

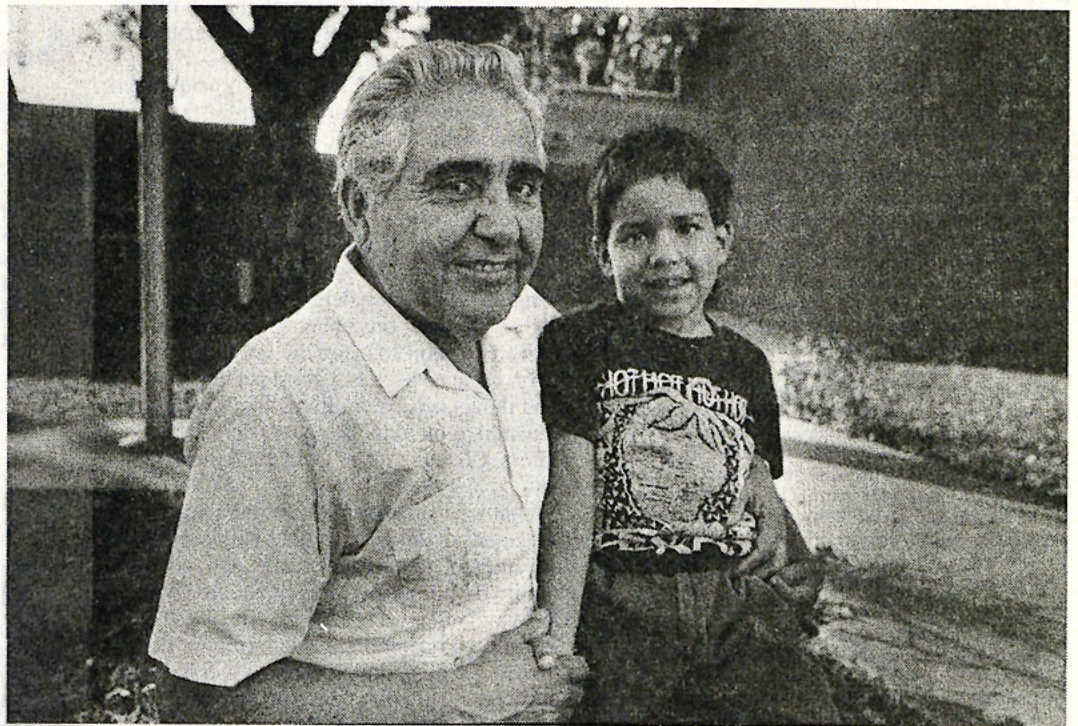
Remembering the Alamo Heights

BY NANCY FOLBRE

THERE'S AN ENGLISHMAN, A Frenchman, a Texan and a Mexican, plus a pilot, on a four-engine cargo plane flying an emergency mission. One of the engines conks out and the pilot announces that the plane will crash unless they lighten their load. He asks for a volunteer to parachute from the plane. The Englishman quietly says "God Save the Queen" and steps out the door. A few minutes later, a second engine conks out. Another sacrifice is required. The Frenchman leaps out, with a gallant "Vive la France." Then a third engine goes, and the pilot screams, "Act fast, boys, somebody else has got to jump." The Texan yells "Remember the Alamo!" and pushes the Mexican out the door.

When I first heard this joke, in the halls of Alamo Heights High School about 25 years ago, I thought it was incredibly funny. For some reason, I was reminded of it when I received an upscale brochure in the mail asking for my donation to the Alamo Heights School Foundation. "This year," the enclosed letter said, "approximately \$4 million of Alamo Heights Independent School District (AHISD) property tax revenue will go to other schools in our County Education District." The brochure explained that private donations to the foundation, unlike tax revenues, will be used exclusively for the students in the Alamo Heights school system.

"We don't want people to get the wrong idea about what we're doing," explained the foundation's president last December. "We're not trying to get ahead of other people; we're just trying to make up for what was taken from us." These words are a bit ironic, because that's exactly what advocates of school funding equalization are trying to do. I guess a lot depends on who "we" are, and what we think belongs to "us."



Demetrio Rodriguez and his grandson at new elementary school

ALAN POGUE

Anyway, I didn't exactly whip out my checkbook. What can you expect from someone who was elected "most revolutionary" of the graduating class of 1969? (It was a new category; I don't think it lasted beyond that year). Still, I grew nostalgic thinking about my favorite Alamo Heights teachers, and decided to study the Great Texas School Funding Fight. It's a story worthy of the big screen, with shoot-em-up anger, edge-of-the-seat suspense and a grand patriotic theme: the meaning of equal opportunity.

Keep Your Eyes on the Prize

Many books have been written, and courses taught, on the Civil Rights Movement. People tend to describe it as a thing of the past. Actually, it's just getting started. The famous Supreme

Court ruling that struck down the principle of "separate but equal" education in 1954, *Brown v. the Board of Education*, did little more than set the stage. Although school segregation is no longer enforced by law, it is reproduced by economic inequalities that are, in turn, reproduced by unequal access to education. This circular process has been challenged by a series of state court rulings in Texas, Arkansas, California, Connecticut, Kentucky, Kansas, Montana, New Jersey, Washington, West Virginia, Wisconsin and Wyoming. The Texas challenge will put a case called *Edgewood* into the history books alongside *Brown*.

In 1953, a bunch of African-American students walked out of a Kansas classroom, protesting the poor quality of their education. That's how *Brown v. the Board of Education* came to

Continued on page 6



A JOURNAL OF FREE VOICES

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

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

SINCE 1954

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Editor: Louis Dubose
Associate Editor: James Cullen
Layout and Design: Diana Paciocco, Peter Szymczak
Copy Editor: Roxanne Bogucka
Mexico City Correspondent: Barbara Belejck
Editorial Interns: Paula George, Lorri J. Legge.
Contributing Writers: Bill Adler, Betty Brink, Warren Burnett, Brett Campbell, Jo Clifton, Terry FitzPatrick, Gregg Franzwa, James Harrington, Bill Helmer, Ellen Hosmer, Steven Kellman, Michael King, Deborah Lutterbeck, Tom McClellan, Bryce Milligan, Debbie Nathan, Gary Pomerantz, Lawrence Walsh.
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Contributing Photographers: Bill Albrecht, Vic Hinterlang, Alan Pogue.
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Managing Publisher: Cliff Olofson
Subscription Manager: Stefan Wanstrom
Executive Assistant: Gail Woods
Special Projects Director: Bill Simmons
Development Consultant: Frances Barton

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DIALOGUE

Progressive Dissent

Ronnie Dugger writes that we should be ashamed because we are not toeing the line for Bill Clinton. Ashamed that we oppose a candidate who was in favor of war in the Persian Gulf?

Ashamed that we oppose a candidate who embraces the North American Free Trade Agreement?

Ashamed that we oppose a candidate who runs a TV ad saying he's not like the old Democrats, he's a new kind of Democrat who dumps on welfare recipients and brags about supporting the death penalty?

We're not ashamed. We're proud. Bill Clinton will not solve the fundamental problems of this country, and Ronnie Dugger is fooling himself — and his readers — by suggesting that electing Clinton is a crucial part of the "great evolutionary search for the available better reality."

Bill Clinton is not the missing link. Dugger buys into the great-man theory of history. He believes that if you can just put the right person in the White House, many if not most of our problems will be solved.

But that's not how democratic social change occurs in this country. Dugger's beloved Lyndon Johnson did not do good things because he was a good person; he did good things because millions of civil-rights protestors took to the streets to demand redress. Change comes from the bottom, not the top.

What we need today is to build a grassroots movement in this country that will demand fundamental democratic change. Once we do that, it will not matter who sits in the Oval Office.

There are no shortcuts. Glamorizing Bill Clinton is a diversion at best. At worst, it is a set-up for disillusionment and despair.

— *Erwin Knoll, Matthew Rothschild*
(Knoll is the Editor and Rothschild the Publisher of *The Progressive* magazine in Madison, Wisconsin.)

Realpolitik Endorsement

I was glad to see Barbara Jordan call for Lena Guerrero to resign if elected so that Gov. Richards could appoint a successor. I have been advocating this position among friends and political colleagues up here in Dallas for some time. If the Democratic Party is to have any claim of leadership or distinction from the corruption within its own ranks or from the moral miasma that is the GOP, Guerrero's bald-faced deceptions cannot be smoothed over. To continue to support a liar to the people is to become a liar to the people yourself.

Gov. Richards cannot take that position and neither — re your half-hearted realpolitik endorsement — can the Observer. As for Guerrero, a resignation after election (should that come to pass) would be an important step towards her future rehabilitation, something which in her history of political duplicity is long overdue.

— *Rod Davis Oak Cliff*

Editor's Note: Rod Davis is a former Texas Observer editor. The current editor, who wrote the "realpolitik endorsement," agrees with Davis.

Enough Bad Advice

If as you reported (PI 10/16/92), the Dallas ACLU told El Centro College students, who were denied permission to leaflet at the downtown Dallas campus, that college administrators have greater authority to confine speech on college campuses under post-Vietnam War U.S. Supreme Court decisions, the Dallas ACLU is flat wrong.

Further, the Texas Supreme Court has made it clear, time and again, that there is greater speech freedom under the Texas Bill of Rights than the federal First Amendment.

The battle for civil liberty is tough enough without throwing in the towel ahead of time, let alone giving bad advice.

— *James C. Harrington, Legal Director,*
Texas Civil Rights Project, Austin

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EDITORIALS

Call Your Representative

The last time the Texas Legislature convened in a regular session the only serious candidate for House speaker faced a criminal indictment and stood squarely in the middle of an ethics scandal that implicated a number of House members and lobbyists. Yet Gib Lewis, then seeking an unprecedented fifth term as speaker, was elected in by a *pro forma* vote at the opening session of a Legislature, which even before it convened had promised ethics reform that would end the very practices for which Gib Lewis then stood indicted. Lewis would latter plead no contest to two misdemeanor ethics violations and announce that he would not run for reelection.

Two months from now a new Legislature will convene and the reform movement that was part of a reaction to Lewis's ten-year tenure seems to have run its course.

The open-ballot system that elected Gib Lewis was enacted in 1963 and seemed reasonable and progressive.

The intent then was to move the speaker's race out into the open, ending secret ballots for the third-highest office in state government. With open ballots came the cards that have become the essential element in a system that concentrates power in the hands of the speaker, marginalizes the speaker's opponents and encourages the almost routine reelection of incumbent speakers. It is the system that kept Gib Lewis in power for 10 years, despite serious questions about his ethical standards as early as his first term as speaker, and a cavalier no contest plea to financial disclosure law violations in 1983.

The cards allow a speaker, once in office, to punish those who failed to support him. That punishment comes in the form of poor committee assignments, the House leadership's refusal to support a legislator's bills, and diminished campaign contributions.

In an article published on the day the last Legislature convened, in 1991, Mike Ward of the Austin American-Statesman reported that one former candidate for the House had been told "his campaign contributions hinged — at least in part — on whether or not he signed the card." Lobbyists begin to cultivate favor among those they perceive to be most openly supportive of their preferred candidate and obsequiousness becomes, if not a virtue, at least an asset.

As if to underscore how intractable the pledge card system is, Ward began his opening-day report with the account of a freshman House member who, based on his campaign and political philosophy, had to be counted among those most unlikely to begin a first day

of a first term beholden to any candidate for speaker. John Hirschi, a progressive Democrat from the Panhandle, had run a progressive campaign and was highly regarded among the good-government types who refuse to accept the status quo. He had also signed a yellow card pledging his support to Gib Lewis — the then-four-term speaker who had locked up his fifth by pressuring candidates to support him before they were elected. Also named in Ward's story were progressive good-government types like Sherri Greenberg and Elliott Naishtat, both then freshmen House members from Austin.

"I had people say that if you're interested in being an effective state representative, then you ought to go ahead and sign a pledge card" Naishtat said, "because the speaker will be re-elected and he'll look more kindly on you if you sign a pledge card than if you have not signed a pledge card."

"If there's no contested race, what's the difference?" said Greenberg.

When an extra-constitutional mechanism becomes so much a part of an institution that the best representatives we elect cannot in good faith stand against it, because to do so would be to deny the constituents who elected them effective representation, opportunities for change are often only momentary.

One such moment is about to pass. This year, some 30 representatives have joined together to form a "reform caucus." As the leading speaker contenders Pete Laney, D-Hale Center, and Jim Rudd, D-Brownwood, collect pledge cards, some House Members are withholding their votes and demanding a secret ballot — which might not be possible for this session's speakers' vote but can be written into the new House rules for the next session.

The "rules reform" movement — which includes other measures — was started by Common Cause and is supported by the Texas AFL-CIO. After the election, the outgoing Legislature will convene in a lame-duck special session on education funding. Laney and Rudd each will be trying to close the sale, working the incumbents who will return in January and calling on newly elected representatives. As they close the sale, they foreclose the opportunity for reform.

The business lobby opposes this reform because it would diffuse power in the House. So the reform movement must be driven from the bottom, by constituents calling their representatives, asking if they have signed pledge cards. Then asking: "Why?"

—L.D.

THE TEXAS Observer

NOVEMBER 13, 1992

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Cover photo by Alan Pogue

ERRATA

In "Bill Clinton's Detractors" by Ronnie Dugger (10/16/92), "internationalized force," due to typesetting and editing errors, appeared as "internalized force."

Stakes High in Senate

BY JAMES CULLEN

WITH A REDISTRICTING PLAN ORDERED by three Republican federal judges, the GOP hopes to swing a half-dozen seats in the Texas Senate, which the Democrats now control with a 22-9 majority. Targeted districts include those held by Democrats Ted Lyon of Rockwall, Chet Brooks of Pasadena, Bill Haley of Center and Bob Glasgow of Stephenville, while the seats vacated by Democratic senators Frank Tejeda in San Antonio and Gene Green in Houston also are contested.

That would give the Republicans 15 seats, one short of a majority, but any gain to more than one-third of the seats would force changes in the Senate, which has required a two-thirds majority to take up individual bills, and would give the GOP a sufficient number to block gubernatorial appointments. With a showdown expected over tort reform, business and professional interests generally have staked conservative Republican candidates who would limit lawsuits, while trial lawyers who represent plaintiffs and organized labor generally support Democrats.

(Figures are for the year through Sept. 30, except as noted.)

In District 1 (Northeast Texas), a Democratic district, incumbent moderate Republican Sen. Bill Ratliff of Mount Pleasant had raised \$347,603 and had \$136,408 in cash on hand Sept. 30. Bob Aikin, a Commerce businessman, former state representative and member of the State Board of Education raised \$372,283 and had \$134,934 on hand. He got 35 contributions of \$1,000 or more, including \$50,000 in cash and in-kind contributions from the Texas Trial Lawyers Association, \$10,000 from Mike Gallagher and \$5,000 each from four lawyers and law firms.

In District 2 (Northeast Texas), a Republican district, incumbent Sen. Ted Lyon of Rockwall raised \$389,713 and had \$85,017 in cash on hand. He received 154 contributions of \$1,000 or more, including \$6,500 from the Texas Democratic PAC and \$5,000 each from the Coalition for Better Transportation and six trial lawyers and law firms. He also received strong support from labor, dentists, mental health advocates, auto dealers and trucking advocates. Florence Shapiro, an advertising executive and Mayor of Plano, raised \$437,201 and had \$131,195 in cash on hand in a marginally Republican district. Her top contributors included \$31,000 from the Associated Republicans, \$5,000 from EMPAC (Dow Chemical), TREPAC (real estate) and USAA Group PAC.

In District 3 (East Texas), a marginally Democratic district, Sen. Bill Haley, D-Center, had raised \$194,422 and had a cash balance of

\$26,747. He got 72 contributions of \$1,000 or more, with 53 from PACs, including \$6,750 from the Texas Medical Association, \$7,000 from the Texas Dental PAC and \$5,000 from the Texas State Teachers Association. Gene Shull, a Tyler contractor, raised \$177,124 and had \$38,350 in cash on hand in a marginally Democratic district. His top contributors included \$10,000 from Associated Republicans, \$7,500 from the Associated General Contractors-Building Branch PAC and \$6,500 from Republicans for a Senate Majority.

District 6 (Houston) is a marginally Republican district in which state Rep. Dan Shelley, a Republican, raised \$116,872 and had \$51,424 on hand. His top contributors included \$2,000 from Houston Industries PAC, \$1,500 from the Texas and Southwest Cattle Raisers PAC and \$1,000 from 11 PACs. Don Coffey, a Democrat, who raised \$14,910 owed \$4,686 going into the final month. His top contributors included \$2,500 from the Teamsters PAC and \$1,000 from the AFL-CIO.

District 9 (Central Texas), a tossup district: incumbent Republican Sen. David Sibley, R-Waco, raised \$202,214 and had \$103,789 on hand. His top contributors included \$6,500 from Texas Dental PAC, \$5,000 from Texas Restaurant Association PAC and \$4,000 from EYEPAC (ophthalmologists). Dr. Charles Osborn, a Waxahachie Democrat, raised \$20,160 and had \$6,131 on hand. Most of his contributions came from doctors.

District 11 (East Harris County): Sen. Chet Brooks, D-Pasadena, the favorite in this marginally Democratic district, raised \$203,155 and owed \$2,320. He got 60 contributions of \$1,000 or more, with 44 from PACs, including recent contributions from beer wholesalers, health and insurance PACs. High-dollar Republicans apparently have written off challenger Jerry Patterson, who raised \$98,403 (with no individual contributions more than \$1,000) and had \$14,441 on hand.

In District 17, a marginally Republican district, Democrats have slim hopes that Democrat Ronnie Harrison can upset Republican incumbent Sen. Buster Brown, who raised \$77,900 and had \$60,083 on hand. His top contributors included \$4,000 from Texas Dental PAC and Texas Association of Realtors, \$3,678 from AUTOPAC and \$3,500 each from BW-PAC (wholesale beer distributors) and CPAs of Houston. The district is considered solidly Republican although it voted 50 percent for Gov. Ann Richards. Harrison raised \$28,326 and owed \$21,814. He received nine contributions of \$1,000 or more, including \$2,500 each from Drive Political Fund and the firm of Umphrey, Burrow, Williams and Bailey.

In District 19 (San Antonio), a Democratic

district, Republican car dealer Ernest Ancira has raised \$188,772 and had \$81,096 left. His top contributors included \$10,000 from the Texas Restaurant Association PAC and USAA Group PAC, \$6,000 from Texans for a Republican Senate and \$5,000 from the AUTOPAC. Democratic Rep. Greg Luna raised \$171,073 and had a cash balance of \$113,838.

District 22, a marginally Republican district, incumbent Sen. Bob Glasgow raised \$311,360 and had \$44,456 left over. He got 89 contributions of \$1,000 or more, with 52 from PACs, including recent contributions of \$25,000 from Dee J. Kelly's Good Government Fund, \$5,000 from the Coalition for Better Transportation, \$2,500 from the car dealers and \$2,000 from the Liberty Mutual Insurance. Republican Jane Nelson of Lewisville, a member of the State Board of Education, raised \$155,367 and owed \$116,456. Top contributors included \$14,500 from Associated Republicans of Texas, \$11,500 from EYEPAC, \$10,000 from H.E. Chiles and \$8,000 from Texans for a Republican Senate.

In District 25 (West Texas), a marginally Republican district, Sen. Bill Sims, a conservative rancher from San Angelo, received \$132,825 from July through September, while Republican state Rep. Troy Fraser of Big Spring raised \$48,889 during that period. He got 21 contributions of \$1,000 or more, with 11 PACs, including business, utilities, health and professional PACs.

District 26 (Hill Country), a Republican district, Jeff Wentworth of San Antonio raised \$292,762 but spent \$398,424, including a tough primary fight and a legal battle to win reinstatement on the ballot. Top contributors included \$6,000 from Associated Republicans of Texas, \$5,000 from Texas State Teachers Association PAC and \$4,500 from Associated General Contractors, Building Branch. Carlos Higgins, an Austin lawyer, raised \$5,074 and owed \$7,714. He had no contributions of \$1,000 or more.

District 30, which stretches from Wichita Falls to the Panhandle, is a Democratic district, but incumbent Democratic Sen. Steve Carricker raised \$84,514 and had \$50,606 left over. He got 14 contributions of \$1,000 or more from PACs, including recent contributions from truckers, trial lawyers, car dealers and life insurance agents. He is favored over Republican Tom Haywood, who raised \$136,040 and had \$43,102 on hand. He got 37 contributions of \$1,000 or more, with nine from PACs, including \$12,500 from Texans for a Republican Senate, \$2,500 from the Texas Farm Bureau and \$1,500 from Texas and Southwest Cattle Raisers Association and recent contributions from business, insurance and utility PACs.

—Research by Ken Case

Bush Through the Looking Glass

BY MOLLY IVINS

"There's no use trying," said Alice, "one can't believe impossible things."

"I daresay you haven't had much practice," said the Queen. "When I was your age I always did it for half an hour a day. Why sometimes I've believed as many as six impossible things before breakfast."

— Alice's Adventures in Wonderland

Austin

CHARACTER, SAYS GEORGE BUSH, IS THE issue. George Bush. Says character is the issue.

Character, one supposes, comprises both principles and integrity. What are George Bush's principles, this man who accuses Bill Clinton of waffling? George Bush has been on both sides of the abortion question. He has been on both sides of civil rights. More recently, he has been on both sides of new taxes. He has been on both sides of Saddam Hussein. He says he is for a balanced budget amendment while the deficit has increased to \$288 billion and he has asked for more money than Congress has actually appropriated. He has been on both sides of "voodoo economics."

In 1964, George Bush campaigned against Sen. Ralph Yarborough as a staunch opponent of the 1964 Civil Rights Act, the first great piece of civil-rights legislation that gave blacks the right to eat in the same restaurants and drink out of the same water fountains as whites. Bush was wrong, he was mistaken and he has never admitted it. Why doesn't he admit it? George Wallace has.

As a Republican, despite his heritage from both his mother and his father as a moderate Republican, he first became active in the Goldwater wing of the party. Later, he became a moderate. Then he became whatever he has been for the past four years.

Those who were around during Watergate may recall Bush's inane, burbling denial of the entire stinking mess. Those who recall his vice-presidential years may recall why the Washington Post described Bush in a 1984 editorial as "the Cliff Barnes of American politics — blustering, opportunistic, craven and hopelessly ineffective all at once."

You may recall why George Will described him in those years as the "yapping lapdog of the Reagan Administration."

George Bush and principle. There is one single issue on which George Bush has been resolute through the years, despite its unpopularity and defeat — a capital gains tax cut that would disproportionately benefit the wealthy.



FILE PHOTO

George Bush and integrity. You may recall when he said on national television that Walter Mondale had said our marines in Lebanon "died in shame." Mondale said they died in vain. Then Bush tried to prove with a dictionary that Mondale meant "in shame."

Texans may recall that in the early 1980s Bush tried to avoid capital gains taxes on the sale of his Houston home by claiming that his real residence was in Kennebunkport, Maine. The IRS wouldn't let him. Since then, he has claimed a Houston hotel suite as his home.

You may recall his 1988 campaign — a vapid, racist exercise, featuring the flag and Willie Horton, conducted while he carefully concealed the extent of the S&L fiasco and lied about his involvement in the Iran-Contra scandal. In this campaign, he has descended into rank McCarthyism with his unfounded charge that there was some impropriety about Clinton's having visited Moscow during a tour of European capitals and with his demagoguery implying that it was unpatriotic to oppose the war in Vietnam.

One reason Bush won in 1988 was his famous interview with Dan Rather about Iran-Contra. Bush blustered, he fulminated, he attacked Rather. But he never answered the questions. And the reason becomes more apparent every day.

He was not "out of the loop." From George Shultz's memo to the recent revelation of the John Poindexter cable that lists Bush among those supporting secrecy and concealment of the entire operation. A month after that cable was written, Bush made a speech saying, "Let the chips fall where they may. We want the truth. The president wants it. I want it. And

the American people have a right to it. If the truth hurts, so be it. We've got to take our lumps and move ahead."

But he went right on with the cover-up and is still lying about it today.

His entire administration is embroiled in a massive cover-up of Iraqgate, the illegal use of American grain credits by Saddam Hussein to buy weapons. To cover up this piece of folly, the administration had to interfere in and then botch the prosecution for the largest bank fraud in the history of this country. The CIA, the FBI and the Justice Department are now engaged in investigating one another in the farcical fallout.

It would be more farcical if Americans hadn't died fighting Iraq.

In every campaign speech he gives, George Bush is guilty of massive hypocrisy. In every campaign speech he gives, he twists his opponent's words (as he does on Clinton's stand on the Persian Gulf War), he twists his opponent's stands and he twists his opponent's record. He is guilty of hypocrisy about the Clean Air Act, the civil-rights legislation he was finally forced to sign, the tax bill he agreed to ("Congress twisted my arm," he whines).

Sure, George Bush is a decent individual. He's polite, he's loyal, he's kind to his children and he has that endearingly goofy streak (did you catch his reference to "90/90 hindsight" the other night?). But in his public life, George Bush has been anything but an exemplar of principle and integrity. When has George Bush stood for anything in his public life except the protection and advance of George Bush?

To suggest otherwise is a sick joke. □

Molly Ivins, a former Observer editor, is a columnist for the Fort Worth Star-Telegram. ©1992 Creators Syndicate Inc.

Remembering the Alamo Heights

continued from cover

be filed. In 1968, a bunch of Chicano students walked out of classrooms in the Edgewood district of San Antonio. Parents met with teachers and administrators to ask why the school roof was falling in and bats were roosting in the building. They learned that money was short, not because the local tax rate was too low, but because the district didn't have much taxable wealth.

Back in 1950, Texas legislators had recognized the problem, and started to do something about it. The state guaranteed a minimum for each district to be provided by a combination of local and state resources, with more state money going to property-poor districts. Problem is, the state never got around to including construction costs as part of the minimum program (although it originally said it would), so property-poor districts never had enough money to build or maintain adequate facilities. Also, the state used county-level estimates of market value to assign the percentage of state aid. The so-called equalization effort never did much equalizing.

The student walkout in 1968 led to the formation of the Edgewood Concerned Parents Association. Arthur Kochman, then a San Antonio lawyer, agreed to back their legal efforts. A parent named Demetrio Rodriguez was the first to sign the papers, lending his name to the legal antecedent to *Edgewood vs. Kirby*. There's no way he could have known he was signing up for a lifetime fight, but he probably would have signed anyway. The gracious, articulate sheet-metal worker has attended most of the hearings over the years, and now symbolizes the Edgewood community's efforts. He is to school funding equalization as Rosa Parks is to the struggle against racial segregation.

Plaintiffs in the Rodriguez case made comparisons with Alamo Heights from the very start. Even though residents of the poorer district paid one of the highest tax rates in the area, they could only spend 56 percent as much per student as the prestigious school on the north side. Alamo Heights was among the more affluent, but even its property wealth per student was far exceeded by districts with more oil wells than children. A sample of over 100 Texas districts showed that the wealthiest 10 spent about three times as much per pupil as the poorest four.

Adequacy, as well as equity, was at issue. Even average levels of per pupil expenditure in the state were well below national levels. Students in the poorest schools weren't getting much of an education. Drop-out rates were high, and few students went on to college. In 1968, that meant a greater likelihood of being drafted.

I started protesting the Vietnam War shortly after I enrolled at UT-Austin, but not a single

family member or friend of mine ever served there. Researching this article, I met someone who graduated from Edgewood the same year I graduated from Alamo Heights. Manuel said that more students from Edgewood than any other high school in town ended up in the army and he told me a story about his own experience.

His cousin had been killed in Vietnam, and his brother was fighting there, so he turned down a scholarship to Columbia University in order to enlist. Then his brother came home on leave and told him he was being a fool. Manuel wouldn't change his mind, so his brother brought some friends over to help persuade him. Manuel still wouldn't budge, but got so tired of arguing he finally said, "Well if I can fight you and win I can go to Vietnam and survive." They fought and Manuel definitely didn't win and there they were on the front lawn when the sun came up, crying and hugging each other. So this Edgewood graduate ended up at San Antonio College.

Meanwhile, lawyers for Rodriguez and the other plaintiffs pressed their suit successfully until 1973, when the federal Supreme Court ruled 5-4 that equal access to education is not a fundamental right under the Constitution. Two years later the same justices ruled in the Milliken decision that white suburban districts did not need to participate in desegregation programs with cities. The Alamo Heights School district encompasses the suburban townships of Alamo Heights, Terrell Hills and Olmos Park, which, needless to say, are not legally part of the city of San Antonio.

Demetrio Rodriguez and his friends refused to give up. In 1984, Al Kauffman of the Mexican American Legal Defense and Educational Fund (MALDEF) filed a new suit in state court. Traditional civil rights strategy had generally relied on federal support to bring states into line. But times had changed and the state constitution, unlike the federal one, asserts that a "general diffusion of knowledge" is "essential to rights and liberties of the people."

On Oct. 2, 1989, Rodriguez and Edgewood won the ultimate legal victory. The Texas Supreme Court ruled 9-0 that "glaring disparities" in spending between wealthy and poor districts violated a constitutional requirement that the state support and maintain an efficient educational system. A deadline of May 1990 was set for legislative reform. The court observed that Mexican Americans comprised 30 percent of total statewide enrollment, but 95 percent of enrollment in the poorest districts.

That year, the Alamo Heights Mules won one football game and lost nine, a not untypical record. Sometimes parents complain that the school is just too white to win at football. The scoreboard at Edgewood High temporarily ignored football altogether, to proclaim "We won. Edgewood 9, State 0." Bill Clements, the Republican who was governor at the time the case was decided, didn't take this legal game

too seriously; he and his team went into a nervous huddle, but couldn't agree on what to do. Then they got hit hard by an offensive line of men in black robes.

State District Judge Scott McCown extended the May 1990 deadline, but stipulated a clear penalty for failure to meet it by September. In the absence of legislative action, a court master (or appointed team of experts) would develop a plan. Lacking any power to raise taxes, the court master would take a pure "Robin Hood" approach based entirely on redistributing tax money from rich districts to poor ones. Faced with this threat, the Legislature proposed a state aid package that would have brought all schools up to a higher level of funding, but stopped short of equalization. Bringing all school districts up to the same level as the richest 5 percent seemed, to them, prohibitively expensive.

On Sept. 24, 1990, McCown ruled that the state's response "did nothing to eliminate the disparities in local wealth." The Texas Supreme Court backed him up. In the meantime, the Gulf War had started, and Houston Rep. Paul Colbert devised an acronym for Supreme Court Unanimous Decisions — SCUD attacks.

A new deadline of April 1991 was set. Legislators were scared to death of raising taxes and many argued that redistribution was plain socialistic. But the threat of the court playing Robin Hood finally persuaded them to compromise on a system of County-wide Education Districts (CEDs) that would combine increases in state aid with some redistribution from rich to poor.

The basic idea in Senate Bill 351 was a good one. The original school districts had been defined in arbitrary ways, often gerrymandered to keep Anglos separate from everybody else. In San Antonio, for instance, many property deeds had restrictive racial covenants that didn't permit Mexican Americans or African Americans to purchase houses.

The establishment of new, larger entities could break down racial and economic segregation, and create a new incentive for communities previously at odds to work together. But wealthy districts, in particular, didn't want to lose their sovereignty. So the Legislature didn't replace the old district system, but created a new structure on top of it.

Unlike any previous legislation, the new CED system had a Robin Hood component: it explicitly redistributed money from rich to poor districts, as well as raising many local tax rates and increasing state assistance. But the system didn't equalize: to placate the wealthier districts, it allowed them the option of local "enrichment" — continued access to some of their own tax revenue that would not be shared with others in their CED.

Still, wealthy districts screamed at the fiscal pain. Those that had previously enjoyed low tax rates due to high wealth had to raise their rates. Then they had to watch much of "their" revenue

Nancy Folbre is economics professor at the University of Massachusetts at Amherst. She works with the Center for Popular Economics.

distributed to others within their CED. According to its fundraising brochure, Alamo Heights lost about \$5.5 million in property taxes to its CED and received about \$1.1 million from the state, for a net loss of about \$4.4 million.

Fifty wealthy school districts, including Alamo Heights, immediately challenged the new law. Ironically, they won partly because of the very provisions intended to placate them. If the new CED tax structure had simply replaced the old school districts, it probably would have survived legal challenge. But by superimposing CEDs on existing school districts, the Legislature created something that resembled a state property tax, which is explicitly prohibited by the state constitution.

On Jan. 22, 1992, the Texas Supreme Court ruled the new law unconstitutional. Concerned about delayed progress towards equalization, as well as the disruption of school finances, it also ruled that the new system should remain in place until the Legislature could come up with a better plan. Those who had struggled for months to satisfy the court's earlier demands were furious at this new, seemingly contradictory ruling.

But the Supreme Court can't be blamed for the underlying political stalemate. Representatives of poor districts generally want equalization. Representatives of rich districts generally don't. Representatives of middle districts want equality but are afraid it will cost too much. Something has to give.

The new deadline is June 1993. All of Demetrio Rodriguez's children have graduated from high school. Two of his grandchildren now attend elementary school in the Edgewood district.

"The only thing we did wrong, stayed in the wilderness a day too long"

The legal maneuvering and legislative suspense surrounding the Edgewood case have distracted attention from its larger meaning. The political atmosphere of the 1980s made people like Demetrio Rodriguez seem like relics of the past rather than harbingers of the future. But the Edgewood case poses a challenge to the country as a whole. Equal rights to education costs more than other kinds of equal rights. Are the better-educated willing to help pay for these, or not?

Racial, ethnic and economic segregation in residential neighborhoods has actually increased in the United States since 1970. The lines of most school districts were drawn long before overt segregation was outlawed. Families were willing to tax themselves more heavily if they were certain the benefits would be enjoyed by their own children and those of their friends. They drew district lines that excluded groups they considered undesirable and within those boundaries established good schools. Property values within their districts increased, because many people wanted to buy homes there to take advantage of good schools. As property values went up, a



Demetrio Rodriguez and Edgewood allies in 1984

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lower tax rate was adequate to raise the same amount of revenue, further enhancing the attractiveness of the neighborhood.

Exactly the opposite process took place in communities whose residents were barred from good neighborhoods and excluded from political power. Because they didn't have much wealth, they had to set high tax rates in order to fund good schools. But if they set high tax rates, they discouraged businesses and prospective home owners from locating in their community. Their collective property wealth remained low, and therefore their educational spending remained low.

The Alamo Heights Foundation Brochure highlights this circular relationship between the tax base and the schools. Local real estate agent Kathleen Kuper explains the threat that school funding equalization poses even to those residents who don't have children: "Property values are directly related to the excellence of education in the Alamo Heights School District. To maintain that excellence the foundation needs the support of our community now more than ever." The taxable value of property in Alamo Heights today, per pupil, is \$461,884; in Edgewood, \$35,288.

My father, a man whose immense patience has survived 40 years of argument with his pointy-headed daughter, says, "Well let those Rodriguezes work hard and save until they can move into Alamo Heights. There's nothing stopping them from doing that now." In fact, the demographics of the Alamo Heights school district have changed a great deal since I went to school there. Today, about 25 percent of all students are Latino and about 2 percent are black. About 22 percent of all students come from low-income families.

But it's still not easy to find affordable housing in Alamo Heights, or to live there if your

job is on the west side of town. At Edgewood, 96 percent of all students are Latino, and 89 percent come from low-income families. Instructional spending per student there averaged about 75 percent of that at Alamo Heights throughout the 1980s, and test scores were significantly lower (comparing Latino, as well as all students at the two schools).

The economic obstacles to equal opportunity are still too high. Not enough poor people are well educated enough to earn enough money to live in a district where their children can get well educated. The economy today isn't like it was 50 years ago — it's hard to find good jobs unless you have a college degree. My father still shakes his head, but I still shake my finger.

Several Alamo Heightsters I talked to said "equalization is a good idea, but not if it involves taking money away from rich districts and giving it to poor ones." But there's no other way to accomplish equalization. Even a state income tax, if used primarily to aid poor districts, redistributes income. If you want equal opportunity and what it represents — fair play and genuine competition — you have to pay for it.

One problem is, a lot of people think they can't afford it. Declines in average, inflation-adjusted family income over the past 20 years have created new apprehensions. Forget the Republican slogan of the 1980s, "A rising tide lifts all boats." The ship has been sinking, and people are fighting over lifeboats. White middle-class families are afraid of losing their advantage.

Average real weekly earnings are now about 19 percent lower than they were in 1973. This decline has been unevenly distributed. Workers without high school diplomas have experienced the greatest losses, but even those with high school degrees have suffered. Only college graduates have held even.

Increased income inequality among adults means increased inequality of educational opportunity for children, a powerful incentive for protest in communities like Edgewood. At the same time, the "protection" of a college diploma and advanced professional-managerial training is now threatened by a shortage of well-paying jobs.

The current recession is increasing the economic pressure. Last July's *Fortune* magazine featured a hard-hat worker looking off into a parched desert with the banner "Job Drought." Last May, Texas Monthly editor Gregory Curtis sounded downright tearful describing the bleak economic prospects of new college graduates. This is the kind of economic engine failure that tempts the strongest passengers to push the weaker ones off the plane.

In the 1970s, poor and minority communities all over the country began demanding more equitable school funding. At the same time, white middle- and upper-class voters increased their opposition to taxation. The legal stalemate that has paralyzed Texas has actually been less damaging than the economic firestorm that hit California schools after a 1977 state court ruling mandated school funding equalization there. The tax revolt there led to budget cuts that dragged the whole system down. Once among the best in the country, California's "equalized" system now ranks 30th among all states in per pupil spending.

Does the white middle class really gain from resistance to social spending on "other people's children"? In the short run, it may save some money by drawing a line in the sand around its own schools. It can keep taxes down and preserve a competitive advantage for its own children. But in the long run, this strategy undermines the quality of all public schooling. It also weakens the principles of equal opportunity that made something called a "middle class" possible in this country.

Ironically, the very persistence of the recession is beginning to bring this point home. In the 1980s, Republican rhetoric convinced many middle-class voters that poor people were entirely to blame for their own poverty. This year, Ross Perot has helped Bill Clinton explain how economic policies have contributed to poverty, unemployment and declining incomes for everyone but the very rich. Our lack of investment in public infrastructure, including public education, has hurt our ability to compete with foreign economies.

In education, as in most things, you get what you pay for. The United States now has what the dean of M.I.T.'s school of management describes as "a grossly undereducated work force," far below the level of Japan and Germany in high school graduation rates, tested educational achievement, and basic levels of literacy and numeracy. And Texas is way behind the rest of the U.S. in expenditures. In 1991, even districts in the top 5 percent of Texas schools averaged only \$4,600 per student, compared to the overall national average of \$4,800.

The risks of poverty, unemployment and crime all increase as levels of education decrease, and these risks impose serious costs. As Ross Perot is fond of pointing out, the cost of tuition,

room and board at Harvard University is lower than the per-prisoner maintenance costs at Huntsville State Prison. In the U.S. as a whole in 1990, 38 percent of Latino children (18 years old or younger) lived in families with incomes below the poverty line, compared to 18 percent for all children. The combination of poverty and poor schooling helps explain why only 58 percent of Latinos ages 20-24 are high school graduates, compared to 79 percent for African Americans and 85 percent for whites. And low graduation rates, in turn, help explain the poverty in store for the next generation.

Opponents of educational funding reform will continue to argue that money doesn't really make much difference. Rep. Alan Schoolcraft, a Republican who represents a suburban San Antonio district and serves on the House Public Education Committee, often declares that when it comes to school funding, "less is more." The most obvious response to the money-doesn't-matter argument is, "Well then, why do rich districts protest equalization?" The fact is, money is a necessary, though not sufficient, condition for a good education.

If you want a competitive economy that rewards hard work, creativity and willingness to take risks rather than just family background, you have to give everyone a fair start. And that means you can't let parents define a different starting line for their own children. Does this principle of equal opportunity limit parent's choices? Yes. But it creates new possibilities, and therefore new choices, for their children.

"But the one thing we did right was the day we started to fight."

No one ever said it would be easy. Equal opportunity isn't just expensive. It also comes into conflict with some other important principles. The ideal school financing system would provide equal access to education, reward tax "effort" or willingness to impose taxes and offer local control over taxes and budgets. Unfortunately, no system yet dreamed up can meet all three goals. So reform becomes a question of priorities.

The Texas Supreme Court did not rule that expenditures per student must be equalized, only that districts must be able to obtain equal revenue for equal tax effort. The plan put into effect last year was based on a political compromise, and did not reward tax effort perfectly or provide complete equalization. But most of the opposition to the plan came from those who disliked its redistributive, "Robin Hood" aspects.

Even some of the beneficiaries were uncomfortable with these. Last year a group of student-council representatives from Alamo Heights got together with their counterparts from Edgewood and wrote a letter to the Governor. They didn't like the way they were being played off against each other. "The most important factor to both communities," they wrote, "is that all students get the best education possible."

This youthful idealism seems sweet but naive

to me. Quality education for all should be the most important factor, but economic self-interest is playing a pretty important role. Wealthy districts don't want to lose control over revenues they consider "theirs." Consider, for instance, their response to proposed redistricting.

The simplest way to provide equity, maintain local control and avoid any constitutional amendment would be to redefine local districts, to consolidate them into larger units like the current County Education Districts. This would lower administrative costs and wouldn't necessarily create unwieldy units.

But districts like Alamo Heights are vehemently opposed to consolidation or redistricting. One reason is that they would lose some of their identity and sense of tradition. But another is that they would lose their economic advantage and perhaps even become vulnerable to federal laws against segregation. Right now, schools on the north side of San Antonio are predominantly white, on the east side predominantly African American, on the south and west side predominantly Latino. In a unified citywide district, such segregation would probably be illegal and might even mandate busing.

Consolidation might encourage affluent parents to withdraw their children from public schools altogether and fortify the enclave of elite private schools. Desegregation had that impact in many Northern cities. But "white flight" to the suburbs was encouraged by the system of local school funding that made many public schools virtually "private" in terms of exclusivity.

With this link in the causal chain broken, genuine equality might result — but only within the consolidated districts. Regional differences in the state would remain. For instance, Edgewood and Alamo Heights might be equalized, but San Antonio students would remain worse off, on average, than those in Dallas.

That's why most educators would prefer a state-based funding plan that would bring all students up to the highest standard. But the revenues required to accomplish this just can't be squeezed out of the current system. Only a new state tax could provide it. A statewide property tax would require an amendment to the State Constitution. A state income tax would not. It would only require a complete revision of the current Political State of Mind.

Some combination of state aid with local redistribution, like Senate Bill 351 currently in effect, could work if it were "constitutionalized." But it could be improved upon in several ways. Redistribution from wealthy to poor districts should take place statewide. This would promote greater equality across the state, and minimize local conflicts within County Education Districts. Taxes should be more progressive, taking a bigger bite out of "luxury" real estate and certain kinds of business property. And potential for local "enrichment" should be strictly limited. Otherwise, wealthy districts will simply re-establish the disparities that previously existed.

Debates over details like these will litter the battleground in the next special legislative session. Unfortunately, the state's newspapers haven't done a very good job of explaining the

issues at stake. And all the technical jargon makes it difficult for ordinary people to understand, much less involve themselves in the debate.

That's why backlash is a real danger: Some representatives of wealthy districts, like suburban Houston Rep. John Culberson, advocate a constitutional amendment to declare that unequal school funding is fine and dandy. Many conservatives will argue that adult's rights to spend their tax dollars locally should supersede children's rights to equal education. How voters respond will depend not only on their political views and economic interests, but also on how they much voters know about the effects of equalization.

This is a story is best told on the local level. Last year, for the first time in history, current operating expenses per student enrolled at Edgewood (\$4,723), exceeded those at Alamo Heights (\$4,601). Edgewood business officer Earl Bolton says, "We've finally got enough money to be a fairly normal district." They received an additional \$6 million last year, or about \$402 per student. Over half the boost went into construction. Leaky roofs were fixed (including the one that helped provoke the 1968 walkout) and temporary buildings at LBJ Elementary are now being replaced by a new permanent wing. More counselors and nurses were hired and more resources devoted to remedying low achievement test scores. Teacher salaries were raised a bit, but still remain below the city average. Basically, Edgewood spent money on necessities.

Alamo Heights lost about \$4.4 million that it might otherwise have had, about \$1,165 per student. Private foundation fund-raising efforts contributed only about \$170,000. The district made about \$1 million in cuts, eliminating funding for its swimming program, one football coach, a track coach, two half-day aides, an accounting/typing teacher, a drafting teacher and a half-time social studies position. The marching and string bands lost an instructor and had their budgets reduced by \$10,000. The middle school cut its soccer program, a home economics position and a business and office education position. About \$270,000 was pared out of the maintenance budget. Salaries were frozen districtwide but still remain the highest in the region. People living in Edgewood would consider many of these items luxuries.

Alamo Heights raised its local tax rate about 35 percent so that it wouldn't be forced to cut back more. Their rate remained below Edgewood's, which also increased. Still, it's easy to see why Heightsters were upset. For the first time that anyone can recall, per pupil expenditures at Alamo Heights were below the national average. A better school finance system would spread the costs of equal opportunity more equitably, and ensure higher quality for everyone.

In his September 1990 decision, state District Judge Scott McCown argued that equity required more than simply guaranteeing all students an adequate education. He used a parable to illustrate his point. Imagine a father with two sons, John and Javier. What if that father provided John with food, clothing, shelter, a car, tennis



Library ceiling at Brownsville intermediate school, 1986.

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lessons and pocket money and provided Javier only with minimal food and clothing? Would we conclude that he had treated both fairly?

The president of the Alamo Heights Foundation, Warren Wilkinson, is not too worried about Javier. He doesn't want John to get dragged down. He says, "If we have money we're not willing to accept mediocrity," and then explains that equalization is a "demotivator," because kids feel demoralized when money is taken away from them and given to somebody else. "What's the point of trying hard," they ask, "if I'm just going to get equalized?"

But redistribution doesn't take away money that kids have earned. It just limits the extent to which taxpayers can support one set of kids more than another. Talk about "demotivation" — what about the kids who can't get a decent education no matter how hard they study? What's the point of trying hard if you don't have a chance?

It all boils down to a question the whole country needs to think about. Is equal opportunity in education a violation of family rights, or an expression of family values? The answer depends a lot on whether Javier is considered a member of the family. Judge Scott McCown put it this way:

The other thing that I have heard people say is "our taxes" — why do we have to send "our taxes" to educate other people's children? Well, there are two problems with that. First, its not "our taxes." We expect people who have no children to pay taxes and businesses their taxes ... I guess the thing that upsets me the most is to hear people talk about "our children" — they miss the whole point of the Constitution. They are all our children.

The Alamo Heights Foundation's fund raising brochure ignores this larger kinship.

"Hold on, hold on"

Among the many grievances that the Anglo-Texans listed when they declared their independence back in 1836 were the failure of the Mexican government to provide public education, and its law against slavery. New histories of the Alamo cast some of its heroes in a less than flattering light. Jim Bowie, it seems, was an ex-slave trader.

But the Alamo still plays heartstrings on behalf of those who refuse to surrender, including those who keep fighting for civil rights. Whether the cause that Demetrio Rodriguez represents wins this year, or next year, or not for 10 years, or 20 more, it's a struggle the Texas history books will eventually celebrate. If it ever makes it to the movies, the soundtrack should include Tish Hinojosa's guitar, and some lyrics from her "West Side of Town":

*Peregrinos de ayer
del destino y la fe
They were pilgrims that made
A good life the hard way.*

In the meantime, let's hope the plane we started out on doesn't crash. Let's try to fix the engines. Or at least teach our children how to design better ones. □

*Note: For an excellent summary of the legal and legislative history of the school funding fights, see *Politics and Public Education. Edgewood v. Kirby and the Reform of Public School Financing in Texas*, by Gregory G. Rocha and Robert H. Webking (Minneapolis/St. Paul: West Publishing Company, 1992.)*

Fund-raising Phil Gramm

BY ALLAN FREEDMAN

Washington, D.C.

IT WAS ALL ANYBODY COULD TALK ABOUT: THE Speech. . . Phil Gramm's moment to impress us all as the keynote speaker at the Republican National Convention. Pundits from Washington to Texas gathered around their television sets and prepared to be dazzled. Reporters considered the expectations. The question: Could Gramm shine on the national stage?

After all, Gramm is an accomplished Texas pol. In 1984, helped by Reagan's second landslide, Gramm was elected to the Senate, trouncing Democratic state Sen. Lloyd Doggett of Austin. In 1990, he followed up by smashing lackluster state Sen. Hugh Parmer of Fort Worth — despite Parmer's macho but unlikely pronouncement that he would kick Phil Gramm's butt.

But Gramm watchers — the reporters and pundits who are fascinated by the meteoric rise of the junior senator from Texas — have long wondered if Gramm had the makings of a successful presidential candidate. The GOP keynote was Gramm's opportunity to define a vision, a Mario Cuomo-like sense of national community. Gramm could serve notice to his critics and his detractors that he was going places.

Yet on that steamy August evening in Houston, Gramm's address summed up what was to become obvious in the fall campaign — the Grand Old Party had a sense of past but no grasp of its future. The themes in the Gramm speech — the end of Soviet tyranny, the failure of the Carter presidency, etc. — had grown stale. And Gramm's manner — his Georgia drawl, his round, fleshy face — made for awkward television.

Even Gramm understood that an important moment had been lost. In October, he told a gathering of Washington reporters that he had considered reading from his keynote speech. He quipped, "I know many of you slept through it the first time."

Phil Gramm failed a crucial test in August and it is easy to dismiss him as a national candidate — if only for his loyalty to an anachronistic conservative agenda. But Gramm's strength has never only been about his ideas, despite his pronouncements to the contrary. He may be the Gramm of the Gramm-Rudman deficit reduction bill that, for all its ballyhoo, failed to reduce the deficit, but his political power stems from his ability to raise money and



FILE PHOTO

provide constituent services.

Even if Gramm lacks a reinvigorated message — a must for any presidential candidate — he is busy laying the foundation for the White House. He is building a national campaign just out of the public view, attacking the task with the fundraising acumen that has made him a prodigious force in Texas politics. Money is the lifeblood of politics and Phil Gramm always has a knack for raising dollars.

Gramm has been proving his fundraising ability from the day he arrived in Washington in 1979, as a newly-elected Democratic Representative from College Station. He impressed colleagues in the House by boasting that he had netted \$40,000 in contributions one day by starting on the top floor of an office building in his district and working his way to the ground floor.

A decade later, the Democrat-turned-Republican had become absolutely decadent in his fundraising, as he pulled off a lavish 1989 Astrodome fundraiser. It was the largest of its kind, taking in more than \$2 million, and featured a tribute by George Bush and praise from Charlton Heston. To bring in more dollars, Gramm used a 900 number to make giving easier.

The Astrodome hoedown was about raising big dollars as well as scaring off challengers — a pre-emptive strike to show potential rivals

what they were up against. He raised enough money early on to discourage big-name Democrats from stepping into the ring, and brought nearly \$16 million into his re-election bid. By contrast, Parmer raised a mere \$1.7 million.

Gramm has accepted money from a variety of sources, following the money at the Republican National Convention from one corporate-financed event to the next. One of his top contributors has been Houston-based First City Bancorp, which granted an Iraqi bank a \$50 million loan in February 1989 to purchase agricultural commodities, according to Roll Call, a Capitol Hill newspaper.

While Gramm's re-election finance committee was pocketing some \$25,000 from bank officials and First City's PAC, Gramm himself took to the Senate floor in 1990 to argue that withholding agricultural aid to Iraq would be useless. "like responding to a bully by pulling out a gun, putting it to your head and saying if you keep threatening me I'll shoot myself."

Indeed, Gramm seems to have taken a special liking to banking contributors. During the 1980s, he received \$86,098 from S&L interests, according to a Common Cause report. Only five senators raised more money from S&Ls. When thrift reform legislation passed, Gramm hobbled the bill with amendments that made it impossible for regulators to seize bankrupt

Allan Freedman is a former Observer editor. This story was funded by the Institute for Alternative Journalism.

thrifts, according to one report.

And Phil Gramm backed a measure to leave a \$50 billion thrift bailout bill out of the calculation of the budget deficit. "Senator Gramm wants to mask the full scope of the deficit so there is no pressure for taxes so we can get through 1992 with 'read my lips' intact," declared Sen. Fritz Hollings, D-S.C.

In fact, Gramm, like many of his colleagues, continues to be rewarded for his position on the Senate Banking Committee. According to an analysis performed for the Observer by the National Library on Money and Politics, Gramm has received nearly \$18,000 in finance, real-estate and insurance PAC money since the 1990 election. He counts among his contributors the likes of Nationsbank, which provided him with \$5,000 in PAC contributions.

And banking dollars, more than \$200,000 in the 1990 election cycle alone, are only a small part of the senator's huge campaign fund. Gramm's campaign pocketed nearly \$1 million in oil and gas money in 1990, including \$21,000 from Bass Brothers Enterprises of Fort Worth. Defense contractors, such as Rockwell International and Northrop Corp., provided more than \$100,000.

According to Gramm's latest campaign finance report, there is little doubt that he is amassing the kind of campaign dollars that would allow him to run for both President and the Senate in 1996, as did Sen. Lloyd Bentsen on the Democratic ticket in 1988. At the end of June, Gramm had \$5.6 million on hand, and his re-election bid is still four years off. In 1990, with four years remaining in Lloyd Bentsen's term, the senior senator from Texas had about \$150,000 in the bank.

To be sure, Gramm is an effective money raiser because he works hard. According to Karl Rove, a long-time Gramm political consultant in Austin, Gramm is a meticulous fundraiser, not above checking to make sure that the address or name on a fundraising letter is just right. With more than 60,000 active contributors, Gramm could very well have a larger donor file than any other politician in Texas history.

Part of the reason for Gramm's burgeoning contributor list is the effectiveness — not to mention creativity — of his direct mail campaign. In his numerous fundraising letters to constituents, the Gramm pitch has always been about loyalty to the conservative cause and opposition to the left. During his re-election bid in 1990, he reminded potential contributors: "At stake is our vision of America, a vision you and I share."

In another letter, Gramm wrote that what "differentiates me from many other Conservatives in Congress is I haven't just fought. I have won on issues important to us and to those who oppose our vision of America's future.... The liberals not only hate me, they fear me." And Gramm is still recounting how as a conservative Democratic sponsor of the Reagan budgets, he was stripped of his "position on the Budget Committee in reprisal for having stood up for what the people of my district and the people of America believed in." It doesn't seem

to matter that Gramm was booted from his position for spying on House Democrats and reporting details of closed-door Democratic caucus meetings to the Republican White House.

What the appeals have in common is the thread of right-wing paranoia, which Gramm has always had a knack for exploiting. During the Democratic National Convention in New York, for example, Gramm was both ingenious and disingenuous when he sent a letter to contributors in the form of a mailgram, to provide the illusion of urgency. In the letter, Gramm stated that "in a sense, the Democrats this week are doing us a favor by telling America how much they hate our president, but we cannot allow their one-note complaint about George Bush and America to stand unchallenged."

He adds in a postscript, "We must not permit the Democrats to get away with their vicious and personal attacks on our president without standing up and speaking the truth." A fundraiser for George Bush? A solicitation for the Republican Party? No. This is a campaign appeal for the "Gramm Senate Club." The not-so-veiled message: The Republicans are in trouble, so send money to Phil Gramm. Be damned if Gramm isn't running in 1992, and this is a tight year for campaign fundraising. "Every dollar you send will allow me to air the truth about our Republican accomplishments and goals, and help force the Democrats to campaign on the issues," Gramm concludes, without mentioning that it is unlikely that he will air these messages until 1996.

That Gramm is a tireless self-promoter does not in itself set him apart from his over-achieving colleagues in the U.S. Senate. But Gramm is taking flak these days from some Republican senators for using his official party position for

personal gain. It was no secret that Gramm sought the top spot at the National Republican Senatorial Committee (NRSC) in 1990 in order to collect the chits and contacts that could serve him later as a presidential candidate.

The NRSC raises money for GOP senatorial candidates and Gramm was elected to the post in part because he has proven such a prodigious money-raiser at home. Gramm needs the post because to run for president he must expand beyond his Texas financial base. In 1990, 83 percent of his large financial contributors called Texas home. Gramm had the highest percentage of in-state contributors of any member of the Senate. And among the top 10 locations that provided cash to Gramm's campaign, the only out-of-state location to make the list was New York, ranked ninth between Amarillo and Waco.

Even in politics, however, discretion has its value, and Gramm has done strikingly little to conceal his use of the party committee he heads for something other than its intended purposes. The committee, for example, routinely gathers political intelligence for candidates around the country. When the committee conducted surveys in various states in advance of the 1992 elections, Gramm's name was sometimes added to questionnaires. According to a story in the Fort Worth Star-Telegram, potential voters were asked their opinions of Gramm on a scale from "strongly in favor" to "no opinion." The aim was to get a reading on Gramm's favorable rating. A committee spokeswoman said the purpose of the poll was to gauge whether Gramm was the right man to recruit candidates, but political operatives suspected Gramm's self-interest.

So far there is no strong evidence that Gramm's campaign fund has benefitted from his role at the committee, but there are strong

High-handed and Lowdown

IN 1989, SEN. PHIL GRAMM ANNOUNCED that his 1984 campaign committee had settled a lawsuit filed against it by the Federal Election Commission (FEC) five years earlier. The FEC had investigated \$690,000 in campaign contributions to determine if they were outside the \$1,000 per person limit allowed in federal elections. When Gramm's campaign committee provided documentation on the questionable contributions, the FEC determined that \$675,000 was within the limits and required that the remaining \$15,000 be donated to charity. The FEC also determined that \$9,708 in corporate funds had been erroneously accepted and the money was returned to donors. Gramm agreed to pay a \$30,000 penalty, instead of taking the FEC to court "to prove their charges wrong."

According to an Associated Press story, the Friends of Phil Gramm fought the agency's investigation of federal campaign violations with tactics that included a lawsuit against the commission in U.S. District Court

in Dallas, and lawsuits against commission members as individuals.

FEC spokesman Scott Moxley criticized the Gramm campaign, saying it is not often the agency must go to court in the course of an investigation, "and it is even less often that the commission is sued, and especially if the commissioners are sued in their individual capacity." According to Moxley, an average FEC investigation lasts eight months, though some cases have taken longer. "So something that draws on for four years is unusual," Moxley said. He described the fine as one of the largest ever in a congressional race.

Gramm spokesman Larry Neal said the errors the federal agency documented were technical violations made by volunteers. "In essence, we felt that some of the bureaucrats the FEC dispatched to handle this audit were high-handed and lowdown," Neal told the Associated Press at the time the Gramm campaign committee agreed to pay the penalty to the FEC. —L. D.

suggestions that Gramm is doing the best he can to serve his own cause where collecting money is concerned. In a South Carolina Senate race, Republican operatives strongly believe that Gramm is using the campaign of Fritz Hollings' Republican challenger Tommy Hartnett "to feather his own nest for a 1996 bid," in the words of one observer.

Hartnett campaign workers reportedly grew suspicious of Gramm when they were asked to send to Washington the names of all state and local contributors to their campaign. They balked when Gramm declined to state why he wanted the list. Gramm's move reportedly so angered campaign staffers that they are not likely to support a Gramm Presidential bid in 1996.

But the committee post has allowed Gramm to follow the old business adage to never use your own money when other peoples' is available. Gramm is notoriously stingy with his own campaign funds, and a search at the Federal Election Commission showed that Gramm has not personally contributed a single dollar to a Congressional candidate in this election cycle. That means the senator has relied on official party monies to cultivate the favor of candidates.

What money Gramm does have at his disposal he has used in a very calculated fashion. He has thrown significant backing, for example, behind Iowa Sen. Charles Grassley, despite the fact that Iowa's senior Republican senator is virtually assured re-election. Gramm's backing of Grassley is widely seen as a waste of committee resources and a clear move to cultivate Republican core support in Iowa, where a caucus victory in the 1996 primary would provide Gramm with a strong start in the presidential primary — if he decides to run. Grassley played a pivotal role in Sen. Bob Dole's 1988 primary win over George Bush, who placed third, and Gramm could be counting on Grassley to play a similar role for him in Iowa in 1996.

In contrast, Gramm has withheld money from Republican candidates who seem to have little political future. In Florida, Gramm personally recruited Democrat-turned-Republican Bill Grant to run against Democratic Sen. Bob Graham. In early October, Grant was openly complaining that the NRSC had withheld much-needed campaign dollars, with a committee spokesman responding that Grant was too far down in the polls to warrant a contribution.

At the same time, Gramm has used his campaign travel on behalf of senatorial candidates to raise money and meet with financial backers of House candidates in states that are considered crucial to primary election politics. During a recent trip through New Hampshire, Gramm was the featured guest at a fundraiser on behalf of Republican House candidate Bill Zelif, helping Zelif raise as much as \$60,000. Like the Iowa caucus, the New Hampshire primary, of course, is another of the first important steps toward a presidential nomination.

The morning after he appeared at the Zelif fundraiser, Gramm met with financial backers of New Hampshire Republican Bob Hatch and, according to a campaign official, delivered a pep talk to the troops. Gramm estimates that he has helped raise money for as many as 15

House candidates. He has been sighted in Indiana, here he helped raise more than \$10,000 for U.S. Rep. Scott Klug, and of course Iowa, where he appeared on behalf of U.S. Rep. Jim Ross Lightfoot, helping to raise about \$5,000.

Gramm's demanding travel schedule has meant less time at home, although he has played a small but visible role in a handful of congressional and state house races. In September, Gramm made a point of showing up at a fundraiser on behalf of Henry Bonilla, the San Antonio Republican TV executive challenging Rep. Albert Bustamante. And Gramm has cut a commercial for Donna Peterson, the Republican challenging Charlie Wilson of Lufkin. In her second attempt to unseat Wilson, Peterson is running a hard race and watching how Bill Clinton affects the polls.

But Gramm has played a much less visible role in Texas than he did in 1990, when he offered strong backing to three high-profile congressional challengers who went on to be soundly defeated. This year, the GOP is looking to Bonilla as their best hope for picking up another House seat. Yet because of Gramm's marginal involvement in the race, the senator will not be able to take credit for the victory, should Bonilla defeat Bustamante.

On election day, however, the question for Phil Gramm is not how well he does in Texas, but how well he does in the nation as a whole. Gramm has not received high marks for his role directing the campaign committee, largely because the GOP has fielded so many weak challengers and appears no closer to capturing a majority in the upper chamber than when Gramm signed on as NRSC chair. With the prospect of disappointing GOP losses, Gramm may take the fall for failing to deliver more seats into the Republican column.

The Dallas Morning News reports that Gramm might be sensing some election-year changes, citing the senator's comments on NBC-TV's "Meet the Press," where Gramm said he is not sure he will pursue the committee chairmanship again. "I want to get through the election, see how we do, see whether I want to undertake it again," he said. Asked about his designs on the White House in 1996, Gramm said "I know there's going to be a presidential race in '96. I don't know whether I'm going to be part of it."

Gramm already is facing a potential challenge for the GOP Senate Committee post from Kentucky Sen. Mitch McConnell, who is sure to use Gramm's lack of election day victories against him. McConnell is also likely to use the anger in some factions in the party where it is claimed that Gramm is using his position to launch a presidential campaign. None of this would be problem in a better year for Republican Senate candidates.

But what remains clear is that if Gramm holds onto the post, he could swiftly emerge as a strong presidential contender in 1988. With Bush's loss, Gramm's strongest opponents — Jack Kemp, Dan Quayle, etc. — would be left without high-visibility government positions from which to conduct their campaigns. And Gramm would be in the advantageous position of opposing a Democratic administration and perhaps emerging as one of the more forceful spokesmen of the opposition party, a role played by Jim Wright before he was toppled by conservative Republicans.

Still, in running a presidential campaign, money is not enough. Just as the Bush campaign has been hobbled by its lack of a clear message, Gramm has yet to fashion a standard stump speech that sounds like anything more than warmed-over Reaganism. Perhaps this kind of conservative-think will be the rage in 1996. But if the keynote flop was any indication, Phil Gramm must do more than raise a trailer load of cash during the next five years. He must figure out what he has to offer. □

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'Failing Newspaper' Scrutiny Sought

U.S. Rep. John Bryant, D-Dallas, called on the U.S. Department of Justice to enforce federal antitrust laws and stop the takeover of the San Antonio Express-News and the Honolulu Advertiser by their competitors.

"Just two weeks ago the Justice Department allowed the takeover and closure of the Tulsa Tribune by its competitor — the latest of 17 daily newspaper closures in the past year in Louisiana, Arkansas, Pennsylvania, Texas, Tennessee, New Jersey, California, Florida, Oregon, Virginia, Alaska, Washington, New York, Georgia and Oklahoma," Bryant said in a prepared statement. "Under the Bush Administration, the Justice Department has taken a totally passive approach toward the acquisitions, mergers and closures of daily newspapers, rather than acting aggressively to protect competition."

Bryant, a member of the House Judiciary Committee, last year launched an inquiry into the circumstances surrounding Justice Department approval of the takeover of the Dallas Times Herald by A.H. Belo Corp., which owns the Dallas Morning News, virtually every suburban newspaper in Dallas County and the largest TV station in the Dallas area.

"As a result of these takeovers and mergers, in cities throughout America the situation has become like that in Dallas: There is only one place to advertise and one source of news. The price of newspaper advertising has increased dramatically and diversity of opinion has been eliminated. If you want to advertise, you have only one choice; if you want to read the news, you have only one source; if you want to speak out, there is only one outlet," Bryant said.

In San Antonio, he said, the Hearst Corp., one of America's largest media conglomerates, which currently owns the Light as well as the Houston Chronicle and four other newspapers in Texas, proposes to purchase the San Antonio Express-News from Rupert Murdoch's News Corp., another huge media conglomerate (See "Hearst to Light: Drop Dead," TO 10/30/92). "Hearst is attempting to label its newspaper a 'failing enterprise' to produce a self-fulfilling prophecy so Hearst may be permitted to buy the competing Express-News. Hearst is really trying to buy a monopoly, not another newspaper. The result would put 600 employees out of work, rob America's eighth largest city of newspaper competition, leave businesses with only one place to advertise and readers with only one source of news."

The Honolulu Star-Bulletin is also in danger as a result of a deal by Gannett Co., another media conglomerate, to buy the dominant competitor, the Honolulu Advertiser, Bryant said.

"Today only 18 American cities still have fully competitive daily newspapers, with 18 others existing under joint operating agreements (JOAs), in which most operations are combined. And a number of those newspapers are in immediate jeopardy," he said.

The House Judiciary Subcommittee on Economic and Commercial Law, which has jurisdiction over antitrust matters and on which Bryant serves, will soon review Justice Department files relating to the purchase by the Dallas Morning News of the Dallas Times Herald, which stopped publishing last year, as well as filings which may lead to additional newspaper shutdowns.

U.S. House Judiciary Chairman Jack Brooks, D-Beaumont, is considering Bryant's request to hold hearings to investigate the question.

Charles Dale, president of the Newspaper Guild international union, which represents editorial, clerical, pressroom maintenance and circulation truck drivers at the Light, welcomed the congressional attention, but he noted that elected officials are reluctant to move against powerful media owners. "Major newspaper owners seem to be able to get away with whatever the hell they want to do," he said.

Dale said union representatives and attorneys are still examining their options and said the union would be willing to invest in efforts to organize the Express-News or other remaining newspapers in Texas. "We're going to try to organize that paper, but our experience in Texas is that we've spent hundreds of thousands of dollars at the Hearst paper and we've been stymied over and over there," with a management that has sought to decertify the unions and a National Labor Relations Board that under the Reagan and Bush administrations has been unfriendly to unions.

Dale said it is difficult to organize in today's troubled economy. "One hell of a lot of people are terrified by the economy and the reality is that there aren't that many newspaper jobs and they perceive that this is a bad time to get involved in union organizing efforts because they might lose their jobs as a result." But tough times are precisely the times that protection is needed, he said. "I would think it would be damned important for people at the Express-News to organize," he said.

Tom Honeycutt, president of Guild local 25 in San Antonio, said it is possible that the Express-News might organize because of the union history in San Antonio, but he questioned whether the international union would want to devote more money to save the union in Texas, a "right to work" state where conditions for unions are "difficult at best"; he believes Hearst would fight "tooth and nail" any attempt to organize the newly-acquired paper.

The Guild has 80 locals that represent 40,000 employees at approximately 200 publications.

—J.C.

Unions Win in East Texas

After at least 18 failed attempts by various unions to organize Tyler Pipe Co., the United Rubber Workers parlayed a hometown advantage as employees at the Tyler plant recently voted 974-751 to accept the union as its bargaining agent.

Labor officials hope the hard-fought victory, the largest in recent years, represents a turning point in industrial organizing in Texas after 12 years of union-bashing under the Reagan and Bush administrations.

Danny Parker, president of Rubber Workers local 746, the union at the nearby Kelly-Springfield plant that assisted in organizing the Tyler Pipe plant, credited the involvement of other unions in the Tyler area with the success of the four-month organizing campaign, which diffused the usual management criticism that the organizers were outsiders. "This time they were dealing with neighbors, even family," Parker said. A new local 1159 will represent workers at Tyler Pipe, which manufactures soil and drain pipes and associated fittings for the Dallas-based company.

Ron Hoover, a representative of the Akron, Ohio-based international union who helped in the organizing and now is assisting in negotiating the first contract, said the company ran a "traditional" anti-union campaign, warning employees of the potential loss of benefits, for example, but Hoover added, "The company had a lot more integrity than a lot of companies I've dealt with.... They didn't use the blatant lies that I've seen some companies use."

The union stressed the traditional issue: "Do people want to have a collective bargaining agreement so rights are protected and consistent," Hoover said. "That's really the issue."

Christopher Cook, a spokesman for the Texas AFL-CIO, said unions have had more success in organizing during the past year, winning approximately half of the dozen organizing drives. "We think it's due to 12 years of Reagan and Bush administrations knocking out laws that protect workers and ... not enforcing labor laws," Cook said. "Conditions have degraded to the point where workers are fighting back."

While the rubber workers' victory at Tyler Pipe fits the classic mold of organizing large plants, he said unions have seen more activity among service workers and government workers while other locals have had success in expanding their established unions.

"Young people understand when they go to work for \$5 an hour rather than the \$10 or \$12 an hour their dad or mom used to make it is not a temporary thing. That's the way it's supposed to be from now on." —J.C.

Roe Reconsidered

BY NINA BUTTS

A QUESTION OF CHOICE

By Sarah Weddington.
306 pages. New York:
Grosset/Putnam. \$21.95

THE PAIN STARTED FAR AWAY, AS IF IT WERE only an echo of itself. It advanced unavoidably until it took over my gut — the worst pain I had ever felt. My only defense was to breathe long and hard and grip my husband's hands and stare into his eyes. As the pain subsided, the midwife told me to let go of it, forget it, rest until the next one came on.

I was huge and sweaty and naked under a thin hospital gown, waiting for my first baby to be born. As I lay in the dark labor room, a clear thought appeared: No one should ever go through this against her will.

Sarah Weddington's *A Question of Choice* is a book that you must read. If you can afford to, you must also buy it and keep it on your bookshelf where your children and grandchildren will see it, and, perhaps with a nudge from you, pull it down and read it for themselves.

Weddington's story of the *Roe v. Wade* abortion rights case, which she argued successfully before the Supreme Court in 1971, is an essential piece of American history and of the chronicle of the liberation of women. It is a wonderful story, full of drama and inspiration, and Weddington tells it well.

In addition, her analysis of the ongoing attack on reproductive rights and her conclusion that *Roe* will be overturned by the Supreme Court by 1994 will move you to action if you are a feminist. I hope that you are.

The story begins in 1967, when Sarah Weddington was a third-year law student at the University of Texas. She became pregnant. She was neither married nor engaged to be married.

Weddington had grown up in tiny Texas towns, where her father was a Methodist minister. "My parents would be very disappointed in me," she writes. She was supporting herself through law school by working "several jobs." And she was overwhelmed by fear.

Another student, Ron Weddington, was the man she was "seriously dating." He did not want children. She and Ron discussed abortion.

If we decided on abortion, the next problem was: Where to go? There were no ads in

Austin writer Nina Butts divides her time between caring for her two-year-old daughter and teaching at Austin Community College.



ALAN POGUE

Weddington celebrates her election and ERA passage in 1972

phone books or newspapers; this was all undercover. You had to find someone who knew a name, a place — and I refused to tell anyone my situation.

Ron found out about a doctor across the border in Mexico, where abortion was also forbidden. Weddington spent all of her savings on an illegal abortion there.

As the anesthesia took effect, she thought, "I hope I don't die, and I pray that no one ever finds out about this."

She and Ron married the next year. He began law school as she graduated. In the top quarter of her class and "a hard worker," she was not offered a job after months of interviewing. Weddington explains without emotion, "I believed the reason I could not get a job with a law firm was that I was a woman."

She went to work for a favorite UT law professor, John Sutton, and joined a consciousness raising group. In the group were two scientists, Bea Durden and Judy Smith. Durden had two children and a doctorate in biology from Yale. Smith, "the first self-described feminist I ever met," had majored in chemistry at Brandeis. Both wrote for *The Rag*, an Austin underground newspaper, often on the subject of contraception and abortion:

The articles ... cautioned women about the dangers of inserting solids or fluids into the uterus, such as knitting needles, artists' paintbrushes, telephone wire, packing gauze, catheters, curtain rods, ballpoint pens, chopsticks, slippery elm bark, and coat hangers. These could pierce the womb and bladder, and often cause death from infection or hemorrhage.

Durden, Smith and a few others, organized an underground abortion referral project to educate women about birth control and refer women to safe, non-degrading abortion clinics. Some clergy were providing a similar service. Methodist ministers Robert Cooper and Claude Evans in Dallas and Bob Breihan in Austin were counseling women with unwanted pregnancies and referring those wanting abortions to safe clinics in and out of Texas.

Weddington began legal research for Judy Smith and Bea Durden because they wanted to know if helping women get abortions was illegal. Weddington's research revealed that the original state laws against abortion passed, in the 1800s, not for religious or moral reasons. The laws were to protect women from what was then a dangerous surgical procedure and to help put midwives, who often did abortions, out of business. Weddington read *Griswold v. Connecticut*,

the 1965 Supreme Court case that overturned the Connecticut law against birth control. ("I ran to find Ron.... 'Can you believe that birth control was actually illegal?") She also discovered that state abortion laws were being challenged in federal courts across the country.

It was Judy Smith's idea to file a lawsuit in federal court challenging the constitutionality of the Texas anti-abortion law. Smith, who was excited by Weddington's legal research and despairing of ever changing the Texas abortion law through the Texas Legislature, presented her idea to Weddington and her husband in the UT law school snack bar. It was the fall of 1969. Smith asked Weddington to take the case and to work for free.

Weddington was 24 years old. She was two years out of law school and had never argued a contested case. Her legal experience was a few simple wills, uncontested divorces for friends, one adoption for relatives and "a few miscellaneous matters." She was "not really practicing law."

And that is one reason she took the case "I was restless," she wrote. She was terrified of losing such a crucial case, but she wanted to use her legal training to help other women. She ticks off the reasons it made sense to take the case: She and Ron lived frugally; she did not think that her "mother and daddy" would object to her doing abortion rights work; she felt that her UT law professors would help her (many of them did).

Weddington recruited a co-counsel, Linda Coffee of Dallas, and enlisted the help of Ron and some friends as researchers.

They needed a plaintiff — a pregnant Texas woman who wanted an abortion. Linda Coffee found Norma McCorvey, a young waitress and mother in Dallas, who became "Jane Roe." Weddington met her in a Dallas pizza place and "found her street-smart and likable." McCorvey signed a one-page affidavit and never appeared in court.

Jane Roe sued then-Dallas District Attorney Henry Wade, who enforced the abortion law, in federal district court on March 3, 1970. The case was heard on May 22 by a panel of three judges, one of whom was "legendary Texas woman" Sarah T. Hughes, the progressive federal judge appointed by John F. Kennedy.

Weddington won. The judges declared the Texas abortion laws unconstitutional, but they refused to enjoin the district attorney from enforcing the law. Henry Wade immediately announced that he would continue to prosecute doctors who did abortions.

Henry Wade, the drawling, cigar-chomping, big-bellied Dallas D.A., had unwittingly done the abortion rights movement a huge favor. Weddington explains, "It was procedurally possible to go straight to the Supreme Court if a lower federal court had declared a state law unconstitutional yet local authorities continued to enforce the law."

The appeal was filed, and Weddington rejoiced when *Roe v. Wade* was set for argument before the Supreme Court in its 1971 session.

Support came quickly from dozens of people around Texas and the nation, who provided research, money and encouragement.

By this time Weddington and her husband had moved to Fort Worth, where she was hired as an assistant city attorney. Her boss, a man named

S.G. Johndroe Jr., was proud to have hired the first woman assistant city attorney. But when he found out that she was taking Roe to the Supreme Court, he called her into his office and silently scribbled a note: "'No more women's lib. No more abortion.'"

After much discussion, she and Ron quit their jobs, returned to Austin and set up a law practice together.

Weddington spent the summer and fall of 1971 preparing to go to the Supreme Court that December. She and Ron wrote the legal brief; she typed it herself. They studied the justices, whom they called "the Supremes." She examined every new court case on abortion and practiced endlessly in moot court, often with UT law professors: "I am not sure whether all of them wanted me to win, or whether they just enjoyed pretending they were on the Supreme Court."

Her account of the Supreme Court hearing of *Roe v. Wade* on Dec. 13, 1971, is full of pleasure for the reader, whom she lets in on how she slept the night before (badly), what she wore (a dark suit and pearls), how she wore her hair (long and down), and exactly what the courtroom was like ("absolutely packed.... there was electricity in the air ... on the lectern was a 'cheat sheet,' with a diagram of the justices' seating arrangement"). When she stood and faced the justices, she argued constitutional rights, the right to abortion as basic to women's control of our lives and the absence of states' interest in outlawing abortion. She pointed out that self-induced abortion was not a crime in Texas and that abortion was not murder; the woman was considered the victim.

Jay Floyd, an assistant Texas Attorney General, argued the other side. He tried to establish that Jane Roe, as she was no longer pregnant, had no right to sue.

A justice asked him how any pregnant woman in Texas could ever test the constitutionality of the state abortion law in court (assuming that by the time the case reached court she would no longer be pregnant).

"There are some situations in which no remedy is provided," answered Floyd. "Now, I think she makes her choice prior to the time she becomes pregnant. That is the time of the choice."

"Maybe she makes her choice when she decides to live in Texas!" the justice replied.

After the argument Weddington went home to Texas, not to wait around for the decision, but to run for a seat in the Texas House of Representatives. She was the first woman representative elected to represent Travis County and served three terms.

She was sworn in on Jan. 9, 1973 at the age of 27. On Jan. 22, at 10 in the morning, the Supreme Court announced its decision in *Roe v. Wade*. "By a vote of 7 to 2," Weddington writes, "the Texas anti-abortion statutes had been ruled unconstitutional as violating the constitutional right of privacy." Abortion was legal in the United States.

I have always assumed that it was inevitable in the early 1970s that one of the several state anti-abortion laws would be challenged as unconstitutional in the United States Supreme Court and that if Sarah Weddington had not done it, someone else would have.

She concurs: "I saw *Roe* as part of a much larger effort by many attorneys. I was the one who, through a series of quirks, stood before the Court to represent all of us."

But I realize now that this notion masks Weddington's individual brilliance and dedication. She must receive credit for her very deliberate decision to litigate and for her tremendous work, courage and sacrifice.

Weddington's writing is consistently clean, interesting and alive. Her book is filled with detail but never burdened with it. She knows how to tell a story. She has a gift for explaining legal procedures and arguments in layperson's terms. I never tripped over or felt left out of her narrative.

The book loses some of its fire after *Roe* is decided, but that is not Weddington's fault. Her years with the Carter Administration and working to protect reproductive rights simply cannot have the drama of a landmark Supreme Court victory.

A few spots in the book chafed. Twice she refers to her former husband, Ron Weddington, as smarter than her. I could not buy it. And her condemnation of Clarence Thomas is too tepid — she feels that only Thomas and Anita Hill know the whole story of "what happened between them," implying that Hill was dishonest. I found the title of the book uninspiring, and for some reason the editor dropped the standard top-of-page notation of the chapter title, which is irritating to the reader.

In the last third of the book, Weddington recounts with chilling detail the erosion of the right to safe abortion won in 1973. Congress' Hyde Amendment denies publicly funded abortions to poor women and the Department of Health and Human Services gag rule forbids federally funded clinics to inform women about abortion; both have been upheld by the Supreme Court. *Roe* survived by only one vote in June of this year when the Supreme Court decided *Planned Parenthood of Southeastern Pennsylvania v. Casey*.

Weddington notes that if Robert Bork were on the Supreme Court now, *Roe* would be gone.

In a final chapter, Weddington writes, "Already people are talking about the best arrangements for women if abortion becomes illegal.... I hear talk about setting up a new abortion underground ... (and) smuggling in supplies of the abortion pill RU-486."

Before I became a mother, I had wondered if being pregnant and bearing a child would change my view on abortion. I knew all of the good reasons for safe, legal abortion — that all methods of birth control fail some of the time, that the answer to the question of when human life or consciousness begins is too nebulous to legislate, that we must have control over our reproductive systems or they will dictate our lives. A man I met once who was a child-abuse investigator told me that he had concluded that safe, readily available abortion (such as poor women no longer have in this country) was the only solution to the horrors he had seen. Even then, I thought that perhaps, as a new life grew in my own body, I'd feel different about abortion.

The opposite happened. Throughout my pregnancy, which was joyous and miserable, I knew with utter certainty that a woman should only carry a pregnancy to term because she wants to.

Praise be to Sarah Weddington. □

Sarah Weddington Q&A

BY NINA BUTTS

I INTERVIEWED SARAH WEDDINGTON IN HER Austin law office early on a bright October morning. Her office is in a small old house on a quiet street near downtown. Purple flowers bloom along the sidewalk to the front porch. On her desk are a couple of stacks of brand-new copies of her book, and on top of a filing cabinet is a black mesh cap that bears the words "Maine Yankee." She told me that she had arrived in Austin late the night before, coming from a rally for Bill Clinton in Greenwich, Conn.

TO: What will a Clinton administration mean for abortion rights?

Weddington: First as you can tell I'm supporting Bill Clinton all out, first because I've known him and I've known Hillary for years. I worked with them when I was in the White House. One of the pictures on the wall in the hallway is the Clintons and myself at a State dinner at the White House. So just on a personal level, I think he's a good person, and I think Hillary will be a wonderful person to be in charge of the East Wing.

Second, he is pro-choice. Not only did he give me (an endorsement) for the book ... there are a number of things he could do. The first are the Supreme Court appointments. Assuming that Blackmun will resign fairly soon, and I think he will, certainly in the next four years, even that appointment would just keep us even. But if it were given by Bush to someone who's opposed to abortion, it would mean that we would lose the case almost the day after or when a case got there.

So I think the appointments to the Supreme Court are critically important; in fact, I'm saying to people when you elect a President this year you're electing a Supreme Court.

In Greenwich, Connecticut, which is George Bush's hometown where he went to school, (we) had a great crowd. It was the first political rally ever held in Greenwich, and there were so many people who said this issue (abortion rights) is critical and I will not vote for George Bush.

The other things Clinton could do would be to reverse the gag rule, which is just administrative, and he could change the Mexico City Policy so that once again we as a nation would help other nations to control their own population. He could put a lot of effort into changing the rules against the use of some fetal tissue in research, both for those with Alzheimer's and Parkinson's, and also for women trying to carry pregnancies to term who are carrying



ALAN POGUE

Sarah Weddington

fetuses with some defect that that could help.

There's a whole variety of administrative things. So far, every time we try to make abortion services available for women in the military, not even to pay, just so they themselves could pay in military hospitals, Bush vetoes. Clinton would be the opposite.

In terms of *Roe* being weakened, we probably are going to need to pass the Freedom of Choice Act, even if *Roe* is not overturned, just to strengthen the current situation. Right now Bush has said he will veto it; we don't have the votes to override a veto. If we can get some more votes this fall, we'll have a good chance of making that Freedom of Choice Act stronger, keeping amendments from going on it, and then of course Clinton will sign it.

The book I wrote really tells the history of the abortion issue up until this summer. But the future of it will really be written on election day. And that's why I'm spending time all over the country urging people to vote ... pro-choice ... all up and down the ticket.

TO: What is the Mexico City Policy?

Weddington: A few years ago at an inter-

national conference on family planning issues (in Mexico City), the U.S. announced that they would not allow funds to go to any nation that used its own funds to pay for abortions for its own citizens. So in a country like India, where abortion is available, we won't help them with their family planning efforts even for ... contraception. ... It's a policy that has left us out of being a leader, a helper to other nations desperately dealing with their own environmental problems and social problems, which are often really problems of too many people trying to live in too small a space with too few resources.

TO: Tell us some of the things that you're doing for the Clinton campaign.

Weddington: Mostly fundraising (she laughs). It seems like that's what they need most. I went out and did a full day of activities with Bill Clinton in California. I've done fundraisers for Clinton/Gore in Washington state, Maine, California again, and so as I travel I'm trying to combine a series of events. One is something for Clinton/Gore any place they can use me.

Other activities are for women who are pro-choice running for office, particularly EMILY'S List (Early Money Is Like Yeast) for their recommended candidates. I've done things for Lynn Wolvetry in California, Marsha Cantwell in Washington state, Lynn Tabersack in Connecticut. I'm working for Oscar Mauzy here on the Supreme Court ... for Stacy Suits, the (Democratic candidate for) sheriff [in Travis County].

I'll be out doing a benefit this Sunday for Mel Carnahan, who is running for governor of Missouri against William Webster of *Webster v. Reproductive Health Services*. ... Last week (I was) two days in Florida, one day was Illinois, one day was Kansas, one was Portland, Maine, and one was Connecticut.

TO: You must feel like you're a candidate yourself.

Weddington: Well, in fact, I'm really glad I've done that because the stamina I learned as a candidate is wonderful.

TO: Do you think that a state pro-choice referendum would ever stand a chance in Texas?

Weddington: It makes me tired to think of it. And I think it's partially because I look at the other states, like Arizona. I was out in Washington state helping them last year, and it takes such an incredible amount of time and effort and energy to do that.

The other problem of course is that it's much easier for those who are opposed to organize in a sense because they can organize

through certain fundamental churches and through the Catholic hierarchy, urging people to do certain things. And it's like the Sunday not too long ago, when people lined a very long route (along Lamar Boulevard in Austin)—that's just easier to organize through certain churches.

They have their people together once a week, and they can leaflet the cars. We don't have any place our people are together once a week, and so we have to reach them through mailing lists and phone calls, and those are both time- and money-intensive. And we don't have an organized source of money in the same way that the opposition does.

If we really had a pure system where everybody went to vote, and it's not a tug of war between two sides and who can mount the greatest effort and money, then it (a state referendum) would be an idea I'd be much more attracted to. But the way it is, most people don't vote. A lot of people aren't sure of the issues when they do vote. In Washington state, the opposition kept saying if you pass this, it will increase your taxes by millions of dollars to pay for abortion. Well, the truth was Washington state was already paying for abortion for Medicaid women. But to have the money to answer that is really very difficult.

So I guess what I fear is the distortions [of the truth], and the distortions in terms of organizational strength. Our people are live-and-let-live people. I'm not trying to tell anybody else what to do. I'm just trying to get them to leave people alone. It's much easier if you're passionate about saying, "I've got the one true way and you should live exactly the way I tell you."

And so our organizational problems are tougher.

TO: Being on the trail with the Clinton-Gore campaign, what feel do you get?

Weddington: It is so positive it scares me. It's like I'm afraid I'll jinx it if I say out loud: I really think we're going to win. (She laughs.) So we're whispering it to each other!

But it really feels good. It feels good partially because there's a real sense of momentum and energy, there's a lot of interest in the debates—that's a big topic of conversation—and then I think there's just such disappointment with George Bush at both a personal and professional level.

My own feeling is that he really made a bargain to sell women out in 1980. I can't prove it, but my guess is, somebody said to him, you won't get the nomination for President and you won't get to be Vice President unless you're opposed to abortion. And I don't think it took him two minutes to say, "well, okay, that's more important to me than any equity issues for women or the impact of this on them." And so I think he stuck with that bargain he made, and I hope it buries him.

TO: What moved you to write your book?

Weddington: The book was a variety of motivations. One was out of desperation because as you could see the judges leaving, it looked worse and worse from the standpoint of what was the Supreme Court going to do. I was traveling all over the country (speaking), but I real-

ized that if I traveled every day for the rest of my life, the number of people you can reach that way is so limited, that I was looking for a way to expand my ability to reach out....

The second thing is history. It will be the twentieth anniversary (of *Roe*) this year, and I think it took some years for me to have a perspective about the issue. I wanted something that would put this piece of history into a permanent record.

The third thing was that I thought that there were a lot of people who were involved with this from the beginning who had never really been recognized very much; their names had never been known. And while I couldn't name everybody in the book—I tried, and the editor marked out a lot of them because they became lists of names almost—it was that sense that what will save *Roe v. Wade* is lots of people getting involved; that they don't necessarily know how their own energies or efforts will have a long-term impact, but *Roe v. Wade* was, to me, won by lots of people doing what they could.

And that was the message I was trying to get out now: that it's going to take lots of people doing what they can. It will be a fight over who gets, first, appointed and then confirmed to the Supreme Court. There are going to be fights over federal legislation. There are going to be fights in every state over rules introduced. There's the problem of how do you help women get access to services? There are so few places that actually do abortion now. How do you defend the clinics?

There are so many issues that there's lots of room for anybody to work. The book was to remind people that we didn't wake up one morning and say, "Let's win a Supreme Court case." Nobody knew it would end up where it did when we started it. We just all did what we could. Now we really need everybody pitching in to do what they can.

TO: The book must have been a tremendous amount of work.

Weddington: It was. Of course it took me a long time to live it. I had voluminous files, even if I gave some away when I went to Washington.

About two-and-a-half years ago I started researching the book. I went back and found my old calendars from that early time period. I had kept scrapbooks of articles and that kind of stuff, and I could go back and see what I was saying at different periods. I talked to the other women here in town and some who were away, did some traveling to interview people. No one person remembered everything, but I would go and interview people and take what they told me and send it to other people involved at the same time period, and that would trigger their memory for other things.

A year ago I spent the whole summer here writing, and by the end of the summer I had a version that was 22 chapters, twice the size of the current book, and sent it to an agent, and never even heard from her. Then I went back and rewrote it and shortened it a good bit and then found a publisher that was interested, and they said it needed to be more reader-friendly, so I edited some more. Probably I have

a whole other book left from what was cut from this one.

Part of what got cut were the chapters on the White House years [when she was an aide to Jimmy Carter] and the years in the Texas Legislature... I had always wanted to write a book called *Some Leaders Are Born Women*.

People had told me that nine months to a year was minimum to publish a book, even after editing. I really wanted the book out before the election, because I didn't want to just write about history; I wanted to help create it. So Putnam's was the group that agreed to turn up all burners and get it out in the fall. It was out Sept. 16th.

TO: You do not use the term "pro-life" in your book. You call anti-choice people the "antis."

Weddington: That's right. I don't think they are pro-life more than we are pro-life. We are all pro-life; it's how we define it that's so different. Planned Parenthood has done some charts that show that those legislators who most vote against abortion are often the ones also voting against various programs that would benefit pregnant women who want to continue pregnancy, and benefit children. I do think those who oppose abortion are simply anti-abortion or pro-mandatory birth.

TO: Do you do some lobbying now?

Weddington: I do.

TO: I understand that you are a lobbyist for Maine Yankee Nuclear Power Plant, and I hear grumblings in the anti-nuclear community in Austin about that.

Weddington: First, I think there is no question that the issue is not are there going to be additional power plants. I would never be working for that. It is how do we responsibly dispose of the waste that is already generated.

In this case there is federal law that says if a state compacts with another state, that would protect the first state from having waste from any place else put into its state. It was a scheme that Congress came up with because what they didn't want was 50 sites for low-level nuclear waste—not nuclear rods, not things that are highly radioactive but rather things like boots and shoes and building materials which may have been exposed to some radiation. That's why it's called low-level.

They didn't want 50 sites because those are much harder to watch over, to be sure they're done well, and a lot of states don't really have any place that's really good from a geological point of view to store anything. Maine is one of those; their water table is right under the surface....

Now there are some people who say the federal government won't make the states do that (accept other states' nuclear waste). I disagree; I think they will, because I think it would be better to have a few sites that you could really manage, that the bigger states are more capable of managing it well, instead of having every state with a different site. I think Maine is a very environmentally conscious state, doesn't have any place in its state that works as well as the places we have, and they have a low amount of waste material. I think they're very conscientious in how they handle their own stream of

material, and so I think if Texas is looking for a partner that Maine would be the best.

We have to recognize there is nuclear waste, and it's better for us to find a way to store it well and as safely as possible.

And the other thing of course is that Maine is willing to put up a whole lot of money, which would help the people in the area in Hudspeith County (the proposed dump site) which is desperately in need of economic aid.... Maine is offering millions of dollars.

TO: Moving back to the abortion rights issue, I'd like to know your reaction when

Barbara Bush confided her belief in choice.

Weddington: I don't think it was simply happenstance that Barbara Bush after 12 years of living with Bush saying "No abortion, Let's make it illegal, Let's have a human life amendment against it, Let's ask the Justice Department to ask the Supreme Court to overturn *Roe*" — I don't think it was coincidence that one morning she woke up and decided to say something, the week before the Republican convention. So I think what really happened is that they were reading the polls that said there were a lot of Republican

women who won't vote for George Bush because of this issue. In the past it had not mattered as much to them (pro-choice Republicans) because they didn't feel it was about to be lost. This is the alarm bell ringing in the village square. And people are running to help. The Republicans were reading the polls that said they're losing a lot of votes on this issue. So they decided to try to be a lot more fuzzy.

It's an exercise in trying to deceive the public. But there's no question where George Bush stands on this issue. □

Post-Roe Options

BY DEBBIE NATHAN

AFTER THE SUPREME COURT'S *MISSOURI v. Webster* ruling, I compiled a list of herbs and chemicals — everything from apiol to kitchen matches — that women often used, back when abortion was illegal, to end their pregnancies (TO Oct. 27, 1989). Following that list was another, of the various sepses, abscesses and shocks those substances sometimes produced, and which often led to death.

I had found this information at a garage sale, in a medical text that had fungus on it. The contents were hardly moldy, though; the book was published between the Depression and World War II. Not so long ago. It occurred to me that if things kept going downhill for legal abortion, we might soon be seeing reprints of these barbarisms in freshly minted texts.

So it was hardly reassuring to read this passage from last year's updated edition of *Current Practice of Emergency Medicine*:

"Since government funds for abortion are very restricted, some economically disadvantaged women who want to have their pregnancies terminated may resort to illegal abortion ... done with abortifacient, irritant chemicals ... that may cause infections ... cramps, bleeding, shaking chills, fever, and pelvic peritonitis."

We are talking here about dangerous, desperate remedies that no woman should have to swallow. But that's not all we're talking about. Reading this passage, you would think *Roe v. Wade* was already completely down the tubes. Note how the passage automatically labels a procedure attempted with household products — i.e., outside a doctor's office — "illegal." Oh, really? What if the pregnant woman herself administers the draught? Since when is it forbidden in this country for her to take abortifacients (at least before fetal viability)?

Such questions suggest dark portents, includ-

ing the fate of RU486, the French-manufactured "abortion pill" which is unavailable in the U.S. because of intense pressure from anti-abortion groups. Even in countries where it is obtainable, RU486 is not sold over the counter. But if administered within seven weeks of conception, it makes the embryo separate from the uterus, ending pregnancy. The simplicity and non-invasiveness of this method are what infuriate anti-feminists. After all, it promises to render abortion a medically rather trivial practice; an increasingly private affair at a time when conservative moralists are trying to shackle women's lives in the public stocks.

What would happen if they succeeded via the Supreme Court? When a second term for Bush seemed possible, pro-choice health activists were talking about teaching women to do underground abortions as safely as possible, with simple techniques such as menstrual extraction. This method uses a mason jar, tubes and a syringe to suction a woman's uterus around the time she expects her period. If she's not pregnant, the extraction removes the period; if she is, it takes out the embryo. A pregnancy test isn't done beforehand, so no one really knows whether what occurs is an abortion or just menstruation. If abortion is outlawed and this becomes a home procedure, authorities will be hard pressed to prosecute any particular woman who cranks up her mason jar.

The problem is, learning to do menstrual extraction correctly requires months and an unskilled woman who tries it runs big risks of injuring or infecting herself.

There is another method, though. It is fantastically simple, safe, currently available in this country — yet almost unknown. Called the "morning-after" or postcoital treatment, it is nothing more than a few Ovrals pills, taken over the course of 12 hours (see box for dosages, warnings and other details).

Ovral, a popular birth control pill, is also highly effective as a postcoital anti-pregnancy treatment. If you have unprotected sex in the middle of your menstrual cycle, four Ovral

pills will lower your chances of getting pregnant from 14 percent to about one percent — if you start taking the pills no later than 72 hours after coitus. Obviously, if the pills are not taken until after you miss your period, they won't help. In fact, to use the morning-after treatment effectively, you must be alert enough to know you have a potential pregnancy problem immediately after you have had sex. Then you must be willing to act quickly.

If you are this kind of woman, chances are that you are also alert and willing enough to be using birth control. This being the real world, though, we know that couples' condoms or diaphragms occasionally tear; their rhythm gets out of kilter; coitus interruptus neglects to interrupt; abstinence has a bit too much to drink; or one enchanted evening two people meet, are swept off your feet, and the drugstore is already closed. If you're the woman in this dilemma, you can save yourself weeks of anxiety and a possible abortion by using a morning-after treatment.

But you'll be hard pressed to get one if you depend on doctors. The postcoital treatment has been around for at least 20 years; currently it's sold in the appropriate dosage in British and German pharmacies. Yet in the United States, few medical providers offer it. Recently I called 12 of El Paso's 51 OB-GYNs (including all the women). I told their receptionists I'd had unprotected sex the night before. "Does the doctor give a morning after treatment?" I asked. Unfailingly, I was told to go someplace else (although where, no one could say). One office insisted that no such treatment exists. Later I called the same five offices, identified myself as a journalist researching postcoital anti-pregnancy treatments, and left messages asking the doctors to respond so we could discuss why they don't offer them. I got not one callback.

Family planning and abortion clinics are a better bet for both information and treatment. Reproductive Services in El Paso, for instance, offers it (for \$85). Routh Street Clinic, in Dallas, also provides morning-after Ovrals. But

Debbie Nathan is a freelance writer living in El Paso.

The Morning After

NO LATER THAN 72 HOURS AFTER UNPROTECTED intercourse, take either:

- Ovral (total four pills): Two pills in the first dose. Repeat 12 hours later. Or:
- Lo-Ovral (total eight pills): Four pills in the first dose. Repeat 12 hours later.

Read before beginning treatment:

- Do not take this treatment if you have a history of blood clots; inflammation of veins; liver disease; unexplained vaginal bleeding; cancer of the uterus, cervix, vagina or breasts.

- Do not take this treatment if you have a positive pregnancy test; if you have had other unprotected intercourse following your last period; or if your last period seemed different from those you usually experience

- Do not take this treatment unless you are willing to have an abortion if it doesn't work.

- Though this treatment is considered very

safe, discontinue it and see a doctor immediately if you experience chest or arm pain; shortness of breath; unusual pain or swelling in the legs; severe headaches; vision disturbances; abdominal pain; yellowing of the skin or eyes; severe depression.

- Nausea and vomiting are normal, but can be lessened or avoided by taking the pills on a full stomach. It is a good idea to have an extra dose of the pills to take in case you lose one from vomiting.

- Bleeding should begin within 21 to 30 days. If it doesn't, see a doctor

- The morning after treatment is not to be used often. If you need a birth control method, see your reproductive health care provider. (You might want to start with an IUD — inserted within five days of unprotected intercourse, it, too, will prevent pregnancy.)

— D.N.

Fairmont Clinic doesn't. El Paso's Planned Parenthood just started a program in September and nationwide, morning-after treatment is offered in about two-thirds of Planned Parenthood's 169 affiliates. That leaves several where it's not, including the Planned Parenthood clinic in Manhattan.

Not even in Manhattan? What's the problem?

The most obvious one is that, though Ovral has the Food and Drug Administration's OK for use as a daily contraceptive, it is not approved as a morning-after pill. Doctors may legally prescribe FDA-approved drugs for any purpose whatsoever. But many worry about being sued if anything goes wrong.

There is a "real litigious sort of climate," says Patti Pagels, former director of Reproductive Services in El Paso and currently a family planning consultant in the Dallas metroplex. "Clients who choose [the morning-after treatment] tend to be educated. They ask a lot of questions, and that makes doctors nervous. You have to do counseling before you give the pills. You have to say to the woman, 'If this doesn't work would you be willing to have an abortion?' You have to spend time with her, then follow her up. For many doctors, that's too much trouble. And what if the treatment doesn't work and the woman goes on with the pregnancy? If she ended up with a deformed baby you might have a suit."

Pagels' mention of deformed babies reflects concern created by the hormone diethylstilbestrol (DES), which studies show caused genital anomalies in daughters whose pregnant mothers took it in the 1950s to prevent miscarriages. That finding has led to suspicion about similar estrogen hormones like those in Ovral. So far, though, the closest study done — on babies inadvertently exposed in utero to birth-control pills — has shown no increased incidence of birth defects. No one has checked into the risk posed by a day or so of morning-after treatment. But

Dr. Michael Policar, Planned Parenthood Federation of America's Vice President for Medical Affairs, thinks that none would be found if the research were done.

Who will do it? Apparently not Wyeth-Ayerst Laboratories, which makes Ovral. The company has long declined to do safety and effectiveness studies needed to get FDA approval to use the product as a morning-after treatment. Audrey Ashby, Wyeth-Ayerst's public relations manager, acknowledged that the company is aware Ovral is widely used as a morning-after treatment. But she would not comment on the situation. "Ovral has been around for a long time and it's only indicated as an oral contraceptive. It's very difficult to go through the testing that's required" to approve it as a morning-after treatment, Ashby said.

Pagels thinks Wyeth-Ayerst feels that spending millions of dollars on FDA research would not be cost effective: "Women who use Ovral for birth control buy a package of 21 pills, month in and month out," she says. "But the morning-after treatment is a one-shot purchase, and you only use four pills."

Still, hospital emergency rooms nationwide routinely give those four pills to rape victims to prevent pregnancy. Pagels says the assumption is that these women are in such dire straits and so grateful for the pills that they would never think of suing later. But as popular as this emergency-room practice is, it is kept rather hush-hush; probably because of the argument about whether post-coital treatment constitutes abortion.

Policar says it doesn't. "It's not like RU486, which aborts a pregnancy by causing the embryo to detach from the uterine wall after implantation," he says. "With a morning-after dose of Ovral, the egg never has a chance to implant, so pregnancy doesn't occur." This distinction is irrelevant to many anti-abortionists who believe life begins at conception rather than

implantation. That is another reason why pharmaceutical companies and doctors don't want to touch postcoital treatments. "From the point of view of the political flak they could get, it's just not worth it," Policar says.

So how does a woman in need get the pills? Pagels and Policar say that if you can't find a willing medical provider, it is safe to dose yourself. In a pinch, one way to do this is to seek out a friend with a birth control prescription for Ovral and ask her to "lend" you a few.

In the longer run, Texas women should think communally and think Mexico. Next time you or your friends go across the border, everyone should stock up on Ovral. You can get them without prescription there at any large pharmacy; a package with enough pills for four morning-after treatments costs only about \$2 (compared to \$28 in this country — but that's another story). U.S. Customs lets you import most medicines for "personal use," meaning you can bring back scores of birth-control pills with no questions asked. Back home, keep Ovral in your medicine cabinet. Note the expiration date and replace old ones with a fresh supply. Keep them for your friends and neighbors, just as you would a cup of flour or a set of jumper cables.

Of course, this is only one tiny, regional, self-help answer to a huge crisis — the backlash against contraception R&D, against women's ability to control their reproductive lives, against the essence of gender equality. But at least it's something; and it's something all women should know about. Not to mention their doctors.

If yours doesn't offer the morning-after treatment, "Ask him why not? Ask him why he'd rather subject you to an invasive procedure like an abortion?" Pagels urges.

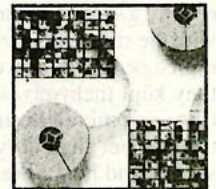
While you're waiting for answers, read and clip the attached box. Pull out your Spanish-English dictionary. Get some Ovral. Then do politics, in whatever language, around the bigger problem. □

Note: The Observer does not endorse the use of Ovral or any other prescription drug without proper precautions and understanding of the potential risk entailed in the use of the substance. After this article was submitted, an article appeared in the New England Journal of Medicine describing a study that determined that the French RU-486 pill also functioned as a "morning-after" pill, prohibiting the implantation in the womb of a fertilized egg.

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From a Beautiful, Tortured Land

BY EMILY JONES

*I ... RIGOBERTA MENCHÚ:
An Indian Woman In Guatemala*
By Elisabeth Burgos-Debray.
251 pages. London:
Verso Press. 1983. \$10.95.

WHEN RIGOBERTA MENCHÚ'S BOOK appeared 10 years ago, I thought that the terrible plight of Guatemala's mostly Indian population might finally get some attention from the American media, whose views of Central America seemed limited to the Sandinistas in Nicaragua and the war in El Salvador. I was wrong. Most of us know little about Guatemala, despite more than 30 years of war and terror unleashed on its people — war that started with the U.S.-sponsored overthrow of reformist President Arbenz in 1954.

Though Amnesty International has named the government of Guatemala the worst human rights violator in the hemisphere, little information is available to those who might like to know more. I was reminded of that when Rigoberta Menchu won the Nobel Peace Prize. Reading the book again after all these years confirms that not much has changed in Guatemala in the last decade. The majority of the population still experiences suffering and brutality like that described in the nearly unbelievable tales that fill the pages of Rigoberta's book: the public torture and murder of her mother and younger brother at the hands of the army; the death of her father and many other Indian peasants in the infamous burning of the Spanish Embassy; and the deaths of two of her brothers on a plantation due to the landowners' brutal disregard for human life.

The story of Rigoberta's family is just one among many. Such is life in Guatemala. And if these stories were all that Rigoberta shared of her life, the reading might be only sad and depressing. But her people survived the attempted genocide of the early 1980s and continued to resist the army's terror as they have resisted ethnocide for centuries. Rigoberta's book (which according to the publisher is still available, though finding it might require a special request at a book store) is rich with the stories of a proud and absolutely determined people whose culture survived because they kept themselves apart from the *ladinos*, (those of mixed heritage) who ran the country and because they continued to keep the secrets and honor the practices of their ancestors. Many Indians refused to learn Spanish or attend *ladino* schools, recognizing the threat to their survival as Mayas.

Freelance writer Emily Jones lives in Austin.



PATRICIA MOORE

Rigoberta Menchú, 1992 Nobel Peace Prize Winner

"This is why Indians are thought to be stupid. 'They can't think, they don't know anything,' they say. But we have hidden our identity because we needed to resist, we wanted to protect what governments have wanted to take away from us. They have tried to take our things away and impose others on us, be it through religion, through dividing up the land, through schools, through books, through radio, through all things modern."

For the descendants of the Mayan hero, Tecun Uman, there has been no conquest, only 500 years of invasion and occupation. Faced with the dual threats that all Mayas face, isolation and assimilation, Rigoberta ultimately decided to learn Spanish. She told her story to Burgos-Debray in Spanish only three years after learning to speak the language. Burgos-Debray presented the book as a monologue, and to remain true to Rigoberta's voice, it con-

tains the tense irregularities common to a speaker learning a new language. Rather than distracting the reader, the language is a reminder of what this woman has overcome to tell to the world the story of her people.

Rigoberta tells, through her own experience, the story of the Mayas' struggle to survive. Even before the army terror reached Rigoberta's mountain village, life was brutal and short. The basis of life for the indigenous people of Guatemala is corn. Mayan heritage taught that the people were made from corn. Rigoberta's people ate tortillas, salt, chile and, when they could, plants they grew or gathered in the mountains. Frequent and successful attempts by local wealthy landowners to take the people's land reduced peasant holdings to small plots not sufficient to sustain their families. Rigoberta's family neighboring families were forced to seek work on cotton or coffee plantations where they were paid pittance wages and treated "worse than animals." They spoke no Spanish, could not read or write, and were constantly cheated by bosses, merchants, landowners, and judges.

For months at a time, members of Rigoberta's family and community left their homes in the mountains to work on the plantations, trading one impossible situation for another. Forced by circumstances to work as a maid in the city, Rigoberta suffered isolation and mistreatment in an alien culture. Her way of telling her story makes the reader constantly aware that her experiences were not unique to her or even to a particular period. She related the story of a people subjected to levels of repression that most of us cannot imagine.

As the repression increased, Rigoberta and her brothers and sisters followed their parents into more organized resistance. After organizing the defense of their own village, each family member left to organize other communities so they could defend themselves against the army's attacks. Leaving the village and separating the family were actions that violated the traditions of the people. But by deliberation among family and neighbors it was decided such desperate action was necessary if the people were to survive. As their political awareness and understanding deepened, so did their commitment.

Traveling through her country, Rigoberta saw firsthand the many obstacles dividing her people. More than 20 Mayan languages divided the indigenous majority and frustrated attempts to solve common problems. Racism created a barrier between the Mayas and the poor and brutalized *ladinos* who counted their blessings because, at least, they were not "dirty Indians." The Catholic Church was divided, essentially, into the church of the rich and the church of the poor, and the two struggled for ascendancy.

Rigoberta grappled with her own decision of how best to participate in her people's resistance to the army massacres. Her sisters joined the guerrillas. Rigoberta became ill and depressed, almost losing hope when her mother's death by torture closely followed the losses of her father and brother. She then had an opportunity to talk with her little sister about her distress. "I even wished that I had some vices. I said; 'If I had some vices, perhaps I could lose

myself in depravity, so I didn't have to think or bear life.' Well, the meeting with my little sister was lovely. She was 12 years old. She said: 'What has happened is a sign of victory. It gives us reason for fighting. We must behave like revolutionary women. A revolutionary isn't born out of something good,' said my sister, 'he is born out of wretchedness and bitterness. This just gives us one more reason. We have to fight without measuring our suffering, or what we experience, or thinking about the monstrous things we must bear in life.' And she made me renew my commitment completely..."

In the end, Rigoberta decided not to take up arms. She worked with the Vicente Menchu Revolutionary Christians, named for her father, organizing her people until she was forced into exile after the army began to hunt her. But she had no reservations about supporting the guerrilla movement in her country. "We have put our trust in the *compañeros* in the mountains ... They go through what we go through, and they have adapted to the conditions we live in. We can only love a person who eats what we eat."

Because of experiences both bitter and inspiring, Rigoberta became one of those exceptional people who offer hope in the face of seemingly hopeless conditions. "The world I live in is so evil, so bloodthirsty, that it can take my life away from one moment to the next. So the only road open to me is our struggle, the just war. The Bible taught me that. ... We have to defend ourselves against our enemy but, as Christians, we must also defend our faith within the revolutionary process. At the same time, we have to think about the important work we have to do, after our victory, in the new society. I know that no one can take my Christian faith away from me. Not the government, for fear, not weapons. And this is what I have to teach my people: that together we can build the people's Church, a true Church ... a real change inside people. I chose to stay in the city among the people, instead of choosing to take up arms, as I said. We all contribute in different ways, but we are all working for the same objective."

In the decade since the book was published, the ranks of the guerrillas swelled with the survivors of the army's genocidal counterinsurgency program that wiped out 400 villages. Within the last two years, the guerrilla united front, the URNG, has forced the government to begin peace negotiations. Two civilian presidents have been elected, allowing the disingenuous to proclaim Guatemala another triumph for democracy while, in fact, the army still acts with impunity. To be sure, the negotiations hold some amount of hope for a desperate people, but the talks are stalled by the government's intransigence.

Rigoberta, the child of a peaceful people forced to fight for survival, came to understand that there can be no peace without, at least, a measure of justice. Her book offers an inspiring example of commitment to justice and the human ability to use our own experiences to grow beyond them. With the newly-gained recognition that comes with the Nobel Prize for Peace, Rigoberta Menchu continues her efforts to focus the attention of an often-indifferent world on the reality of her beautiful, tortured land. □

Continued from page 24

black. With retirements, the number of black circuit judges has dropped from 11 to nine since Bush took office.

✓ **ANOTHER WAY.** Central Texas progressive organizations are mounting an alternative to the United Way campaign, starting Nov. 2. Another Way, a non-profit corporation, has been formed to raise funds through payroll deduction campaigns to benefit 19 community-based, non-profit organizations that share a commitment to social and economic justice. The organizations address issues such as health care, AIDS, women's issues, homelessness, poverty, racial and economic equality, low-income housing, peace, nuclear radiation and elderly and disabled people's concerns. Another Way plans to work cooperatively with United Way and other federations, including the Environmental Fund of Texas and the Black United Fund. For information, contact Sue Johnson at the Texas Fund for Change, 611 S. Congress, Suite 505, Austin 78701.

✓ **FOUND: GOP.** Dick Mallory, a Republican challenger for the state House in central Austin, apparently has experienced a battlefield conversion. He recently appeared on the Donahue TV show with his opponent, state Rep. Glen Maxey, D-Austin, the only openly gay legislator in the Texas Legislature, who noted that Mallory sought the endorsement of the Austin Lesbian and Gay political caucus before the Republican primary. "Since then he says he's found Jesus," Maxey said. "I think he's found a Republican consultant."

✓ **GENTS AGREE.** The Sierra Club has strongly criticized a proposal by the Texas Attorney General to weaken a 1991 enforcement settlement with DynaGen, an Odessa crumb rubber manufacturing plant with a long history of violations of Texas environmental protection law. The "gentlemen's agreement" between the AG and DynaGen would waive all civil penalties for any of the company's violations of the Clean Air Act during the last year following a \$1.4 million fine against the company for serious air pollution problems.

✓ **COMING AT YA.** Pat Buchanan has been making the rounds on behalf of Republican candidates for Congress and the statehouse. Buchanan bashed Congress and Rep. Pete Geren in Fort Worth as he spoke on behalf of David Hobbs, Geren's challenger in the 12th Congressional District. Hobbs also has received help from Barbara Bush and Dan Quayle. Buchanan referred to Geren ranking sixth among the 435-member House in costs incurred for running his office. Geren spent 99 percent of the amount allocated to him. He later cited Sen. Chet Brooks, the Pasadena Democrat whose 30 years in the Texas Senate demonstrate the need for term limits for public officials. "The last time Republicans controlled the state Senate, Santa Anna and the Mexicans ran Texas," the Houston Chronicle quoted Buchanan saying at a rally in Clear Lake City for Jerry Patterson, the Republican challenger. □

Our Veep (Good God!)

BY SAMUEL HUDSON II

IMPERIAL CADDY: The Rise of Dan Quayle in America and the Decline and Fall of Practically Everything Else

By Joe Queenan

New York: Hyperion Books, 1992

232 pp. \$22.95

SHORT, BOTTOM-LINE REPORT FOR NON-partisan readers: This is a shaggy, baggy book — a couple of magazine articles force-fed until they bloated up into a book-sized object — about a dull and uncultivated man. For Democrats: With any luck, by July of 1993, this will be yet another quaint and curious volume of forgotten lore, filed under Nevermore.

But *Imperial Caddy* does have its moments, such as this litany on page 119: "Does anyone seriously think that William Henry Harrison, a dignified old gent from Old Virginny, actually enjoyed wearing a coonskin cap and smoking a corncob pipe? Of course not. Then why did he do it? He did it because he wanted to be president. Does anyone seriously think that Richard Nixon enjoyed appearing on the same dais as Sammy Davis, Jr., where he suffered permanent corneal abrasions from being exposed to that many mood rings? Of course not. Then why did he do it? He did it because he wanted

to be president. Does anyone seriously believe that Jimmy Carter enjoyed being pushed out of the way by future-fugitive-from-justice Bowie Kuhn so that the commissioner of baseball could present the World Series trophy to a bunch of sweaty, inebriated black men who didn't seem to know who Carter was? Of course not. Why did he do it? Because he wanted to be president. Does anyone seriously believe that George Bush enjoys listening to Loretta Lynn records, enjoys eating pork rinds, enjoys reading Bassmaster magazine, enjoys shopping at Penney's? Of course not. Then why does he do it? He does it because he wants to be president."

Nicely cadenced, but with the kind of racist overtones and snotty baseline which used to gladden the ears of the editors of *Spy* magazine — to which author Queenan a whilom contributor was, cha-cha-cha.

Although the contents between the covers of *Imperial Caddy* are cut into chapter-sized slices — pp. 77-89 are designated "To the Hoosier Station" and sometimes are about famous Americans from Indiana — you can pick up this book anywhere and read to the end of any paragraph and shop through it at will. Author Queenan's method is disparative and digressive, and it has to be, because Queenan is like a determined knitter who has enough wool to make a mitten, but for contractual reasons must keep at it, clickety-click, clickety-click, click-

ety-clack, as the object he's knitting away at grows thinner and thinner and fuzzier, vaguer, clickety-click, clickety-click, clickety-clack, until finally, finally, all effort spent, he has knitted a gossamer-thin dust cover for an empty football stadium, an empty stadium filled with plastic piffle, and the problem with this kind of writing is that it wanders so far away from its subject and that its connection with anything actual becomes so tenuous that it sooner or later occurs to a wondering reviewer if Joe Queenan is using every rhetorical dodge he can think of to keep from having to write at book-length about (good God!) J. Danforth Quayle.

Alas, it is worth the strain to write at book-length about (good God!) J. Danforth Quayle because J. Danforth Quayle is (good God!) Vice President of the United States of America, lub-a-dub, lub-a-dub, lub-a-dub, and may the healthy heart of G.H.W. Bush beat steadily on, lub-a-dub, lub-a-dub. But I think a style and narrative method like Nathaniel West's is required to convey the incandescent banality and phosphorescent strangeness of J. Danforth Quayle and those who surround him. Within the text on the pages between the covers of *Imperial Caddy* are enough references to useful reporting and accurate chronology to enable the right biographer to begin work. I hereby nominate Thomas Pynchon for the job. □

Sam Hudson is a freelance writer in Fort Worth.

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Christian Soldiers

BY LOUIS DUBOSE

The Lord Jesus Christ holds the record for slaughtering the enemy. At His word, the Assyrian Army of 185,000 was destroyed in one night (Isa. 37:36). He will break His own record in this application of righteous violence at the close of the Tribulation (the seven years which comprise the conclusion of the Jewish Age), when He will decimate the military invaders in the Middle East, and the blood will run as high as the horses' bridles (Rev. 14:20).

— From Divine Establishment
by Rev. R.B. Thieme Jr.

I do find Thieme very good and enjoy listening to his tapes. — Marilyn Quayle

Houston

SOMETIME DURING THE PAST FEW YEARS someone removed the dramatic color print of the "Death of Admiral Yamamoto" from the vestibule of the Berachah Church. That's too bad. It was already a church poor in icons and since the designers' renderings of modern tactical aircraft were also removed, all that is left now are battle scenes from the Civil War — which seems fine for religious traditionalists.

I have been dropping in at Col. Robert Thieme's Berachah Church since before Marilyn Quayle discovered the dispensational premillennialist, who until Garry Willis tracked down the truth, claimed to have directed the training of Army Air Corps cadets on the eve of the second World War. (Thieme wrote two training manuals.) Call it anthropological curiosity or a fascination with the truly unusual. Because, other than the Orange Show, on a Sunday morning in Houston there is nothing more strange than what goes on inside the church in the shadow of the Transco Tower.

Services begin with a hymn, a discrete collection and prayer that all present will avoid talking and unnecessary movement that might distract serious students of the Word of God. Then the overhead projector is turned on, almost all in attendance take out notebooks or stenographers' pads, and the sermon, which is really a lecture, begins.

For at least a full hour, Col. Thieme, wired for sound, spells out the minutiae of his particular brand of fundamental Christianity, which holds, in part, that "saved" Christians will be swept up into the air before the time of trial or Tribulation. Saved Christians who have already died live as spirits in Heaven, awaiting the Second Coming, the Rapture and the resurrection bodies with which they will be provided.

At this Sunday service, Thieme explained that at the end of the millennium God will destroy

heaven and earth, only to rebuild a new heaven, a new earth and a New Jerusalem, "one that will not be conquered by the Palestinians."

And today the colonel is in a hurry. Before he concludes, by correcting an improper translation of a Bible passage, he will enumerate and discuss briefly — if my notes are correct — 39 points. Only one short passage of the Bible is discussed and corrected today, as congregants make margin notes. This sort of textual criticism is Robert Thieme's forte. It is as a master student of languages of the original texts that he lays claim to a special authority. Bible doctrine, Thieme contends in his writing and in sermons, is essential to salvation and improper translations have made the proper understanding of the Bible impossible.

"God's complete and coherent message to mankind was recorded with perfect accuracy in the original language of the Scripture," he says. Most agree, because it is unlikely that many among the 1,000 people in attendance at the morning session — there are two services every Sunday — have devoted as much time to study of the languages of the Bible as has Bob Thieme, a pastor who has convinced his flock that the road to salvation wends its way through two languages that they don't understand. Remember, he says, as members of his congregation annotate their Bibles, "There is no English translation in existence today that recognizes a substantial relative clause."

Do Marilyn Quayle, her parents and the elderly Quayles — all coreligionists — worry about grammar? It seems unlikely. Probably it is the colonel's theology that won them over. Except for his defense of abortion (human life does not begin until birth, he argues), Thieme has developed a designer theology for the extreme right. And like the fundamental Christians who seized control of the Republican National Convention, here it's hard to distinguish where religion ends and politics begins.

Before we even get to Christ crucified in one of Thieme's 100-page tracts, we have to fall in as he tells the story of the Twenty-sixth North Carolina Regiment's charge against the federal Iron Brigade, the death of an American trumpeter in the Boxer Rebellion, and the British Army's performance at the battle of Majuba Hill in Southwest Africa. Most of Col. Thieme's theology is framed in muscular, military language. One category of God's grace is "logistical." Believers are enlistees in the Royal Combat Battalion and the Royal Family (the ministry of believers) advances to take the high ground. The state, Thieme contends, is divinely ordained and a Christian's defense of country is therefore personal sacrifice in defense of a divine institution. "This coun-

try is filled with sycophants and trash," Thieme writes in *Divine Establishment*, "as well as short-sighted mothers who think their sons will get hurt if they enter the service. ... When the men of high character fight and die to defend cowardly parasites who remain behind to propagate more parasites, eventually the people who are establishment-oriented cease to exist and the surviving leeches destroy the nation." (This must discourage believers from closing ranks behind Bill Clinton, or even Dan Quayle.)

Literal corruption of blood is also a common Thieme theme. Just as parasites beget parasites, sinners beget sinners. The Old Sin Nature, (OSN on the overhead projector) inherited from Adam is "imputed" into our cell structure. Only by placing ourselves at the end of the grace pipeline "which is billions and billions of light years long" can we, albeit undeservingly, receive God's grace and be saved.

Today's lecture is a fast one, much of it in the colonel's own code which seems influenced by the military practice of reducing any compound term to initials or acronyms. If you don't know that "OSN" is Old Sin Nature or that "RIF" is reduction in force (which destroyed the Jewish Nation, Neh. 4) now is not the time to consult your glossary. The only digressions here are those of the pastor, who on occasion corrects English translations of the original languages of the Bible. Then, as quickly as today's service began, it is over and what looks like a University of Houston downtown campus crowd moves quickly out of the building. As does Col. Thieme, of whom his son, the apparent heir-apparent, has said "does not like glad-handing."

I'm the last one in the building, still looking for the old print of the Death of Yamamoto. I find instead, in the library, a color photograph of the 1983 reunion of Congressional Medal of Honor recipients. In the photo, they're standing on the deck of the deck of the U.S.S. Intrepid.

Will Thieme's 30-year-old ministry survive the end of the Cold War? Will the son being groomed to replace the 74-year-old colonel continue to fill the 1,200-seat church two times each Sunday? Will Bobby Thieme teach his followers, as does his father, to substitute "Jesus Christ" when they read "Jehovah" in the Old Testament, thereby turning the Prince of Peace into the angry bellicose God once required to instill fear into wandering, warring tribes of the Middle East?

Are we really expected to believe that the Christ who healed the sick and raised the dead holds the record for human slaughter? Walking away from Col. Thieme's angry congregation, I think of John Berryman, a thoughtful and agonized believer, and "I pray, after all." □

POLITICAL INTELLIGENCE

✓ **EARLY VOTING.** Democrats figure to be the beneficiaries of stepped-up early voting, as the Texas Secretary of State found voting in the first week of the general election about double the pace of the 1990 election in the state's urban counties. Both parties operated telephone banks urging registered voters to cast their ballots during the early period, which ended Oct. 30, and election officials reported the number of ballots cast in person was more than double the number cast in the same period in 1990 in Houston, Fort Worth and San Antonio. Craig Sutherland of the Clinton/Gore campaign said polls that show the race in Texas to be a tossup a week before the election encouraged the Democrats to buy more radio and TV airtime in Texas. "At this point it depends on who does a better job getting people to the polls," he said.

✓ **IF NEWSPAPER ENDORSEMENTS** are a gauge of a candidate's respectability in the business community, Bill Clinton is doing better than Democratic Presidential candidates in recent elections. By press time he had picked up endorsements from the Austin American-Statesman, the Corpus Christi Caller-Times, the El Paso Times, the Fort Worth Star-Telegram, the Longview News-Journal (its first Democratic endorsement since LBJ) and the Waco Tribune-Herald. President Bush received endorsements from the Amarillo Globe News, Beaumont Enterprise, Bryan-College Station Eagle, Dallas Morning News, El Paso Herald-Post, Houston Chronicle and Post, Lubbock Avalanche-Journal, Midland Reporter-Telegram, San Antonio Express-News and Light and Tyler Courier-Times-Telegraph.

✓ **FAIRER SHARE.** Ross Perot, whose economic plan calls on the nation to participate in a "fair share sacrifice," plays a smaller share of his income in taxes than most Americans and stands to pay even less under his proposal, according to a study done for Newsday. Citizens for Tax Justice, a labor-funded group, found that Perot pays about 6.8 percent of his earnings in federal taxes, as upwards of two-thirds of his income is sheltered from federal income taxes. He would pay about 6.7 percent of his income, a savings of \$200,000, under his tax proposal, which would increase gasoline and cigarette taxes, raise the top tax rate, limit mortgage interest deductions and tax some health benefits, but his plan would give tax credits for investment and research and reduce the capital gains tax, which are likely to benefit Perot.

✓ **ABORTION FIGHT.** The Texas Abortion Rights Action League has marked 1992 as a critical election year. With the possibility that the U.S. Supreme Court could overturn *Roe v. Wade* next year, which would restore the 1898 anti-abortion statute in Texas, the matter could go back before the Texas Supreme Court and the Legislature. TARAL has endorsed numerous legislative and judicial candidates, but the "TARAL 10," or "the most crucial races in protecting the right to choose in Texas," the group supports Bob Aikin of Commerce against Sen. Bill Ratliff in District 1, Don Coffey of Baytown in open District 6, Sen. Chet Brooks of Pasadena in District 11, Ronnie Harrison of Houston against Sen. Buster Brown in District 17, Gregory Luna of San Antonio in open District 19, Sen. Bob Glasgow of Stephenville in District 22 and Jeff Wentworth of San Antonio, TARAL's lone GOP choice, in District 26 (although Democrat Carlos Higgins also is pro-choice). In court races, TARAL endorsed Justice Oscar Mauzy and Rose Spector for the Texas Supreme Court and Morris Overstreet for the Court of Criminal Appeals.

✓ **COURT NODS.** Texas Lawyer reported that Texas Supreme Court Justice Oscar Mauzy got the endorsement of only two daily newspapers, the Austin American-Statesman and the Waco Tribune-Herald, by Oct. 22 while 13 dailies opted for Republican Craig Enoch. Rose Spector got the endorsement of three dailies, the Statesman, the El Paso Times and the El Paso Herald-Post, while 14 went for incumbent Republican Justice Eugene Cook. Conservative Democratic Justice Jack Hightower got the endorsement of nine dailies, while six opted for Republican John Montgomery. Democratic incumbents got the bulk of the newspaper endorsements for the Court of Criminal Appeals.

✓ **WATCHDOGS VS FATCATS.** When it came to bank and S&L bailouts as well as financial deregulation, Rep. John Bryant, D-Dallas, and Craig Washington, D-Houston, were among 17 House members who voted 100 percent for the interests of everyday consumers, farmers and small businesses while Rep. Bill Archer, R-Houston, was among 25 House members and Sen. Phil Gramm, R-Texas, was among 11 senators who scored zero, promoting the interests of big banks and the securities industry, according to the Financial Democracy Campaign, a nationwide alliance of community groups, headed by Jim Hightower. Other Texas

congressmen included Solomon Ortiz and Kika de la Garza, both 80 percent; Jack Brooks 71.4 percent; Henry Gonzalez and Ron Coleman, both 70 percent; Chet Edwards, Greg Laughlin, 60 percent, Albert Bustamante, 55.6 percent; Jim Chapman, Charlie Wilson, Jake Pickle, Bill Sarpalius, Martin Frost and Mike Andrews, all 50 percent. Ralph Hall voted 44.4 percent; Pete Geren 40 percent; Charles Stenholm and Larry Combest, both 30 percent; Joe Barton and Sam Johnson, both 20; Tom DeLay 11.1 percent; Jack Fields, Lamar Smith and Dick Arme, all 10. Sen. Lloyd Bentsen scored 33.3 percent.

✓ **EAST TEXAS MUD.** U.S. Rep. Charles Wilson, D-Lufkin, facing a tough re-election fight from Republican Donna Peterson of Orange, is questioning the military and work history of the captain in the U.S. Army Reserve who claims to be an honors graduate of West Point. Wilson, under fire for his 81 overdrafts at the House bank, also complained that Peterson is hiding behind the Republican Congressional Campaign Committee, which has produced many of the attack advertisements airing in East Texas. Transportation is an issue in the race: Peterson's surrogates contend that Wilson has spent \$500,000 in tax money on two vans which he has used as mobile congressional offices for 13 years and Wilson questions how Peterson, who reported \$14,000 in income last year as general manager for a plumbing company, paid at least \$36,000 in cash in January 1991 for a new Italian-made car, as reported by Dan Wallach in the Beaumont Enterprise. Wilson, 59, is known as a progressive on social and economic issues and a hawk on military matters while Peterson, 32, who came within 7,600 votes of unseating him in 1990, appeals to conservative Christians and anti-abortion groups.

✓ **WHITE MAN'S JUSTICE.** Federal judicial nominees remain predominantly white, male and wealthy, a review by People for the American Way found. President Bush has made 248 judicial nominations, including two to the Supreme Court, 49 to courts of appeal and 197 to district courts, and 88 percent of the nominees were white. The Senate has approved 189, one has been rejected and the rest were not formally acted upon. The study noted that two-thirds of the judges on the courts of appeals were appointed by Reagan or Bush, but only three of the last 132 appeals courts nominees have been

Continued on page 21