

THE TEXAS  
**OBSERVER**

*A Journal of Free Voices*

*A Window to the South*

*August 21, 1970*

25¢



The death  
of  
Carl  
Hampton:  
Murder  
or  
self  
defense?

(Please See Page 2)

# The police allowed her to keep the money

By Larry Lee  
and Mitch Green

Houston

Carl Hampton, also known as Carl Hamilton, was the 21-year-old chairman of Peoples Party II, an *ad hoc* black militant organization in Houston. Its membership appeared to total approximately 30. Its informational materials exclusively have been those of the Black Panthers, with whose Chicago office the Houston organization was aligned. Peoples Party II is associated with The John Brown Revolutionary League, a handful of white militants led by Roy Bartee Haile, 24, and with the Houston chapter of the Mexican-American Youth Organization (MAYO) in Houston's version of a Rainbow Coalition.

In June, Peoples Party II opened a storefront headquarters at the corner of

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Dowling and Tuam streets. "Dowling 28," as the block is known, is a center of prostitution and bootlegging. The storefront was across the street from Emancipation Park, a park used primarily by the Negro residents of the neighborhood, which is at the southeast corner of downtown Houston.

ON THE EVENING of Friday, July 17, policemen R. L. Cantwell and J. R. Davis halted James Aaron, a PP2 member hawking "The Black Panther" newspaper on Dowling, a heavily travelled street. The police said they wanted to tell the youth it was dangerous to stand in the street; it is not illegal to sell newspapers in this manner in Houston, however.

Aaron ran into the party office. Hampton and two other men, all of them armed, emerged from the building. The police report on the incident says Hampton threatened to fire. Within 45 minutes, about 30 other officers were on hand. Police withdrew at that point and, the next day, Hampton was charged with assault with a weapon and with carrying a pistol.

For the next week, Hampton remained in the storefront, staying there, he said, because he feared he would be harmed if jailed. "They don't want to accept bond from my lawyer," he said the following Friday. "They want me to appear personally. So we feel they want to get me

in jail and come up with some more charges to hold me indefinitely with no bond. And I would live in jail six, seven months."

During this period of time, the PP2 members became increasingly bold in their display of weaponry at and around the storefront. Police kept their distance, often utilizing one of their helicopters at an altitude of 500 to 1,000 feet to monitor activities at the intersection of Dowling and Tuam.

At least one source close to the entire affair says that disarmament negotiation attempts were made by the office of Mayor Louie Welch through representatives of the model cities program. Welch himself was vacationing in Europe throughout the two-week period.

At approximately 6 p.m. on the evening of Sunday, July 24, police tried to arrest two young blacks — Herbert Joseph Gerac, 19, and an unidentified 15-year-old — who were carrying weapons on Dowling. The two youths ran into the rear door of St. John's Baptist Church, which is one block north of (and on the same side of the street as) the PP2 office. Churchmen disarmed the two and police arrested them.

By 7 p.m., approximately 150 persons had gathered at the PP2 headquarters and on the other corners of the intersection to hear speeches by Hampton and others. Bail for the arrested pair was raised by PP2

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A window to the South  
A journal of free voices

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members and supporters who solicited from cars which slowed at the intersection.

AT 7:30 P.M., the day shift of the Houston Police Department was ordered held over for night duty and approximately 250 others were summoned to go into operation using riot-control techniques they recently had learned. For the first time since May 6-7, 1967, when 300 police rushed a dormitory housing snipers at black Texas Southern University, the department was utilizing "sniper squads."

As the rally broke up — probably about 10 p.m., the time still is not clear — Hampton and his colleagues received reports that police armed with rifles were on the roof of St. John's Baptist Church. It appears that Hampton was shot in the second investigative sortie from the storefront, and Bartee Haile, in a third. No marked patrol cars were in evidence and no call to surrender was heard from police before the shooting began.

Reports are entirely in conflict as to who fired first. *The Houston Chronicle* on Aug. 9 published a selectively edited set of excerpts from a tape recording made by Howard Dupree, a KTHH radio reporter who was on the roof of the church with plainclothes officers J. O. ("Bo") Norris, L. C. Kitzmann, D. A. Barnard, R. G. Blaylock, and R. Q. Blackburn, all of the Criminal Intelligence Division.

It is clear that the crowd at the intersection scattered as firing began, and that a long period of silence ensued until shortly after 11 p.m., when all 250 of the specially-outfitted police (flak vests, submachine guns) entered the then-empty storefront and began taking Panther buttons as souvenirs and ripping posters off the walls. These police then arrested 52 members of the crowd on Dowling, striking many with rifle butts in a swift unannounced sweep which followed their riot instruction to the letter.

Hampton was in surgery at Ben Taub Hospital, where he was admitted as "John Sims," and where he died at 2:50 a.m. Monday morning, the 27th. Five others, including Haile, were wounded.

That Monday morning, the frightened remnant of PP2 reoccupied the storefront. A group of black leaders representing their organizations in most cases, but in some cases, themselves, met at the Wheeler Street YMCA and organized a Black Coalition, which announced itself the following day at the site of the shootings with a call for the dismissal of Police Chief Herman Short, a selective boycott of downtown merchants by blacks until December 31 and the establishment of a civilian police review board.

Ovide Duncantell, a former employe of the Houston-Harris County Community Action Association, the anti-poverty agency, and the chairman of The Central Committee for the Protection of Poor People, which appears to have little existence beyond his use of the name,

# Editorial reaction to Hampton shooting

	police assassination	no comment	police did a good job
Post/conservative daily			○
Chronicle/conservative daily		○	
Tribune/extremely conservative weekly			○
Voice of HOPE/liberal black weekly	○		
Forward Times/moderate black weekly	○		
Space City!/radical biweekly	○		
Cougar/University of Houston	○		

found himself the object of suspicion by many blacks. The Rev. Earl Allen, a Coalition spokesman and head of the independent anti-poverty group, HOPE Development Inc., accused him and another black of working for "the man," and Duncantell, the most visible and audible of the men surrounding the dead Hampton, continued his harangues against the police. PP2 members and others state it was Duncantell who told Hampton of the police on the church; Duncantell states it was not.

1

"Houston police patrolmen J. E. Murphy and J. M. McCoy were no-billed by a Harris County grand jury Thursday in a charge of aggravated assault on Johnny Joseph Coward, 17, 3214 Arbor, who lost his left eye while in police custody last Dec. 7. Assistant Dist. Atty. I. D. McMaster said the grand jury heard testimony from four police officers and Coward. He could not elaborate on the reason for the no-bill. Coward claimed his eyeball was ruptured by a kick from a booted officer after he had been taken to an office, which he believed was in the Police Station. . . . Police claimed Coward fell in a parking lot after he attacked an officer." [*The Houston Post*, December 7, 1969]

Subsequently, another grand jury heard Coward's allegations and returned true-bills against the officers. The week before Carl Hampton was killed, the charges were

dropped in court on the motion of the state prosecutor.

2

"Houston's antipoverty agency is confronted with the ticklish job of defining how far its employes may go in public protest. Its problem is prompted by the appearance of Ovide Duncantell, a Harris County Community Action Assn. employe, before City Council Dec. 17. Duncantell accused police officers of unnecessarily gunning down a black high school student during an arrest for car stealing. He vowed retaliation. 'We will exterminate 10 pigs for every black brother that is killed,' he told council. . . . Duncantell took a day off without pay to appear before council." [*The Houston Chronicle*, Dec. 25, 1969]

3

"Be prepared for big stuff. We've got the area secured." [Ovide Duncantell to City Council July 22]

4

[Are those men with shotguns at the door there to defend you?]

"They're there to defend themselves and this property. I'm to defend myself." [Carl Hampton in KPFT interview July 24]

"We started calling in officers about 7:30 after we got the reports of the stopping of traffic to ask for donations. It has got to the point where you had to decide if you are going to control the area

or they are." [Police Inspector W. L. Williams quoted in Associated Press dispatch A251, July 27]

5

"The first person probably on the scene was myself. I was advised - I was eating dinner at a restaurant and received a call. It must've been about nine or nine-thirty." [Did police warn the church and businesses in the neighborhood in advance?] "We did not. We had no reason to believe as evidenced by the fact our officers were all off duty - by off duty, I'm talking about the majority of officers that were involved in this had to be called and they were not on duty. We knew nothing of impending 'violence' as they say and had made no plans, had made no requests, or, as far as I know conduct - I mean, no contacts with business people in that area about closing any businesses. We would have had no way to have known this." [Police Chief Herman Short, news conference, July 27]

6

"Someone came and told us there were some armed men on top of the church. Carl and I went to see who it was. We stepped around the corner of the building and the dudes on top of the church fired and hit Carl right in the stomach. It knocked a hole as big as your fist in his stomach. I tried to help Carl and they fired again and grazed me in the shoulder." [Unidentified member of Peoples Party II to The Associated Press, July 27]

7

"We got eight under fire. Put some more light on that building because we are going to do some killing. Hey, we got two of them. Wait a minute. I think that we got the leader. Yes. We got the leader." [Putative police calls as published in July 29 *Forward Times*.]

8

"We were shooting to kill. They were shooting to kill me and I sure wasn't going to shoot for their legs. This isn't a cowboy movie where you shoot to wound them." [O. J. ("Bo") Norris of Houston Police criminal intelligence division to Associated Press, July 27]

9

[two gunshots]  
"I got him."  
"Get him, Bo?"

"Yeah, I got him."  
[from 5.6-second excerpt of Dupree tape broadcast by ABC Information News network]

10

"This tape, not previously published, is the most reliable and objective evidence of what happened on Dowling Street. It was made by Howard Dupree, a newsman with Radio Station KTHT, while the shootout was in progress. The station played the tape in its entirety for the *Chronicle* and furnished a transcript of it." [Associate Editor Norman Baxter in introduction to "pertinent excerpts" of the Dupree tape published in *The Houston Chronicle*, Sunday, Aug. 9, 1970]

11

"All that was known to be left of the party's funds, \$461.37, was in the hands of Hampton's girlfriend, Maggie Lee Hicks, 23, of 3625 Corder. She said he gave it to her to hold in a buck and box. Police let her keep it." [*The Houston Chronicle*, July 29]

12

"Traditionally, the job of a journalist is to observe and report - *not* to become an active participant. Last Sunday night, during the difficulty on Dowling, one Houston newsman, a radio reporter, quite obviously forgot what his job was. This individual not only became a spotter for Houston police officers during their shootout with militant Carl Hampton . . . he later donned a baseball cap and facial camouflage . . . and, brandishing a shotgun, participated with police officers as they swept thru the People's Party headquarters. To repeat . . . a reporter's job is to report, *not* to participate. Channel Eleven newsmen have always understood the difference . . . and because we employ only professionals, they always will. We would like to make one additional point . . . and that is this: no fair, reasonable man would indict all black men because of the actions of one Carl Hampton. In all fairness, all Houston newsmen should not be indicted because of the irresponsible actions of one individual."

["SHAME ON HOWARD DUPREE,"  
DAILY BROADCAST EDITORIAL #1635,  
KHOU-TV, CBS in Houston,  
Thursday July 30, 1970]

13

"Eyewitnesses report that when the shooting started, Duncantell got rid of his weapon and left the scene. Clearly, the situation on Dowling Street afforded Duncantell an opportunity to either 'put up or shut up.' He 'shut up' and would do well to keep his mouth shut. The situation is far too critical to have people who shuck and jive cause the death of those who are sincerely fighting for freedom for Black people." [Unsigned editorial in July 30 edition of *The Voice of HOPE*. HOPE Development, Inc., an independent anti-poverty agency, is headed by The Rev. Early Allen who, with Pluria Marshall, Houston director of Operation Breadbasket, is spokesman for the new Black Coalition]

14

"Most niggers were under their beds." [Ovide Duncantell, Emancipation Park memorial rally Aug. 11]

15

"They better hope Carl don't die, man. They better hope Carl don't die." [Ovide Duncantell to KXYZ, approximately midnight, the night of the shooting, recorded on Dowling Street]

16

After police captured the storefront headquarters of the party, the black proprietor of the only business in the neighborhood to remain open, an eating place, gave free soft drinks to the white officers and newsmen. An unidentified neighborhood businessman, black, and perhaps the same man, told KXYZ: "The community wanted the police to come in. We've been just *praying* for the policemen to come in. I mean everybody who amounted to anything. But that *thuggy* bunch, they didn't want them to come in. So we wanted the city of Houston to know our feelings about the situation out here - that we wanted the police to come in."

17

Slogans left on walls of Party headquarters by police:  
WALLACE IN 1972  
FUCK HUEY  
PIG KNUCKLES FOR YOU

18

"Assault to murder charges were filed against two of the wounded late Monday. Police claimed they tried to shoot and kill

a police officer during the Sunday night conflict. The assault to murder complaints named Roy Barte Haile, 24, and Johnny Coward, 19. Hospital attendants said both were in fair condition." [The Associated Press, July 28]

19

Police allowed her to keep the money.

20

"It does occur to me that this black coalition could have been exerting their influence — if they have any — in the two weeks preceding the incidents on Dowling Street last Sunday night." [Police Chief Herman Short, July 27 news conference]

"Because of the role the media has played, Houston's black community sees them as an accomplice to the fact. Indeed, two times — at the Black Coalition meeting and at Carl's funeral — photographers have been attacked by black youths. For this reason, we ask all media people planning to attend the rally Sunday to leave their photographic equipment and tape recorders home. If they decide to ignore this warning, we can take no responsibility for what might occur at the park. Our security forces will, however, attempt to protect news reporters armed with no more than pencil and pad. (An exception to this rule will be black and underground media who have been fair in their reportage of Peoples Party and of Carl's shooting.)" [Written statement, The Coalition for the Defense of Peoples Party II, distributed at news conference July 31]

21

In order to secure buttons picturing Carl Hampton in time for the Aug. 1 rally in Emancipation Park, organizers of the rally had to take steps shortcutting the conventional arrangement between the button fabricator and his printer. The negatives for the offset printing process were shot at the black newspaper *The Forward Times* and a storefront offset shop printed from those negatives. Buttons were ready on Friday, July 31, and the supply exhausted early the afternoon of the rally itself. The button is a head-shot of Hampton with the words, "The Spirit of Carl Lives," arranged in a semicircle above his face.

22

Police allowed her to keep the money.

# Agent Lee is after the subversives

(and the 'subversives' are after Lee, too)

By David Fishlow

McAllen

Multi-colored squad cars, whip antennas gently oscillating in the breeze, filled the parking lot of McAllen's Fairway Motel. Inside, cowboy hats, fancy boots, and cigar smoke predominated as 400 of Texas' finest gathered for the 92nd annual conference of the Sheriff's Association of Texas.

And the program was real fittin'. McAllen's own Department of Public Safety agent, Donald Lee, was on hand to give a little talk on "subversion in the Rio Grande Valley."

Yup, they're all over the place, these subversives, and the Department of Public Safety, with its 38 intelligence officers, is on the job night and day, protecting the great State of Texas from the Forces of Evil. Now first off, you got to know who "they" are. Well, DPS Agent Lee has a little list. The following organizations are "subversive," he told the sheriffs, deputies, and assorted listeners:

Political Association of Spanish-Speaking Organizations (PASO), the Mexican-American Youth Organization (MAYO), Colonias del Valle, the United Farm Workers Organizing Committee of the AFL-CIO (UFWOC), the Colorado Migrant Council, labor unions and "some religious groups."

Thank God, or at least thank the DPS, for the warning. We always thought PASO was the rather moribund outfit which is "subversive" enough to include the kind of *chicano* politicos who recently endorsed Lloyd Bentsen. MAYO is the outfit which incurred the wrath of the DPS by straightening out the schools in Crystal City. The Colorado Migrant Council gets most of its dough from the "subversive" OEO, and the UFWOC, well they're the guys that just won the five-year-old California grape strike. Now we know who is subversive.

Evidently the DPS goes to a lot of trouble to keep track of these assorted undesirables. According to Lee they check out the license plates of cars parked in front of the homes of "known militants," and they do a lot of research in the local banks. "A volunteer organization from New York has just come in here saying

*The author works in McAllen for the United Farm Workers Organizing Committee.*

they're going to help the poor. Well, an informant told me they got started by depositing a government check in the bank," Lee said. He did not name his informant, or whether the bank was one of the many in the area owned by the Bentsen clan.

The American Jewish Society for Service has a group of 20 young people from the East Coast at a work camp in the Valley this summer. That's the only "volunteer organization" from up there in Jew York this reporter could locate, and that outfit is not government supported. Maybe some stoolie in the local banks is pocketing DPS payoff money and feeding them phony intelligence. You never know.

Now Agent Lee tells us he did not single out the enumerated organizations — all of them Mexican-American — out of prejudice. "Why some of my best friends are Mexican-Americans," he said. It isn't the local Mexicans that cause the trouble — except for a few like Mario Compean and Jose Angel Gutierrez — but rather it's outside Anglo agitators who come down here from other states, especially California — Berkeley, you know — to rile up the happy natives. "These alleged persons" arrive in the Valley "masquerading as social workers, law clerks, and aides," Lee said. He said they live on grants from the Kennedy Foundation, the Ford Foundation, labor unions, various religious organizations, and the federal government.

Where do these alleged persons perform? Well, there have been a lot of "trumped-up incidents" at the "school level," and out-of-state subversives are concentrating much of their efforts there. The DPS knows, because somehow they have access to private correspondence. Lee said he acquired possession of a copy of a letter from a "West Texas Anglo law firm" encouraging Jose Angel Gutierrez to keep giving the Anglos a hard time.

The Department of Public Safety, Lee said, feels responsible for keeping an eye on those groups and individuals which "we consider subversive." Through intensive intelligence activities, fat dossiers are filled with the inside dope on militants and subversives (the terms are synonymous when Lee talks).

The sheriffs, assembled for their convention, seemed reassured by the lecture, and probably returned to Texas's 254 county seats with a new determination

## On D.P.S. surveillance

Col. Wilson E. Speir, director of the Department of Public Safety, who was contacted about Lee's remarks, said, "You know that in any organization you have people of divergent opinions. Just as one person in an organization could be real conservative, there might be others who would not feel so strongly. Oftentimes we get accused of various things, but we just try to enforce the law and maintain the peace as best we can, the same toward everyone. It doesn't matter if a fellow is a member of a labor union. We couldn't care less."

Speir said the 38 intelligence officers

in his department work across the state and that their work is not exclusively confined to gathering intelligence.

When asked if intelligence files were kept on right-wing extremist groups such as the Ku Klux Klan or the Minute Men, he replied, "An officer would gather information on any type of organization or person he felt was pertinent, that is, someone whose activities tend toward law breaking such as breach of the peace. And he should do that."

Speir said the DPS does have a unit assigned to organized crime.

to root out (like pigs hunting for truffles) the militants and subversives all across the state.

Unfortunately, some of the poor folks in the Valley, in the belief that they have certain rights under the U.S. Constitution, are not quite comfortable with the assurance that the D.P.S. is keeping tabs on everything they do. In fact, their attorney, David G. Hall, is about to file suit in Judge Reynaldo Garza's Federal District Court at Brownsville, charging that their freedom of speech and association, and their right to petition the government for redress of grievances, are being abridged.

The plaintiffs are Antonio Orendain; Texas organizer for UFWOC, Reynaldo de la Cruz, chairman of the board of Colonias del Valle, Inc.; and Leo J. Leo, president of the Hidalgo County chapter of PASO and UFWOC. Named as defendants in the suit are Preston Smith, Public Safety Commissioners Clifton W. Cassidy, Jr., Marion T. Key and William B. Blakemore II; DPS Director Wilson E. Speir; James Ray, chief of the criminal law enforcement division of the DPS; and Donald Lee, the McAllen intelligence officer.

The plaintiffs are saying that since the surveillance described by Lee is a violation of their constitutional rights, they want an injunction restricting the defendants or their agents from spying upon, surveying, or maintaining records of any kind about them or any other persons lawfully situated within the state. They further ask that the defendants be required to bring into court for destruction all records, tapes, blacklists, photos, or reports on these groups and for any other relief the court may deem just.

The Edinburg *Daily Review* reported Lee's speech in full, and by week's end, Texas Ranger Jerome Price, known as one of Captain Allee's best union busters during the Starr County melon strike, was in the *Review's* office buying copies of the issues in which the story and editorial on the subject appeared. The surveillance issue recalled the "great flashgun duel" in the

galleries of the Legislature several years back, when DPS agents began photographing spectators who appeared to support the minimum wage bill, and the spectators began photographing the DPS men.

Meanwhile, Atty. Gen. Crawford Martin better watch his step. He had told the sheriffs the previous day all about his new federal grant for crime prevention. . . . The DPS boys keep pretty careful tabs on folks who deposit federal checks. . . .

Lee's audience reacted strongly to only one statement. When he announced black militant Carl Hampton was dead — shot the previous day by Houston police intelligence agents as he stood outside a Baptist church — the assembled sheriffs and deputies of the State of Texas applauded loud and long. □

## Like twins

From Maxine Chesire's *Washington Post* column of April 21:

"[Former] Texas Gov. John Connally's attire attracted a lot of attention at the [White House] party.

"He wore an outfit that can best be described as "Midnight Blue Cowboy."

"His Tex Ritter tuxedo was two-tones of azure and delphinium, with piping around the double-breasted jacket and four large mother-of-pearl buttons.

"His shirt was two different tones of blue and so was his large bow-tie.

"His wavy white hair is shorter, but otherwise, he looked so much like his close friend, former President Johnson, that some guests were startled.

"He found Lyndon's tailor,' someone whispered, 'Now, if he just finds his barber, they'll be twins.'" □

## 'Capitol Eye' schedules party at Scholtz'

Austin

"Capitol Eye," the Austin-based interview show, is having a birthday party at Scholz Garden Sept. 1. Winston Bode, the creator and moderator of the program, is inviting all the men and women who have appeared on the show during its first year to attend the gathering. Viewers and listeners are invited as well.

Tickets are \$5 each or two for \$7.50 for a married couple.

Bode says the program, under the umbrella of the Public Information Corp., recently has been given tax exempt status as a non-profit, educational organization, so contributions are tax deductible.

"'Capitol Eye' is having a very hard row," Bode said. "This party is the climax of seeking tax deductible contributions." The program costs about \$400 to produce weekly, and Bode says that radio and television stations will not buy the show commercially. If "Capitol Eye" is to remain on the air (at present it is broadcast by KLRN-TV in San Antonio and Austin and by 37 radio stations throughout the state), it may have to depend on small contributions.

Bode said he has made the rounds to foundations but that they "are uptight and immobilized by the 1969 tax reform act." None are willing to fund a controversial program until the Internal Revenue Service clarifies the new laws concerning foundation expenditures.

UT law professor Charles Alan Wright and others will talk at the Scholz gathering on the issue of free speech. John Henry Faulk will be the emcee.

"Capitol Eye" made its debut on Sept. 6, 1969, with an interview of Ben Barnes. "Since then we have done everyone from Preston Smith to Madalyn Murray O'Hair," Bode said. Some of the recent outstanding programs have been with former UT President Norman Hackerman (who used the occasion to criticize the direction Regents Chairman Frank Erwin is taking the university), State Rep. Don Cavness and former MHMR Deputy Commissioner Gary Miller on the state's mental health program, State Sen. Oscar Mauzy on automobile insurance, and UT-Austin student president Jeff Jones on the university and the new left.

The panel of interviewers varies, but among the regulars are Jon Ford of the *San Antonio Express-News*, Ernie Stromberger of the *Dallas Times Herald*, and Bo Byers of the *Houston Chronicle*. □

# The governor as a ladies' man

By Martha Hamilton

Austin

With the November election creeping up, Gov. Preston Smith plans to give the ladies a whirl with a high class tea party in Austin, Aug. 28-29. The Governor's Conference on the Status of Women will discuss the problems of Texas women under the rather unsympathetic auspices of the state government. "We want a cross section of the women of Texas . . . women from all walks of life . . . from all across the state," a member of the governor's staff avows. But a \$5 admission fee seems to insure that some women's groups won't be heavily represented.

The conference is an outgrowth of the Governor's Commission on the Status of Women, a group Smith appointed in January, 1970, as evidence of his concern. The list of 151 women can be broken into two types: wives of office holders and politicians and women who have achieved something on their own. On the roster, which Smith's office hands out, many are listed by their husbands names, with their own names set secondarily in parenthesis. A former Miss America is listed as "MUTSCHER, The Hon. Gus F. (Donna)."

JACK ROBERTS, a young, earnest-looking staff assistant who is Smith's lady liaison, says the conference will be attended by some 1,500 women. The commissioners have been asked to furnish the names of individuals and organizations that might be interested. Roberts says he does not know specifically if women's liberation groups or Texas chapters of the National Organization of Women (NOW) have been invited. The list is incomplete, he adds, and an attempt will be made to include all concerned women's groups.

No attempt is being made, though, to deal with the barrier the \$5 gate charge might pose to some of the women who are unhappy with their lot. The fee is as economical as it could be made, said Roberts, who is coordinating the planning. The money will cover the price of a luncheon at the Terrace Convention Center, printing and other costs. Since the commission is an advisory group, it receives no funds from the legislature. It has no legal powers or status.

"We have no special plans to encourage women who can't afford the \$5 to attend," Roberts conceded. "But we do encourage activities of this type: If a group can't afford to send all its members, we encourage it to send one representative instead of 10. Funds are always a

handicap," he added. "Many of the aims of the conference are of as much, if not more, importance to poorer women as they are to business and professional women." Even so, no special attempt is being made to reach these women.

Four topics have been pinpointed to be dealt with in workshop sessions at the conference: job counseling, day care centers, financial management, and laws pertaining to women's rights in Texas. More topics may be added if enough women show an interest, says Roberts, who insists that the ultimate details are in the hands of the women.

THERE IS NO workshop on Texas abortion laws, recently struck down by a federal district court in Dallas and much on the minds of women concerned with securing their rights. "We feel that as much attention as the problem has been given, it will probably crop up in the more general workshops," according to Roberts. "But if enough women feel it deserves a single workshop, we will consider it."

The governor has no specific legislative reforms in mind to recommend to the

conference and will give no assurance that recommendations of the conference will have his backing. "If we said we were going to insure certain results, a certain tempo would be established that would be intimidating to the conference," Roberts hedged.

"The governor has given the conference the sanction of his office. It's an opportunity for the women of the state to be heard. . . . We hope the conference will come up with specific remedies. Then it would be up to the governor whether to act on the recommended remedies."

Governor Smith will address the conference, and Mrs. Smith (can anyone remember *her* name?) "will make every effort to participate insofar as her schedule and prior commitments allow," the governor's office said.

The actual planning of the pre-election conference has been going on for about a month, but the timing was non-political and the conference will be non-partisan, Roberts says. Even so, he says, if there had been more time for planning "it might have been possible to get a more responsive, interested audience."

## And now, Governor . . .

A few words about the status of women in state agencies.

State agencies are among the worst discriminators in Texas, on the basis of sex or anything else, according to an official at the U.S. Equal Employment Opportunities Commission. The problem with sex discrimination in state agencies is that there is no recourse to law. Federal statutes outlaw sex discrimination (the clause was added to the 1964 Civil Rights Act in the course of some heavy-handed joking by members of Congress), but state agencies are not covered. The Texas legislature in 1967 outlawed discrimination by state or local government offices "because of the person's race, religion, color, or national origin . . ." but not because of sex.

Governor Smith has taken no action on discrimination by state agencies.

Some women do go to the EEOC, only to find that the agency cannot help. An EEOC employee estimates that about 25 cases of sex discrimination involving state and local agencies are reported to them each year. Until recently, the EEOC has kept no record of these.

Sex discrimination takes many forms: refusal to hire or promote women, a double standard in pay scales, and enforced pregnancy leaves. In my case, it was refusal to hire.

When the Texas Parks and Wildlife Department told me I would not be considered for a job because they wanted a man in that slot, I went to the EEOC. They took a sworn complaint, which I was told would be brought in during talks with the governor's office about discrimination by state agencies. Later EEOC forwarded the complaint to the U.S. Department of the Interior, which returned it to me with a letter from the director of the office for equal opportunity at the Interior Department. "The position for which you applied was with the Texas Parks and Wildlife Department which appears to be a state government agency and is not under the jurisdiction of the Department of the Interior." That seemed to exhaust the possibilities.

IN ANOTHER case, a woman answered a *Daily Texan* ad for computer programmers at the University of Texas. Although she made an A on a competitive examination, after three interviews she was told that the university doesn't like to hire women for that job. She might have to work on campus at night, the interviewer told her, expressing concern about what working odd hours might do to her

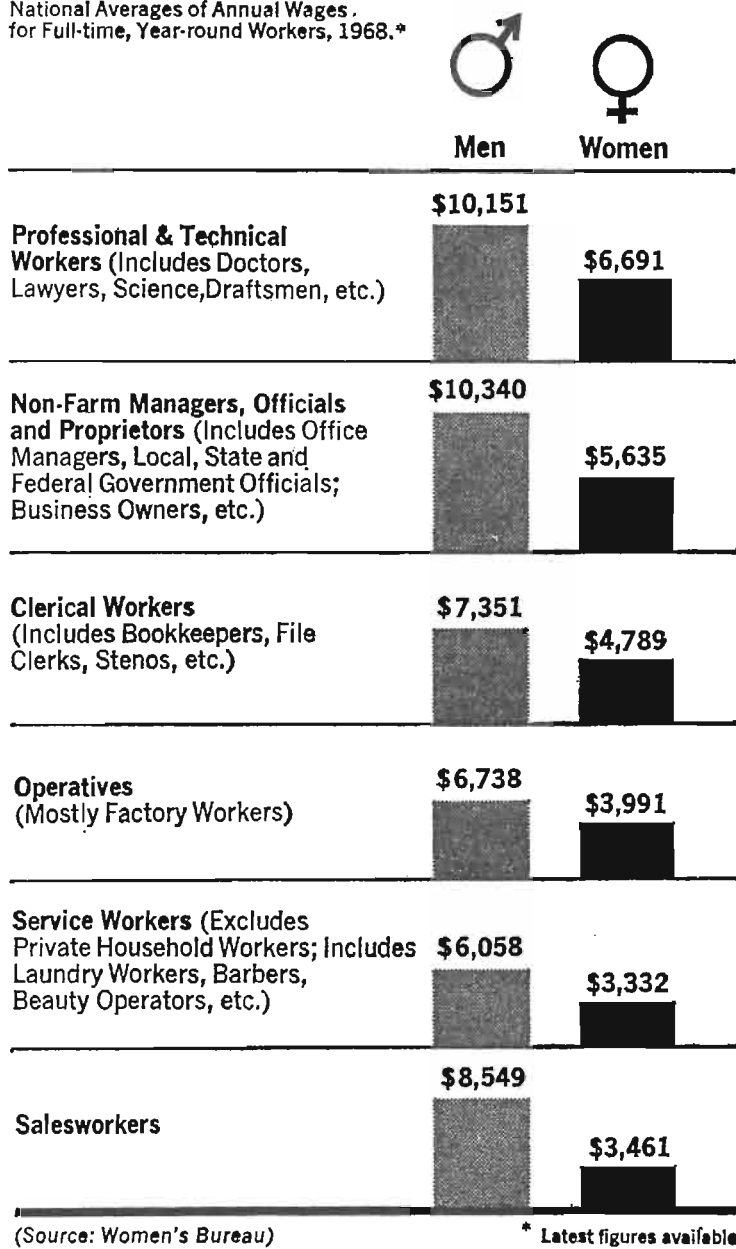
Martha Hamilton, a former Washington, D.C. reporter, works in Austin.

August 21, 1970

# Why women complain

## Double Standard: Men's Wages Much Higher Than Women's

National Averages of Annual Wages for Full-time, Year-round Workers, 1968.\*



marriage. In other words, the frustrated job seeker pointed out, "they were making my decision for me."

The same woman, a college graduate, finally landed a job with a state agency in Austin. After a year's hard work, she says, she is almost making what is considered a starting salary for men without college diplomas, doing the same work.

Another woman, an employee of the state comptroller's office, says that state agency also is reluctant to hire women as computer operators. The comptroller's office uses almost the same line as the university — that men and women might have to work together at night, she says. They also fend women off with the explanation that the job might call for some heavy work, she adds. "It is no worse than heavy housework," the employee says.

ONE OF THE most interesting forms of discrimination in state agencies, is the enforced pregnancy leave. This policy will soon be challenged in court, though, almost by a legal loophole.

Mary Ellen Schatman worked as a labor market analyst with the Texas Employment Commission (TEC) in Austin, while her husband attended law school. Although she was seven months pregnant, she said she hadn't missed a day of work because of her pregnancy. Her doctor said she could continue working, but TEC said no. She was forced to take maternity leave.

TEC regulations allow a maximum six weeks leave time for its employees, which was the leave Mrs. Schatman had planned to take. With the enforced leave added, she was bound to be away from her job three months. TEC told her she could return to work if the position remained unfilled, she says, but "six weeks to the day after I left, they filled my job." She shook her head over the possibility of finding a comparable job in Austin.

Now, unemployed, with a child and husband to support, Mrs. Schatman is suing the state in federal district court for damages and back wages. (State employees who lose their jobs are not entitled to unemployment compensation.) She is luckier than women in other state agencies (Some are said to require that pregnant women quit work after five months), because she can go to court. Federal statutes give the EEOC jurisdiction over all employment agencies, even state employment agencies. EEOC attorneys ruled that this jurisdiction extended to employees of employment agencies as well, opening the way for Mrs. Schatman's complaint.

"I took a competitive examination for my job and can only be removed for cause," the young, red-haired mother said. Since she was still capable of doing her job when she left, she doesn't consider her pregnancy cause.

"If you come to work with a contagious disease, they can't force you to leave," she adds. Another thing that obviously rankles Mrs. Schatman is that the TEC didn't reveal its maternity leave restrictions until she told them she was pregnant, she said, in spite of earlier inquiries during her 14 months on the job.

"Abortion is cheaper than losing your job, if you're the sole support of the family," she said.

There was no malice in the TEC's treatment of her, she feels, just a general disbelief that a woman would want to be both a mother and a professional woman.

Maybe they haven't heard ... we've come a long way. □



# LBJ to attend Barnes love-in

• Since the primary defeat of his old rival Ralph Yarborough, former President Lyndon Johnson has taken a sudden new interest in Texas politics. In the past two weeks LBJ has been on guest lists at a cocktail party for House Speaker Gus Mutscher of Brenham, in Brenham, and was scheduled to attend a \$100-a-plate Austin love-in staged for Lt. Gov. Ben Barnes. LBJ is said to be helping with fund raising for Lloyd Bentsen in his campaign for the senate against Cong. George Bush, and may take to the stump for Bentsen.

• The executives of Texas railroads have been asked by Barnes to buy \$100 tickets to his Aug. 14 appreciation dinner. "Lieutenant Governor Barnes has solicited assistance in the sale of tickets from the individuals with the Texas railroads, as well as individual members of other statewide organizations," Walter Caven, general counsel for the Texas Railroad Association wrote to Texas railroad executives.

Caven said the dinner "will be a prestige affair," and he warned that the purchase of tickets "must be made on a personal rather than a corporate basis."

• Texas Coastal Bend residents had both US senators and a flock of other politicians to contend with in the wake of Hurricane Celia, but President Nixon — in contrast to his predecessor — stayed out of it. Nixon did declare the area an emergency area within 24 hours after the storm wrecked the shore and moved inland, but instead of coming to see for himself he sent Commerce Secretary Maurice Stans and Small Business Administrator Hilary Sandoval in. Former President LBJ was one of the first on the scene in the aftermath of Hurricane Beulah, which hit in the same area and southward, in 1967.

## Smith preaching unity

• Gov. Preston Smith is appealing for peace and tranquility at the Sept. 15 State Democratic Convention in Dallas.

In a mailing sent from the Governor's Office to every convention delegate, Smith notes, "ours is a party of the people. Therefore, no element of Democratic Party philosophy will be excluded from our convention. While ours is a party of hard-fought primaries, it also is one of unified action in the general election." The governor may feel that a raucous convention would hurt his chances for re-election.

• Smith declared Aug. 15-Sept. 15 "Venereal Disease Month" in Texas, probably not noticing that the final day coincides with the state Democratic Convention.

## Political intelligence

• Smith turned down a request by Sen. Chet Brooks of Pasadena for a top-to-bottom investigation of alleged political purges at the University of Texas. Brooks asked for a blue-ribbon committee to conduct the probe, but Smith said he had no information to support charges that

## Chapman item in error

An item in the Aug. 7 *Observer* incorrectly reported that Dist. Judge Joe N. Chapman of Sulphur Springs was named in a 14-point Hopkins County grand jury indictment charging him with "judicial misconduct." In fact, Chapman was not indicted nor were charges against him considered by the grand jury. He was named in a formal complaint before the Texas Judicial Qualifications Commission. The complaint filed by Sulphur Springs attorney J. Kearney Brim claims that Chapman committed an indiscretion by quashing indictments against two brothers charged with swindling the city of Sulphur Springs.

Chapman said he quashed the indictments after determining that a grand juror in the case was "prejudiced," according to the *Dallas Morning News*. The News quoted Chapman as saying the charges are frivolous. "I'm going to ignore them," he was quoted as saying.

The *Observer* regrets and retracts the error.

Dr. John Silber, Dean of the UT College of Arts and Sciences, was improperly dismissed. Smith said he was reluctant to enter into "a confrontation" with Frank C. Erwin, Jr., Austin attorney and head of the UT Regents.

• Erwin was not appointed by Smith, though Smith raised no objection to him when former Gov. John Connally, in the last days of his administration, re-named Erwin to the Board of Regents. Erwin contributed \$2,000 to Smith's 1968 campaign, according to Smith's campaign expense records.

• Dallas Sens. Oscar Mauzy and Mike McKool, who were among the first liberals to endorse Lloyd Bentsen after his defeat of Senator Yarborough, are urging the Governor to assemble a progressive platform at the state Democratic

Convention. Mauzy thinks a liberal platform will encourage Texas liberals to vote for Bentsen and Smith in November, rather than staying home or supporting Republicans. McKool says he is worried by apathy and hostility among loyalists who backed Yarborough.

## Dowdy gets opponent

• Rep. John Dowdy of Athens, under federal indictment on charges of conspiracy, perjury and bribery, will face a 73-year-old write-in opponent in the November election. Gordon F. Wills, a retired Army sergeant also of Athens, is running because he says Dowdy has given the town a bad name. Wills ventured into politics once before — and finished last in a six-way race for Henderson County sheriff in 1956. Wills says his campaign support is "meager." He is barnstorming the 18-county district by public bus.

• On July 20 the Dallas city council outlawed walking about aimlessly without apparent purpose, lingering, hanging around, lagging behind, delaying and sauntering within the boundaries of that city. The ordinance is called the loitering law and 11 laggards have been arrested since it went into effect. Charges were dropped against four of them. The Dallas Civil Liberties Union will file suit in federal court to test the constitutionality of the cease-sauntering edict.

## To love or to leave

• Dallas Rep. Jim Collins has introduced a bill in the U.S. House which would enable those who do not love it to leave it. The bill would provide a free, one-way ticket for anyone over 25 to any foreign country in which they wish to establish residence. The applicant would only have to voluntarily relinquish his right to re-enter the United States for the next 65 years.

• According to a city official, Amarillo will pay for an outside air pollution study of a grossly polluting zinc smelting plant in their area — to keep it operating. City Commissioner R. G. Mills told the Texas Air Control Board, "We just can't afford to have this plant closed." The American Smelting and Refining Co. plant is seeking either an exemption or a permanent variance from state emission regulations. The Board delayed decision on the plant until September.

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**TEXAS LAWYER,** 33, seeks association or office sharing in Austin. Eight years trial and general practice background. Excellent record and references. Address inquiries to Texas Observer, Dept. C, 504 W. 24th, Austin, 78705, for forwarding.

• Testimony last month before the Senate Labor Subcommittee on the plight of migrant workers in this country provoked an interesting response from Conley Kemper, coordinator of migrant labor for the state's Good Neighbor Commission. To testimony given at the subcommittee hearing by Dr. Henry Lipscomb, Baylor College of Medicine, on the terrible malnutrition among migrants in the Valley, Kemper replied, "They are not used to eating protein. Some of them may pick carrots all day and there is no reason why they couldn't take some home, but they are just not used to eating fresh vegetables and they won't."

### Clark for president?

• Ramsey Clark, former attorney general who now practices law in New York City, is being mentioned as a possible Democratic presidential candidate in 1972. An article in *New York* magazine by Jack Newfield has fueled more support there and citizens from all over the country occasionally write to Clark asking him if he's willing. Clark, amused, amazed and flattered by the phenomenon, has not replied to the letters.

• At a Chicano Moratorium in Houston July 27, Bexar County Commissioner Albert Pena told a crowd of 500 that Vietnam is a gringo war and that *chicanos* have their own war in the barrios against poverty and racism. "It is a crime in the worst form of insanity to go 10,000 miles to help our oppressors help enslave other people," he said.

• During the opening round of hearings by the State Senate's Interim

Committee on Automobile Insurance a member of the State Board of Insurance shook up the proceedings by saying he thinks investment income should be considered in setting rates. Charles Mathews told the committee he is inclined to the view that income from investments by insurance companies should be taken into account in calculating rates. The investment income of insurance companies has not been included in the profit and loss statement by which rates are partially calculated and Mathews is the first of the three commissioners to announce that he favors that proceeding.

• Ed Polk, the outspoken, activist director of the Dallas Legal Services Project, survived an attempt by some DLSP board members to oust him at the end of July. The board members were upset at Polk's representation of an underground newspaper publisher. Polk staved off the ouster move by announcing that the Office of Economic Opportunity will do an evaluation of DLSP to find out whether or not the program is doing the job it should.

• An efficiency study of the State Welfare Department prepared by Electronic Data Systems Corp. of Dallas proposes a far-reaching reorganization of the department, including the elimination of at least 2,500 jobs. The study showed shortcomings in administrative setup, accounting procedures, and use of computers. Welfare Board Chairman Will Bond of Hillsboro took strong exception to a statement in the report that "some people are appointed to positions not because of what they know, but who they know." Bond asked that it be stricken.

• Rep. Curtis M. Graves of Houston, one of two black House members and a Democrat, is helping raise funds for Nat Davis, a black Republican running for the legislature in Fort Worth.

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The Texas Observer

## MEETINGS

**THE THURSDAY CLUB** of Dallas meets each Thursday noon for lunch (cafeteria style) at the Downtown YMCA, 605 No. Ervay St., Dallas. Good discussion. You're welcome. Informal, no dues.

**CENTRAL TEXAS ACLU** luncheon meeting. Spanish Village. 2nd Friday every month. From noon. All welcome.

### Chicano bank

• Federal banking authorities are expected to rule in September on a charter application for a bank which would serve black and *chicano* neighborhoods in East Austin. The two minorities will occupy eight of ten board seats on the proposed Union National Bank, if the charter is approved. Gus Garcia, an Austin accountant and one of the organizers, says small lots of shares in the bank will be offered to community residents, with the hope of drawing at least 500 neighborhood stockholders. Although on the drawing boards for nearly two years, the bank has been opposed by attorney Jake Jacobson, a former LBJ White House staff member who represents small banking interests in Austin.

• The *San Antonio News'* nostalgia column, "It Was News Then," carried this item under a *20 Years Ago* heading: "Washington — Use of the atomic bomb in Korea was advocated today by Rep. Lloyd M. Bentsen, Jr., of McAllen."

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# Free Enterprise Is For Honest People

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

Many years before 1776 John Locke had defined the inalienable rights of man as "life, liberty and property." Jefferson struck out "property" and substituted "the pursuit of happiness." . . . When [the Founding Fathers] added the Bill of Rights to the Constitution — an addition made necessary by the feeling of the people that their human rights were not sufficiently protected in the original document — they included property. "No person," says the Fifth Amendment, "shall . . . be deprived of life, liberty, or property, without due process of law." . . .

The possibility of monopoly has come much closer since 1787. . . . It is reasonable, then, to ask whether this condition, which did not exist and was not foreseen in 1787, undermines the doctrine of the framers of the Constitution that property should be protected in the same measure as life and liberty.

Another condition has arisen which is as important as, and to some people even worse than, the tendency to monopoly. It is the restriction of opportunity, which is to say the increasing difficulty that a man encounters in setting up in business for himself. This is a direct result of the transfer from the hand-made to the machine-made. . . .

When power is highly concentrated — any kind of power, military, mechanical, political, or economic — the temptation to misuse it is great. By comparison with the situation of a hundred and fifty years ago, all kinds of power are highly, very highly, concentrated in the United States today. The temptation to misuse it is correspondingly great, so the precautions against its misuse must be numerous and rigid. This creates a situation that perplexes rulers and lawmakers, creates endless disputes, and throws a strain on the political

genius of the people. If no precautions are taken against the abuse of power, we shall inevitably run into facism. If too many precautions are taken we shall prevent not only the abuse, but even the use of power in private hands and inevitably run into communism.

There is a third complication that we are slowly beginning to realize and that appalls conservatives perhaps more than any other. With all our enormous concentrations of power, there are tasks, urgently necessary tasks, that are simply too big to be handled by private enterprise, no matter how big, and no matter how free.

A conspicuous instance was the development of the Tennessee Valley. The investment in that job was eight hundred millions. . . . Only the government can stand such a strain. . . . And the project as a whole was necessary. Repeated floods were slowly ruining the whole valley as agricultural land. The immense power of the river was going to waste. . . . Yet the TVA is regarded with horror by people with logical minds, and the fact that it has been astonishingly successful is the most horrible part of it. Logical people assert that it is socialism. . . .

The truth is that there are certain kinds of business enterprise that must be publicly owned and operated. . . . The post office and the mint are unquestionably socialistic, but what of it? . . . To concentrate more and more power in the hands of the government is dangerous; but to refuse to do what urgently needs to be done is fatal. The stern decree that Fate issues to a free people is, "Take a chance, or die." The Founding Fathers took the chance, with splendid results; if their successors are still a free people, that policy is still good.

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# UT regents show reviewed

*Corpus Christi, Austin*

Frank Erwin, Jr., producer, director, and star performer of "The Board of Regents Meeting," an attraction that recently played a one-day stand at the Emerald Beach Holiday Inn of Corpus Christi, receives a well-earned *bravo* from this reviewer for his masterful control of the subject matter and the performers in his little drama. The performance as a whole, however, lacked a certain verisimilitude. At times the lines of the play seemed too pat. And some of the bit players muddled their speeches.

The plot itself is an old one: The integrity of an academic institution is jeopardized by a powerful politician. The play begins after the chairman of the University of Texas Board of Regents, Erwin himself, has conducted a purge of the administration of UT-Austin in order to solidify his control and make the school safe for mediocrity. The regents have gathered in Corpus to give Erwin and his hand-picked administrators a vote of support by hacking the College of Arts and Sciences, like Gaul, into three parts. It is something of a confusing exercise, since the audience has been led to believe that the purpose of the division of the A&S College was to diminish the power of the dean of that school. Off stage, the dean already has been fired by Erwin; so the audience is left to wonder whether the action of the board in dividing the college is a reaction like closing the barn door after the horse has escaped or whether the

board's action is significant in its own right. These unanswered questions titillate the audience and add dramatic impact to the play.

THE ACTION begins with President *ad interim* Bryce Jordan's speech to the regents. Jordan is a musicologist specializing in the piccolo, a vague fellow who follows Erwin's directions as well as he can. Sometimes referred to derogatorily as the Music Man, the president *ad interim* speaks in the turgid jargon of the professional educator. He explains that the College of Arts and Sciences, with 15,500 students expected in the fall, is "too large to accomplish the task of higher education. We need new and enriched kinds of repersonalization of the educational process for these 15,500 students," Jordan says. The proposal that he claims as his own divides Arts and Sciences into three colleges:

Humanities with more than 3,000 students,

Social and Behavioral Sciences with approximately 5,500 students,

Natural Sciences with 6,800 students,

And a Division of General and Comparative Studies, an orphan division of undetermined majors and special programs that don't fit anywhere else. This fourth division will have no budget of its own. It has to rely on the generosity of the other A&S colleges for sustenance.

Above the deans of the new colleges, Jordan proposes that a provost for Sciences, Arts, and Letters provide "a high-level advocacy in fiscal matters." He

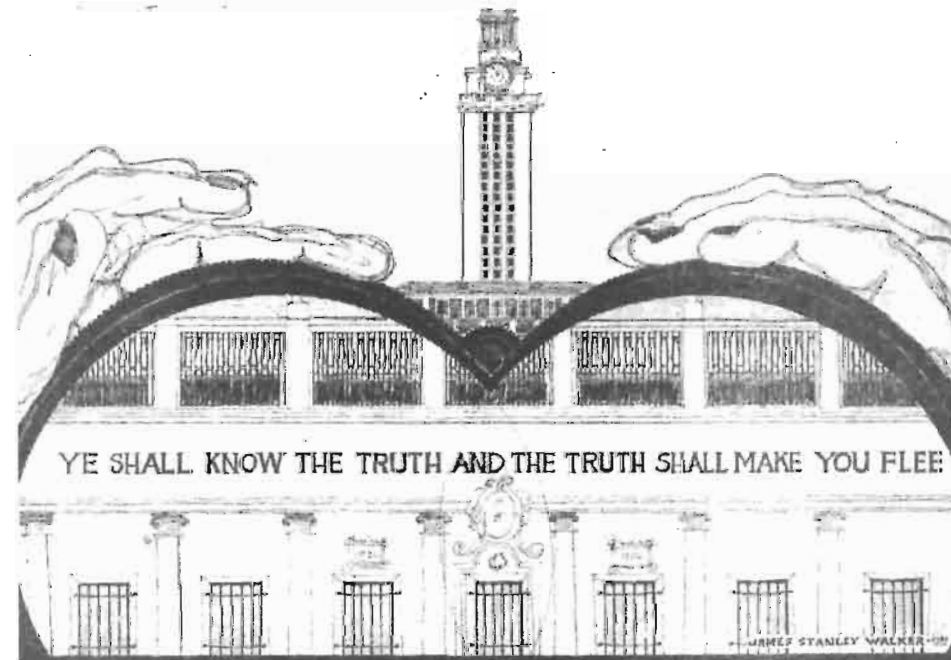
explains that "the new colleges will give a new emphasis on individualization and personalization of teaching processes."

A number of minor players appear to praise and condemn the so-called "Jordan plan." Dr. William Shive, a chemist, becomes rattled when Erwin insists that he speak during the period of time allotted to the proponents of the Jordan plan. Dr. Paul English, acting chairman of the Special Commission of Arts and Sciences, warns that if the regents do not follow the faculty's urging to preserve the unity of the A&S College, "our university runs the risk of becoming an academic wasteland." Dr. David DeLaura of the English Department insists that Jordan's plan probably will "lead to a decline in the quality of liberal arts education at the university in favor of specialization and professionalism."

THE DRAMATIC highlight of the play is provided by Erwin's foil, Dr. John Silber, the fired dean of the College of Arts and Sciences. Silber reads a 25-page statement, which definitely was *not* written by Erwin. He is the only performer who received the undivided attention of both the regents and the audience. His words are so compelling that excerpts of his speech are reproduced on another page of this journal.

Silber's statement, however, is concerned with logic and the academic and administrative merits of the plan for dividing the college, and Erwin and his board are not interested in these aspects of the situation. They are wrapped up in the dynamics of power. So Silber's speech is regarded as irrelevant by the regents.

Except during Silber's speech, the audience tended to fight throughout the performance. Their uneasiness was accentuated by the presence of approximately 13 security men, eight from the UT Traffic and Security Division (the campus cops, some of whom are retired FBI men) and five of Corpus Christi's finest, including for a time, the Corpus Chief of Police. They had been invited to the play on the assumption that there would be many students in the audience, but few students actually came all the way to Corpus. So the security men stayed mostly in the background chatting back and forth over their walkie-talkies. Occasionally they asserted themselves, such as when they prevented a well-known member of the Arts and Sciences Council from entering the meeting room for more than an hour. Finally, the woman got word to a friend inside. The friend, State Rep. Frances Farenthold, managed to get the woman seated for the remainder of the performance.



Intermission was called for lunch, and after lunch, the play digressed into a long presentation on marine science. Finally, late in the afternoon, the action was brought to its expected conclusion.

Chairman Erwin lost control of the play at one point in the afternoon, when Pam Diamond, a UT student, was allowed to present to the board a petition containing 7,000 student signatures protesting Silber's firing and the division of the A&S College. An impressive two-thirds of the A&S students enrolled in summer school signed the petition, Miss Diamond said.

**T**HEN THE play returned to Erwin's script, and on cue, Regent Joe Kilgore says to Jordan: "I think it is important for everyone to know specifically what is your personal recommendation for the College of Arts and Sciences, aside from the orders given to you and the job assigned to you. What recommendations would you make to the board?"

Jordan answers dutifully: "My recommendation would be exactly the same as the one before the board."

Erwin asks Dr. Frank Harrison, the president of UT-Arlington, how his school has fared with a divided A&S College, and Harrison pops up from the audience and answers: "It's been working very well. I think the case has been overstated on the necessity of a single administration."

Kilgore, playing the role of an independent regent, then declaims: "I am disturbed by the evident belief of outstanding educators and sincere students that this plan poses a threat to liberal education. I am further disturbed that it will cause able educators to leave. I don't invite anyone to leave." (This last sentence is a reference to an earlier statement by Erwin that professors that are unhappy with the situation at UT are welcome to resign.)

Kilgore proposes that the regents dress up their A&S proposal with a statement saying that the division will be carried out

with the consultation of the A&S faculty and that it will preserve "the unitary nature of liberal education." Jenkins Garrett, another regent who has been a silent figure on the stage up until this point, has a speech near the end of the play. In an attempt to speak in favor of the action the regents obviously are destined to take on the A&S College, Garrett says: "We are going to be setting ourselves up as a committee of reorganization. This is just what we don't want to do. This is a faculty responsibility." Garrett's speech brought chortles and applause from the audience and a blush from Erwin, but Garrett seemed impervious to the import of his words.

The regents unanimously agree to divide the college. Jack Josey, regents vice-chairman, ends the play by proposing a vote of confidence for Chancellor-elect Charles LeMaistre and President Jordan. And its curtains for the University of Texas. K.N.

## Silber discusses his (former) college

*Corpus Christi*

*Following are excerpts from Dr. John Silber's speech to the UT Board of Regents.*

At the outset I should like to limit the scope of my remarks. I do not question either the authority or the power of the chancellor or the president to remove me from office — summarily or otherwise. I do not come before the board to discuss my personal situation or to ask any reversal of it. If the regents wish to discuss my dismissal, I should only ask that I be privy to that discussion, as it so clearly concerns me. . . .

We face . . . a procedural issue of very great importance. Shall a faculty and a dean of a college be consulted in matters of primary concern to that faculty and dean, or shall they be effectively bypassed by directive of system administration? It is of fundamental importance that the principle of faculty consultation and faculty autonomy — on an issue that is clearly academic in nature — be observed. In my opinion, disregard for this principle will most adversely affect the stability of our campus at a time when stresses will already be high as a consequence of enrollment increases, the shift to the new calendar, and confusions brought about by our new system of registration. *I urge that no reorganization of the College of Arts and Sciences be enacted unless it is first submitted to the faculty of the College of Arts and Sciences for consideration.* Such consideration is of great importance to faculty morale even if the recommendations of the faculty are not fully accepted. If you adopt a plan for the organization of the College of Arts and

Sciences that is in fundamental opposition to the recommendation of the Commission and in clear opposition to the Watt, Ruud, and Sutherland Reports, to recommendations by Deans Burdine and Macdonald, and by student committees, it will appear to be utterly cynical and contemptuous of faculty opinion. You will run the risk of producing substantial — and totally unnecessary — deterioration in faculty morale.

You have no reason, gentlemen, to expect a faculty to remain at this college if it is treated with cynicism and contempt. . . .

**R**EST ASSURED the adoption of this plan is a ravaging of the liberal arts college and undergraduate teaching by the graduate and professional schools. Graduate education in narrow professional schools — a kind of education that is already obsolete and discredited at more advanced centers of learning — will triumph under this plan. In progressive graduate education, the emphasis today is increasingly directed toward interdisciplinary work. We can make our way toward Johns Hopkins of 50 years ago if we try hard.

This plan does not facilitate and encourage interdisciplinary teaching and research; rather it encourages the breakup and division of those unities and interdisciplinary contacts that have already been established, making far more difficult the establishment of new interdisciplinary lines.

A single dean faces sufficient resistance from department chairmen in the development of interdisciplinary work on

both the graduate and undergraduate levels. How much more difficult will be the task of a provost in facing the resistance, not merely of department chairmen, but of the deans of these special schools.

I cannot find a basis for liberal arts education in this organizational chart in which the College of Arts and Sciences is absent, a chart with an office of provost and little boxes all separated discretely from one another. Rather, I find the structure for liberal education in a college conceived as a great circle, presided over by a variety of personalities, the most public and visible of which might be its dean. But of great visibility and of far greater importance would be the hundreds of faculty cooperating with him in that vast single enterprise. My vision is of the College as a living cell in which there are nuclei of interest and activity. We find identifiable concentrations in the humanities, in the social sciences, and in the sciences. But there are equally important centers of activity and excitement in areas that transcend all traditional departments and divisions. We find nexus of activities in Plan II, in lecture programs and courses in Ethnic Studies, Hebrew Studies, in ecological developments drawing upon the resources of economists, sociologists, biologists, philosophers, and artists.

Throughout this highly complex living unity we find men and women with differing administrative responsibilities. Some we would call associate deans of special programs, some directors of programs such as Plan II or Hebrew

Studies. And at least one of them would be an associate dean for instruction in compliance with the regents' concern to ensure teaching effectiveness. The associate dean for instruction would have as his primary responsibility the examination and review of all teaching activities by teaching assistants, assistant instructors, instructors, and assistant professors. He would give special care to the examination of the credentials and backgrounds of all persons appointed to such positions, insure that their teaching was reviewed at periodic intervals and regularly evaluated by students and faculty, and make certain that no reappointments or promotions were recommended for persons in these teaching positions unless they were found to be highly effective and responsible teachers. The associate dean of instruction would not assume the responsibility for carrying out these activities of review and visitation and evaluation by himself. Instead, he would, by direct cooperation with departmental and program chairmen and members of the faculties of various departments, insure that this review, visitation, and evaluation was made by the faculties themselves. He would thus respect faculty prerogatives on departmental issues and instructional programs at the same time he furthered the realization of excellent teaching. But all of these activities would be carried on in this

open, flexible, integrative atmosphere of the single college as a living cell.

**I**N A COLLEGE whose functional structure is modeled on the living cell, education can thrive. It offers a matrix for open, flexible, integrative study and research in which the liberal arts can flourish and in which young men and women are not professionalized before their time, but are allowed to mature as whole persons, capable of the responsibilities of citizenship and parenthood. Young men and women may, in such a college, avoid premature obsolescence that is so often the consequence of narrow professional study. It is well known to all of us that the most exciting work done today on the graduate and under-graduate levels is done in the interstices between traditional disciplines. How important, then, to have a college that is a single unity — a flowing, living cell of great complexity, stirred by the vitality of persons, in which movement between departments, divisions, and centers is facilitated rather than rigidified through separate colleges with separate budgets and separate deans.

A college modeled on the living cell is a structure for the future. But you have been asked to accept the same old rigid structure that has been tried and has failed on innumerable campuses. I call your special attention to the fact that you are now being asked to repeat precisely the same

mistake made on the campus of the University of Pittsburgh only three years ago. A foundation study of the disaster that followed the abolition of the College of Arts and Sciences on that campus culminated in a recommendation that the College of Arts and Sciences be restored. The University of Pittsburgh, now engaged in putting Humpty-Dumpty back together, is experiencing all of the difficulties related in that song of childhood.

The University of Texas at Austin is on the wall. Why push it?

The distinctive concern of the College of Arts and Sciences for the development of civilized human beings, of informed and responsible citizens, of sensitive and dedicated parents, is not achieved by fracturing that college into groups that have no meaning or rationale apart from some narrow professional program! It is the mix that gives the College of Arts and Sciences its distinctive characteristics and mission and the means to fulfill that mission. *When the mix is destroyed through the destruction of the college itself, the reason for its existence is also destroyed.*

I have said all that time will permit about educational goals and objectives. Let me speak now of prudence.

The University of Texas has improved dramatically in quality over the last few years. It now has a first-rate student body and a truly outstanding faculty. The

## FRANK



Last spring, when asked about Frank Erwin's antics as chairman of the University of Texas Board of Regents, Preston Smith came to Erwin's defense. Smith probably harked back to 1968, when Erwin contributed heavily to his campaign against Don Yarborough. In any event, Smith said of Erwin:

"I'm sure he did what he thinks is right and best."

Since then, with Erwin at the helm, UT has lost six top administrators — including its chancellor, its president and the Dean of the College of Arts & Sciences, Dr. John Silber. *And yet, Smith on August 3 reaffirmed his faith in Frank Erwin.*

Frank Erwin is but a symptom. The real disease is the one-party system in Texas, which enables political hacks and power brokers to treat state universities as personal fiefdoms. The one-party system rewards the Smiths and Erwins, defeats men like Ralph Yarborough and gnaws at the roots of academic freedom and good government.

Break that system in November by voting *against* Smith and Bentsen, and voting *for* a two-party, enlightened Texas.

## FRANK'S FRIEND



"SOMETIMES PARTY LOYALTY ASKS TOO MUCH" . . .

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

JOHN F. KENNEDY

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

# The Democratic \*Rebuilding Committee

STATE OFFICE: 2201 N. Lamar, Room 209, Austin, Texas — PHONE: 476-7565 — MAILING ADDRESS: P.O. Box 1782, Austin, Texas 78767  
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 Bob Sanchez, Attorney at Law, McAllen, Texas; Executive Director: Tom Bones; Director of Organization: Dave Shapiro.

faculty have in recent years come to a conscious awareness of their distinction, an awareness that *this is no longer a provincial university but a great university in one of the provinces*. In the awareness of this emerging distinction, the faculty stands on the verge of what could be its Elizabethan moment — a moment of dramatic self-realization, an awareness of quality and purpose and the will to fulfill that purpose. It will be nothing short of tragic if this faculty is bypassed or if its views are disregarded on a question that is so clearly and specifically within the range of their particular expertise and concern.

In summary, I most strongly urge you, as individual regents, to delay this proposal for the organization of the College of Arts and Sciences until it has been brought before Arts and Sciences for its examination, evaluation, and recommendation. Such consultation with that faculty can be completed in September or October. The plan recommended by that faculty could quite easily be implemented by next February 1st. I fail to see that any substantial delay in the reorganization of Arts and Sciences would be caused by referral of this issue to the faculty of Arts and Sciences.

If you as individual members of the Board of Regents do not find my analysis of the basic educational issues persuasive, I hope you will at least attend these procedural points. It is important to show regard for the distinguished faculty that now comprises the College of Arts and Sciences. It will not be consistent with the best interests of the university to insult that faculty — whether by a procedural bypass or by an open invitation that any members of that faculty who are dissatisfied resign. It is of critical importance that the Board of Regents recognize that the quality and achievement of the university depends in largest part on the quality and distinction of its professors and students. In consequence of this recognition, it is imperative that the Board of Regents show their appreciation of their outstanding faculty by observing the principle of prior faculty consultation concerning *any* specific plan that is to be considered for adoption.

**T**HIS FALL WE open our doors to a generation of college students deeply troubled. They, like us, live in a time of unprecedented complexity and confusion. They, like us, are the inheritors of an instant culture in which older, more traditional patterns of meaning have lost both substance and viability. It is a time of doubt, confusion, dissension, and conflict. It is a time in which, imbued by the spirit of an instant culture, we are prone to find instant solutions to problems that defy such solutions. Accustomed to instant communication, we travel at more than twice the speed of sound to instant coffee, instant cures, instant ecstasy, and the possibility of instant annihilation. It is not

surprising that a few of our citizens have also participated in instant politics — politics of revolution and assassination. In this context, it is of particular importance that educational institutions and the governing boards of those institutions show their deepest concern and respect for rational procedures of thought, discussion, and decision. Only in an atmosphere dominated by rational discussion and respect for orderly procedures can we hope to avoid confrontation and conflict on our campus that will ruin our university.

I claim no monopoly on love for this university; neither do I take second place to any other man in my devotion to its welfare. I will lend whatever influence I have to the furtherance of peace on our campus and the preservation of a wholesome working relation between our faculty, students, and administrators.

Gentlemen, I have deliberately avoided the subjects that are in the headlines that are assailing this meeting today. I do not come here to defend myself, to make the case for or against anyone personally, to play to the press, to give song to my dreams or lament the loss of work and time. I come here to tell you what I believe we all should band together now to preserve and protect. All our labors and meetings, conflicts and personal bruises, are as nothing compared to what we are charged to cherish and advance and what each of us in his deepest self knows is our duty as educators. Do not destroy, in a trice, in the judgment-distorting vice of dramatic, but merely personal events, do not destroy the College of Arts and Sciences. Do not embitter our best men and women on the faculty. Do not so grossly change our university in the summertime absence of the faculty. Let us proceed like the rational men we are to the orderly settlement of this subject after its due deliberation by the men and women of the faculty whose rights, work, and dignity are its substance.

August 21, 1970

15

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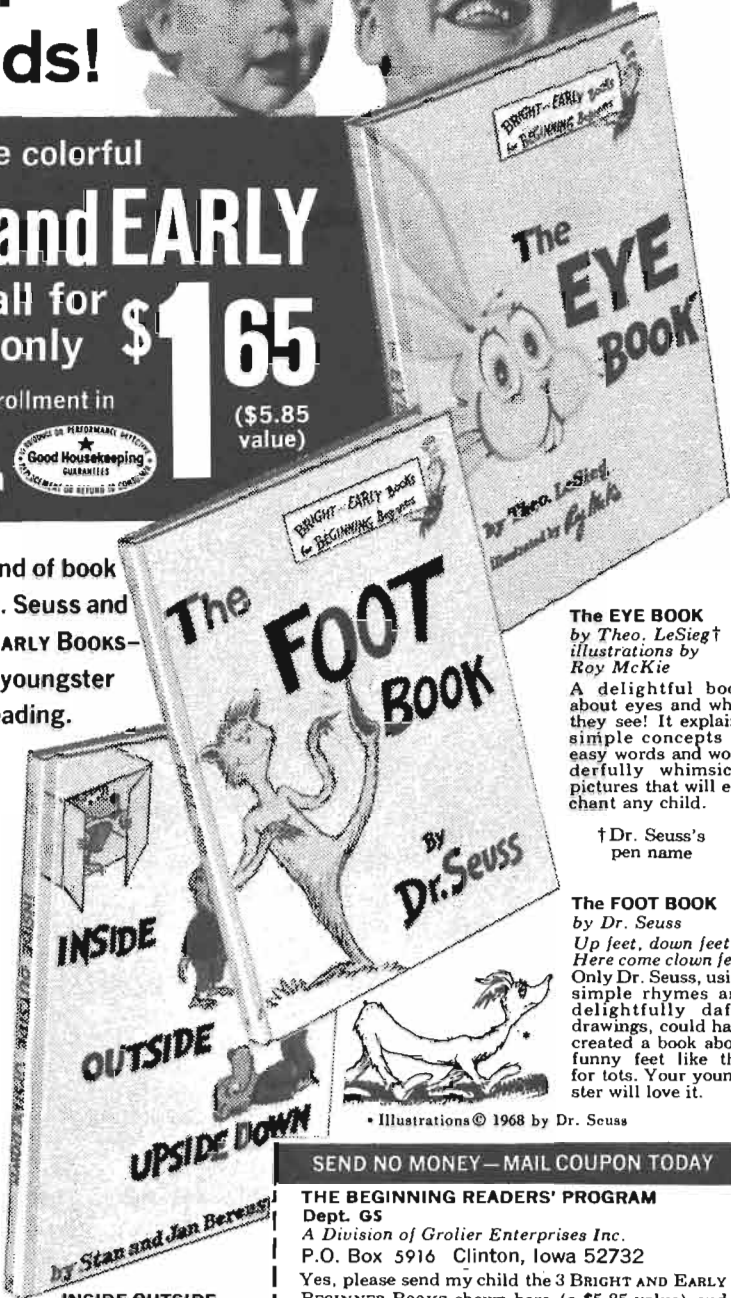
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# Elroy Bode's notebook

*El Paso*

ERIC THE RED He was standing in the doorway of the hot *turista* office in Juarez, waiting for the immigration officer to return. He had a small canvas bag, his passport, the clothes on his back — nothing more.

"I-ma-chin my goot luck," he was saying. "In New York I vas reading in de paper vere dey needed somebody who could speak Cherman and do light chobs in dis svank club for shust about sree veeks, and it fit me perfectly, so I got my room and board dere and all se beverages I vanted, and den after dat I vas on my vay again."

He smiled as he talked, seemingly quite at ease about his delay. He stood with his hands clasped behind his back and gazed at a huge map of Mexico on the wall. His long brick-red hair had begun to mat and curl at the nape of his neck, and his nylon shirt carried a stiff body odor. He wore black wool socks and sandals and spoke English carefully, thoughtfully, always hunting for the right word.

"Yes . . . and den from New York to Clearvater, Florida, and Miami Beach. Ho, boy" — he smiled broadly — "dat Miami Beach! Sat vas . . . yes, two days ago. And I plan to be back there in sree veeks — July twenty-one."

He paused and scratched a moment at the scab on his bottom lip. Then he smiled again: "I don't like your U-ni-ted States, I'm afraid. Distances are too . . . yes, too long."

The door in back of us opened and we turned, but it was not the immigration official. A boy sucking a green popsickle padded across in his bare feet, looked out the side window toward a row of parked cars, then padded out again.

"You are American, yes, and do not have to have pictures? Vell" — and he pulled out three small passport photographs from his shirt pocket — "it vas necessary for me to get sese made before lunchtime. Otherwise sey do not let me sroo." He shrugged and looked blandly toward the dry riverbed of the Rio Grande. "I vill spend sree days in Chihuahua, no more, and then to Cal-i-for-ni-a, Vancouver, Detroit, Ottova — I vill see some kinfolks dere of my muhser — sen to Boston before Florida once again."

As other tourists began to file into the office — and as the several of us who had been standing for a while grew even more restless and irritable — the young German remained there near the entrance with his cracked, freckled hands behind his back and awaited the pleasure of the casual Mexican official. Immigration, heat, delay — such things were apparently of no consequence to him. With his passport and canvas bag, and the three required

photographs, he felt he was in excellent shape. And besides, wasn't he going to be in Miami Beach on July twenty-one?

We fidgeted, paced, sighed. The young German fingered his scab and smiled into the map of Mexico.

—Today's children grow up surrounded by other children; I grew up surrounded by trees.

What happens if you relate as much to nature as you do to people? Do you learn not to hunt for all your satisfactions in human sources? If you once find how to get pleasure out of a riverbank, how frustrated do you become later on when you discover that society — its laws, its governings — is less than perfect?

—Music alone can reach inside you and somehow manage to touch all the flowers that still grow among the debris of old emotions.

—It is too bad that people who live next to the land, who plant fruit trees, raise goats and sheep, work with their hands in the sun, cultivate potatoes and beans and squash, drink water from their own wells, bake pies and shell pecans, love horses and border collies and grandchildren, sit before fireplaces on winter nights, milk cows and churn butter, take afternoon naps and sit after dark on quiet front porches — it is too bad that such people, who lead such enviable and contenting lives, are not always enviable as human beings.

—To function in writing one must keep the early sense of mild excitement; be wholly in — expert, groping, striving, alert; know absolutely nothing for sure.

—It is good to drink martinis and eat nachos in Juarez at the end of the day. A person can step out of the Cafe Central bar into the glare of the sidewalk and do it smiling. He smiles a bit from the heightened effect of the martinis and a bit from the familiarity of the Juarez streets and a bit from a sudden sense of . . . what — perhaps the ludicrousness of all serious things, of the way the world is, of being slightly unsteady on one's feet on the hot sidewalk, of having lived a fair number of human years and still not knowing beans about very much of anything.

And as he walks past the idling vendors who are lolling toothpicks at 5:45 in doorways of leather shops, he knows that he is curiously open and receptive and aware — as though all the winds of the past are now able to blow through him elegantly. He is sadly happy, and happily sad, for the martinis have washed away the old daytime mask of competence. He is simply himself, on a sidewalk, on a street: a human, in shoes, feeling loose, understanding very little about why he is there — why anyone is anywhere — but smiling nevertheless: finding, somehow,

that the joke of life is a pretty good one, especially in Juarez.

PORCH AT THREE That little concrete porch at the front of a Baptist church in a small Texas town — I think about it, wondering what it really meant. At three o'clock on a July afternoon, when the sun had finally moved its fierceness toward the west and left the porch in an elegant shadow, what truth did the porch suggest that somehow made it memorable?

I try thinking of the little knots of faithful Baptist men and women who gather there every Sunday, in the hot times of the morning and in the cool of the afternoon. I can see them on that modest and smooth concrete, finding comfort not only as Baptists but as Baptists-joining-together-in-a-very-small-town. . . . I think of the young, untried boys in dress pants and white shirts (—indeed, Baptist Boys, soon to take on their special role as Baptist Men) who talk among themselves in the long Sunday twilights: who gather on their pants the white dust of summer from straggling clumps of Johnson grass beside the porch as they speak knowingly of things they do not understand.

Yet as I consider the porch — the way it was one hot weekday afternoon — I remember that the strong Baptist feeling was absent. It was just an ordinary square of shade — a porch offering relief to anyone who might be walking by and finding himself in need of a place to rest. . . . And that, I suppose, was at the root of the emotion I felt: The knowledge that such a small white wooden church, sitting so staunchly on its dusty side street in its hot West Texas town, was actually irrelevant to the town except for the esthetics of its cement porch. *Esthetics* . . . a Baptist church having as its only real claim to glory a pleasant bit of shade: having its porch become what the church itself had tried futilely to become for everyone, at all times and in all weathers, yet never succeeded in becoming: a refuge, a sanctuary.

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# Life is a confusing purgatory

By Thomas Whitbread

To approach Taos from Santa Fe is to climb windingly a long time, beside first the Rio Grande, then one of its tributaries, then no river at all, till, at the top of the world, you arrive on a high serene plateau, a tableland, which, after you make your mind take the site in, turns into a plain presiding over the tiny crack of the Rio valley and all trivialities beneath it, presided over by snow-topped peaks. You recall the amazement you felt driving east across Arizona, seeing roadside evergreens, realizing you were rising, but not taking it all fully in, till after standing gazing down into the unperceivably shifting shadings of the august August sunset, fixed by the call of a distant bird, you thought, with sudden exhilaration: if the Grand Canyon's a mile deep, its lip's at least a mile high! You are Lucretius. You check into a motel and prepare to write *De Rerum Natura*. The air smells clean.

While you are in Taos you speak to no one except motel attendants, waitresses and cashiers, a liquor seller from whom you buy a fifth of Jim Beam, a post office clerk from whom you buy stamps, and, on the cold clear morning you leave, a Chevron gas pumper. You make no new friends. It is almost like being in a roomette on a train, in a moving solitude. A colleague of yours in Austin has offered you the use of his three-quarters- or four-fifths-built shack, has told you from whom to get the key. You thanked him politely, silently remembering his spontaneous, contemning laughter the first time you spoke the word Taos, as if it rhymed with chaos, but you do not want to mess with steaks, eggs and bacon, or even cans of pork and beans, in a friend's strange place. Why go away if not to get away? You do handwrite a letter to the woman whom you think you love, and whom you doubt loves you, lucidly stating your feelings and sensations, of Taos, for her. You wonder if or how she will read it, or keep it, or care for it. You were to have seen her this Easter weekend, to have been with her, till she decided against it. She is visiting with family. She is not with child, though she once thought she was. She knows, you fear, too well what she is doing. A cat in heat screeching outside your motel window does you no good at all.

A stamp goes on the envelope containing your letter: it, into a slot. Some Jim Beam goes into you; that left over when you

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*Dr. Whitbread teaches literature at The University of Texas at Austin.*

leave Taos stays in its bottle in a kraft paper sack under your raincoat on the back seat of your car. You do not seek out anyone who knew or remembers D. H. Lawrence, though you have been given two names. You go to the perimeter of the famed pueblo, but do not enter. You drive past the adobe shops where painters, metalworkers, vendors of other people's works, individual or mass, peddle their wares, but you do not go into any. You wish the Budapest String Quartet were giving a concert tonight in town, so you could see the Schneider brothers enact their duet, sense Kroyt's imperturbable cantabile, hear Roisman miss an intonation in a phrase, then in the repeat bring the whole phrase off flawlessly. But it is not. You go to bed too early, think too much, fall asleep with difficulty, and get up late.

LIFE IS NOT hell, you decide, but it sure is purgatory. You accuse yourself of sloth, pride, and a superabundant ego. Cornucopiac MacDuck, the Used Cardiac! Specials Today on Old Mother-Thumpin' Pumpers. Worn-Out Tickers, Quarter-Price. Overused Brains, Make Your Offer. We Specialize in Sweetbreads . . . You breathe Taos' air after breakfast of unruinable eggs, ruined bacon, charred hashed browns, and its purity is such as to make you glad to be alive, here, now, despite tired brain and rueladen heart, far from Rouladen mit Kartoffeln at Austin's Scholz Garten. You turn from Lucretius into Ulysses and press on.

Colorado: different. No serenity here, though the plateau is higher. Or if, the blank arctic serenity of cool electronic music. To drive from Antero Junction to Jefferson on US 285 into a 30-40 mph north wind, accelerator pedal pressed to the floor to maintain 25 mph in VW third gear, no gas stations, Smokey Bears, homes, snow men in sight, is not to drive a Ferrari at Daytona Beach. Polarities dissolve. Whiteness appalls. Fear becomes less abstract than usual, becomes running out of gas, throwing a piston, two flat tires at once, sitting by the side of the road. A foe to man. First cold, then stupor, then the letting go. Why do cats yowl so when they are in heat? Why don't they take Anacin? There is no other car on the road.

Some say the world will end in snow, / Some say in ice. / From what I've tasted down below, / I hold with those who favor snow. / But if it has to end in vice, / I think I know enough of fate / To say that for confusion ice / Can ululate / Though full of lice. Singing this merry jingle, you and your car get through and descend on Denver, where you stay a night.

Your old friend Timothy Steele and your old hero Joseph Welch come into

mind, because in Denver when you and Timothy were driving cross-continent from Atlanta to Saskatchewan you say the movie in which the attorney, enacting, you intuited, his dream, became a judge. But he banged the gavel so stagily, spoke so stiltedly! Unlike the "Have you no decency, sir? Have you no sense of human decency?" scene, moving, spontaneous, sincere, which silenced Senator McCarthy a brief nonce and drove its weeping speaker out of the non-four-walled non-courtroom into a six-walled corridor to compose himself. He was hero from then on, having given the word decency, a word abused and underused, like the word nobility, a wider and valid currency. But he was not an actor. If Steve McQueen has really decided sports car racing is for professionals, and his profession is acting in movies, he has been humanly wise. But nothing should be detracted from Joseph Welch: not his fame, not his late-in-life dream-come-make-believe-true. As if a few drops of rain in a drought were not a ruinous fully-washing torrent, but the wished-for soak. Let it rain, just enough, where needed, and when needed. That is fit enough divine dispensation, at least for the soil of this earth and the seeds in it. Agreed, Omar Kyayyam? Agreed.

You had read *Anatomy of a Murder* a year or two before cross-countrying with Timothy and seeing the movie in Denver, and had liked its author's evident love and knowledge of his surroundings, territory, land, his Yoknapatawpha, Wessex, western Massachusetts: his upper peninsula of Michigan. Before the bridge. You were glad to see the movie capture and project such a sense of particular place. But that movie is now far from playing in Denver, so you write three post cards, wish you were with the woman you think you love, remember old Joe Welch with affection, finish off the Jim Beam, reflect on the snow and the ice of the long afternoon, and leave Denver the next morning, not knowing that a morning later in Oklahoma the grasses and weeds stragglingly growing up in and among and through old car hulks will be so compellingly moving, in the bright warm day, as to make you cry uncontrollably, unable to stop.

LIFE IS purgatory. I am too damned proud. I think too much of myself. I think too much . . . So you think, driving along alone through vast wastes of land and spirit, southeast of Denver. Bed with her has been fun, you think: but I made a mistake in saying so, after our first successful time. I could feel her shake and snort, an offended filly. Filet mignon. With thick thighs. She praised the strength of my legs. Tennis, I told her. Saying "That was fun" was a mistake. She wanted me to

say then and there how much I loved her, maybe. As if I loved her more than anyone else . . . It was, and has been, fun. So you think, and then think again of *Fun in Bed*, published by Simon and Schuster, and the soap operas of your many childhood sicknesses, and the glazier puzzle, and Toad of Toad Hall, and *Silver Pennies*, and blue Serge Koussevitzky conducting the Eroica, and tapioca cream pudding, fish eyes and glue, and all your wonderings of what it would be to be adult, and how when you make your bed you have to lie in it. When you lie in her bed you have to make her in it. Not enough, not enough, not enough!

You wonder what has been, what is, lacking, as you drive into westmost Kansas and keep on going, not much enjoying scenery, having turned from Lucretius to Ulysses to something like Apemantus, not quite Thersites. It is great, when Timon abjures Athens and mankind, then moves through the woods toward that primordial ooze, our progenetrix, the sea, that, after contemptuously discarding the gold he digs up grubbing after roots to eat, he meets and has conversations with Apemantus, the woods' resident cynic, there a long time. Alcibiades' counter-march to overthrow and replace the corrupt rulers of Athens is but a trifle there. Timon and Apemantus are Castor and Pollux: Fletcher's Castoria, meet pollution. Ex-Lax, out! Milk of magnesia, you've had it! Such thoughts may fail to edify, but serve you in passing the driving driven hours.

"Do you feel the way I do?" she had asked before the first time, throwing off as much spoor as Johnny Appleseed cast apple seeds. The first successful time was the second. An omen? And then you said, "That was fun." A mistake! To have said nothing would have been better. Now where is she? Where are you? She is not with you, and you are driving across a waste land in frantic pursuit of nothing, chased by no one. The greatness of Taos, the high serene plateau, has perished; Denver is demolished; you are moving violently between nowhither and nowhere. You have not cast out desire: but your desire is directionless. Do you really love her? She does not really love you. Your fun in bed has been sexual, and that's all. She has had lovers before you: she told you that. Why did she tell you that? All is an interminable chain of longing. As

Frost-O says. Bobby Frosto went to sea, / Earl-I in the morning . . . It is a long, boring process driving across any waste land of America.

Approaching dusk, you realize you are not really in Kansas, but on a previous trip in the aridity of northeasternmost New Mexico. Sheer force of habit keeps your grip on the steering wheel. Fatigue is vast, devaluing. Mile after mile of incredibly dull land goes by. Suddenly you find your mind and voice saying, very loud, "Bitch! Bitch! Bitch! Bitch! Bitch!" with venomous loathing. As the sun lengthily sets, it turns the two rails of what you later learn is a line of the Fort Worth and Denver damson plum, like her lips, when she is warm. You suddenly recognize the two trips are one.

You stop for a steak any old where and nevertheless enjoy it. The next morning, in southwestern Oklahoma, the way the grasses and weeds grow through old cars is such that, through not knowing where you are going, you cannot stop crying. □

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# Texas 21

A young boy stands beside  
the short rows of stores  
lining the highway  
which is the town;  
stores, with flat brick fronts,  
lopped roofs, and stained glasses  
stand sullenly outside time.  
The boy's foot rests flat against the wall,  
his arms are folded,  
his head follows the cars  
which pass occasionally,  
moving as though through one airlock,  
through a vacuum,  
and out the airlock at the other end.

A car with a pretty girl in the back seat  
passes, and the boy is mildly stirred.  
His sister dresses lazily in the mornings.  
A camper trailer passes, plastered  
with decals of foreign states.  
Once, when he was younger,  
the boy went to a show,  
a picture show about surfing and  
California.  
But he had even forgotten  
to wonder what it could be like.  
A young man goes by in a new car.  
His uncle had a new car last year,  
a yellow Ford, a pretty car with a new  
smell.

He shifts his feet, puts his hands in his  
pockets  
and finds a quarter his mother gave him  
that morning.  
A quarter will buy a hamburger with  
onions  
or a hot dog and bottle of root beer.  
He sluffs himself off the wall  
and walks down the block to the store  
cafe.  
Once, he worried over spending a quarter,  
but he's a big boy now,  
and slaps it down on the counter.  
Root beer and a hot dog, he says  
authoritatively to the waitress  
who looks at him, then yells at the cook.

He too will leave,  
will ride with pretty girls  
in pretty, new cars,  
and will learn not to worry  
about spending ten-dollar bills.

But now, he thinks only of  
the food, the walk home  
across uneven cotton fields  
to a still, white house  
with chickens in the yard,  
ducks by the windmill faucet,  
and all the rest.  
And he, later, will say,  
why I remember once when,  
and now, there was a time when . . .  
but it will all be a lie,  
a lie to fill the vacuum  
of time . . .

—CHARLES BEAMER

*Cedar Park*

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# Spanish Surnamed American Employment in the Southwest

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

## A DIFFERENCE WITHOUT A DISTINCTION

This is a study of members of the second oldest, second largest minority in the United States. It is a study of an ethnic minority — one that has been called “The Invisible Minority.”

Its members are of one race and one religion with the country's majority. They are white, Caucasian; they are Christian. They descend from Europeans, the very first to settle on this continent and on the land of this country. Their forebearers outdistanced other Europeans in bringing a culture stemming from the Greeks and the Romans to most parts of the hemisphere — indeed, to a major part of what is now the contiguous United States. As a minority they stand second in number only to the descendants of those African blacks who were brought to this land along with that culture.

This ethnic group has no proper name, none that is universally accepted or descriptive. This is the first problem: What designation is adequate for those who have descended from or shared a common culture with Columbus, Ponce de Leon, Cortez, and all the men of Spain who followed them?

The question is a prickly one, for in contrast to English-speaking settlers who drove Indian groups into 300 years of retreat, the Spanish often mingled with and joined the indigenous populations into their society. The multifarious people who issued from this joining cannot now be distinguished by the usual designations of race, creed, color, or national origin. To the contrary, their distinction is that no one of these, nor all of them, suffices to describe their distinctiveness. . . .

The phrase “Spanish-speaking Americans” is but one of the several ways in which allusions are made to the minority group under study. It is not definitive, and is perhaps a careless phrase in this context. . . .

What is considered an adopted and appropriate term in one area may be offensive in another. The extreme sensitivity of slotting people who range, ethnically, from Indian to unmixed Spanish ancestry is apparent. This explains part of the problem of giving this group a statistical existence. Their heterogeneity and their homogeneity is hereafter embraced with the phrase “Spanish Surnamed American.” It is a phrase that has gained an official usage and in no way is intended to suggest any judgment of qualified citizenship.

## YET, NO STEREOTYPE

Strangely, American ethnocentrism never developed a very firm stereotype of its Spanish Surnamed minority. The reasons for this would be a study in itself. Stereotypes and caricatures become part of our folkways to represent those peculiarities of a group that the majority believes exist, no matter how false or exaggerated these might be. The American stage long ago conventionalized the caricature of virtually every immigrant group, usually in comic proportions. . . .

These early caricatures were designed to reveal the strangeness of language and custom of each group as it tried to

fit into the national scene. Why was the Spanish Surnamed spared until relatively recent years? Perhaps because he was too far from the scene. He lived too far from the eastern cities which for so long were the major cultural centers of the Nation. . . . The literature of the Southwest concerned itself chiefly with the epic tales of men and women of great courage who peopled a hostile land — men and women from the Eastern States. . . .

The history that was written does not tell how things appeared to those who resisted or were supplanted by the settlers from the East, for those people wrote very little while retreating, and seldom in English. To this day, one searches almost in vain for Spanish surnameds in the listings of writers, authors, and journalists from the Southwest who are entered in “Who's Who In America.” The one-sidedness of the region's literature can be judged from the contrast between literary works that were of interest to the nation's publishing houses and what has survived in the ballads and narrative folksongs, the *corridos*, of this border country. These last tell the views of those who were dealt with as intruders in the very land in which they were born. Then, of course, it should be added that the Spanish Surnameds could easily escape national attention simply because of their residing in only one region of the country, a region so long considered remote from the Nation. . . .

These observations may suggest some of the reasons for the Nation's unawareness of the Spanish Surnameds within its population, but they do not account for the attitudes that have and do prevail toward them in the Southwest. In that region, other explanations must be found. The majority of persons in the Southwest have always been quite aware of the presence of the Spanish Surnamed. Not infrequently that majority has dealt with him in ways that most of the Nation might now wish to disavow. But, of course, history cannot be disavowed. It stands as it was lived. Therefore, it becomes essential that this study include a review of parts of that history. The societal forms that have developed and the attitudes that prevail toward the Spanish Surnamed in the Southwest cannot be understood apart from the events that brought these people into the country. . . .

Statistical accounts of various aspects of present employment patterns . . . provide but a dim understanding of those pervasive notions that complicate and restrict the employment opportunities of Spanish Surnameds. They are an uncertain guide to corrective action, because the employment problems of Spanish Surnameds can scarcely be dealt with, nor are they likely to be dealt with in any important sense, without some feeling — and precisely that — for the historical sequence that brings them before the Nation now.

For this reason there is one conclusion drawn from the region's history that must be laid out in advance of the statistics. Simply put, it is that the Southwest once represented an internal colonial empire to the United States. Those persons who first peopled the region, as well as their kinsmen who subsequently arrived, were generally regarded as colonial subjects and were dealt with as such. Their present employment problems can no more be understood apart from this acknowledgment than can the parallel problems of Negroes be made explicable apart from an acknowledgment of their former enslavement.

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# South toward home

By Molly Ivins

Austin

*Going back to Texas? Ivins, you're out of your goddamn mind.*

And they told me again all the things that make Minnesota a better place to live. The schools are better, the health care is better, the mental institutions more humane, the prisons more enlightened, and the courts more just. And also, Minnesota has bars.

And Minnesota's newspapers are superior and its politicians are progressive and its climate no lousier and its laws more

*Molly Ivins, now co-editor of the Observer, returned to Texas Aug. 1 after three years with The Minneapolis Tribune. She worked there first as a feature writer and later as a beat reporter covering police and then the University of Minnesota. For the past 18 months she has specialized in the area of movements for social change. In 1969 she won the sweepstakes award in the Minnesota AP Newswriting Contest as well as first place in the division for "Best Series." She has also won several awards for spot newswriting from the Twin Cities Newspaper Guild.*

sane. And its racism is thin-blooded and polite.

I can't help it. I love the state of Texas. It's a harmless perversion.

I LOVE THE gritty, down-on-the-ground quality of Texans, their love of a good yarn and the piss and vinegar of their speech, not yet watered down to Standard Television American. I enjoy that abiding interest in kin, even unto the in-laws of second cousins. And I like the pleasant open vulgarity of Texans. Honest vulgarity is so much nicer than affected gentility. And Texas ain't genteel.

But there are rednecks down there, protested the Minnesotans, and the people are so crassly materialistic.

So. As Sinclair Lewis pointed out, there are yahoos in Sauk Centre and Babbitts in Duluth and what the hell difference does it make that they don't speak with a Texas twang.

Saying all these comforting things to myself, I started my hegira home with all my worldly goods, two cats and rubber plant in a teenage Mercury that doesn't go backwards. Sort of like the littlest piggy, I worried, worried, worried all the way home.

"Roots!" Berryman the poet had said scornfully. "What are you, a plant?"

Had I over-romanticized Texas? Again?

Two years before I had come home for a visit in an orgy of sentimentality. I'd been gone long enough to forget about Texans and football — not a game, but a matter of blood and death. I'd arrived in Austin the weekend of the Texas-Arkansas game to find 50,000 drunks running around town shrieking "Soooooooooeee, pig, pig, pig, pig."

My brother had taken me forthwith to the pre-game party at the fraternity house. We drank. We went to the game. We drank. We went to the post-game party. We drank. And Andy finally located his "big brother" in the fraternity, one Reggie from Big Spring. It seemed that Ol' Reg had never made it from the pre-game party to the game. He stayed at the house and drank right into the post-game party. By the time Andy got Reggie under one arm and me under the other to make the big introduction — his big sister to his "big brother" — Ol' Reg was thoroughly juiced. He swayed a little, peered at me through an alcoholic haze, noticed I was female, reached over and grabbed my right breast and squeezed, saying, "Hieh!"

Right on, Southern gentlemen. I was going back to *that*?

I whipped across the border doing 80 and feeling queasy.

I have been gone long enough to be astonished at the familiar. The incredibly vast sky. The enveloping heat. Grown men who chew gum. Whitewall tires. Howdy. Grits. And folks who speak to you in

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public places just to be sociable. In the great cities of the north, any stranger who addresses you in a public place wants your money, your body, or your time.

**I** AM HOME. And I've still got dung on my boots and Chidsey in my heart. (Alan Lake Chidsey, former headmaster of St. John's School in Houston, was much given to sermonizing during Wednesday morning chapel on School Sprit, Patriotism, and Episcopal Morality.)

I am home with an unholy rejoicing in my soul at being back here down on the ground.

Everyone in the state left of Grover Cleveland appears to be in normal disarray. Texas liberals, I once wrote in a particularly pretentious article at journalism school, eventually become either alcoholic or paranoid. They start seeing Birchers under every bed the same way Birchers see Reds under every bed. They are also prone to fits of group depression. Alas, Yarborough. Alas, Silber. Who am I to make light of it?

But I must confess that I rather relish the political situation here, if only because there is no shortage of proper villains in Texas. The battles are so lifeless elsewhere, ever fought on tedious shades of gray. Down here the baddies wear black hats and one can loathe them with a cheerful conscience. Who can hate Hubert Humphrey? One might, in an access of passion, work up to despising him, but one can't hate him.

Hatred is hardly a thing to take pride in, but I believe there is a difference between the anger of bitterness and despair and the anger of righteousness. The latter, when not wholly lacking in humor, is a just and cleansing thing. The battles here are battles worth fighting.

I find, as usual, fratricidal combat rampant among Texas liberals. It seems to have taken on a new dimension with the extension of the political spectrum leftward. Now even Texans are playing I-am-more-radical-than-thou.

And, as always, too many good people have left while too many others have left off trying.

It is true that there is much in the culture of Texas that is dehumanizing and oppressive. Perhaps the most sickening aspect of it to one long absent is the prevalence of physical violence. Overt violence is so common here and so at variance with the casual civility also peculiar to Texans. This is not a very civilized place.

But I believe that in the kindness of Texans, evidenced in their everyday courtesy toward one another, is a mine of civilization which can be worked to make this, at last, a place where people can grow up gentle. It is an effort worth making.

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# No more games

There is no way the Democratic Party machine can persuade me to vote for a man like Bentsen, nor can the liberals persuade me to vote for Bush. Men like Tower, Bush, and Bentsen think we should be in Vietnam, but you don't see their sons over there dying or being mutilated.

I do not believe in isolationism, but I believe profoundly that we can and should help the underdeveloped peoples of this earth as well as those in our own country. The amount we spend on these projects is a drop in the bucket compared to the billions spent to kill and ravage. It does not solve problems but merely creates more of them.

Ronald, our son, wrote us last June, 1969, that he did not believe Congressmen knew what was going on in Vietnam or they would put a stop to the senseless war. He was drafted in November of 1967 and was killed in Vietnam last July 27, 1969. We will never forgive ourselves. I am *not* playing the politicians' games any more. I shall write in the name of one of the truly great leaders in the Senate today, Sen. Ralph W. Yarborough.

Mrs. Norma Wilder, 121 Mapleton, Baytown, Tex. 77520.

## Demuplicants and Republocrats

I am renewing my subscription out of habit, rather than satisfaction with recent developments on the *Observer* scene.

## Dialogue

Forget this antiquated bullshit about redeeming the Democratic Party by voting Republican. Make no mistake — Agnew & Co. will be the beneficiaries, not the dogooder caucus of Texas Democrats. Besides — since when is a conscientious fascist an improvement over anything? And if the Demublicans and the Republocrats are indistinguishable on the national level, how can they provide alternatives for Texas? G. O. posed these questions back in '68. I notice he isn't with you any more.

Of course we should vote. Vote Socialist, or write in Ralph, or your name or mine. Vote to show you would prefer a non-violent revolution through meaningful elections. Vote so the pigs can see the handwriting on the ballot — and the wall.

Jim Damon, Box 7028, Austin, Tex. 78712.

## Exes not so great

I share your concern about conditions at the University of Texas, however, may I point out an inconsistency in your reasoning about the great University of Texas?

The Texas State Legislature forever has been dominated by UT graduates; the courts of Texas are staffed with judges from UT; the boards and commissions of the state have a preponderance of UT graduates serving presently; the TEA and TEC and state welfare are administered by UT educated professions. What is so great about the job these folks are doing? Is Frank Erwin, Jr., a product of this "great" university? Allen Shivers, John Connally, and the great Ben Barnes are?

Rawleigh S. Elliott, P.O. Box 251, Georgetown, Tex. 78626.

## Yea KERA

I think your piece about the N.B.C. blackout on the migrant labor picture was good (*Obs.*, Aug. 7), but it should have mentioned the play up this incident got on Dallas Channel 13's "Newsroom."

Maybe you don't see it in Austin or Houston, but it is seen in Dallas and Fort Worth and was an important factor in bringing the documentary back on the air the following Sunday. Since the T. O. has quite a few readers in Dallas and Fort Worth, I hope you will print this letter. Channel 13 (KERA) and "Newsroom"

need local support even though they get "foundation money." "Newsroom" treats public questions in more depth than other news media in Dallas. It can be seen Monday through Friday at 6:30 p.m. and 10 p.m.

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## Silber building empire

That (Dean John) Silber was building an empire, I think is beyond doubt. The significance is what kind. The traditional academic one that allows chosen professors to teach one graduate seminar a week, while contracting another 400% of their time to assorted book publishers, associations (underwritten, usually, by some government agency and dominated by an Eastern clique), or, perhaps, private business, as you know several notable professors on the University of Texas campus do? Or one that would shift the emphasis to teaching, where I feel that it must be if the University of Texas is really the "heartland of higher education" in the state?

I cannot yet believe that most seemingly concerned persons on the University of Texas campus are facing reality. From my vantage point it appears that too many are still living in their ivory tower, still too proud of the fact that, "We're big enough, and Austin is sufficiently the center of activity, to be just like Berkeley..." to realize what chaos the state's educational system will be in if UT/Austin continues on its "fun and games" course. Until someone — namely the people most concerned — begins to deal seriously with the matter, Mr. Erwin's challenge to "any person employed by the university" to resign rather than play "games in the newspapers" seems to be the only call to reality and the most honest suggestion that has been reported in the press.

Mr. Erwin is playing "for keeps," and he is used to it. The University of Texas faculty had best get over its near fatal case of righteous indignation long enough, at least, to realize what is happening.

I realize that I may not be precisely to the point, and that I write without being advised of the latest "facts" in the case — which substantially affect interpretation and sometimes even change minds — but I wanted to express to you in the "heartland" the frustration (at being powerless *and* being ignored, *even* by the only liberal paper in the state: for example, what have you reported about the Texas Christian University Chancellor's new budget program — indeed the economic crisis that faces all of private education in the state — that may wreck the school in the midst of its drive toward acceptability, if not excellence?) that we in the outlying regions feel.

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