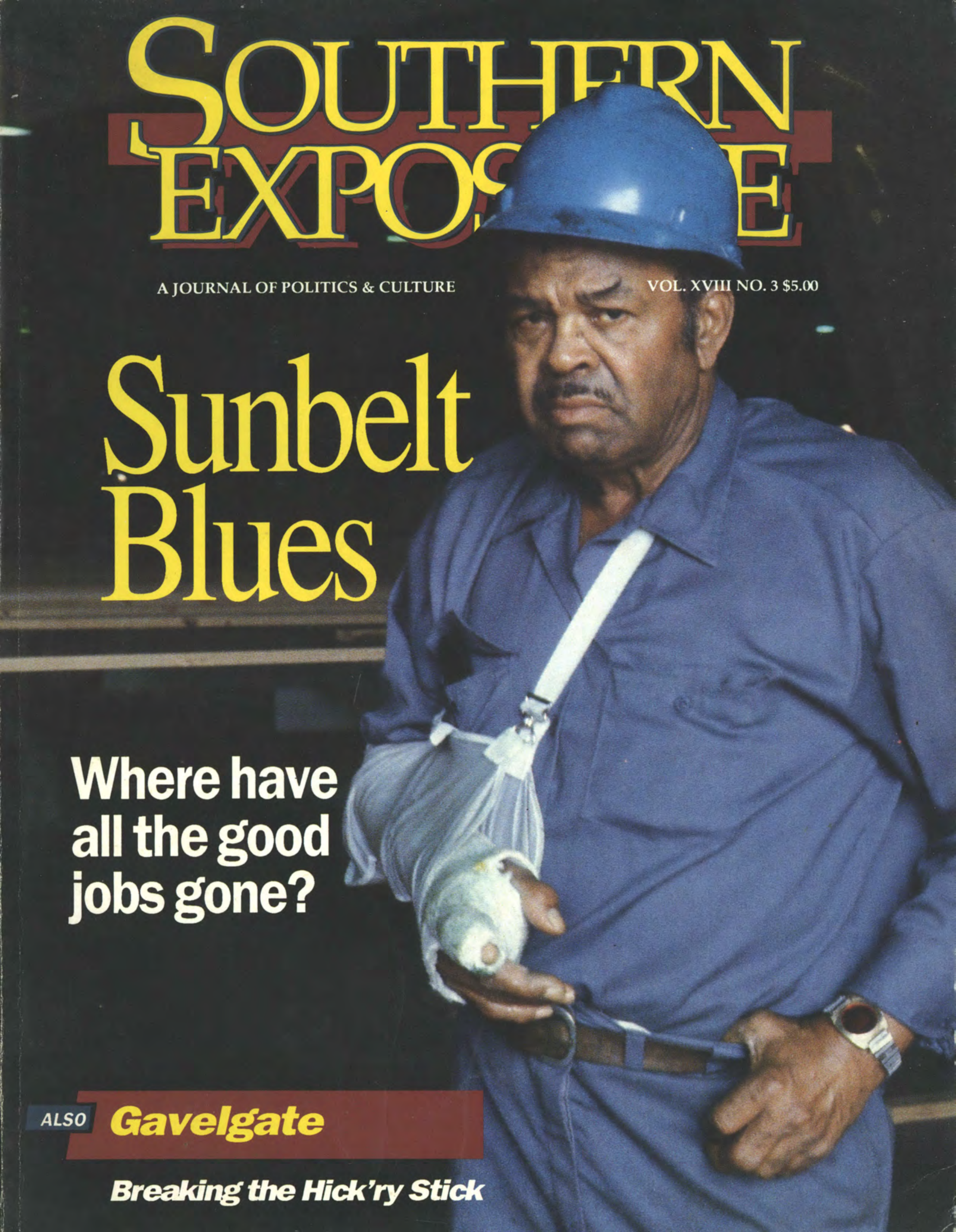

SOUTHERN EXPOSURE

A JOURNAL OF POLITICS & CULTURE

VOL. XVIII NO. 3 $5.00

Sunbelt Blues

Where have all the good jobs gone?

ALSO **Gavelgate**

Breaking the Hick'ry Stick

SOUTHERN EXPOSURE

Project Editor: Nancy Peckenham
Managing Editor: Eric Bates
Design: Jacob Roquet
Cover Photo: Earl Dotter
Circulation: Sharon Ugochukwu
Fiction Editor: Susan Ketchin
Editorial Assistants: David Ramm and Jeff Moore

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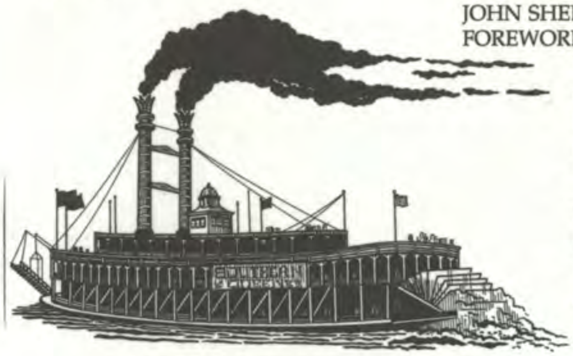

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DATELINE: THE SOUTH

CHARLESTON, S.C. (June 6) — A door-to-door survey by city health officials found dangerous levels of lead in one in five of the children screened. The study also found that black children are twice as likely as whites to suffer from lead poisoning. More than 15,000 local buildings are believed to be contaminated with lead-based paint.

JACKSON, Miss. (July 1) — Vigilantes can now strap on their favorite sidearm and take to the streets, thanks to a new state law that took effect today. The "gunslinger" law was intended to allow judges to carry guns in public, but legislators amended it to include anyone who is not a felon or mentally ill. State officials predict that 15,000 residents will apply for permits.

NORFOLK, Va. (July 3) — Two cargo ships collided today, spilling 30,000 gallons of fuel oil into the Chesapeake Bay. Joe Maroon, president of the Chesapeake Bay Foundation, voiced concern about the safety of crab nurseries, which are vital to the local economy and ecology. "If oil sinks to the bottom, it would kill or cover the crab larvae or eggs that are hatching," Maroon said.

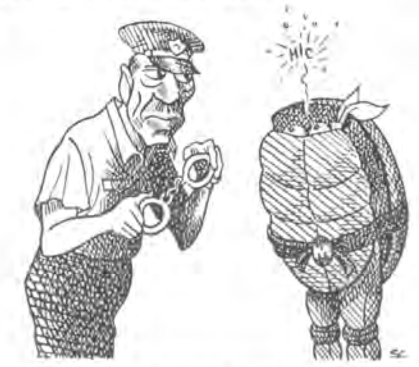
WEST PALM BEACH, Fla. (July 5) — Annoyed by the annual cost of burying the poor in this posh resort town, Commissioner Carole Phillips suggested ditching the bodies of lower-class citizens beneath high-voltage power lines. To save even more money, she recommended using prisoners to dig the graves. "It's better than being in one of those prisons," she said. "At least they'd be out in the sunshine and fresh air."

GULF BREEZE, Fla. (July 5) — Local residents prepared for an invasion of illegal aliens today as the town played host to the 21st International Symposium of the Mutual UFO Network. In the past three years, over 200 unidentified flying objects have been sighted in the Gulf Breeze area. The town is close to both Elgin Air Force Base and the Pensacola Naval Air Station.

ATLANTA, Ga. (July 10) — Three college students who belong to a computer club known as the "Legion of Doom" were charged with illegally "hacking" their way into the BellSouth computer system. Federal prosecutors said the students "held the power to jeopardize the entire U.S. telecommunications industry." The students said they are being persecuted because they humiliated corporate computer whizzes by breaking their access codes.

BIRMINGHAM, Ala. (July 11) — Tim Lennox, host of a local radio talk show, banned black listeners from calling his show after a co-worker allegedly had her purse snatched by a black man. The station suspended Lennox for five days and ordered him to develop a series about race relations entitled "Birmingham Faces the Future." Lennox apologized, saying "I goofed big time."

HOT SPRINGS, Ark. (July 14) — The state budgeted $185,000 for the Miss Arkansas pageant this year, making it one of the most expensive beauty contests in the country. The high cost of the extravaganza came just one week after a national survey ranked Arkansas as the second stingiest state when it comes to paying public school teachers.



CHARLOTTESVILLE, Va. (July 17) — Michelangelo, one of the popular Teenage Mutant Ninja Turtles, was arrested today and charged with drunk driving. Leon Blake, who works at shopping malls dressed as the crime-fighting tortoise, spent the weekend in jail. The official police report listed his occupation as "Teenage Mutant Ninja Turtle" and Michelangelo as his "alias."

AUSTIN, Texas (Aug. 17) — State prisons acknowledge that they routinely use inmates as "quarry" to train dogs to hunt escaped prisoners. At least three inmates have been seriously injured after guards ordered them to jump into packs of dogs. Jerry Hodge, vice chair of the prison board, also admitted that he took two friends on a dog-and-horse pursuit of an inmate and printed up jackets commemorating it as "The Ultimate Hunt."

CHARLESTON, W.Va. (July 18) — Under a new anti-drug program, police are passing out "coupons" urging residents to report anyone they suspect of using or dealing drugs. Civil rights activists blasted the program, saying it encourages false accusations. "This kind of program will not make us drug-free," said Bob O'Brian of the ACLU. "It will make us unfree."

JACKSONVILLE, Fla. (July 19) — Evan Kemp Jr. canceled a planned speech on civil rights for the disabled today when he was met at the airport by an ambulance rather than a wheelchair van. Kemp, a quadriplegic with muscular dystrophy, serves as chair of the federal Equal Employment Opportunity Commission.

NASHVILLE, Tenn. (July 20) — Mayor Bill Boner, a married man, set the city abuzz by announcing his engagement to Traci Peel, an aspiring country music singer. In one interview, Peel reported that His Honor sometimes lasts for seven continuous hours in bed. "That's pretty good for a 46-year-old man," Peel said. "Forty-five," corrected Boner.

RICHMOND, Va. (July 22) — The state bid farewell to the Confederate Home for Needy Women today, auctioning off the last of the furnishings used by widows and daughters of Confederate soldiers. Most who turned out to buy a piece of history turned up empty handed: the most valuable Confederate antiques had been claimed by the Virginia Museum of Fine Art.

MIAMI, Fla. (July 27) — A tearful Eugene Hasenfus testified in federal court today that Southern Air Transport, the company he worked for when his contra supply plane was shot down over Nicaragua in 1986, was really a front for the CIA. Hasenfus, who spent three months in a Nicaraguan jail, is suing the company for damages. He says Southern Air cut off his $3,000 monthly salary and hazardous-duty pay after his plane was shot down.

BIRMINGHAM, Ala. (Aug. 1) — The all-white Shoal Creek country club, host of the annual PGA golf championship, relented to mounting public pressure and admitted its first black member. The Southern Christian Leadership Conference and several large advertisers had threatened to boycott the tournament unless the exclusive club opened its doors to blacks before the pros teed off.

HAMPTON, Va. (Aug. 13) — Residents along the coast of the Chesapeake Bay learned that old wars die hard when a beachcomber with a metal detector unearthed 20 artillery shells, some of which are believed to date back to the Civil War. All of the shells contain live explosives, and some have fuses still in place.

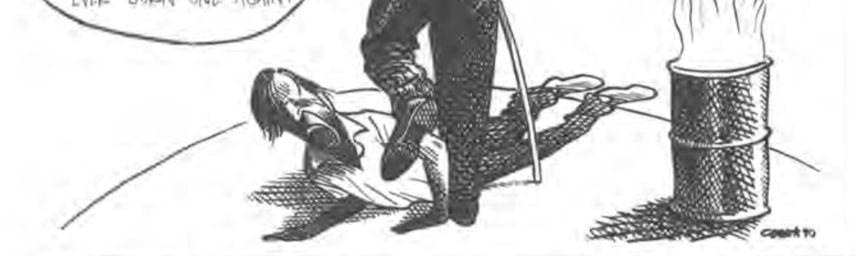
JUPITER BEACH, Fla. (Aug. 14) — Thousands of tourists are crowding nearby beaches to watch sea turtles lay eggs, prompting concern among some scientists that the "eco-tourism" trend may threaten an already endangered species. "You have to be careful when you interfere with nature," cautioned one marine patrol officer. "Are we really doing the best thing, or just causing more harm?"

TEXARKANA, Ark. (Aug. 15) — Two dozen commercial fishers are suing Georgia-Pacific and International Paper, accusing the corporations of poisoning fish by dumping toxic wastes from paper mills into the Red and Sulphur rivers. The state issued a recent health warning after deadly levels of dioxin were found in fish from the Red River near a Georgia-Pacific mill.

LEXINGTON, Ky. (Aug. 16) — Federal agents arrested sheriffs in four counties today, charging that they took money to provide protection for drug dealers smuggling cocaine through the hills of eastern Kentucky. Two FBI agents posing as Chicago businessmen reportedly paid the sheriffs a total of $85,000 to guard fake drug routes from law enforcement officials.

SPARTANBURG, S.C. (Aug. 16) — Workers shut down a hazardous waste incinerator after they were ordered to burn bromine, a poisonous chemical which generates toxic gas when ignited. The normally white smoke from the plant turned brown, prompting workers to shut down the facility. Once the smoke cleared, local citizens expressed alarm, but plant advisor Rich Familia was not concerned. "In my opinion," he said, "this is a non-incident."

SAVANNAH, Ga. (Aug. 17) — Two Stinger anti-aircraft missiles bound for Saudi Arabia wound up on southbound Interstate 95 when a military truck overturned today. Officials closed the highway and called in explosive experts to remove the missiles.


WHEN YOU BURN A FLAG, PUNK, YOU'RE BURNING A SYMBOL OF EVERYTHING I LOVE .... LIKE FREEDOM OF SPEECH, FREEDOM OF EXPRESSION .... I'LL KILL YOU, YOU HIPPIE YUPPIE JERK, IF YOU EVER BURN ONE AGAIN.
CRAGG 90

BATON ROUGE, La. (June 17) — Angered by the thought of long-haired protesters burning Old Glory, state Representative James Cain introduced a bill to allow any citizen to beat up a flag burner and be fined only $25. "The people who love the flag," Cain said, "ought to have rights just like the marijuana-smoking yuppie hippies that are burning it." The measure passed, but legislators later transformed it into an anti-abortion bill which was vetoed by the governor.

Illustrations by Steven Cragg. Compiled by Jeff Moore.

Readers are encouraged to submit articles to Dateline: The South. Please send original clippings or photocopies and give name and date of publication.

SOUTHERN NEWS ROUNDUP

GOVERNOR GOES TO JAIL FOR CORRUPTION

Photo courtesy the Charleston Gazette

ARCH MOORE JR. PLEDGED ALLEGIANCE — BUT TO WHOM?

Arch Alfred Moore Jr., at the pinnacle of power in West Virginia politics for 20 years, walked into a federal prison in Montgomery, Alabama on August 7. Three months earlier, the only three-term governor in West Virginia history had pleaded guilty to extortion, tax fraud, mail fraud, and lying to a federal grand jury.

Moore was articulate, brash, imperious, a political moderate who generally shunned causes of the far-right. For a generation, he was the lone Republican who consistently won elections in an overwhelmingly Democratic state.

In July, U.S. District Judge Walter Hoffman sentenced Moore to five years and ten months in jail and handed the silver-haired politician a $170,000 fine. Moore is the second West Virginia governor to go to jail; Democrat Wally Barron served time from 1971 to 1975 for bribing a federal juror.

Throughout his career, Moore collected fistfuls of money. Cash came from liquor distillers, oil executives, savings and loan companies, dog-track lobbyists, casino interests, real estate developers, health care executives, landfill owners. Some went to buy the $1,000 suits he liked to wear.

But it was coal cash, legal and illegal, that fueled Moore's campaigns. Coal operators gave him more than $750,000 to run for governor in 1984 and 1988. In exchange, they got lucrative state contracts, generous tax breaks, and state regulators willing to close their eyes to scofflaws and polluters.

It is perhaps fitting, then, that a coal operator played the central role in Moore's demise. H. Paul Kizer, the 19th-largest producer of underground coal in the nation, agreed to spill the beans last year when federal investigators closed in on him.

After receiving immunity from prosecution, Kizer told a grand jury that Moore extorted $573,000 from him in 1984 in exchange for a $2.3 million refund from payments to a state-run fund for black lung victims. In 1988, Kizer arranged to pay Moore $150,000 and promised to pay another $1.5 million over 10 years in return for tax credits worth $57.5 million.

Kizer also told the grand jury about an October 1989 meeting with Moore in the shadows of a rusting smokestack at Charleston's old municipal incinerator. Moore had told Kizer to meet him so both could concoct stories to thwart the federal investigation. As planned, Kizer gave false testimony later that month.

After Moore's indictment, Kizer said he had been afraid to turn down Moore's frequent demands for money. As governor, Moore could give Kizer tax breaks, or he could enforce environmental laws and shut down mines. "You can't do nothing in West Virginia without someone putting their hands in your pocket," Kizer said.

Just before the 1988 election, as Moore was dropping in the polls, Kizer visited the governor in the State Capitol. Facing trial on charges that he had planned the killing of his lover's ex-boyfriend, Kizer promised to donate $50,000 to the Republican National Committee in return for a pardon if he were convicted.

Kizer was acquitted, but his money was part of $275,000 the RNC funneled back into Moore's campaign, circumventing state election laws. Moore lost the election by 18 percentage points to millionaire insurance executive Gaston Caperton.

Moore served six terms in Congress from 1957 to 1969. He was governor from 1969 to 1977 and from 1985 to 1989, and lost a 1978 bid to become U.S. Senator by fewer than 5,000 votes.

During his long political career, Moore was no stranger to corruption. The IRS investigated him during the 1970s for failing to pay taxes on unreported donations, and he was indicted in 1975 for accepting a $25,000 payoff from a savings and loan executive seeking a bank charter.

Although Moore escaped the maximum sentence of 36 years in prison for buying votes and lining his pockets, the wealthy and imperious governor earned a place in history as the most corrupt official in one of the most corrupt states in the nation.

"No governor or other public official of that responsibility has ever been convicted for election fraud of this scope," said Joe Savage, the assistant U.S. attorney who prosecuted Moore. "This case typifies most dramatically the kind of corruption that has plagued West Virginia for at least a generation."

— Paul Nyden

LOGGERS GO SOUTH FOR BELOW-COST LUMBER

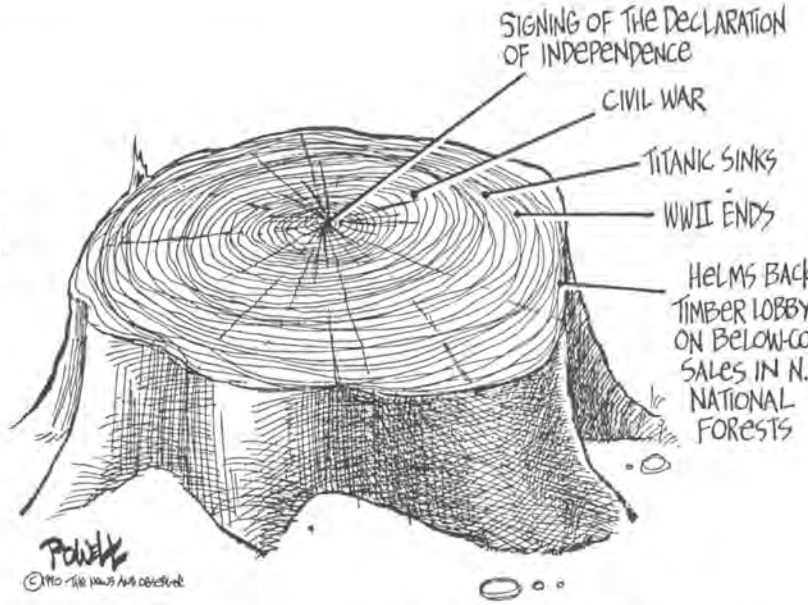
Over the past two decades, as timber in the ancient forests of the Pacific Northwest has dwindled, big logging companies have increasingly looked to the South for lumber. Now, the federal government is planning to sell vast tracts of Southern forestland to major timber firms — and to lose money at the same time.

The government has made no secret of its plans to harvest more timber in the region. According to a recent report by the U.S. Department of Agriculture, "The South is expected to be the major timber producer in the future."

A look at federal plans for the six Southern Appalachian national forests shows why. If the U.S. Forest Service has its way, logging in the six forests will double by 1995. By the year 2030, timber harvesting in the three million acres of forestland will increase by more than 350 percent.

The Forest Service already sells timber for less than it costs, subsidizing the construction of logging roads and the cutting of trees at high elevations. According to government figures, the Nantahala and Pisgah National Forests in North Carolina lost $2.6 million in below-cost timber deals last year.

Such losses haven't stopped some Southern politicians from rushing to the aid of timber companies. When federal officials developed a pilot program earlier this year that would have eliminated below-cost sales in the Pisgah and Nantahala forests, U.S. Senator Jesse Helms met with foresters and then intervened at the last minute to remove North Carolina from the program.


SIGNING OF THE DECLARATION OF INDEPENDENCE
CIVIL WAR
TITANIC SINKS
WWII ENDS
HELMS BACKS TIMBER LOBBY ON BELOW-COST SALES IN N.C. NATIONAL FORESTS
POWELL
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Below-cost timbering not only costs taxpayers money, it ruins potential recreation areas and threatens the forest ecology. "Not only does it not make economic sense, but the environmental damage is severe," says Peter Kirby, southeast regional director of the Wilderness Society. "Those logging areas are often the site of the most environmental damage."

The Wilderness Society and other environmental groups are also concerned about clear-cutting, the controversial practice of removing all the trees from a tract of land. In the six Southern Appalachian forests, federal plans call for clear-cutting 65 percent of the timber harvested in the next decade — a move that many fear will kill wildlife and choke mountain streams with severe erosion.

In South Carolina, protests over clear-cutting in Sumter National Forest heated up over the summer. In August, two loggers pleaded guilty to assaulting the leader of a local environmental group. Later that month a lone protester roosted in a tree, blocking construction of a logging road for two days.

Such protests are likely to continue as long as federal officials keep giving away national forestland. "There's no excuse for below-cost sales," insists James Padgett, a former Forest Service ranger. "Those areas should be left simply for recreation, wildlife, and water supply protection."

— Mary Lee Kerr

FEDS DESTROY VITAL MISSISSIPPI SWAMPS

When George Bush campaigned for the presidency two years ago, he pledged that he would put a stop to the widespread destruction of swamps and marshes. Every year Americans plow under or pave over 450,000 acres of wetlands, which play an essential role in improving water quality, controlling erosion, and providing a home for wildlife.

But according to a new study sponsored by Harvard University and the Environmental Defense Fund, the federal government is responsible for most of the disappearing swamps. In the hardwood forests of the lower Mississippi Valley — home to the largest wetlands habitat remaining in the continental United States — federal flood control projects cause 30 percent of the wetland destruction.

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In 1937, the Mississippi wetlands covered 12 million acres. Today they have shrunk to 5.5 million acres.

The reason: Flood control projects by the Army Corps of Engineers and the Soil Conservation Service make privately owned wetlands much drier. That, in turn, makes it profitable for the landowners to plow and plant crops.

"Historically, in our part of the world, Army Corps of Engineers impacts on wetlands have been a big problem," says Bob Strader, an agent with the U.S. Fish and Wildlife Service in Jackson, Mississippi. "Most of the benefits that they claimed in their flood control projects were agricultural — reducing crop flooding and encouraging conversion of wetlands to cropland."

New "swampbusting" rules threaten to cut off federal farm subsidies to farmers who turn wetlands into cropland. But after 50 years of havoc caused by the Army Corps of Engineers, some say the penalties simply aren't enough.

"The new laws should help end federal subsidies for the destruction of wetlands," says Jim Tripp of the Environmental Defense Fund. "But what we really need is to see net funds flowing into wetlands preservation. Our new focus goes even beyond that. We want to see grassroots-supported, federally funded restoration of wetlands."

Tripp recommends reworking the Army Corps plumbing — its levees, dams, and channels — to restore more wetlands. He also thinks Congress should create a $1 sport-fishing stamp, which would raise an estimated $20 million a year to finance federal purchases of wetlands.

Tripp and others also say regulations should be toughened. Most violators who destroy wetlands receive retroactive permits, instead of penalties. Hardly ever are they told to restore the marshes they destroyed.

In the meantime, the Army Corps of Engineers continues to pursue its massive Upper Yazoo Projects in Mississippi — a flood control plan that even federal officials admit is likely to repeat the mistakes of the past.

"We haven't finished our studies yet, but it will definitely have an adverse effect," says Robert Barkley, senior field biologist with the U.S. Fish and Wildlife Service in Vicksburg. "It could dry out one and a quarter million acres of wetlands, right in the heart of the Mississippi Delta."

—Rhona Mahony

TOXIC OIL WASTES THREATEN LOUISIANA

Oil has long been the cornerstone of the Louisiana economy. The industry employs thousands, and the state collects millions of dollars in tax revenue every year from oil production. But the state is paying the price for its reliance on crude: more than 20,000 pits filled with toxic fluids and waste oil dot Louisiana.

Thus New Orleans seemed the logical site to host two very different conferences in September to explore the environmental hazards of oil and gas production. One, sponsored by the National Audubon Society and a variety of other environmental groups, was billed simply as "A Citizen's Conference on the Problems of Oil and Gas Waste."

The other, sponsored by the Environmental Protection Agency, bore the imposing title of "The First International Symposium on Oil and Gas Exploration and Production Waste Management Practices."

Though the two conferences differed dramatically in tone and style, there was a general consensus among both citizens and regulators: Oil wastes must be regulated much more stringently.

Two years ago, EPA officials ignored the recommendations of their own staff and decided not to include oil and gas wastes on the lists of chemicals regulated under the Resource Conservation and Recovery Act. As a result, drilling fluids and other waste products tainted with cancer-causing chemicals like benzene are being buried, spread over roads, or simply left in open waste pits.

The EPA estimates that oilfields generate one million tons of hazardous wastes each year — yet they are subject to fewer regulations than municipal landfills.

"The oil companies want immediate

profit. They want to forget about what might happen 20 years from now," said Dr. Tom Callender, a physician who heads the Louisiana Environmental Action Network. "They could easily dispose of these chemicals properly. It's just cheaper to dump it."

Regulators with the Louisiana Department of Environmental Quality also reported that tests done on "produced water" — the salt water generated during oil production — revealed radiation levels nine times higher than water discharged from nuclear power plants. Oil companies dump an estimated 82 million gallons of produced water into Louisiana bayous every day.

Louisiana regulators want to ban the discharge of produced water into marshes, but oil producers are fighting the proposal. The Audubon Society and other environmental groups are meanwhile working to get oil wastes added to the list of federally regulated chemicals, but top EPA officials insist they won't change their minds. One official at the conference, asked what people concerned about oil waste should do, responded: "Contact their Congressman."

—Robert Michael Bryce

The Cherokees

A Population History

By Russell Thornton, with the assistance of C. Matthew Snipp and Nancy Breen

"*The Cherokees* will set the pattern for comprehensive population histories of American Indian tribes. It adds an extremely important dimension to our understanding of Cherokee history." – Michael D. Green, Dartmouth College. *The Cherokees: A Population History* is the first full-length study of the demographics of an American Indian group from the protohistorical period to the present. A volume in our series, Indians in the Southeast. Available in October. xvi, 238 pages. $35.00

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GEORGIA CONTINUES BANKRUPTCY RECORD

A lot of people in Georgia who thought the boom of the 1980s would last forever started the 1990s with a rude awakening.

Federal figures show that personal and business bankruptcies in Georgia shot up 26 percent in the first seven months of this year — compared to a nationwide increase of only eight percent.

In all, 12,946 individuals and 1,260 businesses in Georgia filed for bankruptcy through July, indicating that they are unable to pay their debts.

If filings continue at the current rate, officials say, Georgia could lead the nation at the end of the year as the state with the sharpest increase in bankruptcies and the highest bankruptcy rate.

The surge in bankruptcy filings continued a dramatic upturn that began last year. 1989 was a record year for bankruptcy in Georgia — up 35 percent over 1988, according to Michael Dobbins, clerk of the U.S. Bankruptcy Court in Atlanta. Georgia recorded one bankruptcy filing for every 68 households, the fourth highest rate in nation.

"The first Tuesday of every month, we have people literally lined up outside our doors to file, trying to put off foreclosure," Dobbins says. "Of course, they may be just putting off the inevitable."

To handle the mounting caseload, the bankruptcy court has added 20 deputy clerks to its 68-member staff. Court officials have also requested that two more bankruptcy judges be assigned to the Atlanta district.

Economists say the boom in bankruptcies is yet another indication that the Georgia economy is going bust. The state government faces a serious shortfall in tax collections this year, and the governor has asked departments to trim their budgets for the remainder of the year.

Some analysts maintain that the high number of business bankruptcies simply shows that the economic slowdown is "weeding out" weaker businesses that got started during better times.

"We had five years of unprecedented boom," says Albert Niemi Jr., dean of the University of Georgia Business School. "That entices a lot of people to enter a business."

Businesses that manage to stay afloat are cutting production and laying off workers, Niemi adds, which in turn fuels an increase in personal bankruptcies. Real wages have not kept pace with inflation in Georgia, so those who were just barely keeping up are now falling farther behind.

Georgia was not as hard hit as some of its neighbors by the recession of the early 1980s, Niemi notes, but he predicts the state won't be so lucky this time. An excess of available real estate combined with an oil crisis that is expected to drive up consumer prices could undo many of the economic gains of the past few years.

"It's going to be very hard for Georgia to escape this time," Niemi says.

—Julie B. Hairston

Readers are encouraged to submit articles to Southern News Roundup. Please send original clippings or photocopies and give name and date of publication, or articles of no more than 300 words.

Gavelgate

How a Supreme Court justice violated the Constitution by serving as an unpaid informer for the president and the FBI

By Alexander Charns

Abe Fortas and LBJ *Photo courtesy LBJ Library*

Editor's Note: For the past two years, attorney Alexander Charns has been investigating the history of hidden connections between the Federal Bureau of Investigation and the United States Supreme Court. As part of a research project sponsored by the Institute for Southern Studies, he has examined thousands of documents from presidential libraries, the Library of Congress, and private archives. He has also interviewed dozens of federal officials and court personnel, and has forced the government to surrender previously unreleased records under the Freedom of Information Act.

His findings are startling. From 1956 to 1972, the FBI waged a clandestine war to push the Court and the rest of the federal judiciary to the political right on issues of criminal law, race relations, and civil liberties. Federal documents reveal that the agency supported conservative nominations to the Court by slanting its background investigation reports to the Senate, conspired to knock liberal justices off the bench, and infiltrated the Court itself with the help of friendly Court employees.

One of the most important battles in this war involved Abe Fortas, a Supreme Court justice from Memphis, Tennessee. Hand-picked by President Lyndon Johnson to succeed Earl Warren as chief justice, Fortas instead became the only justice in history to be forced off the high court in disgrace—but not before serving a stint as an informer for the White House and the FBI.

On February 9, 1963, agents of the Federal Bureau of Investigation checked into the Sheraton-Carlton Hotel in Washington, D.C. under assumed names. Once in their room, they drilled a hole into the wall of an adjoining suite and inserted a "spike microphone." For the next 11 weeks, they tape recorded the conversations of Fred Black Jr., a soft-spoken lobbyist who loved horse racing.

The FBI said it planted the bug to investigate whether Black had ties to organized crime, but the Bureau appeared to be more interested in his political connections. Black was a business associate of Robert "Bobby" Baker, Secretary to the Senate Democrats and a friend of Lyndon Johnson.

A year after bugging his room, the government convicted Black of federal income tax evasion. His attorney asked the Supreme Court to review his case, but the Court rejected the request on May 2, 1966. Three weeks later, U.S. Solicitor General Thurgood Marshall surprised the Court by revealing that the FBI had spied on Black. Faced with this revelation of government misconduct, the Court agreed to hear the case.

The Court decision made the FBI extremely nervous. With Congress already angry over his use of illegal surveillance, FBI Director J. Edgar Hoover believed the Black bugging could end his career. Hoover had personally ordered the eavesdropping without specific authorization from then-Attorney General Robert Kennedy. He privately called the case "the greatest crisis" the FBI had ever faced — one that threatened his unbridled power to spy on citizens at will, without any justification.

To save his hide, Hoover decided to find a lawyer of his own to prove to the Court that Kennedy had given him blanket approval to bug in organized crime cases. What he needed was a gung-ho LBJ supporter who could walk into the conference room of the U.S. Supreme Court and blame Bobby Kennedy for the bugging. Hoover would be saved and Johnson would benefit from the political damage to Kennedy, his major Democratic rival.

There was one problem: only Supreme Court justices are allowed into the inner-sanctum where cases are discussed. And it would be grossly unethical, possibly an impeachable offense, for a justice to secretly act on behalf of the FBI or the White House.

Yet that is exactly what one justice did. According to FBI documents obtained under the federal Freedom of Information Act, the Bureau convinced "ultra-liberal" Justice Abe Fortas to violate his judicial oath and act as an unpaid informer in the Black case. Fortas revealed confidential court business to the FBI and the White House, working behind the scenes to blame Bobby Kennedy for the FBI bugging.

In the end, the FBI succeeded in breaching the sanctity and independence of the Supreme Court, tainting the highest court in the land with a constitutional violation equal to Watergate. Like Watergate, the covert cooperation between the White House, the FBI, and a sitting justice represented an abuse of power by the executive branch. Unlike Watergate, a member of the judiciary took part, violating the constitutional separation of powers between the executive and judicial branches.

"Call upon me for anything I can do to help." LBJ was only too happy to oblige.

THE SNIVELING LIBERAL

When the power struggle over the Black bugging erupted, Abe Fortas was the most pro-Johnson man on the Court. Born in Memphis and educated at Yale Law School, Fortas was a long-time friend of the president and his most trusted advisor. In part, Johnson owed his crucial 1948 Senate election to the legal efforts of Fortas, who ensured that LBJ's name was placed on the general election ballot after his contested victory in the runoff.

To make room for Fortas on the Court, Johnson pressured Kennedy-appointee Arthur Goldberg off the bench in 1965. At first, Fortas rejected LBJ's offer to nominate him. In scrawled handwriting he wrote to the president: "I want a few more years to try to be of service to you and the Johnson family."

But the arm-twisting Texan prevailed, and Fortas reluctantly accepted the appointment. He wrote to Johnson in a pleading tone that he didn't want his presence on the Court to change their relationship: "I can only hope that you will continue to see me and to call upon me for anything that I can do to help."

LBJ was only too happy to oblige — but first he called on the FBI to smoke out any opposition to a Fortas nomination. On July 18, 1965, Johnson phoned Cartha DeLoach, the FBI liaison with the White House, and told him to interview a variety of Senators to find out "what opposition he would encounter after he named Fortas" to an "important departmental position."

Over the years, the FBI had compiled thousands of pages of records on Fortas, his left-leaning friends and clients, and his former membership in groups like the National Lawyers Guild. Through bugs and wiretaps, the Bureau had even eavesdropped on Fortas and his clients. Hoover considered Fortas to be a "nut" and a "sniveling liberal." After all, Abe was the attorney who had successfully argued the landmark *Gideon* case before the Supreme Court, establishing the right of poor defendants to be represented by lawyers paid by the state.

Johnson told DeLoach he didn't care that Fortas had belonged to "communist front organizations" in the 1940s. Fortas "had matured," he said, and he now "trusted Fortas as much as he did Lady Bird."

The congressional interviews turned up no opposition to Fortas, and Johnson nominated him to the Court. At his Senate confirmation hearing, Fortas testified under oath that his friendship with LBJ would not interfere with his work on the Court. He also countered time-worn charges that he had agreed with communists in addition to representing them. But even Dixiecrat James Eastland of Mississippi, chair of the Senate Judiciary Committee, took no interest in the allegations against his fellow Southerner. After 20 minutes of debate on the floor of the Senate, Fortas was confirmed as an associate justice on August 11, 1965.

THE MISSION

Soon after Fortas moved into the Supreme Court building, he called his "boss," as he continued to refer to Johnson, to give him the private number of the direct line into his chambers. Fortas and Johnson continued to phone and write each other regularly. While Fortas sat on the Supreme Court he acted as an informal legal counsel to LBJ, suggesting judicial appointments, attending White House meetings, and advising Johnson about everything from the Vietnam War to urban rioting.

Jack Valenti, special assistant to Johnson, commented on the unusual role Fortas played in a light-hearted letter he wrote in January 1966 praising the justice for a recent speech. "If you keep up with this speech making, I am going to suggest to the President that we get in the Supreme Court business — you are poaching on our preserve."

Joking or not, Valenti proved right on both counts. Fortas acted more like a presidential advisor than a Supreme Court justice. And once the Black bugging case got under way, the White House and the FBI were quick to get into the Supreme Court business, poaching on the judicial preserve.

On the day before the Court decided to consider the case, Fortas wrote a short note to Chief Justice Earl Warren formally disqualifying himself from participating. Although he offered no explanation for the move, it was probably because he had once represented Black's business partner Bobby Baker.

Justice Byron White, who had worked under Robert Kennedy as a deputy attorney general, also disqualified himself — but only after Hoover sent the Justice Department a memo he had written to White in 1961 indicating that the FBI used bugs in cases involving organized crime. Faced with his own prior involvement in the eavesdropping issue, White excused himself. Hoover had won a substantial victory by forcing a likely pro-Kennedy vote off the case.

The FBI director was just getting started. On June 13, 1966 the Supreme Court ordered the government to explain the surveillance of Fred Black. That same day, Hoover had his assistant Cartha DeLoach phone Fortas privately to provide the "true facts." Fortas returned the call late that night and the two agreed to meet at Fortas's home the next morning.

"If you keep up with this speech making, I am going to suggest to the President that we get in the Supreme Court business — you are poaching on our preserve."

Asked about the meeting 24 years later, DeLoach recalled that his "primary purpose [in] seeing Justice Fortas was to prevent Attorney General Kennedy [from] causing Fortas to believe that the FBI had acted without authority in the Black case."

DeLoach, who had studied law, knew it was grossly improper to approach a justice about a pending case — especially a case involving his employer — even if the justice had excused himself from ruling on the matter. But "Deke" DeLoach was almost as close to President Johnson as Fortas. LBJ had installed a direct line to the White House in DeLoach's bedroom, a privilege not even Hoover enjoyed.

At the FBI, DeLoach served as the head of the Crime Records Division, which often acted as the propaganda arm of the Bureau. He was responsible for mobilizing friends in the media to attack FBI enemies and for keeping the issue of crime and the communist menace in the public eye. His meeting with Fortas marked his most important mission.

THE BACK DOOR

At breakfast the next morning, DeLoach talked to Fortas about the Black case. He said that Robert Kennedy had authorized the Black bugging, and that Attorney General Nicholas Katzenbach planned to present a "slanted version to the Supreme Court" in an effort to protect Kennedy.

Fortas quickly chimed in, calling it "a fight for the presidency" — LBJ versus Bobby Kennedy. Kennedy wanted to capture liberal voters who supported Vice President Hubert Humphrey, Fortas added. If Kennedy's approval of the bugging were made public, he would be completely destroyed.

DeLoach gave Fortas several memos about microphone surveillance, including one Kennedy had signed. Fortas said the best thing for him to do was "slip in the back door and see the president" and tell him what was going on. He and DeLoach also discussed setting up an "eavesdropping commission" to do an end run around Attorney General Katzenbach and prevent him from presenting a pro-Kennedy position to the Court.

The meeting ended with Fortas saying that President Johnson supported the use of eavesdropping for national security and criminal activity, but not for political matters. He added that, of course, the FBI was not guilty of such things. Rather, it was Kennedy's "brash practices" that led to the "hysteria" about wiretapping. Fortas promised to call the president before he left for Jacksonville, Florida that morning.

Right after the meeting, Fortas phoned LBJ before catching a mid-morning flight to Florida. DeLoach went to brief Hoover. The FBI director was amazed that Fortas had not tried to "weasel out" by refusing to meet with DeLoach about a pending case. He had doubts, though, about setting up a pro-Johnson commission to investigate the authorization of the Black bugging because it might turn into another "Warren commission and end in a fiasco."

Hoover called the Black case "the greatest crisis" the FBI had ever faced. DeLoach agreed, saying "we have got to fight to save our lives."

THE SECRET FILES

When he returned from Florida, Fortas ghost-wrote a press release about the creation of a special wiretap commission, and on June 21 he called DeLoach to tell him about it. That same afternoon, he went to the White House and spent two and a half hours with the president. When DeLoach called LBJ in his living quarters to discuss the press release later that day, he was surprised when the president put Fortas on the phone. During the conversation, Fortas agreed to remove some language in the press release to which DeLoach objected.

While Fortas spoke with the president, Hoover sent memos to other White House officials, trying to influence the government position on the Black bugging that would be presented to the Supreme Court. The White House also passed along copies of FBI memos to Fortas, who was collecting so many documents about the Black case from the executive branch that he opened two secret file folders apart from his official court records on the case.

Despite the backroom maneuvering by Hoover and Fortas, the Justice Department brief submitted to the Court laid the blame for the Black bugging at the feet of J. Edgar Hoover. Now the FBI director's only hope to avoid a Supreme Court edict against his extensive electronic empire — and a possible forced retirement — rested with Justice Fortas.

Fortas was doing what he could to help Hoover and LBJ. On September 12 a "reliable source" at the Supreme Court told DeLoach that Fortas and Justice Tom Clark, a long-time Hoover ally, were "leading the fight to get all aspects of the truth" concerning the Black bugging into the open. In contrast, the informer said, Justices Byron White and William Douglas seemed satisfied with the way the case was progressing.

The Court had two options: send the case back to district court and order a retrial, or completely overturn the conviction of Fred Black. According to the source, the Court was leaning toward issuing a "sweeping statement" against the use of bugging except in an attempt to save human life. Such a ruling, the FBI knew, would endanger all pending cases that relied on evidence gathered by electronic spying.

Such a ruling, the FBI knew, would endanger all pending cases that relied on evidence gathered by electronic spying.

Michael Smith, a law clerk to Chief Justice Warren, was particularly disgusted by the Black bugging. At one point early in the case, he agreed with Black's lawyers and wrote a memo to Warren arguing that "to allow a retrial would be to encourage law enforcement officials to violate constitutional rights.... The Court should reverse outright and thus underscore the heinousness of the [government's] conduct."

In the weeks before the new Supreme Court term began, Fortas worked the phones. He called LBJ repeatedly and spoke with the deputy attorney general twice. At the request of a Hoover assistant, he also persuaded Justice William Brennan to fire one of his new law clerks, saying an inquiry into the clerk's background as a radical student activist might be very embarrassing to the Court.

As Brennan noted in a recent interview with journalist Nat Hentoff, Fortas "was very close to Lyndon Johnson, and also close to J. Edgar Hoover. They used Fortas for a lot of things."

Hoover was also busy, stroking his friends on the Court and harassing his enemies. He sent a note to Justice Clark praising him for a tough law-and-order speech. Around the same time, an article in the *Los Angeles Times* disclosed that Justice Douglas was receiving $12,000 in annual expenses from the Albert Parvin Foundation, a tax-exempt group funded primarily by mortgage income from a Las Vegas gambling casino.

Douglas was furious. He knew Hoover had been spying on him for years, and he believed that the FBI had leaked information to the *Times* to drive him off the Black case. He lashed out, writing an emotional proposed opinion.

"There has been a studied effort to drive me out of this case," he wrote. "Vicious articles have been printed ... carrying libelous innuendos that link me with this petitioner, with the underworld, and with others associated with him.... I file this separate opinion because this is not the first time that powerful forces have tried to drive a Justice out of a particular case."

Although Fortas had formally disqualified himself from participating in the Black case, he continued to receive copies of proposed opinions circulated by other justices. When he got a copy of the Douglas opinion, he scrawled a hand-written note to his former Yale Law School professor and mentor.

"Bill," he wrote. "I hope you don't file that. I hope you don't say anything, but go along routinely. Anything you say will just add fuel to the smoke-fire. This statement may force the FBI to hop on Parvin with all its resources... ."

The veiled threat had the FBI written all over it. When Justice Brennan also urged him not to file a separate opinion, Douglas withdrew the statement.

THE VERDICT

Fortas did not vote in *Black v. U.S.*, but he sat in the conference room when the case was debated, and he continued to lobby informally.

The chief justice assigned Justice Clark, the long-time ally of Hoover, to write the opinion in the case. Despite his pro-FBI bias, Clark knew the Bureau had violated Fred Black's constitutional right to counsel by taping his conversations with his attorney. Clark recommended that Black's conviction be vacated and the case be sent back for a new trial to "remove any doubt as to Black receiving a fair trial free from tainted evidence."

Justice Hugo Black, who believed that bugging did not represent an unconstitutional invasion of privacy because no tangible thing was seized, convinced Clark to remove all references to the Constitution from the opinion. At the next conference, with Justice Fortas present, the Clark proposal was accepted by Warren, Douglas, Black, and Brennan. It was decided that the majority's opinion would be unsigned.

On November 7, the Supreme Court issued a two-and-a-half-page decision vacating Black's conviction and sent the case back to the district court, where Black was acquitted of tax evasion in a new trial. The Supreme Court ruling did not mention J. Edgar Hoover by name, and offered no indication that the justices were outraged by the illegal bugging. Once again the mighty FBI director got away with breaking the law.

In a 1954 case involving bugging, the Supreme Court had quoted the words of Hoover to argue against the use of electronic surveillance: "A crime of this nature, if subtly encouraged by failure to condemn and punish, certainly leads down the road to totalitarianism."

In the *Black* case, the ruling ended with a simple assertion:

"Mr. Justice White and Mr. Justice Fortas took no part in the consideration or decision of this case." ❑

Copyright 1990 by Alexander Charns. *An attorney in Durham, North Carolina, Charns is working on a book about the Supreme Court and the FBI.* *Research assistance was provided by Debbie Charns, Eric Longley, Arthur Sparrow, Kay Alexander, and Lisa Balderson, with funding by the J. Roderick MacArthur Foundation.*

SUNBELT BLUES

In 1976, *Southern Exposure* put together a special double issue on labor entitled "Here Come a Wind." Back then, the region was in the midst of a manufacturing boom. Factories were flocking south in search of a warmer industrial climate, one where wages are low and union membership is even lower. In the North, they called this migration "runaway shops." In the South, it was economic development.

Our introduction to that special issue recognized that we were witnessing a dramatic shift of capital, jobs, and people to the South, and wondered aloud what the changing conditions would mean for Southern workers: "Will the runaway shops and homegrown factories offer the same job protection and income enjoyed by their Northern counterparts? Will unions really make a difference? What will be the relationship between identity in community and identity as an employee? What sense of personal worth and individual pride can workers expect from their labor?"

That was nearly 15 years ago, but in many ways it seems like a lifetime. In the span of a single generation, we have experienced nothing short of a wholesale transformation of the Southern economy. Mills have given way to malls; factories have been replaced by fast food. In 1969, one out of every four Southerners worked in manufacturing. Today one out of two works in services or trade, the Burger Kings and K-Marts that consume the landscape.

What is going on here? How did we go from being a land of farmers and miners and furniture makers to a region of waitresses and bank tellers and secretaries?

Even during the boom days, there were plenty of warning signs. After all, a shift of capital and jobs only lasts as long as the captains of capital deem it profitable. If runaway shops could flee the Rustbelt, some suggested, what would stop them from abandoning the Sunbelt? If it can happen to us, Northern workers warned, it can happen to you.

It did happen — not just in the South, but around the world. Workers everywhere are feeling the effects of a global economic squeeze as corporations, knowing no boundaries, move their operations at will in search of ever-lower wages. Instead of enjoying the fruits of their labor, people today work longer hours for less pay, moonlight, take temporary jobs, put their kids to work, do whatever it takes to get by. They also perform more dangerous work: The rate of occupational illness and injury has risen steadily during the past decade.

SE Special Section

This is not the result of a recession; there are plenty of jobs to go around. It is a question of priorities, of where the jobs are going. U.S. corporations just went through one of the most lucrative decades in their history. They chalked up record profits, paid their top executives unheard of sums, and had so much cash lying around that they literally didn't know what to do with it, they just started merging and leveraging and buying each other up and taking each other over.

But the staggering profits weren't enough, and many companies were prepared to do anything they could to squeeze a few more dollars out of their workers. Some, like the Schlage Lock plant in Rocky Mount, North Carolina, packed up and moved to Mexico, where they could pay workers 72 cents an hour just a few miles from the U.S. border.

Others followed the example of the Tennessee Valley Authority, which laid off almost 40 percent of its workforce while paying "independent contractors" more than a billion dollars to pick up the slack.

Still others, like the *Atlanta Journal and Constitution,* have used "temporary" workers for years on end. They pay homeless men a few dollars a day, one day at a time, instead of hiring them on a permanent basis and giving them a chance to make a decent living for themselves.

Nowhere is the discrepancy between expanding capital and shrinking labor more evident than in the coalfields of West Virginia. Coal companies have laid off more than 30,000 miners in the state since 1981. Many families have been forced to pack up and move in search of work, and those who remain behind have the second-lowest per capita income in the nation. Yet coal production actually *increased* during the decade: Last year coal companies dug up 32 million more tons of ore than they did in 1981, the biggest haul in 20 years.

Photo by Earl Dotter

MINERS AT PITTSTON COAL STOOD UP FOR THEIR DIGNITY, STAGING A NONVIOLENT PROTEST THAT INVOLVED ENTIRE MOUNTAIN COMMUNITIES.

If the economic climate seems gloomy, the forecast for labor is not without its bright spots. Labor unions have made some significant inroads in recent years, winning almost half of all elections held at Southern plants. In many of the more publicized labor battles — at Nissan Motors in Tennessee and Pittston Coal in southwest Virginia — workers have put aside their fears to fight for decent health care and safe working conditions and a say in the workplace decisions that affect their lives.

It seems fitting that nowhere is this struggle for personal dignity and social democracy more evident than in the coalfields of Appalachia, where the exodus of capital and jobs has hit hardest. Last year more than 2,000 miners at Pittston Coal walked off the job and withheld their labor for nine long months — not to demand higher wages for themselves, but to prevent the company from cutting off health care benefits for retired miners. They stood up for their families, for their fathers and grandfathers who had worked in the mines. They staged a sustained, nonviolent protest that involved entire mountain communities, and they won.

Such determination demonstrates that Southern workers can respond to changing conditions in the workplace, to the latest movements of capital and jobs. In our special issue on labor back in 1976, we quoted the words of Hobart Grills, who took part in the bloody struggle to organize coal miners in Harlan County, Kentucky during the Great Depression. "The coal operators would think they got the union crushed," Grills observed, "but just like putting out a fire, you can go and stomp on it and leave a few sparks and here come a wind and it's going to spread again." ❑

— Eric Bates and Nancy Peckenham

THE SOUTH AT WORK

An Institute Report

The morning of June 6 dawned cloudless and humid. Weather forecasters promised a scorcher, and workers talked about the heat as they filed into the AT&T Nassau metal recycling plant outside Gaston, South Carolina.

Midway through the morning shift, an announcement caught the factory's 680 workers by surprise. Men and women stood at their stations, tools frozen in their hands, as a disembodied voice on the P.A. system told them they would lose their jobs in 60 days.

"Have you ever been out driving … you see a dark storm cloud come up, and all of a sudden the bottom falls out? That's what it felt like," said Al Bouknight, a 12-year employee in the plant's environmental control division.

AT&T had sold the plant to Southwire, which reportedly plans to reopen it and make cable under contract for AT&T — with a smaller, non-union workforce. Harry Monroe, president of the Communication Workers of America local that represents the Nassau workers, called the shutdown "a union-busting move."

"If the pay's not good enough to survive on, I may have to leave the area," said Bouknight, who depended on his $9.06 an hour to support a wife and two children. "It's no fun being out looking for a job with a gas shortage and a recession coming up."

SE Special Section

Plant closings, wage cuts, union-busting, subcontracting — the telltale signs of an economy turning hostile to workers — have replaced the glitter of the New South boosterism. The gains Southern workers made during the 1960s and '70s are fast dimming.

A new set of prevailing economic winds have brought thick clouds over the Sunbelt. The forecast looks bleak — not just across the rural landscape and energy-dependent states like Louisiana and West Virginia, where hard times and double-digit unemployment have become a way of life, but in boom towns like Atlanta and Nashville and the Virginia suburbs of Washington, D.C.

The dramatic downturn in the regional economy is part of a larger squeeze that is forcing people to work harder for less pay, diminishing the living standard for U.S. workers. Since the recession of 1981, an economic crunch has rolled from region to region — from the Rustbelt to the Oil Patch, up to New England and down to the Deep South. Unemployment has remained unusually high in many states, union membership is down, and Reaganomics has redistributed wealth from ordinary workers to the super-rich.

Nationally, one in three workers now

earns poverty-level wages, an increase from one in four in 1979. Executive pay in America's largest corporations jumped by 149 percent during the 1980s — an average hike of $173,000 after inflation — while hourly workers at the same firms saw the value of their wages drop five percent.

To better understand the changing climate for workers in the region, the Institute for Southern Studies reviewed federal and state employment data for the past 20 years. Our questions were simple: Where do people work? What do they earn? What progress have women and minorities made since the sixties?

GOODBYE, FACTORIES

Shackled by its legacy of slavery and destruction from the Civil War, the South lagged behind other regions in economic development. As farm profits declined, New South politicians wrapped development strategies around hopes of attracting labor-intensive manufacturing industries to the region. The advent of air conditioning and the end of Jim Crow segregation brought in hundreds of factories from the North, and later Europe and Japan.

By the end of the booming 1960s, manufacturers employed nearly three out of 10 non-farm workers in the region. Most turned out what we now think of as traditional Southern products — textiles, furniture, processed foods, and apparel. During the 1970s, manufacturing employment increased by another 20 percent.

But the factory job machine ground to a halt in the 1980s, growing by a mere 1.2 percent during the decade. The region as a whole added 6.6 million new jobs — but only 68,500 were in manufacturing. In many states the swing in manufacturing employment resembled a decennial yo-yo: up 36 percent in Texas during the seventies and then down five percent in the eighties, up 12 percent in Tennessee and then down 0.2 percent, up 17 percent in South Carolina and then down two percent.

According to U.S. Labor Department data, the biggest manufacturing losses hit workers in traditional Southern industries:

▼ **Textiles.** In 1969, the industry employed 15 percent of all non-farm workers in the Carolinas and eight percent in Georgia. By 1989, its share of the workforce had dropped by more than half in each state and in the region as a whole.

▼ **Apparel.** Last year, the cut-and-sew business employed 525,500 Southerners, down from 571,800 a decade earlier, trimming its share of the regional workforce by 74 percent.

▼ **Tobacco.** The "golden leaf" has done a slow burn, with employment shrinking from about 58,000 in 1979 to 44,000 in 1989.

The net result has been a dramatic shift in the composition of the Southern workforce. By last year, less than one worker in five earned a living from manufacturing — a drop of 35 percent from two decades earlier.

Initially lured to the South by cheap labor, factory owners have discovered it can be had even cheaper — try 40 to 65 cents an hour — in Mexico or Taiwan. The corporate merger mania has also left many companies saddled with debt and searching for ways to cut costs. As a result, the same states that lead the nation in new factories — the Carolinas, Georgia, Tennessee — also lead in plant closures. In the first seven months of this year, 50 textile and apparel plants closed in Georgia and the Carolinas.

WHERE THE JOBS ARE

Between 1969 and 1989, the region's workforce expanded from 17.1 million to 31.6 million. Jobs were added in every sector, but their distribution changed dramatically over the 20-year period. Chart shows percentage of the nonagricultural Southern workforce by industry:

	1969 %	1989 %
Winners		
Wholesale/Retail Trade	21.0	24.4
Services	14.3	22.6
Finance, Insurance, and Real Estate	4.5	5.5
Losers		
Manufacturing	27.5	18.0
Government	18.6	17.5
Transportation, Utilities and Communications	6.4	5.5
Construction	6.4	5.3
Mining	1.7	1.2

Source: U.S. Department of Labor

Photo by Tom Coffin

Many workers feel betrayed. "When AT&T hired me they talked like I could retire here," Bouknight said after learning of the Nassau plant closure. "Now we're being given a little severance pay and told, 'So long.' We're finding out AT&T don't have no use for you when they don't need you anymore. All they care about is the dollar."

GOODBYE, FARMS

Manufacturing is not the only sector of the Southern economy undergoing upheaval. Other industries that account for a smaller share of the regional workforce have also suffered during the past two decades:

▼ **Farms.** The steady decline in Southern farms since World War II has continued apace. Once the region's pride, the share of regional income earned by farmers dropped by half between 1969 and 1989.

▼ **Mining.** The proportion of Southerners employed in mining dropped by 29 percent, with catastrophic results in states dependent on coal. In 1979, one in 10 employed West Virginians was a miner. Today the ratio is one in 20, and the state suffers from the highest unemployment rate in the country.

▼ **Construction.** Despite the much-heralded boom in office towers and real estate developments, construction workers saw their share of the employment pie shrink by 18 percent in the last two decades.

▼ **Government.** While employment in local and state government has kept pace with the South's growing workforce, the federal government's share of the overall pie has shrunk by 31 percent since 1969. At the Tennessee Valley Authority, the largest federal employer in the region, massive layoffs have affected 20,000 employees since 1980 — two fifths of TVA's workers.

The TVA layoffs underscore a regionwide employment trend:

Scores of companies are firing permanent employees and hiring temporary workers and outside contractors. Since 1985 the agency has signed temporary contracts totaling $1.3 billion, and late last year TVA officials revealed plans to increase fees for outside contractors by an additional $152 million.

Dorothy Kincaid was one of the casualties. Last spring the 43-year-old data processor lost her job after 17 years at TVA. She was replaced by a temporary worker who is paid by the hour.

By the time she left, Kincaid had already been forced to work part-time and give up her benefits. "TVA office workers are being handled just like factory workers right now," she said. "I'm so sad I put so many years into a job that I lost just like that."

HELLO, McDONALD'S

Although Southern manufacturing and other industries stagnated or declined during the past decade, they left an enlarged industrial base in their wake. An expanding middle class spawned airports and beltways, stock brokers and strip malls, junk-food restaurants and junk-bond banks. Businesses dealing in services and information increasingly outran those producing hard goods. Kentucky-fried chicken outpaced Kentucky-mined coal, and employment surged in two sectors of the economy:

▼ **Services.** Three million of the 6.6 million jobs added in the South during the 1980s were in services — hospitals and nursing homes, motels, copy centers, law offices, travel agencies, business consultants, and temporary office pools. The growth was most dramatic in Florida and Virginia, which together accounted for more than a third of the new service jobs.

▼ **Wholesale and retail trade.** Another two million jobs came from this sector, which includes fast-food restaurants and convenience stores. More than two thirds of the growth came in just four states —Florida, Texas, Georgia, and North Carolina.

Taken together, service and trade jobs now employ nearly half of all Southerners — up from one third in 1969. That growth far outpaced the rest of the country. Over the past two decades, the number of trade jobs climbed by 115 percent in the South and 63 percent outside the region. Service jobs jumped 194 percent in the South, compared to 126 percent in the rest of the nation.

One service field that saw an explosion in job creation was private health care. Since 1969, employment in the industry has soared 261 percent in Mississippi, 233 percent in Virginia, and 218 percent in Texas. In Kentucky, health care now employs twice as many workers as construction. The job growth continued during the 1980s, as the Reagan administration promoted private ventures in health care.

Another Reagan legacy — a surge in corporate takeovers and real estate speculation — fueled an 18-percent job spurt in the areas of finance, insurance, and real estate. Combined with government work, these paper-shuffling trades now employ 23 percent of Southern workers.

The decline in manufacturing and the growth in services and trade have altered the employment landscape in virtually every Southern state. In Tennessee, for example, government officials like to boast about the arrival of big automakers like Nissan and General Motors. Yet car manufacturers still employ less than half as many Tennesseans as the textile and apparel industries, which account for 87,500 jobs. By contrast, 119,800 Tennesseans work in retail eateries and 145,800 work in hospitals, nursing homes, and other private health care facilities.

TWO MILLION OF THE 6.6 MILLION JOBS ADDED IN THE SOUTH DURING THE 1980S WERE IN WHOLESALE AND RETAIL TRADES LIKE FAST-FOOD RESTAURANTS.

WHAT THEY EARN

Service and trade jobs may have beat out manufacturing as the biggest source of Southern employment, but they can't compete with the wages and benefits of the region's old industrial base.

Not that factory work in the South ever paid all that well by national standards. Last year the average hourly pay for manufacturing workers in the region ranged from a high of $11.36 in Louisiana to a low of $7.98 in Mississippi — the lowest in the nation. Florida, Georgia, and the Carolinas are also among the lowest-paying states in the nation for factory work.

Still, the difference between $8 an hour and minimum wage adds up to more than $8,000 a year. Joan Sharpe went 18 months without work after being laid off by the Schlage Lock Plant in Rocky Mount, North Carolina in 1988. She now works part-time at a bank and earns $5.50 an hour.

"I looked at temporary agencies. But they only guarantee you a couple of weeks' work and then you're laid off again," said Sharpe, a 32-year-old black woman who worked at the metal finishing plant for 10 years before it moved to Mexico.

"I'm not making as much as I was, but at least I do have benefits. Thank goodness I don't have children to support. That would really be hard," said Sharpe.

A few sales and service positions pay well, but the vast majority provide just a hair over minimum wage and offer few or no benefits. Surveys indicate that service jobs account for three quarters of all full-time workers who lack health insurance.

Eight months after finishing a retraining course in clerical work, Shirley Martin, a 50-year-old former textile worker, has interviewed for dozens of openings without success. "I think my age works against me. Most employers are looking for younger women with more experience."

Martin finally took a job as shift manager at a laundromat where she works for minimum wage. "I've seen my pay cut in half and I have no benefits. I work four nights a week and 12 hours a day on Sat-

THE STATE OF THE STATES

The South can be divided many ways — rural versus urban, black belt versus Appalachia, mega-states versus mini-states. The chart below provides insights into the uniqueness of each state's workforce, as well as the traits it shares with its regional neighbors. Some of the highlights:

Government. The last column shows that Mississippi and Louisiana lead the region in the share of their workers employed by local, state, and federal government — a fact that reflects the Magnolia State's dependency on poverty programs and the Huey Long legacy in the Pelican State. Virginia led in this category in 1969, but the replacement of federal employees with private consultants and secretarial pools has slowed the growth of its government payroll, while making it second only to Florida in services.

Growth. Virginia and Florida also lead the region in the share of workers involved in construction, more evidence of their rapid growth, sprawling suburbs, and diversified economies. These two states, followed by Georgia and Texas, had the fastest growing workforces in the region.

Two out of five Southern workers now live in Texas or Florida. Texas employs as many people as the region's six smallest states combined; despite its oil, real estate, and banking woes, its workforce swelled by 21 percent during the eighties, one point above the national growth rate. Meanwhile, Florida added workers at a rate of 3,600 a week.

Services and Trade. Florida's unusual tourist and retirement economy not only makes it the leader in services; it also sets the pace for the expanding wholesale and retail trades, a sector that now employs almost a fourth of the workforce in every Southern state — except cash poor Mississippi, which also takes last place in services.

Georgia is second in trade, thanks to Atlanta, the commercial hub of the Southeast since railroad days. Because of the Big Peach, Georgia also has an above average share of its workers in services, transportation, communications, utilities, finance, insurance, and real estate. As its manufacturing base declines, Georgia moves closer and closer to the national norm in the distribution of workers between the productive, information, and service sectors — more so than any other state in the South.

Mining and Manufacturing. The clearest division among Southern states is how heavily their productive economies — and blue-collar workers — depend on mining or manufacturing. The leading mining states — West Virginia, Texas, Louisiana, and Kentucky — have a smaller share of their workers in manufacturing than the rest of the region. They also have the highest hourly wage levels, the highest union membership rates, and the smallest proportion of blue-collar workers engaged in manual labor.

The Carolinas and Mississippi lead the list for jobs most dependent on manufacturing; they are followed by Arkansas, Tennessee, and Alabama. Interestingly, rates of union membership among these workers follow the same order. The Carolinas, Mississippi, and Arkansas also offer the lowest manufacturing wages in the region, and the worst opportunities for blacks to move into white-collar jobs.

Photo by John Spragens Jr.

PERCENTAGE OF NONAGRICULTURAL WORKFORCE, BY INDUSTRY, FOR 1989

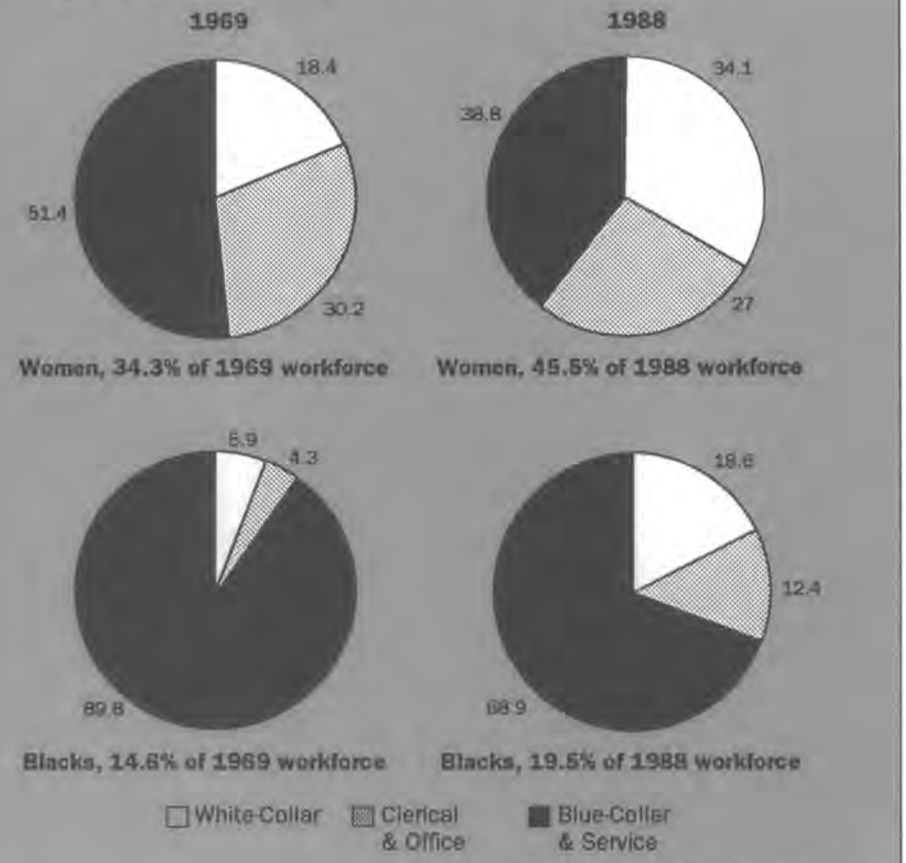
	# of Workers (in 1,000s)	% in Mining	Construction	Manufacturing	Transp./ Utilities	Whlsl. Retail	Finance*	Service	Govt.
Alabama	1,588	0.7	4.8	24.2	5.0	22.0	4.5	19.0	19.8
Arkansas	892	0.5	3.6	25.8	6.1	22.9	4.3	19.5	17.3
Florida	5,276	0.2	6.5	10.3	5.0	27.3	7.0	28.5	15.3
Georgia	2,945	0.3	5.0	19.3	6.2	25.5	5.6	20.7	17.4
Kentucky	1,434	2.4	4.6	19.8	5.3	24.2	4.2	21.8	17.7
Louisiana	1,516	3.6	5.3	11.5	7.0	24.1	5.2	22.7	20.6
Mississippi	921	0.6	4.0	26.4	4.9	21.4	4.2	16.6	21.7
N. Carolina	3,068	0.2	5.3	28.3	5.0	23.2	4.3	18.3	15.4
S. Carolina	1,502	0.1	6.2	26.0	4.2	22.6	4.5	18.3	18.0
Tennessee	2,153	0.3	4.5	24.3	5.3	23.6	4.8	21.6	15.5
Texas	6,810	2.6	4.6	14.2	5.9	24.8	6.4	23.6	17.9
Virginia	2,864	0.5	6.8	14.9	5.2	22.9	5.3	24.6	19.7
W. Virginia	613	5.5	3.8	14.3	5.9	23.7	3.9	22.4	20.4
South	**31,583**	**1.2**	**5.3**	**18.0**	**5.5**	**24.4**	**5.5**	**22.6**	**17.5**
Non-South	76,998	0.5	4.7	18.1	5.2	23.5	6.6	25.6	15.8

* Finance includes insurance, real estate, and financial jobs.

Source: U.S. Department of Labor

WHO GETS THE JOBS

Change in types of jobs held by women and blacks, 1969 to 1988.



Source: Equal Employment Opportunity Commission

urday and Sunday. I even worked Christmas Eve."

Tens of thousands of workers have similar stories to tell these days. Fifteen months after massive layoffs by the Allied Signal seatbelt factory in Knoxville, Tennessee, the Highlander Center surveyed 170 of those who had lost their jobs. Barely half had found work, and the average wage for those lucky enough to find a job had dropped from $5.76 to $3.70 an hour.

National studies bear out the Highlander findings. A 1986 study prepared for the Joint Economic Committee of Congress revealed that 42 percent of all new jobs in the South in the first half of the decade paid less than $7,000 a year. Another 1986 study by political economists Barry Bluestone and Bennett Harrison showed that the national growth rate for low-wage jobs in the mid-1980s was triple that of the mid-1970s.

A big reason for the spread of low-wage jobs is the creation of what *Forbes* magazine has dubbed the "disposable" workforce. Today almost one third of all workers hold part-time, temporary, or contract jobs. The Labor Department calculated that hiring so-called "contingent" workers to avoid paying benefits can save companies 15 to 24 cents on every payroll dollar.

Part-time jobs grew twice as fast as full-time positions in the last decade. The South now leads the nation in the number of part-time workers looking for full-time work, with Alabama, Kentucky, Mississippi, and Tennessee topping the list.

Even those who manage to hold on to full-time production work have suffered a decrease in earning power. After adjustments for inflation, the hourly pay of nonsupervisory production workers last year was only 36 cents more than their earnings in 1969 — and 46 cents *lower* than what they earned in 1979.

Given the shortage of full-time jobs offering adequate pay, it's not surprising that record numbers of workers are holding down more than one job. According to the U.S. Bureau of Labor Statistics, 6.2 percent of all workers moonlight — the highest level in more than 30 years. Nearly half say they must do it to pay their bills.

PINK AND BLACK

The gap in wages between men and women persists, but it has closed somewhat. Last year women earned a median of 72 cents for every dollar men took home, compared with barely 59 cents in 1970.

But such figures may indicate not that women are earning more, but rather that men are making less. In their 1986 study, economists Bluestone and Harrison observed that white men were particularly hard hit by the decline in high-wage jobs in the early '80s. Between 1979 and 1984, an astounding 97 percent of all new jobs filled by white men paid low wages.

For that reason, the researchers cautioned against comparing the progress of women and minorities to the status of white men. "Improvement in these ratios owes more to the fact that white men are suffering losses than that other groups are making great gains," they reported.

Nevertheless, employment data from the Equal Employment Opportunity Commission indicate that Southern blacks and women made substantial job gains in the past two decades. Affirmative action programs have helped double and triple the proportion of blacks and women in managerial and professional jobs.

But the overall numbers are still pitifully small. Black men made up over 10 percent of the Southern workforce in 1988, but they held only five percent of the managerial and professional jobs and almost 17 percent of the blue collar and service jobs.

What's more, the lion's share of progress took place in the seventies. New job opportunities for women and minorities dried up with the onset of the 1981 recession and the Reagan administration's campaign against affirmative action.

Women in the South — including married women — have always worked outside the home in higher proportions than their non-Southern counterparts. What's more, they have always been more likely to hold manufacturing jobs, dominating textile sweatshops and other dangerous and low-paying workplaces.

In the last two decades, the rest of the nation has undergone something of a "Southernization" of the workforce. Women across the country have entered the job market in greater numbers than ever before. Seven out of 10 women aged 25 to 54 now work, up from five out of 10 at the end of the sixties.

In the South, women — white and black — still hold most of the "pink collar" clerical and office jobs, relatively low-paying positions with high numbers of temporary and part-time workers. Clerical jobs have always been seen as "women's work," a characterization that's even more accurate today: fully 85 percent of these jobs now go to women, up from 75 percent in the sixties. Black women account entirely for this increase, jumping from three percent of all clerical and office workers in 1969 to 14 percent today.

In the past two decades, women have also taken over the majority of jobs in the low-paying area of sales and service — a job category formerly dominated by men.

Black women also fill 13 percent of all laborer's jobs — up from seven percent in 1969 — replacing black men almost one for one. As a result, Southern blacks still hold more than a third of all jobs as manual laborers, even though they make up just under 20 percent of the region's nonagricultural workforce.

UNION BLUES

The decline of manufacturing, the deterioration of living standards, the surge of "temp" work, continued job discrimination — where has organized labor been while all this was happening?

For the most part, labor unions have failed to meet the workplace challenges of the 1980s. The fear of job loss stimulated by the 1981 recession and President Reagan's breaking of the air traffic controllers union in 1982 set the tone for the decade. Workers feared for their individual jobs, and corporate America reached a new consensus on using union-busting tactics.

The Government Accounting Office reported that only half as many strikes took place in the eighties as in the previous decade. In the strikes that did occur last year, nearly a third of employers hired permanent replacements — a practice that was rare in the seventies.

The loss in union clout has already been felt in weaker contracts as workers have become accustomed to takebacks, cuts in benefits, and lump-sum payments in lieu of the cost-of-living adjustments (COLAs) that were standard in the seventies. In the five-year period following 1981, the percent of U.S. workers under major bargaining agreements with COLA provisions fell from 60 percent to 40 percent.

The South has always been less unionized than other regions and the spread of union-busting tactics, combined with attrition from layoffs and plant closures, has eroded the base of organized labor that exists in the region.

Southern union membership in manufacturing, the most organized industry, shrunk by 12 percent between 1984 and 1988. Today only 14 percent of the region's production workers belong to unions, compared with 19 percent nationally.

Photo by Earl Dotter

PITTSTON COAL MINERS WON A HARD-FOUGHT STRIKE OVER HEALTH CARE BENEFITS EARLIER THIS YEAR, BUT UNION MEMBERSHIP IN THE REGION REMAINS LOW.

The loss of union representation is likely to have a direct impact on wages in the years ahead. It is no accident that the states with the poorest wages are the ones with the weakest union representation.

Despite company fear tactics, Southern workers continue to organize — and some talk of joining forces with low-paid workers in other countries. "Now companies are paying 80 cents an hour to Mexican women to do the same thing we were doing for $7 — and both workforces are underpaid," said Joan Sharpe, the North Carolina worker who lost her job when the Schlage Lock plant moved to Mexico. "The way I see it, the only way either group of workers is going to get anywhere is to get organized."

NEW SKILLS NEEDED

Unions have long called on government to provide better job training, and economic analysts and policymakers are slowly coming to the same conclusion. Low wages and tax breaks, they agree, are no longer enough to attract industry to the region. The most important move the South can make to guarantee future jobs is to improve education for workers.

According to a report by the Southern Growth Policies Board, a regional development think tank, "Successful firms — both manufacturing and service — require a scientific and technologically literate work force." The report also pointed out that counties with the most job growth tend to be those with the most high-school graduates.

Retraining options for older workers must be a priority as well; laid-off workers clearly want to learn new skills, but few can afford the time. Juliet Merrifield surveyed laid-off Levi's workers in Knoxville, Tennessee. "Many wanted to make a real career change," she recalled, "but they were told they'd only have 26 weeks of unemployment — not enough to go back to school."

Harry Monroe, the union president representing workers laid off at the AT&T Nassau plant in South Carolina, doubts that workers will have much to choose from in retraining courses. The state has nearly depleted its federal funds earmarked for job training.

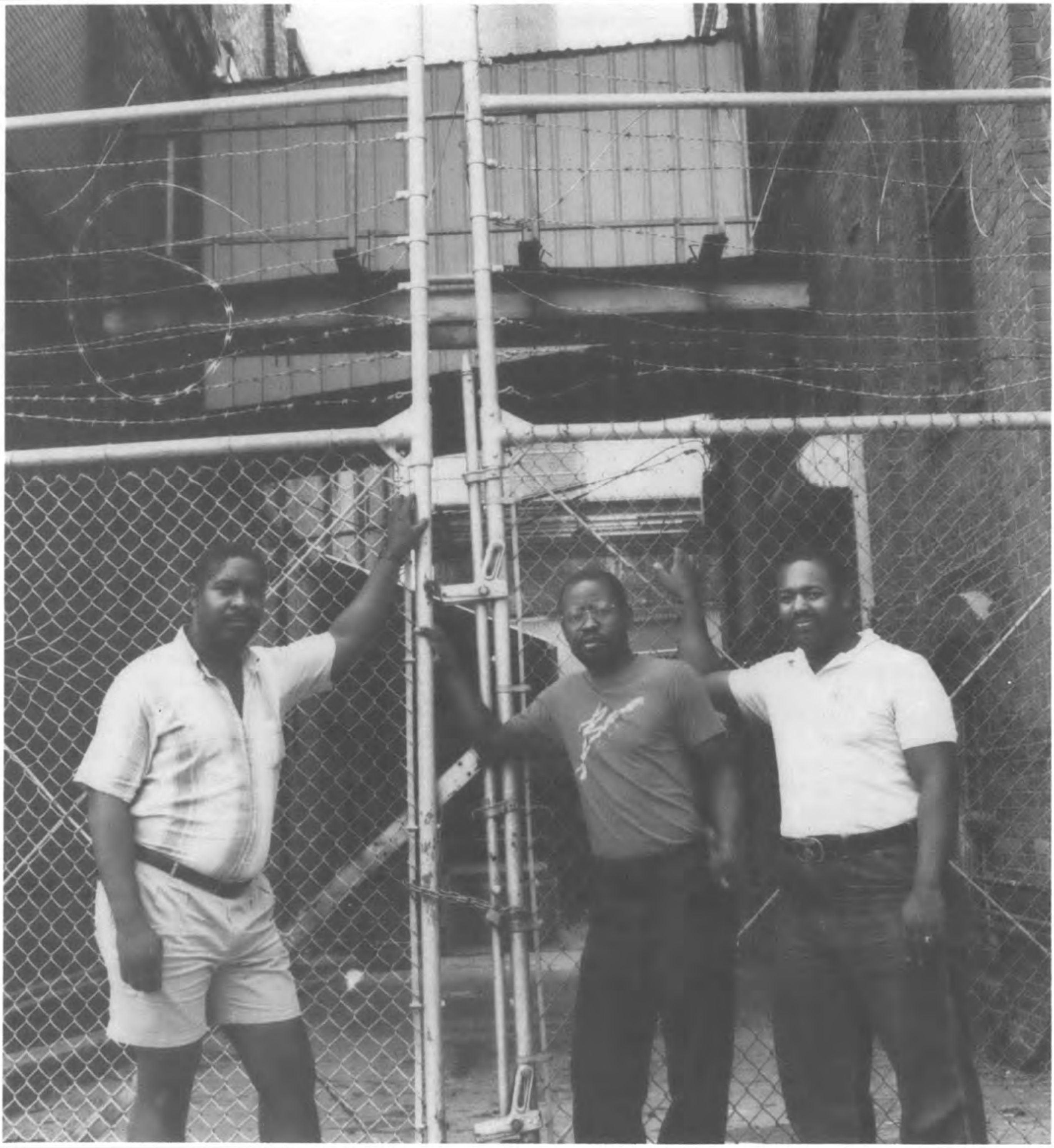
Al Bouknight, one of the laid-off AT&T workers, said he hopes he'll get the chance. "I been thinking about retraining in something like diesel mechanics or industrial electronics. I don't want to end up flipping no hamburgers."

Two years after losing her job at Levi's, Shirley Martin speaks for many workers when she recounts the frustration of retraining, only to find herself in a dead-end minimum-wage job.

"I was so sick of factory work I could have gone and blown that factory up," she said with a laugh. "But if a factory job came open today, I would take it." ☐

Research for this report was conducted by Sandy Smith, with support from the Southern Labor Fund of the Institute for Southern Studies.

Photos by Sadie Bridger



WESLEY BRANDT, RAY EURQUHART, AND SHELTON CLARK STAND OUTSIDE THE GATES OF THE AMERICAN TOBACCO FACTORY.

FACTORY CLEARANCE

Three years after the largest layoff in city history, Durham workers still struggle to make ends meet.

By Barry Yeoman

For 13 years, Fay and Michael Riggs worked together at the huge American Tobacco Co. factory in Durham, North Carolina. Fay operated a cigarette machine, making sure it was up and running, clean and full of paper. Michael, her sweetheart since junior high school, drove a forklift on the docks outside the plant. They made union wages: a combined $27 an hour, no small sum for two high-school dropouts.

"It got us a home," says Fay. "Friends of ours couldn't afford a down payment or make a house payment." They bought camping equipment, even a boat. "It gave us more pleasurable things than just the needs."

More important, their jobs gave them community. The factory was a veritable network of aunts, uncles, cousins, and friends — 1,000 employees, some of whom had labored together for decades. Michael's mother and stepfather worked there, along with Fay's sister. "There wasn't a soul up there that didn't have kin there," Fay says.

That network transcended the factory walls. Along with four or five other couples from American Tobacco, the Riggses would camp on Kerr Lake, sometimes blowing $200 in a single weekend. Michael played softball with the other men in his department. "If anyone was sick or there was a death in the family, the employees stuck together," Fay says.

Then — without warning — that life came to an end. On August 26, 1986, American Tobacco's managers told all the first-shift employees to turn off the machines and report to the cafeteria. "People were talking on the way up there, 'They're trying to get us to give more money to the United Fund,'" recalls Michael. "But we knew what it was all about."

Contract
SE Special Section

His fears proved correct. The plant management had called the meeting to announce that the 100-year-old factory, which produced Lucky Strikes, Pall Malls and Carltons, would close the following year.

American Tobacco was experiencing record growth that year, and its parent firm, American Brands, saw its sales increase to $8.5 billion, up from $7.3 billion the year before. Yet officers at American Tobacco headquarters in Stamford, Connecticut, had decided that the Durham plant was operating below capacity and could be consolidated with a facility in Reidsville, North Carolina.

"The first thing that popped into my mind was that we had to go to Reidsville," remembers Fay. They visited the town on the Virginia border, found it "not very desirable," and decided they didn't want to uproot their two sons and leave the boys' grandparents.

So Michael bought a trencher and did

freelance ditch-digging, while Fay stayed home with the boys. She looked for work — but no one wanted to hire a worker accustomed to earning $14 an hour. "I told the man where I applied, 'I know I'm not going to make $14, so I've got to start at the bottom somewhere.'"

Eventually, they both found work with a pumping company owned by her uncle. She keeps the books, while he travels around the area servicing well pumps. Their combined starting wage was $12 an hour, a 55 percent cut from their American Tobacco jobs. They receive no medical or dental insurance, and a fraction of the vacation time they once got.

What happened to the Riggses happened to many of the workers at American Tobacco. Three years after the largest layoff in Durham history, the shock waves still ripple through the community. Separated from family and friends, many of the former factory workers have been forced to settle for lower-paying jobs in the service sector. Taken together, their stories reveal a larger shift in the Southern economy, as hometown industries across the region have been boarded up by Wall Street powerhouses.

Kay and Michael Riggs used to earn a total of $27 an hour at the factory. Now they make half as much working for a pumping company.

The Riggses like their new jobs and enjoy working together again. But they miss their friends. Many moved to Reidsville to keep their jobs, and when they get together — which isn't often — it feels awkward. "Everyone's got their different worlds," Fay says.

"I keep saying we're going to get up one Sunday morning and drive up there and see them, but we never do," adds Michael. "Someday I will."

■

GOLF BALLS AND PINKERTONS

Driving into downtown Durham from the south, the first and most imposing building a motorist sees is the American Tobacco factory: a brick complex five blocks long, bordered on two sides by almost a half-mile of razor fencing. A white water tower and brick smokestack rise from the four-story plant, each bearing the bull's eye logo of Lucky Strike cigarettes.

Now the complex sits empty, one of hundreds of factories throughout the South that have shut their doors in recent years. A survey of eight Southern states by the U.S. Bureau of Labor Statistics turned up 549 plants that shut down or held mass layoffs the same year as the American Tobacco closing, throwing 134,580 people out of work.

But the American Tobacco complex was always more than a factory — it stood as a monument to the city's *raison d'etre*. Durham was founded as a tobacco town, and cigarettes were the main business venture of Washington Duke, the endower of Duke University and patriarch of the city's most famous family.

As Duke's empire grew, so did Durham. Before the U.S. Supreme Court ordered it to break up in 1911, American Tobacco had gobbled up its major competitors and had a lock on the American cigarette market. Seventy-five years later, the firm had taken a back seat to such giants as R.J. Reynolds and Philip Morris.

Still, it remained a mainstay of Durham's economy. With a unionized work force, it offered wages exceeding $19 an hour for some skilled employees. Durham natives without high-school diplomas could stay in town and find well-paying jobs, often side-by-side with their families.

"There was a joke that if certain people died, they would have to close the factory that day because so many people from the family worked there," says former American Tobacco millwright Ray Eurquhart.

But while factory life centered around family and community, American Tobacco had long ago left the town where it grew up. Now the company belonged to American Brands, a giant conglomerate based in Old Greenwich, Connecticut that also owned Jim Beam bourbon, Titleist golf balls, Franklin Life Insurance Co. and Pinkerton's detective agency. When the company decided to close the plant, the decision was made in Connecticut. No one consulted workers, city officials, or union leaders in Durham.

Company officials say that community and history fell victim to bottom-line economics. According to Robert Rukeyser, senior vice president for American Brands, the domestic market for tobacco had declined while improved technology enabled fewer machines to produce more cigarettes. As a result, both the Durham and Reidsville plants operated at below capacity. "It was uneconomical to continue producing at two facilities," he says.

For Durham workers, the plant closing meant the death of the community. Overnight, the city lost 1,000 jobs and more than $700,000 in annual tax revenues. Nearly 260 hourly employees transferred to Reidsville. Some moved to the small one-industry town; others live in Durham and commute the two-and-a-half hours each day.

But most of the Durham workers parted company with American Tobacco when it closed. Some started their own businesses or found satisfying work in other fields. Many went to work for Duke University. Others have drifted from job to job, finding only low-paying or temporary work. "There are some real success stories and some real sad stories about substance abuse and people who are just wandering," says Eurquhart.

A CLEAN START

In many ways — thanks in large part to the presence of a union — the closing created less trauma than others across the South. American Tobacco gave workers a year's notice, and the union and company negotiated a shutdown package that made the transition as easy as possible for many.

"American did not leave us like some other companies where you get to work the next day and there's a big padlock on the door," says Ruby Holeman, a former cigarette inspector who now works as a nurse at a convalescent home.

Along with severance pay and dividends from its profit-sharing program, the company offered training programs for the workers it was about to dismiss. Employees could go back to school for their high-school diplomas, or they could take specialized courses at local community colleges at American's expense. Brokers came into the plant and conducted seminars on investing money and running small businesses. Some of the workers could take advantage of those opportunities and build better lives for themselves.

Wesley Brandt was at home asleep when his day-shift co-workers learned about the plant closing. He worked evenings and slept mornings — and on that August morning, a friend's call jarred him from sleep. "He said, 'Man, have you seen the paper?'" Brandt recalls. When he heard the news, "I felt like the rug had been pulled out from under me."

For Brandt, the closing could only mean a pay cut. In his 13 years there, he had climbed from a general laborer to a mechanic, adjusting the equipment that packed the cigarettes. He made over $19 an hour — "the top of the scale," he says.

"I didn't know what I was going to do. I knew I was going to work somewhere else, but I knew there was nowhere to go and make the same money I made at American."

Brandt began attending the small-business seminars sponsored by American Tobacco and decided to start his own business. "When they gave the seminars, the brokers were real salespeople," he says. "They gave us a list of local-owned businesses that were up for sale." Brandt arranged with one of the brokers to buy a failing 24-hour laundromat in nearby Carrboro.

"It was a real dump. A lot of the equipment was old and had been vandalized. What hadn't been vandalized had just been worn out," he says. "You had a lot of drifters who used it to come in out of the cold."

Brandt had no money for renovation, but he worked for six or seven hours a day, cleaning up and keeping the vagrants away. "People began to come in because they knew I was trying to turn the place around," he says.

After eight months, Brandt had saved enough money to take out a commercial loan and revamp the laundromat. Now the Carrboro Laundromat and Dry Cleaners is stocked with new Speed Queen washers and shiny Wascomat Senior Triple Loaders. A television plays religious programming and home shopping, while a bulletin board displays notices for the NAACP, the U.S. Census Bureau, and a customer who wants to buy used wedding dresses. Brandt sits behind the counter accepting clothing for a local dry cleaner.

Brandt is turning a profit — though he works 60 or 70 hours a week and still earns less than he did at American Tobacco. Nonetheless, he says he's at greater peace with himself than ever before. "I'm my own boss. When I open the doors in the morning now, I'm opening the doors for myself. I'm not making big profits for someone else."

"BIGNESS IS BETTER"

It would be simplistic to say that a mere business decision made in Connecticut disrupted thousands of lives in Durham. In a larger sense, the American Tobacco plant closing resulted from enormous changes in the South's economy: the decline in manufacturing, the rise in the service sector, and the trend toward bigger and more diversified corporations.

That strategy of owning many unrelated companies — called "diversification" — is common in the United States, particularly in the tobacco industry, where consumption has dropped over the past 20 years. American Brands pursued that strategy feverishly, buying companies, then turning around and selling them again. Since the mid-1980s, American Brands has gone on a $3.8-billion buying spree, while selling off $2.5 billion in "non-strategic" divisions, says vice president Rukeyser.

The corporation has forayed into liquor, hardware, office supplies and insurance, while getting out of biscuits and detective services. It deflected a takeover bid by a company called E-II Holdings by turning around and swallowing up the aggressor company for $1.1 billion.

"Today I take the position that bigness is better," American Brands chairman William Alley told the Stamford *Advocate* two years ago. "Competing in international markets requires largeness, financial acumen and the ability to get in and stay in developing markets."

All these high-finance maneuvers were made possible by workers like Wesley Brandt and the Riggses. American Brands makes 65 percent of its operating income from cigarette manufacturing, and the corporation plows that money into other business ventures. "Tobacco companies are cash cows," says Jack Maxwell, a securities analyst with Wheat, First Securities in Richmond, Virginia. "They produce all this extra cash that they use to increase profitability."

In the complex web of ownership, American Tobacco was a division of American Brands until January 1986. Then the parent corporation reorganized itself: American Tobacco became an independent subsidiary, operating with more autonomy than in the past. A company spokesperson told *The Wall Street Journal* the reshuffling would "provide a more favorable vehicle for future acquisitions."

Within eight months of the changes, American Tobacco decided to board up its Durham plant.

The factory closed on August 26, 1987. That year represented "the best year in our history," according to American Brands. Earnings increased 43 percent, while revenues broke another record — this time $9.2 billion.

TAXI

1987 didn't prove so rewarding for American Tobacco workers. Five months before the company announced the Durham plant closing, J.P. Stevens began closing the city's last big textile mill, throwing 700 employees out of work. They joined 445 who found themselves jobless when General Electric shut down its Durham turbine plant.

Some of the workers left Durham altogether. Linda and Robert Ferrell had just bought land in the country and were planning to build a new home — and then the announcement came. In order to keep their well-paying American Tobacco jobs, they moved to Reidsville and transferred to the night shift. "You don't live somewhere half your life and make friends and that's where you're roots are, and not miss it," says Robert. "I don't want to imply that I'm tickled to damn death here."

Others opted to commute. Every work night, Eddie Hunt starts preparing for work at 9 p.m. in order to get to Reidsville by 11. "I don't sleep with my wife five nights out of the week," he says. And when his son plays in evening ball games, "I can only go to a half-hour of them, and then come home."

What's hardest for Hunt, though, is how the plant closing broke up his tight circle of friends. "All us boys, we'd go out to lunch — it was like high school kids together. We'd cut up, we'd have fun. Now it seems like we've broken up. You see them at the mall or if you go out to eat, but it's not the same."

LAID OFF AT THE FACTORY, SHELTON CLARK DRIVES A CAB AT NIGHT TO SUPPORT HIS THREE CHILDREN.

Those who stayed in Durham found the job market glutted. There were no manufacturing jobs to be had, and even low-paying service-sector work proved hard to find.

"If you didn't have any skills at my age, 41, they look at you and say, 'What can you offer me?'" says Carolyn Williams, who operated a cigarette-packing machine at American. While she looked for work, she was forced to give up her rental house and move into her mother's home with her teenage son. Although she went back to a community college for secretarial training, all Williams could find was a $12,000-a-year job in a local law office.

Even workers who had skills found their abilities couldn't always be transferred. Shelton Clark had finished a four-year apprenticeship at American to become a millwright: a mechanic who installed motors, did carpentry, laid bricks and made conveyors. "To be a millwright at the American Tobacco was the top job in the factory," he says. "It made me feel a lot of responsibility and at times a lot of pressure to do good, and always to learn."

Clark's $40,000 annual wage enabled him to take his wife and three children to Atlanta every few months to watch Braves baseball games. They bought a modest brick house on a quiet cul-de-sac and clothed the children well.

When the announcement came, "it was like a numb feeling, like maybe it didn't happen." Still, with his millwright training, Clark was optimistic he'd find a decent job.

He was wrong. He could only find a temporary job at IBM, packaging computer components. He made $6 an hour, and his severance pay tided the family over.

When the job ran out, the doldrums set in. For six months Clark looked furiously for work. He answered ads for maintenance workers, but the jobs required electrical experience. "A lot of jobs, they didn't want to hire me because I worked at American Tobacco and I made a lot of money," he says. "I was told by prospective employers that I wouldn't be happy at that job because I wouldn't be making $19 an hour. I explained [that] all I wanted was a decent-paying job with some benefits."

To make ends meet, Clark did maintenance at Duke University and helped a friend make ceramic figures to sell as Christmas gifts. Finally, he found a job driving a taxicab, averaging $5 an hour.

Now, Clark gets in his cab every afternoon and drives around the city and the airport until he has earned his share of the household income. Usually that means coming home at 3 a.m., though sometimes he has to stay out until 5. "I dread working in the city because of the possibility of getting robbed," he says. "The folks in the city take the cab to pick up drugs. It's something I kind of hate to do."

And the stress has "worked on my nerves," he says. His temper has worn thin, and he worries because the family cannot afford medical insurance. "As long as I stay healthy I'll be likely to survive pretty well," he says. "I can't afford to get sick."

"I was looking forward to retiring at the factory," Clark says. "I would have had a great retirement, but they just shut the doors down on me. The plant was good to me — but then again, the plant wasn't, by closing."

A BITTER DIPLOMA

The American Tobacco factory sits idle now — but not for long. In August, Durham City Council approved a plan by local developer Adam Abram to convert the 24-acre site into American Campus — an emporium of shops and offices. "I think this is a doggone good project," Mayor Chester Jenkins told the Raleigh *News and Observer*.

The conversion of the tobacco plant marks a fitting end to the tobacco factory founded by Washington Duke. Just as American Tobacco's parent company has diversified beyond manufacturing into service industries such as insurance, so have the workers who toiled there. They now work for law firms, taxi fleets, and nursing homes — businesses that don't produce tangible "products" — making far less money than they did in the factory.

Now, with its conversion into a shopping and office complex, even the American Tobacco plant will join the service sector. And one of the tenants at American Campus will be the institution that Duke financed with his tobacco money: Duke University. The plan calls for Duke to rent 125,000 square feet for classrooms, labs or offices.

Unlike the tobacco company, Duke University is part of the service economy. It pays its workers wages well below what American Tobacco paid, even for specialized jobs such as air-conditioning maintenance. "With $9 an hour, you make it, but you don't have any extra. A lot of our buying habits we had to change," says John Thomas Riley, one of the many former American Tobacco workers who now work for the university.

For workers like Riley, the transition of their old workplace — from hometown factory to elite university — may be the most biting irony of all. ❑

Barry Yeoman is associate editor of The Independent, *a newsweekly published in Durham, North Carolina. His article on poultry farming in the Summer 1989 issue of* Southern Exposure *won a National Magazine Award.*

WORK A DAY BLUES

Labor pools are spreading across the South, offering $25 a day for dangerous, part-time work.

By Adam Feuerstein

ATLANTA, GA. — It's five a.m. and there's little action in streets that snake like rivers around the gleaming steel, stone, and glass towers that harbor some of the South's most successful and profitable businesses. But just blocks from the city center, the rubble-strewn alleys and dark streets between Techwood Drive and Simpson Street already buzz with activity.

Hundreds of men line up outside dilapidated storefronts. Drowsy and fatigued, many of them homeless, they struggle to shake off the effects of early wake-up calls at nearby shelters or long bus rides into the city.

Those who awake early are the smartest. They know if they get down to Techwood by six, they may snag a job at Labor World or Right Hand Man. They'll earn $20 or so that day, just enough to scratch out a living.

Another day has dawned at the labor pools.

200 Men, Labor Pro, Industrial Labor Services, Peakload — these are just a few of the growing number of "temp agencies" known as labor pools that provide cheap, hassle-free, manual labor to the mainstays of corporate Atlanta.

The *Atlanta Journal and Constitution*, the Marriott Marquis hotel, and construction firms like Davis Mechanical Contractors routinely pay local labor pools to provide workers by the day. Unlike union hiring halls, which force employers to pay fair wages and benefits, labor pools offer no such comforts. Most pay only minimum wage, and few provide any benefits.

Contract
SE Special Section

Temporary labor is nothing new, especially in the South. Ever since the plantation system gave way to sharecropping, the region has increasingly relied on migrant farmworkers to harvest its crops. But it is only in the past decade that the urban market for temporary manual labor has exploded into a multi-million-dollar industry.

The Georgia Department of Labor does not regulate labor pools, making official statistics hard to come by. But dozens of labor pools now operate within a three-block radius of Techwood and Simpson streets, sending out thousands of workers every day and keeping hundreds more on hold in filthy waiting rooms, ready to be called for jobs.

Those who frequent the pools say hundreds of companies have set up shop in the Atlanta area. Labor pools have also proliferated across the region — in Houston, Dallas, Orlando, Miami, New Orleans, Nashville, Charlotte, and scores of smaller Southern cities.

Business leaders and labor pool operators defend their practices as a way for those with no income and no chance at a full-time job to earn a living. But critics of labor pools, including the homeless and their advocates, say the system exploits the people it claims to help.

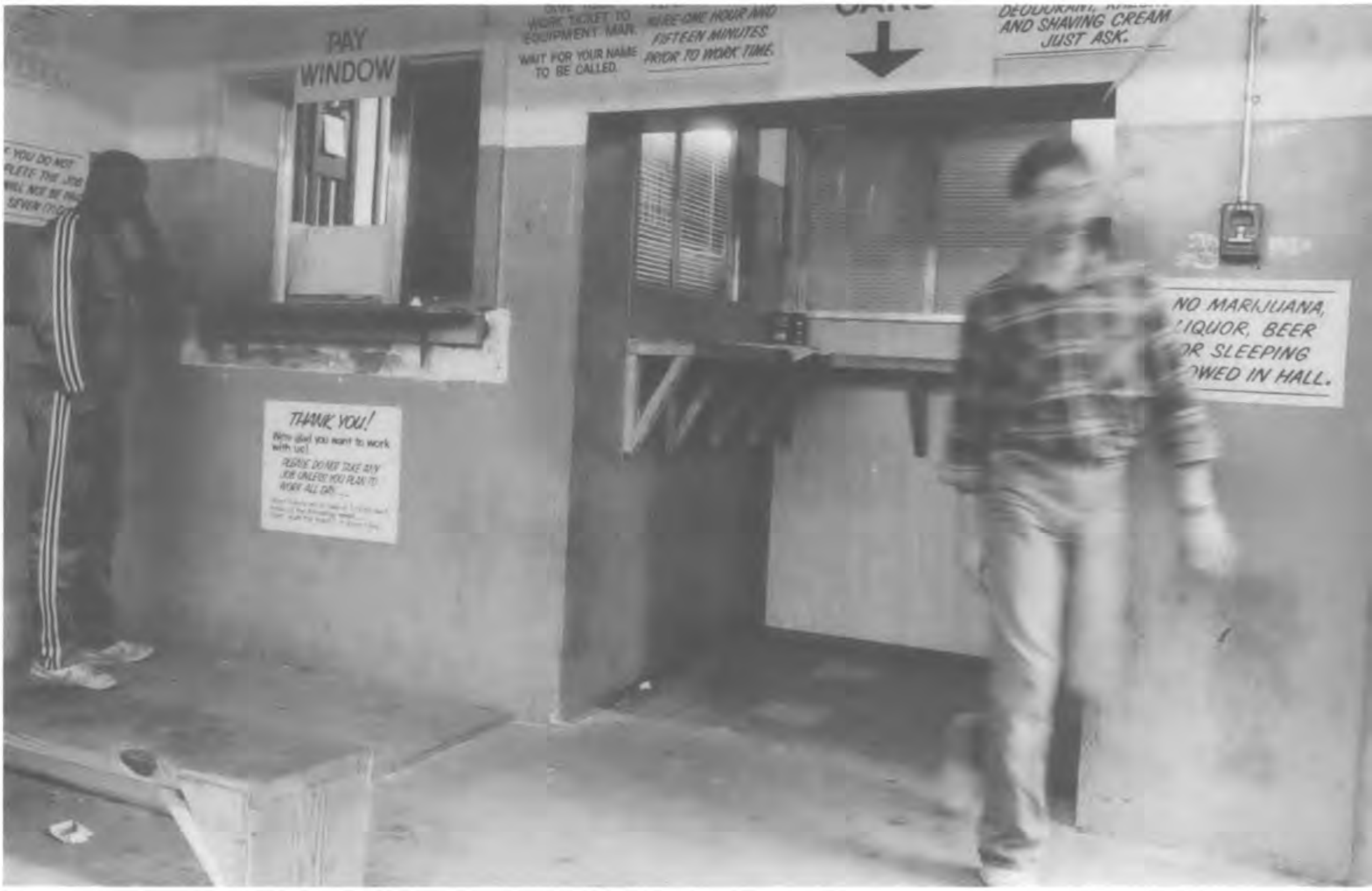
"It's slave labor," says Jerome Smith, an 11-year veteran of labor pools. "You're a slave. They take you out on these jobs and then you're doing crap — I mean really crappy work. And you say, 'Man, I can't believe I'm doing this kind of stuff.'"

■

VANS AND SANDWICHES

Labor pools provide manual day laborers to employers for a fee. A company in need of temporary manual labor simply calls a local labor pool and arranges for a crew to be brought out to the work site or factory. Instead of hiring a cadre of part-time, temporary workers, the company saves time and money by

Photo by Tom Rankin


PAY WINDOW
WORK TICKET TO EQUIPMENT MAN. WAIT FOR YOUR NAME TO BE CALLED.
FIFTEEN MINUTES PRIOR TO WORK TIME.
AND SHAVING CREAM JUST ASK.
THANK YOU!
NO MARIJUANA, LIQUOR, BEER OR SLEEPING OWED IN HALL.

TEMPORARY WORKERS AT LABOR POOLS LIKE THIS ONE ON TECHWOOD DRIVE IN ATLANTA USUALLY EARN LESS THAN $25 A DAY.

writing one check to the labor pool, which handles the payroll and covers unemployment insurance, workers compensation, and other expenses.

According to a report by the non-profit Southern Regional Council, companies pay an average of $7 an hour for each worker they use, with some fees running as high as $14 an hour.

Workers, on the other hand, generally receive only $4 an hour for their labor. Before they get their money, however, the labor pools routinely take daily business expenses directly out of their paychecks.

The labor pools deduct unemployment insurance and state and federal taxes. They subtract the cost of van transportation to and from the job site — as much as $2.50 each way — and often fine workers for lost hard hats, gloves, and boots. They even provide workers with a sandwich for lunch — and then deduct $2 or $3 from their paychecks.

After all the deductions and fees, a typical worker earns between $20 and $25 a day. Most get sent out on a job only three or four days a week, and only a handful earn more than $100 a week.

"The worst part is what they pay. Anyone will tell you that," says Frank Trusty, who gets occasional restaurant and construction jobs through Industrial Labor Service. "They don't pay you enough to get out. They pay you just enough to come back every day."

Trusty, homeless at age 19, lives in the Rising Star Men's Shelter. On the second-floor of the shelter, 150 men spend the night on thin vinyl mats spread out on a wooden floor. Some are already asleep by 6:30 p.m. Others wash their clothes or play cards in the corner.

Talk of labor pools dominates their conversation. Complaints about the way labor pools treat workers go beyond the low wages to the very core of the system they promote — an endless cycle of dependency and poverty that offers no way for those without to get ahead.

"It is so discouraging," says Jerome Smith. "They're not doing nothing that benefits anybody. They think they're benefiting you by sending you on a job and then giving you $15 or $20 a day. They make more money than you make and you're doing the work. Let's face it, that's disgusting."

The work is hard, physical, and often dangerous. Smith recalls one job at an Atlanta construction site where he and a crew of other day laborers were sent into a pit to empty it of rainwater. While they worked, the sides of the hole caved in, sending Smith and the others scrambling to get out.

Dozens of other homeless men — all veterans of the labor pool system — recount similar stories of dangerous, filthy jobs. One worker who wished to remain anonymous recalled being taken to a job at a rendering plant in south Atlanta that processed dead animals and spoiled meat into animal feed. He was given a rough

RIPPLES IN THE POOLS

Right Hand Man stands on a corner lot surrounded by a wire fence at 235 Techwood Drive. The bright facade, with big windows and a snappy sign, contrasts starkly with the dark decor inside.

The smell of sweat and stale cigarettes fills the air. Heavy boards and wire mesh cover the windows, preventing any sunlight from peeking in.

Thirty men sit aimlessly on two rows of metal folding chairs, waiting for the call that will send them to a job. A large sign reads: "Don't come up until your name is called — Sit Down!"

It is 8:30 a.m. and most of the jobs have already been filled. Those who stick around may wait all day for nothing. One man sits on a box, a lifetime of possessions stuffed in an old suitcase by his side. Next to him on the dirty floor, two men are spread out on flattened cardboard boxes — unconscious.

"It's just filthy, it stinks, it's dehumanizing," says Ed Loring, a local minister and leading advocate for the homeless. "It depletes any interior resources within the human self."

The shabby conditions and abusive treatment at Atlanta labor pools have prompted a growing number of the homeless to speak out. Working with Loring and others, they have formed the Coalition for Labor Pool Reform, a group dedicated to overhauling the manual labor system.

Coalition leaders have met with Mayor Maynard Jackson and City Council members, urging them to regulate labor pools. Council member Jabari Simama said labor pool workers are being "exploited" and that their condition is "only a half-step above slavery." He is working with a city committee to force labor pools to guarantee fair wages and abolish abusive practices.

Talk of reform has also spread among the downtown business leaders who rely on labor pools. Central Atlanta Progress, an organization of downtown businesses, has started a non-profit "Job Network" to supply companies with temporary workers.

Unlike labor pools, the Job Network guarantees workers at least $30 a day and eliminates deductions. The *Atlanta Journal and Constitution* and the Marriott Marquis hotel have announced plans to hire temporary workers through the Job Network.

But leaders of the coalition remain skeptical of the plan. They say temporary jobs — whether they come from Techwood Drive or from a non-profit labor pool — are not the answer. What is needed are more permanent jobs that provide a living wage.

So far, the push for reform has proved tough. Labor pools are the only source of income for many homeless men, and speaking up can be costly. Since Jerome Smith joined the group, for example, he has been blacklisted by most of the labor pools. It took him five months to a find a job on his own — but he says the sacrifice only strengthened his resolve to reform the system.

Members of the coalition say they expect the reform battle will be a long one. "What's frustrating about this kind of movement is that it is very hard to generate grassroots support," says Ed Loring. "The homeless don't have the energy to talk about political will when part of their daily quest is finding something to do and worrying about eating and going to the bathroom."

— A.F.

Photo by Tom Rankin

Right Hand Man
TEMPORARY HELP
EMPLOYMENT ENTRANCE IN REAR
325

THE FRONT OFFICE OF RIGHT HAND MAN, ONE OF THE HUNDREDS OF LABOR POOLS THAT HAVE SET UP SHOP IN THE ATLANTA AREA.

broom and made to sweep the rotting meat down a hole in the middle of a concrete floor.

In the summer, he says, the stench was terrible and men would pass out. Even those who could stand the smell would slip in the slime, becoming covered in the mess. After a day's work, the men would be too filthy to ride public transportation. Many were forced to walk home, airing themselves out in the breeze.

All this, the worker says, for less than $4 an hour.

PAYROLL TRICKS

Employers who call Labor World USA in Atlanta are greeted by a cheerful voice: "It's a great day at Labor World! How can I help you?"

For Labor World — one of the largest labor pools in the nation — every day *is* a great day. Based in Boca Raton, Florida, the company operates 55 branches nationwide and expects to make $80 million this year.

Temporary work is big business for labor pool "chains" with franchises scattered across the country. Peakload Inc. of America operates 16 branches from its headquarters in Barker, Texas, and projects annual sales of $45 million.

No federal, state, or local regulations safeguard workers against labor pool abuses, and some companies reportedly take advantage of the lack of oversight to keep operating costs low and profits high.

Many labor pools pay their workers in cash at the end of each day, and the study by the Southern Regional Council found that the lack of paperwork allows labor pools to underreport the size of their payroll and pay less than required in state unemployment insurance.

Manual labor pools also keep unemployment costs to a minimum by always having a job available for workers who try to file claims. "Labor pools can always give somebody a job for a day — at least on the day they apply as an unemployed worker wishing to draw unemployment compensation," says Steve Suitts, executive director of the Southern Regional Council.

Labor pools can get away with such abuses because of the relative helplessness of their poor, predominantly homeless workforce. Slowly, though, workers are starting to stand up for their rights. James Steal decided to fight back — and in doing so became the first day laborer in Georgia to successfully challenge a labor pool in court.

Steal sued Labor World, saying the company kept track of his hours on the work ticket of another employee and then paid him for only half the hours he actually worked. According to the suit, Labor World routinely used tricky payroll procedures to rob day laborers of a portion of their wages.

When the case came before Judge John Mather on June 20, representatives of Labor World failed to appear. The judge found the company guilty and awarded Steal $5,000 — the maximum judgment allowed in Georgia state court.

Steal says that workers must continue to sue labor pools and press for regulations to curtail the abuses. "The laws that are on the books in this state concerning labor pools give them a blank ticket to do what they want to do," he says. "And that's why these people take advantage of us."

DOLLAR A TRIP

Labor pool managers paint a different picture of the services they offer. Hartley Wilson, a customer service representative for Right Hand Man, says that labor pools give workers a chance to make something of themselves.

"We try to be as fair as possible," he says. "When we do find someone who is showing an effort to better themselves, that's what we pride ourselves on. They can get themselves a raise, they can learn a skill — we're not going to hold them back from getting a regular job."

Wilson says Right Hand Man pays workers between $3.50 and $7 an hour, depending on the job. The Florida-based company also provides transportation to and from job sites for $1 a trip.

Wilson dispatches as many as 150 workers a day, most to factories or construction sites. He says he tries to screen each worker personally, letting them know where they're going and giving them a choice of jobs whenever possible.

Hartley would not disclose the fees Right Hand Man charges its customers. "The exploitation here is not what you think," he says. "Of course, we are a business intending to make money."

Wilson bristled at the suggestion that day labor is a form of slavery. "You can find a lot of bad in everything, but suppose there wasn't a labor pool," he says. "Where would these people be getting money if they really need it to buy their families food? I don't see it as a form of slavery. They're paid for the labor."

STOP THE PRESSES

Despite their differences, critics and proponents alike see the controversy over labor pools in economic terms. For companies who use temporary agencies, the system saves money. For those who do the work, temporary jobs rob them of the chance to earn a decent, stable wage.

"When you go out to the job, you're doing an $8-an-hour job for $3.50 an hour," says Frank Trusty at the Rising Star shelter. "The only reason they're hiring from labor pools is they don't have to pay the tax and insurance."

Jerome Smith agrees. "The people at the company are walking around grinning and laughing at you knowing that they're making $9 or $10 an hour."

The *Atlanta Journal and Constitution* has a reputation as the biggest user of labor pool workers in the city. Vic Brown worked at the newspaper off and on for almost three years through a now-

Photo by Allison Shirreffs

MOST LABOR POOLS USE HOMELESS MEN, WHO MUST ARRIVE BEFORE DAWN TO BE SURE OF RECEIVING A JOB FOR THE DAY.

defunct labor pool called Tracy Labor.

"The newspaper is the main problem," he says. "The *Journal* is the worst one. They use labor pools every day, seven days a week. Why can't they just hire us to load trucks? We've been doing it for years. I know guys working at the *Journal* 10 years still making $3.50."

Jimmy Easley, manager of bulk distribution for the paper, acknowledges that his department uses labor pool workers to load and unload trucks "basically on a daily basis."

So why not just hire enough men to do the job? Easley says his deliveries vary each day depending on the number of inserts, making it difficult to know how many workers he will need. Hiring men from labor pools gives his department "flexibility."

Jay Smith, publisher of the paper, says he is concerned about the exploitation of day workers. So far, however, the only action he has taken is to write the labor pools and ask them about their employment and pay practices — even though stories filed by his own reporters have revealed low pay and unfair working conditions.

At least one company has taken matters a step further. J. Barkley Russell, public relations manager for Westin Peachtree Plaza, says the hotel stopped using labor pools for banquet setups and other custodial tasks when it learned that workers were being abused. According to Russell, the company has opted to increase its own part-time staff rather than rely on labor pools for temporary help.

Sandra Robertson, director of the Georgia Citizen's Coalition for Hunger, says she is encouraged by such actions, but added that the problem goes beyond the labor pools. To Robertson, all temporary labor represents a system of economic enslavement that leads to more serious social problems.

"It's a system that keeps people poor," she says. "The system is designed to keep a supply of workers available to companies that are cheap, temporary, and expendable. In other words, when they no longer have a need for them, they don't have to go through the hassle of laying people off or giving them severance pay."

For workers, she says, temporary jobs put their entire lives on hold. "What it does is make their lives temporary, everything is temporary because they never know if they'll have a job one day to the next. They don't know how many hours they'll work. Their future is very shaky — they can't plan for any of the necessities of life."

BLOODY GLOVES

Workers and advocates like Sandra Robertson are fighting to reform the system. (See sidebar, page 27.) But in the meantime, millions of day laborers continue to be subjected to poverty wages and dangerous working conditions.

Consider the case of Albert Hardy, a 19-year-old from Decatur, Georgia. Last winter, Industrial Labor Service sent Hardy out to work in a local metal yard. The razor-sharp metal sheeting he handled made working conditions dangerous, but the labor pool equipped him only with a thin pair of cotton gloves.

While Hardy worked, a piece of metal ripped through the gloves, slicing his hand and sending him to the hospital to receive stitches.

Later that week, Hardy recalls, he returned to Industrial Labor to pick up his paycheck — which was supposed to include compensation for the two days he was unable to work. Instead, the manager on duty paid him only for the day he was hurt. When Hardy looked at the check he received an even bigger surprise:

The labor pool had charged him $3 for failing to return the bloodied gloves. ❑

Adam Feuerstein is a staff writer with the Atlanta Business Chronicle.

CATS FIGHT

BY DEAN GRABER

MORRISTOWN, TENN. — When General Electric laid off Shirley Reinhardt two years ago, she went looking for another job. What she discovered made her mad.

"It used to be that when a plant needed employees, it hired them through the unemployment office," said Reinhardt, displaced after 10 years at a GE warehouse. "But today they hire them through one of these employment agencies."

Everywhere she went, Reinhardt heard the same story: Local factories were using employment agencies to replace permanent employees with lower-paid, temporary workers.

Angered by the spread of "temp work," Reinhardt and 100 other workers laid off by GE formed Citizens Against Temporary Services (CATS), one of the first groups in the nation organized to fight the abuse of temp agencies.

The group mobilized quickly. They held meetings attended by hundreds of people and marched down Main Street with banners and scarlet CATS T-shirts. They persuaded state lawmakers to study temporary employment. They went to public hearings and described how temp agencies left them standing in the unemployment line.

The members of CATS are not alone. Temporary workers have replaced thousands of permanent employees across the South in recent years, depriving families of health insurance, pensions, and job security. In Tennessee alone, state figures show that between 1982 and 1988, the number of temporary workers jumped from 5,797 to 31,078.

Lodis Adams, chair of CATS, was laid off three years ago when GE transferred some of its assembly work to Mexico. "I know companies have to make a profit or they don't stay in business," she says. "But there's got to be a happy medium where they can make a profit while the people who work there can make a living."

Adams earned $4.44 an hour when she went to work for GE in 1978. Twelve years later, she points out, few of her neighbors earn more than $4.50.

"That doesn't say much for Tennessee."

Dean Graber is a reporter with the Nashville Banner. *For more information, contact Save Our Cumberland Mountains, P.O. Box 457, Jacksboro, TN 37757.*

BORDERLINE JOBS

As factories close across the South, U.S. companies have opened hundreds of *maquiladoras* in Mexico. But who benefits?

By Lou Dubose and Ellen Hosmer

Juarez to Matamoros, Mexico — Federal Highway 2 is the Rio Bravo Highway. It begins in Ciudad Juarez at the northeast corner of Mexico and ends in Matamoros on the Gulf of Mexico. Except for a few hundred miles of Chihuahuan desert, where there is no road, the highway defines the Mexican border. It is also the *maquiladora* highway, the road that connects the hundreds of foreign-owned assembly plants designed to bring together inexpensive Mexican manual labor and North American capital.

Now in its 24th year, the *maquila* program is a great success — at least from the standpoint of United States companies. Ford, General Motors, Zenith, General Electric, GTE, and Honeywell have all set up maquiladoras in Mexico. There are now 1,700 plants employing 500,000 Mexicans.

Labor is cheap — "$0.72 U.S. an hour including fringes," according to a ya'll-come ad that Valcon International, a maquiladora consultant firm, placed in *The Wall Street Journal* a few years back. And the program allows U.S. manufacturers to circumvent Mexican labor law, particularly a provision that requires *reparto de utilidades* — profit sharing — among all Mexican employees. Since companies ship in component parts and ship out assembled products, maquiladoras earn no profit; they only incur costs. There is nothing to share. Companies also invest little in employee-safety and environmental-protection measures, and face no private tort system by which workers can go to court to collect damages for death or injury on the job.

SE Special Section

Newsweek has described the maquiladoras as "sweatshops along the border," where "even by Mexico's own dismal standards, most U.S. maquiladora operators are exploiting their workers." Yet Mexicans continue to flock to the maquilas, and all along the road from Juarez to Matamoros, there is evidence that the plants have started a demographic revolution that has changed the character of the border region.

FROM FIELD TO FACTORY

The most visible sign of this demographic revolution are the *colonias* scattered along the federal highway between Reynosa and Matamoros in the Lower Rio Grande Valley. Most are squatter towns, where new arrivals have settled in and claimed tiny plots of land as *"posesiones"* — by the constitutional right of occupation. With names like El Popular, La Roma, 1 de Mayo, and Solidaridad, all the colonias share certain characteristics. There is no potable water, no sanitary sewers, no paved streets, no electricity, and few men. Each community is sustained by women — women between 16 and 25 years of age. "There is not a single man working on my shift," a 19-year-old from Electronic Control Data said. Many men, frustrated with the low pay or unable to find work in the maquilas, cross the river into the United States.

Seventy-five percent of maquiladora employees are women, and a day spent on the streets and around the kitchen tables of half a dozen Valley colonias reveals that most share a common background. "Ask the same question 15 times, you'll get the same answer 15 times," said a labor organizer who requested to remain anonymous. From La Roma in Reynosa, to El Popular in Rio Bravo, to 1 de Mayo in Brownsville, the response to the question, "Where are you from?" is so similar that it is almost disturbing. *"Pues, de un ranchito . . ."* (Well, from a little ranch). Whether from the state of Vera Cruz or nearby Nuevo Leon, all of these women are from rural Mexico. "This is their first real experience with an industrial society," the labor organizer said.

The family of Maria de Rosario Escamilla is typical of many in the colonias. Señora Escamilla, in her late forties, followed her daughters up from a small rural village in the state of Vera Cruz, where the family still owns a home and a parcel of land. In Vera Cruz, she said, life was better. "We had a large house with a porch, with shade and fruit trees, chickens, cows, pigs. . . . There was everything except work. Here we have this," she said, pointing to the dirt floor in her kitchen.

In Reynosa, the Escamilla family lives in a 250-square-foot cinder-block house. The roof is made of corrugated tarpaper and neither glass nor screen covers the windows. Two years ago the entire colonia was a shallow lagoon that filled up after every rain, Señora Escamilla said. On this particular day, one week after a heavy downpour, the house was an island, built on an elevated base of masonry scrap and surrounded by water. A nearby community outhouse was almost completely submerged.

The Escamilla family lives on the earnings of two daughters, 18 and 19 years old. Each daughter works at a different Delnosa plant assembling components for GM cars. They earn the same amount: 84,700 pesos ($29.40 U.S.) for a six-day, 48-hour week. After bus fare is deducted, $100 U.S. a month is all that remains of each paycheck.

The lowest rents in Reynosa are around 100,000 pesos a room ($35 U.S.) — beyond the reach of the Escamilla family. They could never afford both rent and food, Señora Escamilla said. (An hour of work at Delnosa, for example, buys less than a kilo of flour, or a half kilo of chicken, or one package of toilet tissue. It takes three hours to earn enough to buy a 980-milliliter bottle of shampoo.) So the family avoids the cost of rent by living in a squatter's colonia.

Photo by Earl Dotter

SOCORRO LEOS WORKED AT AN **AT&T** PLANT IN MATAMOROS UNTIL OVEREXPOSURE TO CHEMICAL FUMES FORCED HER TO QUIT.

"I tell my husband that when both girls marry, we'll go back to Vera Cruz where we can die in peace," she said. It's unlikely that they'll return. Already Señora Escamilla's parents, two brothers, and three married children have followed her to Reynosa. All live in the same colonia. Señor Escamilla, a mason, is only able to find occasional work, and his wife worries that their daughters will move to Matamoros, where the pay in the maquiladoras is slightly higher.

Three houses from the Escamillas, a family of 12 lives in a 350-square-foot house of scrap wood and tin, and a white pressboard 12-by-12 sleeping hut built by an organization called World Servant-Europe. "Five of us were working, now only three," a young woman seated outside the house said. Two sisters, both under 20, had recently quit their jobs at maquiladoras. One left Parker Hannifan, where she had been an inspector. After seven months of staring through a brightly lit magnifying loop, looking for defects in seals, her eyes became so irritated that she could no longer work, she said. She had started at 65,000 pesos a week (47 cents an hour) and was earning 71,000 pesos (51 cents an hour) when she resigned.

Her older sister had left Erika, where she assembled I.V. bags for use in U.S. hospitals. The solvents used in the plant bothered her. Ventilation was poor, and on one occasion when she became faint and nauseated, she was sent to the infirmary. "They gave me an injection and a pill and told me to rest for a while and then go back to work," she said.

After almost a year on the night shift, she quit to look for a day job in a place where the fumes aren't so bad. The salary she gave up was 92,000 pesos ($31 U.S.) for a 48-hour week. A brother, who was asleep in a neighbor's house, works the night shift at Calzada Deportiva de

Reynosa, manufacturing Converse athletic shoes. The family had moved to Reynosa a year ago from a tiny village in Nuevo Leon.

JOBS AND DOLLARS

At the other end of the maquiladora highway stands Juarez, the center of the burgeoning industry. Located across the Rio Grande from El Paso, the city is home to 300 maquilas that employ nearly a third of all maquila workers in Mexico.

Like the colonias that dot the highway, Juarez is a city in chaos. Many of its estimated 1.2 million residents live in squalor, often without sewage facilities, electricity, and water. Housing is in short supply, forcing thousands to live in shacks. Transportation is bad, and roads in many neighborhoods are mere drainage ditches.

Photo bt Cindy Reiman/Impact Visuals

A worker assembles car parts at an ITT plant in Rio Bravos, Mexico. Young women make up 75% of the maquila workforce.

The Bermudez Industrial Park is a bit of suburbia in the midst of this dire poverty. Perfectly coiffured green lawns encircle warehouse-style factories on tree-lined streets that host the largest concentration of U.S. companies in Mexico.

Driving along the manicured streets, it's not hard to see why the Mexican government has welcomed the maquiladoras with open arms. In a poor country with rampant unemployment, U.S. companies mean jobs and dollars. Last year the industry flooded Mexico with $3.1 billion in foreign currency; only oil earned more.

The maquiladora program dates back to the mid-1960s, when Mexican workers who had been imported during the labor shortages of World War II were sent home. Mexican border towns could not absorb the flood of returning workers. Faced with soaring unemployment, the Mexican government established the Border Industrial Program.

Designed as a stop-gap measure, the program allowed foreign subsidiaries to set up maquiladoras in Mexico to take advantage of low labor costs and unregulated investment. The United States, for its part, cut tariffs and duties for firms that opened plants along the border.

As the Mexican government grew to depend on the maquilas for foreign currency and employment, it expanded the program and further loosened government regulations on the industry. Today maquilas employ everyone from garment workers to coupon sorters, but the largest sectors of the industry are transportation and electronics. Parts for all of the Big Three auto manufacturers are assembled in the maquiladoras, as are circuit boards and other electronic equipment.

U.S. business leaders like to brag that they have modernized the Mexican workforce. "I was there when the maquilas began," said Bill Mitchell, a maquiladora consultant. "The people were farmers. They didn't know what a screwdriver was. They had never seen the inside of a factory. Now look at them. They're a very sophisticated and industrialized people."

"DIFFERENT NEEDS"

Boosters of the maquiladora program on both sides of the border insist that the industry provides enough to live on — at least, enough for a Mexican to live on. "It's certainly not a livable wage as we would describe it, but *they're* living on it," said Don Shuffstall, a maquiladora consultant for U.S. companies and president of *Border-Trax*, a maquila publication.

Mexican officials also seem proud that maquiladora wages are so low. "You should not compare Mexican wages to American wages, but rather compare them to wages in Taiwan, Hong Kong, China, the Philippines, or Singapore," said Roberto Gamboa, the Mexican Counsel General in El Paso. "Those are the countries we are competing against."

Gamboa painted a picture of Mexicans willing to do without. "The wages are always in accordance to the cost of life, and the cost of life is much, much less and the needs of a Mexican family are different than the needs of an American family," he said. "We may be satisfied with less than the Americans."

Critics argue, however, that giant corporations have a responsibility to pay a decent wage. "These aren't a bunch of fly-by-night operations that are barely eking out a profit on the backs of the poor," said Victor Munoz of the AFL-CIO in El Paso. "These are Fortune 500 corporations that generate millions in profits and have a responsibility to give something back to the communities where they are located. How can they get away with paying workers $32 a week? That is a crime."

In some ways, the low wages backfire on companies. Turnover at the maquiladoras can run as high as 30 percent a month; at that rate, a plant would have to replace its entire workforce twice a year. At nearly every maquila plant in Juarez, huge billboards advertise for workers.

So far, though, no manufacturer has dared to increase wages to keep workers on the job. After all, a bidding war by employers would defeat the whole concept of the maquiladoras. "A firm would be castigated for breaking the wage scale," says Jeffery Brannon, an economist at the University of Texas in El Paso.

In border towns like El Paso, elected officials are betting their futures on the maquiladora industry. "The leaders in this community have gone overboard in promoting the maquilas as a last chance for the U.S. border areas," said Brannon.

Earlier this year, El Paso Mayor Suzie Azar kicked off a conference held to salute the industry by proclaiming the city "maquila capital of the world."

Azar co-owns a maquila plant across the border in Juarez.

Don Shuffstall, the maquila consultant, estimates that at least 30,000 people in El Paso owe their jobs to the maquilas in Mexico. "The growth of El Paso would have been probably zero this past 10 years had it not been for what's going on over there," he said.

But much of the growth in El Paso has been in the warehouse district, which has done little to revive the city's faltering economy. Unemployment has remained at just under 10 percent over the last several years, and the per capita income has stagnated. Brannon, the University of Texas economist, also points to the hidden costs of the maquilas. Pollution, congestion, water shortages, and immigration problems along the border are all intensified by the maquiladoras.

"Maquiladora is promoted as the greatest thing since orange juice, but who benefits from this?" Brannon said. "If our city and our Chamber of Commerce are spending local dollars to promote that industry in Juarez, one has to ask: Are the benefits widespread, or are they being captured by a handful of people?"

OPENING DOORS

The question of who benefits has not gone unasked along the maquiladora highway. In the colonias around Reynosa and Matamoros, there is evidence that the families who have moved north to work in the maquilas are part of something more than a demographic revolution. Ten years of quiet and persistent organizing have resulted in some real change inside the factories.

The movement began outside the official unions of the Confederacion de Trabajadores Mexicanos when several *comités de obreras* — worker's committees — organized with the backing of the Mexican and American Friends Service Committees. What started with a few small gatherings in private homes has now spread across the region and includes a regional worker's committee and a binational Grupo de Apoyo — a support group made up of teachers, lawyers, and professors from both sides of the border.

The committee scored an initial success by opening a few doors in 1980. "The first victory," one woman said, "was in Rey-Mex," a company that manufactures bras for Sears. According to one worker, the Rey-Mex factory in Reynosa was a fire trap. The motors of the old sewing machines sometimes sparked, igniting pieces of cloth. And there was only one exit. "There were other doors," a worker said, "but they were chained shut with rusty padlocks that no one could open." The committee pressured its union delegate to take their demand to management, and the padlocks were removed.

Another victory came five years later, when the comite de obreras won a 50-percent pay increase from Electronic Control Data. It was done, according to a source in the plant, by gradually organizing an entire shift and then going to the union delegate.

The question of who benefits has not gone unasked along the maquiladora highway.

"At first, only a few went into the delegate's office," a worker said. "And we were dismissed." The entire shift then marched on the office, surrounding the delegate's desk and spilling into the hallway. Many were surprised when they won the raise. Unions are an official sector of the government in Mexico and tend to be controlled by the ruling party, which strongly supports the maquiladora program.

Other successes have been more modest. In Rio Bravo a woman told of a "*sociodrama*" at a meeting on the patio of her home. Some 40 workers watched as two others acted out the roles of a supervisor confronted by a worker whose pay envelope was short 5,000 pesos. Most of the maquiladoras pay in cash, stapled to a pay stub that lists deductions. In the drama the worker had to persist, look the supervisor in the eye, and demand the missing money. The workers were told never to unstaple money until they count it, and not to leave the factory until any missing money is handed over. Three days after the drama, the woman's daughter, a Zenith employee, was shorted 3,000 pesos. "She went to three or four offices, but she got her money," the woman said.

At the small group meetings, worker leaders discuss labor law, workers rights, and even body language. At some gatherings workers from one city meet with workers from another — often to share success stories. A common tactic is to hand out photocopies of pay receipts from a company that operates similar plants in different towns. Often pay differs considerably for workers with the same job and seniority. One page of photocopied receipts showed that workers at a Zenith plant in Matamoros earned 49,510 pesos less than Zenith employees doing the same job at the same number of hours at a plant in Reynosa. "That was the leaven to start the discussion," a woman on the committee said.

Ana Maria Valdez, a full-time organizer who once worked at Union Carbide in Matamoros, said that the plant was completely reorganized after several women wrote to Audrey Smock of the United Church of Christ in New York and informed her that they were required to clean with methylene chloride. "We washed our hands with it. If we got apoxy on our blouse, we washed the spot with it," Valdez said. "Workers complained of rashes, respiratory problems, and liver and kidney ailments."

Smock went to Union Carbide headquarters in New York and reported how methylene chloride was being used in Mexico. Within weeks, a team of inspectors arrived from New York. Individual ventilators, gloves, glasses, and protective clothing have made such a difference that comite de obreras members now consider the plant — now called Kemet de Mexico — a model for change.

Valdez said the improvements at Union Carbide were brought about despite the official union. The committees have created a space between management and organized labor — and in that space they are teaching a generation of women something about empowerment. "We might be trembling, but we look them in the eye," Valdez said. "We're humble, but we're not on our knees any more." ❑

Lou Dubose is editor of The Texas Observer, *and Ellen Hosmer is editor-at-large of* Multinational Monitor. *Names of Mexican workers quoted in this story have been changed to protect them from possible reprisals by their employers.*

CONFESSIONS OF A UNION BUSTER

Interview by Nancy Peckenham

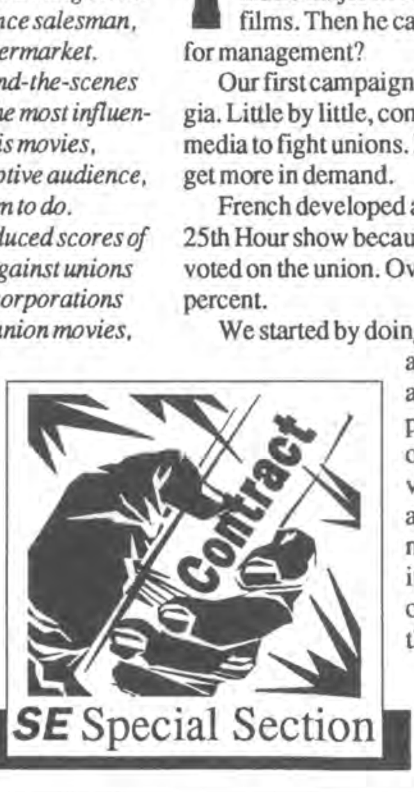
Sitting in his home near Columbus, Georgia, Bob Powers seems like an affable and easy-going guy. With his thinning blond hair and warm smile, he could be a friendly insurance salesman, or perhaps the manager of your neighborhood supermarket.

But his low-key manner belies a powerful, behind-the-scenes role. For more than a decade, Powers was one of the most influential filmmakers in the South. He never advertised his movies, never got a single review—yet he always had a captive audience, and his viewers almost always did what he told them to do.

Beginning in the 1970s, Powers wrote and produced scores of movies and slide shows designed to turn workers against unions and keep factories unorganized. Dozens of major corporations faced with union elections hired him to make anti-union movies, and then ordered their employees to watch the films on company time.

Powers broke up union drives in nearly every Southern state, producing materials for companies like General Electric, Hospital Corporation of America, Sara Lee, Tappan, NAPA, and Cagle Poultry.

Speaking to us at his home, Powers described how he got his start busting unions with Paul French and Partners in La Grange, Georgia.



I went to work for Paul French in the mid-1970s. I had been a music major in college, and I started doing some work on his films. Then he came up with an idea — why not make films for management?

Our first campaign was at Swift Textiles in Columbus, Georgia. Little by little, companies began to accept the idea of using media to fight unions. By the late '70s and early '80s, we began to get more in demand.

French developed a formula that got results. It was called the 25th Hour show because we showed it 25 hours before people voted on the union. Over the years, we had a winning record of 99 percent.

We started by doing our homework. We talked to the company attorney and got all the details about union activity at the plant. We checked our computer network and researched the outcome of the union's other campaigns over the previous five years. We traveled to the plant and talked to the plant manager, the personnel manager, the line supervisors, the facility nurse. We formed a "focus group" of five or six anti-union employees and questioned them about what the union was promising.

When it was time to write the script, we would meet with the management and their attorney to plan what we would say. The attorney would say, "Well, we have to get in how the plant would close if the union wins." Management would look all scared and say, "That's not right — it's not going to close." But the attorney would just say, "It doesn't matter. This place could never close, but we got to get that in the movie to scare them."

Eventually, more and more managers handed over control to us. After all, we were masters of innuendo — and the managers did not have to worry about making a speech in which they could slip up and say something they weren't supposed to.

All the workers knew when they went in to see the show that they were a captive audience, that it would be an anti-union presentation. So we designed the show to disarm people.

In the first three to four minutes there was a song. It was about God and apple pie. While the music played, we showed pictures of the town, all the schools, the churches.

Then it turned to pictures of the workers — all of them looking happy and smiling. The narrator would talk about how we can be Number One if we all work together.

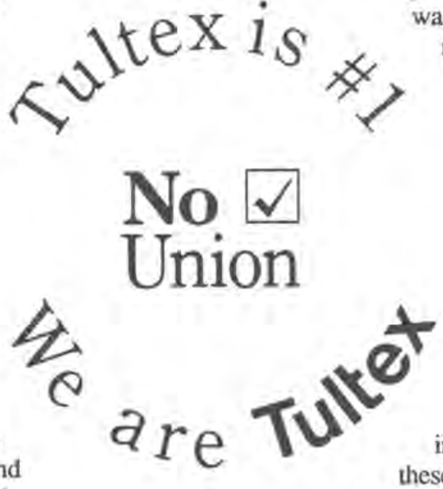
Next it turned to dialogue, with actors playing characters. One was a union supporter, who was a disagreeable type, and one was a company supporter. The dialogue revolved around a third character — our target. We would base this character on demographics. If we were trying to win over the black women voters, for instance, we'd have this character be a black woman.

In the dialogue we would raise issues against the union in such a way that the National Labor Relations Board couldn't get us for illegally threatening to close the plant. We would have a character say things like, "Gosh, I hear they could close this place if the union gets in." And another character would say, "Oh, no, they couldn't do something like that."

We planted a seed in their minds. It's the same thing as in a court of law. If someone says something and the defense jumps up and says, "I object," the judge turns to the jury and says, "Disregard what you just heard." They can disregard it all they want, but they still heard it — and they're going to think about it all day long. It may be wrong, but it's just human nature. So we would take every opportunity to plant those seeds.

During the show, we would constantly portray the union as an outside force invading the privacy of the plant and the community. Voting for the union would mean dues and strikes; voting against the union would ensure independence and peace.

When the show ended, company supporters we had planted in the audience would start a round of applause.



Workers often believed that the actors we used were real employees. People would come up to me after a show and say, "What shift does that black girl work on? I'd like to meet her — she's pretty."

One of the actors we used was Bob Hanna, an Atlanta actor who has done a lot of movies and stuff like *The Dukes of Hazzard*. He was a pro-union character in one of our labor shows we ran in a textile plant in North Carolina. Sometime later he was doing a made-for-TV movie in a town near that textile community, and one night he went out to a bar after a day of filming.

Some guy in the bar remembered the show, and he remembered Bob's face. "I remember you — you're the guy who was for the union!" Bob talked a blue streak, trying to explain that he was just an actor, but the guy didn't buy it. He was a company man, and he thought the company would pat him on the back for picking a fight with Bob. They got into a fist fight, and they both spent the night in jail.

I tell you, those shows really turned some people completely around. I remember elections at Hanes, a subsidiary of Sara Lee, at their plants in Galax, Virginia and Sparta, North Carolina. The preliminary vote was running more than 80 percent against the company. We went in with these shows and turned it *totally* around in six weeks.

By and large, in my many years of doing this, I really didn't get that involved. The elections were generally over petty things — someone didn't get a cost-of-living raise, and they were mad about that. It didn't matter to me one way or the other.

It was only later, when I began to see situations where people were *really* being mistreated by management, that I began to question what I was doing. There were a number of occasions when I would go in and gather the research and talk to people, and I would go home at night and think, "These people really need a union. This company is wrong."

I knew I was going to have an effect on these people, on their decision about the union. I wasn't going to deceive them, as such — but in a way, I really was. I was going to tell them a side of the truth that would get them to turn against the union, even though they hadn't had an opportunity to hear both sides.

I began to feel I was playing God with people's lives.

I remember a show we did at a poultry plant in Alabama. You could see these workers — mostly black women, and mostly heads of households — doing the best they could to raise a family and live on what they were making. You could see them excited about the opportunity to vote against the company — you could really see it on their faces.

You're also there when the show runs, and you can see what happens when it gets to the subtle, implied threat that the plant will close down if they vote the union in. This is the major industry in this little town, the only plant within 30 miles. You can see their faces as they make that hard decision — "Do I do what I know is right and vote for the union, or do I vote for the company just so they won't close down? I can't afford to lose my job. I won't be able to support my children."

I knew the company wasn't going to close that plant down no matter what happened, but here were these workers having to make that decision. Just implying that it maybe would happen is enough to make people stop in their tracks. I know they agonized over those decisions. They didn't get any sleep the night before they had to cast that vote because their lives were at stake, their livelihoods.

If we hadn't run that show, those people would have voted in the union. That's how much power we had. It's all in the way you say it. You don't lie — you just propagandize.

Both sides have their own propaganda, but the unions don't have a level playing field. They don't have a captive audience for their speeches the way the company does. They can't make employees sit down and force them to watch a multi-media show. They can invite people to come, but they can't make people come. The company can pay people for that hour and make them watch it. So the playing field becomes very tilted to the company's side.

I asked Paul French, "Do you think we would do as well if we could do a show for a union and the union had a captive audience the way the company does?"

He said, "Apply the same techniques and do it for a union? The results couldn't help but be the same." He said it would be so much more fun to work for the unions because the companies caused the situation in the first place — it would be a ton of fun to play with them. Boy, you could really make some company people squirm! He said he would have loved to have worked for a union, but there's no money in it.

We did shows for big clients, the General Electrics of the world, who could afford to pay for it. We usually charged $10,000 to $20,000 for a customized show.

We usually worked directly with Lovic Brooks, one of the big management consultants. He read our scripts. Sometimes we talked with some of his lawyers about how we were doing the same thing as Joseph Goebbels, the Nazi chief of propaganda. We were in awe of him. "Wow, that was a powerful guy. He was a master of this." I don't think the world had even heard of the word propaganda until it was applied to him.

After we won the election at Hanes, I got a little Christmas present in the mail from one of Lovic's attorneys. It was a selection of sayings by Goebbels, collected in a little thesis published by the University of Mississippi press or something like that.

I was shocked. It was fun to talk about it, but it was a totally different thing to get a book in the mail. It was like they were trying to make it okay. Sitting down and joking about shooting Saddam Hussein would be one thing — but if you went home that night and the government of the United States had sent you a plane ticket and an Uzi machine gun and expected you to do it, it would be different.

I left Paul French in December of 1986. I was glad. I had really had enough of it. I had started bringing it home with me, and it was wrecking my home life.

"I FELT LIKE I WAS PLAYING GOD WITH PEOPLE'S LIVES."

I try to let workers know how they are being misled by these phony films, but I am not a union loyalist. I don't even know what it's like. I don't know what anybody who's in a union thinks and feels. So it's hard for me to sit there during a union campaign and go, "Hurrah, hurrah!" I'm not going to fake it and say, "Yahoo, go union." All I can do is share what it is like on the other side.

It's cold, it's calculating on the other side. This is the most important thing I can tell you: If you are ever involved in a union election, if you ever see a 25th Hour show — you can bet your bottom dollar that for every argument made, there is another argument you haven't heard. For every issue that is raised, for everything that is said in that show, there is a totally different side to the story that you're not hearing anything about.

Don't let anyone play God with your life. If you are going in to see one of those shows, beware. It's not a lie. It just isn't the whole truth. ❑

Nancy Peckenham is a writer for Cable News Network in Atlanta and former Southern communications director for the Amalgamated Clothing and Textile Workers Union.

TWO STEPS FORWARD

Fifteen years after they joined the union, textile workers build on their success in coastal South Carolina.

By Nancy Peckenham

Photos courtesy ACTWU

Fifteen years ago, Southern Exposure *visited a group of fired-up men and women one year after they won a union contract at Oneita Industries, a t-shirt manufacturer in Andrews, South Carolina. (See "On the Line at Oneita," SE Vol. IV, Nos. 1-2).*

Their victory had been a long time coming. The company had taken advantage of a disastrous strike to bust a previous union in 1963, but workers at Oneita got together again in 1971 and voted to join the Textile Workers of America. At the negotiating table, Oneita balked at almost every union contract proposal. Once again, the workers hit the picket line.

Joined by their friends in the labor movement, the workers pressed for a contract. Blacks and whites walked the line together in the sweltering heat of a South Carolina summer. Some went as far as New York City with their plea.

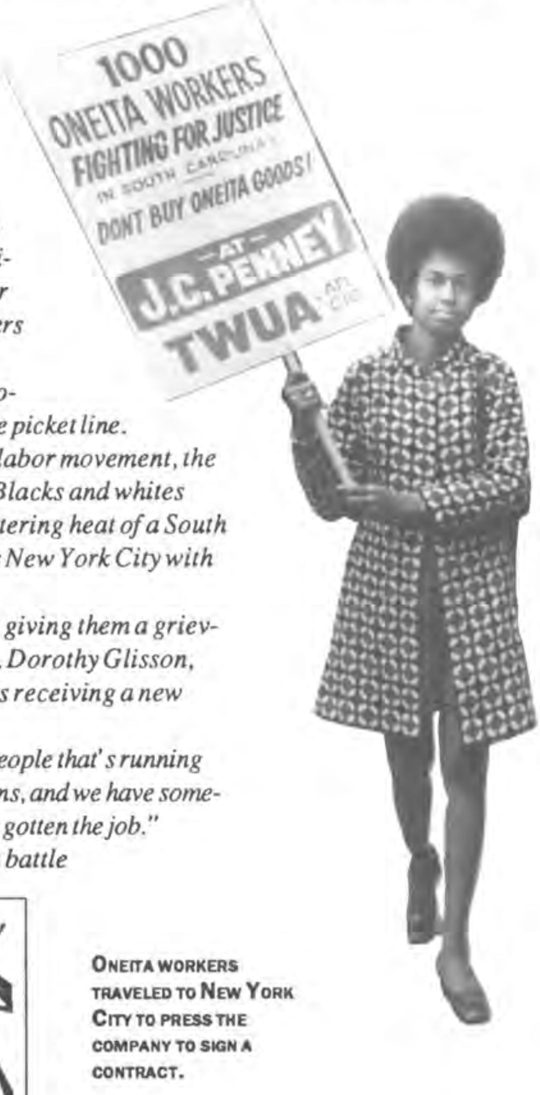
In July 1973, they won their first contract giving them a grievance procedure, a pension, and seniority rights. Dorothy Glisson, who had worked at the mill for 23 years, remembers receiving a new job on the basis of her seniority.

"That's the main thing," Glisson said at the time. "The people that's running the mill can't run it just exactly as they please. The union bargains, and we have something to help us out. If it hadn't been for that, I know I wouldn't have gotten the job."

But victory can bring with it a false sense of security. Winning a battle is not the same as winning the war.

Too often, complacency sets in, and things fall apart.

For that reason, Southern Exposure *returned to Andrews to find what remains of the enthusiasm of that victory 15 years ago.*



ONEITA WORKERS TRAVELED TO NEW YORK CITY TO PRESS THE COMPANY TO SIGN A CONTRACT.

Contract
SE Special Section

Patsy Greene first started working for Oneita in 1968. For years she tended to her family and didn't pay much attention to the union. Now, she says, she wouldn't give it up for the world.

"I've learned so much with the union," Greene says. "It's a big difference from 20 years ago."

Respect is a word Greene uses again and again to describe the difference. "We fought back and won their respect. Now they come talk with us in the union before they make any changes in the mill. We put an end to favoritism and everything is by seniority now."

As president of Local 1900, Greene leads a group of women who meet and talk about their problems on the job — and how to make the company set them right.

"Management wants everything their way," she says. "We have to show them that we mean business. I tell my people they got to stand up and show them we're strong. That's what counts."

Substandard living conditions persuaded many workers at Oneita to fight for union representation.

As Oneita workers expanded their strength on the job, they set an example for workers in other factories. In the wilderness of sweatshops and non-union plants that characterize the Carolinas, Andrews has become a small but refreshing oasis. The very presence of the union has forced neighboring plants to offer higher, more competitive wages — and has encouraged non-union workers to take a stand as well.

In the past 10 years, more than 1,000 workers at three nearby plants have joined the union, now called the Amalgamated Clothing and Textile Workers Union (ACTWU). Across town, workers at Phoenix Medical Technologies voted to unionize in 1981. Then, forays to neighboring Oneita plants led to the organizing of the company's t-shirt factories in Hebron and Mars Bluff.

By the mid-1980s, union workers were also playing a pivotal role in state and local politics along the by-waters of coastal South Carolina. In 1987 the union sponsored a civil rights march through downtown Andrews honoring Martin Luther King's birthday. By 1990 politicians from across the state — white and black alike — clamored for a prominent spot in the parade, now an annual event and the largest in the state.

Patsy Greene used to ignore the union. Now her co-workers have elected her president of the local.

The success at Oneita coincided with a hard-fought union victory at Wellman Industries in the town of Johnsonville, just north of Andrews. When two union organizers first came to town back in 1970, the local motel refused them as guests. When the organizers moved into a tiny mobile home, town officials cut off their water and erected a wire fence around the trailer.

The attempt to drive the organizers out of town proved futile. Workers at Wellman won a union election in 1972, but the company continued to fight until its case was rejected by the U.S. Supreme Court in the late 1970s. It wasn't until 1980 that workers finally squeezed a contract from the company.

When the union first got going in Johnsonville, many whites labeled it a "black power" organization and a "nigra union." The company had a deeply ingrained buddy system that seemed to favor whites among the 1,600 workers at Wellman. The union hall was a place where workers from both races could work together.

Hardee Godwin is one of the more active white members of the union. After 31 years at Wellman, he says that change is finally coming to Johnsonville, albeit slowly.

THE VICTORY AT ONEITA CONVINCED WORKERS AT THE NEARBY PHOENIX LAB TO JOIN THE UNION.

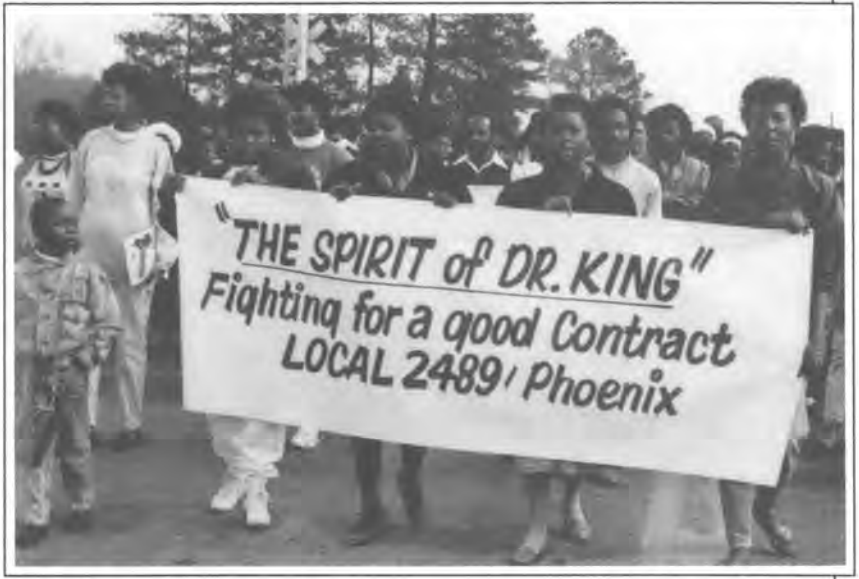
Last spring, Godwin was part of a group of workers who met with town officials to plan a union-sponsored visit by Jesse Jackson. "Before, the merchants, the law enforcement, the school board, they didn't want anything to do with you if they knew you were involved in a union," remembers Godwin. "But now, their reaction is a whole lot better. They welcomed the chance to meet with Jackson. They thought it would put Johnsonville on the map."

When the Reverend Jackson joined Wellman and Oneita workers on the streets of Johnsonville last May, they marched through town and held a rally outside Wellman Industries.

"I was expecting a lot of resistance," says Godwin. "We got a Klan bunch near here and it's a very racist area. But nothing happened and people were real encouraged."

Among the workers in the crowd stood many like Godwin, who have pursued their dream for two decades.

Jackson's familiar refrain — "Keep hope alive!" — found its echo in the hearts of the men and women gathered. It touched their pride to know that they can be counted among those who stood up for a better life in their corner of the world. ❑


"THE SPIRIT of DR. KING"
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UNION WORKERS STAGE AN ANNUAL MARCH TO HONOR MARTIN LUTHER KING JR. — AND POLITICIANS CLAMOR TO JUMP ON THE BANDWAGON.

Nancy Peckenham is a writer for Cable News Network in Atlanta and former Southern communications director of ACTWU.

NISSAN IS NOT THE NORM

A string of recent union victories shows that many Southern workers are joining ranks to win contracts and job security.

By Ellen Spears

The way the media portrayed it, you would have thought it spelled the end of organized labor in the South.

More than 2,300 workers went to the polls at the Nissan Motors plant in Smyrna, Tennessee on July 26, 1989 to vote in a hotly contested union election. At issue: whether workers wanted the United Auto Workers union to represent them in grievances and contract talks.

The Nissan workers held the highest-paying jobs for miles around, and the company went to great lengths to turn them against the union. Nissan flew selected workers to Japan for special "training" and used psychological profiles to hire workers who were unlikely to join the union.

When the votes were counted, the union had lost by a margin of 1,622 to 711. It was a disappointing setback — but much of the media hailed it as a stunning defeat. "Nissan Workers in Tennessee Spurn Union's Bid," made front-page headlines in *The New York Times* for July 28.

SE Special Section

It was a different story eight months later, when 1,340 workers at the Freightliner truck body plant in Mt. Holly, North Carolina voted to join the UAW. The victory last April got little press attention — even though it was a major organizing victory affecting a large work force in a traditionally non-union area.

Nor was it an isolated win. The Freightliner vote was one of a series of recent union victories that are breaking stereotypes about organized labor in the South. The record of success shows that while the Nissan defeat got the attention, Photo by Bill Thorup/UAW Solidarity

FEDERAL BUILDING
U.S. COURTHOUSE

WORKERS AT THE NISSAN PLANT IN SMYRNA, TENNESSEE CELEBRATE AFTER FILING FOR A UNION ELECTION.

union drives in auto and truck plants around the South are getting the results.

The UAW has not been alone in winning recent elections. The United Rubber Workers and ACTWU are succeeding in organizing in related industries, such as seat covers and tires. In communities across the region, unions are winning in staunch non-union areas despite intense and sophisticated anti-union campaigns:

▼ April 1988 — Auto seat cover workers at Gardener Manufacturing Company near Knoxville, Tennessee vote to join the Amalgamated Clothing and Textile Workers Union (ACTWU).

▼ April 1988 — The United Rubber Workers win an election at Firestone Mills in Gastonia, North Carolina. Workers at the tire yarns plant overcome 60 years of union opposition to win 213 to 198.

▼ April 1989 — Workers at the Mack Truck body plant in Winnsboro, South Carolina vote 453 to 398 to join the UAW.

▼ January 1990 — Irvin Automotive workers in Dandridge, Tennessee vote 123 to 111 to join ACTWU. Fourteen ballots are challenged, but the union prevails.

▼ February 1990 — The UAW organizes two small electrical motor suppliers in Hendersonville, Tennessee. The pro-union vote was 133 to 59 at Bosch and 47 to 38 at General Electric.

▼ June 1990 — The UAW wins again at Coats, an equipment manufacturer in Lavergne, Tennessee, just minutes down Highway 41 from the Nissan plant. The victory at Coats means an end to a company system that kept workers on "temporary" status for up to four years with half pay and no benefits.

"The first half of 1990 has been the best six months since I came on in 1976," says Bob Miller, a regional organizing director for the UAW. "We have won 10 out of the past 14 elections on card checks" — sometimes signing up so many workers at a plant that the company agreed to negotiate a contract without holding a union election.

BUCKSHOT MEMORIES

Other organizers agree that the recent string of successes at smaller plants demonstrates that Nissan is not the norm. "This year will be the UAW's most successful year since the beginning of the Reagan administration," says Carlton Horner, UAW national organizing coordinator.

Such optimism comes on the heels of a long, hard decade for labor unions. The last banner year for UAW organizing was 1981, when the union defeated General Motors' "Southern strategy." Throughout the late 1970s, GM had tried to take advantage of low wages and anti-union laws by building new Southern plants. The union responded by organizing every GM plant in the region.

In the years that followed, however, the union experienced few victories. Anti-union moves by the Reagan administration came down early and hard on workers' rights to organize. Faced with tough times, some unions opted for a strategy of "cooperating" with management, giving in to company demands for concessions.

So why the change now?

"Corporations have had it made for the

last 10 years and they have taken advantage of workers," Horner says. "They're terminating pension plans by the thousands, withholding normally expected pay raises, and changing insurance provisions to discourage workers from using health plans."

"People have been squeezed," adds Ben Perkins, assistant director of organizing at UAW headquarters in Detroit. "Maybe it's just that they can't take any more."

Although workers may be fed up with low pay and company takebacks, fear remains a major obstacle to organizing in the South. With few union members around to teach the value of sticking together, Southern workers often know little about unions — except the horror stories they learned in school. In the campaign at Firestone Mill, for example, organizers with the United Rubber Workers found themselves confronting distorted memories of a 1929 strike at the plant.

"The union victory at the Firestone Mill in Gastonia was probably as significant historically as any campaign in recent history, because of the 1929 strike," explains Mike Black, an AFL-CIO organizer involved in the campaign.

Black grew up in Gaston County, where he often heard the story of the 1929 strike. "The leader was organizer Fred Beal. He was a communist, didn't make any bones about it. There was a stretch-out — more work for each operator — and the workers struck the mill. They were living in mill housing, so they were kicked out. They set up a tent city. The night the police raided the tent city, Police Chief Adderholt was killed with buckshot."

Black's father was a Baptist preacher in Gaston County at the time. "My father attended the trial and he declares to this day that it was never proven that anyone had buckshot but the police," Black recalls. "But it scared people to death. Every few years they would drag out the old headline, 'Chief Adderholt Slain in Strike.'"

Firestone later purchased the mill, but the plant remained unorganized. Then, in late 1986, workers started talking about organizing a union. Their first efforts failed.

"We lost the first campaign at Firestone in 1987," recalls Black. "We had more media coverage on that one campaign than all the campaigns I've ever worked on combined."

Local press aided Firestone by printing stories about unions forcing plants to close. "There was one headline in the *Gastonia Gazette* announcing that Firestone was closing three plants," says Black. "I've been organizing in the Carolinas for 19 years, and this was probably the most vicious attack in all of those years."

The union successfully dispelled the plant-closing threats by demonstrating that it had worked to keep Firestone factories open in other cities. "In a moment of weakness, Firestone had circulated a letter commending the union for helping to keep the other plants open," explains Black. "We circulated that letter to workers during the second election campaign."

On April 14, 1988, Firestone workers voted to join the United Rubber Workers, overcoming decades of local opposition to unions.

ORGANZING BLITZES

The United Auto Workers soon followed up on the success at Firestone with a victory at the Mack Truck plant in Winnsboro, South Carolina.

One reason for the victory was obvious: Nearly 40 percent of the workers at Mack were UAW members who had transferred from unionized plants in Maryland and Pennsylvania. They wanted to keep their union, and they told their Southern co-workers about the value of collective bargaining.

Word of the union victory at Mack Truck soon spread to other factories — including the Freightliner plant in Mt. Holly, North Carolina. "The mere fact that the UAW was successful generated a lot of press," says Mike Black. "It didn't start a trend exactly, but it did open the door. It contributed to being successful at Freightliner."

Unlike Mack Truck, Freightliner employed no transferred union workers from the North. All of the workers came from the surrounding area, and they felt encouraged by the victory in Winnsboro.

"When Mack Truck happened, we had been fighting for two-and-a-half years," says Dean Easton, a maintenance electrician at Freightliner. "When they won, we got a little boost."

The Freightliner factory stands right up the road from the Firestone Mill in Gastonia, and Easton heard the same stories about the fateful 1929 strike that Mike Black grew up with. "It was all told to me that it was the union's fault," he recalls. "They teach you in school, in social studies, that it was a communist strike, that people lost their lives because of the union. But we didn't hear anything about Henry Ford working people to death on the production lines."

Easton learned another side of the story when workers from Mack and Firestone traveled to Gastonia to assist in the Freightliner drive. Now he is taking the union message to others.

"I would liken it to a revival," Easton says. "I'm willing to go anywhere, anytime, and testify to other people."

More and more, union workers like Easton are participating in "organizing blitzes," traveling to other plants to educate their fellow workers. Mary Smith works as a welter at Gardener Manufacturing near Knoxville, Tennessee, sewing plastic onto seat covers for Pontiac, Chevrolet, Chrysler, and Nissan. A single mother of three, she steered clear of the ACTWU organizing drive at first.

"I was scared at the time," she says. "I'm a single parent and was afraid of losing my job. Then I saw that I had to choose and I came out strong for the union. I wore a YES sticker in the plant."

Smith was soon taking advantage of a clause in her union contract to take time off from work to participate in organizing drives at nearby plants. She traveled to Irvin Automotive in Dandridge shortly before workers there joined the union last January.

"I didn't get the full impact until I went and I saw other people struggling for something that I already had and that I was taking for granted," Smith says. "It really made a believer out of me. I went to the union president and said I was willing to do anything to keep our union strong."

EYEBALLS ON THE WALLS

Despite the recent groundswell of victories, workers like Mary Smith have discovered that companies have grown even more sophisticated in their anti-union tactics in recent years. Counseled by anti-labor law firms, which have done a booming business in the past decade, companies like Gardener produce expensive videos and posters designed to turn workers against unions.

"They put eyeballs up on the walls, saying the people of Warren County's

The Myth of the Anti-Union South

BY NANCY PECKENHAM

The anti-union South. It's an image peddled across the nation — and around the world — by big-time developers and their political cronies seeking to attract new industries to their backyards.

They'll tell you people around here don't like unions — hate 'em, in fact. Southerners are just too damn proud, too independent to pay dues and take orders from some union boss.

Southern states have long had some of the lowest rates of unionization in the nation, ranging from a low of three percent of all manufacturing workers in South Carolina to a high of almost 30 percent in West Virginia. The region is also home to some tough "right-to-work" laws that hamper unions by allowing workers to reap the benefits of labor contracts without actually paying their dues.

But despite the Southern reputation for anti-union bias, a review of recent union elections seems to indicate that people who work in Southern factories may not be as opposed to unions as company owners and plant managers would like us to believe.

Records from the National Labor Relations Board (NLRB), which conducts labor elections, reveal that unions have compiled a steady record of Southern victories in recent years. Between 1985 and 1989, more than 102,000 workers voted in 904 union elections in Georgia, Alabama, the Carolinas, eastern Tennessee, and southern Virginia. Overall, more than 49,000 workers — 48 percent of those who cast ballots — voted to join a union.

Unions won 428 of the elections — just under half of the total. But a closer look at the numbers reveals that unions did much better in elections at smaller plants. Of the 662 elections involving fewer than 100 workers, unions won 53 percent. In votes involving more than 100 workers, unions won only 33 percent. In the 10 elections at plants with more than 1,000 employees, unions won only once.

The reason is simple. The bigger the factory, the more the company has to lose in an election — and the more it spends to fight the union. At the biggest election in the region, Cannon Mills of Kannapolis, North Carolina spent an estimated $12 million to orchestrate a sophisticated campaign designed to turn its 10,000 workers against the union. Even though the firm spent roughly $1,200 per employee to defeat the union, more than 3,500 workers ignored the expensive appeal and voted to join the union.

Almost 70 percent of the elections took place in Region 10 of the NLRB, covering Georgia, Alabama, and middle to eastern Tennessee. The Teamsters had the longest track record, running 124 races in the region and winning 36 percent. Many of the votes involved small groups of truckers attracted by the Teamsters image as a tough negotiator.

The United Steelworkers of America followed the Teamsters with 81 elections, translating its strong presence in the Birmingham steel mills into organizing victories in neighboring states. Other active unions in the area included the International Brotherhood of Electrical Workers, the United Food and Commercial Workers, the Retail, Wholesale and Department Store Union, and the Bakery, Confectionary, and Tobacco Workers.

Just under a third of the elections took place in southern Virginia and the Carolinas, which remain tough states for union organizing. Of the 273 union elections in the area since 1985, workers voted for union representation in nearly 44 percent of the plants. In large campaigns, unions won only 28 percent of the elections.

Once again the Teamsters held most of the elections, winning 45 percent of their 73 campaigns. The Amalgamated Clothing and Textile Workers Union did even better, winning 55 percent of their elections in the heart of the textile industry.

Taken together, the numbers belie the myth of the anti-union South. They speak instead of a changing workforce. If the federal records are any indication, a growing number of Southern workers — perhaps even a majority — appear to have grown tired of being peddled to Northern and foreign industries as cheap, low-wage employees who lack the protection of a union.

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looking at you," recalls Georgia McCorkle, president of the ACTWU Local 2537 at Gardener. "They said we didn't need a union here because the cost of living is lower. They held daily company meetings to propagandize against the union. At the last, I just refused to go."

Community leaders often join companies in bitter anti-union battles. When McCorkle tried to hook up her home to county water lines during the Gardener campaign, for example, she says she was visited by a county commissioner who promised her prompt water service if she stopped her union activity.

McCorkle makes no claims, however, that just getting a union can serve as a cure-all for a sick company. Despite the union victory, she says, there are still big problems at Gardener.

"We have to stand up to sew," she says. "People get blood clots, heel spurs, varicose veins, tendonitis, carpel tunnel syndrome, bursitis in their ankles. People are productive, but it's a health problem."

Still, she says, life in the factory is better since workers joined the union. Now, managers listen when employees make a suggestion or lodge a complaint. "Before they would say, 'Shut up, sit down, and there's the door,'" McCorkle laughs. "Now they say, 'All right, let's see what we can do.'"

JUST IN TIME

Changes in the auto industry itself have also fueled the regional drive to organize unions. In the past decade, automakers initiated a "just in time" policy, requiring suppliers like Gardener to provide goods to major auto plants on demand within 24 hours. Forced to provide parts "just in time" for production, pockets of JIT auto suppliers have grown up around Nissan, the GM Saturn plant in Tennessee, and Mack Truck and Freightliner in the Carolinas.

The new system cut warehouse costs for automakers — but it also created sweatshop conditions for employees. "JITs are difficult places to work," explains Mark Pitt, an ACTWU organizer based in Knoxville, Tennessee. "It's hard on everybody. A lot of overtime is not predicted, they switch from green corduroy to red leather seat covers, nobody has anything in storage — it's real nerve-wracking."

Workers never know how long their

shifts are going to be. "I'd go in at four in the afternoon and work until five or six in the morning," explains Georgia McCorkle at the Gardener plant.

The just-in-time system also undercut company threats of moving their operations. "It is hard for companies to convince workers that they'll be shut down and move when they have to be in a just-in-time relationship with Nissan down the street," says Mark Pitt.

The string of union successes near Smyrna — at Bosch, GE, Coats, Doehler-Jarvis — is making some Nissan workers think twice about unions. "There's so much fear in the Nissan plant it's unreal," says Emory "Red" Peeples, a UAW organizer in Smyrna. "But the victories are getting Nissan workers' attention in a hurry. We've got a lot more people coming by the office."

Photo by Nancy Peckenham/ACTWU

OHIO
I Don't Want
YOUR JOB
YOUR

Workers from a Gardener Manufacturing plant in Ohio visited their counterparts in Tennessee to spread the word about the benefits of union representation.

Once workers at non-union factories like Nissan learn of union victories, they often get angry when they find out their union neighbors or their counterparts at Northern plants are making three times as much.

"In Morrison, Tennessee, Gardener workers were making $4 an hour — compared to Gardener workers at a unionized plant in Ohio who earned $12 an hour," explains Pitt. "They don't feel they should be making less than somebody else just because they live in a particular part of the country."

The effect of a union victory often spreads beyond the factory gates. In Monroe, Louisiana, workers at the GM Fisher Guide plant who voted to join the UAW in 1976 are involved in community service and set up a college scholarship program.

Union workers at Freightliner in North Carolina are taking part in local and state politics. "We are very politically active — and we will become more politically active as we mature," says Dean Easton, who is helping to lobby for federal legislation to protect workers involved in strikes.

RINGING PHONES

As the UAW breaks new ground in the Southeast, it has turned its attention to the Deep South as well. Alabama and Mississippi are two of its fast-growing states, and nearly 1,500 workers at Pittsburgh Plate Glass and Peterbilt Trucks in Texas recently voted to join the union.

Emboldened by their success, unions are considering new initiatives — including a multi-state "campaign on the order of J.P. Stevens," according to Harold McIver, director of organizing for the AFL-CIO's Industrial Union Department in Atlanta.

McIver waved a multi-page list of prime targets, including Southern plants that have unionized counterparts in Northern states, following the Gardener and Mack Truck models. Unions are also focusing on plants with parent companies in countries that have well-organized labor movements that can apply pressure, like Belgium, France, and Sweden.

But McIver and other union organizers acknowledge that big obstacles remain. Companies continue to "outsource" jobs — subcontracting work to non-union suppliers. Even in organized plants, like the GM Saturn plant in Spring Hill, Tennessee, companies are handing over plant maintenance jobs to non-union firms.

Unions say they also remain strapped for the organizers and money they need to respond to the increasing number of requests for help. Since the UAW won at Mack Truck last year, the phone in the Southern regional office hasn't stopped ringing. Workers want to know how they can organize a union in their plants.

"I just can't answer all the calls for organizing assistance," complains Bob Miller, director of the office.

Of course, after more than a decade of setbacks, that's the kind of problem union organizers like Miller are all too glad to have. ☐

Ellen Spears is a writer and a former chassis department worker at the General Motors plant in Doraville, Georgia.

SOUTHERN VOICES

Away O'ee!

By Peter Gallagher

Will McLean died a discontented soul. Will we neglect our other living treasures?

My soul is a hawk
I am but returned from the place the Indians call
'Land Where The Wind Is Born'
Into the quiet and lonely spaces of the upper skies soar I
The beauty of Florida below me
As thermal air currents send their song thru my wing-feathers
And I float in ever-widening circles
Yellow-eyes piercing in rapture
The blues and golds the orange and faint-pinks of sunset
And I see in the far-far distance my haven
The majestic old-dead tree
On whose limbs I find ...
My soul is a hawk.
— Will McLean

GORE'S LANDING, FLA. — They threw all that was left of Will McLean into the swift black waters of the Oklawhaha a few months ago. Bleach-white ash and scrapes of bone that once were the man mixed with the minnows and a pouring of wine, swirling away o'ee through the cypress knees on the river edge, vanishing with the falling sun and the bluebird's final call. A small gathering of friends stood locked in teary-eyed reminiscence until the stars began to twinkle, the mosquitos commenced to feast, and all were holy certain the soul of the man had soared.

The hawk did not appear, but stood and watched from afar, I imagine. Though we looked for those piercing yellow eyes and strained between songs to hear the redtail's call, only the faint symphony of the swamp bugs emerged. "Amazing Grace" sweetly sounded a finale on Will and the mourners departed, leaving flowers, the old man's cloth hat, the last of his no-filter Camels, and a flickering candle to the elements of the Florida sand he loved so well.

Will had finally died, for good, a few days before. Cancer, damned, deadly cancer took his hair and shriveled him up before it closed those blue eyes for good. A lifetime of smoking and drinking and worrying to excess must have added to all the misery somewhere. Suspicious of fortune be it good or bad, intensely self-destructive, artfully insecure, a giant of a songwriter, a Southern gentleman, venomous lover of a Florida vanishing all around him, Will McLean was that old oak tree in the last forest, the Big Bad John of real Florida music.

Oh listen, good people
A story I'll tell
Of a great swamp in Florida,
A place called Tate's Hell.
One hundred and forty
Square watery miles
With millions of 'skeeters
And big yellow flies

And where all about
The moccasins lie,
With glittering death
In their beady eye
Where bull-gators beller
And panthers squall.
Now this is a place
To be shunned by all!

Though he suffered his devils and died his deaths in front of all to see, it is true, as St. Augustine songsmith Gamble Rogers said in his eloquent eulogy, "It is *we* who should have been humbled." Arguably, Will McLean may be the greatest writer of folk songs that Florida has ever produced.

As the "Black Hat Troubador," he roamed the backroads of this state for half a century, chronicling in word and music the evasive past and present most of us can only imagine. In the 1950s and '60s, especially, every great folksinger — from Pete Seeger to Phil Ochs — kept Will McLean tunes and fables in their repertoire. Tough to handle, a purist against commercialism, cracker to the bone, he never cashed in on his creations. Carnegie Hall knew the songs but not the man.

Few have taken guitar to hand and as poignantly portrayed Florida's real history. It was one of Will's specialties and he did it like he did all his work: not by reading what some Yankee wrote in some censored history book, but by entering the aura of the Indians, by getting lost for days in the impenetrable swamp, by respecting the old ways, gutting the wild boar and hanging it to bleed, talking to those who were there (or who knew who was there).

He made the Seminole Indians a particular specialty, writing such great historical musicals as "Seminole" and "Osceola's Last Words."

In the latter he describes, in a single verse, the pride of the legendary warrior Osceola, imprisoned in a St. Augustine dungeon. Fatally insulted at his capture under a flag of truce, he refused to dignify the enemy by escaping. Instead, the weary Osceola realized his death would best serve the cause. He sent his brother, Chief Wildcat, with these instructions ... says Will McLean.

Wildcat, brother, to the grassy waters
take the Seminole.
There no white man can invade to
leave you lying dead and cold.
I shall not live among such evil men,
who mock the sign of truce,
This flag of white,
And honor not their given, sacred
word
My name will be the light.

HOG SLOBBER

"How do you know Will is really dead?" Seminole chairman James Billie asked, by phone, when I finally tracked him down with the bad news.

"Well, my friend Sandra left a message with my daughter ..."

"That's not good enough," said the chief. "I don't know whether we should believe it."

"I saw the obituary in the *Tampa Tribune*," I replied.

"You got it right there?" he asked. I said yes. I could tell he was stunned: "OK, I guess it's true this time."

Every Thanksgiving, for the past several years, a great depression would overtake Will and he would call the Seminole chief to say goodbye. Each year, at the Florida Folk Festival in White Springs, Will would surround himself with friends to sing some campground dirge, such as "I Will Walk That Lonesome Valley." We would drink beer and wait for Will to drop right before our eyes, straining to hear the last growls of his deep, resonant voice. His friends kept him alive, hooked to the respirator of love and respect.

Will cringed, however, the last time I saw him, while a high-voiced female folksinger crooned one of his songs nearby.

"You're supposed to sound like a hog to sing that song," he complained. "She sounds like a whippoorwill."

Photo by Peter Gallagher

Will McLean wearing his Seminole jacket, shortly before his cancer began to spread.

In all the articles and reports documenting the great storm and flood that wiped out the world south of Lake Okeechobee in 1928, only Will's eyes put the horror into that universal place where all could feel the chill: "When the waters receded, great God what a sight," Will wrote. "Men, women and children turned black as the night."

Where pantywaist Steven Foster looked for names to rhyme, Will McLean stared the wild hog in the face and told us about that "slobber running down his jaw."

We could go on and on through the lush catalogue of his work and marvel at such observations and peer between the lines and come up with all those wisdoms the scholars manage to drain out of the soul of the departed legend.

Will McLean, during his younger songwriting days, soared about the Florida landscape with the eyes of the hawk he so identified with in the end. Each movement of each blade of grass, the fading scream of the panther, the moaning of the wilderness was emblazoned on his brain and he drank and shook, sweated much of it onto paper and slobbered it out his harmonica so we would have the most precious of treasures the great scribe could afford — preservation of a real world that lived and breathed and ain't never gonna be put in any history book that kids will be allowed to see.

A STATE-FIXED GUITAR

And that is what is really sad. Although Will McLean left us remarkable treasures, he died a fantastically discontented soul. The state which he had glorified so beautifully had stared him full-face with vacant eyes as he drank away the last 20 years of his life. In his last few years, he must have lived in a dozen different dwellings, including a van that burned up and an apartment that burned down. His life was so wrapped up in survival, he was unable to draw out that which makes him a legend in death. Instead of adding to the body of Florida culture, he was often an embarrassment, usually rejecting the well-meaning but godawful token efforts we all made to help him out.

Yes, those in high bureaucratic places gave him the "Oscar" — the prestigious Florida Folk Heritage Award — but it was nothing more than a grandiose gesture from the keepers of Florida's arts and culture, bitter recompense for the great contributions to that culture by this hard-to-manage, self-destructive, get-drunk, love-Florida songwriting man.

It doesn't have to be this way. In Japan, people like Will McLean are considered "Living Treasures," and the government takes care of their basic needs. Far advanced from our cultural management scheme, the system which oversees the fortunes of Japanese artists does in deed what we put on plaques. They make sure the basic bills are paid, the artist has a palette, and the art goes on.

The question to consider is this: What value do we place on the works of a Will McLean? Not as much as the Japanese, apparently. We could have cut a few trips off the healthy travel budget of Secretary of State Jim Smith and saved enough money to support Will for a year.

And yes, he might have drunk himself into a stupor or entertained those legend-mooching friends that never seemed to leave. Or, he might have turned on his state-bought tape recorder and, in the misty cool of some November night, sipping on state whiskey, strummed his state-fixed guitar and coughed up something revealing and beautiful about ourselves and this place in which we live and breathe, some thought that leapt from that bursting pressure-cooker of potential he died with, some contribution to the culture that is uniquely Floridian.

And because he would not have been required to do anything, because he would not have been required to show up here or there, file this or that or justify in any way the investment by the state, my guess is he would have done all of that and more. Perhaps we would have had volumes more of Will McLean songs commenting on the incredible change our growing population has wrought on the dwindling wild lands of this fragile peninsula.

Certainly, we have not yet learned our lessons. We know that overdevelopment is choking us, yet we approve new projects every day. I'm so tired of hearing politicians say, "Well, we can't put a fence up on the state line!" Isn't there a better way to say that? Maybe Will might have conjured up a different vision on some cool night when the devils were asleep and the urge to create was a volcano in his soul. We all know Will had something more to say. The tragedy is, he never had a chance to say it.

DOO-DADS AND MOJOS

Will was not the last tree in the forest, but the foliage is thinning. There are others just like him, who can still do the thing for which the state will shake their hands and give them medals and brag on them at the next convention when all the bureaucrats gather to compare notes.

> *There are*
> *basket weavers,*
> *painters*
> *and sculptors,*
> *storytellers,*
> *luthiers*
> *and fiddlers*
> *gathering dust*
> *in the basement*
> *of Florida culture.*

Just the other day I went to visit Diamond Teeth Mary McClain, the 88-year-old blues and gospel singer who lives in East Bradenton. Her phone had been cut off, there was nothing in her refrigerator, she had no money, it was a week before her Social Security check would arrive, and she was just sitting there, withdrawn, depressed, on a couch, staring at that Florida Folk Heritage Award on the wall across the room. That award and two bucks couldn't get her a cab to the nearest convenience store.

Her voice is still strong, her stories are still lucid. Her connection to a time and place most of us don't know is immense — if only she could get a ride to the gig! Like Will McLean, Mary is a living treasure, but the state rarely calls to check on her. The Florida Folk Arts Program has no "hard times" budget to deal with the real-life problems of living legends. Sure, there are other social agencies charged with caring for certain needs of this woman, but she is more than that — Mary is also a blues singer and a gospel singer and her creativity is so enrapturing that she will work for hours putting together beads and doo-dads into mojos and plant hangers and only God knows what they're for.

Like Will McLean, there is no category for such people. The budget has no line item for preserving this sort of culture. The process usually doesn't even click in until they are dead. Legislators who won't even blink to allocate millions of dollars to ruin my quality of life by making a four-lane into a six-lane in Ft. Lauderdale will put on their reading glasses, huff up their chests, and rail against giving a few bucks to an artist whose family lineage doesn't flow though the guilded pocketbooks of Palm Beach.

Like Will McLean, Diamond Teeth Mary is a living treasure ... crashed on the reef of old age and sunk beneath the black ocean waters of an ignorant bureaucracy. There are basket weavers, painters and sculptors, storytellers, luthiers and fiddlers gathering dust in the basement of Florida culture. When they are gone and no longer a hassle to deal with, like the great woodcarver Jesse Aaron or the incredible junk sculptor Stanly Papio, their work will be displayed in museums and their glory preserved on typeset notecards behind glass.

Next time the state puffs out its chest and extols the virtues of its culture, take a look behind the stage. There are treasures to be found before they are lost.

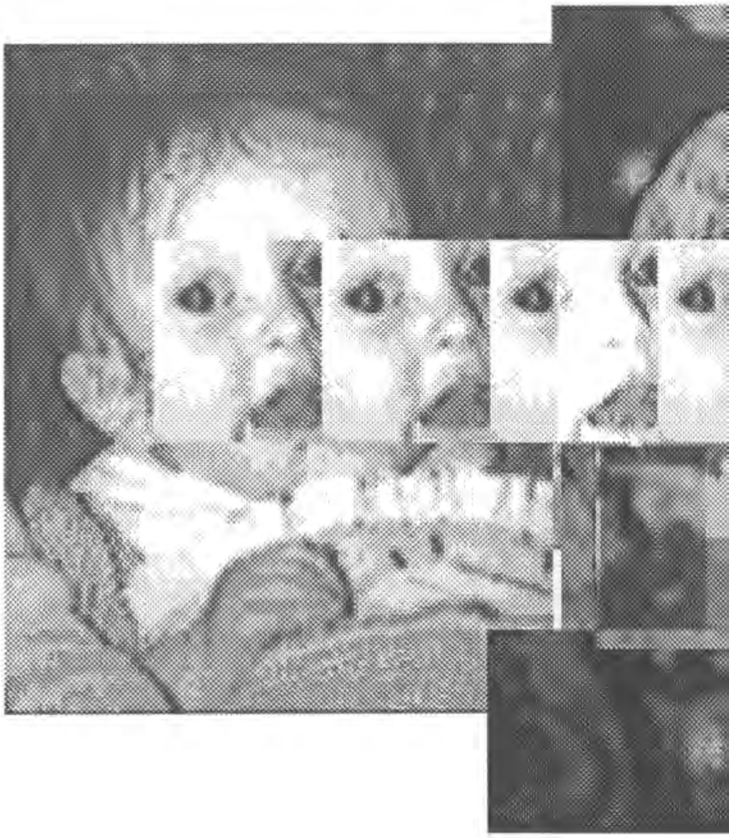
When in my final sleep
I trust my soul
Departs into
The heavens deep
For I'll have done my best
Away O'ee!

Peter Gallagher is a writer with the Seminole Tribe in Hollywood, Florida.

FICTION

Holding Allie

By Dennis Covington



When I went to get you the day before Thanksgiving, Jenny was standing grim-faced by the porch swing. You were sitting on a mat at her feet, sobbing and waving a dead leaf.

"Any better?" I asked.

"This has been the worst day so far," Jenny said.

At the sound of my voice, you looked up and let out a cry, twisting your right hand in that way you used to do — like you were cracking a safe. I picked you up.

"I don't know what to do," Jenny said. "She's been screaming from the moment you left until about fifteen minutes ago. She wouldn't eat or take a nap or anything. I feel like I'm about to snap."

You craned your neck to peer into my face. "Buh," you said. Even then, you had my chin and your mother's eyes. Your hair was straight and blonde and not yet long enough for people in grocery store lines to stop saying, "*He* must be hungry" or "*He* must be cold." Sometimes I would go to the store alone, leaving you with your mother. I always felt reckless when I was in a car without the two of you, like I was on mission. The grocery store was only two miles away.

"Well, I don't know, Jenny," I said. "If it gets to where you just can't stand it any longer . . . I didn't finish the thought because I was afraid she would take me up on it. I was already in trouble at the school for not keeping regular office hours. If I started canceling classes, they'd fire me.

"It'll get better," Jenny said with a weak smile. "It can't get any worse."

Please, I wanted to say. Give her a little more time.

Instead, I tied the strings of your hooded jacket under your chin and wished her a happy Thanksgiving. Then I carried you across the street to our house.

At first, the arrangement had seemed perfect. Jenny knew our situation and had asked if she could help by keeping you while I was in class. It was hard to get her to accept money, but she finally did. She had three school-aged children of her own and a degree in early childhood education. Her husband, Greg, was an ophthalmologist. He was my age, late thirties, and on a fellowship at the University Eye Clinic. He and Jenny had been trying to figure out where to set up his private practice. There had been some good offers, which they'd narrowed down to Johnson City, Tennessee, and Savannah, Georgia. I kept hoping they would stay in Birmingham, but if they did, I was afraid he'd open a practice in a better neighborhood and move to Mountain Brook, and Jenny wouldn't be able to keep you anyway.

What Greg really wanted, though, was to be a country-

western songwriter. One night he and Jenny had us over for barbecued ribs, and afterwards he played a cassette of a song he'd written. It was a ballad about the crew of a B-52 that never came back from a mission over Vietnam. I was surprised at how professional the tape sounded, and I told him so. Greg seemed pleased. He said that he had gone into medicine just to make ends meet until his songs hit it big in Nashville.

I'd never known a doctor like that. And Jenny was always talking about going back to work so they could afford to redecorate their modest frame house, even though it was clear they wouldn't be living in it much longer. Our neighborhood was older, urban, middle class — the perfect place for school teachers and social workers like me and your mother, but not what you'd expect for the family of an ophthalmologist.

I'd rarely see our other neighbors unless there was an explosion at the dynamite plant in Bessemer. Then they'd all appear at their back doors, in fine spirits, and shout to one another, "Whaddaya think that was?" or "Wherediya think that came from?" One of them, usually Joe Autrey, would say he was going to turn on his police scanner to see what he could find out, and everybody would go inside, and that's the last I would see of any of them till spring.

Buddy Lawler was different, though. He lived next door. Before his wife Thelma died and he moved in with his son by a previous marriage, we'd have long talks while we were supposed to be raking leaves or cutting back the roses. He'd tell me about the time he spent on a troopship in World War II. He'd been a baker in the ship's mess, and after the war he worked for a bakery here in Birmingham until he retired. I asked him what it was like to be on a ship in the Pacific during the war. Buddy said it was hot like a kitchen anywhere, only smaller. Once in a while he'd get to go on deck at night. The ocean was big and dark, he said. That's how Buddy talked. After Thelma died, for instance, the first thing he said to me was: "I miss her." This was ten days before you were born. After that, he went to live with his son until the house sold. It was on the market for over a year.

One night, a Sunday, I was grading papers late when I heard the sound of gunfire from somewhere in the neighborhood. Your mother stirred, but I don't think you or she woke up. I went out on the front steps. There was a man running through the yards across the street. In front of Jenny and Greg's, he jumped into a waiting car — its engine was idling, although the headlights were out. The car took off at a leisurely pace. I ducked. After the car had passed, I tried to get the tag number but couldn't. Then I waited, crouched behind the banister, breathing hard. There weren't any more shots. I walked around the block. Nobody's lights were on. I was afraid I'd imagined the whole thing, but when I got back to the house I called the police anyway. Except for mine, they hadn't gotten any reports of trouble, but they were going to check things out. Later I saw their patrol car meandering through the neighborhood, its searchlight touching on Jenny and Greg's door and Buddy's and Joe Autrey's and all the others, including ours.

The next day, when I took you across the street to Jenny's, she told me what had happened. Somebody had tried to steal a car from the Autreys' carport. The Autreys opened fire from their bedroom window. Both of them had guns. For some reason, the thief continued to try to hotwire the Autreys' car. That's why there were so many shots. None of them hit him. He must have been the guy I saw running down the street, a very lucky man.

I wanted to tell Buddy all about the shooting, but then I remembered he didn't live in the neighborhood anymore. His house was empty. The For Sale sign was still up, although he'd told me the last time he had come by with his son to clean out the garage that the house was under contract to a young couple.

When I finally did see him again, the contract had fallen through and I'd forgotten about the gunshots, but Buddy had his own story: "Somebody broke into my house. They cut a screen to get in. Did you hear them?"

"No," I said. "What did they take?"

"Nothing," he said. "There were some old bills and letters in a closet. They looked through them, but didn't take anything."

"That's good."

"It still gives you a funny feeling," Buddy said. "Even when you don't live there anymore." And I agreed. I wished he hadn't decided to move in with his son, but I guess he didn't have any choice. His heart was bad and he'd just lost his wife. Still, for our sake, I wish he had stayed.

Just the other day, I heard some statistics about old people that surprised me. Most of today's old women went through their peak child-bearing years during the Great Depression. A third of them never had children, the highest ratio before or since. I didn't catch the reasons, but I suppose they had to do with economics. Maybe the women put off having kids because they knew they couldn't support them. Maybe an insufficient diet resulted in decreased fertility. Whatever the case, it was an interesting fact that I hadn't known before. It made me think of Buddy's wife Thelma, who never had any kids of her own.

It got better for you and Jenny just before Christmas. I don't know what did the trick, but you were like old friends for a while. You stopped crying after I left, and you let Jenny feed you and rock you to sleep. You even sat in her lap and listened while she read to you.

"I think everything's going to work out now," Jenny smiled.

"Boy, that's a relief," I said. "You don't know how much we appreciate what you're doing."

"Well, let me get the empty bottles," she said, and when she came back out, she was blushing. "Today I even had the feeling that she liked me."

"Of course she likes you," I said. "Tell Jenny how much you like her." You stretched your arms out. You yawned.

First thing when we got home, I called your mother at her office. "It's working!" I said.

"Thank God," she answered. It was as though we both knew our lives were going to be normal now. Or nearly normal. When I think about what it was like for my parents — Mom staying home all day with us and Dad pulling into the driveway at exactly 5:30, supper on the table, the vacuuming done, it's as though I'm looking at a painstakingly carved antique clock, a beautiful curiosity.

But it didn't resemble our life at all. Our moods depended entirely on how you were doing at Jenny's. The bad days, we felt doomed. One of us would have to quit work, we'd say, but we knew a single paycheck would barely cover the house note and electricity. So we'd put ads in the paper that went mostly unanswered. Sometimes a voice with a twang would call about the ad, and your mother would use a day of vacation so she could check the girl out.

"What was she like?" I'd as when I got home.

"She had this funny haircut," your mother would say, "and she lives across town and doesn't have a car." So we'd never get back in touch with her.

But on the day Jenny told us things were working, your mother and I felt reborn. We could make plans. We even talked about another child.

"I love Jenny," I said.

"Are you attracted to her?" your mother asked.

I stopped to picture Jenny in my mind. Tall. Pleasant smile. Big gray eyes above broad cheeks. "No. It's not that," I said. "I mean I really love her."

"I know," your mother said. "I love her too."

Over the Christmas break, Jenny and Greg and the kids visited their families in Florida. Since I didn't have class, I was able to keep you all day, although your mother sometimes took you to her office in the afternoon. We felt we'd reached a perfect equilibrium. It lasted until Jenny returned and the new semester began. Then, when I left you with her, you started crying again. This time, though, there was no improvement. If anything, the situation got worse. It was nobody's fault. You just wanted to be with your mother and me, the most natural thing in the world.

"I have to talk to you," Jenny said on a day when I had run late picking you up. I sat down on her sofa. You were in my lap — tear-stained, but happy now.

"Please stop banging on the piano," Jenny said to her younger daughter, Laura.

"But ..."

"Don't talk back," she said.

"I wasn't. I was just going to tell you that ... that I read a book today." Laura had a learning disability. Her older sister, Rachel, was gifted. They were in different special classes at the same school, but they were out that day for a state holiday that the university didn't observe.

"What book?" Jenny said.

"This ... this book ... about ..."

"Tell me later, OK?" Jenny said. "I really want to hear about the book, but later.

"The fact is," she said to me without taking a breath, "I'm at the end of my rope."

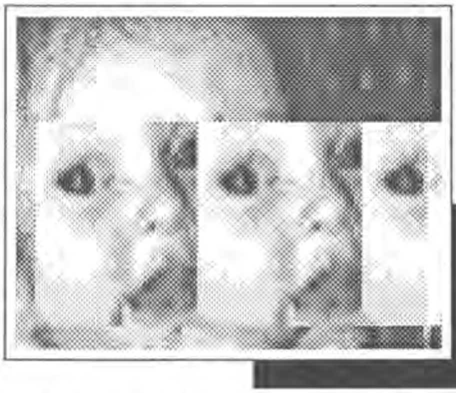
"I understand."

"Your daughter's inconsolable. Nothing I do helps. I can't get any housework done. When the kids get home from school, I'm too exhausted to give them the attention they deserve. Greg thinks I should see a doctor, and he *is* one." She paused. "It's not just her, it's everything. We're both half crazy trying to decide where to locate. She's a lovely child, she really is, and if she were like she is now, when you're here, it would be a joy to keep her. But I have my own life."

"I understand," I said. "There's no reason to feel like you're letting us down."

"But I am," she said, and her eyes welled. "I'm leaving you in a lurch. And I just feel like she hates to come over here, hates to see me."

"No, no," I said.



"Momma?"

"What, Laura," Jenny said.

"Can ... if Trinket comes over, can we play, you know?"

"In your room? Yes. But don't turn the record player up so loud, OK?"

"OK."

"Sometimes I think she'll get back like she was before Christmas," Jenny continued. "It seemed so good then. But when I really think about it, I realize how deceptive that was. It was only good relative to what it had been like before."

"I know what you mean."

Jenny looked at me and then glanced away. "It just wasn't like I thought it was going to be," she said.

"Please don't worry," I said. "We understand. And we can't thank you enough for what you've done."

I got up to go. Jenny gathered some toys from the coffee table and put them into your bag.

"Do you need any help getting her across the street?" she asked.

"No, but thanks. And tell Greg — Savannah. It's a beautiful town."

"You've been there?"

I nodded.

"He's leaning toward Johnson City, because it's closer to Nashville."

"Well, we'll have to get together and talk."

"Yes. Please. Let's do. And if you get in a pinch and need a babysitter for an evening out ..."

"Of course we will. Thank you, Jenny." And I carried you outside.

It was nearly dark. I waited at the curb, even though there were no cars coming. I'd felt this way about other women I'd loved, and I knew I'd get over this feeling, too.

From the curb I could see the For Sale Sign in Buddy Lawler's front yard, and what I remembered at that moment was the Sunday on which his wife Thelma died, ten days before you were born.

On that day your mother and I had seen the firetruck in front of Buddy and Thelma's house right before we left for church. We both thought it was his heart. I said I would go next door and see if I could help, although there was nothing I could have done. Your mother finished dressing. She was having trouble finding something that fit. She had already passed her due date, and even the enormous black dress Jenny had loaned her had begun to ride up in front.

It was a morning like the one on which you were to be born — crisp and bright, too cold for Birmingham, but filled with all sorts of promise. The idling firetruck sent up plumes of white exhaust. Buddy's front door was ajar, so I didn't knock. I just opened the screen door, letting in a gust of cold air. The living room was unnaturally warm, a hothouse. Buddy sat in a rocker in the center of the room. He looked pale and stricken. The Autreys stood on either side of him. Mrs. Autrey's red hair was at all angles like a fright wig. Joe still had on his bedroom slippers. They didn't look the type to shoot at car thieves.

"Are you OK, Buddy?" I asked.

He nodded, but it was clear he wasn't. He leaned his head back, and his breath came shallow and light. Around his lips, the skin was blue. The scar on his neck where a tracheotomy tube had once been inserted shone slick and white under the light from the open door.

"It's all right now, Buddy," Mrs. Autrey said as she stroked his temples.

"Is there anything I can do?" I asked.

Buddy didn't open his eyes. "They're already doing everything they can for her."

That's when I understood. The firemen were in the kitchen. I glanced in long enough to confirm that it was really Thelma stretched out on the floor. I couldn't see her face for the rubbery coats of the firemen, only a swatch of yellowish-white hair. Her glasses were lying on the floor under the kitchen table. The air smelled like slightly burnt toast. The firemen were talking swiftly and softly. One of their beepers went off, and Thelma made a weak, bleating sound.

Then the screen door rattled. I turned and saw your mother at the front door, shielding her eyes so as to see into the living room. "We're running late," she said when I went to the door.

"I know."

"Sunday School's already started."

"I'll be out in a second," I said.

"Is he all right?"

"Yes."

"Then come on. We've got to hurry. Hi, Buddy," she said in a louder voice.

He lifted his hand as if to wave. "Hi, honey," he said.

"Let me know what happens," I said to the Autreys before I opened the screen door and followed your mother into the blast of cold air. Leaves swirled around her feet. Her ankles were splotchy and swollen twice their normal size.

"It was Thelma," I said. "I think she had a stroke. She's still alive, but it doesn't look good."

"I thought it was Buddy," your mother said without a trace of surprise. I didn't believe her for a minute. I thought it had been insensitive of her not to come inside. I thought it was because she was pregnant and full of herself and just didn't want to take the time to watch a childless woman die. I ran through a catalogue of minor slights I thought I had suffered during the pregnancy. I was angry all through church. I kept my eyes open during the prayers.

That afternoon Thelma did die, and your mother baked a casserole and carried it next door. Buddy was surrounded by his son's family and a few old friends, most of them retired from the bakery where he had worked. He introduced your mother as his little girl. They laughed. I suppose it made everyone happy to see a pregnant woman so soon after a death. When your mother came home, I apologized to her for the way I had been thinking lately. "There's nothing wrong with thinking things," she said. "We all think things." And nine days later, you were born.

Allie, it is not an exaggeration to say that we loved you before you were born, before you were even conceived. This is just in the nature of longing, particularly when it's for something that you think you'll never have. We thought we'd never be able to have a child. We had been trying for almost ten years. And the passion your mother and I felt for one another was too strong and too dangerous for us to keep it between ourselves forever. Eventually, without you, it would have sent us spiraling away from one another. What I'm saying is that we needed you more than you have ever needed us. When Jenny said she couldn't keep you anymore, it was a minor inconvenience in the long run. We juggled our schedules. We made arrangements. We kept our jobs. Everything worked for the best.

But on that afternoon when I stood on the curb before carrying you across the street from Jenny's for the last time, I felt as though the world had caved in on me. It was early January. The sun had fallen behind the houses at the end of our block, and a line of migrating blackbirds was following the sun across a sky that was absolutely colorless. The line of birds seemed to have no beginning and no end. Unless you looked closely, you couldn't even tell whether they were moving or not. I think this is what is called despair. But I did not call it that then. I just did what came next. I took you inside and fixed something for us to eat. I turned on the stereo. We waited for your mother to come home. She was running a little late because of a meeting. While you played with your books and blocks, I looked out the window, watching for her car. Our house was on a hill, and I could see the whole neighborhood. Except for Buddy's, the lights were on in all the houses on the block. ❑

Dennis Covington is a fiction writer and freelance journalist from Birmingham, Alabama. His first novel, Lizard, *will be published next spring by Delacorte.*

TAXING OUR PATIENCE

Citizens in three Southern states are fighting for a fair tax system that will share the wealth.

By Tom Hilliard

Stinginess, as the old saying goes, can be an expensive habit. Just ask Mike Antrican, superintendent of schools in Hancock County, Tennessee. A tight-fisted fixation on keeping taxes low nearly closed schools in his district, the poorest in the state.

"Because of budget cutting, we've had to lay off four teachers, several custodians, a Chapter I supervisor, and an attendance and training supervisor," Antrican says. "We have absolutely no art classes, no music classes. We have no band. If a subject isn't required by state law, we probably don't have the money to teach it."

Last year Hancock County suffered a budget crisis so severe that officials even considered mortgaging school buses to keep the schools open through the end of the year. The state vetoed that idea, and for a while it looked like summer might come early for children in Hancock County.

The school crisis was averted — narrowly — when the county cut an unusual deal with local officials in Washington, D.C. The District of Columbia shipped 93 convicts to the Hancock County jail — and paid the county $4,185 a day to hold them.

Antrican concedes that some people found it insulting to pay for schools by importing out-of-state criminals. But he points out that the county would have to double property taxes to raise as much money as the prison deal brought in — "and that's only for the school system," he adds.

Such stories have become all-too-familiar around the South in recent years, as local and state governments struggle to pay for the schools, sewers, and clinics they so desperately need. Some states in other regions have faced this fiscal crisis and dealt with it. But Southern states, in their eagerness to attract business investment, have habitually kept taxes low — especially for corporations and the rich — making it tough to pay for basic human services like education and health care.

As the region enters a new decade, however, there are signs that the Southern tradition of stinginess is starting to change. In state after state, citizens are forming broad-based coalitions to press for sweeping tax reforms. Teachers, state employees, and even some business leaders have come together to fight for a fair tax system. The bottom line, they insist, is ensuring that taxes spread wealth throughout society rather than concentrating it in the hands of a few.

"When the politician says 'we will not raise your taxes,' we think people ought to understand that the politician is really saying that he thinks we should stay at the bottom of the nation in education, health care, and other human services," says Robert Guillbeaux, a member of a tax-reform coalition called Alabama Arise. "This state will never achieve its potential as long as significant numbers of its population are poor."

A SMART INVESTMENT

The South can boast of the most inequitable tax systems in the United States. The long domination of state government by large landholders and business interests has led to a reliance on sales and property taxes that fall hardest on families with low and middle incomes. Put simply, Southern states generally raise most of their money by taxing food, clothing, and homes — not land, business profits, and personal incomes. (See sidebar, at left.)

In the coming year, most Southern states are expected to spend more — and tax more — than ever before. According to a recent survey by the National Governors Association, proposed spending growth for 1991 in the South "is the second highest in the country and well above the national average." Steven Gold, author of *State Tax Relief for the Poor*, predicts that 1991 will also be "a very big year for state tax increases — one of the biggest years ever."

According to Gold and other analysts, several factors explain the renewed push for state spending:

▼ A lagging economy — some call it a recession — has busted rosy projections of higher tax revenues. Since most states must balance their budgets each year, the loss of anticipated income requires legislators to either cut expenses or raise taxes — choices they hate to make.

▼ Government costs have climbed steadily in the last decade, especially for prisons and health care. The number of inmates in state prisons doubled during the 1980s, while state Medicaid expenses soared 14 percent in the past year alone.

▼ The federal government is rapidly cutting support for state and local governments. Last summer, the Bush

MAKING THE POOR PAY

When it comes to taxes, the underlying issue is simple: Who pays? In the South, studies have repeatedly shown that states tax poor and middle-class families more heavily than they do the rich — and they do it by relying on sales taxes.

The fairest way for a state to raise money is to tax people based on their ability to pay — in other words, to tax personal and corporate income. Instead, Southern states generally minimize income taxes and rely on sales taxes that land hardest on those with limited means.

Why do sales taxes hit the poor the hardest? Poor families spend almost all of their meager incomes, and most of it goes to basic necessities that are subject to sales taxes — food, fuel, clothing, electricity, and furniture. The wealthy, on the other hand, invest much of their income, and much of what they do spend escapes taxation. Even in New Mexico, which boasts the fairest sales tax in the nation, the poor pay 50 percent more of their incomes in taxes than wealthy citizens.

According to a study by Citizens for Tax Justice, a public-interest group working for tax reform, Southern states lead the nation in squeezing sales taxes out of those least able to pay. Eight of the ten states with the most unfair sales tax codes are Southern. In the region as a whole, poor Southerners pay four times as much of their incomes in sales taxes as the wealthy.

"These states, which are so adept at taxing the necessities of life for working families and the poor, seem to lose their courage when it comes to taxing some of the favorite spending of the well-heeled," notes the report by Citizens for Tax Justice. "Alabama, for instance, which taxes food and over-the-counter drugs, exempts legal and accounting fees, as well as landing and docking fees."

Poor Southerners are especially hard hit because their states tax food. Poor families spend 30 percent of their annual income on food, while the wealthy spend only 1.4 percent. Of the Southern states, only Florida, Texas, and West Virginia exempt food from taxation.

Although a fair system of income taxes could help balance the scales, the Southern poor don't fare much better when it comes to income taxes. Of the 10 Southern states that levy income taxes, seven tax a greater share of their poor citizens than the U.S. average. Citizens of Virginia and West Virginia pay income taxes even if they earn less than $3,700 a year.

WHO PAYS INCOME TAXES

The income threshold at which citizens must start paying income taxes, and the tax burden for a family of four earning $10,000.

	$ Threshold	$ Burden
Mississippi	15,900	0
S.Carolina	12,800	0
Louisiana	11,000	0
U.S. Average	**6,100**	**106**
Georgia	6,100	74
Arkansas	5,000	165
Alabama	4,400	156
N.Carolina	4,300	252
Kentucky	4,300	281
Virginia	3,700	185
W.Virginia	3,600	125

Source: Center on Budget and Policy Priorities

WHO PAYS SALES TAXES

The super-rich (those earning more than $600,000 a year) pay a much smaller share of their incomes in sales taxes than the poorest families (those earning less than $9,000).

	% of Poor Income	% of Rich Income	% Rich Pay Vs. Poor
Alabama	4.6	0.9	20
Mississippi	5.6	1.2	21
Georgia	3.6	0.8	22
N.Carolina	3.4	0.8	23
S.Carolina	3.7	0.9	23
Arkansas	3.7	0.9	23
Tennessee	5.8	1.4	24
Virginia	3.0	0.8	25
W.Virginia	3.7	1.0	27
Louisiana	4.8	1.4	28
Kentucky	2.7	0.9	31
Florida	3.4	1.1	32
Texas	3.9	1.4	35
South Avg	4.0	1.0	25
U.S. Avg	**3.3**	**1.0**	**30**

Source: Citizens for Tax Justice

governments. Last summer, the Bush administration mapped out a plan to limit state and local income tax deductions — a move that would make it even harder for big cities to provide basic services for the urban poor.

▼ Education reformers are winning lawsuits that force states to divide up school funds equally and stop shortchanging public schools in poor counties. After losing such suits last year, Texas and Kentucky took prompt action to bolster their budgets. Legislators in other Southern states took note.

"It used to be that when we brought up the poverty of some of the school systems here, most of the legislators would brush it off and say 'it's a local problem' or something like that," says Bill Emerson, superintendent of schools in Crockett County, Tennessee. "Since the Kentucky case, we've seen a whole change in attitude among the legislators. The legislative leaders will sit down and talk with us seriously now."

The push for more money to pay the bills has fueled the growing support for fair taxes. For years, unions representing public school teachers and state employees provided most of the organizational support for tax reform campaigns. But in the last few years, a broad assortment of groups has campaigned for tax reform legislation. Even business leaders, historically reluctant to support the public sector, seem to be getting the message that social spending is a smart investment, not just an act of compassion.

"It used to be that businessmen thought that all you needed for success were low taxes and a small government," says Steven Gold. "But more and more, it's recognized that you need an educated workforce and a good transportation system."

Even in conservative states like Mississippi, Alabama, and Tennessee, business leaders have recently taken stands in favor of bigger state budgets. Increasingly, they throw their support behind revenue packages that involve higher taxes for everyone — including the private sector.

"The issue is not high taxes or low taxes, but adequate spending," says Bob Schwepke of the Corporation for Enterprise Development, a non-profit consulting firm. "If business wants to compete they'll need to invest more in education and other building blocks. Otherwise, they'll have to compete with Third-World countries on the basis of low wages — and they just can't win that way."

Such attitudes indicate that the coming year could offer new answers to some old political questions. How much will we invest in our environment, our health, our children? And how do we propose to pay the bills? In three Southern states — Louisiana, Alabama, and Texas — citizens have placed the issue of tax reform at the top of their agenda.

"They take a look around and pretty much see they're getting screwed."

BAYOU TAX BREAKS

Many people object to tax breaks for large out-of-state corporations — but Zack Nauth puts them to good use. As director of the Louisiana Citizens for Tax Justice (LCTJ), Nauth finds tax loopholes valuable for teaching voters how their tax code lets them down, and why.

"We don't have any trouble convincing people that tax breaks are bad," says Nauth. "They know this intuitively. They know their children aren't getting educated, that their schools don't have money for decent facilities. But they don't know where money could come from. They don't know the extent of their dollars which go back to these companies. They take a look around and pretty much see they're getting screwed, but they don't know how or why. We show them."

According to Nauth, tax giveaways cost the Bayou State more than $300 million every year, thanks to the generosity of the state Board of Commerce and Industry. The Board approves almost every tax break proposed, insisting that the concessions will stimulate economic growth and promote jobs. Between 1982 and 1984, for example, the board approved tax breaks for hundreds of companies — rejecting only one application.

To fight such flagrant abuses of the state tax code, LCTJ worked to build a diverse movement of labor, environmental, and public interest groups. Starting with a narrow base of support, Nauth and others worked to align their goals with the agendas of other progressive organizations.

Last year LCTJ campaigned hard for a bill to strip a 10-year tax exemption from corporations that pollute the environment. About 80 percent of the exemptions go to the petrochemical and paper industries, two notoriously "dirty" industries. To fight the tax break, LCTJ recruited allies not typically associated with tax reform issues, including the Sierra Club, the Louisiana Wildlife Federation, and the Louisiana Environmental Action Network.

It proved to be a dirty fight. Lobbyists for the Louisiana Chemical Association bitterly attacked the bill, insisting that it would scare off potential out-of-state investors. After exhaustive lobbying by both sides, the bill was defeated.

The tax coalition tried a different approach. LCTJ asked the Board of Commerce and Industry to draft a new rule that would deny tax breaks to big polluters. When the Board dragged its heels, the coali-tion pointed to the record of Citgo Petroleum Corporation.

Citgo, one of the biggest petrochemical companies in the state, had been fined $5,000 by the state on April 6 for dumping toxic chemicals into a Lake Charles bayou. Less than two weeks later, on April 20, the company asked the commerce board for $1.1 million in tax exemptions to expand its Lake Charles refinery. On its application, Citgo swore it was not "under citation for pollution violation."

When the Board was confronted with the evidence on August 22, one member explained that CitCon Oil — not Citgo — had polluted the bayou. The Board then voted unanimously to approve the application and give Citgo its tax break.

The board smoothly overlooked one point: Citgo *owns* CitCon.

Furious at the transparent ploy, Governor Buddy Roemer rejected the exemption — and took matters a step further. He ordered all pending tax applications — over $30 million in tax breaks — frozen until the Board drafted the environmental rule LCTJ sought. Members of the coalition were elated by the victory.

"They asked for it by being so obstinate," says Bob Kuehn of the Tulane Environmental Law Clinic, a key member of LCTJ. "The industry could have allowed a weak rule to go through, but they fought and fought and fought, and now they've been cut out of the process."

But the coalition is not resting easy. To counter expected opposition from the business community, Nauth and his allies are preparing statistics to show that "dirty" corporations cost Louisiana more in pollution cleanup than they return in jobs.

"We're going to give them figures that show the thing is an outrageous giveaway and prove that the entire system needs to be reformed," says Nauth.

TAXING THE TREES

While Louisiana fights the power of out-of-state chemical companies, Alabama citizens struggle with their own bully — the timber industry.

For years, Alabama has kept property taxes low to please big timber companies and other large landowners. Forests and farms cover 85 percent of the state, yet they account for only 17 percent of all state taxes.

Three years ago, a small group of citizens decided it was time timber firms paid their fair share of the tax bill. They formed Alabama Arise — a coalition of 57 groups committed to trimming overgrown timber subsidies and improving services for the poor.

No one here expects any dramatic turnarounds of the sort that happened in Louisiana. Members talk instead of the dull necessities of a long-term campaign — pamphlets, conferences, studies, voter outreach programs — the kind of activism that is unlikely to make the six o'clock news.

Carol Gundlach, a member of the coalition, admits that cutting the timber barons down to size won't be an easy job. "If we get something in the legislature, we can expect a massive campaign of TV, radio, and print ads paid for by the timber corporations and funneled through some ad hoc front group called the 'Committee for Fair Taxation' or something like that," she says. "That's what they do whenever rural counties try to raise their taxes to pay for education."

Alabama Arise must also contend with the problems caused by "earmarking" taxes for specific programs. Because polls show that voters oppose taxes in general, but support taxes for specific items like better schools or improved health care, many Southern states have been forced to specify where new tax dollars will go. The Alabama state constitution may well be the most rigid in the nation, mandating earmarking for almost all finances. As a result, 89 cents of every state tax dollar is pledged to specific programs — more than four times the average in other states.

Earkmarked funds reassure voters of how their money will be spent — but it also creates problems of its own. According to a report by the Alabama League of Women Voters, earmarking straps services less popular with taxpayers and prevents the legislature from shifting priorities or responding to changes in state needs.

All the same, polls show that Alabama voters want to spend more money to improve their state. According to a survey by Keith Ward, an Auburn University professor, 71 percent of Alabamians would back a tax increase to improve public schools. More than half also favored increases for higher education, mental health, economic development, and environmental protection.

Even the influential business community has grown disgusted with the status quo. "The business community minus the timber industry is in the same place we are," insists Gundlach. "They know economic development requires an adequate infrastructure and an educated populace."

At the heart of the struggle, though, is a push for tax fairness. In the long run, that means shifting away from sales taxes and relying more heavily on income and property taxes to ensure that the wealthy pay their fair share.

"We're not hearing legislators talk about sales taxes any more," says Gundlach. "In some counties, sales taxes are up to 10 percent. They realize we can't go much further in that direction."

Robert Guillbeaux, another Arise member, says he expects a long, slow struggle to build "a great uprising at the grassroots level." And what will keep the coalition going until then? "We have no choice," Guillbeaux says. "We live here."

KHOU-TV HOUSTON
FUND EDUCATION REFORM NOW

A NEW COALITION IN TEXAS HAS COME OUT FIGHTING FOR TAX REFORM, INSISTING THAT CORPORATIONS PAY THEIR FAIR SHARE OF THE BILL.

LONE STAR STRUGGLE

Texas has long resisted pressure to adopt a state income tax — one of the best ways to ensure that people contribute taxes based on their ability to pay — and the current campaign for governor is no exception.

Both candidates fervently oppose the creation of an income tax. The Republican contender, Clayton Williams, even makes a point of swearing to veto any income tax that gets to his desk.

Eduardo Diaz, for one, does not believe them. An organizer for the Texas Service Employees Union, Diaz believes Texans will see an income tax within four years.

"The state will be carrying a debt," Diaz notes. "Our human services budget will be running a $273 million deficit, and the state constitution mandates a balanced budget. We cannot end the year with a deficit. People are sick and tired of the current situation."

Texans have every right to be sick and tired. For years, their state government relied on oil taxes to fund almost every expenditure. When oil prices crashed in the early eighties, the state budget crashed just as hard. Since then, Texas has leaned more and more heavily on its regressive sales tax, collecting money from the people who are least able to pay.

Today the Lone Star State boasts the third highest sales tax in the nation, yet it ranks next to last in per capita spending on human services. The state government faces one court order to reform inequities in public school spending, and another to relieve overcrowding in state prisons. Under the circumstances, a state income tax might seem the most sensible solution. But in Texas, the sensible solution has remained unthinkable for decades, even in the midst of past fiscal crises.

Eduardo Diaz is too modest to suggest another factor that may help win a public blessing for the long-shunned state income tax: the Fair Taxes for Texas Coalition, a campaign his union helped launch with an astonishing alliance of progressive groups that spans the spectrum of race, class, and political agenda.

Jude Filler, director of the Texas Alliance for Human Needs, recalls what drove her network of 112 groups to join the tax reform coalition. "We realized our 'housing' members were competing with our 'hunger' members, who were competing with our 'consumer' members," she says. "Everyone in our coalition was fighting with everyone else for the same small pool of money. So we decided to make increasing the pool our big campaign."

"When we started out in 1984, everybody told us we were crazy."

The Fair Taxes for Texas Coalition plans to avoid the fall campaigns and focus instead on organizing their members, educating the public, and lining up business and legislative backers. The coalition has already won the public support of Lieutenant Governor Bill Hobby and a number of business leaders frustrated by the state's antiquated revenue system.

Will anything actually change, though? Pessimists say no — but Diaz has heard such defeatism before. "When we started out in 1984, everybody told us we were crazy," says Diaz. "But all the problems with the budget have changed everything. Once we legitimize the issue and bring it out in the open, we can win this thing."

A TAXING DILEMMA

Although organizers like Diaz remain confident of victory, the growing money crunch in many Southern states threatens to undercut the push for fair taxes. Many reformers find themselves in a painful dilemma: whether to press for income taxes and other progressive plans which might fail at the polls, or to endorse new sales taxes that will likely win approval in the legislature while heaping new burdens on low-income families.

Governor Richard Riley did not want to raise the sales tax in South Carolina. When he first proposed an education reform package in 1983, he avoided a sales tax, knowing that the poor were already paying twice as much of their incomes in taxes as the wealthy.

Instead, Riley anchored his reform to a more progressive plan that would shift more of the tax burden to the wealthy. The plan flopped: Business interests dug in their heels, and voters said it was too complicated. When Riley proposed a penny hike in the sales tax the following year, the education package passed easily.

The governor's experience in South Carolina set the tone for other Southern states that passed tax increases in the last decade. Arkansas, Mississippi, Tennessee, and North Carolina funded their education reforms with penny hikes. Virginia opted for a half-cent increase, coupled with a 2.5-cent gas tax. Most recently, Georgia extended its sales tax to include food and drugs.

Steven Gold, a frequent advisor to tax reform commissions, understands the dilemma. He advises reformers to campaign for whatever taxes voters will support — not fair taxes that will go down in defeat. "Are you going to fight a two-front war?" Gold often asks organizers. "It can be hard enough to get a big tax increase passed, without insisting that it be an income tax."

Many organizers have reluctantly agreed, opting for more money over fair taxes. Bill Emerson, who has been fighting for new school funds in Tennessee, supports a state income tax with a higher rate for wealthy taxpayers — but he admits educators will settle for more money any way they can get it.

"If the legislature comes up with a revenue package, we will support it," Emerson says. "Our position is so desperate, we will support any conceivable package. Even if the package includes a lottery, which I personally oppose, our group's position is to support it."

No one questions that the economic prosperity of the South in the next century depends on revenue to support its expanding needs. But the question still remains: Will the schools, water systems, and health clinics that the region so desperately needs be carved from the budgets of poor and middle-class families?

To those working to reform Southern taxes, the answer lies with the poor and middle class themselves. Zack Nauth, the Louisiana activist, stresses that only education can prevent unfair taxes.

"Our lack of education has been used against us in the distribution of resources," Nauth says. "You certainly can't do anything if you don't know what's going on. What you don't know will hurt you." ❑

Tom Hilliard is a research associate for Public Citizen's Congress Watch, an organization founded by Ralph Nader. The views expressed in this article do not necessarily reflect the views of Public Citizen.

BLACK GOLD

How Kentucky citizens forced the state to tax unmined coal.

By Denise Giardina

When Lyndon Johnson launched his much-heralded War on Poverty in 1964, he came to the coalfields of Martin County, Kentucky to fire the opening volley. There the television cameras recorded scenes of poverty — houses without indoor plumbing, hungry children, and creeks that were little more than open sewers. Little was said about the reasons for the poverty, except to point to the "isolation and backwardness" of the people.

A decade later, the average income of Martin County residents rose as the coal industry rebounded from the energy crisis of the 1970s, but social services still lagged far behind. Coalfield residents expressed growing dissatisfaction with the crumbling roads, the lack of sewage systems and drinkable water, and the deterioration of local schools. As coal mines became more mechanized, joblessness and poverty began to spread once more.

In 1983, the television cameras returned to eastern Kentucky, this time to film a CBS news special anchored by Bill Moyers. Unlike previous reporters, Moyers directly linked living conditions to land ownership and property taxation. He cited the Appalachian Land Ownership Study, which documented absentee ownership and tax rates across the region. One company, a subsidiary of the Norfolk Southern Railroad, owned 55 percent of all the unmined minerals in Martin County. The annual property tax on the company's 81,000 acres was a total of $76.

Many residents had already made the connection. The television program recorded early efforts by the Kentucky Fair Tax Coalition (KFTC), a citizens group with several hundred members and no paid staff, to force the state to tax coal reserves. It was a long battle — but one that was ultimately successful in gaining compensation from Appalachia's absentee owners.

COAL AND CANDY BARS

Tax issues are not very glamorous, and a discussion of taxes can produce more yawns than activism unless one's own pocketbook is affected. Tax activists who capture headlines are usually conservatives who seek to cut taxes and eliminate social programs. Tax reform would therefore seem an unlikely vehicle for citizens to launch a broad-based progressive movement capable of becoming a force to be reckoned with in state politics. But that is what happened in Martin County.

To the casual observer, the issue of taxing unmined coal reserves appears simple enough. After all, coal is obviously a valuable commodity, and should be taxed as such.

In fact, state officials reached that conclusion only after citizens, most from the mountainous eastern counties, waged a determined campaign to make companies carry their fair share of the tax burden. The intense activism by a handful of citizens highlights the connection between unfair taxation and social injustice, and shows how a local fight over a single issue can mushroom into a broad-based movement that tackles everything from land ownership to strip mining to hazardous waste disposal.

For years, the Kentucky General Assembly has responded to citizen complaints by protecting coal interests. In 1976 the Assembly created a separate classification of taxable property solely for unmined coal. In 1978 lawmakers set the tax rate on unmined coal at $.001 per $100 of assessed value.

In many Kentucky counties, tax bills were never collected because county or state assessors did not know the extent of company holdings. As Scott Akers of the Kentucky Revenue Cabinet recently explained to a Harlan County newspaper, "The rate was so low it simply wasn't worthwhile to report it."

Low taxes devastated entire counties. In Martin County, teachers were forced to buy supplies from their own pockets, and children went from door to door selling candy bars to pay basic school bills.

In 1982 members of KFTC lobbied the General Assembly to tax coal reserves. The bill received support from some legislators concerned with raising new revenue in the face of Reagan budget cuts. But legislative leaders like House speaker Bobby Richardson were lawyers with mineral industry clients, and they kept the bill from reaching a floor vote.

After the bill died, 50 members of KFTC invaded the office of the evasive Richardson and refused to leave. The speaker grudgingly met with them in the company of two security guards and several aides, and declared that an unmined minerals tax would be unworkable. KFTC attracted its first statewide media attention with its aggressive pursuit of public officials, and the effort continued on a local level.

In Martin County, KFTC appeared before the local tax board and asked officials to raise the assessment on Norfolk Southern's holdings. The board refused to consider the request, and the state Supreme Court later ruled that citizens had no right to challenge corporate assessments.

Despite the setback, KFTC members got the satisfaction of watching a fleet of company lawyers descend on Martin County, of knowing that the same thing was happening in other counties and that the companies were alarmed. A lawyer in a neighboring county said he'd never in his lifetime seen citizens challenge the companies so directly. "It had never been done before," agreed Gladys Maynard, then president of KFTC.

"I DON'T KNOW ANYTHING"

The group challenged the minerals exemption in court, but did not sit idly by waiting for a judge to rule in their favor. The CBS television program filmed KFTC members speaking to the Martin County school board and the local fiscal court, asking them to endorse a state tax on unmined minerals.

The pleas fell on deaf ears. Bill Moyers pointed out that four of five school board members and three of five magistrates on the fiscal court worked for coal companies. On camera, one magistrate declared, "As far as I'm concerned, you're asking me to vote on something I don't know anything about." Both bodies refused to endorse the tax, which would have raised millions of dollars in revenue for local governments.

Still, some coalfield politicians did support the tax. KFTC continued its research and found that Kentucky's top 15 coal-producing counties raised an average of only $230 per pupil from local revenue sources, compared with a state average of $540 per pupil. The report came at a time when organizations like the Commission for State School Finance and the Prichard Committee for Academic Excellence were launching widely publicized campaigns to equalize school funding in Kentucky and improve the quality of schools statewide.

KFTC cooperated with education reformers to emphasize how underfunded school districts in coal counties were draining state resources. Local endorsements of the unmined minerals tax began to multiply. Facing growing pressure, the General Assembly showed signs of willingness to pass the bill in 1986 and 1988, but key conservative leaders continued to use archaic legislative rules to keep it from reaching a vote.

Finally, in 1988 the state Supreme Court heard the KFTC challenge to the minerals exemption — and ruled that unmined coal reserves must be fully assessed and taxed as property. The state Revenue Cabinet increased its staff and began a two-year process of surveying mineral holdings and assessing value. The coal industry tried several legal maneuvers to stall the survey, but ultimately failed.

The Revenue Cabinet estimates that there are 10 million acres of coal land in the state, but as of last summer it had surveyed only five million. In March, the first assessments were mailed to coal companies in three counties, and other companies have been notified since.

In Pike County, the first of the large coal counties to be assessed, reserves surveyed to date are valued at $355 million. Another county, Harlan, holds reserves worth $123 million, up from $39,000 before reassessment. Harlan County should receive over a million dollars in new property taxes, and Pike around three million.

Many Kentuckians remain skeptical that the state will actually collect the taxes, given the coal industry's track record for escaping its obligations. According to Harlan County school superintendent Robert Shepherd, coal companies have yet to pay their small tax receipts from last year.

Once the money is received, citizens know they will have to remain vigilant to ensure it is used wisely. This is where organizations like KFTC come in. While court cases have sometimes killed activist movements whose members wait passively for a judge to rule, KFTC continued to pursue nonjudicial strategies. As a result, members remain active in their communities, well placed to see that the new revenue does the most good.

KFTC now has members across the state, and has changed its name to Kentuckians for the Commonwealth to reflect its interest in a variety of causes. The group has an office, seven employees, and is building a strong financial base as well. Once virtually ignored by state officials and media, KFTC has injected a widely recognized citizens' voice into the politics of a state which in the past has been notoriously closed to citizen participation. ☐

Photo courtesy KFTC

KENTUCKIANS FOR THE COMMONWEALTH FORCED THE STATE TO TAX UNMINED COAL, RAISING MILLIONS OF DOLLARS FOR LOCAL SERVICES.

Denise Giardina, author of the novel Storming Heaven, *served as secretary of Kentuckians for the Commonwealth from 1987 to 1988.*

BREAKING THE HICK'RY STICK

By Diana Hembree

One Georgia school replaced the paddle with a nonviolent system called "discipline with dignity." But do the kids behave?

Lilburn, Ga. — It was the year after Jimmy Carter lost the election that Greg Muller made his first visit to the principal's office. His teacher, who had accused the seven-year-old boy of knocking over a classmate's blocks, had marched him there for punishment. Greg was lightheaded with fear. He had heard stories from other children about painful beatings by the principal, and walking down the hallway of Knight Elementary — a large school in the heart of affluent Gwinnett County — he was afraid he might faint. "My hands were sweating and my arms and legs were so tense they hurt," recalls Greg, now 14. "I was terrified."

In the office, he began to cry. After shouting for the boy to hold on to a chair and bend over, the principal slammed the paddle against his buttocks so hard it lifted him off the ground. Then she hit him again. "It felt like someone had stuck a hot iron against my skin," recalls Greg. Although he says a little girl had actually knocked down his classmate's blocks, he didn't even try to protest his innocence. "I don't mean to be rude or anything, but you grown-ups never listen. I just knew it was going to hurt really bad.... And it did."

What Greg didn't know was that he was to be one of the last students ever hit at Knight Elementary: in 1983 the school abandoned corporal punishment once and for all. More recently other school districts, cities, and states have followed suit, thanks in large part to pressure from parents and advocacy groups such as the National Coalition to Abolish Corporal Punishment in the Schools.

The practice is still legal in thirty states, including every Southern state except Virginia. Federal records show that at least one million schoolchildren are paddled each year — some suffering severe bruises, broken bones, and concussions — and critics say the real number may be far higher. "Show me a principal who reports every paddling and I've got some land to sell you in Florida — and it's all underwater," snorts John Kennedy, deputy school superintendent in Jacksonville.

Although some school administrators argue that corporal punishment is necessary to keep order in the schools, others are slowly recognizing what studies have long shown: that paddling not only scars children emotionally and physically, but may contribute to rather than lessen school vandalism and fighting.

With corporal punishment under siege, and with more principals and teachers laying down their paddles, the question becomes: What kind of discipline will replace the belt, the switch, and the one-by-four board?

The vast majority of schools, including those that continue to paddle, depend on an authoritarian "obedience" model of discipline — one in which students are expected to obey teachers without question or be punished. The most popular such model is Assertive Discipline (AD), a system of rewards and punishments designed to "make" children behave. But critics charge that AD humiliates students and teaches them that they are not responsible for their behavior: Adults are.

A handful of schools, meanwhile — including Greg Muller's alma mater, Knight Elementary — are quietly implementing a "responsibility model" of discipline, one in which students learn to take control of their own behavior. Such an approach turns traditional ideas about obedience and punishment upside down — and has left some teachers in Georgia and elsewhere apprehensive. "I don't like paddling, but without it my kids would go wild," one teacher from Texas says. "They'd string me up and nail me to the wall."

What happened at Knight after it threw away the paddle might change his mind.

The New Attitude When Dr. Burrelle Meeks took over as principal of Knight Elementary in the summer of 1983, the suburban school was plagued by more than its share of rowdiness: students fighting on the playground, throwing food in the cafeteria, smarting off to teachers, and disrupting assemblies with boos and catcalls — all offenses punished by paddling in many Georgia schools. But Meeks, who's 52, knew privately that one thing was certain: She was not going to hit children.

"That's what many people expected a principal to do," she recalls, "and many other principals I knew had advised me never to let anyone know I wouldn't paddle. So I was coming in with a little fear and trembling, to take over a role I didn't believe in."

Meeks herself had not always opposed corporal punishment. Her upbringing in south Georgia was a loving but traditional one that included spanking; as a parent, she occasionally spanked her own children, though not her students. "I didn't know anything else to do when I was young," she says. "You tend to do what was done to you. . . . But you change, and I came to feel that hitting children teaches them that it's okay to hit people if you're bigger or stronger."

Although she feared some "spare the rod, spoil the child" sentiment at Knight, Meeks instead found a kindred spirit in school guidance counselor Sharon Wilson, who also opposed corporal punishment. Most of the teachers disliked paddling, too, and they were troubled by inconsistency in discipline from class to class. To help look at alternatives, Meeks flew in Barbara Coloroso, an ebullient discipline specialist from Colorado whose basic philosophical tenets include "I will not treat a student in a way that I myself would not want to be treated."

During a two-day workshop with Coloroso in the summer of 1983, the new principal sat down with the Knight faculty and staff and hammered out a schoolwide discipline program — "discipline with dignity," a system of clear, simple rules and consequences that allowed students to take responsibility for their own actions. The six basic rules were no hitting, no stealing or damaging property, no throwing objects such as books or rocks, no defying authority, no abusive language, and no continuous disruptive behavior. Students who broke class rules would go to a "time-out desk" where, instead of just cooling their heels, they would write out a plan for how they could avoid breaking the rule again.

Photo by Steven Pumphrey

DR. BURRELLE MEEKS JOINS SOME OF HER STUDENTS AT KNIGHT ELEMENTARY.

But if Knight Elementary was no longer an autocracy, the workings of democracy, as they say, had to be learned. When Meeks asked a couple of eight-year-old students what a principal did, she reports, "They said, 'You whip people and make them be good.' And I told them, 'No, I don't need to do that because you're going to take care of yourselves.'"

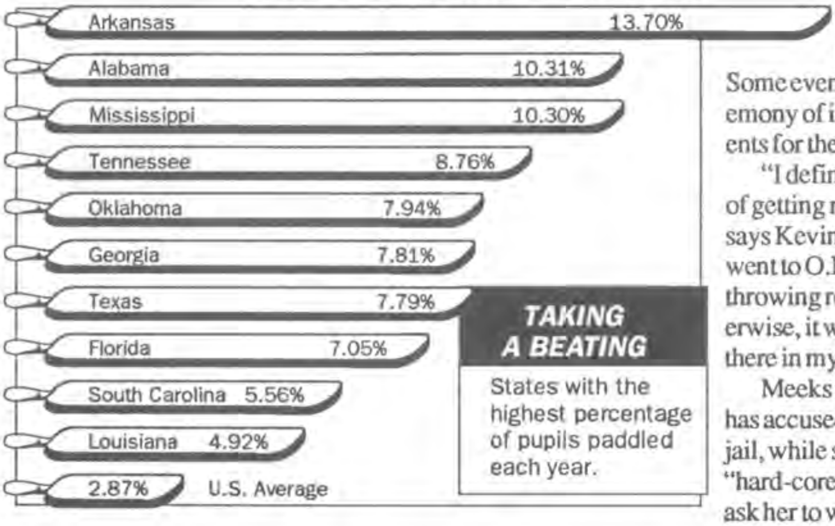
School Life, Post-Paddle Knight Elementary sits among the sprawling, affluent subdivisions that have swallowed up the pastures and dogwood thickets once found throughout Gwinnett County. On the outside, the school is a flat, nondescript brick building, but the inside is an exuberant burst of color. A large red-and-white quilt with a star design adorns the wall by the entrance, and the deep-red-carpeted hallways are plastered with children's paintings, essays, and posters.

As Meeks talks animatedly about Knight from a table in her office, she offers a striking contrast to the archetypal principal: A tall, slender woman with curly, blond hair and deep-set brown eyes, she is dressed resplendently in a floor-length red dress and red high-heeled shoes.

In the eyes of a young child, Meeks might resemble Glinda, the good witch of the north in *The Wizard of Oz*, without Glinda's somewhat saccharine quality. She combines the best of Southern intellectualism (she earned her master's degree from 'Ole Miss and a doctorate in early childhood education from the University of Georgia) with humor, warmth, and a respect for children as natural as it is obvious. She intimidates some parents, she says: "I'm tall, and some aren't used to a woman in this position, which they associate with punishment. But the children aren't afraid of me at all; they know that I'm going to be fair and consistent."

Pouring a cup of coffee, Meeks expands on the school's discipline program, post-paddle. Students sent to time-out desks "are usually very repentant and just want to say, 'I'm sorry,'" she says. "We tell them, 'We already know you're sorry. Now, tell us what you're going to do about it.' If a little boy who threw food in the cafeteria says, 'I'll keep my hands in my pockets from now on,' we say, 'Well, how are you going to eat?' We may suggest instead that he make a plan to throw a ball or Frisbee outdoors. In any case, we help them think it through."

Source: National Coalition to Abolish Punishment in Schools



TAKING A BEATING

States with the highest percentage of pupils paddled each year.

Defiance of authority is probably the fastest way to the time-out desk, adds Meeks. "No teacher in the world likes to be talked back to. Usually it's some little bitty ones saying, 'I'm not going to do that work, you can't make me do it, my daddy said I didn't have to,' stuff like that.... And new kids always seem to want to test the system."

An important goal in Knight's discipline system is teaching children to negotiate with each other and resolve their own problems. "We're not advocating that children be wimps or nincompoops," says Meeks. "We let students know they can face another kid who has hurt them and yell, 'I'm so mad!', stomp their feet, and so on. We don't want kids to see themselves as victims."

If two students are caught fighting, for example, they must work on their plan together during 'time-out.' In one such case, a boy and girl sent to Meeks for fighting on the bus at first refused to even look at each other. "They just sat there glaring," recalls Meeks, "and I finally pulled their chairs close together and said, 'Y'all are going to *have* to talk to each other.' Well, after a while, they began whispering, 'Now I tell you what, if you don't poke your leg out in the aisle where I'll trip over it, I won't do this,' and so on. They were so dear," she recalls, laughing. "And I said, 'Fine, let's try it.'"

But the school's job doesn't stop there. The teachers, guidance counselor, or Meeks follows up with counseling. As Meeks explains, "We'd ask, 'Is your plan still working? Do you need to modify it?' And these two children would say, 'It's still working; we're still doing it.' They haven't had a fight since."

What about kids who break the rules over and over? Not many do, says Meeks, but for repeaters, the first stop after the classroom time-out desk is a desk in the hallway, where students spend 30 minutes writing a plan. A student who continues to break major rules after the hallway time-out, known as the "Opportunity Room," attends a mammoth counseling session with Meeks, the teacher, the school guidance counselor, and the parents to design a better plan of action. If the parent starts to insult his or her child during a conference, Meeks temporarily halts the session, sending the child to another room while she explains that Knight doesn't allow any "put-downs" that damage a child's self-esteem.

On the way to the O.R., as Knight students call it, a large sign on the wall reads: We believe in you. We trust you. We know you can do it! Meeks explains that if students break another rule within six weeks of a counseling session, they receive an in-school suspension, spending a day doing all of their lessons at the hallway desk. Afterward, what many students like best is this: If they don't break another rule for six weeks, they get to tear up the record of their time in the O.R. Some even make a special ceremony of it, inviting their parents for the occasion.

"I definitely liked the idea of getting rid of the report," says Kevin Anthony, 10, who went to O.R. only once, for throwing rocks at a tree. "Otherwise, it would just kind of sit there in my mind."

Meeks says that one father has accused her of running a jail, while some parents of "hard-core" kids occasionally ask her to whip their children. (She doesn't.) But the vast majority are supportive, she reports, and discipline problems at the school—recognized by the White House for academic and overall merit as a National School of Excellence in 1988—have dropped dramatically.

"What I notice the most is the absence of fear and intimidation," says assistant teacher Philip Ogletree. "From what I can see, the students here are more diplomatic and have more respect for other kids and their teachers."

Approximately two dozen children interviewed at Knight are unanimous that the discipline program is superior to paddling. Among them is Kevin Anthony, who transferred from a school where he had heard stories of students being paddled. The Knight program "is a good system, not scary," he says. "It makes you think." The boy frowns in concentration, searching for the right words. "You feel ... you just feel a little safer."

Vicky Shattles, whose six-year-old son was sent to Meeks after he bit someone on the bus, also praises the discipline system. "My little boy was so afraid to see the principal that he cried all weekend," she recalls. But Meeks, she says, "was wonderful with him. She told him, 'Let's look at what else you can do besides biting when you get angry.' My son was so excited when he came home that day; he had met the principal and made a wonderful new friend. He hasn't bitten anybody since."

A dark-haired woman with a pensive expression, Shattles says that as in every school, Knight has its share of hot-tempered students. But the mere fact that Knight manages to treat them with respect, and without spanking, she says, "encourages all of us as parents to ask ourselves, Do we really need to spank? If Knight can control kids without spanking, can't we do the same?"

IN THE CLASSROOM

In the 1980s, a decade in which millions watched New Jersey principal Joe Clark striding through the halls of his urban high school with a baseball bat in hand, Knight Elementary's biggest challenge to American education was not simply throwing away the paddle. It was replacing punishment with discipline.

To those confused by the difference, child psychiatrist J. Gary May of Denver says the distinction is basically a simple one: Discipline promotes a sense of self-esteem; punishment destroys it. Since punishment is used to cause pain, says May, the child "will often look for ways to 'pay back' the individual inflicting the pain — and may do it in a way that is just as cruel, harsh, and uncaring."

Despite numerous studies that support May's views, most schools still use punishment to control kids. By all accounts, Knight Elementary is one of fewer than 100 large public schools that use the responsibility model of discipline, although the individual teachers using such an approach may number in the thousands. One reason for the paucity of responsibility models is that the approach is relatively new; another is that, as funding cutbacks for public schools result in more overcrowded and sometimes violent classrooms, beleaguered teachers may find it hard to do anything more than just survive. But many teachers in tough urban schools have successfully established "discipline with dignity" programs; in Kansas City, Missouri, inner-city elementary teacher Toby Jean Dickerson says, "People forget that a child anywhere is still a child — a child who wants to please his teacher. And these kids need a place where adults are saying, 'We believe in you.'"

Discipline promotes a sense of self-esteem; punishment destroys it.

There's an old joke that Henry Ford liked to tell: People could select any color of Model T they wanted, as long as it was black. Similarly, most schools offer parents their choice of student discipline — as long as it's punishment. Many of us are so used to punishment ourselves that it's difficult to imagine discipline without pain or guilt, without sarcasm or fear. But if schools like Knight Elementary offer any lesson, it's that students can learn self-discipline.

What's remarkable about Knight, in fact, is not only how teachers and their students respond to discipline problems, but how few serious discipline problems the school has now. One reason is that from kindergarten on, teachers use role-playing to teach children how to solve conflicts with their classmates — without violence. That way, explains kindergarten teacher Dianne Campanelli, children learn how to stand up for themselves at an early age; by doing so, she says, they'll be better equipped to say 'no' later on — and mean it.

In class, she demonstrates what children could say to a classmate dragging them across the yard. Campanelli plays the part of a forlorn student as a small girl pulls her backwards, giggling. "*Stop* it: We're playing too rough, and Mrs. Campanelli will make us sit down!" the teacher says firmly, provoking a wave of hilarity from the five-year-olds. ("You *are* Mrs. Campanelli!" one crows in delight.)

"Now, who else would like to try it?" she asks the students. A sea of hands shoot up in excitement. "*Stop* it, I already *told* you I don't like it when you drag me!" five-year-old Carlos improvises so convincingly that his small captor drops him as if burned, and the two return to their seats, smiling with pride. "That's good, Carlos," says Campanelli. "You could even tell him, "And I don't *like* it when you don't listen to me ..."

Another reason for Knight's success is that its classes are small, with an average of 22 students per class. In addition, the school's teaching style allows for much movement and talking in small groups, taking into account that young children's attention spans are usually between 10 and 20 minutes. In a second-grade class, teacher Janna Falle nods at a boy preoccupied in writing a mystery story about a missing statue — "a solid-gold pig with dimon eyes ... swiped by The Hog." "You don't have to worry about discipline when children are absorbed," Falle explains, noting that she's only sent two children to a time-out desk all year.

As the debate over school discipline heats up, Meeks says other teachers and principals in Georgia are eager to hear about Knight's alternative approach. To many educators, this interest is encouraging — and long overdue.

"It's ironic that the current mood in education — with its emphasis on obedience and punishment — is in some ways behind the past," concludes educator Richard Curwin, author of *Discipline with Dignity*. "But we do have hope that the pendulum will once again swing back to the rational position of treating children as people with needs and feelings that are not all that different from our own."

Meeks agrees. As part of a Georgia coalition that opposes corporal punishment, she frequently gives talks urging school officials to throw away the paddle. "I often tell them the story about the Baptist preacher who sees one of the women in his church beating her son in the front yard," she says. "He calls out, 'Mrs. so-and-so, whatever has your son done to deserve such a beating? Is this really going to help?' And she says, 'Well, preacher, I don't remember what he did, but this sure makes *me* feel better!' ... I think it's time we find a better way." ❑

Diana Hembree, a native of Georgia, is news editor of the Center for Investigative Reporting in San Francisco. Another version of this article appeared in Parenting *magazine. The book* Discipline with Dignity *is available for $12 from Discipline Associates, P.O. Box 9931, Rochester, NY 14623.*

THE LAST WORD

WEARING THE GRAY

Your spring issue on "The War Within" goes to remarkable lengths to discredit "Confederate Ghosts" and to argue that the South is in turmoil over what you term "its misremembered past." Focusing on such obscure aspects of the conflict as anti-secessionism in the mountains and in Washington County, North Carolina fails to diminish the extraordinary sacrifices made by millions of Southerners of all classes on behalf of the Confederacy.

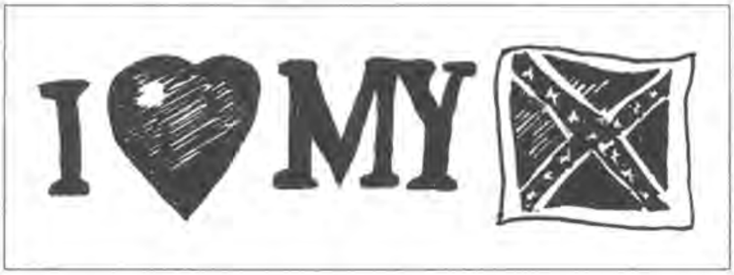
Though vastly outnumbered and seriously lacking funds and supplies, Confederates put forth gallant and heroic efforts to secure their independence and it is this — not preoccupation with arms and carnage — which continues to fascinate millions of battlefield visitors and Confederate flag-flyers on both sides of the Mason-Dixon line.

I am neither a white supremacist nor a militarist; I abhor war and slavery as much as any of your writers. Yet like most other Southerners today I take immense pride in my own personal heroes — my great-great-grandfathers and uncles who wore the gray.

Some were little more than boys, while others were well into middle age. Some owned slaves; others owned nothing. Some joined volunteer units early in the war; others were conscripted. In the course of their service in the Army of Northern Virginia, most of my Confederate ancestors suffered wounds or disabling illnesses, several were captured, and a few died in hospitals or Yankee prisons. (Andersonville may be the war's most publicized prison camp, but our soldiers suffered horribly at Johnson's Island, Elmira, and Point Lookout.)

All my forebears who served the Lost Cause shared one commendable quality in common: They were willing to take up arms to defend their homeland from an army of invaders. It is for this that I cherish their memory and for this that I will always salute the Confederate flags under which they fought.

—*Franceine Rees*
United Daughters of the Confederacy
Greenville, N.C.



SELMA SCHOOL DAZE

When I first saw the cover of your spring issue ("The War Within") I expected to find the interior full of the typical "moonlight and magnolias" pap typical to magazines with a regional word in their title. Was I ever surprised!

The first article which caught my notice was the one entitled "Selma Students Stage Boycott." As I read it, I began to wonder about the objectivity of your reporter, Matthew Countryman, or if he was writing about the same situation in the same Selma, Alabama I am familiar with and live in.

I have lived in Selma since 1978, and my children have attended public school here since that time. My daughter graduated in 1986 as valedictorian of her class and my son graduated this year, also as valedictorian. Yet we are often told that we "just don't understand" the situation — how certain groups of people will act and how ungrateful they are. My son and I have written letters to the local newspaper, made public speeches, and belonged to a group that sought the extension of Dr. Norward Roussell's contract as Superintendent of Schools.

Having made the point, I hope, that I am not necessarily the typical "white man," let me point out several errors or omissions of fact in your story.

First: the leaders are not students but adults. They include members of J.S. Chestnut's law firm; Hank Sanders, a state senator; his wife, Rose Sanders, a well-known activist; Ronald Peoples, the dean of student affairs at Selma University; Dr. Charles Lett, a local physician; and Alice Boyington, who is, I believe, an assistant registrar.

Second: although some 25 percent of the students were not in school on the day in question, many were kept at home by their parents out of concern about potential violence, not out of support for the protesters.

Third: Katrina Norris, billed as a "student leader," is not a student at Selma High School. She graduated from that school in 1986 along with my daughter.

Fourth: Little money was withdrawn from white-controlled banks except "symbolically" by Senator Sanders for the TV cameras.

Fifth: The "tracking system" is being eliminated on a grade-by-grade schedule as established by Dr. Roussell. There was no "tried to" about it.

I suggest that your reporter try to be a little more objective in his stories. Articles as biased as this tend to cast doubt on the objectivity of the remainder of your publication.

—*Harvey S. Bartlett II*
Selma, Alabama

We welcome letters from our readers. Send your comments and criticisms to The Last Word, Southern Exposure, *P.O. Box 531, Durham, NC 27702. Please include your name, address, and daytime telephone number, and try to hold letters to no more than 250 words. Long letters may be edited for length.*

'I am not page-twelve material.'

—June Jordan in The Progressive

'I am looking for an umbrella big enough to overcome the tactical and moral limitations of "identity politics"—politics based on gender, class, or race. I am searching for the new language of a new political consciousness of identity.'

—June Jordan, "Waiting for a Taxi,"

'I do not believe that we can restore and expand the freedoms that our lives require unless and until we embrace the justice of our rage. If we do not reintroduce a Right and a Wrong, a Good or Evil measurement of doers and deeds, then how shall we, finally, argue our case?'

—June Jordan, "Where Is the Rage?,"

'I am crying because I am overwhelmed by victory: The cost is not forgivable. Tears come from someplace uncontrollable and free, and right around now anything uncontrollable and everything free looks and feels pretty good to me. I am crying because last week two white men accosted me, calling me "Bitch!" and calling me "Nigger!" and last week Mr. Nelson Mandela was still locked away, a prisoner of racist white men, and I was not sure about the swift and certain demise of apartheid but this morning I am sure. It's over.'

—June Jordan, "Mandela and the Kingdom Come,"

'I am not a "divisive issue." I am not page-twelve material. I want the liberty and the hallowed full human rights of every woman in the world at the top of the news, right there, mixed up with the East Berliners rushing to embrace the people of West Berlin. And I want this new decade to forswear all double standards. No more of this one standard for white people and then there's Panama. No more "establishment of democracy" courtesy of the U.S. Army. No more official regret for the death toll of "American lives." No more "unknown numbers" of "unidentified" and officially ignored victims of white power. I demand the names of every Panamanian man and woman and child who died because George Bush could not have a merry Christmas unless he tried to eliminate Manuel Noriega!'

—June Jordan, "Wrong or White,"

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