

## SHORT

## Life irritates art

The *Atlanta Weekly* magazine recently decided to spice up its coverage of Atlanta's unspectacular mayoral race by requiring each candidate to resolve a thorny problem in a matter of hours. The hypothetical situation concocted by the *Weekly* had a black, PUSH-style group making quota-hiring demands on major corporations based in the city. In response, the corporate leaders had threatened to pull up stakes and move to a nearby suburb that offered them an attractive tax subsidy and a cozy deal in an industrial park. The mayoral aspirant's mission, should he decide to accept it, was to explain in writing how he, as mayor, would handle this scenario—in the three hours before the business nabobs held a press conference.

In mid-afternoon the *Weekly* dropped off a questionnaire at the office of each candidate, including former U.N. ambassador Andrew Young. Things were going smoothly until a hitch developed with tire dealer J.K. Ramey, a maverick right-wing candidate who easily clears six feet in height and has been known to favor string ties and cowboy hats. When a photographer arriving at Ramey's office made the mistake of saying "I'm here to shoot you for the magazine," the would-be mayor—an outspoken opponent of the criminal element—drew his gun and backed the visitor up against the wall. It was evidently a problem of semantics.

## Church v. state

In what the Abortion Rights Mobilization (ARM) calls "a startling attempt to overthrow a traditional safeguard of church-state separation," the National Conference of Catholic Bishops/U.S. Catholic Conference has asked a federal court in New York to declare a crucial tax law unconstitutional. The law now under attack by the Catholic hierarchy, Section 501(c)(3) of the Internal Revenue Code, prohibits tax-exempt organizations from using their money or facilities (such as church-funded newspapers) to intervene directly in political campaigns.

"This attack by a leading religious group," says ARM president Lawrence Lader, "would seriously endanger the First Amendment prohibition against religious intervention in political campaigns that has been an American tradition for 200 years." ARM went into federal court last fall to ask that the Catholic Church's tax-exempt status be removed because of continued violations of 501(c)(3). In recent memoranda to the federal court, the Church has responded by arguing that the law itself is unconstitutional and should be overthrown.

## Cowboy giver

As schoolchildren resigned themselves to ketchup sandwiches with a side order of relish, corporate diners were chuckling over their publicly subsidized desserts. The reason: While direct spending in certain areas has been cut back, \$266 billion in indirect spending (in the form of tax expenditures) have been left untouched by the Reagan administration's budget ax. *The Untouchables*, a study released recently by Common Cause, provides the following examples of this ambidextrous spending policy:

- Government spending to subsidize housing for low-income families was reduced for 1982, but tax expenditures, or loopholes, encouraging homeownership went unscathed.

- Though children from middle-income families will lose eligibility for federally funded lunch programs, tax benefits will keep flowing to corporate employees who lunch at the partial expense of all taxpayers.

- Three million retired workers will lose their minimum social security benefits next February, but employers who set up pension plans for their employees will continue to enjoy special tax benefits.

- And while the government has chopped off a third of its program to warn Americans about the health risks of smoking, the tax system will go on supporting ads for tobacco products.

The rest of this sad story is available from Common Cause at 2030 M Street, NW, Washington, D.C. 20036.

## Hobby hoarse

Mark I. Pinsky reports that Wilbur Hobby, the activist president of the North Carolina AFL-CIO who became the target of a federal prosecution for alleged mishandling of two CETA programs (*In These Times*, Aug. 26), was defeated for re-election on Sept. 18 at the state AFL-CIO's annual convention in Raleigh, N.C. Hobby's trial, postponed several times because of his ill health and this election, is scheduled to begin on Dec. 7. Before the voting, supporters of both candidates acknowledged that the primary factor in the contest was the legal action pending against the former tobacco worker.

—Josh Kornbluth



Fowler shakes a hand that feeds him at a recent convention of broadcasters.

## New FCC chair has small ideas

Federal Communications Commission (FCC) chair Mark Fowler, a broadcast industry lawyer before his recent appointment, seems to want to be one again—soon. In a move untypical of Washington bureaucrats, he has led the commission in a request to Congress to shrink his agency drastically.

He and four other commissioners (with Democratic holdover Joseph Fogarty dissenting and just-appointed Henry Rivera abstaining) recommended on Sept. 17 that the commission be directed, in any rewrite of the Communications Act of 1934, to rely not on regulation but "on marketplace forces" to set standards for broadcast, phone, satellite and telegraph industries.

The biggest catch in the argument is that classic free-market forces in information simply do not exist. Decades of pro-industry regulation have fostered superpowers like AT&T and the television broadcast corporations. Vertical integration is strong in the cable industry, as is cross-ownership (for instance, 32 percent of cable systems are owned by broadcasters).

The commission also called for Congress to repeal equal time and "reasonable access" laws, which require equal opportunity for major political candidates on the air; and to repeal the fairness doctrine, which requires that opposing sides of a controversy be aired. Among other recommendations, the new FCC also endorsed a Senate proposal to end an aspiring license applicant's right to file a petition to deny TV license renewal as long as "minimal standards" are being met by the present licensee.

Friends of the Fairness Doctrine—a Washington, D.C., advocacy group including more than 30 media reform groups, along with religious, labor, women's, consumer and other organizations—has protested the recommendations, charging that "the FCC has become the lobbying arm of the broadcasting industry." It cited Supreme Court decisions in 1969 and 1981 upholding the constitutionality of the fairness doctrine and its importance in protecting First Amendment rights.

Fowler has eagerly endorsed the notion of pro-big-business deregulation since he was nominated for his new post. But with this series of

recommendations he has gone further, encouraging a fundamental restructuring—a reduction in power and size—of the FCC.

Perhaps he, like James (Mr. Apocalypse) Watt, just isn't worried about the future.

(Friends of the Fairness Doctrine can be reached c/o Deborah Costlow, Media Access Project, 1609 Connecticut Ave., NW, Washington, D.C., 20009, (202) 232-4300.)

—Pat Aufderheide

## Day eight at the Diablo blockade

SAN LUIS OBISPO, CA—As of day eight of the action, protests against the Diablo nuclear plant continued despite the arrest on trespassing charges of 1,400 people who had blockaded entrances to the facility for more than a week. The blockade was expected to last at least until the end of September, though the Abalone Alliance, the coalition of antinuclear groups that organized the civil disobedience action, claimed that "no end is in sight."

Among those arrested were San Francisco black activist Rev. Cecil Williams and rock singer Jackson Browne, a long-time nuclear foe who has given several benefit performances for the Abalone group.

During a lull over the Sept. 19-20 weekend, 5,000 local residents, who had not joined the blockade, marched past the main gate to show their disapproval of the plant.

While people continued to join the blockade, the overall numbers dwindled after nearly a quarter of the estimated 2,500 participants in the protest were arrested on Sept. 15. By Sept. 22, about 400 people remained at Abalone's outdoor headquarters, located 15 miles north of the plant. Efforts by county officials to close down the camp were delayed by Abalone attorneys.

Meanwhile, rough handling by

arresting officers had apparently declined since a state highway patrolman pointed a cocked rifle at a group of protesters on Sept. 18. After the incident, blockade organizers received an apology from the state police commissioner; meetings with law-enforcement officials were also held to reduce the rising level of tension. But Abalone did compile "about a dozen instances of documented brutality" and was considering filing a formal complaint, spokesperson Mark Evanoff said.



The state police commissioner has apologized for brutality against protesters.

The Nuclear Regulatory Commission decision on Sept. 21 to approve reactor testing at the plant did not dim Abalone hopes, according to spokesperson Jim Adams. "We're disappointed with the ruling, but not surprised," Adams said. "From the calls we've received since the decision, it appears that more people will join us. So this may just add fuel to the fire as far as we are concerned."

—G. Pascal Zachary



Isabel Letelier at the dedication of a monument to her late husband and Ronni Moffitt.

## Letelier death is commemorated

"I was advised many times not to come accept this award," Jacobo Timmerman, former prisoner of the Argentine junta and author of *Prisoner without a Name, Cell without a Number*, told the 200 people who had gathered for brunch Sept. 20 at Washington's

Georgetown Hotel to see him receive the Institute for Policy Studies' fifth annual Letelier-Moffitt Human Rights Award. "But I decided to come personally because of that. The slander against you must not prevent me from expressing my solidarity with this institute and paying my respects to Orlando Letelier and Ronni Karpen Moffitt."

Letelier, the former ambassador for Allende's Chile and later the director of IPS' Transnational Institute, and Moffitt, a co-worker at IPS, were murdered Sept. 21, 1976, when a bomb planted by agents of the Chilean Secret Police exploded in Letelier's car. This year's recipients of the award in their memory were Timmerman and the Maryknoll Sisters, two of whose members were assassinated in El Salvador last December.

Sister Blaise Luppó, in accepting the award for the sisters, made clear that the assassinations would not deter the order from carrying out its mission in third world countries. "We work for human rights because we have come to understand God in that way," she said.

Prior to the brunch for Timmerman and the Maryknoll Sisters, Letelier and Moffitt's colleagues at IPS dedicated a small monument to them, erected on the corner of Sheridan Square where they were assassinated. With the shadow of Reagan's foreign policies hanging over the small gathering, a local singing group intoned, "This is a mean world to try to live in until you die."

—John Judis

# IN THE NATION

By Paul Du Brul

NEW YORK

**N**OT EVERYTHING WENT wrong for insurgent Democrat Frank Barbaro in last week's crazy quilt New York mayoral primary. It didn't snow, for instance.

But despite last-minute thunderstorms, broken voting machines, a 10-to-1 spending imbalance and an unprecedented court-ordered postponement of the original Sept. 10 primary that radically altered the shape of the final election, Barbaro finished with 210,000 votes—a surprising 36 percent of the turnout.

So while the media were frantically declaring a “landslide” for incumbent Ed Koch—who won both the Democratic and Republican nominations—a pugnacious air of victory ran through the 500 Barbaro supporters who had gathered to watch the returns in the auditorium of Local 1199 of the Hospital and Health Care Workers Union. A few days before, 40,000 signatures had been submitted, which guaranteed Barbaro a place on the November ballot as candidate of the labor-backed Unity Party. Roaring chants of “unity, unity” and “November, November” greeted the speeches of leading supporters like Bella Abzug, Barry Commoner and Central Labor Council president Harry Van Arsdale.

Barbaro himself told the crowd that they had “given birth to a new political movement” in the city and he emphasized the support of the “beautiful coalition” that he had sought to build throughout the campaign: labor, blacks and Hispanics, tenants, women and gays.

Political insiders were sincerely impressed with the Barbaro showing, especially because he began the race as a virtual unknown and lacked funds not only for television ads but also even a rudimentary radio campaign. Despite these handicaps Barbaro quickly showed himself an effective and appealing campaigner. And on the few occasions when the media covered him independently, as well as in the final candidate debates, he projected a strong down-to-earth appeal.

## A legal bombshell.

But the Barbaro campaign was badly hurt by several late developments. Key insurgent candidates running with Barbaro, especially Ismael Betancourt, a candidate for Bronx borough president, were knocked off the ballot by the local machine. Then two days before the scheduled election, a bombshell landed: several minority plaintiffs had challenged the redistricting plan drawn up for the 43-member city council. They charged that the lines, while protecting minority incumbents, would leave black and Hispanic representation at 17 percent of the council while the 1980 census showed that minorities had grown to 47 percent of the city's population.

The lawyers arguing the case urged that the entire primary be postponed until the U.S. Justice Department, which has jurisdiction over three New York counties under provisions of the Voting Rights Act of 1965, had a chance to evaluate the lines. Most observers had expected the federal district court to allow the election to proceed, or, at most, order a delay only for the challenged council elections. Instead, they ordered the primary postponed, and in a last-minute hearing, were upheld by the Supreme Court. The city's lawyers—headed by corporation counsel Allen Schwartz, Koch's former law partner—moved rapidly in Washington to clear away technical aspects of non-compliance such as changes in polling places. With these resolved, Schwartz then went to the state legislature and had them set a new primary date for all offices except the city council. Despite bitter opposition by the minority caucuses, the legislature saved the city's demands.

Thus left Barbaro, said several other



Ed Koch won, as expected, but challenger Frank Barbaro made a surprisingly strong showing, particularly in some Hispanic districts.

## Minorities, at least, got the message

candidates like Elizabeth Holtzman, former senate candidate now running for Brooklyn district attorney, in a tight bind. Much of their appeal was aimed at voters, especially blacks and union members, who don't traditionally participate in primaries. With a number of hotly contested city council primaries—many in black districts—now indefinitely postponed, and the electorate totally confused on when to vote, there was a good chance that these nontraditional voters would stay home, handing an easy victory to the Democratic machine, which always manages to deliver their 20 percent of the vote on primary day.

That is pretty much what happened. Only 32 percent of the 1.8 million registered Democrats went to the polls on Sept. 22, a significant falloff from the 46 percent who voted in the hotly contested 1977 mayoral primary. And while Barbaro garnered 70 percent of the black vote, the total black turnout was low except in Manhattan where David Dinkens was running for borough president. (Dinkens came within 5 points of defeating well-financed incumbent Andrew Stein despite losses of minority population in Manhattan because of growing gentrification.)

In Brooklyn, Elizabeth Holtzman saw a significant early lead evaporate as her

## Barbaro did not run well among white municipal workers, despite Koch's constant sniping at the city's workforce.

lackluster opponent mounted a well-financed, sexist attack on her ability to be an effective prosecutor. Ed Koch, who has been carrying on a bitter anti-Holtzman vendetta since last year's senate election—when he endorsed her Republican opponent after failing to stop her from winning the Democratic nomination—jumped in when Holtzman seemed to be faltering and endorsed her rival in the last week. It almost worked, but she managed to eke out a victory with 52 percent of the vote—and 2-to-1 margins in black districts.

Barbaro also did extremely well among

Hispanics, though every Hispanic elected official in the city endorsed Koch. But Barbaro's appeals to the white working-class were much less successful, despite his endorsement by the Central Labor Council and many of its largest constituent unions. For instance, he ran poorly in areas with high concentrations of municipal workers, despite Koch's constant sniping at the city's workforce and his attempts to break last year's transit strike. On Staten Island, where many municipal union members live and which also has a large population of Italian-Americans, Koch got 70 percent of the vote.

Another approach to the same constituency was Barbaro's emphasis on tenant issues. He characterized Koch as the “landlord's candidate” and cited the mayor's strong support for rent increases and fuel pass-alongs and detailed massive campaign contributions Koch had received from landlords and landlord groups. Seventy percent of city residents live in rental housing. But in white renter areas, Koch maintained margins of 2-to-1 against Barbaro. (The weakness of tenant identification is further underlined by the defeat of John Dearie, an outspoken pro-tenant Bronx assemblyman, who ran for city controller against scandal-scarred incumbent Harrison Goldin. Well-financed, and with the support of the council machine, Dearie still lost overwhelmingly.)

Barbaro also hammered away at the sharp decline in city services in the wake of the “fiscal crisis,” especially the near-collapse of mass transit and the loss of 10,000 cops. But an NBC poll on primary day showed that two out of three voters actually believed that city services had improved or remained the same during Koch's term. The one-third who felt there had been a decline voted overwhelmingly for Barbaro.

## New York's “dirty little secret.”

The final vote makes several things clear. First, Barbaro simply wasn't able to reach many voters because of the news blackout that blanketed much of his campaign. Second, many voters remained cynical that anyone in political life can make a difference. Even black union members I interviewed on primary eve expressed this viewpoint, though most said they would vote for Barbaro the next day. Finally, the “dirty little secret” of race remains potent in New York City politics. Koch hasn't delivered to please middle and working-class whites, but he has given voice to their racial spleen and successfully passed the buck on the city's worsening crime problem and housing and transit crises.

With Barbaro and Koch set to be on the November ballot, and the Liberal and Conservative parties offering pallid nonentities, the September primary becomes a rehearsal for the general election. Barbaro, painfully underfinanced, will be making a strong bid to get his message across through street campaigning. Koch has already vowed to wage a full-fledged campaign, including heavy TV ad time. City Hall observers think Koch is worried about the impact of the Reagan budget cuts that take effect Oct. 1. They say he will now try to put some distance between himself and the Republican president who received his unofficial endorsement last year.

The critical question now seems to be whether organized labor will continue to support the Unity Party that they helped to create and build a campaign around the widely-held feeling among labor people that “a vote for Koch is a vote for Reagan.” It will be an important test of how much muscle labor is willing to put into building the coalition that made such an impressive showing on Solidarity Day into an effective political tool.

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