

RIPON FORUM

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POLITICS: REPORTS

UTAH

Salt Lake City Mayor Jake Garn (R) appears to have dramatically closed the gap between him and his Democratic opponent in the race to succeed Sen. Wallace Bennett. A recent poll by KSL Radio-TV, a Mormon broadcasting affiliate, showed Garn leading U.S. Rep. Wayne Owens, 49-41 percent. A year ago, Garn trailed by 20 percent.

Garn strategies attributed their gain to two factors. First, Owens' appearance on the televised House Judiciary Committee impeachment proceedings was weak. His lightweight performance and failure to exert a leadership role has damaged him. Second, Garn has managed to portray a senatorial image, dealing with issues in a candid manner. As elsewhere, the nation's new President is expected to help the GOP.

Garn is also aided by convention split between backers of Owens and the establishment-backed candidate Salt Lake attorney Donald Holbrook. Despite Holbrook's open support from Gov. Calvin Rampton (D) and other party leaders, he failed to receive the 30 percent of the vote needed to challenge Owens in a primary. The 2nd C.D. congressman received just six votes over the 70 percent mark. Owens has yet, however, to truly unify the party behind his Senate effort.

Similarly, at the Republican State Convention, Gov. Rampton's Republican brother, former state Sen. Byron Rampton, and two other candidates, failed to garner sufficient support to

enter a primary. Garn won 88 percent of the vote.

One surprising aspect of the Utah GOP scene has been the weak showing of John Birch Society candidates this year. In both the Senate race and 1st C.D. nomination races, JBS members failed to make the primary. The 1st C.D. candidate, Joe Ferguson, re-

ceived a respectable percentage of the primary vote in 1972. Battling for the dubious honor of opposing U.S. Rep. Gunn McKay are Ogden businessman Ron Inkley and former GOP State Vice Chairman Dorothy C. Clark.

A JBS member did win a primary spot in a crowded GOP nomination fight in the 2nd C.D. H. Austin Bel-



"They Love Me. They Love Me Not."

nap, a major opponent of state land use planning in Utah, will oppose former George Romney aide Steve Harmsen, who in 1971 was elected the youngest Salt Lake City commissioner in history. Harmsen should win the primary and recapture the district for the GOP in November as well. ■

MASSACHUSETTS

Massachusetts Gov. Francis W. Sargent (R) has made the unlikely strategic decision to run against the Republican Party this fall.

Full-page newspaper advertisements entitled "Why Gov. Sargent Won't Dress for the Party," lambast "party-san" (sic) politics and try to package the governor as a courageous fighter for the people, even against his own party. He decries the polluters and big highway contractors (Republicans, presumably) and claims that the GOP has pressured him to appoint unqualified people to office and to cater to special interests. He, of course, has thought only of greater public good, and won't play the partisan game. "Partysanship" caused Watergate, he says, and he will be above the party, and thus save Massachusetts from similar evils.

Sargent's move is clearly one of "strategic politics." He believes he will win the Republican primary against conservative challenger Carroll P. Sheehan, no matter what he does. Moderate and liberal Republicans and those independents who are turned on by his attacks against the GOP will, he assumes, provides the margin of victory. But the polls show him losing to either Democratic hopeful, and thus

he must move dramatically, his strategists have decided.. What could be more dramatic than turning your own party, especially since the only real issue is the state's economy (on which Sargent is vulnerable.)

Sargent's strategy could backfire in the primary if Sheehan moderates his tone somewhat and capitalizes financially on the fury that Sargent has created among conservatives, moderates, and liberals alike. It could also backfire in the general election by having created a natural "he doesn't even have the support of his own party" issue for the Democrat. In any event, Sargent has made it clear that even the perfunctory help he gave the GOP in his first full term will not be repeated if he wins. The already floundering Massachusetts GOP will apparently be on its own in the future, unless one of the Republican hopefuls for attorney general is successful and assumes the leadership role ■



FRANCIS SARGENT

CONNECTICUT

Four years ago, Connecticut commentators speculated that the first party to nominate an Italian for governor would be rewarded with the political loyalties of Connecticut's largest ethnic voting bloc. The Democrats followed that scenario and nominated former U.S. Rep. Emilio Q. Daddario. He was promptly crushed by another then-congressman, Thomas Meskill (R). The GOP used an old Democratic formula, having nominated an Irish politician.

Very little is heard about Connecticut's Republican governor these days. Meskill grewed bored in office and has been a relatively infrequent visitor to the state capitol as he waits for a confirmation to a federal court post (against the opposition of the American Bar Association). When the governor showed up at the state GOP convention in late July, he went virtually unnoticed.

As usual, the Republicans at that convention were divided into two warring camps. One group, led by State GOP Chairman Brian Gaffney and Meskill, supported Bridgeport Mayor Nicholas Panuzio for the gubernatorial nomination. A second group supported freshman U.S. Rep. Robert H. Steele (R-2nd). Although Panuzio won sufficient votes to be eligible for a September primary, Steele crushed the Bridgeport mayor and two other candidates in first-ballot voting. Panuzio's decision not to further divide the party with a primary ensured Connecticut's second straight all-congressional gubernatorial race. Steele will face U.S. Rep. Ella Grasso (D-6th) who re-

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placed Meskill in Congress and hopes to replace him in Hartford.

Unlike the bilateral nature of most Republican feuds, Connecticut's Democratic Party generally resembles feudal, feuding German principedoms which are reunited biennially by the crafty old Bismarck of Connecticut politics, Democratic State Chairman John Bailey. Bailey, who is now serving his fifteenth, two-year term as Democratic state leader, accomplished his usual magic tricks by convincing Attorney General Robert Killian (D) to accept the nomination for lieutenant governor rather than continue a futile contest against Grasso.

Grasso, who hopes to be the state's first female governor, is the heavy favorite in November. Steele, who at 36 hopes to be one of the state's youngest governors, promises a vigorous, uphill campaign. It will be needed, since Steele contributors are limited to \$100.

The rest of the GOP ticket in Connecticut has an unusual cast. Nominees for state offices include Polish, Irish, Italian, and female balancing for Steele. That much is traditional Nutmeg politics.

The overwhelming convention victory of State Rep. James H. Brannen III (R) to oppose Sen. Abraham Ribicoff (D) is not traditional Connecticut GOP politics, however. Brannen, a black, 33-year-old airline pilot who has commuted to Baltimore to attend law school, was first elected to the state legislature in 1972. The Senate nomination had been expected to go to the runnerup in the gubernatorial race. When that possibility was ruled out, Brannen's support blossomed overnight and he easily defeated three other convention candidates. The dif-

iculties that Brannen will face in the general election against Connecticut's most venerable elected official were highlighted by a report of political spending from September 1, 1973 to June 27, 1974. Ribicoff, unopposed for renomination, raised \$404,000 and spent \$89,090. Brannen and the runnerup for the GOP Senate nomination *together* only spent \$3,000 in that period.

There will be stiff congressional contests in three of the state's six districts:

In the first 1st C.D. near Hartford, former Special Federal Attorney F. MacBuckley resigned the day before the GOP congressional nominating convention to oppose former state Community Affairs Commissioner Ruben Figueroa (R). Figueroa, who would have been the state's first Puerto Rican congressional candidate, had been virtually conceded the nomination, but was narrowly defeated by Buckley. At any rate, U.S. Rep. William R. Cotter (D) will be difficult to dislodge in the Democratic district.

Similarly, 27-year-old Attorney James Altham (R) has little chance of unseating U.S. Rep. Robert N. Giamo (D) in the 3rd C.D. around New Haven. Republican U.S. Rep. Stewart B. McKinney (R) in Fairfield County also failed to encounter serious opposition this year.

In the open 2nd C.D., sons of two prominent Democrats families battled for their party's nomination. Christopher J. Dodd, son of the late Sen. Thomas J. Dodd, defeated the son of State Democratic Chairman Bailey and a third candidate. He will face State Sen. Samuel B. Hellier (R) of Mystic in the eastern Connecticut district.

Democrats will have a primary in the open 6th C.D. where Nader consumer advocate Toby Moffett, 29, defeated New Britain Mayor Stanley Pac for the party's convention endorsement. The winner will oppose Deputy State Banking Commissioner Patsy J. Piscopo.

Democrats would also like to unseat freshman U.S. Rep. Ronald Sarasin in the 5th C.D. Waterbury Democratic Chairman Frank Santaguida defeated former House Speaker William R. Ratchford for the Democratic nomination, but a September 12 primary is scheduled.

Republicans now have a new chairman, former State Rep. Vincent Laudone, who was suggested by Sen. Lowell Weicker as a compromise candidate acceptable to both the Steele and Meskill factions. The GOP also has one of their strongest tickets in years; unfortunately, it still does not look like a Republican year for the Connecticut GOP. ■

WASHINGTON

Washington Republicans almost put a scare into aging Sen. Warren Magnuson (D) this year. The GOP had turned over a long list of political rocks in their search for a credible opponent to the powerful Washington Democrat.

Up to the filing deadline, there was considerable speculation that Washington Attorney General Slade Gorton (R) would oppose Magnuson. Instead at the last minute, Gorton, who gained considerable publicity (and party opprobrium) last March when he backed Richard Nixon's impeachment, chose not to run. Like most potential candidates, the scarcity of GOP money was a factor in Gorton's decision. Another factor was the threat of Magnuson-Jackson Democrats to field a strong candidate against U.S. Rep. Joel Pritchard (R-1st). Since Pritchard and Gorton are friends, the threat was taken seriously by the attorney general.

In announcing his decision not to oppose Magnuson, Gorton complimented Magnuson but had some nasty words for Sen. Henry Jackson, for whose seat Gorton may have ambitions in 1976.

Although Pritchard has no primary opposition, six Democrats are seeking to oppose him. None are as strong as the Democrat whom Pritchard defeated by 2,600 votes in 1972.

Another prominent Washington GOP moderate, King County Prosecuting Attorney Christopher Bayley, will face a rematch with King Councilman Ed Heavy (D). Heavy, who lost to Bayley by only 1,500 votes four years ago, still has a 1970 campaign deficit, but prominent Democrats anxious to defeat Bayley have pledged large donations.



ROBERT STEELE

In the 3rd C.D. where U.S. Rep. Julia Butler Hansen (D) is retiring, a two-time GOP opponent to Hansen is again seeking the seat. Former conservative Republican R.C. "Skip" McConkey is running, this time as a Democrat. The likely November matchup is Secretary of State Ludlow Kramer (R) against State Sen. Bob Bailey, a Hansen aide endorsed by Hansen.

And although six Republicans are seeking the dubious honor of opposing Magnuson, this year appears likely to be a rerun of 1968 when State Sen. Jack Metcalfe (R) lost to Magnuson with only 35 percent of the vote. As *Seattle Times* political writer Richard W. Larsen described the Magnuson preparations for the campaign against Metcalfe: it "somehow elicits visions of the combined armies of World War II massing at the gates Mukilteo (a small Washington city)." ■

MICHIGAN

Nowhere is Gerald Ford a bigger football star than Michigan. And perhaps nowhere will Republicans be so relieved at the changes in party fortune resulting from a change in quarterbacks.

Earlier this year, Michigan was the arena for two nationally-televised exhibitions matches: the special congressional races in the 5th and 8th C.D.'s.

Both were lost to Democrats to the chagrin of the White House and the greater chagrin of Michigan State GOP Chairman Bill McLaughlin, who commented then, "Watergate killed us."

GOP Executive Director Gerald Roe speaks almost euphorically of the change in Michigan's political climate. "The whole atmosphere is such a radical change" from pre-resignation days, says Roe, who notes that he and Michigan GOP State Chairman William McLaughlin have been grinning a lot more lately. Instead of talking about losing two-three more congress-

sional seats, for example, he predicts that the Michigan GOP may win back the two lost earlier this year. Gerald Ford's assumption of the president will "have an impact on every Michigan district," Roe says.

In the gubernatorial race, Gov. William Milliken (R) is expected to be as successful in 1974 as he was in 1970 against Democrat Sander Levin. The former Democratic state senator won a convincing August primary victory over former Detroit Mayor Jerome Cavanaugh. In order to raise money for his campaign, Cavanaugh had held "no show" fundraising dinners for which the tickets were half-price if the buyer didn't come. Cavanaugh supporters were "no-shows" at the polls as well. Levin won a 2-1 victory in the three-way race, but will be handicapped in the fall election by the candidacy of Zolton A. Ferency, a former Democratic state chairman who is now the gubernatorial candidate of the Human Rights Party.

Levin has attempted to brighten his otherwise colorless image in order to counter Democratic critics who felt he lacked the "pizzaz" necessary to defeat Gov. Milliken. Still, his campaign is more likely to anesthetize than stimulate the electorate.

Several hither-too Republican districts will be the scenes of heated contests:

In the 2nd C.D. progressive U.S. Rep. Marvin L. Esch will face John S. Reuther, 30-year-old nephew of the late president of the United Auto Workers. Democrats hope to put together labor and intellectual communities to defeat Esch, whose margin of victory declined from 63 percent in 1970 to 56 percent in 1972 as a result of redistricting.

In the 5th C.D. seat held now by Democrat Richard F. VanderVeen and formerly held by Republican Gerald Ford, the GOP hopes that Kent County Commissioner Paul G. Goebels, Jr., can abbreviate VanderVeen's congressional career.

In the 6th C.D., Republican hopes of retaining the seat of retiring U.S. Rep. Charles E. Chamberlain (R) were diminished when conservative attorney Clifford W. Taylor, 31, won the GOP primary over State Sen. William S. Ballenger, 33. The progressive Ballenger aimed his campaign toward the general election and was sabotaged by Taylor's vicious media campaign. Democrat Bob Carr, 31, has been running for the seat ever since he lost to Chamberlain by 2,400 votes in 1972. Carr's chances this year may depend on the turnout among students at Michigan State in East Lansing.

In the 8th C.D., there will not be as many national eyes focused on this year's second race between U.S. Rep. Bob Traxler (D) and the Republican he defeated in a spring special election, James M. Sparling. Republicans hope Traxler will be a quarter-term phenomenon and have been buoyed by their ability to elect 22-year-old Colleen House to Traxler's former seat in the Michigan House of Representatives. A recent voter survey in the district taken by 22 journalists showed Traxler beating Sparling by more than a 5-3 margin.

A fiery race has developed in the 18th C.D., now represented by freshman U.S. Rep Robert J. Huber (R), known nationally as an opponent of busing. Huber, facing a moderate Democrat in an overwhelmingly Democratic district, has said, "I look for a very dirty campaign and I'm ready for it." Democrat James J. Blanchard has run billboards with the inscription, "Half the people in this country are concerned about inflation and high taxes and the other half are Republicans."

Earlier this year, Republicans feared that they might lose as many as 10 seats in the lower house of the Michigan legislature, where they are already outnumbered, 60-49. Ford's promotion from vice president, however, has brightened GOP outlooks and raised the possibility of a gain of two-three seats in the lower house. ■

POLITICS: PEOPLE

● Manchester Union-Leader Publisher William Loeb is trying to do for a former official of the General Services Administration what he did for Gov. Meldrim Thompson (R): pluck him from obscurity and put him in

office. David Banks, the 48-year-old former GSA official and automobile dealer, has been singled out for Loeb's royal treatment this year. The previously unknown Banks is opposed by Executive Councillor John Bridges, son of the late Sen. Styles Bridges, and David Gosselin, the moderate former GOP state chairman. The conservative Bridges has been singled out for Loeb's

ultraconservative ire; Bridges, in return, has charged Loeb with interfering in the race. Loeb wrote a fourth GOP candidate, **John O'Brien**, suggesting, "The only problem is that, realistically, you haven't a prayer of the traditional snowball in that warm place, so why waste your money and time?" Bridges had been considered the frontrunner but Loeb's politicking may allow Gosselin to succeed U.S. Rep. **Louis Wyman** (R).

- Oregon's new Democratic nominee to oppose Sen. **Robert Packwood** (R) has a chance to unite the state's often-divided Democratic Party. State Sen. **Betty Roberts** (D) came in second in this year's gubernatorial primary and was nominated for the Senate by the Democratic State Central Committee after former Sen. **Wayne Morse's** sudden death. Although Roberts will have a better chance of unseating Packwood than the controversial Morse, new voter confidence in the Ford Administration may offset Roberts' assets and ensure Packwood's reelection to a second term.

- Complaining about non-conservative Republicans, U.S. Rep. **Phil Crane** (R-Ill.) told the recent Young Americans for Freedom convention: "If a party has an umbrella that big, why do we need a two party system? We may as well have one."

- Philadelphia Mayor **Frank Rizzo** (D) and rival Democratic City Chairman **Peter J. Camiel** have been gearing up for next year's mayoralty campaign. Following Rizzo's unsuccessful attempt to oust Camiel from his party post, Rizzo dismissed city workers who were identified with Camiel; some of these subsequently got state patronage jobs through Camiel, who is now looking for the magic candidate to unseat the controversial former police commissioner. Both men may be squirming if former Philadelphia D.A. **Arlen Spector** returns to the political scene in Philadelphia as a federal prosecutor.

- The **Little White Schoolhouse** in Ripon, Wisconsin has been named a national historic landmark. In announcing the designation, the Interior Department said: "At this one-story clapboard and frame building, on March 20, 1854, 53 petitioners called a meeting of local citizens to protest the Senate's passage of the Kansas-Nebraska Act which permitted the extension of slavery beyond the limits of the Missouri Compromise. The protest resulted in the formation of a new, though local party drawn from the ranks of disgruntled Whigs, Free Soilers, and Democrats. The gathering at Ripon illustrates the spontaneous and widespread grassroots origin of the Republican Party. The party coalesced from disaffected local groups in places like Ripon through the Northeast and West. Ultimately, delegates of such dispersed assemblies gathered at Pittsburgh and called for a national convention of Republicans in Philadelphia in 1856 for the purpose of selecting a standard-bearer." No, "Ripon" is not an acronym.

- New Jersey politics gets a little boring. Newspaper editors merely reuse the same headlines every four years: "Income Tax Axed" and "Secretary of State Indicted." The last three governors have all tried to enact an income tax. All three have met conspicuous

failure at the behest of members of their own parties. The last two governors have been elected on anti-corruption platforms. It has therefore been doubling embarrassing when a gubernatorial appointee as high-ranking as the secretary of state (New Jersey has no lieutenant governor) is indicted for corruption. The secretary of state, **J. Edward Crabel**, was the latest image problem for Gov. **Matthew Byrne** (D), whose staff not long ago worrying about how to get their boss a spot on the six o'clock news and the 1976 Democratic national ticket. Lately, however, like Br'er Rabbit, the governor has been lying low. He defeated U.S. Rep. **Charles Sandman** (R) for the governorship by looking clean and backing away from an income tax. Forced into the latter by a New Jersey court decision, Byrne was burned by the opposition from his own party. Ironically, the pattern of repetition in New Jersey politics is so consistent that a deceased secretary of state who served from 1948-54 was also indicted along with Crabel.

- The Kentucky Court of Appeals has ruled that Sen. **Marlow Cook** (R) should be on the November 5 ballot striking down as unconstitutional a section of Kentucky law requiring the name of the campaign treasurer on candidacy filing papers. The absence of that name had threatened to keep Cook off the ballot. Meanwhile, Sen. Cook has pulled even with his Democratic opponent, Gov. **Wendell Ford**, who had led in earlier polls commissioned by the Cook organization.

- **Herrick Roth**, leading Democratic Senate aspirant in Colorado, recently received a letter from Sen. **William V. Roth** (R-Del.): "As your namesake and one who has been in the United States Senate for almost four years, I would take this opportunity to ask your help for my friend and your senator, **Peter Dominick**." Herrick Roth said he intended to respond — but instead ask for a contribution to himself.

- The impeachment hearings of the House Judiciary Committee were widely praised for restoring congressional prestige. U.S. Rep. **Barber Conable** (R-N.Y.) reports another reaction from a constituent who walked up to him and asked: "Barber, I watched and watched those impeachment hearings, but I didn't see you. Aren't you still in Congress?"

- The resignation of **Richard Nixon** may aid the Tennessee gubernatorial campaign of **Lamar Alexander**, who won nearly half the vote in the four-way Republican primary. Alexander's clear victory provided an important impetus in his campaign against former U.S. Rep. **Ray Blanton**, who won an equally convincing victory in the 12-man Democratic gubernatorial primary. Blanton, who has received only 38 percent of the vote against Sen. **Howard Baker, Jr.** (R), in the 1972 Senate race, quickly made it clear that he expected to make a campaign issue of Alexander's White House service in 1969 under **Bryce Harlow**. Blanton appeared to be running against Nixon rather than Alexander, but now his attempts to link the two men may backfire. The 33-year-old Alexander formerly worked for both Baker and Gov. **Winfield Dunn**, and accumulated an impressive array of 10 newspaper endorsements before the primary.

● Commenting on the nomination of **Nelson Rockefeller** to be vice president, House Minority Leader **John J. Rhodes** (R-Ariz.) said, "I can't believe conservative Republicans feel broadening the base of the party is a bad thing — unless they want to keep on losing and keep on being a minority."

● Even the possibility of Rockefeller's nomination as vice president angered the wife of New York Assembly Speaker **Perry Duryea** (R). Mrs. **Bettie Duryea**, angry over Rockefeller's failure to intervene in her husband's indictment last year wrote President Ford that the former New York governor was "unfit to fill the second-highest office in the land, or, for that matter, even the office of dog catcher." Her husband's indictment for election fraud was dismissed and the law on which it was based, declared unconstitutional.

● North Carolina Gov. **James Holshouser** (R) has been embarrassed by secret investigations by the state Department of Motor Vehicles into top Democrats, including Attorney General **Robert Morgan**, now the Democratic Senate candidate. According to an investigation on the investigations by the **Charlotte Observer**, "Many of the activities had a far-reaching purpose — to discredit political enemies and Democratic state employes, some of them career men, who bureau officials believed were disloyal to the Republican administration." Some of the investigations were apparently done to justify dismissal of Democratic job-holders. The investigation of Morgan was conducted to substantiate rumors of criminal involvement, which Morgan has denied. Holshouser has called the investigations "dumb stunts."

● It was a good month for Fords. In Memphis, Tennessee, State Rep. **Harold Ford** (D) beat five opponents to win the nomination to oppose U.S. Rep. **Dan Kuykendall** (R). Older brother **Emmitt** won a Democratic House nomination and brother **John** won a Democratic State Senate nomination. Unlike their younger brother, they face no Republican opposition and are assured of election. Since their districts overlap, their one-for-three, door-to-door campaigning will help brother **Harold**, who hopes to attract sufficient white votes to unseat **Kuykendall**.

● Tennessee Sen. **Howard Baker** (R) has been exhibiting his Renaissance-man qualities. He has written the first five chapters of his political novel scheduled for publication in 1975, opened an exhibit of his photography in Washington in August, and has begun work on a serious book on American government.

● New Mexico Republicans have nominated **Frances Shipman** to succeed **Francine Neff** as GOP national committeewoman. Shipman defeated the "establishment" candidate, **Irene Sentovitch**.

● Sen. **Barry Goldwater** (R-Ariz.) appeared at an August fundraiser in Columbia, South Carolina whose proceeds were divided between the winning GOP gubernatorial candidate, State Sen. **James Edwards** and the losing candidate, retired Gen. **William C. Westmoreland**. The fundraiser was supposed to unify the "establishment" and "conservative" wings of the party in an effort to defeat the Democratic gubernatorial nominee, former Wall Street stockbroker **Charles D. 'Pug' Ravenel**. In a memo distributed in South Caro-

lina GOP circles, a former Westmoreland aide suggested that **Ravenel's** strong primary showing in traditionally Republican areas of South Carolina presages an uphill Republican battle. The former Westmoreland staffer, **John Courson**, attributed the Westmoreland defeat to intra-party fighting, the partisan loyalty of Edwards supporters and the assumption of Westmoreland supporters that he would win the primary, leaving them free to vote in the Democratic primary. Edwards might have had an easier time defeating **Ravenel's** runoff opponent, U.S. Rep. **William Jennings Bryan Dorn**, a Congressman Claghorne type who would have been vulnerable as a member of the South Carolina establishment. **Ravenel** is not subject to "establishment" associations and therefore is a more elusive target for Republicans.

● Republicans and Democrats had expected 1964 in 1976. In two weeks, 1976 has taken on the attributes of a modified 1972. In early August, Republicans nominated their 1976 nominee in congressional caucuses which assured the removal of President **Richard Nixon**. Shortly after President **Gerald Ford** was inaugurated, Democrats showed they have learned little in the past two years; a party charter commission meeting in Kansas City dissolved in dissension. Moreover, the Democrats don't have a winner. They don't even have an attractive dark horse. Sen. **Edward Kennedy** (D-Mass.) has been widely badmouthed, Sen. **Henry Jackson** (D-Wash.) and Sen. **Edward Mondale** (D-Minn.) have produced more smoke than fire in their presidential searches; Sen. **Lloyd Bentsen** (D-Tex.) appears to be an unlikely possibility. In the past 15 years, the Democrats appear to have run out of attractive senators.

● Although **Gerald Ford's** ascension to the presidency automatically raises GOP prospects in November, it does nothing to redress a sad fact. Under the pall of Watergate, many attractive GOP candidates backed away from 1974 races. Nixon's resignation does not, unfortunately, alter the quality of candidates in many congressional races.

● Wooing has its ups and downs. A half hour after his divorce had become final, Gov. **Marvin Mandel** had married sweetheart **Jeanne Dorsey**. Earlier though, Mandel's match with the AFL-CIO became undone. The labor organization refused to back Mandel in his September primary because of Mandel's backing for Baltimore Police Commissioner **Donald D. Pomerleau** in firing 91 patrolmen after a July strike. Maryland Sen. **Charles McC. Mathias** (R) did receive the AFL-CIO endorsement; however. And the frontrunner for the GOP gubernatorial nomination, U.S. Rep. **Lawrence Hogan**, has appeared less like a political extra and more like **Robert Redford** in recent campaign swings.

● House Republicans have a chance to develop a forceful campaign issue this fall in the House Reform proposals which powerful Democrats would like to scuttle. Democratic chieftains and liberals are more interested in preserving political fiefdoms than making needed changes in the committee system. As House GOP Conference Chairman **John Anderson** has said, the new "Hansen Plan" is a "reform charade being staged by King Caucus and his barons."

EDITORIAL: THE PRESIDENCY

The Second American Revolution

Richard Nixon demonstrated that one doesn't have to be presidential to be elected President. Gerald Ford has demonstrated that one doesn't have to be elected President to be presidential.

The contrast between the petulant presidency of Nixon and the prayerful presidency of Ford could hardly be greater. Ford's instinct for doing the right thing has been virtually unailing in his first days of office. After Nixon's resignation Ford was expected to play the role of a kindly, conservative, family doctor, binding up the nation's wounds. Though his bedside manner has been impeccable, the new President has shown quickly that he also possesses the capabilities of an innovative surgeon. Instead of placebos, he gave the Veterans of Foreign Wars a strong dose of castor oil. It is shocking to have a man as President who eschews the "easy way" without constantly reminding us of that fact.

It is ironic that it was not Richard Nixon's conception of the presidency that collapsed but his execution of it. Historian Henry Steele Commager recently pointed out that Nixon failed in his four top objectives as President: "to end the war in South Vietnam and bring peace with honor; to decentralize the national government and work out a 'New Federalism;' to maintain law and enforce order; and to bring the American people, bitterly divided by the policies of President Lyndon

Johnson, together once again."

The objectives were honorable. Their pursuit was half-hearted and perverted.

Strategic politics blinded the Nixon Administration. Policies were warped by what would play in Peoria. Virtues were twisted by the search for votes. The style of government — or rather the perceived style of government — overshadowed the substance of government.

The crying need of the country is merge style and substance in a way which will restore stability to the government and the nation while simultaneously diluting the cynicism which has poisoned the political system. President Ford has made this task — which looked nearly impossible when Richard Nixon was President — seem easy.

Ford has indicated that combatting inflation will be his top priority. It is hard to debate that objective; the problem is that nobody knows the answers to economic problems any more. No

will be able to anticipate economic straight-talk rather than fiscal double-think.

Beyond the economic mess, President Ford would be wise to reinvigorate the Second American Revolution: In his 1971 State of the Union address, former President Nixon set out six goals for a peaceful American Revolution: welfare reform; peacetime prosperity without runaway inflation; restoration of the environment; an improved health care delivery system; a renewed system of federalism and local government; and reform of the federal government structure. The pity was that President Nixon worked halfheartedly for substantive solutions to these problems. That does not mean the goals were wrong. With the confidence of the American people and the trust of Congress, President Ford is in a unique position to pursue these goals to fruition. A seventh element should be added to the agenda of the Second American Revolution: equal opportunity for minority groups, wo-



matter how the President mixes fiscal and monetary policy, the result is bound to displease a good many citizens. The point, however, is that President Ford can be counted on to maintain his policies with more firmness and perservance than his mercurial predecessor. That stability may be more important than the prescription. Americans will now know what to expect from government, and they

men, and the poor. President Ford showed noteworthy sensitivity to these issues in his first days in office, but real sensitivity will require substance as well as syntax.

Finally, President Ford has the opportunity to redress the creeping accretion of power in Washington. In large part, the nation's cynicism results not from a conviction that the President held too much power and

Congress and the Courts too little, but that the average citizen was simply powerless. It has become a virtual reflex to turn to Washington for the solutions of problems which were better solved in neighborhoods. The debates on economic and international policies will require all of President Ford's leadership. But he must also take a leadership role in the devolution of political power—away from Washington and closer to the people. New Federalism and special revenue sharing programs ought to be rescued from the

political orphanage and made the keystone of the Ford presidency. In the aftermath of Watergate, there is no better time to revive Americans' dormant capacities to govern themselves.

As Congress recently recognized, Americans don't need Washington bureaucrats to force them to buckle up for safety. Local governments need the tax resources of the federal income tax to meet local needs, but they do not necessarily need the persistent advice of federal bureaucrats. The nation has failed to develop better localized

centers of power. With New Federalism, the nation's localities would be put on an allowance but their independence and self-reliance would be fostered. Then perhaps, Americans could no longer blame the "rotten politicians" in Washington for their accumulated grievances.

Style, substance, stability and the devolution of the power: these are the keystones to a successful Ford presidency. They are also the keys to the rejuvenation of the Republican Party. ■

COMMENTARY: EDUCATION

Pushing Education Over Edifice

Donald R. Dwight

The last ten years of Republican administration in Massachusetts have witnessed phenomenal growth in public higher education. Enrollment in state institutions has tripled to more than 90,000 students and annual expenditures have increased by a factor of five to more than \$200,000,000.

This pattern of growth has not been without its drawbacks, however. For as the public sector has expanded, pressure on private institutions has increased. The falling birth rate, the abolition of the draft and the pressures of inflation, taken together with the availability of low-cost public education, have made it difficult for many private colleges and universities to compete. The state can either stand by

and watch while they shut their doors or it can offer a helping hand.

Many economic factors suggest the latter course. The capital costs of expanding public higher education in Massachusetts are astounding, with hundreds of millions of dollars already spent and hundreds of millions more committed.

A new state medical school and teaching hospital, an entire new campus for the University of Massachusetts in Boston, more than a dozen new community college campuses, new facilities for all the state colleges and a new state university in southeastern Massachusetts are in varying stages of completion. The price tag may well reach a billion dollars before the building binge comes to an end.

There is a question, however, if this is the most sensible way of achieving the goal of more classroom space. It does not make sense for the Commonwealth to spend hundreds of millions of dollars in the public sector while classrooms at private institutions sit empty.

How then does state government help private institutions when the Constitution prohibits direct aid to them? (A proposed amendment to the Massachusetts Constitution removing this prohibition will be on the ballot in November). The obvious answer is by increasing aid to students in the form of scholarships. Gov. Francis Sargent (R) proposed this solution during the most recent legislative session. The governor called for increasing the amount of state scholarship money for students attending both public and private institutions.

Appropriations for the Common-

wealth's general scholarship program stood at \$9,500,000, and the General Laws stipulated that at least 75 percent of that amount, and not more than 90 percent of it, be allocated to students at private institutions.

The governor proposed increasing the total to \$16,000,000 in fiscal 1975 and to \$35,000,000 in fiscal 1976. At the same time, he proposed changing the minimum and maximum portions to be allocated to students in the private sector to 70 and 85 percent respectively. Thus, while private institutions would benefit from the proposal, state institutions would benefit as well, because they would receive a bigger piece of a bigger pie.

In dollars, the minimum that would find its way to state-supported institutions would increase from \$950,000 to \$5,250,000 per year. The maximum would increase more than 300 percent to \$10,500,000. That Sargent's proposed scholarship program is generous to both public and private sectors is no accident. The details were worked out over a long period of time with representatives of public and private institutions, and both sectors endorsed the proposal. The legislature did not agree with the need for increased scholarship aid this year, and voted against the governor's proposal.

The proposal must not be allowed sets must help its private colleges and to die there. It is clear that Massachusetts universities, and it is clear this can be done without renegeing on the state's commitment to public higher education. That commitment must not change. What must change is the attitude that public higher education can continue to expand in a vacuum. ■

COMMENTARY: OPEN HOUSING

Homes

vs.

Buses

by Ralph Thayer

Sharing the spotlight with the decision of the Supreme Court to force President Nixon to surrender the subpoenaed tapes to Special Prosecutor Leon Jaworski was a split decision (5-4) the following day related to busing of school children across governmental boundaries.

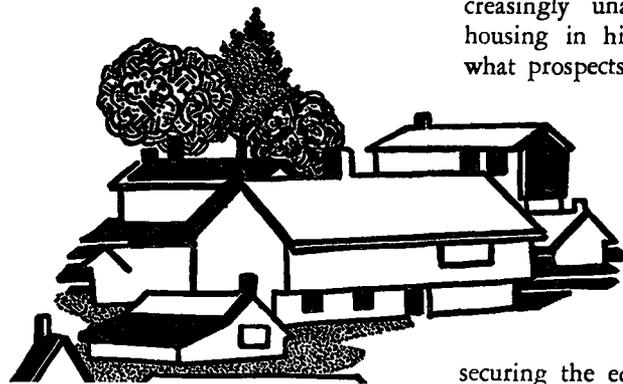
In essence, the Supreme Court rejected busing unless the surrounding jurisdictions in a typical city-suburb pattern were shown to have deliberately operated a dual system of education. The expressions of relief shown by the school superintendents in the Detroit area who had been challenging the metropolitan integration decision was no doubt repeated in many areas across the nation.

One need not be a diehard segregationist of the old school to have serious questions about the value of mass busing. A Supreme Court decision favoring metropolitan busing might simply have fueled congressional efforts to pass a constitutional limitation on such transportation.

As Gov. William Milliken (R-Mich.) pointed out after the decision, it does highlight the need for increased emphasis on open housing and desegregated residential patterns. Past policies have literally underwritten a pattern of residential living based on distinctions of race and economics. The liberal benefits of Federal Housing Administration and Veteran's Administration home financing guarantees

have gone in large part to creating white, middle class suburbs. Under such circumstances, it was not necessary to be foolish enough to create a dual school system; the economics of lending in "stable (e.g., homogenous) areas" to "male heads of household with favorable economic future prospects" was sufficient to create all-white neighborhoods. The Civil Rights Commission hearings on suburban Baltimore County detailed the mechanics of this segregation policy. What motivation existed to compel the initiation of a formal dual system when other factors spoke with more subtlety to the same desire?

In order to reform the residential living patterns, the FHA and other agencies have been forced to adopt more inclusive policies as have other agencies. In their stead, locally adopted "growth control" zoning ordinances are performing a similar segregating function. Even if circumvented, these



regulations add to the developer's costs — which reflects itself in higher purchase prices. A minority family, seeking to escape the city because of complete despair at the inability of city schools to rise above custodial status, is apt to discover concern for overpopulation thwarting their move. The refusal of a municipal jurisdiction to allow more and higher density development can possibly be evidence of "exclusionary living and educational patterns.

Where minorities are apt to move — the older, close-in suburbs — there is a chance that the school system can be revitalized to support their needs. If the school's physical plant has not deteriorated, if the "community emerging" does not inherit exorbitant teacher union pay pacts signed by the "community departing," and if the pressures for industrial locations near the

cities translate themselves into significant tax support for the jurisdictional schools, then there is a chance for improvement. Ironically, if the Supreme Court had supported metropolitan integration, this movement to create strong schools oriented to the particular needs of minority groups could have been seriously diluted; minorities would have been dispersed and the opportunity for "community control" lost.

By saying that inter-jurisdictional busing is an option only under specified and provable conditions of open discrimination, the Supreme Court treated education the way the Nixon Administration treated housing: no one will be forced to do anything but "open" discrimination will not be tolerated. The flaw is that the affluent are still free to segregate themselves economically.

If minority groups are locked into declining urban schools and are increasingly unable to afford decent housing in higher quality locations, what prospects have these groups for

securing the education needed to secure the technically-oriented jobs of the future? An all-out drive to open the suburbs so that more can attend successful schools or it will have to get serious about totally rebuilding schools in areas of minority concentration. The housing and education policy makers housing and education policymakers must begin consultations and end the isolation of their occupations. As an opening suggestion, it might be wise for hearings to be held on the ramifications of the Supreme Court decision (in light of the new impediments of inflation, soaring interest rates, and town growth limits) for minority housing mobility. We still have "two societies; one - white, one - black;" let us avoid the perpetuation of policies wherein only those who escaped the cities in the times of easy mortgage money can afford a decent education for their children. ■

COMMENTARY: CONSUMERS

When Fair Trade is Foul

by Louis J. Lefkowitz

As a general rule, the antitrust laws prohibit all price-fixing agreements or practices because price-fixing is considered to have a pernicious effect on competition, is deemed to lack any redeeming virtue, and is conclusively presumed therefore to be unreasonable. In New York, as in several other states, however, the so-called "fair trade" law presently provides a statutory exemption from the broad mandate of the federal and state antitrust laws.

Where fair trade laws are in effect, a manufacturer may require his distributors to agree to resell his product only at a "fair trade" price set by the manufacturer. Furthermore, the fair trade law makes it unlawful for any distributor, who has obtained a supply of the product from someone other than the manufacturer, to knowingly sell that product below the manufacturers "fair trade" price — even if the distributor has not himself agreed to such a requirement as a condition to resale. Under the terms of the "non-signer" clause of the fair trade law, therefore, all distributors of a fair traded product are automatically bound

to the terms of a manufacturer's fair trade contract with a single distributor, even when they are not themselves parties to the agreement. In effect, "fair trade" eliminates all price competition on the item in question, no matter who has the product for sale and no matter what his source of supply may have been.

Fair trade legislation was adopted by many states during the 1930's as one means of relieving the especially serious impact of the Depression on small firms in the distribution trades. It was hoped that fair trade would stem the practice of predatory price cutting and act to stimulate the depressed national economy. Just how meaningful or effective was the remedy has been a matter of dispute for many years. In any event, more than three decades have passed, and the national economy has changed from one of severe deflation to one of oppressive inflation. The original justifications for "fair trade" — to bolster a depressed economy and to preserve an orderly distribution system — lack merit in an expanding merchandise economy.

Moreover, there is really nothing very "fair" about a fair trade contract. Such agreements are inherently unfair for the following reasons:

- There is never a guarantee that the so-called "fair trade" price will indeed be a "fair" price. Prices are set by the manufacturer and are not subject to review for reasonableness. They may be completely arbitrary. Fair trade thus amounts to officially sanctioned market price-control without the safeguards of government supervision.



- Wholesalers and retailers that sell fair traded products are prevented — by other businessmen — from setting the prices at which they will resell *their own property*.

- Consumers are effectively prevented from exercising free choice in the marketplace. Certain consumers may be willing to pay higher prices for the "quality" or "services" allegedly made possible by "fair trade" retail profit margins. However, other customers may have no need or desire for so-called "quality service." For all persons on fixed or limited incomes, "price" is the most important budgetary consideration. These consumers should be given an opportunity to "shop" for lower prices on a particular item.

That "fair trade" results in higher consumer prices is undeniable. Over the years, several price surveys have demonstrated that products sold under fair trade conditions may cost the consumer anywhere from 10 to 60 percent more than identical products sold in so-called "free trade" areas. In 1969, the President's Council of Economic Advisers estimated the annual nationwide "cost" of fair trade to the consumer at \$1.5 billion dollars.

In this era of galloping inflation, there can no longer be any public justification for the continued existence of laws that were specifically designed for the purpose of maintaining high price levels. The time of "fair trade" has clearly passed. It is time for us now to renew our commitment to the free enterprise ideal and to restore the forces of competition to a significant part of the marketplace. ■

CONTRIBUTOR NOTES

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COMMENTARY: DRUG TRAFFIC

Sentencing The Drug Seller

by Josiab Spaulding

Success in drug enforcement programs requires reaching two goals simultaneously — rehabilitation of the addict and removal of the professional drug trafficker from the streets. Our existing approaches often address one goal at the expense of the other

Consider two approaches. In New York the so-called punitive theory prevails, with severe mandatory sentences for all drug offenses, graded by the kind and amount of narcotics involved. An addict caught with two ounces of heroin receives a life sentence with no parole before fifteen years. This approach probably deters the professional, but what about the addict?

In neighboring Massachusetts, the so-called rehabilitative approach prevails with wide discretion given judges to impose light or even suspended sentences. This allows rehabilitation of the addict, but hardly deters the professional.

The addict-dealer and the professional distributor pose two separate problems. The addict is driven to sell drugs in order to sustain himself physically. He is the least significant and most easily replaceable link in the drug distribution network. He needs treatment and rehabilitation, which the punitive approach does not provide.

The non-user professional drug trafficker sells drugs by choice, for profit. In his case the punitive approach is needed, because under the rehabilitative approach the probability of a light

sentence vitiates deterrence.

To address both problems requires a pragmatic blending of the rehabilitative with the punitive and that requires re-examining not the theory of punishment, but the process by which offenders are brought to justice.

Today, in practice, the professional drug distributor can seldom be convicted of more than possession. He keeps himself several levels away from visible drug traffic and maintains a healthy reserve of funds available for legal talent. The rules of evidence seldom allow admission of evidence of his actual degree of participation in the overall drug distribution system. Such evidence might be irrelevant to guilt or innocence of the offense charged, e.g., prior arrests and convictions. In many cases, the only available evidence of a higher link is hearsay, usually inadmissible in a proceeding determining guilt. Therefore, in a process that is designed only to determine innocence or guilt, the evidence to distinguish this kind of defendant from the small time user-pusher cannot even be presented to the judge. In the eyes of the judge, there is no solid basis for a harsher sentence than that appropriate for a small-time addict.

One method which could be used to allow the crucial distinction between addicts and dealers to be made before the court, without infringing on the rights of the accused, is to provide by law for post-conviction sentencing hearings in drug cases. These hearing could either be requested by the prosecution or the defense. Similar hearings have been used and proposed for deciding whether the death penalty is to be imposed in capital cases.



In the post-conviction hearing, evidence of aggravating factors in the offense charged could be introduced by the prosecutor, e.g., a high level of participation in organized drug distribution, unusually large amounts of narcotics involved, prior convictions, all carefully spelled out to avoid capriciousness. A series of harsh, even mandatory, minimum sentences would be graded by the kind and number of aggravating factors present.

Similarly, the defendant or prosecutor could introduce evidence of mitigating factors which would seem to warrant cure-oriented sentences: e.g., a first conviction or drug addiction compelling the defendant to sell drugs.

Because this procedure would not determine guilt or innocence, the rules of evidence could be relaxed somewhat, at least to the extent of permitting some hearsay and circumstantial evidence. From a practical standpoint this is the only kind of evidence available to demonstrate the degree of participation of the defendant in organized drug trafficking.

This approach does not reduce the rights of the defendant since at present the judge has wide discretion in sentencing even for offenses such as possession-with-the-intent-to-sell or conspiracy-to-sell. The hearing merely provides a vehicle for presenting needed evidence to the judge and a set of standards for sentencing. The law could even provide a jury determination of facts. All evidence can be challenged and will be given only the weight it deserves.

The post-conviction hearing approach combines the positive aspects of both the punitive theory and the rehabilitative theory. The deterrence afforded by harsh mandatory minimum sentences is provided in the case of the professional dealer who knows that he will have to face a post-conviction hearing. The goals of treatment and rehabilitation would be met in the case of the addict who could demonstrate mitigating factors in his case.

The proposal is no panacea, but it does offer a means of correlating punishment with the degree of participation in organized drug trafficking, a key correlation our present methods miss. ■

DULY NOTED: POLITICS

● "Where Were You in '64," by Arnold Steinberg. *National Review*, August 16, 1974. Commenting on the recent Young Americans for Freedom conference in San Francisco, Steinberg writes, "The YAF spirit is steady, but not strong; Watergate must be part of the problem, because nearly every speaker (at the conference) spoke of it . . . YAF's growth has also been stunted by campus apathy. SDS is no longer burning the campuses, and a YAF must search harder for campus issues. Frank Donatelli, the 25-year-old law student who serves as YAF's executive director, is concerned about the drift of the young conservative movement."

● "Gov. Reagan's White House Hopes Ended," by Sydney Kossen. *San Francisco Examiner & Chronicle*, August 11, 1974. "Governor (Ronald) Reagan's low pressure campaign for president collapsed when Gerald Ford took the oath of office. This is the view of top-level California Republicans who told the *Examiner* the 63-year-old governor privately admits that he no longer sees the White House in his future . . . Now wealthy members of the governor's 'kitchen cabinet' and other conservatives reportedly are no longer earmarking funds for another Reagan presidential caper. This, coupled with a revival of rank and file party loyalty, could ease the financial distress of the current GOP candidates for Congress and state offices."

● "Court GOP Blacks, Too," by Carl T. Rowan. *Washington Star-News*, August 16, 1974. "It was very decent and very smart for President Gerald R. Ford to ask for a meeting with the black members of the House of Representatives," writes Rowan, but he points out that the prospects for a Ford honeymoon with the Black Caucus are limited. "The real test of Ford's 'wound healing,' then will be not his relations with black Democrats in Congress, but whatever efforts he makes to ease the sense of despair and outrage among black Republicans. For weeks prior to the resignation of President Nixon, Curtis T. Perkins, national director of the Black Council for Republican Politics, was barraging white Republicans with what he called the minimum demands of black Republicans for reform of the GOP." Among the foremost of Perkins' priorities is the appointment of a black as a top White House aide with Cabinet rank. "The Black Council for Republican Politics also demanded at least 10 blacks on the Republican National Committee; a paid black deputy chairman on the staff of the RNC; top-level blacks on the staff of each Republican governor, senator, and representative from areas with sizeable black constituencies; adequate party financial support for black candidates in 'safe' GOP congressional districts so that some Republicans can join the black contingent in the House; that the Administration 'proceed to appoint the hundreds of black Republicans promised top-level jobs as a result of their work and competence during the 1972 presidential campaign.'"

● "A New Voice for The Right Wing," by James Kilpatrick. *San Francisco Chronicle*, July 18, 1974. "George Murphy called a press conference the other day, but almost nobody came. This was a pity, because the former California senator was engaged in launching a worthy venture. The old hooper purpose was to announce the formation of 'American Cause.' Though he wouldn't say so directly, American Cause obviously is intended to function as a conservative counterforce to the liberals' Common Cause." Although Kilpatrick likes the idea, he doubts it will succeed and damns the inability of conservatives to support viable organizations. "Conservatives are a fun-

ny breed. Politically and ideologically, they are loners. They tend to peer through their microscopes darkly, seeing one issue at a time: gun control, right to work, fluoridation, racial balance busing, arms limitation, pornography. Thus blinkered, they cannot be distracted by issues on either side."

● "Ford Should Learn From Nixon's Mistakes," by Howard Phillips. *Human Events*, August 24, 1974. "Thus, having a conservative in the presidency, or vice presidency is very important in binding conservatives to the GOP. There are many who believe that the downfall of conservative Spiro T. Agnew spelled the beginning of the end for Richard Nixon, by eliminating visible conservative spokesmanship from the Administration," writes the former director of the Office of Economic Opportunity. "If . . . Ford selects a liberal vice president, and fails to install conservatives at (the Office of Management and Budget) and the executive branch departments, many on the right will begin to organize behind a 1976 conservative presidential contender in opposition to Ford, and may even take tentative steps toward the formation of a new political party, through which their views might have a better prospect for becoming public policy."

● MARGIN RELEASE

PETERSBURG—On what the *New York Times'* William Safire calls "Incrimination Day" (August 4, 1974), I attended a performance of Niccolo Machiavelli's *Mandragola*. It's a comedy of sex and political power in which a priest aids in the seduction of the wife of a not-too-bright lawyer.

At one point in the play, the priest, conscience-stricken by his involvement in the plot, turns to the audience and admits: "My only consolation is that when many people are involved in a thing, many are involved in covering it up."

Exeunt the President. Enter a new cast. (Applause.) db.

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