it in the stomach: His novelistic exposé of the inhumane, unsanitary conditions in Chicago slaughterhouses had prompted new food safety legislation but few gains for meatpacking workers. This year, journalist Eric Schlosser may have pulled off the reverse trick in *Fast Food Nation: The Dark Side of the All-American Meal*, a book that takes the measure of the fast food economy, tracing backward from the Big Mac and fries to the social and industrial complex that emits them. The survey includes in its scope not just the fast food companies themselves, but also the flavor laboratories, the agribusinesses and packing plants, the food inspection system, and the people employed in all these sectors.

While an account that focused only on the plight of meatpacking workers might gain a few respectful reviews in left publications, Schlosser's book with its broader scope has been on *The New York Times* bestseller list for three months. Of course, *Fast Food Nation* is about more than those workers, and the book's ultimate impact remains to be seen, but the fact that it has managed to raise some awareness of packing plant conditions is laudable in itself. For years, the plants have been operating with a kind of "out of sight, out of mind" immunity, aided by the Reagan-era declawing of safety regulations. Beef slaughter plants, almost all of which are run by one of four huge corporations, have been increasing line speeds to boost production, and hiring poor immigrants and refugees who are less likely to complain when they get hurt. And they do get hurt, at a rate of 33 percent per year according to federal statistics. That's almost certainly a low estimate, since many plants discourage the reporting of injuries and many repetitive stress injuries go undocumented.

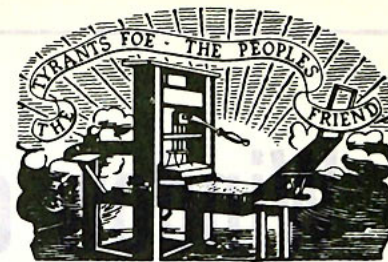
A major reason so many people get hurt in these plants is that companies

are not seriously penalized for high injury rates. They make a workers' compensation payment and then find a fresh Mexican or Guatemalan or Bosnian to stick on the slaughter line. The situation is particularly bad in Texas. Unlike any other state, Texas does not require companies to carry workers' compensation insurance. In theory, there is a strong incentive for companies to carry insurance, since it shields them from lawsuits by injured workers. But in practice, the companies have stumbled upon a cheaper way of protecting themselves: making workers waive their right to sue, as a condition of receiving medical care and benefits when they are injured. This strategy has been adopted by meatpacking giant IBP at its Amarillo plant, as well as by companies in other industries. It was upheld by the Texas Supreme Court in March.

State Senator Robert Duncan, a Republican from Lubbock, is not known as a great champion of the working man, but as a lawyer who represents insurance companies, the implications of the court's decision were not lost on him. The day the decision was announced, Duncan gave a rare personal privilege speech on the Senate floor. "Today, with this ruling, there is no incentive for an employer to be in the workers' compensation system, absolutely none. The employers get their cake and eat it too," he said. "This is bad public policy."

Duncan went on to thank the other senators for having passed a bill he sponsored, S.B. 624, which would prohibit the use of injury waivers. (It still must be passed by the House and signed by the Governor.) "I believe it is morally wrong" for employers to require waivers, he said, "And unless this Legislature acts this session, members, that will be the law in the state of Texas, and we will be the only state in this country, the *only* state in this country, that allows such an injustice." A ban on injury waivers would be a small step in the right direction for meatpacking workers—and many others—whose nasty jobs we would rather not think about.

—K.O.



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Window of Opportunity

Immigration's Limited-Time Offer

BY BELLE ZARS

San Antonio—

In San Antonio, as in cities around the country, every immigration lawyer has been booked solid for four months. Ever since President Bill Clinton authorized a temporary reinstatement of a provision known as 245(i) last December, lines have wound around the walls of the INS office. Nonprofit agencies like St. Mary's Law Clinic and Refugee Aid have been swamped with calls and visits. For a while, people were camping out overnight in front of Catholic Charities in order to be seen by an immigration lawyer or counselor the next morning. "Every morning we had 100 people lined up," Director Teresa Coles-Davila recalls. "Finally we had to stop seeing new people because we realized that we might not be able to process all the applications before the April 30th deadline."

Section 245(i), a provision in immigration law from 1994 to 1998, went back into effect December 21. It allows illegal immigrants to seek legal status while remaining in the United States, provided they have a qualifying legal family member, can prove that they were here on that date, and are able to pay a \$1,000 fine. The INS estimates that 200,000 to 300,000 illegal immigrants in Texas and 700,000 illegal immigrants in the United States, most of whom are from Mexico, could benefit from the provision.

Mario Martínez, for instance, went with his brother José to see Catholic Charities immigration specialist Anita McDonald last month. According to McDonald, Mario, a Mexican citizen, has been here working in construction *sin papeles*, or without documentation, for 10 years. While he has never had any trouble finding work, he and his

family are always in a kind of hiding. Because José became a United States citizen two years ago, he can petition for Mario's permanent residency.

Before 245(i) was reinstated, family members of legal immigrants who wanted to join their relatives were supposed to wait in their home country to obtain a visa that converts to permanent residency. If they had entered the United States illegally, they had to sneak back and try to prove they had never left, and risked being barred from this country for three to 10 years. When a visa became available, they would have to go to their consulate with the proper papers, and then wait nine to 10 more months for the visa to be processed before being admitted into this country legally. In the case of Mexican nationals, this meant biding their time in Ciudad Juárez while waiting for the visa to be processed. (These requirements will resume in May, when the reinstatement ends.)

Under 245(i), though, if Mario can show that the family was here on December 21, they can remain in this country during the 10 to 12 years it takes for a sibling to get permanent residency. (Even with the application pending they are still illegal and, if detected, can be deported).

Not all illegal immigrants are in Mario's position. "I would estimate that two-thirds of the people we talked to either didn't have a qualifying relative or had already filed some sort of application, and this wouldn't help them," says Lee Teran, director of the immigration clinic at St. Mary's Law School. Others have been advised not to try to take advantage of 245(i) because of previous misrepresentations made to the INS. Parents of a married son, for

example, might have lied in the past and said he was single to help him gain legal admittance to this country. Now legal, he could apply under 245(i) on behalf of his wife, but by submitting proof of his marriage, his own past lie might be detected, and he would be stripped of his residency.

But trying to apply for legal status the old way has its perils as well. Immediately after securing permanent residency for himself in 1993, Manuel Rodriguez petitioned on behalf of his wife and four children. They have been waiting in Mexico since 1993. Last month they finally received word that visas were available, but Rodriguez is missing one document, called an affidavit of support, which would prove that he has enough income, as shown on his IRS 1040, to support his family. The threshold for a family of six is \$29,613. He made \$9,000 last year. Had his wife joined him illegally and gotten a job, she probably could now have sought legal status under 245(i). As it is, he is searching for someone to submit a second affidavit of support, and the family again has its plans on hold.

American immigration laws are exceedingly tough on families, says Teran: "Whenever we talk to a family about their problems immigration is at the top of the list." People are stuck in bad jobs, students can't go on to college, spouses and children are left behind in another country, unable to create a household together. No one wants to move, because moving might set in motion detection. Undocumented immigrant family members become "a hidden part of the family that keeps the family from progressing," Teran says.

Rather than wait up to 12 years to reunite with their families, as United States law requires, thousands of Mexican immigrants have done so illegally. The 245(i) reinstatement suggested, however briefly, that this is something other than a crime. ■

Belle Zars is a freelance writer who lives in San Antonio.

Wrong Answers To Tough Questions

What Jesus Would Do to You Guys,
I Don't Want to Know
H.B. 2182

Rep. Kim Brimer (R-Fort Worth)

Jesus threw the money-changers out of the temple, but thus far he has not been spotted at the Capitol, which is virtually overrun this session by loan sharks and their buddies, like Fort Worth Republican Kim Brimer. (We note that they made themselves scarce over the Easter holiday: No sense taking chances.) Brimer's H.B. 2182 exempts what are known as "sale-leasebacks" from usury laws. In a sale-leaseback, the borrower "sells" one of his possessions, such as an appliance or a piece of jewelry, to a lender and then "leases" it back, eventually paying many times what the item is worth. The result, in effect, is a loan with an interest rate that can exceed 700 percent of the principal, according to a Consumers Union report released in February. No property changes hands in the "sale." It's a common scenario in Texas, where loopholes in state law continue to sustain the sale-leaseback: a loan in non-loan clothing

that skirts state limits on interest rates and preys upon people without access to more above-board borrowing options.

Sale-leasebacks masquerade under monikers like "gift certificates," but as Consumers' Union Senior Staff Attorney Rob Schneider said in a press release, "Make no mistake: they are loans, and usurious ones at that." Sale-leaseback lenders violate state usury protections while taking advantage of people who can't always get more reasonable financial services. Luckily we're not the only ones who think so. Jesus may not be coming, but keep an eye out for Rep. Brian McCall's (R-Plano) H.B. 1816 and Rep. Joe Deshotel's (D-Beaumont) H.B. 1809, both of which would close the sale-leaseback loophole for good.

Class Dismissed
S.B. 842

Sen. Teel Bivins (R-Amarillo)

Class action lawsuits can be long and messy. If Sen. Teel Bivins has his way, they'll be getting even longer. Bivins' S.B. 842 and its House companion, H.B. 2072 by Rob Junell (D-San Angelo), would require litigants seeking relief in court to first exhaust any administrative remedies available before the relevant state agency. This means, for example, that a class action filed on behalf of policyholders who have been overcharged for their automobile insurance must first take their case through the Texas Department of Insurance. The agency would in turn investigate the complaint and, if it finds wrongdoing, propose a suitable remedy. The case never gets heard in court as long as the agency grants either "all or a substantial part of the relief sought by the claimant" or "an adequate substitute for the relief sought by the claimant"—the latter of which (here's where it gets good) "may be adequate even if the relief does not include exemplary damages, multiple damages,

attorney's fees, or costs of court." If you didn't get the relief you were looking for, too bad: The agency's finding is binding if a judge accepts it. Even if a judge does not accept the remedy, the agency has six months to complete this process, during which time your case goes nowhere, witnesses get stale, move away, die, etc.

"There's no logical reason for doing this in state agencies," according to Reggie James of the Consumers' Union, who characterized the bill (filed by Bivins last session as well) as an obstacle to court access and a stalling tactic for defendants. The agency hearing process is not necessarily any more efficient than the class action process, nor are agency investigators any more impartial than juries. In fact, because agencies work so closely with the entities they regulate, their relationship often becomes more cooperative than adversarial. "In the best of all possible worlds," James said, "agencies would always protect the public, but we know that doesn't always happen."

Don't Send a Boy...

H.B. 2912

Rep. Fred Bosse (D-Houston)

Bosse's TNRCC reform bill, the product of months of interim research and lobbying by an admirably broad group of interests, is not precisely bad, but it could and should be made better with some much-needed amendments currently making the rounds. These include, among others: 1) Ending the volume discount for pollution. TNRCC fees are levied per ton of emissions, but the largest polluters benefit from a cap on the number of tons that count toward the fee total. This short-changes the TNRCC regulatory budget while rewarding those who pollute more. 2) Assess cumulative impacts of pollution. Incredibly, TNRCC does not take into account the existing pollution load on an area when evaluating the public health impacts of a new permit or an expansion of an existing one. Each facility is treated as if it were on a desert island, instead of, for example, the Houston Ship Channel. 3) Fund a fully independent public interest counsel. Texas consumers have an independent advocate for insurance and utility matters; they desperately need one for environmental grievances.

As we go to press, the bill is scheduled for a House floor debate, which should be one of the liveliest of the session thus far. ■

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Running with Ray

Is El Paso's Next Mayor a Caballero?

BY DAVID ROMO

A group of student volunteers huddle around Ray Caballero, a 59-year-old former trial lawyer who has finally come out from behind the scenes and is running for mayor. It's an impromptu planning session in the hallway at the El Paso Community College, moments after a mayoral candidates' forum. The young volunteers listen attentively while Caballero goes over the day's schedule. He's a dark-skinned, good-looking guy—the perfect cross between an *indio* and a Yuppie—the kind of guy who climbs volcanoes (including Popocateptl in Mexico and Mt. McKinley in Alaska) for fun. The energy of the group is palpable. Caballero, who's hitching a ride with me for our interview, walks over to Ruben Villegas, a 25-year-old volunteer, and hands over his car keys. "Almost everywhere I go, people stop me and ask what I'll do to stop El Paso's brain drain," Caballero tells me while we're driving through Fort Bliss. "In the last decade 26,000 people left El Paso. In fact we're losing more people than any other city in Texas. Most of them were middle-class, young people, in search of better-paying jobs. Reaching out to these young people is an important part of our platform. I think what we say resonates with them."

Not everyone is impressed by Caballero's appeal to the young. An *El Paso Times* editorial mocked him, asking whether his first act as mayor will be to replace all city council reps with a group of high school students called the Community Scholars. The group is the brain-child of his wife, Mary Hull Caballero, and State Senator Eliot Shapleigh. The high school juniors and seniors created quite a stir two years ago when their research showed that the chain banks that have set up shop in El Paso take billions of dollars out of the city and give very little back in terms of loans to small, local businesses.

Others, who notice the looks of admiration on some of the fresh-faced volunteers, find the whole thing a little amusing: "Ray has groupies," I overheard someone say, with just a touch of envy in his voice. Groupies or not, the last time any El Paso mayoral candidate attracted a decent-sized group of high school and college-age volunteers was during... well, let me think... uhh, probably never. Certainly no one else running for mayor in this election can be accused of having them—groupies, I mean. Mayor Pro Tem Presi (short for

Presciliano) Ortega tries hard to have them. He points out that at age 43 he's the youngest candidate of the bunch. "I didn't wait till I was almost 60 to declare my candidacy," he says, an obvious jab at Caballero. But Ortega, a conservative insurance salesman who voted to make deep cuts in the arts during his tenure as city rep, doesn't exactly mobilize the young and the restless.

Belen Robles might have them (groupies) if she didn't have that constant scowl on her face. She comes off as an overworked, grumpy middle-school principal. In her defense she has probably needed to do a lot of scowling in her uphill fight against what she calls "the good ol' boys." She managed to become both national LULAC (League of United Latin American Citizens) president and chief U. S. Customs Inspector armed with nothing but a high-school degree and that hard-assed scowl of hers. If her actions were as tough as her look, she would be more than a viable candidate. Unfortunately, they aren't. In 1997, when Esequiel Hernández, an 18-year-old Redford native, was killed by a U. S. marine, many in the Latino community called for an end to the militarization of the border. As LULAC president, Robles should have been the first to speak up. Instead, as Chief of U. S. Customs, she kept her furrowed brow well hidden from public view.

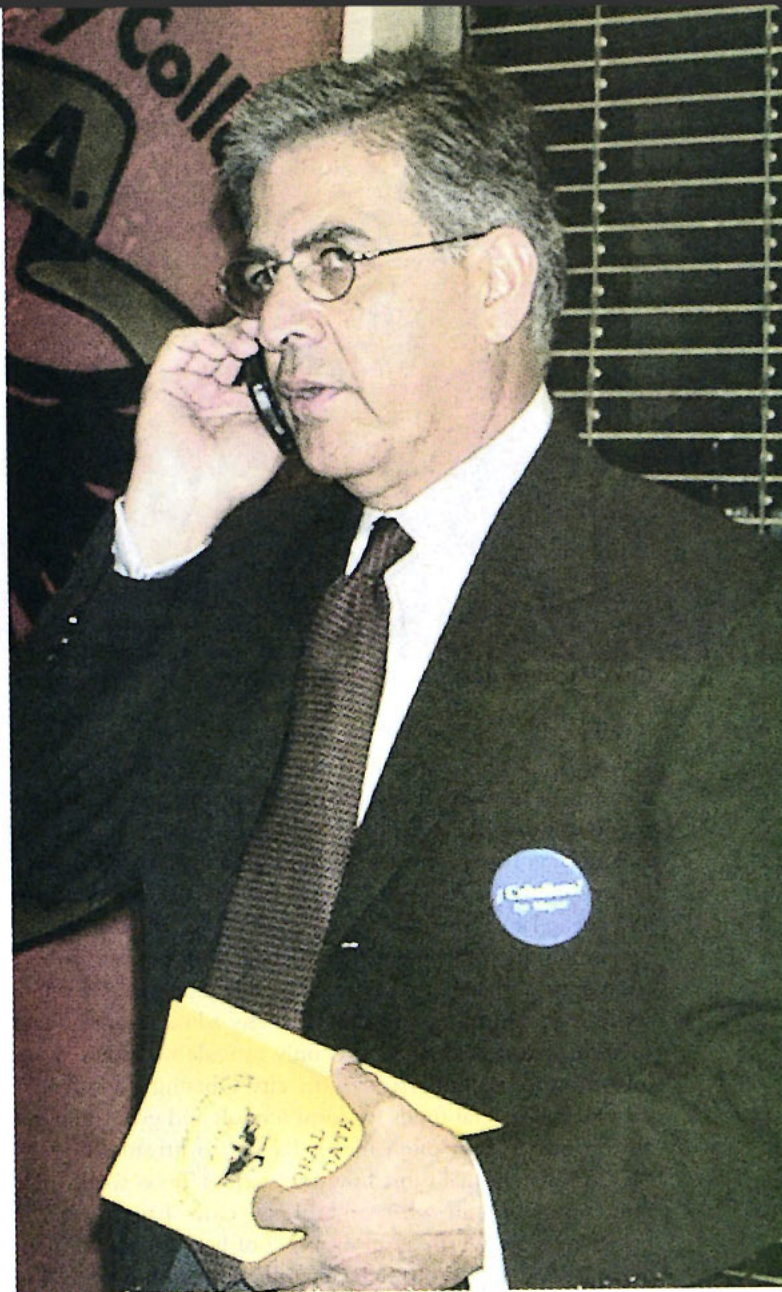
Then there's the former mayor of El Paso, Larry Francis, who wants his job back at city hall. I'm not sure he even knows what groupies are. A retired electrical engineer, Francis runs a very efficient, top-down, micro-managed, CEO-type operation. His staff is composed of mostly old-guard, professional politicians. "I want to go back to the '40s, '50s and '60s," he told a group of bankers and developers, "when El Paso was economically dominant in the region." He has a webpage, but there's practically nothing on it, except for the line "Here is where Press Release #1 will go." Months into the campaign, we're all still waiting for press release #1. Francis would fit safely into what Robles calls the "good ol' boy" category. He would also fit into what Zapatista Subcomandante Marcos calls "los cavemen," or even into my own favorite category, "los old farts."

The last two candidates on the ballot, Lee White and Carl Starr, don't even bother to show up at most forums, so it's hard to tell just how many charisma-struck volunteers they

have. White wants to eliminate warrants for outstanding traffic violations. Starr is a likable eccentric who's originally from Tulsa, Oklahoma. He says he was an apolitical Jehovah's Witness until two years ago when he decided to become a "center-leftist." He wants everyone in El Paso to get paid no less than \$8 or \$9 (per hour I assume). He doesn't post campaign signs, nor does he buy political advertisements, except for an ad he took out in the *Thrifty Nickel*, a local freebie paper, and another ad he plans to buy in the "cheap section of the *El Paso Times*." Does he expect to win? "I would if poor people voted," he explains. "But they don't."

Well, if poor people voted there would have been more than just three Hispanic mayors in El Paso in the last 120 years. And those three wouldn't have been extremely conservative guys who made sure the boat remained firmly unrocked. But bringing that uncomfortable piece of El Paso history up would not be smart politics for any candidate. Caballero is cautious when I bring up the question of race. "That's just not relevant any more. The population of El Paso is now 78 percent Hispanic," he says. Sure, but that doesn't stop power in this city from being distributed along ethnic lines, I insist. I remind him about the invitation-only mayoral forum at a restaurant on the top floor of El Paso's tallest building, the Chase Manhattan Bank. It was supposed to be a gathering of the most important power brokers in the city. There were only two women and three brown faces among the 50 blue suits. Well, that's not counting the many Mexican waiters with the fancy black bow ties, of course. I know I'm hyperbolic, but the place felt like old South Africa. Or Dallas even. But not El Paso. It was disgusting, I tell him. Caballero smiles. "You know a lot of those guys are real nice guys," he says. Yeah, I'm sure they're real nice as individuals, I answer, but when they act as a group they're real *hijos de la chingada* (loosely translated, S.O.B.'s). Caballero keeps on smiling. "No comment."

Caballero is smart. He knows how to play the game. He wouldn't have argued a couple of cases in front of the United States Supreme Court if he didn't. (In 1978 he successfully argued *Brown v. Texas*, defending a man who was thrown into the slammer for failing to identify himself to the cops. The Court ruled his client's arrest was illegal because the police had no probable cause to stop him.) In the early '90s, Caballero and State Senator Shapleigh used a seemingly obscure court of inquiry statute to wrestle additional funding for El Paso from the state legislature—an increase of about \$100 million in highway funds. By not playing the race card, he has made strong inroads into the West Side, the affluent, predominantly Anglo section of the city. This is the part of town where Caballero, who made most of his money as a plaintiff's lawyer, has lived since he gave up his law practice about 10 years ago. After his "retirement," a word that irks him, he enrolled at Harvard for a couple of years and picked up a master's in public administration. Then he returned to El Paso to work behind the scenes, often with Shapleigh.



Ray Caballero

David Romo

"Almost everywhere I go people stop me and ask what I'll do to stop El Paso's brain drain," Caballero tells me while we're driving through Fort Bliss. "In the last decade 26,000 people left El Paso. In fact we're losing more people than any other city in Texas."



Caballero, Belen Robles, and Presciliano Ortega at an EPPC forum



David Romo

When he explains his access-to-capital program to me, Caballero's whole demeanor brightens up. Now he's in his element. "I'm more of an economic determinist," he says. He points out that El Paso and Austin are about the same size, but El Paso's tax base is only \$19 billion, compared to Austin's \$52 billion. "This is a result of marketing ourselves to the outside as a cheap labor town for too long," he says. "If racial politics comes into play anywhere, this is where. Our politicians have treated us and our city as second-class citizens." Caballero wants to end the tax abatements that city administrations have used to recruit companies that only provide minimum wage jobs and give nothing back to the city. Obtaining a fair share of state and federal funds for local schools and government is also priority. "That often means having to litigate," he says. "Unfortunately, that's just how the state of Texas works." He finds inspiration in what other Texas cities have done. He brings up Fort Worth as an example of how a city can revitalize its downtown through the arts. San Antonio's development of its health care industry provided the model for the Border Health Institute, a medical research complex for which he and other leaders have laid the groundwork.

Francis, who was mayor of El Paso between 1993 and 1997, describes Caballero as "a visionary." He doesn't mean it as a compliment. The campaign's forums, public debates, and press conferences here have been a series of barbs and counter-barbs

between the two; most political pundits expect a runoff. Francis accuses Caballero of being "anti-business." If Caballero "bash-es" the banks the way he has in the past, Francis warns, "They'll just pick up and take their business to Santa Teresa (a New Mexico town on the outskirts of El Paso)."

"My question is how soon will they leave," Caballero shoots back. "The banks I'm talking about haven't invested in any way in our community. I'm not anti-business, but if you sell yourself cheap, you're just a bad businessman."

Occasionally Ortega tries to jump into the King Kong-Godzilla rumble and get a couple of jabs in. Most of them are aimed at Caballero. Ortega is essentially running on a "no-new-taxes" platform. "I won't over-promise and under-deliver," he says. But despite his experience as city rep and Mayor Pro Tem, Ortega can't help but come off as a political lightweight. The area's water shortage problem is so serious that some predict the neighboring city of Juárez will run out of water within the next decade. Ortega's solution: Install new shower heads. When asked about his past business experience by a group of bankers he includes his previous membership in the "Yucca Boy Scouts." But nobody laughs.

As the May 5th election draws nearer, the mud gets thicker. A central figure who has stepped into the brawl is Francis's campaign coordinator, Jaime Perez. Perez is a bald man with a thick, Mexican revolutionary mustache, who often walks around with a Huichol Indian shaman bag. He describes himself as an "expert featherman." (He uses bird feathers to spread smoke during ceremonial purification rites.) Perez also has a long history of coordinating campaigns for politicians on all sides of the political spectrum and playing hardball for them. Some call him the "dirt man," the Lee Atwater or Karl Rove of El Paso politics. Recently, while serving as guest host on a television talk show, he took a phone call from Caballero's eldest daughter, Theresa, a 34-year-old El Paso lawyer. She aired a somewhat obsessive, incoherent list of personal grievances against her father, calling him a monster and



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A central figure who has stepped into the brawl is Francis's campaign coordinator, Jaime Perez. Perez is a bald man with a thick, Mexican revolutionary mustache, who often walks around with a Huichol Indian shaman bag.

Larry Francis, and Jaime Perez

David Romo



saying that he had stopped paying for the college education of his three oldest children after he divorced their mother, Dorothy McGill, in 1988. "My father didn't see fit to educate his girls, who could have fallen into the category of poor Hispanic girls," Theresa said.

The *El Paso Times* picked up the story. The newspaper quoted El Paso County district clerk records showing that, from 1988 to 1995, Caballero paid more than \$255,000 in child support for two children who were minors at the time of the divorce. "I was never late, and I never missed a payment," Caballero told the *Times*. Court records also showed that McGill received more than half of the Caballero family's \$3.5 million estate. Moreover, the *Times* noted that Caballero gave \$10,000 as a gift to one of his daughters who graduated from the exclusive Pomona College, allowing her to travel to Europe and live in Paris.

When I spoke to Perez by phone, I told him I thought Caballero had proven his case and was not a deadbeat dad. So what exactly was the accusation? "Our position is that we deal with the issues, not personal attacks," he answered, wiggling out of my question. I see. So why did he put Caballero's daughter on the talk show? Had he been hired by Francis to scrounge up the dirt? "That's not my role," he replied. "Theresa called the talk show on her own behalf."

Eventually, Francis issued a statement saying, "Neither myself nor anyone in my campaign were behind any of that." But a few days later, after things simmered down a bit, Perez threw another wild punch. During our second phone conversation, he accused Caballero of "reverse racism." He claimed that during a radio talk show, the candidate had said, "I'm tired of rich white guys running our city." A press release with that accusation went out from Francis's fax machine. The day after my interview with Perez, city rep Luis Sariñana, another Francis supporter, hit all the local TV stations with the same allegation. Caballero denies having made the statement, and is backed by radio talk show host, Paul Strelzin. "He never said that. That's an out-and-out lie," Strelzin says. Francis now says he has nothing to do with the allegations, and doesn't know how that press release went out from his office.

The whole political boxing—or should I say professional wrestling match—leaves me a little dizzy. Call me naive. I'm a musician, a writer, an arts guy. It's not that I believe in Truth with a capital T. But once in a while, when I play my horn or when I write, I try to hit a few gut-level, honest notes. What's wrong with saying, "I'm tired of rich white guys running our city?" It's the truth. Good thing I'm not running for mayor. I'll say it again: I'm tired of rich white guys running our city. Oh, man. Feels a lot better now that I got that off my chest.

Well, I guess I should qualify that statement. What I mean is rich white guys and the brown guys who are willing to do the dirty work for the rich white guys. That's what I mean. ■

Musician, writer, and all-around "arts guy" David Romo is the director of the Bridge Center for Contemporary Art in El Paso.

Moving Targets

Gunning for Business at the SHOT show

BY ROD DAVIS

The French Quarter, with all its indulgences, excesses, and teeming masses, is a few blocks east along the winding Mississippi River. I'm just down Tchoupitoulas St. in a—well, amazingly similar place, though much more heavily armed. It's my third day at the SHOT Show, the American gun industry's annual hardware sales extravaganza and dealer preview, held this year at the cavernous Ernest N. Morial Convention Center. I'm lingering in front of one of the 1,500 exhibitor booths, recalling something my friend Frank Hernandez, a Dallas activist lawyer and former state judge, frequently quips when considering a political retreat: "This is one Mexican you won't catch taking a knife to a gunfight." Well, *carnal*, now you can have it both ways. In my right hand is a gun *and* a knife. Beneath the six-inch blade lurks a tiny barrel, and inside the handle is concealed a five-shot, .22-caliber long rifle revolver.

This "knife," as it's classified—Bureau of Alcohol, Tobacco and Firearms approval pending—retails for around \$800, or \$2,300 for the Millennium Edition. The idea is that you can either stab your adversary, or shoot him, or both.

Or neither, maybe, in the event

*It's a gun.
It's a knife.
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the thing backfires in your hand, or, if in the crush of fighting, you forget which way the bullet comes out and shoot yourself. Or stab yourself. Or both. You can also get one to fit as a bayonet on an AR-15. Options—I like that. Still, I have to ask the sales rep, "What on earth would anyone use this for?" He gives me an indulgent, though rather cold-eyed once-over. "It's up to you," he shrugs.

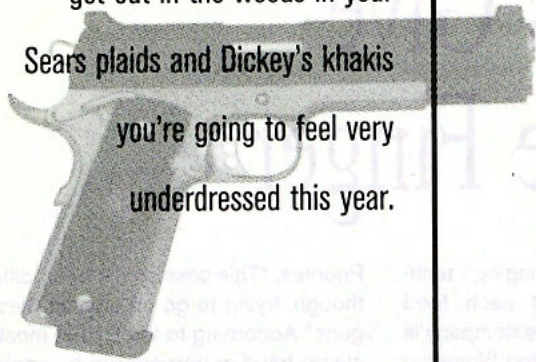
Whatever you may think of the Shooting, Hunting and Outdoor Trade Show sponsored by the National Shooting Sports Foundation (NSSF)—a powerful, Connecticut-based umbrella trade group for retailers, distributors, and manufacturers—one thing is for sure: Old Man River will run dry and the bayous will be filled with champagne before the show returns to the Crescent City. Not long after my stroll down Tchoupitoulas St., the NSSF's governing board announced that it wasn't coming back for a scheduled convention in 2004—or "in the foreseeable future." In a letter to the president of the New Orleans Convention and Visitors Bureau, NSSF President Robert Delfay wrote, "It is no secret that our industry feels distinctly unwelcome in the Crescent City by virtue of Mayor Morial's lawsuit against not only legitimate and responsible firearms manufacturers, but also against the National Shooting Sports Foundation itself."

In 1998 Morial, son of the popular former mayor for whom the convention center is named, initiated a class action lawsuit, later joined by 30 other cities, against the gun industry, seeking to hold manufacturers responsible for gun-related crimes and violence. (New Orleans has a lot of experience with that.) The NSSF wasn't amused. Last year Delfay summarily pulled the show from New Orleans and brought it to Las Vegas, depriving the city of what he estimated to be \$50 million in revenue. He brought it back in 2001 because (1) the Las Vegas facilities turned out to be not as spacious or convenient, and (2) the Republican governor of Louisiana, avid outdoorsman Tom Foster, begged for its return. Among other things, Foster cited a law passed by the industry-friendly Louisiana legislature seeking to ban municipal lawsuits against gun manufacturers. Earlier this month the Louisiana Supreme Court upheld the legislature's move, in effect defeating Morial.

But Delfay doesn't like being in Morial's city anyway, and he doesn't mind saying so publicly. As in: "No one holds greater animosity toward the Mayor of New Orleans and his transparent political motivations in suing our industry than the staff and the Board of Governors of the National Shooting Sports Foundation." Of course, there's also the rather obvious clash of cultures: Morial's town is poor and predominantly black; Delfay's SHOT



Let's just say if you figured to
get out in the woods in your
Sears plaids and Dickey's khakis
you're going to feel very
underdressed this year.



Show is well-heeled and overwhelmingly white. It was exceedingly rare to see African Americans, other than convention center or county employees, at the event.

The mother of all American gun shows, the SHOT show presents a hunting and outdoor equipment cornucopia that runs nearly a mile down the length of the convention center. That becomes about six miles if you walk through all the mazes of aisles. A reporter for the *Times-Picayune* says it took him 14 hours to visit each of the displays. It took me even longer, but I'm easily distracted. Give it a name and it's there. Popular hunter favorites such as Remington, Winchester, Beretta, Mossberg, and Browning pull you into their elaborate compounds, where you can browse for hours, checking out the venison-and-potatoes breed like Remington's Model 700 Titanium .30-06, Browning's Gold 20-gauge Deer Hunter, or one that catches me by surprise—Winchester's new Model 9410 lever action, which looks a lot like a lever action .30-.30, but is really a .410 shotgun. And then there are the high-end manufacturers such as Weatherby, Mannlicher, and Perazzi, which feature paired shotguns, safari rifles, and trophy-case high calibers whose precision tooling, gold inlays, and elegant, hand-carved stocks put price tags well into the seven figures.

You'll want to look good, of course. Brown and Beretta, Glock and other big names aren't just selling the bang these days, but the look to go with it. Let's just say if you figured to get out in the woods in your Sears plaids and Dickey's khakis you're going to feel very underdressed this year.

Nor do you need to get all spartan about the outdoors. Every need is being anticipated, even those you may not think you have. "Cajun" flavored marinade injection is available for your roast beast, and there's in-the-bag fast-cook chow for when you can't light a fire. I swirl through a consumer sea of duck calls, turkey calls, dog whistles, deer feed, camouflage paint, dog

training seminars, impressive new trigger locks, Internet providers which give \$1 of your monthly fee to the NRA, ergonomic skinning axes, and even knives that are actually knives. At the booths for Nikon, Bausch & Lomb, and Zeiss, to name but a few, I can play around with high-tech binoculars and tripod-mounted scopes—more and more of which seem to be developed for the huge birdwatching market. Bowhunters have plenty to look forward to as well, from better camouflage to tougher points and shafts and bows so precisely engineered, cantilevered, and counterweighted that you may need an advanced degree just to aim one.

As with all industry previews, what's here filters out during the year to outlets throughout the country, not to say the world. I'm lost amid thousands of retailers, chain buyers—police and military representatives such as the two uniformed Brazilian cops next to me looking over an Armalite display of handguns and assault rifles. Nearly 2,000 of the 25,291 visitors come from 65 foreign countries. One of them, Barbel Ehret, is part of a six-person contingent sent by the German manufacturer Anschutz, which ponied up \$6,000 for the booth space, \$800 for each person's airfare, and about \$100 a day each for hotel rooms. "It's definitely worth it," she says. "We meet lots of people and do many presentations... It's good to meet the others here and see what they are showing."

Bill Pate, of Bill's Gun Trader gun shop in Lufkin, Texas, didn't come from so far away, but he has similar motives. He and partners Joe Marsh and Allen Repp constitute one of the show's prime geographical audiences: the Lone Star state, whose nearly 5,000 licensed dealers make it the nation's leader, followed by California with just over 3,500.

Given the dedication and enthusiasm of exhibitors and visitors, you'd think the NSSF would be happy as a hunter with an 8-point buck. Not so. Don Gobel, retiring president of Browning, and chair of the all-white, all-male NSSF Board of Governors, set the tone on the show's opening night. Speaking at a special state-of-the-industry public meeting, he came on like Cassandra, describing the gun industry as "under attack like never before." A big slide screen to one side of the dais flashed a picture of George W. Bush, and Gobel led the attendees, including Wayne LaPierre, of the National Rifle Association, sitting in the front row, in sustained applause. Gobel congratulated the NSSF for its \$6 million get-out-the-vote campaign, which he said tipped the electoral scales in marginal states. Every subsequent speaker found room to attack former President Clinton, Mayor Morial, the misguided public, and those ever-culpable media distortions.

What the NSSF mostly may be worried about, though, is demographics, not rhetoric from liberals, bunny-huggers, and urban constituencies. Overall gun industry sales are growing—hunting and shooting sports combined claim an impressive \$75 billion in economic impact—but the future is not considered especially healthy. The average income of the

—continued on page 17

Corporate Lobbyists Give Common Sense the Finger

LOBBY LOGIC ON THE LOOSE It all seemed so simple. Electronic fingerprinting of food stamp applicants, a fraud detection measure introduced statewide in 1999, has cost the state \$7.2 million dollars, and will cost \$2.7 million more in this biennium. So far it has saved us roughly \$40,000. So let's get rid of the program.

Everybody seemed to agree with that logic in March: House Bill 102, introduced by Representative Glen Maxey (D-Austin) to eliminate the program, easily passed in the House. But a lobbying blitzkrieg led by former Representative Hugo Berlanga may prevent the Senate companion bill from making it out of the Health and Human Services Committee, where it was stalled at press time. "The pressure's been hard, and they're using every angle," said Senator Mike Moncrief, sponsor of the Senate version and chair of the committee. "It's being fought as hard or harder than any other bill this session."

Berlanga is in the employ of Sagem Morpho Inc., the U.S. subsidiary of French defense contractor Sagem SA.,

which makes the "finger imaging" technology used to fingerprint each food stamp applicant in Texas. The company is a major player in the emerging biometric identification industry, which is pushing around the country for states to adopt personal recognition technologies, to be used for everything from driver's license applications to prescription filling. According to state Ethics Commission records, the company is paying Berlanga between \$50,000 and \$100,000 this session. At least two other lobbyists, Terral Smith and Kathy Hutto, are also fighting Maxey's bill—as are the grocers, who hope to see finger-imaging technology eventually adopted for broader use in stores. "We continue to deal with some fraud in the lane," said Joe Williams, president of the Gulf Coast Retailers Association, who wrote to senators earlier in the session urging them not to support the bill.

Smith and Berlanga are both members of the revolving-door all-stars: Berlanga is a former state representative, while Smith used to work as Governor Bush's legislative director. Ironically, as Andrew Wheat of Texans for Public Justice points out, when Smith signed on with Bush in 1996 he replaced Dan Shelley, whose quick transition from that job to lobbyist for Lockheed Martin prompted Bush to introduce new revolving-door ethics rules. (However, those rules only restrict former employees from lobbying the governor's office.)

It's not easy for a lone public interest lobbyist to dribble through an industry-funded full court press. "I'm used to working on these issues that nobody really knows about, and it's a matter of going to the right person and getting them behind a bill," said Celia Hagert, a nutrition policy analyst for the Center for Public Policy

Priorities. "This session it's been different, though, trying to go up against these big guns." According to the CPPP, most food stamp fraud is perpetrated by applicants who misrepresent their family circumstances, while less than 1% of fraud is attributable to duplicate benefits—the only thing finger-imaging of applicants is designed to catch. Studies by the U.S. Department of Agriculture, the University of Texas, and the state of New York have all shown that finger-imaging is not cost-effective.

Meanwhile, electronic fingerprinting threatens to deter some eligible applicants who might feel stigmatized or otherwise singled out by the procedure. This might seem like reason enough for a Democrat to support a bill to dump the technology, but Senate Health and Human Services committee members Mario Gallegos (D-Houston) and Frank Madla (D-San Antonio) have apparently been persuaded by the wisdom of their old friend Berlanga. "More than anything, it serves as a deterrent" Berlanga told the *Houston Chronicle*. "It's almost like saying Fort Knox has an incredible security system. Nobody's ever broken in. Why should we be paying for the security system? The logic's not there." No, it sure isn't.

DEATH BILL LIVES Although the practice of executing juveniles violates international treaties to which the United States is a party, in early April it was starting to look as if the state legislature wouldn't even manage to hold a hearing on a bill that would raise the execution age to 18. At least, that's the way things seemed to attorney Walter Long, who was concerned that House Bill 2048, authored by Fort Worth Democrat Lon Burnam, would languish in the House

According to the CPPP, less than 1% of fraud is attributable to duplicate benefits—the only thing finger-imaging of applicants is designed to catch.

Criminal Jurisprudence Committee, which failed to call the bill week after week. "Each week we've been waiting in anticipation, and it's getting later and later," he said.

There are 29 death row inmates in Texas who were convicted as juveniles, 23 of whom are minorities. Long represents one of them, Napoleon Beasley, who was convicted of a 1994 carjacking murder in Tyler. His case has been appealed to the Supreme Court; his execution is scheduled for August. "In every other aspect of the law, a 17-year-old is a legal infant, in terms of competency to execute a will or contract, or commit a tort," says Long, who notes that since 1990, Texas has executed one quarter of all juveniles executed worldwide. Currently, he adds, no other country in the world allows the execution of juveniles, except for perhaps Iran (where the situation is unclear).

Burnam, too, thought that the committee, chaired by Rep. Juan Hinojosa (D-McAllen), seemed disinclined to hear the bill: "A lot of people have a real vindictive attitude toward children. The signal that I'm getting is that the chairman thinks this one doesn't have a chance of making it through the process," Burnam said at the time. Texans concerned about the death penalty should take heart in the likely success of other bills this session, he added, noting that a bill providing for state-funded DNA testing of some inmates has been signed by the governor, and a ban on executing the mentally retarded has passed out of committee in both houses. Meanwhile, the Senate Criminal Justice Committee passed a bill on April 11 calling for a statewide vote on a two-year death penalty moratorium.

Surprise: on April 18, just as we went to press, H.B. 2048 was reported out of committee. Those liberals can be such pessimists sometimes.

YOU MAKE THE CALL In early April, a crack team of Texas legislators—Lieutenant Governor Bill Ratliff, Senator Rodney Ellis, House Speaker Pete Laney, and House Appropriations Committee Chairman Rob Junell—traveled to Washington to meet with President Bush and with Tommy Thompson, Secretary of Health and Human Services, with whom they raised concerns about Medicaid costs. Democratic spin: forced by Presidential politics to cut taxes last session, Texas must now go to the Bush administration to beg for money. An alternate view: The Texans were there to "have a discussion," not ask for money—this according to Ratliff's press secretary Nick Voinis.

Granted, they did discuss some important issues: for instance, the fact that the federal share of Medicaid costs is based on a state's overall economic status. (Because of this, and because many other regions of the state are doing relatively well, the Texas border gets less federal Medicaid money by percentage than, say, West Virginia.) But it would appear that most of those issues seemed to involve, well, asking for more money.

CRY OF THE WOUNDED BOOZE BARON

Shipping alcohol in, out and around Texas hasn't been straightforward since at least Prohibition. Part of the reason for the shipping complications lies with the "three-tiered" system set up by the Texas Alcoholic Beverage Code in 1935. The Code's three classes of alcohol handlers—producers, wholesalers and retailers—are kept separate to discourage a booze monopoly. For the most part it has worked, except that only four companies control wholesaling of all liquor and 85 percent of wine. The drawback for small wineries in Texas is that it's bad economics for them to pass their wine through this second tier—they just can't produce the volume that would make up for the low profit per bottle, and they say the wholesalers aren't interested in them anyway.

The wholesalers are very interested, however, in preventing small wineries from selling booze straight to the public. Rep. David Swinford's (R-Dumas) H.B. 892 would let wineries ship to wet areas anywhere in the state, providing they and the shipper have special permits. It also

allows wineries in wet areas to sell on-premises, a move Swinford's office says is meant to encourage tourism. To open the spigot to other states, Rep. Anna Mowery, (R-Fort Worth), introduced H.B. 1046, a bill that would allow wineries to ship straight to residents through the creation of new shippers' and carriers' permits. "It'll make the difference between being profitable and not," said Ed Manigold of Spicewood Winery. "The direct economic impact would be about \$500,000 as opposed to maybe \$50,000 now." He said the area's income from tourism would be about \$1.5 million and that sales tax revenues would increase one-hundred-fold.

The big distributors aren't giving up without a fight. They've argued that the bills would let minors order wine for themselves, especially over the Internet. "I'm just fascinated how concerned the booze people are about minors getting wine," Mowery scoffed. "They're going to order wine and wait so many weeks to get it?" Despite her bill's requirement that a 21-year-old sign for delivered wine (and a similar clause in Swinford's bill) the Licensed Beverage Distributors of Texas, a wholesalers' lobby, has campaigned against them. This took an embarrassing turn in March when wholesalers distributed postcards depicting a white teen selling alcohol in a blighted downtown setting, complete with gang graffiti and a black youth in the scene. Several black legislators took offense at the racial stereotype in the appeal, and the mailing was discontinued.

If the winery bills pass, the big distributors may be hit in the ego more than the wallet. Tim Dodd of the Wine Marketing Research Institute at Texas Tech says that experience from other states and countries has shown that letting small wineries ship directly to customers would affect the amount going through wholesalers in "the one percent range."

WE GIVE UP We were discouraged to learn of our irrelevance in Larry L. King's fine piece on former *Texas Observer* editor Willie Morris, which appears in the May issue of *Texas Monthly*: "After reading Willie's reporting on the Legislature," King writes, "no less than Norman Mailer said that 'neither he nor anybody else need bother with the subject further.'" ■

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Is There a Fargo in Your Future?

In an era that fawns on the high-flying, high-techers of California's Silicon Valley, it's worth a trip to one of America's rural outbacks—North Dakota—to visit some folks who're busy bringing high-tech down to earth (and back to the grassroots). If you want to see a brighter energy future, travel to the Holiday Inn in Fargo, North Dakota. There, in a small workroom, you'll find a 30-kilowatt Capstone MicroTurbine, no bigger than a refrigerator, humming quietly. This stand-alone power unit, unconnected to any utility's power grid, creates all the electricity to heat 200 rooms in the motel, keeping customers cozy even on the state's coldest sub-zero days. Not even the turbine's exhaust heat goes untapped—it's used to provide hot water for the motel's kitchen, laundry, and public bathrooms. This microturbine represents a fundamental shift in America's energy thinking, away from today's massive, belching, centralized power plants that produce a billion-and-a-half watts of electricity each, which then has to be sent out along hundreds of miles of high-voltage wires. Instead, the micropower movement is based on Thomas Edison's original model of small, localized generators controlled by the users of electricity, with businesses and neighborhoods generating their own power. Using new materials and technologies, inventors and entrepreneurs have updated Edison's vision with ultra-high speed turbines that are affordable, super-efficient, non-polluting, virtually maintenance free, and safe. Instead of continuing to subsidize failure, let's focus on the future in Fargo.

NUKE THIS BILL.

You might see the dome of our nation's Capitol building as a majestic symbol of our Republic. Corporate lobbyists, however, see the dome as the lid to a giant

candy jar. Among those reaching deepest into the Congressional candy jar is the nuclear power industry. This disgraced industry has failed in the marketplace, constantly threatens human safety with radioactive emissions, burdens ratepayers with its bad investments, and has left a mountainous legacy of nuclear waste for future generations. Why worry about such unpleasantness, however, when your campaign contributions can buy you friends in high places?

One of those friends, Senator Pete Domenici of New Mexico, wants to give a sugar-sweet deal to the nuke boys. His bill not only includes some \$400 million a year in direct subsidies, but it also attempts to bamboozle us with linguistic hocus-pocus, simply defining away the industry's environmental ugliness. The Domenici bill asserts that nuclear power is "essentially" emissions free—a claim that will come as quite a surprise to scientists and anyone living around a nuclear facility. The bill goes further, declaring that nuclear power "shall be considered an environmentally preferable product." Never mind that it isn't. Hey, this is Congress—it can declare butter to be a diet food!

To help his pals even more, Domenici goes after their opponents. His bill would pull federal funding from any organization that opposes nuclear power development (a group that includes the World Bank), and it would strip from the American public our legal right to have full participation in hearings concerning the safety and licensing of nuclear power plants.

DOES JONAH HAVE KIDS?

Time for another Gooberhead Award, presented periodically to some figure in the news who's got his tongue rolling, but forgot to put his brain in gear. We're celebrating Mr. Jonah Goldberg, editor of *National Review Online*, a Web publi-

cation that blissfully parrots the ideology, agenda, and propaganda of the corporate elite. In an article for the *National Review*, our Goober of the day attempted to put a little yellow smiley sticker on (get ready): sweatshops! Yes, indeed, Goldberg (who's clearly a guy who never had to do any heavy lifting), exults that the low-wage, abusive, polluted, child-exploiting, hell holes called sweatshops "are actually a good thing." He adds that "sweatshops, all in all, equal progress," and that sweatshop workers around the world are "happy." If ignorance is bliss, this guy must be ecstatic.

Not content merely to chirp about the joys of doing sweatshop labor, Goldberg chose to assail the students, churches, unions, human rights advocates, and other people of good will who are standing up to the corporate profiteers that sustain the global sweatshop system. He mocks this growing political movement as "sweatshop chic," and dismisses the people in it as "dour feminists and moth-balled Marxists." Of course, if the movement consisted only of dour feminists and Marxists, *National Review's* corporate patrons wouldn't be worried about it, and Goldberg wouldn't be writing about it.

But write he does, writing himself into such an absurdist hole that he even sings the praises of child labor! We shouldn't be troubled that the rugs, silverware, toys, and other consumer goods we buy are made by eight-year-olds, he assures us, because in the Third World "it is natural to view your child as an economic asset." No, Jonah, it's "natural" everywhere to view your child as a child—who ought to be in school. ■

Jim Hightower's latest book is If the Gods Had Meant Us to Vote, They Would Have Given Us Candidates. Find him at www.jimhightower.com or write info@jimhightower.com.

Power to the People

(Of Los Angeles and Sacramento)

Here at the annual World Affairs Conference at the University of Colorado, the assorted experts from around the globe may sometimes be wrong, but they are rarely in doubt.

This lends a happy, "But the emperor isn't wearing any clothes," simplicity to much of the discussion. Shibboleths are ignored, obligatory bows to those who are only partially informed are skipped entirely, and folks get right down to the lick-log.

Thus, Harvey Wasserman, a longtime leader of the anti-nuclear movement, cutting to the chase: "Anyone who advocates nuclear power as a solution to our energy problems should be shut up in a padded cell."

Wasserman can, of course, discuss the details of nuclear plant design, risk, insurance, regulation, waste disposal, etc., ad nauseum. It's just that he'd rather not waste his time on the obvious.

One session I attended here, not expecting to learn much new (but it's always nice to have your prejudices confirmed), was titled "Our Fake Energy Crisis: What Really Happened in California."

The aforementioned Wasserman waded in with a will, describing the dastardly tale of ruthless utility companies determined to unload the "stranded costs" of their monumental folly in building nuclear plants—\$20 billion worth in California's case—on the ratepayers. Given that utility lobbyists literally wrote the California deregulation bill, it's quite a reach to blame it on anyone else.

This is a familiar tale to those who have read beyond the basic coverage of the California situation. Wasserman tells

the story well, with a fine contempt for the greed and stupidity behind it all and for the politicians now seeking cover. But he presents a media mystery that has me stumped—one of those cases of the media overlooking the obvious so completely that one is bereft of a handy explanation.

Some parts of California are not suffering from power problems of any kind. In Los Angeles and Sacramento, the lights are still on and the rates have not doubled or tripled. As it happens, the people of Los Angeles and Sacramento own their own power plants. This glaringly obvious fact has for some reason escaped media attention, except in California.

The history of how utility ownership and regulation came about is crucial to this story. Wasserman quoted a 19th-century mayor of Cleveland, Tom Johnson, who said, "If we don't control the electric utilities, they will control us."

As is often the case with business and government regulation, it was the utilities themselves that asked for regulation, knowing full well that they could easily dominate state public utility commissions. "Regulation" evolved so that utilities were permitted to make 15 percent on invested capital—a tidy sum.

This lasted until the early 1990s, when wholesale prices fell, tempting the utilities into deregulation. They dumped the stranded nuke costs on the ratepayers and made a promise in exchange—no rate increases—which they promptly broke when wholesale prices went up. Ask the people of San Diego.

The performance of the suppliers in this case—Enron, Reliant, et al.—is already the subject of public inquiry. But the California utility companies were meanwhile shipping the recovered nuke costs to their parent companies. ("We're still checking the DNA on those par-

ents," said Wasserman.) And then, in a truly sublime move, the major California utility gave its executives huge bonuses just before it went into bankruptcy.

Wasserman's suggested solution is that Californians should simply get themselves out of the grid by setting up municipally owned power companies. In rural areas, this can be done by counties or electric co-ops. He believes that what held the old system together for so long was not government regulation, which was always blatantly subject to manipulation by the utilities (as anyone who has ever covered a PUC can tell you), but rather the tension between the for-profits and the municipals.

Recently *Business Week* featured a cover story on Exxon Mobil's plan to take advantage of the "energy crisis." This would normally be funny, given that Exxon is in the oil business and (as most people outside the Oval Office are aware), the oil business has nothing to do with electricity. However, Exxon's acquisition of Mobil, which is rich in natural gas, unleashes a corporate behemoth of unprecedented size. Exxon also has a corporate culture that would give nightmares to "Chainsaw Al," Dunlap, the former Sunbeam CFO, known for his fondness for handing out pink slips.

Here are some interesting facts from the Rocky Mountain Institute: The cheapest source of new electricity is efficiency; the next cheapest is burning soft coal, which is a gross polluter; and the next cheapest after that is wind power—2.5 cents per kilowatt-hour. ■

Molly Ivins is a columnist for the Fort Worth Star-Telegram. Her book with Louis Dubose (Shrub: The Short But Happy Political Life of George W. Bush) is out in paperback. You may write her at mollyivins@star-telegram.com.

THE LEASH

Beneath this collar
my skin itches,
and burns from the chafing.
I want to run free,
but my master
won't allow it.

The worst thing is:
The collar isn't on.
My master isn't here.

Still I feel
him tugging.

YEARNING

They lived in a crowded house,
six kids, two parents, one grandmother.
The three boys slept in one bedroom,
the three girls in another.
The parents had their room,
the grandmother hers.
There was never a quiet moment,
the bathroom the only refuge
before someone pounded the door,
stopping a boy's mirrored boxing match,
a girl's imagined ballet.
Thirty years later, each one lives alone,
relishing the quiet, the privacy,
missing the varied human voices,
the many hearts beating as one.

—Bob Slaymaker

Bob Slaymaker lives in New York City. A graduate of Columbia University's MFA program, he has taught at the University of California, the State University of New York, the University of Hawaii, Long Island University, the City University of New York, and NYU. His poems have appeared in many literary reviews, newspapers, and magazines.

—Naomi Shihab Nye

—*Gun Show, continued from page 11*

outdoor hunter has risen to \$44,000 a year, from \$38,000, but the average age has increased from 33 years to 44. Meanwhile, the number of licensed hunters has remained flat over the last 20 years—about 15 million, although 1999 showed a modest increase from sharp downturns the three previous years. (If you add in recreational shooters, the current figure jumps to about 25 million.) Meanwhile, the U. S. population has risen to 281 million from 226 million. As an NSSF report notes, you could interpret the numbers as denoting "a hunting population top heavy with older hunters."

To show a "positive message" in the face of "negative and challenging realities" Delfay is pushing the organization to continue its aggressive lobbying, legal, and public relations campaigns

against gun control. He also wants new initiatives for its outreach programs, especially to new and younger hunters and sport shooters, as shown in the group's support of education programs with groups such as 4-H clubs and the Women's Shooting Sports Foundation, funding of programs such as Project HomeSafe, aid to the U.S. Biathlon Association and U.S. Shooting Team, and new links with ESPN.

Without wishing to be accused of being any more of a media distorter than I probably already am, let me just add that for a "shooting, hunting, and outdoor sports" show, this one has plenty of lethality which has little relation to the hunting of animals or shooting of skeet. Powerful handguns, semiautomatics, and sundry black-clad accouterments from manufacturers such as Glock, Smith & Wesson, and Armalite, take up dozens and dozens of booths marketed to police, military, and paramilitary personnel. Okay, all those people need weapons for fighting crime and rebel insurgencies and so forth, but to market it side by side with legitimate sporting and hunting products? A little apples and oranges for my taste. But what do I know? For the better part of four days I've been furtively stalking a tripod-mounted, .50-caliber, AW50 sniper rifle on the table near the hot dog concession. Hey—it's half-off—just \$5,500.

And don't think I haven't shopped around. These big fifties are everywhere—"the new toy right now"—one retailer tells me. Prices range from a \$1,600 markdown special on the Grizzly Big Boar through a half-dozen or more, suggested retail \$2,000 to \$5,000 or so. But the competitors seem testosterone contrivances—big barrels attached to ugly plastic stocks and grips. Still, like pro wrestlers, they make you look.

The AW50 is made to NATO specifications by Britain's Accuracy International Ltd.—muscle, but with method. The weapon can fire a one-

foot shot group at 600 yards, with a range of up to 2,500 yards; with full metal jacket, it's capable of armor penetration. All a combat weapon should be.

But I ain't in the army anymore. What would I do with all that firepower? I ask a competitor, a rep for Anzio Ironworks, a St. Petersburg, Florida company just out with a lighter, sport-shooting fifty retailing for about \$2,500. Perhaps he is also a student of linguistic deconstruction, for he thinks my question is meaningless: "Of course, it's up to the individual what he wants to do with it." From what I can tell, this usually means blowing the bejesus out of targets and odd bits of debris up in the hills, or maybe pulverizing varmints out on the lonesome prairie. But hunting per se? What would be left to eat, skin, or mount? Still, people like their fifties; there's a national association for owners of these and other "Very High Power" weapons. You can even get ultra-cheap "pulled" rounds for around 8 cents each from John's Guns in Palestine, Texas, if you buy at least one million (or 13 cents each in lots of a quarter-million), beating the average price of \$1-\$2 per bullet through surplus retail. What this means is that there are a lot more of these things out there than you might think.

So maybe this is a good time to get in. If I can get the AW50 for half its steep \$11,000 list, I can re-sell it at a handy profit. Won't need a license as long as it's just a one-time thing. I'm already talking to a guy from Indiana who might be interested. As for a spare \$5,500, well, I don't think I can expense my editor, but I do have credit cards. The lure is primitive. Then again, I'm a guy who can spend an hour looking at powerful things I don't need in a hardware store. Which is what I finally decide about the fifty.

I don't need it. ■

Rod Davis is travel editor of the San Antonio Express-News and author of American Voodoo: Journey into a Hidden World.



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Accordions Live Again at La Villita

BY MELISSA SATTLEY

Accordion Dreams
Directed by Hector Galán

San Benito—Austin-based documentary filmmaker Hector Galán couldn't have picked a better backdrop than the historic La Villita dancehall and the Rio Grande Valley—birthplace of conjunto music—to present *Accordion Dreams*, his latest documentary. The film traces the arc of conjunto's history from the early legends of the 1930s to the innovative young musicians who are keeping the art form alive today. In its heyday, from the mid-1950s to the late 1960s, La Villita was the heart of conjunto music in the Rio Grande Valley, the place to hear squeezebox super-stars Valerio Longoria, Narciso Martinez ("El Huracán del Valle"), and Santiago Jimenez. In the late '70s the dancehall closed because of dwindling audiences and economic decline in the neighborhood. Now city officials want to rehab the building and turn it into a conjunto museum. But on the night of the Valley premier, La Villita's deceased owner, Don Fernando Sanchez, seemed to be playing a practical joke. An hour before the film was supposed to begin, the power went out in half of San Benito, including La Villita. "Don Fernando turned the power off because the dance floor is too small," an elderly audience member confided to her friend.

City officials quickly pulled out their cell phones. Galán and his wife, Evy Ledesma, lit luminarias on the sidewalk to prove to hundreds of conjunto fans—many of whom had driven from as far away as Houston and Dallas—that the

show would go on. Across the street, cantina regulars carried their drinks out to the sidewalk and wondered aloud about all of the commotion at the old dancehall. Out front, conjunto fans in their sixties and seventies waxed nostalgic about La Villita and the days when they could hear hits like Valerio Longoria's "El Rosalito" from blocks away, long before they reached the dancehall. San Benito native Manuel Gonzalez, 65, had driven about 300 miles, all the way from Buda, to witness La Villita's brief revival. "This brings back so many memories," he said, recalling his days at La Villita in the 1950s. "You would work all week and on the weekends this place was it—you couldn't believe the musicians you could see here."

In little less than a half hour, the city's fire department provided a generator for the film projector and emergency lights to illuminate the dance floor. Even more miraculously, the film started on time at 8:00 p.m.—unusual even in normal circumstances for the Valley.

The documentary film, second in a planned trilogy on the history of Tejano music, follows the travels of the three-row button accordion from its arrival in central Texas with German and Czech immigrants in the early 19th century. The catchy polkas caught the ear of Texas Mexicans, or Tejanos, in the Rio Grande Valley. They adapted the polka into conjunto—the Tejano's working man blues—a blending of accordion, bajo sexto (12-string guitar), and drums.

Accordion Dreams intermixes the biographies of legendary performers such as Narciso Martinez and Flaco Jimenez

(probably the most familiar crossover performer to those not well versed in the music), with footage of live performances by present-day favorites such as Benny Layton and Ruben Vela. Galán then takes a detour to the small, central Texas town of New Braunfels, where Texans of German descent still play the traditional polkas and waltzes that intrigued Tejanos in the last century. But traditional accordion music is slowly dying out among people of German descent in Texas, and now is only occasionally played in retirement communities and at church parties. "Accordion music is being lost throughout the United States and Europe," Galán explained before the film's premiere. "There are only small pockets where the traditional music is surviving in places like Louisiana and Texas."

Austin singer-songwriter Tish Hinojosa narrates the hour-long documentary and Kathy Ragland, a New York-based ethnomusicologist, provides a historical perspective. Conjunto historians, including Amadeo Flores, 68, an accordionist who played with legendary players like Valerio Longoria and Tony de la Rosa, add personal perspectives on the music's social and cultural roles in the Mexican-American community. From the opening scene, Galán emphasizes that conjunto is still very much alive among music fans. The film begins with 17-year-old Jesse Turner of the small Valley town of Santa Rosa, playing at a high school dance with his band, Estilo. Now 23, Turner is just one of many young accordionists who have taken conjunto, added some rock 'n' roll twists and slick dance moves, and made the music more accessible to a younger audience. At the high school dance in *Accordion Dreams*, the young girls go wild at Turner's pelvic thrusts and skittering feet. Suddenly the accordion is sexy, and conjunto is no longer just your grandparents' music—something to be shunned at all costs.

"When I was a kid accordion music was embarrassing," Ledesma, a Harlingen native, told me. "I'm 41. I grew up in the '70s and we were into



Amadeo Flores

Galán Productions

rock 'n' roll music in English and trying to fit into the larger culture. Now these kids are into conjunto and they've found a way to be true to their own culture and still be Americans." In the film, older conjunto musicians like Amadeo Flores are pleased that the younger generation has taken an interest in the music. "We teach them and they teach us," says Flores, of the new conjunto players. "In the old days we played, stopped then sang. Now they do everything all at once."

Refreshingly, Galán also focuses on the struggle of women pioneers in conjunto music. Eva Ibarra, now in her late '50s, rips it up in an impromptu performance, as Hinojosa narrates the difficulties Ibarra faced when she was the only woman in a macho musical world. Ibarra started playing conjunto accordion at six; her father would book her in dancehalls around South Texas as a novelty act. As she grew older, however, she was often criticized for playing conjunto accordion, which was viewed as being strictly for men. The bars and nightclubs where she played were considered unseemly for a woman, but Ibarra ignored the naysayers and continued to make records and perform. Today she plays and tours with Hinojosa in the all-woman group, Las Super Tejanas. In *Accordion Dreams*, musicians Cecilia Saenz, 17, and Victoria Galvan, 15, show that attitudes

have progressed greatly since Ibarra was their age, and that conjunto has finally opened up as a viable avenue for young women performers.

Hector Galán is a San Angelo native who has deep roots in the Rio Grande Valley. For decades, he's focused his lens on the Texas-Mexico border. The first film in his music documentary trilogy, *Songs of the Homeland*, which won the Top Juror Award at CineFestival in San Antonio in 1995, also focused on the border. Another documentary, *The Forgotten Americans*, which aired on PBS last fall, portrayed the plight of poverty-stricken families along the border. (*Accordion Dreams* will also be picked up by PBS, and is slated to air in September.) At first it can be difficult to explain the importance of conjunto to people outside of the border region, says Galán. "People in Washington, D.C. and New York are like, 'What's conjunto?'" he says wryly. "It's the cultural legacy of this region and a significant contribution to American music—even if it is in Spanish."

At the Valley premier it was obvious that conjunto meant so much more to the audience. The event had an intimate family feel, and there were murmurs of recognition as black-and-white photos of musicians from yesteryear appeared on screen. Older audience members

laughed at old dancehall photos and at the outfits and hairstyles that seemed hopelessly outdated. After the premier, several musicians featured in the film performed on La Villita's stage—the same stage where accordionist Amadeo Flores performed more than 50 years ago. "Back then the dancehall didn't have a roof," he recalled. "I remember one night it rained and everyone kept dancing; they didn't care." (The roof was added in the late '60s to make La Villita more comfortable for receptions and weddings, much to the dismay of Flores, who thinks it affects the quality of the sound.)

For Jesse Turner, playing there at the Valley premier with some of the legends of conjunto music was an opportunity to pay homage to his heroes and to his father, a lifelong conjunto fan. But once again, Don Fernando seemed to be playing tricks. The night of the premier Turner had a bad cold and said he wouldn't sing. But as he launched into his second song and couples began to hit the dance floor, he was carried away by the evening and changed his mind. "I couldn't help it," he later explained. "It's an honor to be here." ■

Melissa Sattley is a reporter at The Monitor in McAllen. Flaco Jimenez, Ruben Vela and other accordion wizards can also be heard at the Tejano Conjunto Festival in San Antonio, May 9-13.

Trumpeter Swan Song

BY STEVEN G. KELLMAN

Taps

By Willie Morris.

Houghton Mifflin.

340 pages, \$26.

In 1951, the young men of Fisk's Landing, a Southern cotton town so close to the soil that none of its buildings exceeds four stories, begin to return from Korea in caskets. For the graveside ceremonies, two local high school trumpeters, Arch Kidd and Swayze Barksdale, are recruited to play "Taps." For each burial, the flip of a coin determines who performs beside the coffin and who stands at a distance repeating on his own horn every mournful phrase. Those notes in turn resound throughout the county, and, later, in the memories of a grownup trumpeter. Swayze, the fictional narrator whose recollections of his seventeenth year constitute *Taps*, can still summon up "the wonderful thrill of hearing the echo to one's own echo as it dissolves tenderly, reluctantly almost, into the distance, palpitating into the faraway hush."

If writing is an echo of experience, it also generates its own resonances. In writing the novel *Taps*, Willie Morris, who inscribes the book "For the people of Yazoo," drew on his own childhood in the Mississippi Delta, a time and place evoked exquisitely in the first section of his first book, *North Toward Home*. "The past is never dead," declared William Faulkner in a statement that Morris appropriated as his memoir's epigraph. "It's not even past."

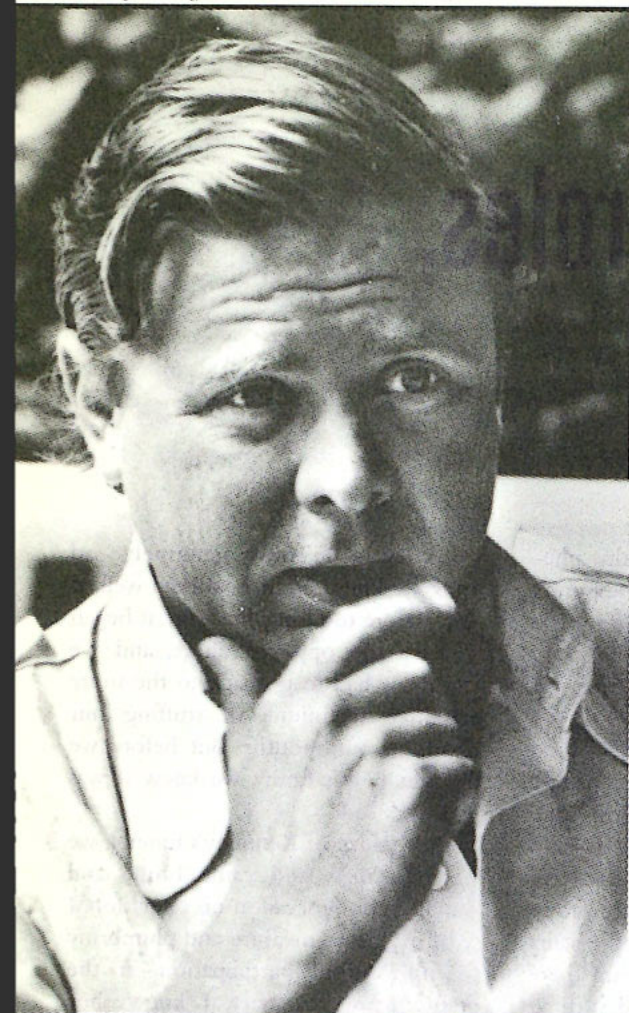
Reviving things past, Morris in *Taps* again revisits Yazoo City, renaming it Fisk's Landing, a rural metropolis of 10,184, and he calls himself Swayze. *Taps* is in effect a gloss on the seventh chapter of the "Mississippi" section in *North Toward Home*, a 10-page stretch in which Morris recalls his adolescent experience playing trumpet at the funerals of Korean fatalities. (Chapter 5 is the germ of a 1995 novel, *My Dog Skip*). In 1952, Morris left Mississippi for Austin, to attend the University of Texas and edit *The Daily Texan*. At age 25, he returned to the Texas capital, after four years in Oxford—England, not Mississippi—as a Rhodes Scholar, to edit *The Texas Observer*. At 32, he became editor of *Harper's* magazine. He conquered New York, but even after Gotham deposed its conqueror and Morris headed south toward home for his final years, he never lost the aura of the Wunderkind. If, as Orwell noted, "At 50, everyone gets the face he deserves," Morris's famous babyface revealed a man who never outgrew youthful wonder. Perhaps because they so often cultivate green memories, even his seasoned efforts seem precocious.

At his early death, at age 64 in 1999, *Taps*, which Morris worked on throughout his adult life, was still in manuscript, and its author was denied the thrill of hearing an echo to his own echo. In a seamless job of editing and a labor of love, his widow, JoAnne Prichard Morris, has brought the book into posthumous print. *Taps* is a fitting valediction to a man whose work

deserves to echo. Its title refers not only to the tattoo that teenage Swayze, whose widowed mother happens to teach tap dancing, plays in memoriam to his fallen townsmen. It also recalls the lesson that an adolescent learns about the place of death in human life. Like Whitman's "Out of the Cradle Endlessly Rocking," *Taps* is both an epiphany about mortality and an exploration of the sources for the author's mature art, a portrait of the artist as a young man with a horn.

Swayze presents himself as "a solitary brotherless and fatherless boy growing up in a house full of tap dancers and a crazed mother." Ella Barksdale, a neurotic nag who regards herself as a fallen patrician and "led an anxious life riven with gloom," might have been a mother of Tennessee Williams's invention. Swayze's trumpet duties throw him together with his classmate Arch Kidd, a lazy, surly, scowling misanthrope whose only redeeming virtue is the consummate grace with which he plays high F But, though he has formed a long-term and loving attachment to pretty Georgia Applewhite, Swayze is a lonely youth whose closest bonds are to his golden retriever, Dusty, and to a couple of older men: Luke Cartwright, the World War II veteran who recruits him to play "Taps" for the casualties of the current war, and Potter Ricks, the gentle, courtly mortician who buries them. It is through these local sages, and through sexual initiation and rejection, that Swayze comes of age, which is to say that he learns to accept the inexorable expense of aging, "the terrible fluidity of life on this planet."

Attentive to the sociology of the time and place, *Taps* opens by noting the local caste system that distinguishes the privileged flatland residents from the rustic folk who inhabit the hills surrounding Fisk's Landing: "We were flatland people, each of us in this little long-ago tale: Luke and Amanda and Durley, Georgia and Arch and myself,



“I started [*North Toward Home*] as a novel....and I got into it—oh, I guess, seventy or eighty pages, something like that, but a lot of hard work and really thinking hard about it—and I realized that I was writing an intensely autobiographical novel. I didn't like too much what I was writing and I finally decided just to go ahead and try to tell the story of my life. I decided to use real places and real names and everything else and risk what I knew would be inevitable, what was going to happen—that a lot of people would say that here is this egocentric thirty-one-year-old writing the story of his life. Who in hell does he think he is? But I made that decision and it was the most basic decision of all and I'm glad I did it. I don't think I'll ever do it again because I have a feeling that autobiographical work like this is either for very young men or very old men. I may be wrong: I may change my mind. I'm going to write a novel in the next two or three years. *North Toward Home* has its autobiographical form—and I'm speaking from experience—the autobiographical form has its limits but it also has its strengths. Its limits are that you don't have the emotional freedom to go all the way. At least I didn't feel like I did. Its strengths are that you can root around for things that actually happened and you have considerable latitude in a rather tangible way. You don't have to tell the complete truth. It's like what Mark Twain said, sometimes in writing work like *Roughing It* and *Life on the Mississippi* [1883], occasionally one has to lie to tell the truth.”

Interview by Robert H. Moore, *Mississippi Review*, 3, no. 3 (1974). Reprinted in *Conversations with Willie Morris*, edited by Jack Bales (University Press of Mississippi, 2000)

Potter and Godbold and all the others.” Though he mingles with the flatland aristocracy, Swayze grows up shabby genteel, with a lingering sense of unworthiness yet with a tacit understanding that his privileges exceed those of the blacks clustered in the boisterous neighborhood called “the Quarters.” Fisk's Landing in 1951 is a segregated world, though the cosmos mocks the community's racial categories: “We lived and died by nature, Anglos and Africans bound together in the whims of the timeless clouds.”

Presided over by a Jew, three-term Mayor Isaac J. Fink, the town is an ethnic amalgam that includes Italians, Greeks, Poles, Germans, and Lebanese, but apparently no Latinos; the term “Anglo,” meaning non-Hispanic, seems a misnomer appropriated from Texas

and a later era. The story of how “Our people played seven-card stud against God,” *Taps* reveals its hand slowly, through leisurely recollections of basketball games, spelling bees, and English classes. What binds it all together are the dire occasions spread throughout the year when Swayze is called upon to go to the cemetery and play his trumpet. What gives it all drama is the unstable romantic triangle that Luke Cartwright forms with beautiful, talented Amanda Pettibone and Leroy Godbold, her rich, arrogant, and violent husband. Swayze becomes go-between, witness, and chorus in a tragedy he is powerless to avert. Morris, the God of Fisk's Landing, if not Yazoo City, has stacked his poker deck.

He writes in gorgeously redolent sentences that seem to grow directly out

of the lush Delta landscape they evoke. Sometimes, as when he describes the ecstasy of first sex (“the glowing, pillowy rapture of joy”), Morris's prose is colored purple, but it never lacks the same awe over the power and pathos of words that Swayze, listening to the funeral weeping as to “the murmur of mourning doves at dusk, or the breathless flow of water in a summer's stream,” brings to the music he releases from his trumpet. Like his narrator, Morris is occasionally unsteady at high F, but *Taps*, the elegy he was rehearsing throughout his writing life, proves he knew how to sing. ■

Steven G. Kellman is professor of comparative literature at The University of Texas at San Antonio and the author, most recently of *The Translingual Imagination*.

Caissons and Casseroles, Circa 1963

BY ELISABETH H. PIEDMONT-MARTON

If you are among my family and you want to cause a disturbance, or possibly create a diversion to cover your escape, the way to do it is to lean in close to me or one of my sisters and say, "President Kennedy is dead." Without fail, we'll laugh out loud, make the others laugh, and then be unable to stop, only encouraged by the disapproving looks and frantic hushing. My parents will look at each other and sigh, "Kennedy's dead again." This tends to happen a lot in church.

If I knew anything about psychology

I would know the word for this phenomenon where stimulus and response, cause and effect, cart and horse trade places. Whatever it's called, we would be a textbook case. What happened was that we had taught ourselves a biofeedback mechanism in which we would solemnly pronounce the phrase "President Kennedy is dead" to stifle the fits of giggles that came over us when we all shared a room and were supposed to be asleep, and my father would warn from bottom of the stairs that he didn't want to come up there one more time. It was the saddest thing

we knew—the only genuinely sad thing we knew—and it worked well, at first. Before too long, however, it began to have the opposite effect, and we found we had to go back to the more primitive technique of stuffing our covers in our mouths. But before we thought it was funny, we knew it was very, very sad.

On the day of Kennedy's funeral, we went to mass and came home and watched the procession on television. I recall trying to measure and plumb my parents' dutiful participation in the public drama of grief. I knew they "didn't like" Kennedy and had not voted for him. I worried that someone on TV would say the name of Franklin Roosevelt because that was associated in my mind with the words "President" and "Democrat," and my grandfather, in whose house I had been warned never to utter those words, would go apeshit. But on the other hand, my parents were Catholic and Irish, as was poor, dead President Kennedy. And if you are Catholic and Irish and someone has died, there are two things you must do before the consolation of casseroles, cold ham, and cocktails: Go to mass and sit around. This can apparently entertain adults for hours and even days, but for us, after we had changed out of our church clothes and eaten our ham sandwiches and sat around fidgety for a while, there wasn't much else to do. Finally my mother let us go outside

And if you are Catholic and
Irish and someone has died,
there are two things you
must do before the
consolation of cold ham,
and cocktails: Go to mass
and sit around.

Having just learned the word "caisson," and aware that such an occasion required music, we worked up a reverent version of "Over here, Over there, and the casinos go rolling along."

with the promise that we would play quietly so as not to exhibit any disrespect that the neighbors would notice. Turning momentarily from the TV, she made sure we had put scarves on so that we wouldn't get sore throats. I don't mean scarves as in mufflers, I mean cotton kerchiefs tied under our chins. As we do in so many photos, we looked like poor immigrant children on the steerage decks straining after our first glimpse of the Statue of Liberty.

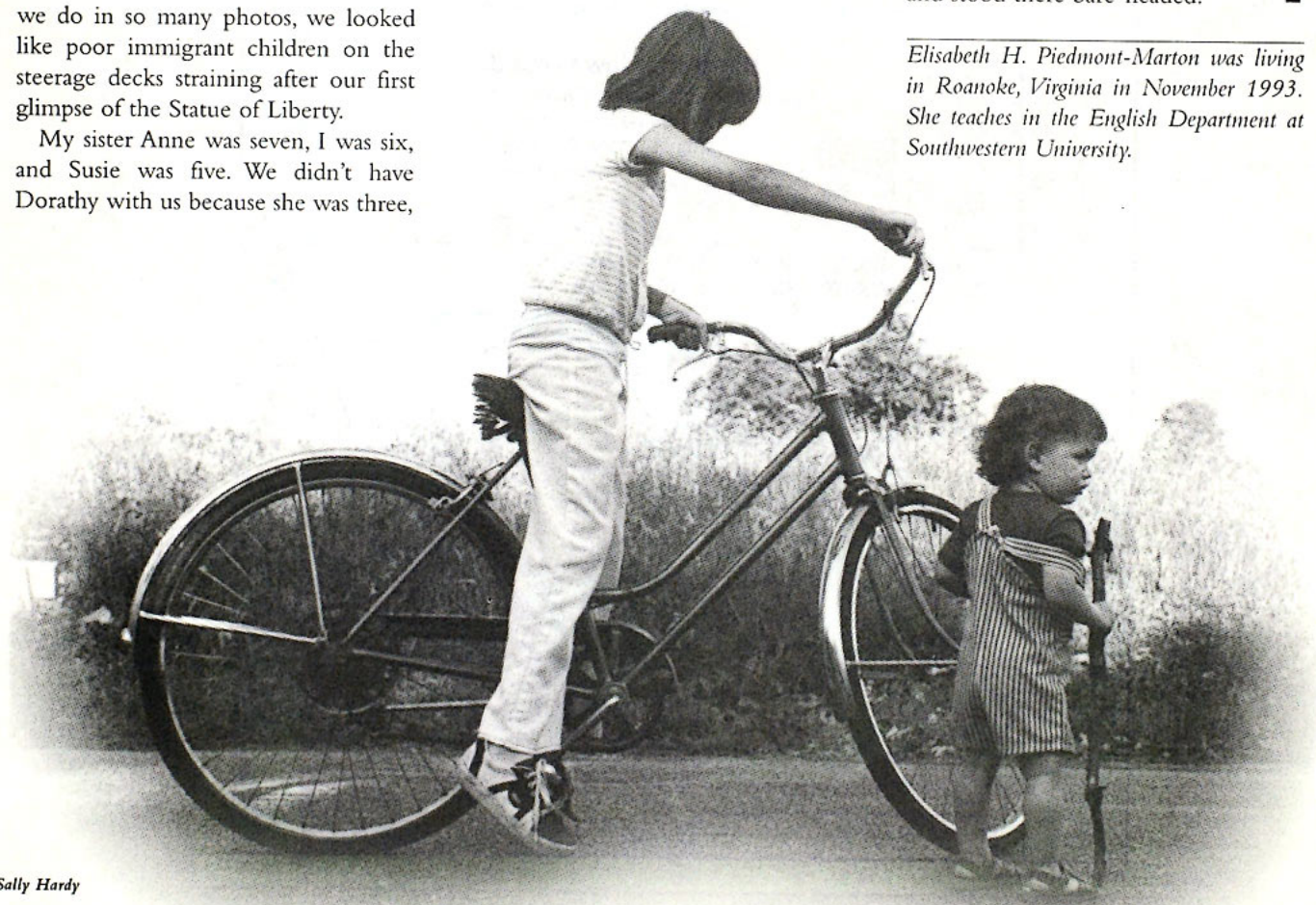
My sister Anne was seven, I was six, and Susie was five. We didn't have Dorothy with us because she was three,

afraid of everything, and a pain in the ass. We understood that roller-skating was too noisy, hopscotch or jump rope too festive, and there was no one else around to play with, so eventually we decided to play funeral. We hauled out all our tricycles and Anne's big two-wheeler and attached miniature American flags to the handlebars with pipe-cleaners. Then we got out our wagon, having unsuccessfully auditioned the more serious-looking wheelbarrow for the role, and tied it to the back of the bike. Because my parents weren't paying attention, we were able to rummage around where we weren't supposed to be and find the big American flag that Dad put up on holidays, and draped it over the bed of the empty wagon. We tied another tricycle to the back.

In front of the house we assembled our procession: two tricycles with riders; the bicycle would pull the flag-

draped wagon and the riderless tricycle. It was easy to maintain the proper slow pace going up the hill on Jefferson Street, but it took great skill on the way back down, and we admonished each other in whispers about going too fast. Having just learned the word "caisson," and aware that such an occasion required music, we worked up a reverent and repetitive version of "Over here, Over there, and the casinos go rolling along." We were so good that we needed to watch ourselves, so after a few passes, we removed one of the escort tricycles from the formation and took turns standing on the edge of the sidewalk playing the part of the mourner. It was best to pick a spot far enough from the corner so that you could experience the full glory of the approaching procession, letting your head turn slowly to watch it move past and recede toward the opposite corner. When you were the grieving citizen, you untied the knot under your chin and stood there bare-headed. ■

Elisabeth H. Piedmont-Marton was living in Roanoke, Virginia in November 1993. She teaches in the English Department at Southwestern University.

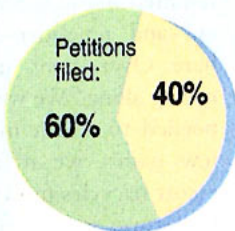


Sally Hardy

BUYING THE JUDGE

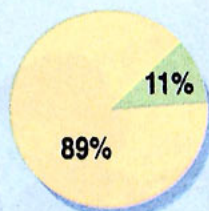
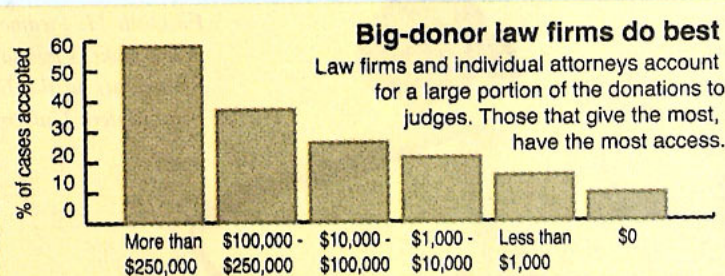
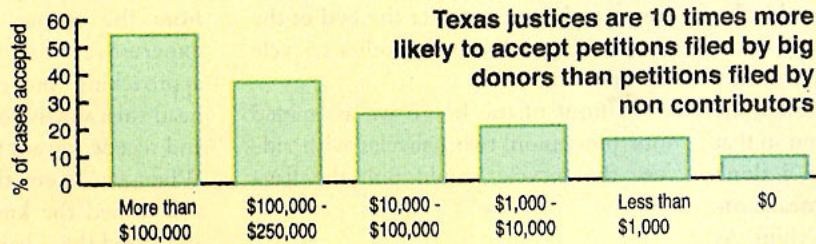
Texas is one of eight remaining states where Supreme Court candidates run for office in expensive, partisan campaigns that owe much of their funding to the lawyers and litigants who have business before these courts. According to a study done by Texans for Public

Justice's Court Reform Project, of the \$12.8 million raised by Texas Supreme Court candidates from 1994 to 1998, 52 percent - or \$6.7 million - came from litigants or attorneys seeking access to the court, which accepts only a small fraction of petitions each year.

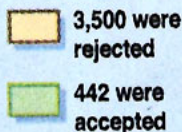


You've got to pay to play

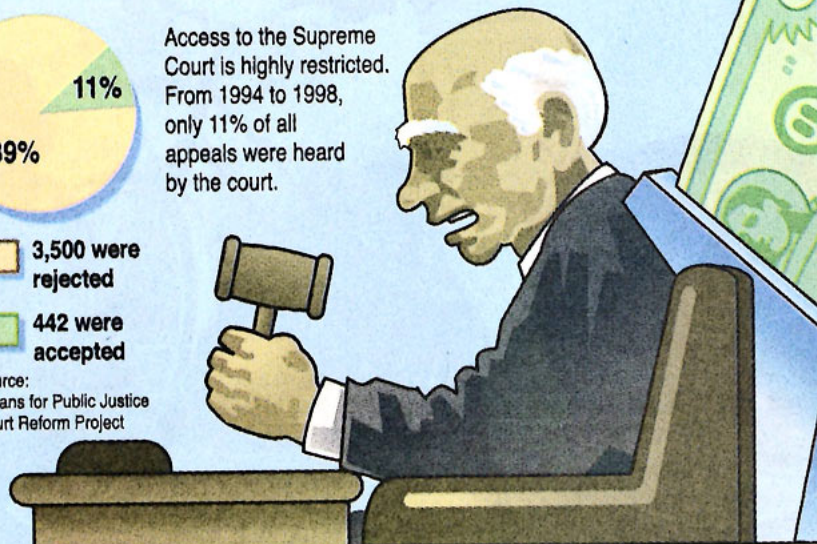
Campaign contributors accounted for only 40% of the petitions filed but 70% of the petitions accepted.



Access to the Supreme Court is highly restricted. From 1994 to 1998, only 11% of all appeals were heard by the court.



Source: Texans for Public Justice Court Reform Project



Kevin Kreneck